

**Beplanning en Ontwikkeling**  
**Planning and Development**

**Collaborator No.:** 3464521  
**Reference / Verwysing:** Erf 8249, George  
**Date / Datum:** 09 January 2026  
**Enquiries / Navrae:** Marisa Arries

**Email:** [janvrolijk@jvtownplanner.co.za](mailto:janvrolijk@jvtownplanner.co.za)

JAN VROLIJK TOWN PLANNER  
PO BOX 710  
GEORGE  
6530

**APPLICATION FOR CONSENT USE AND DEPARTURE (BUILDING LINE RELAXATION):**  
**ERF 8249, UNION STREET, GEORGE**

Your application in the above regard refers.

The Deputy Director: Town Planning has, under delegation no. 4.17.1.17 of 24 April 2025, decided that the following applications applicable to Erf 8249, George:

A. That the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the relaxation of the number of motor vehicle carriageway crossings stipulated in Section 45(4)(a) of the George Integrated Zoning Scheme 2023, to allow for 2 carriageway crossings from School Street to the proposed parking bays on Erf 8249, George;

**BE REFUSED** in terms of Section 60 of said By-Law for the following reasons:

**REASONS FOR DECISION**

- a) The proposed new access conflicts with existing municipal infrastructure, including an electrical box, fire hydrant and stormwater drain within the road reserve
- b) It would also necessitate the removal of a tree that currently contributes to the street scape and mitigates the visual impact of the swim school structure on the streetscape along School Street.
- c) The proposed access to the rear parking area is substandard for the proposed use, with a width of only 3 metres and a length exceeding 20 metres. This design is impractical for vehicle and pedestrian movement, will cause manoeuvrability and congestion issues, and poses safety risks to the students.
- d) The existing access on the eastern side of the property is the only practical and feasible vehicle access for the swim school. There is ample space available between the existing house and swim school to accommodate a practical and feasible parking area and therefore, the proposed 2<sup>nd</sup> access point on the western side of the property on School Street is neither desirable nor necessary.

B. That the following applications applicable to Erf 8249, George:

1. Consent in terms of Section 15(2)(o) of the Land Use Planning By-law for George Municipality, 2023 for a "Place of Instruction" on Erf 8249, George for an existing indoor swimming pool and swim school;

2. Departure in terms of Section 15(2)(b) of the land use planning by-law for George Municipality, 2023 for the following building line relaxations on Erf 8249, George:

- a) Northern street boundary building line (School Street) from 5.0m to a distance varying from 1.097m to 1.613m to accommodate the existing swim school;
- b) Eastern side boundary building line from 5.0m to 4.208m to accommodate the existing swim school;

**BE APPROVED** in terms of Section 60 of said By-law for the following reasons:

**REASONS FOR DECISION**

- a) The proposed development of the swim school is deemed to be consistent with the spatial planning policies and guidelines for this area.
- b) Considering the existing character of the area, as well as the presence of trees along, and within the property boundary, that mitigate the visual impact of the swim school structure on the School Street streetscape, it is concluded that the proposal will not negatively impact the streetscape.
- c) Considering the placement of the structures and the overall design, the proposed development will not appear out of character with the surrounding area.
- d) The proposed development will not have a significant adverse impact on surrounding neighbours' rights in terms of privacy, views and sunlight.

Subject to the following conditions imposed in terms of Sections 66 of the said By-law, namely:

**CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT**

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes in operation.
2. This approval shall be taken to cover only the Consent Use and building line relaxations as applied for and indicated on the Site Layout plan no. 351-02 dated 28 /05/2024 and drawn by JDS Designs Studio attached as "***Annexure A***" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.
3. The trees along and between the School Street boundary building line and the swim school must be retained to mitigate the visual impact on the streetscape in the said street.
4. A contravention levy of **R 9 416.92 (VAT Included)** is payable for the unlawful use of the property for a swim school and for the building line encroachments and shall be payable on submission of building plans.
5. A revised site layout plan must be submitted to the Directorate: Planning and Development for approval prior to building plan submission, specifically to address access, parking, manoeuvrability and student safety as outlined in the reasons for refusal of an additional access.
6. The Consent Use and Building line Departure approvals will be deemed implemented on the issuing of the occupation certificate in accordance with the approved building plans.

**Notes**

- (i) As built building plan must be submitted for approval in accordance with the National Building Regulations (NBR).
- (ii) Stormwater management must be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.
- (iii) The use of impermeable paving should be minimized, with permeable surfaces such as gravel, stone, or permeable pavers strongly encouraged to promote surface water infiltration and reduce runoff.
- (iv) The developer must adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.
- (v) The contravention levy on Erf 8249, George is calculated as follows:
  - a) (Swim school)  $113m^2 - 60m^2$  (home occupation) =  $53m^2$  as a direct contravention
  - b) The present municipal value of the property is R 1 630 000.00.
  - c) The property area is  $1055m^2$ .
  - d) The  $m^2$  value of the property is thus, R1545.02 / $m^2$ .
  - e) The contravention levy payable by the owner in accordance with the municipality's tariff list is:  $(10\% \times R1545.02 \times 53m^2) = R8 188.63$  Plus VAT (15%) = R 1 228.29
  - f) **Total = R 9 416.92 (VAT Included)**

## **CONDITIONS OF THE DIRECTORATE: CIVIL ENGINEERING SERVICES**

7. The conditions imposed by the Directorate Civil Engineering Services are attached as 'Annexure B' dated 12/06/2025, shall be adhered to.
8. As stipulated in the attached conditions imposed by the Directorate Civil Engineering Services, the amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:

The amounts of the development contributions are reflected on the attached calculation sheet dated 12/06/2025 and are as follows:

Roads	R 36 344.45
Sewer	R 17 993.52
Water	R 18 226.68
<b>Total</b>	<b>R 72 564.65 (Excluding VAT)</b>

9. The total amount of the development charges of **R 72 564.65** Excluding VAT shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
10. Any amendments or additions to the proposed development, which is not contained within the calculation sheet attached, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculations of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval.

*Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to submission of the subdivision plan to ascertain what information they require to provide a more accurate calculation.*

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

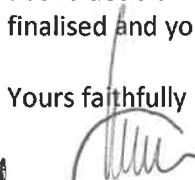
A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George on or 30 January 2026 and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. Please also note that the appeal must be e-mailed to the administrative officer mentioned above.

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully



**N. SWANEPoEL**

**ACTING SENIOR MANAGER: TOWN PLANNING**

C:\Marisa\Decisions\_New By-Law Pro formas\_(applicant)\Erf 8249,George( consent use and departure \_refused and approved)jvrolijk.docx



GEORGE DC CALCULATION MODEL		Version 1.00	31 August 2021
<b>For Internal information use only (Not to publish)</b>			
		Erf Number * <b>8249</b> Allotment area * <b>George</b> Water & Sewer System * <b>George System</b> Road network * <b>George</b>  Developer/Owner * <b>Melanie de Kock</b>  Erf Size (ha) * <b>1 053,34</b> Date (YYYY/MM/DD) * <b>2025-06-12</b> Current Financial Year <b>2024/2025</b> Collaborator Application Reference <b>3464521</b>	

Application: **Consent (Place of instruction)**

Service applicable	Description
Roads	Service available, access via School / Union streets (Subject to the Road master plan & access approval)
Sewer	Service available (Subject to the Sewer Master Plan, WWTW treatment & network capacity)
Water	Service available (Subject to the Water Master Plan, WTW treatment & network capacity)

#### Conditions

##### General conditions

- 1 The amount of Development Charges (DCs) to be paid by the developer are calculated in terms of the George Municipality Land Use Planning By-Law (as amended) and the approved DC Guidelines. With reference to clause above, with regards to the proposed development, the developer will be required to make development contribution, as follows:
- 2 The amounts of the development charges are reflected on the attached calculation sheet dated 12/06/2025 and are as follows:
 

Roads:	R	36 344,45	Excluding VAT (Refer to attached DC calculation sheet)
Sewer:	R	17 993,52	Excluding VAT (Refer to attached DC calculation sheet)
Water:	R	18 226,68	Excluding VAT (Refer to attached DC calculation sheet)
Total	R	72 564,65	Total Excluding VAT
- 3 The total amount of the development charges of R72 564,65 shall be paid prior to the first transfer of a land unit pursuant to the application or upon the approval of building plans, whichever occurs first, unless otherwise provided in an engineering services agreement or, in the case of a phased development, in these or any other relevant conditions of approval.
- 4 Any amendments or additions to the proposed development which is not contained within the calculation sheet as dated in clause 2 above, which might lead to an increase in the proportional contribution to municipal public expenditure, will result in the recalculation of the development charges and the amendment of these conditions of approval or the imposition of other relevant conditions of approval

*Note: The Development Charges indicated above are based on the information available to the respective engineering departments at the time of approval. It is advised that the owners consult with these departments prior to submission of the subdivision plan to ascertain what information they require to provide a more accurate calculation.*

- 5 As provided in section 66(5B)(b) of the Planning By-Law (as amended), using the date of approval as the base month the amount of R72 564,65 shall be adjusted in line with the consumer price index published by Statistic South Africa up to the date when payment is made in terms of paragraph 3 above.
- 6 Development charges are to be paid to the Municipality in cash or by electronic funds transfer or such other method of payment as may be accepted by the Municipality at the time when payment is made.
- 7 All services -internal, link and relocation of or upgrades to existing - are to be designed by a registered consulting engineer in accordance with Council specifications. This may include bulk services outside the development area but that must be upgraded to specifically cater for the development. All drawings and plans are to be submitted to the applicable department, or any other relevant authority, (hard copy and electronically) for approval prior to any construction work taking place. All work is to be carried out by a suitable qualified/registered contractor under the supervision of the consulting engineer who is to provide the relevant authority with a certificate of completion, and as-built plans in electronic format. All costs will be for the developer. No transfers will be approved before all the municipal services have been satisfactorily installed and as-built submitted electronically as well as the surveyor's plan.
- 8 Consent use approval with regards to Guest houses, School or Hotels are subject to the submission and approval of building plans, which shall include a detailed Site Development Plan (SDP), indicating proposed land use changes to the erf/erven. The SDP should, but not limited to, address all internal parking requirements (ie within the development area), position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic.
- 9 Any, and all, costs directly related to the development remain the developers' responsibility.
- 10 Any services from the development that must be accommodated across another erf must be negotiated between the developer and the owner of the relevant erf. Any costs resulting from the accommodation of such services or the incorporation of these services into the network of another development are to be determined by the developer and the owner of the other erf. (condition 7 applicable)

- 11 Any service from another erf that must be accommodated across the development or incorporated into the services of the development: all negotiations will be between the owner/developer of the relevant erf and the developer. Costs for the accommodation of these services or the upgrade of the developments services to incorporate such services are to be determined by the developers/owners concerned. (condition 7 applicable)
- 12 Any existing municipal or private service damaged during the development will be repaired at the developers cost and to the satisfaction of the George Municipality. (condition 7 applicable)
- 13 Suitable servitudes must be registered for any municipal service not positioned within the normal building lines.
- 14 Note, the applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.
- 15 Note, provisions for the removal of solid waste is to be addressed in conjunction with the Dir: Environmental Services.
- 16 Note, the developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.
- 17 Transfers, building plan approvals and occupation certificates may be withheld if any sums of money owing to the George Municipality are not paid in full, or if any services have not been completed to the satisfaction of the Dir: CES & ETS, or any condition of any authority has not been satisfactorily complied with.
- 18 The Developer is responsible to obtain the necessary approval / way leaves from third parties which include, but is not limited to the George Municipality, Telkom & Fibre optic service provider.
- 19 No construction activity may take place until all approvals, including way leave approval, are in place, all drawings and material have been approved by the Technical Directorates.
- 20 Municipal water is provided for potable use only. No irrigation water will be provided.
- 21 The development, in its entirety or in phases, is subject to confirmation by the Dir. CES of the availability of Water and Sanitation bulk treatment capacity at the time of the development implementation, or if developed in phases before the commencement of each phase. A development/implementation program is to be provided by the Developer when requesting confirmation of this capacity from the Dir. CES. If the Developer does not adhere to the program the Dir. CES will be entitled to revise the availability of such bulk capacity
- 22 If required, the developer is to have a Traffic Impact Assessment (TIA) conducted by a registered traffic engineer. The terms of reference of the TIA are to be finalised with the Dir. CES together with any other approving authority, and who must also approve the TIA. All recommendations stipulated in the TIA report and as approved by the Dir. CES and/or relevant authority are to be implemented by the developer. All costs involved will be for the developer.
- 23 The discharge of surface stormwater is to be addressed by the developer. Condition 7 applies. All related costs are for the developer. The developer is to consult with the Dir: CES to ensure that stormwater planning is done on line with the available stormwater master plans.
- 24 Internal parking requirements (ie within the development area), position of accesses, provision for pedestrians and non-motorised transport, and other issues related to traffic must be addressed and all measures indicated on plans and drawings submitted for approval.
- 25 Adequate parking with a hardened surface must be provided on the premises of the proposed development.
- 26 No private parking will be allowed in the road reserve. The developer will be required at own cost to install preventative measures to insure compliance.
- 27 The approval of the layout of the development and accesses is subject to the George Roads Master Plan and approved by the Dir: CES. A site development plan is to be submitted to the Dir: CES, or any other relevant authority for approval prior to any construction work taking place.
- 28 Permission for access onto municipal, provincial or national roads must be obtained from the relevant authorities.
- 29 Minimum required off-street parking provided, must be provided in terms of the George Integrated Zoning Scheme 2023 parking requirements and vehicles must readily leave the site without reversing across the sidewalk. Alternative Parking may be supplied.
- 30 Site access to conform to the George Integrated Zoning Scheme 2023.
- 31 Access to the development shall be provided exclusively via School Street. No secondary access, including from Union Street, will be permitted. The developer must demonstrate, through the submitted building plans, how physical access to the proposed parking area from Union Street will be effectively restricted and prevented.



Singed on behalf of Dept: CES

12 Jun 25

Project Details																											
Code		Land Use		Unit		Total Existing Right		Total New Right																			
RESIDENTIAL		RESIDENTIAL Housing (1 000-1 500m²) Erf		Unit		Units		Units																			
INSTITUTIONAL		INSTITUTIONAL		Unit		m² Erf		m² Erf																			
Private School		Private School		Student		m² GLA		m² GLA																			
				m² GLA																							
<b>Is the development located within Public Transport (PT1) zone?</b> <div style="display: flex; justify-content: space-around; align-items: center;"> <span><input type="checkbox"/> No</span> <span><input checked="" type="checkbox"/> Yes</span> <span>Please select</span> </div>																											
<b>Calculation of bulk engineering services component of Development Charge</b>																											
Service	Units	Additional Demand	Unit Cost	Amount	VAT	Total		Total																			
	trips/day	11,40	R 3 028,70	R 34 527,23	R 5 179,08			R 39 706,31																			
	trips/day	0,60	R 3 028,70	R 1 817,22	R 272,58			R 2 089,81																			
	kl/day	0,40	R 44 760,00	R 17 993,52	R 2 659,03			R 20 692,55																			
	kl/day	0,40	R 45 340,00	R 18 226,68	R 2 734,00			R 20 960,68																			
Total bulk engineering services component of Development Charge payable				R 72 564,65	R 10 884,70			R 83 449,34																			
<b>Link engineering services component of Development Charge</b>																											
<b>Total Development Charge Payable</b>																											
<b>City of George</b> <b>Calculated (CES):</b> <b>JM Fivaz</b> <b>Signature :</b> _____ <b>Date :</b> <b>June 12, 2025</b>																											
<b>NOTES :</b> <ol style="list-style-type: none"> <li>1. In relation to the increase pursuant to section 66(5B)(b) of the Planning By-Law (as amended) in line with the consumer price index published by Statistic South Africa) using the date of approval as the base month</li> <li>2. Please note the calculation above only suffice as a pro-forma calculation. Once confirmation of the calculation is revised can a VAT invoice be requested from the Municipal Financial department. In this regard you can contact Werner Joubert on email at <a href="mailto:wjoubert@george.gov.za">wjoubert@george.gov.za</a> or telephone on 044 301 1333</li> </ol>																											
<b>Departmental Notes:</b>  For the internal use of Finance only																											
<table border="1"> <thead> <tr> <th>Service</th> <th>Financial Object/Key number</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Roads</td> <td>20220703048977</td> <td>R 39 706,31</td> </tr> <tr> <td>Public Transport</td> <td>20220703048978</td> <td>R 2 089,81</td> </tr> <tr> <td>Sewerage</td> <td>20220703048981</td> <td>R 20 692,55</td> </tr> <tr> <td>Water</td> <td></td> <td>R 20 960,68</td> </tr> <tr> <td></td> <td></td> <td>R 83 449,34</td> </tr> </tbody> </table>										Service	Financial Object/Key number	Total	Roads	20220703048977	R 39 706,31	Public Transport	20220703048978	R 2 089,81	Sewerage	20220703048981	R 20 692,55	Water		R 20 960,68			R 83 449,34
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