

**Collaborator No.:** 3124370  
**Reference / Verwysing:** Erf 18058, George  
**Date / Datum:** 20 February 2026  
**Enquiries / Navrae:** Andrea Griessel

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**APPLICATION FOR PERMANENT DEPARTURE AND APPROVAL OF SITE DEVELOPMENT PLAN:  
ERF 18058, GEORGE**

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.3.13 of 24 April 2025 decided that the following land use applications for Erf 18058, George:

- A. **Permanent Departure** in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the reduction in the parking ratio from Normal Area ratio to PT1 Area parking ratio to accommodate unauthorised additions and alterations to the existing business premises on Erf 18056, George;

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

**REASONS FOR DECISION**

- It is recognised that, though it is working towards to a zero (0) parking bay requirement for the CBD (as proposed in the Municipal Spatial Development Framework (MSDF)), the Municipality is not yet in a position to achieve a reduction of parking bays to beyond PT1 in this area and thus a PT2 parking ratio must be applied.
- It is noted that the subject property has a historical Business Zone with no conditions relating to parking. Thus, the parking ratio to be applied to this property up until 2017, is 1 bay per 60m<sup>2</sup>.
- The building plans submitted for the additions and alterations indicates that the existing building is 1049m<sup>2</sup>, equating to a parking requirement of 17.5 bays plus a loading bay at the historic parking ratio.
- The additions and alterations to the building in 2022, increased the GLA of the building by 182m<sup>2</sup> requiring 10.92 additional bays in accordance with Normal parking ratio calculations. Thus the total number of bays required for the existing development equates to 29 parking bays plus 1 loading bay and not 42 bays.
- 7.3 parking bays are required when applying PT1 parking ratios to the additional GLA – equating to 25 bays in total and not 32 bays.
- Considering the historical parking ratios, modern parking requirements for business premises, the possibility of a shared parking model as well as the comments / advise received from the Civil Engineering Department, it was determined that a further reduction in parking should not be supported.

- (g) As only 23 parking bays can be provided on site, and the owners have not been successful in attaining an alternative parking arrangement, the GLA of the building on the property must be reduced by the equivalent of 2 parking bays or up to 50m<sup>2</sup> to comply with PT1 parking requirements, to be resolved on submission of building plans.
- (h) In lieu of the objections received, it is noted that approval of the above application (applying PT1 parking ratios) will not result in any significant change of use on the property. It is further noted that the access to the residential developments have been secured by means of fencing and a gate and that the public are no longer able to park on adjoining neighbours' properties.

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

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

#### **General conditions**

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. In terms of development parameters (l) and (n) for "business premises" in terms of the George Integrated Zoning Scheme By-law, 2023, screening and landscaping to enhance the streetscape and to mitigate the increased hardened surfaces in the urban area, must be indicated on the building plans and implemented.
3. In accordance with Section 66(2)(z) of the Land Use Planning By-Law for George Municipality, 2023 a contravention levy of **R30 778,14** (VAT included) shall be payable to the Directorate: Planning and Development on submission of building plans. The levy may be recalculated if it can be demonstrated that the Directorate's calculation was incorrect.
4. The reduction in GLA to comply with the PT1 parking ratio requirements and the final parking layout must be addressed on submission of building plans.
5. The approval will be deemed implemented on the approval of building plans in respect of existing structures and parking layout.

#### **Town Planning Notes:**

- (a) *The reconfiguration of the parking bay layout to allow for 23 parking bays and 1 loading bays as recommended in the Traffic Study requires that the current access is moved to the south-west of the first yellowwood tree, so that a perpendicular access can be provided. The access must be discussed with Civil Engineering Services and will determine the final layout to be implemented. The resolution in this regard must be submitted with the building plans.*
- (b) *Approval from the Western Cape Department of Infrastructure needs to be submitted with the building plan application.*
- (c) *Building plans must indicate the layout of the entire building and not only the restaurant.*
- (d) *Ensure compliance with all the development parameters of "business premises" as per the George Integrated Zoning Scheme By-law, 2023 (noting refuse room, carriageway crossing widths, parking for the disabled, etc). Please indicate on building plans.*
- (e) *A building plan must be submitted for approval in accordance with the National Building Regulations.*
- (f) *Building plans to comply with SANS 10400, and any other applicable legislation.*
- (g) *Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion measures must be addressed on the building plans.*
- (h) *The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority.*
- (i) *Application in terms of the George Outdoor Advertising By-law, 2023 is required.*
- (j) *The contravention levy was calculated as indicated below.*
- *Total contravention area: 6 parking bays x 6 bays/100m<sup>2</sup> = 100m<sup>2</sup>*
  - *m<sup>2</sup> value of the property = total municipal value / extent of property*
  - *m<sup>2</sup> value of the property = R5 152 000 / 1 925m<sup>2</sup> = R2 676.36 / m<sup>2</sup>*
  - *Contravention levy = 10% x R2676.36/ m<sup>2</sup> x 100m<sup>2</sup>= R26 763.60 (VAT excluded)*
  - *Total = R30 778,14(including VAT)*

**B. Permission in terms of Section 15(2)(g) of the Land Use Planning By-law for George Municipality, 2023 for the approval of a Site Development Plan;**

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

**REASONS FOR DECISION**

- (a) The proposed Site Development Plan does not comply with Section 23 of the George Integrated Zoning Scheme By-law, 2023.
- (b) Due to a lack of information provided on the proposed Site Development Plan, compliance with the relevant development parameters cannot be evaluated.
- (c) The Site Development Plan does not respond to the Traffic Study.
- (d) The Site Development Plan does not indicate all uses in the building.
- (e) Notwithstanding, there is no legal requirement for an SDP application for the development proposal. It is not listed under Section 23 (1) of said zoning scheme and is not required in terms of the development parameters of “business premises”, nor in terms of a condition of approval.
- (f) The reduction of GLA, access and parking configuration can be addressed on building plan submission.

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: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 13 MARCH 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



**C PETERSEN**  
**SENIOR MANAGER: TOWN PLANNING**

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