

**Menslike Nedersettings, Beplanning en Ontwikkeling  
Human Settlements, Planning and Development**

**Collaborator No.:** 2623186  
**Reference / Verwysing:** Erf 139, Wilderness  
**Date / Datum:** 12 January 2024  
**Enquiries / Navrae:** Marisa Arries

**Email:** [planning@delplan.co.za](mailto:planning@delplan.co.za)

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**GEORGE**  
6530

**APPLICATION FOR DEPARTURE (BUILDING LINE RELAXATION): ERF 139, WILDERNESS**

Your application in the above refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided that, notwithstanding the objections received, the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the following on Erf 139, Wilderness:

1. Relaxation of the eastern side boundary building line from 2m to 1.703m and 1.548m, respectively to accommodate additions and alterations to the existing dwelling house on Erf 139, Wilderness;
2. Relaxation of the northern street boundary building line from 4m to 1.735m to accommodate additions and alterations to the existing dwelling house on Erf 139, Wilderness;

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

**REASONS:**

- (i) The proposed development will not have a significant adverse impact on surrounding neighbours' rights in terms of privacy, views, and sunlight.
- (ii) The proposed additions form part of residential development and can be accommodated within the property.
- (iii) The encroachments and alterations are minor in nature and follow the historic development pattern of the existing dwelling house.
- (iv) Consent was obtained from all adjacent property owners.
- (v) The subject property lies well above the high-water mark of the sea and there is sufficient space between the proposed additions and the southern property boundary for the owner to mitigate against coastal erosion risks and extreme events caused by climate change.

Subject to the following conditions imposed in terms of Section 66 of the said Planning By-Law:

## **CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT:**

### **General:**

1. That in terms of Section 18(2) of the Land Use Planning By-law for the George Municipality 2023, the approval shall lapse if not implemented within a period of five (5) years from the date it comes into operation.
2. This approval shall be taken to cover only the Departures as approved and as indicated on the site layout plan, drawn by JS Architecture dated April 2022 (2x plans: ground floor and first floor) 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 mono-pitch roof style proposed for the additions and alterations must be replaced with either a gable- or hip style roof similar to that of the existing house. The change must be shown on the building plans to be submitted for these additions.
4. The owners must maintain a clear space of at least 4m wide from the southern boundary of the property within which no new structures, architectural or landscaping features may be permitted.
5. The above approval will be considered implemented on commencement of building works in terms of the approved building plans for these additions and alterations.

### **Notes:**

- *A building plan be submitted for approval in accordance with the National Building Regulations (NBR).*
- *Stormwater must be dispersed responsibly, and the stormwater management, retention and erosion measures must be addressed on the building plans.*
- *Permission for Western Cape Heritage should be obtained before any alterations are made to the house. The approval from HWC to be submitted with the building plans.*
- *The owner should engage with the Property and Parks Departments of the George Municipality with regards to the unlawful encroachments and structures erected between the southern boundary of the property and the beach.*
- *The owners must take note and accept the risks of building on a property that is susceptible to coastal erosion and sea surge events. The owners must ensure that all steps are taken to safeguard their property and the buildings located thereon on-site. The Municipality will not allow the owners access to any public coastal property to undertake any remedial or repair works on should such event occur.*

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 before 02 FEBRUARY 2024** 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.

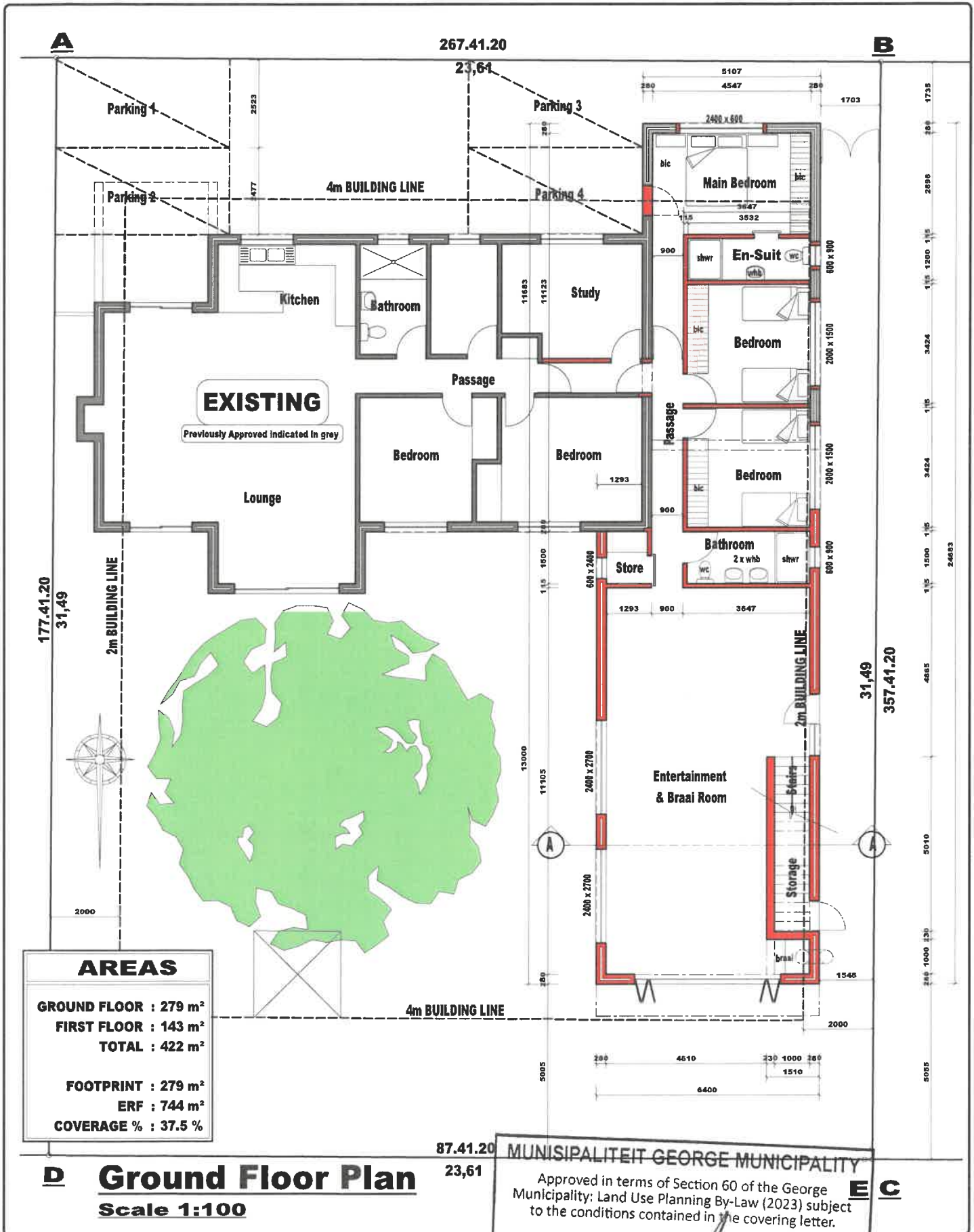
Yours faithfully

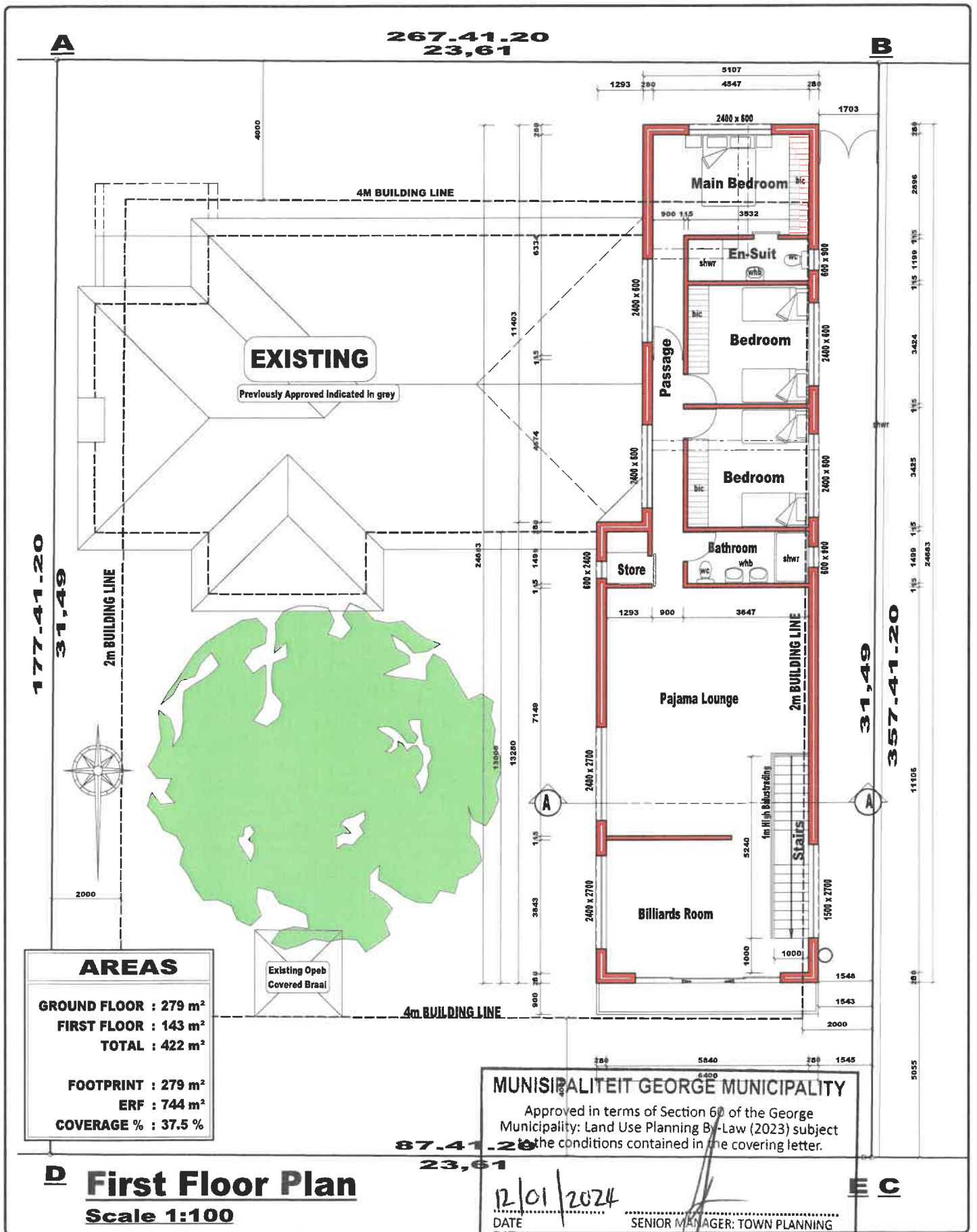


**I. HUYSER**

**ACTING SENIOR MANAGER: TOWN PLANNING**

C:\Ma\isa\Decisions\_New By-Law Pro formas\_(applicant)\Erf 189 and 190, Pacaltsdorp (consolidation, rezoning, subdivision and departure approval\_jvrolijk).docx





**JS ARCHITECTURE**  
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Project / Client:

**PROPOSED ALTERATIONS AND ADDITIONS  
ON ERF 139, SAND ROAD, WILDERNESS**

Drawing Title:

**Floor Plan**

As shown

Drawn by:

**Jean P. Cilliers**

Project Manager:

Date:

**APRIL 2022**

Checked by:

**Jethro Solomons**

Drawing Manager:

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Geometrically correct and dimensioned drawings are submitted at 1:200 - paper size A3 (297 x 420 mm)