

Collaborator No.: 3691154
Reference / Verwysing: Erf 760, Wilderness
Date / Datum: 24 October 2025
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Robert Stewart Scott
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WILDERNESS
6560

APPLICATION FOR PERMANENT DEPARTURE: ERF 760, WILDERNESS

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided:

- A. That the application made for Administrators Consent in terms of Section 39(4) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) in terms of Condition C.4.(d) of Title Deed No. T48634/2022, for the relaxation of the building line on Erf 760, Wilderness, to allow for the development in terms of the building lines in accordance with the provisions of the George Integrated Zoning Scheme By-law, 2023, or a departure approval where relevant, as indicated on the site layout plan, Plan no.198 W01 Revision 1 dated 4 February 2025, drawn by Scott Architects attached as "**Annexure A**" which bears Council's stamp; **BE APPROVED.**
- B. That the application for Permanent Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law of George Municipality, 2023 for the relaxation of the western side boundary building line from 3m to 2.5m for a pool wall on Erf 760, Wilderness; **BE APPROVED** in terms of Section 60 of said By-law for the following reasons:

REASONS:

- (i). The proposed departure will not have an adverse impact on the surrounding residential character, the natural environment or the streetscape.
- (ii). There will be no negative impact on surrounding neighbours' rights or amenity in terms of views, privacy or overshadowing.
- (iii). The proposed addition forms part of residential development and can be accommodated within the property boundaries.
- (iv). No negative comments or objections were received from the adjacent property owners.

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

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

1. That in terms of the provisions of the Land Use Planning By-law for George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date of when the approval comes into operation.
2. This approval shall be taken to cover only the departure as applied for and as indicated on the site layout plan, Plan no.198 W01 Revision 1 dated 4 February 2025, drawn by Scott Architects attached as “Annexure A” which bears Council’s stamp and shall not be construed as to depart from any other Council requirements or legal provisions.
3. In accordance with Section 66(2)(z) of the Land Use Planning By-Law for George Municipality, 2023, a contravention levy of R1 932.00 (VAT included) shall be payable to the Directorate: Planning and Development on submission of building plans.
4. The above approval will be considered as implemented on approval of the building plan for the relevant as-built structure.

Notes:

- *Boundary wall height to comply with the Zoning Scheme parameters (indicate on building plans).*
- *The new stairs should be clearly and fully indicated on the elevations (building plan submission). An additional building line departure may be required.*
- *Height of retaining walls to be indicated on building plans.*
- *Access width to be indicated on building plans.*
- *An as-built building plan must be submitted for approval in accordance with the National Building Regulations.*
- *Stormwater must be dispersed responsibly, and the stormwater management and erosion control measures must be addressed on the building plans.*
- *Applicant to show all existing structures on the site when submitting building plans for approval.*
- *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.*
- *All structures must comply with the development parameters and definitions as stipulated in the George Integrated Zoning Scheme By-law, 2023.*
- *The owner of the property is reminded of their duty of care in terms of Section 28 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), to take all reasonable measures to prevent environmental degradation and to protect the coastal environment.*
- *In terms of the National Forests Act, 1998 (Act No. 84 of 1998), no person may cut, disturb, damage, destroy, or remove any protected tree species without a licence issued by the Department of Forestry, Fisheries and the Environment (DFFE). Any proposed pruning or removal of protected trees or tree clumps must be formally authorised through the granting of such a licence prior to commencement of any activity.*
- *The contravention levy for the encroachment was calculated to be less than the minimum contravention levy of R1 680 Excluding VAT as stated in the approved George Municipality Tariff Book. The minimum contravention levy has thus been applied, being R1 932,00 (including VAT).*

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 14 NOVEMBER 2025**, 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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