

**Collaborator No.:** 3645641  
**Reference / Verwysing:** Erf 1901, Wilderness  
**Date / Datum:** 06 February 2026  
**Enquiries / Navrae:** Primrose Nako

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

DELPLAN CONSULTING  
P O Box 9956  
**GEORGE**  
6530

**APPLICATION FOR PERMANENT DEPARTURE AND ADMINISTRATORS CONSENT: ERF 1901,  
WILDERNESS**

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided:

A. That the application for Administrator's Consent in terms of Section 39(4) of the Western Cape and Use Planning Act, 2014 to relax the following building lines as per condition 6(b) in Title Deed T45987/2008 of Erf 1901, Wilderness:

- The 5.0m northern street boundary building line to 0.0m for the existing storage room and to 1.0m for the existing braai/wood storage, 3.4m & 3.5m for the as-built patio & balcony 2 and 4.2m & 4.4m for the proposed patio & balcony 3 and 4.4m existing patio & balcony 1 of the attached site layout plans;
- The 5.0m eastern street boundary building line to 3m for the existing patio & balcony 1, 4.1m & 3.8m for the existing braai and 4m for the existing braai room prep area;
- The 1.5m southern common boundary building line to 0.0m for as-built verandas 1 & 2 as shown on the site layout plans;
- The 1.5m western common boundary building line to 0.0m for the existing storage room.

**BE REFUSED** for the reasons as set out in decision B. below.

B. That the following applications applicable to Erf 1901, Wilderness:

- Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 to relax the following buildings lines applicable to Erf 1901, Wilderness:
  - northern street boundary building line from 3.0m to 1.0m for an existing braai and wood storage area; and
  - southern common boundary building line from 1.5m for as-built veranda 1 and 2 on the site layout plans;

2. Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 on Erf 1901, Wilderness for the reduction in the prescribed 30m street boundary length required for a double carriageway crossing, to 24m and the 12m distance between carriage crossings to 1.9m in terms of Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023;

**BE REFUSED** in terms of Section 60 of said Bylaw for the following reasons:

**REASONS FOR DECISION**

- a. The applicant failed to disclose that the property contains two dwelling units and did not address the restrictive condition contained in the title deed, which limits the property to one dwelling unit.
- b. Evidence suggest that the second dwelling unit exceeds 175m<sup>2</sup>, and is thus, not compliant with the maximum size permitted for a second dwelling in terms of the Zoning Scheme. The layout and scale of the development resembles that of a double dwelling house, which is not permitted under the current zoning of the property. The applicant failed to address this non-compliance.
- c. The proposed height of 2.9 m for the braai - and storage area is considered excessive and is likely to have a negative impact on the surrounding streetscape.
- d. The encroachment over the northern street building line impedes on views of the natural area to the east of the subject property, to the detriment of the adjacent property owner to the west.
- e. The braai area and storage could reasonably be accommodated beneath the existing veranda of the 'second dwelling unit', thereby avoiding the need for a building line relaxation.
- f. The two vehicle carriageway crossings proposed along Fluweeltjie Street do not comply with the provisions of the zoning scheme. The applicant did not address this non-compliance.
- g. The second crossing appears to a direct result of the unlawful development of a double dwelling /second dwelling that the applicant failed to address.
- h. The applicant's failure to declare or adequately address the above resulted in an incomplete and inaccurate application. In considering the application the decision maker is required to have regard for the facts and circumstances relevant to the application. This cannot be determined in the absence of material information of relevance.

**Notes**

1. *It is advised that the applicant revisit the development proposal, address the non-compliance issues, and submit a fresh application for consideration.*
2. *A new application for the braai areas and storage which encroach over the street building line will, however, not be considered. These structures must be removed, and it is advised that they be placed within the allowable development area.*
3. *The applicant must address the unlawful second dwelling unit which appears to exceed 175m<sup>2</sup> and resembles a double dwelling and consider a revised single access (carriageway crossing) arrangement along the northern street boundary.*
4. *The applicant must clearly identify all departures from the title deed and zoning scheme to regularise the existing dwelling house and for the proposed development, determine the most appropriate land use and zoning (i.e. second dwelling or double dwelling), prior to submitting the application.*

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.

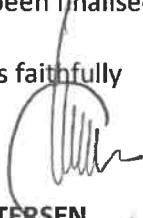
A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George on or before 27 FEBRUARY 2026, and simultaneously 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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Beplanning en Ontwikkeling  
Planning and Development

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**Enquiries / Navrae:** Primrose Nako

**Email:** [louisburger@absamail.co.za](mailto:louisburger@absamail.co.za)

Mrs Edna Burger  
35 Fluweeltjie Street  
Erf 1900, Kleinkrants  
**WILDERNESS**  
6538

### APPLICATION FOR PERMANENT DEPARTURE AND ADMINISTRATORS CONSENT: ERF 1901, WILDERNESS

Your comments / objection in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided:

- A. That the application for Administrator's Consent in terms of Section 39(4) of the Western Cape and Use Planning Act, 2014 to relax the following building lines as per condition 6(b) in Title Deed T45987/2008 of Erf 1901, Wilderness:
  - (a) The 5.0m northern street boundary building line to 0.0m for the existing storage room and to 1.0m for the existing braai/wood storage, 3.4m & 3.5m for the as-built patio & balcony 2 and 4.2m & 4.4m for the proposed patio & balcony 3 and 4.4m existing patio & balcony 1 of the attached site layout plans;
  - (b) The 5.0m eastern street boundary building line to 3m for the existing patio & balcony 1, 4.1m & 3.8m for the existing braai and 4m for the existing braai room prep area;
  - (c) The 1.5m southern common boundary building line to 0.0m for as-built verandas 1 & 2 as shown on the site layout plans;
  - (d) The 1.5m western common boundary building line to 0.0m for the existing storage room.

**BE REFUSED** for the reasons as set out in decision B. below.

B. That the following applications applicable to Erf 1901, Wilderness:

1. Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 to relax the following buildings lines applicable to Erf 1901, Wilderness:
  - (a) northern street boundary building line from 3.0m to 1.0m for an existing braai and wood storage area; and

- (b) southern common boundary building line from 1.5m for as-built veranda 1 and 2 on the site layout plans;
- 2. Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 on Erf 1901, Wilderness for the reduction in the prescribed 30m street boundary length required for a double carriageway crossing, to 24m and the 12m distance between carriage crossings to 1.9m in terms of Section 45(4)(b) of the George Integrated Zoning Scheme By-law, 2023;

**BE REFUSED** in terms of Section 60 of said Bylaw for the following reasons:

**REASONS FOR DECISION**

- a. The applicant failed to disclose that the property contains two dwelling units and did not address the restrictive condition contained in the title deed, which limits the property to one dwelling unit.
- b. Evidence suggest that the second dwelling unit exceeds 175m<sup>2</sup>, and is thus, not compliant with the maximum size permitted for a second dwelling in terms of the Zoning Scheme. The layout and scale of the development resembles that of a double dwelling house, which is not permitted under the current zoning of the property. The applicant failed to address this non-compliance.
- c. The proposed height of 2.9 m for the braai - and storage area is considered excessive and is likely to have a negative impact on the surrounding streetscape.
- d. The encroachment over the northern street building line impedes on views of the natural area to the east of the subject property, to the detriment of the adjacent property owner to the west.
- e. The braai area and storage could reasonably be accommodated beneath the existing veranda of the 'second dwelling unit', thereby avoiding the need for a building line relaxation.
- f. The two vehicle carriageway crossings proposed along Fluweeltjie Street do not comply with the provisions of the zoning scheme. The applicant did not address this non-compliance.
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- h. The applicant's failure to declare or adequately address the above resulted in an incomplete and inaccurate application. In considering the application the decision maker is required to have regard for the facts and circumstances relevant to the application. This cannot be determined in the absence of material information of relevance.

**Notes**

- 1. *It is advised that the applicant revisit the development proposal, address the non-compliance issues, and submit a fresh application for consideration.*
- 2. *A new application for the braai areas and storage which encroach over the street building line will, however, not be considered. These structures must be removed, and it is advised that they be placed within the allowable development area.*
- 3. *The applicant must address the unlawful second dwelling unit which appears to exceed 175m<sup>2</sup> and resembles a double dwelling and consider a revised single access (carriageway crossing) arrangement along the northern street boundary.*
- 4. *The applicant must clearly identify all departures from the title deed and zoning scheme to regularise the existing dwelling house and for the proposed development, determine the most appropriate land use and zoning (i.e. second dwelling or double dwelling), prior to submitting the application.*

The application complies with the requirements of Section 67 of the Land Use Planning By-Law for George Municipality, 2015.

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 27 FEBRUARY 2026**. 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.

Yours faithfully



**C PETERSEN**

**SENIOR MANAGER: TOWN PLANNING**

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