

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
18 August 2015
(Also the agenda for the Mayoral Committee Meeting : 26 August 2015)**

**6.
ERF 3010, CNR ATLANTIC- AND BEACH ROAD, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : CW ZIMBERLIN ON BEHALF OF
ONRUST TRUST**

3010 HON (2785)

H Olivier

(028) 313 8900

Hermanus Administration

8 July 2015

1. Executive Summary

Application has been received on 22 December 2014 from CW Zimberlin on behalf of the Onrust Trust on Erf 3010, Onrust River for a departure from the relevant Scheme Regulations in order to relax the north western building line from 4m to 1m to accommodate a braai room, to relax the 3m northern building line to approximately 0,3m to accommodate a new built braai and some alterations to create decking, and also to allow alterations to windows facing the southern boundary, of which the building already encroaches the 2m building line up to approximately 1,2m from the southern property boundary.

Application is also made for departure from the allowable coverage from 55% to 57% to accommodate the new proposed alterations/extensions.

A Locality Plan of the property concerned is attached as Annexure A. The proposed Site Development Plan is attached as Annexure B, while the Motivation Report in support of the proposal is attached as Annexure C.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

Executive Mayor

5. Legal Requirements

- Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)

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6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

Erf 3010, Onrust River measures approximately 495m² in extent. The erf is zoned Residential Zone I and is developed with a three storey dwelling.

The property owner wants to do mostly internal changes, replacing and creating windows, built a new braai and legalize a covered and enclosed braai area.

The application was also circulated to all relevant municipal departments and state departments. No objections were received against the application.

Evaluation

The dwelling on Erf 3010, Onrust River is a three storey structure, with two parking bays on the eastern side obtaining access from Beach Road.

The applicant proposes to make building alterations to the dwelling. This also includes changes or extensions over three of the building lines.

It is proposed that alterations be made to windows and doors on the southern side of the property, facing Erf 3009. The existing building is already 1,2m from the southern property boundary and therefore a departure is applied for to accommodate changes to windows and doors closer than 2m from the boundary. The two properties on Erven 3009 and 3010 are developed on different levels, and the windows are therefore not right across from each other, but on different heights. The eastern portions of the dwellings are approximately only 2,4m from each other, but the windows being replaced on Erf 3010 in such area is high placed windows and smaller than the existing windows. The proposed new door in this area is blocked behind a property boundary wall. The other windows more to the western side being replaced are larger, but considering the fact that the two dwellings are approximately 5m apart in such area, should not have a significant impact on the neighbour.

The application is also to construct a new built braai on the northern boundary with an existing parking area. The placement of the braai would be as such that it would not have a major impact on the character of the surrounding area.

It is motivated by the architect that, to accommodate (legalize) a portion of an existing braai room, it is proposed to change some areas covered by existing slabs into deck areas to accommodate extras coverage. The braai room will also traverse the 4m building line with the parking area to the west of the property with 3m.

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From historic building plans, a historic louvre type structure was previously approved in the area the braai room has been constructed. A building plan was submitted in 2001 to construct a braai room, but the plan was cancelled. It appears that the braai room was then built illegally. This application is thus an attempt to try to legalize the structure.

In terms of the calculations made by the Building Department the existing coverage on the property is approximately 62,5% (311m²). Should the illegal braai room be subtracted, it will only be approximately 55% (273m²). Should the area be deducted where slabs will be replaced by decking ($\pm 21\text{m}^2$) and the existing illegal braai room be made smaller to be 1m from the western boundary line ($\pm 7\text{m}^2$), the coverage will be 57%.

Considering the aforementioned calculations, it is safe to assume that the existing rights on the property allow coverage of 55%. The slab area would create a situation that approximately 21m² coverage area will be deducted from the coverage, but then the applicant propose again to apply to legalize a portion of the braai room of 31m², creating 57% coverage on the property. Due to the position of the braai room to the rear of the property relaxation of the rear building line with the parking area will not have an impact on the character of the area. The braai room structure will be blocked by an old reservoir and vegetation west of the property and it will hardly be visible to surrounding residents.

The dwelling at this stage is an imposing structure constructed over three levels. It also encroaches over the southern building line (historic part of dwelling), over the eastern street building line (existing wooden deck) and the northern street building line (existing balconies and staircases). Considering this and also the fact that it is already significantly over the 50% coverage allowed on an erf zoned Residential Zone I, it is not considered desirable to allow further coverage increases on such a property. In terms of the Overstrand Municipal Spatial Growth Management Strategy, 2010 it is recommended that in Onrust River Beach Front erven, "design controls should be implemented along the first row of erven to ensure the retention of the existing fine grain nature of the built form and its coastal resort character e.g. limited coverage..." "No departure to allow greater height or coverage should be approved along this sensitive coastal zone." The approval of an increase in coverage will have a negative impact on the character of this area and should not be supported.

Conclusion

Notices were sent to surrounding affected property owners and no objections were received.

The application was circulated to all relevant municipal departments, and no objections were received.

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The relaxation of the building lines can be supported and is considered desirable, but a relaxation of the coverage to 57% is not desirable and therefore not supported.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Engineering Services

Attached as Annexure D.

Fire Department

No objection.

Building Department

“Older than 60 years requires heritage approval. Existing structures supported.”

Local Heritage Committee

“Will require heritage submission when plans are submitted.”

District Health

No comment.

Environmental Officer

Approved.

Operational Manager

No objection.

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10. Annexures

- Annexure A: Locality Plan
- Annexure B: Site Development Plan
- Annexure C: Motivation Report
- Annexure D: Services Report
- Annexure E: Comments: Telkom
- Annexure F: Comments: Eskom

RECOMMENDATION:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure on Erf 3010, Onrus River, to relax the allowable coverage from 55% to 57%, **not be approved**, for the following reasons:
 - (a) it could have a negative impact on the character of the surrounding area;
 - (b) it is not in line with the Overstrand Municipality Growth Management Strategy for the area of Onrust River the erf is located in; and
 - (c) should this application be approved it would create an unwanted precedent for more such applications in the Onrust River area which could then have even a greater impact on the character of this area.

2. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 3010. Onrust River to relax the 2m southern lateral building line to 1,2m to accommodate alterations to doors and windows, to relax the 3m northern street building line to 0,3m to accommodate a built braai and some alterations to create decking, and also to relax the 4m western building line to 1m to accommodate a braai room, **be approved**, subject to the following conditions:
 - (a) that a revised building plan submitted reducing the braai room to ensure coverage on the erf is not more than 55%, to the satisfaction of the Manager: Building Control and Senior Manager: Town- and Spatial Planning;
 - (b) that all the conditions by Telkom in their letter dated 5 May 2015 (attached as Annexure E) be complied with;
 - (c) that all the conditions by Eskom in their letter dated 10 March 2015 (attached as Annexure F) be complied with;
 - (d) that building plan approval be obtained from Heritage Western Cape prior to the submission of the plan to the Building Department for their approval; and

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- (e) that this approval is only for the relaxation of building lines on the property, and not an approval in terms of any other relevant legislation.
3. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :	H OLIVIER
TARGET DATE FOR IMPLEMENTATION :	9 SEPTEMBER 2015
TARGET DATE TO INFORM APPLICANT :	9 SEPTEMBER 2015
TARGET DATE TO INFORM OBJECTOR :	N/A

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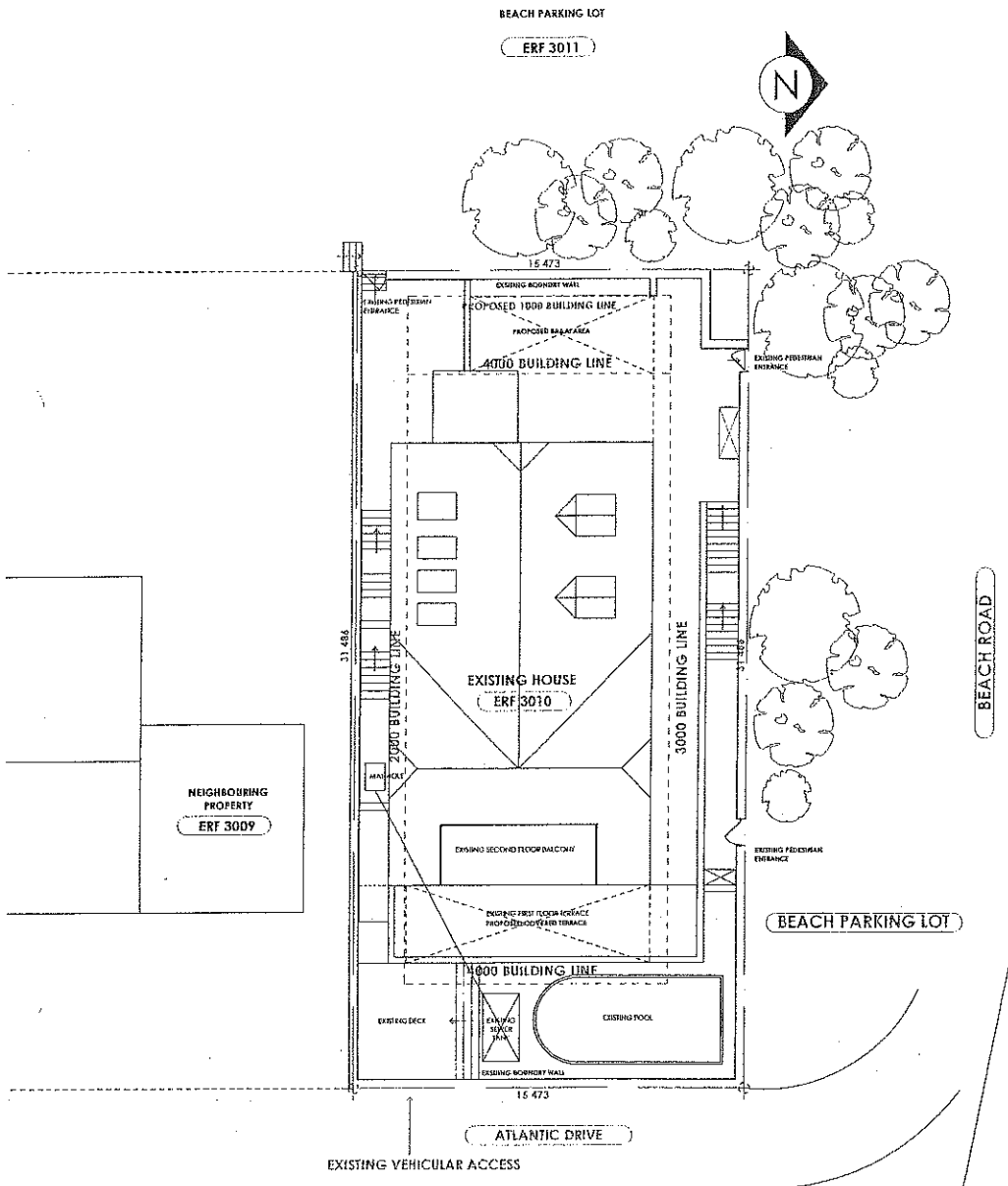
**3010 HON (2785)
H Olivier
8 July 2015**

(028) 313 8900

Hermanus Administration

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
18 AUGUST 2015, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :	H OLIVIER
TARGET DATE FOR IMPLEMENTATION :	9 SEPTEMBER 2015
TARGET DATE TO INFORM APPLICANT :	9 SEPTEMBER 2015
TARGET DATE TO INFORM OBJECTOR :	N/A



SITE PLAN
SCALE 1:200

ERF 3010 - 495 M2	CURRENT	PROPOSED
Area in extent		8,6m2
Floor Space - Main house	308,75 m2	330 m2
Floor Space - Flat Area	106,50 m2	109,30 m2
Coverage	55%	57%
Height	unchanged	unchanged
Forking	unchanged	unchanged

GENERAL CONSTRUCTION NOTES

All requirements of municipal and other authorities concerned must be adhered to. Contractor to keep full set of drawings on site with particular reference to boundaries and building lines. Contractor to verify all levels and dimensions on site. Figured dimensions to be used in preference to scaled dimensions. Errors, discrepancies and omissions are to be reported to Lintline immediately for clarification before work is undertaken.

CONTRACTOR'S NOTES

- DIMENSIONS TO BE SET OUT FROM EXISTING WALLS WHERE POSSIBLE UNLESS OTHERWISE STATED.
- ALL FLOORING TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS
- ANY FOOT TRAFFIC TO BE RESTRICTED FOR 24 HOURS AFTER FLOOR INSTALLATION.

CONSTRUCTION NOTES

- ALL EXISTING WALLS TO BE MADE GOOD AND ALL WALLS DEMOLISHED CREATING RUBBLE ARE TO BE REMOVED BY THE CONTRACTOR FROM THE SITE
- SPECIFIED SANITARY FITTINGS ARE TO BE REMOVED AND WHERE SPECIFIED EXISTING WATER AND WASTE PIPES ARE INDICATED ARE KEPT AS WELL AS ADDITIONAL DRAINAGE TO BE ADDED WHERE SPECIFIED.
- SPECIFIED INTERNAL DOORS TO BE REMOVED
- EXISTING CEILING SURFACES TO BE CLEANED AND PAINTED
- REMOVE EXISTING WALL FINISHES IF SPECIFIED AND MAKE GOOD WITH NEW PAINT APPLICATION
- ELECTRICIAN TO INSPECT ALL EXISTING ELECTRICAL SYSTEMS AND TO MAKE GOOD FOR NEW INSTALLATIONS
- NO CHANGES TO BE MADE TO SEWERAGE AND PLUMBING.
- ALL NEW GLAZING TO BE ACCORDING TO THE NATIONAL BUILDING REGULATIONS 2012.
- FOUNDATION STRIP FOOTINGS OF 600X230MM AND 750 X 230MM ON COMPACTED FILLING OR NATURAL COMPACTED SOIL AS PER ENGINEER'S APPROVAL
- FOUNDATION WALLS OF FILLED 270MM BRICKWORK OF AT LEAST 800MM DEPTH FROM PFL. ALL BRICKWORK WIDTH 270MM WITH 60MM CAVITY AND BRICK RE-INFORCEMENT AT EVERY THIRD COURSE OF BRICK WORK. DPC MEMBRANE AT FLOOR LEVEL UNDER ALL BRICK WORK. PLASTER FINISH ON BOTH OUTSIDE AS INSIDE WALLS.
- FLOORS OF MIN 125MM CONCRETE ON COMPACTED IMPORTED SAND FILL AND DPC. STAIRCASES OF RE-INFORCED CONCRETE TO ENGINEERS SPECIFICATIONS.
- PREFAB CONCRETE LINTELS OVER ALL OPENINGS (MAX 3.0M OPENING) WITH MIN OF 4 COURSE BRICKWORK ABOVE LINTEL
- CONCRETE BEAM OR STEEL LINTELS OVER OPENING AT OPENINGS > 3.0M AS PER ENGINEER SPECIFICATION.

ROOFS:

- FLAT ROOFS OF 50X175 SAP BEAMS AT MAX 650 CENTRES, ANCHORED TO BRICKWORK PLYWOOD COVERING 22MM AT FALL TOWARDS GUTTERS AND TORCH ON 3 LAYERS OF WATERPROOFING AND PROTECTIVE BALLAST OF MIN 25MM STONE. INTERNALLY, 20MM PINK INSULATION BETWEEN BEAMS AND 7.5MM GYPSUM BOARD WITH SHADOW LINE CORNICE. PLASTER, SECRETED TO FALL WITH 3 LAYER TORCH ON WATER PROOFING UP TO EDGING TILE WITH 32 DIAMETER OUTLET AT LOWEST POINTS AT MIN 1500MM CENTRES.

WINDOWS & DOORS:

- ALL WINDOWS AND DOORS POWDER COATED ALUMINIUM WITH GLAZING AS PER NATIONAL BUILDING REGULATIONS SPECIFICATION. SAFETY GLASS WHERE SPECIFIED AS PER NATIONAL BUILDING REGULATIONS.
- ALL SLIDING DOORS TO BE GLAZED WITH 6.38MM SAFETY GLASS
- ALL WINDOWS 500 FROM PFL WITH 6.38MM SAFETY GLASS
- ALL OTHER WINDOWS WITH 4 OR 6MM GLASS AS PER N.B.R.

PATIO'S:

- CONCRETE FLOORS AS PER ENGINEERS SPECIFICATION WITH MIN 25MM SCREED TO FALL TO BRASS GRID PROTECTED FULL BORE OUTLETS. 3 LAYERS TORCH ON WATERPROOFING WITH FLASHINGS TO WALLS AND WITH 40MM CONCRETE 600X600 MM PAVING SLABS ON RUBBER SPACERS AND PROTECTORS TO MINIMUM 120MM FROM SURROUNDING WALLS FILLED WITH 30-40 RIVER PEBBLES OR TILED FINISH TO FALL AS SPECIFIED

LIMELINE

11 LION DRAGON, OHARUA ST. 11 THE BUSHES COURT
 CAPE TOWN www.limeline.co.za
 021 424 1111 021 424 1111
 021 424 1111 021 424 1111

PROJECT: OHARUA TRUST

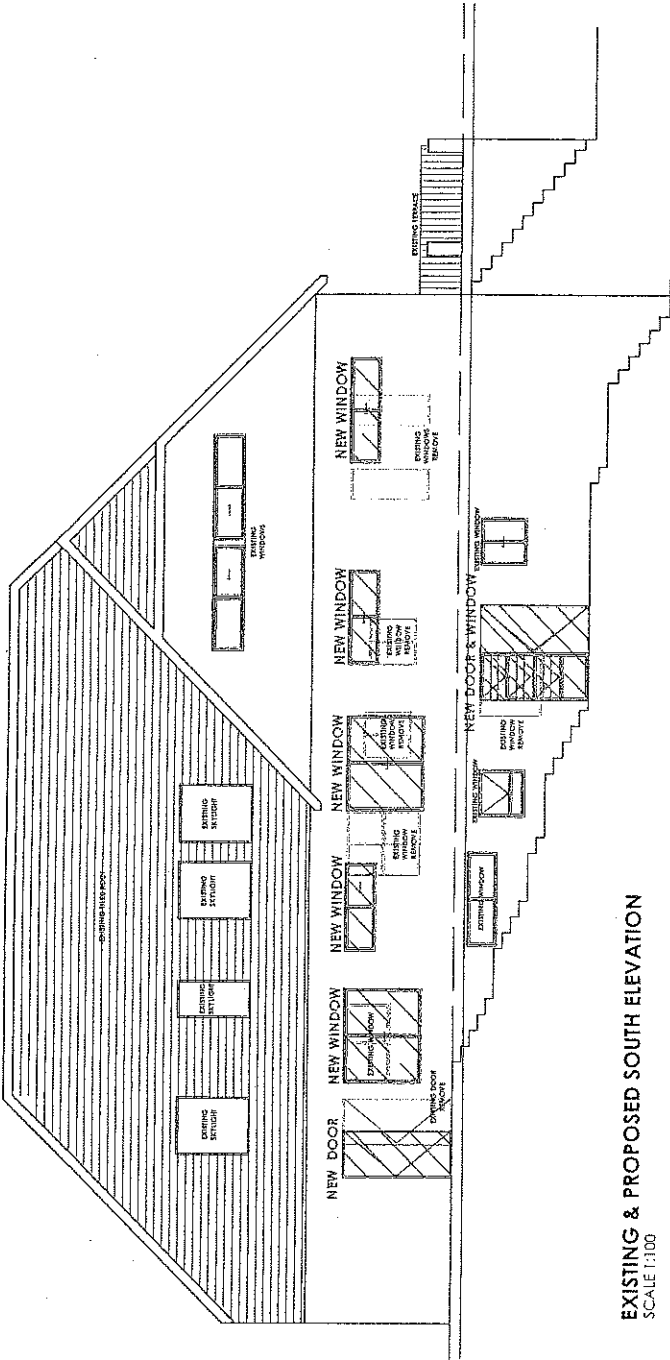
SITE: C/O ATLANTIC AND BEACH ROAD OHARUA

ERF NUMBER: 3010

DRAWING: LOCALITY PLAN / SITE PLAN

DATE: 19 FEB 2014 SCALE: 1:200 DWG NO: 00

SIGNED: _____



EXISTING & PROPOSED SOUTH ELEVATION
SCALE 1:100

* REFER TO PREVIOUS DRAWINGS FOR NOTES

LIVELINE <small>ARCHITECTURAL & INTERIOR DESIGN</small>	
<small>SHARON CHANGLER OWNER 11/21/2014</small>	<small>1412 BIRCHWOOD CIRCLE DUNWOODY, GA 30328 PHONE: 404.488.8222 FAX: 404.488.8222</small>

PROJECT: HOUSE/PIERRE
 SITE: C/O ATLANTIC AND BEACH ROAD CORNUS
 REF NUMBER: 3010
 DRAWING: EXISTING & PROPOSED SOUTH ELEVATION
 DATE: 17 FEB 2014 SCALE: 1:100
 DRAWN BY: [blank] SIGNED: **06**

t +27 (0) 21 424 8662 15 On Orange · Orange Street
f +27 (0) 21 424 8768 Cape Town –South Africa
info@limeline.co.za P O Box 1101 · Green Point
www.limeline.co.za 8051 · South Africa

LIMELINE

Cape Town, 19 December 2014

OVERSTRAND Town Planning Department
Magnolia Street
HERMANUS
7200



Dear Sir, Madam,

Erf 3010 - ONRUSRIVIER – Departure, relaxation of building lines and other.

We refer to the above and attached application for departure of the building line on the Westside of the property, which has a 4.0 meter building line, to be relaxed to a 1.0 meter building line.

There is a 4.0 meter building line from the adjacent plot (erf 3011) which is zoned as a "parking lot" but the immediate part of the property adjacent to erf 3010 consists of a very thick bushed and treed area (plus minus 20 meters wide) .

Owner of the property would like to extend their "braai room" to up to 1.0 meter away from the boundary on the West side of the property, to be able to house the whole family when they get together once a year. The proposed extension will be a single storey closed in pergola area with an "outside feeling" not visible from the adjacent street.

The existing coverage of 55% on the property will slightly increase to 57% due to giving up certain other covered areas and transforming these to open decks.

The further application refers to the Southside of the property where the external wall of the property is plus minus 1.0 meter away from the boundary; this is because the property was already existing, before the building lines on the township were determined (officially there is a 2.0 meter building line). On this elevation owner would like to change and re-position some of the windows due to internal changes and re-positions of rooms inside of the house (see elevation attached) . On re-positioning of the windows, we have made sure that dimensions and positions are not much different from the existing windows to ensure sufficient privacy for both neighbour as well as owner.

Finally we apply for a departure to install the braai (on-covered outside braai of ± 800x1800mm) on the North boundary as indicated on the plan, in order to best utilize the circulation areas for the owner. The braai is, due to the high bushes on the North boundary, hardly visible from the street (parking area) and will provide sufficient privacy both to by-passers as well as owner.

With this application we have tried to be extremely sensitive towards the surrounding areas and the requested changes will hardly be visible and/or make any impact on the surrounding.

Your approval for this application will be highly appreciated.

Please do not hesitate to contact applicant if any further detail is required?

Looking forward to your positive recommendation, we remain, with kind regards,

C W ZIMBERLIN
LIMELINE

FILE NO:	EL 3010 ON
SCAN NO:	
COLLABORATOR NO:	699132

22 DEC 2014 TP

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 3010, ONRUS RIVER (2785)**

Stormwater (SW) : In order
Electricity : Escom
Water : In order
Sewer : In order
Roads and traffic : In order

Conditions:

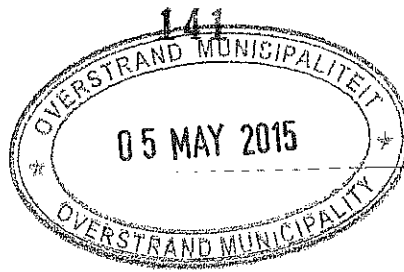
1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that stormwater be allowed to discharge through Erf 3010 Onrus River, unobstructed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**



DATE



Network Engineering and Build

Telkom SA SOC Limited

TP- A Theart
C H Olivier)10 Jan Smuts Drive
Pinelands
7404

FILE NO:	EL 3010-ON
SCAN NO:	12
COLLABORATOR NO:	781540

Tel : 021 414 5614
Fax : 088 021 414 5614
Email : Petersi2@telkom.co.zaEnquiries : Ihlam Peters
Our Ref. : WWIP_WONR1294_15
Your ref. : 3010 HON (2785)

05 May 2015

Attention : S Muller

Overstrand Municipality
PO Box 20
HERMANUS
7200

Dear Sir/Madam

TELKOM SERVICES: PROPOSED DEPARTURE: ERF 3010 – C/O ATLANTIC AND BEACH ROAD, ONRUS RIVER – OVERSTRAND MUNICIPAL AREA

With reference to your letter dated 20 February 2015.

I hereby inform you that Telkom approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions:

As per the drawing supplied, Telkom SA LTD infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

TP
5 MAY 2015

LG 29/5 in kas getry.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

As important cables are affected, please contact our representative Frederik Swart at telephone number (028) 514 1199 / 081 363 7815 least 48 hours prior of commencement on construction work.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Telkom SA infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Telkom SA LTD rights remain reserved.

Yours faithfully



Marius Langenhoven
Operations Manager
Wayleave Management: Western Region



TR A Theart
(H Olivier)

The Municipal Manager
OVERSTRAND MUNICIPALITY
P O Box 20
HERMANUS
7200

Date:
10 March 2015

Enquiries:
Shaun Swanepoel
Tel 021 980-3913
Fax 086 660 0941

Attention: H. Olivier

Dear Sir

ERF 3010, C/O ATLANTIC AND BEACH ROAD, ONRUSRIVIER, OVERSTRAND MUNICIPALITY AREA: PROPOSED DEPARTURE: CW ZIMBERLIN ON BEHALF OF ONRUST TRSUT

YOUR REF: 3010 HON (2785)

OUR REF: 00454/15

ESKOM OVERHEAD POWERLINE

I refer to your application dated 20 February 2015.

Eskom has no objection to the proposal, provided that the following requirements are adhered to:

- a) There is a 9-metre building and tree restriction on either side of the centre line of the 11-kV power line which must be observed.
- b) Eskom's services and equipment must be acknowledged at all times and may not be tampered with or interfered with.
- c) No construction work may be executed closer than 10 (ten) metres from any Eskom structure or structure-supporting mechanism.
- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) Eskom's right on the properties not to be affected.
- f) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- g) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- h) Eskom shall at all times have unobstructed access to and egress from its services.

Distribution Division - Western Region [Land Development]
Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA
Tel +27 86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO:	EL 3010 On
SCAN NO:	
COLLABORATOR NO:	764641

510Z NWA 91

16 MAR 2015

- i) No dumping shall be allowed within Eskom Services.
- j) Relocation of any Eskom's services will be to the account of the developer.

Kindly contact Shaun Swanepoel at Tel 021 980-3913, should you require any further information.

Yours sincerely



Shaun Swanepoel
LAND DEVELOPMENT (BRACKENFELL)