

**AGENDA of the
Portfolio Committee : Infrastructure and Planning
22 March 2016
(Also the agenda for the Mayoral Committee Meeting : 30 March 2016)**

**10.
ERF 119, 7 BUSH STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA :
PROPOSED DEPARTURE : JM WESSELS**

119 HHW (3004)

H Olivier

18 December 2015

(028) 313 8900

Hermanus Administration

1. Executive Summary

An application has been received on 4 August 2015 from JM Wessels, the property owner, on Erf 119, Hawston for a departure from the relevant Scheme Regulations to relax the street building line from 4m to 2,81m and 0m to legalize and enclosure of a stoep and bedroom respectively.

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 from the applicant 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)

6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

Erf 119, Hawston is developed with a single storey dwelling. The property measures approximately 595m², and is zoned Residential Zone I.

The applicant wants to legalize an existing stoep area which was added to the lounge up to 2,81m from the street boundary, and also a bedroom that was constructed onto the same street boundary line.

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Registered notices were sent to all surrounding property owners, and no objections were received.

The application was circulated to all relevant municipal departments. The Building Department indicated that they do not support the application.

Evaluation

The applicant is trying to legalize extensions he has built onto his dwelling, which traverse the street building line. He/she motivates that this was done due to a lack of knowledge of procedure. It is also the applicant's opinion that the extensions will not affect any neighbours' views or obstruct traffic sight. It is also the opinion that it is of aesthetical value.

The municipal Building Department indicated that they do not support the application, as there is more than sufficient space on the erf to develop within building lines, and also because the extensions have a negative impact on the front elevation of the dwelling. After further consultation with the Building Department they indicated that the relaxation of the street building line to 0m for the bedroom is not supported, but the enclosure of the stoep which is 2,81m from the street boundary can be supported.

The enclosure of the stoep to form part of the lounge which is 2,81m from the street boundary is not a major encroachment, and will have minimal effect on the aesthetics of the building. It is actually in line with the front line of the existing dwelling, and is therefore supported.

The bedroom that has been constructed onto the street boundary definitely has a negative aesthetical impact on the dwelling, and also creates an unsightly blank wall right onto a street boundary. This encroachment cannot be supported.

Conclusion

No objections were received against the application from surrounding property owners.

The Building Department does not support the relaxation to accommodate the bedroom onto the street boundary, but do support the relaxation to accommodate the enclosed stoep area up to 2,81m from the street boundary.

The extension to the lounge is considered a minor encroachment and can be supported, but the bedroom that was constructed onto the street boundary is not aesthetical is pleasing and impact the street ambiance, and is not supported.

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7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Building Control

Not supported. There is enough space on the property to extend a room other than over building lines. It has got a negative impact on the front elevation of the dwelling.

After further consultation with the Building Department they indicated that the relaxation of the street building line to 0m for the bedroom is not supported, but the enclosure of the stoep which is 2,81m from the street boundary can be supported.

Engineering Department

See Annexure D.

Fire Department

No objection.

Electrical Department

No comment.

10. Annexures

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

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RECOMMENDATION:

1. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) an application for a departure from the relevant Scheme Regulations on Erf 119, Hawston, to relax the street building line from 4m to 2,81m to legalize an existing stoep that was enclosed as part of the lounge, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on the plan which was submitted with the application;
 - (d) that the structure in order comply with National Building Regulations SANS 10400;
 - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (f) that all the conditions in the Services Report (attached as Annexure D), be complied with;
 - (g) that all the conditions by Telkom (attached as Annexure E), be complied with; and
 - (h) that all the conditions by Eskom (attached as Annexure F), be complied with.
2. that, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure from the relevant Scheme Regulations on Erf 119, Hawston to relax the street building line from 4m to 0m to legalize a bedroom constructed onto the street boundary line, **not be approved**, and that the bedroom (bedroom 4) on Plan 2015-119/SH 1 be demolished within three months of the date of the final resolution;
3. the decision in 2. above is for the following reasons:
 - (a) there is sufficient space on the property to construct a new bedroom within building lines;

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- (b) the bedroom constructed in front of the dwelling create a front facade of the dwelling which is not aesthetically pleasing;
 - (c) the bedroom wall on the street boundary has a negative impact on the street facade; and
 - (d) the construction of portions of dwellings onto boundary lines is not supported in general by the Town Planning Department, and the approval of this application will create an unwanted precedent.
4. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

RESPONSIBLE OFFICIAL :	H OLIVIER
TARGET DATE FOR IMPLEMENTATION :	9 MARCH 2016
TARGET DATE TO INFORM APPLICANT :	9 MARCH 2016
TARGET DATE TO INFORM OBJECTORS :	9 MARCH 2016

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PROPOSED DEPARTURE : JM WESSELS**

119 HHW (3004)

H Olivier

(028) 313 8900

Hermanus Administration

18 December 2015

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
22 MARCH 2016, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

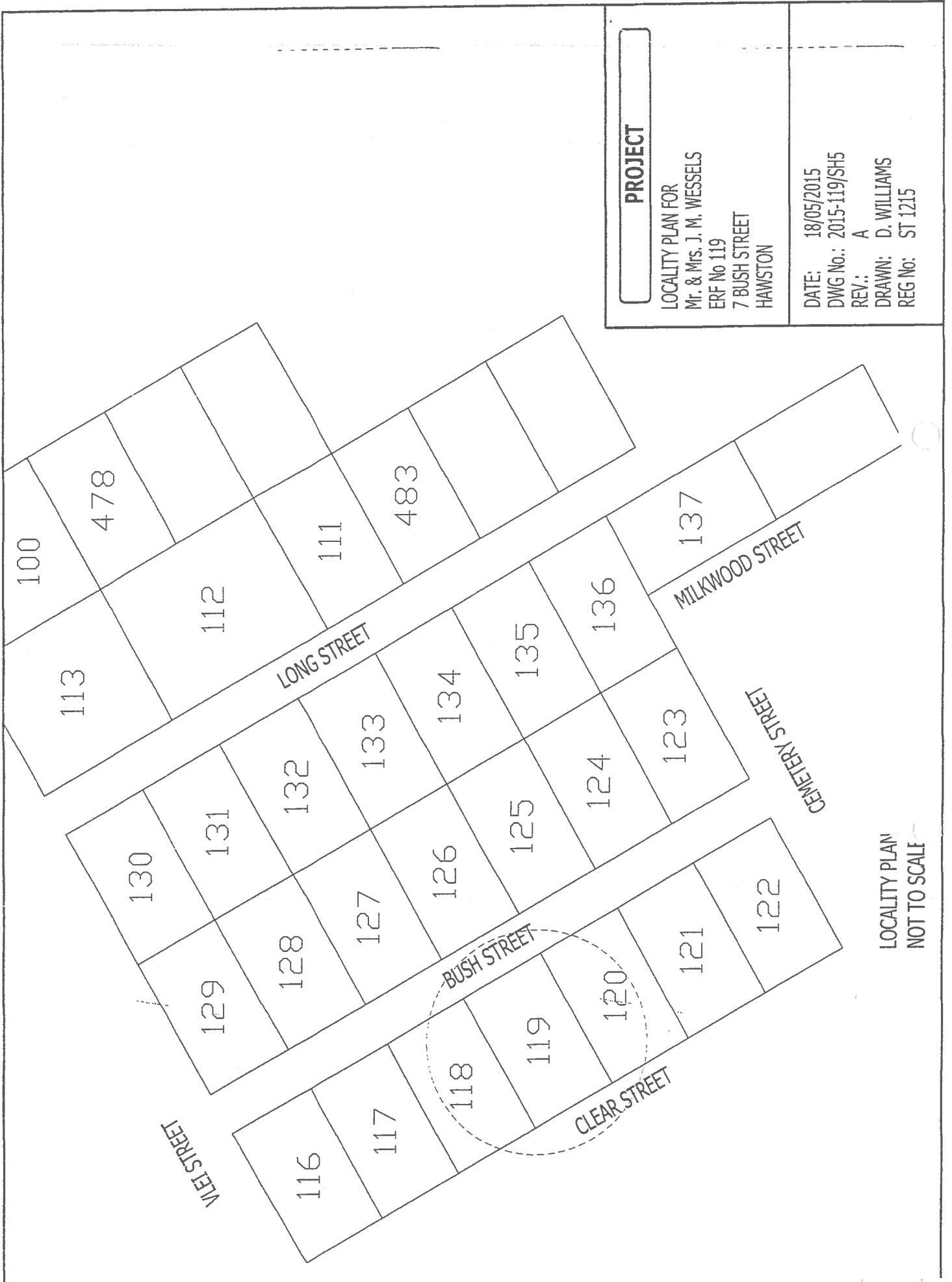
9 MARCH 2016

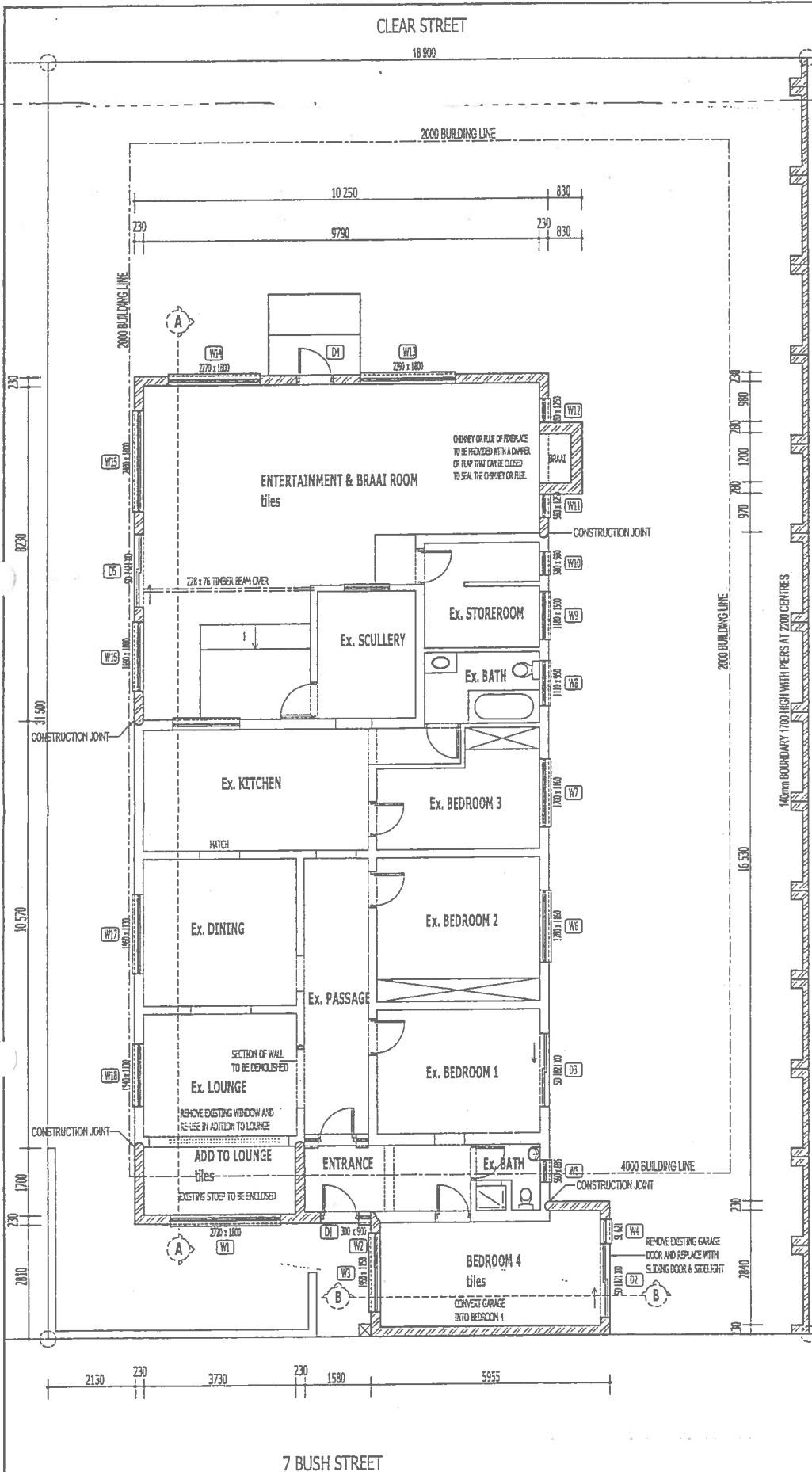
TARGET DATE TO INFORM APPLICANT :

9 MARCH 2016

TARGET DATE TO INFORM OBJECTORS :

9 MARCH 2016





SPECIFICATIONS

- FOUNDATIONS:**
- AS SHOWN ON SECTIONS.
 - CAST 6x12 STEEL RE-INFORCING BARS SPACED 200mm APART CONTINUOUS IN FOUNDATION TRENCHES.
 - FOUNDATION CONCRETE 15 MPA
- FLOOR:**
- 25mm SCREED LAID ON A 80mm CONCRETE BASE ON A 250mm MICRON DAMP PROOF MEMBRANE.
 - FILLING UNDER FLOOR SLAB COMPACTED IN 150mm LAYERS.
 - TO ENTIRE GROUND FLOOR SLAB, CAST A 10mm WELD-MESH MATTING IN CONCRETE SURFACE BED.
- WALLS:**
- EXTERNAL WALLS 230mm SOLID CONSTRUCTION.
 - INTERNAL WALL 110mm WIDTH.
 - INTERNAL WALLS BUILT WITH 110mm WIDTH, 75mm HEIGHT, AND 225mm LENGTH CLAY STOCK BRICKS.
 - WALLS PLASTERED SMOOTH INTERNALLY - STEEL FLOAT FINISH.
 - WALLS PLASTERED SMOOTH EXTERNALLY - WOOD FLOAT FINISH.
 - BRICKFORCE EVERY SINGLE COURSE BELOW FLOOR LEVEL AND ABOVE OPENINGS.
 - 375mm MICRON DPC AROUND DOORS, WINDOWS AND AT FLOOR LEVEL.
 - DPC AT FLOOR LEVEL MUST BE STEPPED.
- ROOF CONSTRUCTION:**
- AS SHOWN ON SECTIONS.
 - GUTTERS AND DOWNPIPES TO BE ALUMINIUM.
 - FACIA BOARDS - FIBRE CEMENT
 - ONLY BRASS FIXING SCREWS TO BE USED FOR FACIAS.
- WINDOWS AND DOORS:**
- WINDOWS AND DOORS TO BE POWDER COATED ALUMINIUM.
 - ALL WINDOWS AND DOORS TO GROUND FLOOR TO HAVE LAMINATED SAFETY GLASS.
- SURTINGS AND DOORS:**
- STANDARD PINE TO BE PAINTED.
 - INTERNAL DOOR FRAMES - MERANTI TIMBER TO BE VARNISHED.
 - INTERNAL DOORS - HOLLOW CORE OR REGENCY.
- GENERAL:**
- ALL FIXINGS ARE TO BE RUST FREE E.G.: BRASS SCREWS, GALVANISED NAILS.
 - ALL EXPOSED WALLS ARE TO BE PUNCHED AND FILLED, OR ALTERNATIVELY A SCREW IS TO BE USED.
 - SCREWS AND/OR NAILS ARE TO BE NEATLY SPACED, AND NOT ARBITRARILY HAMMERED OR SCREWED INTO MATERIALS.
 - ONLY SHS APPROVED MATERIALS AND WORKMANSHIP WILL BE PERMITTED ON SITE.
 - NO DIMENSIONS ARE TO BE SCALED. ANY VARIATIONS IN SIZES AND LEVELS MUST BE DISCUSSED WITH THE PROJECT MANAGER.

AREA CALCULATIONS

EXISTING DWELLING	151.63 m ²
PROPOSED ADDITION	80.67 m ²
TOTAL	232.30 m²
ERF	595.35 m ²
COVERAGE	39.00 %

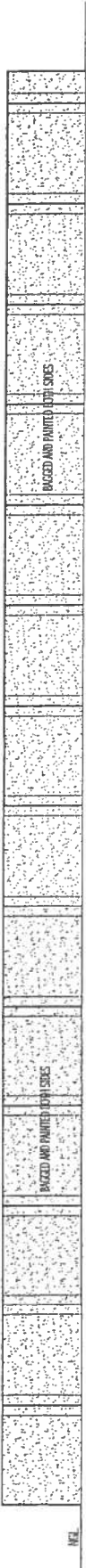
PROJECT

LOCALITY PLAN FOR
 Mr. & Mrs. J. M. WESSELS
 ERF No 119
 7 BUSH STREET
 HAWSTON

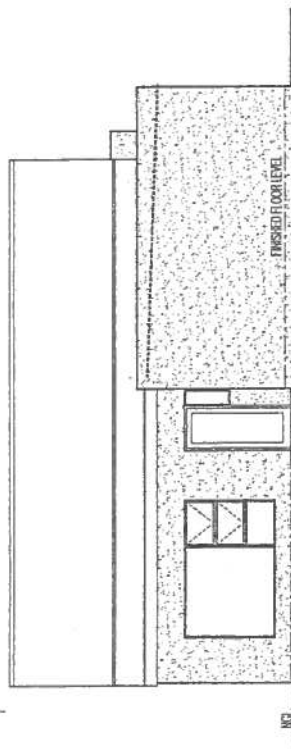
DATE: 18/05/2015
 DWG No.: 2015-119/SH1
 REV.: A
 DRAWN: D. WILLIAMS
 REG No: ST 1215

SITE - & GROUND FLOOR PLAN
 SCALE 1:100

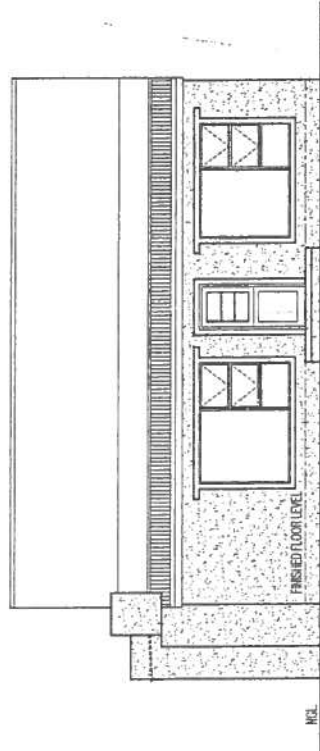
140mm BOUNDARY 1700 HIGH WITH PIERIS AT 2200 CENTRES



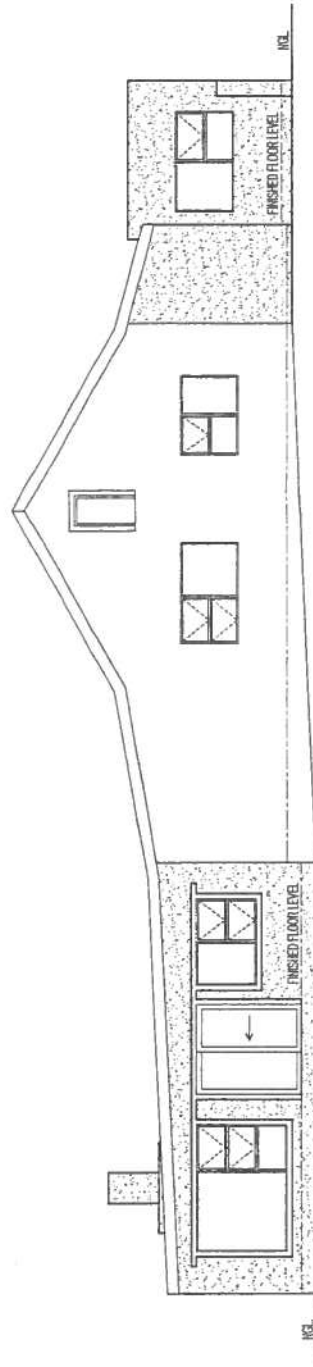
NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100

SPECS - BOUNDARY WALL

FOUNDATIONS:

- BOUNDARY WALL FOOTING 70mm WIDTH BY 23mm DEPTH.
- FOUNDATION CONCRETE IS 15 MPA

WALLS (BOUNDARY):

- BOUNDARY WALLS 1.40 x 1.90 x 20mm SOLID CEMENT BLOCKS.
- BRICK EXPOSE EVERY BRICK COURSE.
- BOUNDARY WALLS TO BE BAGGED AND PAINTED BOTH SIDES.
- WALL TO BE STEPPED TO ACCOMMODATE SLOPE OF GROUND.
- STEPS ARE TO BE EVENLY SPACED.

GENERAL NOTES:

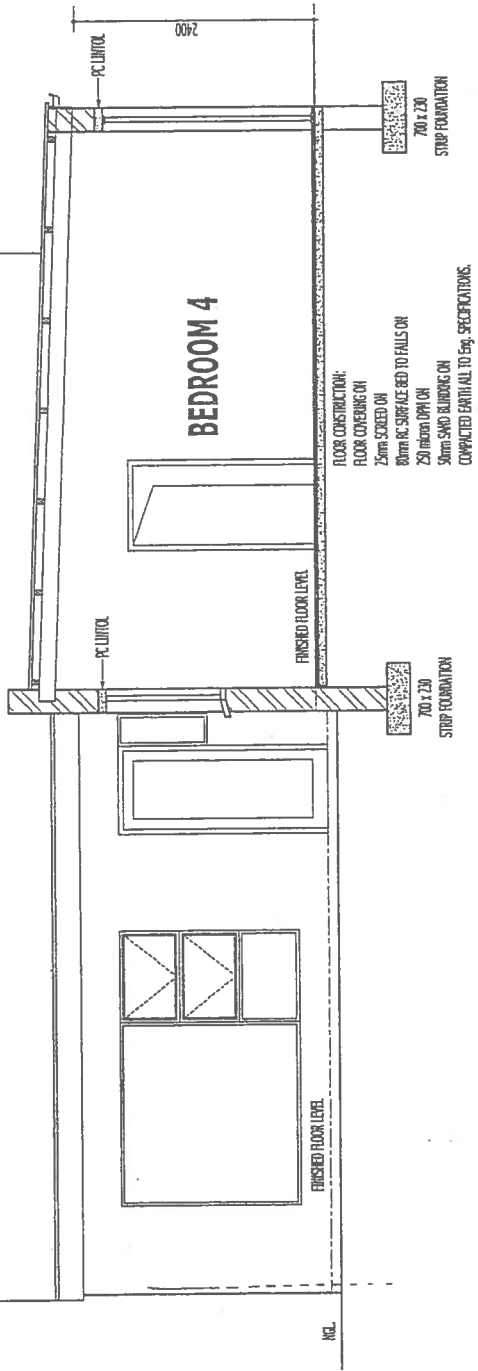
- ONLY SABS APPROVED MATERIALS AND WORKMANSHIP WILL BE PERMITTED ON SITE.
- NO DIMENSIONS ARE TO BE SCALED. ANY VARIATIONS IN SIZES AND LEVELS MUST BE DISCUSSED WITH THE PROJECT MANAGER.
- CONTRACTOR / BUILDER TO ADHERE TO NATIONAL AND LOCAL AUTHORITY BUILDING REGULATIONS.
- BOUNDARY PICS TO BE VERIFIED BY LAND SURVEYOR OR LOCAL AUTHORITY.
- NO BUILDING WORK IS TO PROCEED BEYOND ANY SITE BOUNDARY.

PROJECT

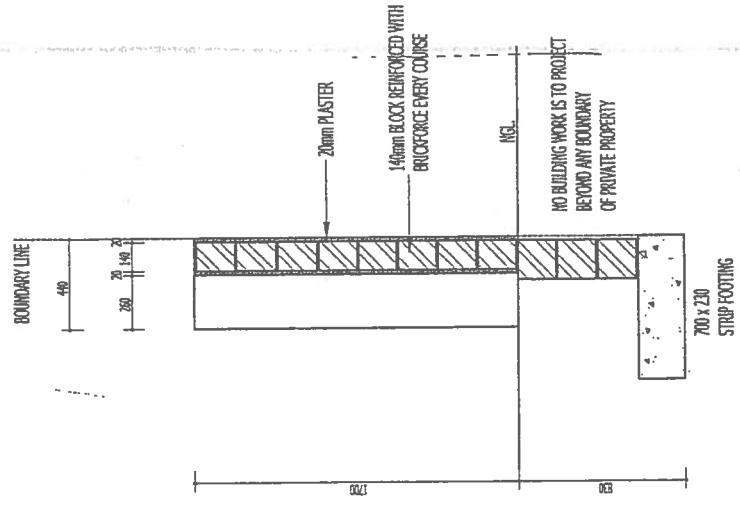
PROPOSED ADDITION FOR
Mr. & Mrs. J. M. WESSELS
ERF No 119
7 BUSH STREET
HAWSTON

DATE: 18/05/2015
DWG No.: 2015-119/SH2
REV.: A
DRAWN: D. WILLIAMS
REG No: ST 1215

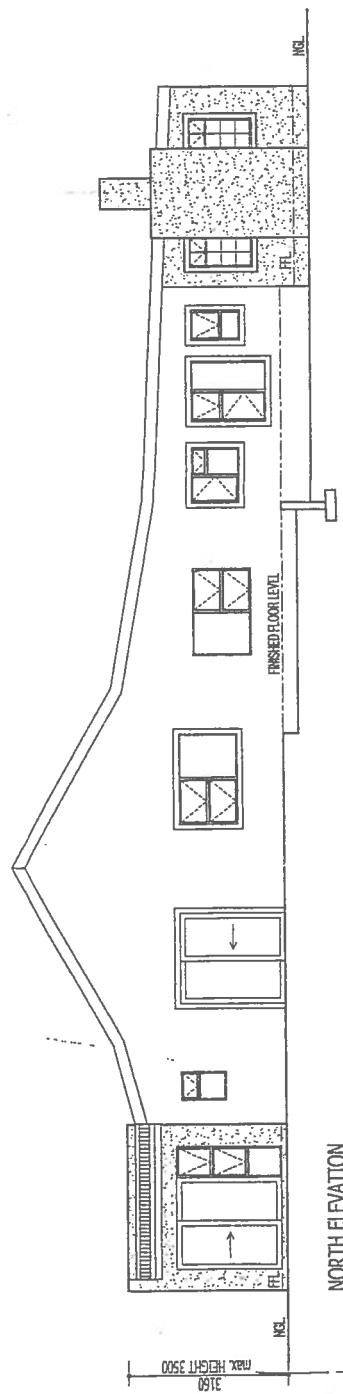
ROOF CONSTRUCTION:
 INTERLOCK SHEETING @ 3 DEGREES ON
 INSULATION 400 INSULATION PERFORMANCE ON
 75 x 50 S/P PURLINS @ max. 1000 c/c ON
 Z8 x 150 S/P RAFTERS BY SPECULIST @ max. 1100 c/c ON
 114 x 38 S/P WALLPLATE TIED DOWN WITH
 1.6 x 30 GAS HOOP IRONS BUILT INTO BRICKWORK.



SECTION B-B
SCALE 1:50



SECTION THROUGH WALL
SCALE 1:25



NORTH ELEVATION
SCALE 1:100

PROJECT	PROPOSED ADDITION FOR Mr. & Mrs. J. M. WESSELS ERF No 119 7 BUSH STREET HAWSTON
	DATE: 18/05/2015 DWG No.: 2015-119/SH3 REV.: A DRAWN: D. WILLIAMS REG No: 5T 1215

02 July 2015

Town Planner
Overstrand Municipality
Hermanus
7200

Re: Erf 119, 7 Bush Street, Hawston

We, Mr. J. M. Wessels & Mrs. Y. F. Wessels would like to apply for a waiver on the above property.

We herewith apply for the relaxation of street building line from 4.0m to 0.0m to accommodate the addition of bedroom 4.

Due to the lack of knowledge regarding procedures of building plan submission the builder continued to construct the garage on the street boundary, which we in turn converted into bedroom 4 due to the desperate need for accommodation for my family members.

We also would like to apply for the relaxation of the street building line from 4.0m to 2.81m for the existing stoep we enclosed and incorporated as an addition to the existing lounge.

The total area affected is 25.03m² in total and would not in any way affect any neighbours views or will in any way obstruct traffic sight. The addition would also be of aesthetical value to the property.

We request that you consider the application in our best interest.

Yours truly

Mr. J. M. Wessels & Mrs. Y. F. Wessels

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 119, HAWSTON (3004)**

Electricity : In order
Water : In order
Sewer : In order
Stormwater : In order
Roads and traffic : In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that should additional services be required the owner will be responsible for the payment of bulk services levies;
4. that stormwater be allowed to discharge through Erf 119, Hawston, unobstructed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

15 October 2015

DATE

TP-A Theart
(Holliver)

Telkom

Network Engineering and Build

Telkom SA SOC Limited

10 Jan Smuts Drive

Pinelands

7404



Tel : 021 414 5613

Fax : 088 021 414 5613

Email : Mikhail.Fredericks@corline.co.za

Enquiries : Mikhail Fredericks

Our Ref. : WWIP_WHWS3287_15

Your ref. : ERF 199

26 October 2015

Attention : Loretta

Overstrand municipality
Hermanus

Dear Sir/Madam

Wayleave Application: Proposed departure – Bush Street - Hawston.

Erf 119

With reference to your letter and dated 20/08/15.

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 sketch attached, 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.

FILE NO:	EL 119-Haw
SCAN NO:	51
COLLABORATOR NO:	851702

Telkom SA SOC Limited: Reg no 1991/005476/30

Directors: JA Mabuza (Chairman), SN Maseko (Group Chief Executive Officer), D.J. Fredericks (Chief Financial Officer), S. Botha, Dr. CA Fynn, N. Kapila*, I Kgaboesele, K Kweyama, K Mzondeki, F Petersen, LL Von Zeuner.

Company Secretary: X Mpongoshe Makasi

*India

TP
29 OCT 2015

28 OCT 2015

Telkom

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.

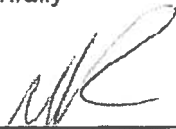
As important cables are affected, please contact our representative FREDERIK SWART at telephone number 028 514-1199 / 081 363 7815 at least 48 hours prior of commencement on construction work.

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



Daniel Cornelius
Operations Manager
Wayleave Management: Western Region

**Wayleave
Telkom S.A Ltd**













This wayleave, Ref is WWIP WHWS3287 15 is valid for 12 months from date hereof and is subject to the following conditions.

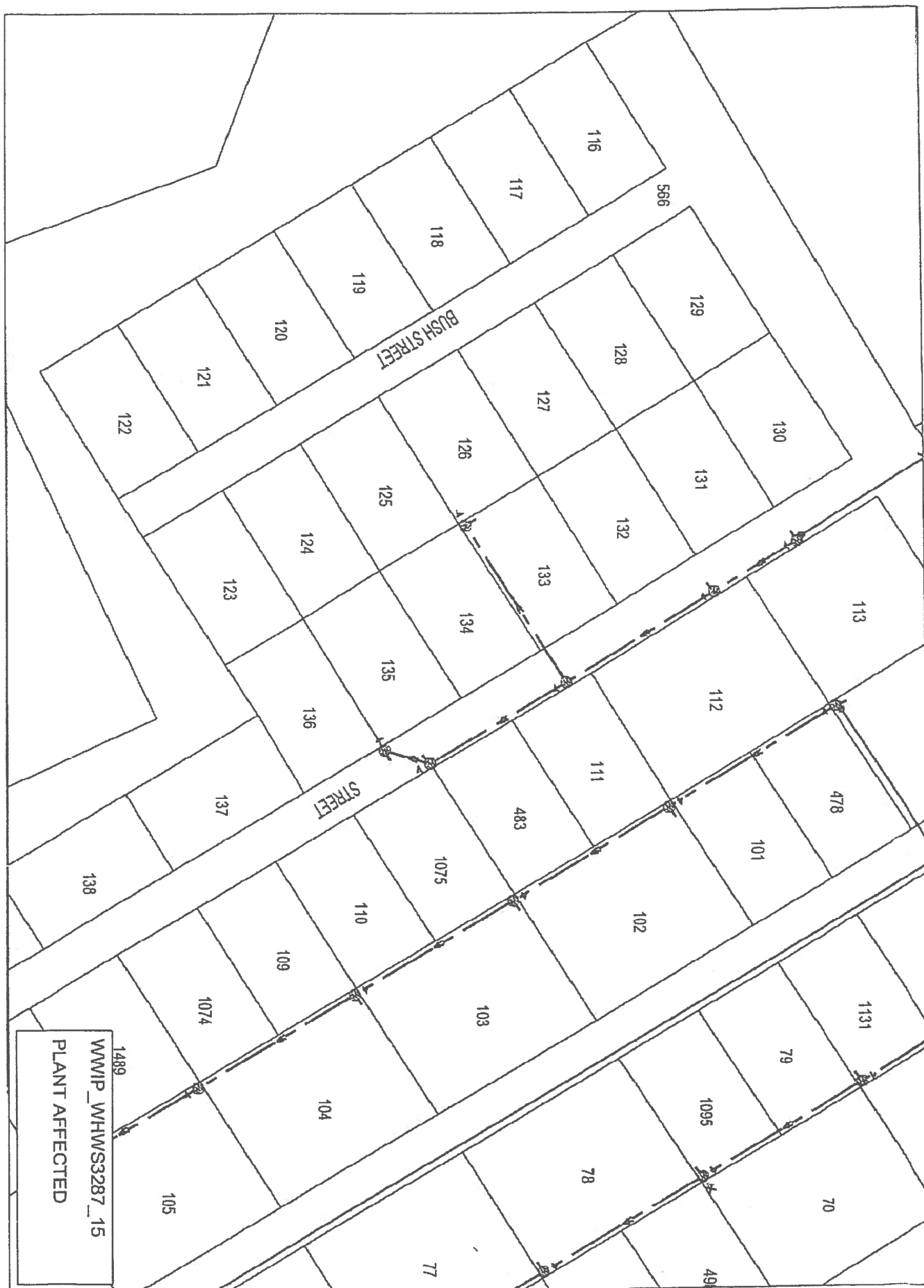
1. No mechanical plant or vibrator type compactors may be used within three metres of any Telkom plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and **FREDERIK SWART** at Telephone No **081 363 7815** must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of Telkom Plant will be indicated on-site.
3. A written request must be submitted to Telkom for consideration should the applicant require our plant to be relocated. The cost of such a relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existence of the Indicated plant and to notify Telkom immediately should the applicant locate any Telkom plant which is not indicated on the plans.
5. Should the applicant expose any Telkom plant, the safeguard thereof will be the applicants full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for and damage or loss as a result thereof.

Date: 26 October 2015

M.FREDERICKS

For Regional General Manager
Western Cape

Telkom Symbol Legend	Green
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	





TP- A Theart
(H Olivier)

The Municipal Manager
OVERSTRAND MUNICIPALITY
P.O. Box 20
HERMANUS
7200

Date:
18.08.2015

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

Attention: Loriaan Isaacs

Dear Sir/Madame

ERF 119, 7 BUSH STREET, HAWSTON, OVERSTRAND MUNICIPALITY AREA: PROPOSED DEPARTURE: JM WESSELS
YOUR REF: ERF 119
OUR REF: 02299/15

I refer to your application received 18 August 2015

Eskom has no objection to the abovementioned application, provided the following conditions are adhered to:

1. Should it be necessary to move or support any of Eskom's services, at least 3 month's notice in writing is required and cost will be entirely for the account of the Developer / Applicant.
2. Eskom's right on the property will not be affected.

Please contact us should you require further information.

Yours sincerely

SHAUN SWANEPOEL
LAND DEVELOPMENT (BRACKENFELL)

2015 -08- 18

FILE NO:	EL 119-Haw
SCAN NO:	22
COLLABORATOR NO:	830029

CU 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



18 AUG 2015 ✓