

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr D Botha

Committee Members :

**Cllrs G Cohen, F Krige,
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl D Botha

Komiteelede :

**Rdle G Cohen, F Krige,
S Tebele & V Pungupungu**

INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE
INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE

22 NOVEMBER 2016

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**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : SEPTEMBER 2016 –
OCTOBER 2016**

15/3/11

R van Antwerp

(028) 313 8039

Hermanus Administration

24 October 2016

1. Executive Summary

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 23 September 2016 – 20 October 2016.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priority

Promotion of tourism, economic and social development

4. Delegated Authority

Executive Mayor

5. Legal Requirements

Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)

6. Background/Discussion/Evaluation/Conclusion

Background

This item serves to inform Council of matters that were disposed of by the Senior Manager : Town- & Spatial Planning in terms of LUPO and the Authorised Official in terms of SPLUMA.

7. Financial Implications

None

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8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

To view, annexures are available at the office of the Senior Manager : Town- and Spatial Planning.

RECOMMENDATION:

that **cognisance be taken** of the town planning applications in terms of the Land Use Planning Ordinance (LUPO) disposed of by the Senior Manager : Town- & Spatial Planning and in terms of the Spatial Planning Land Use Management Act (SPLUMA) disposed of by the Authorised Official (AO) in terms of delegated authority for the period 23 September 2016 – 20 October 2016:

Land Use Planning Ordinance (LUPO) Approvals

| | | |
|----|---|-----------------|
| 1. | Erf 559, Pearly Beach | 24 October 2016 |
| 2. | Port 50 of Farm No. 587 Hemel-en-Aarde Valley | 24 October 2016 |
| 3. | Erf 268, Stanford | 24 October 2016 |
| 4. | Portion 3 of the farm Springfontein No. 641 | 24 October 2016 |
| 5. | Portion 8 of the farm Spookfontein, Hemel-en-Aarde Valley | 24 October 2016 |

Spatial Land Use Management Act (SPLUMA) Approvals

| | | |
|-----|---------------------------------------|-------------------|
| 1. | Erf 7161, Hermanus | 27 September 2016 |
| 2. | Erf 9902, Hermanus | 27 September 2016 |
| 3. | Erf 6180, Kleinmond | 29 September 2016 |
| 4. | Erf 4180, Onrustrivier | 6 October 2016 |
| 5. | Erf 4094, Onrustrivier | 6 October 2016 |
| 6. | Erf 1462, Sandbaai | 6 October 2016 |
| 7. | Erven 1101, 1102 & 1196, Van Dyksbaai | 6 October 2016 |
| 8. | Erf 2212, Pearly Beach | 24 October 2016 |
| 9. | Erf 2500, Pearly Beach | 24 October 2016 |
| 10. | Erf 1926, Gansbaai | 24 October 2016 |
| 11. | Erf 122, De Kelders | 24 October 2016 |

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| | |
|--|-------------------------|
| RESPONSIBLE OFFICIAL : | R VAN ANTWERP |
| TARGET DATE FOR IMPLEMENTATION : | 14 DECEMBER 2016 |
| TARGET DATE TO INFORM APPLICANT : | N/A |
| TARGET DATE TO INFORM OBJECTOR : | N/A |

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**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : SEPTEMBER 2016 –
OCTOBER 2016**

15/3/11

**R van Antwerp
24 October 2016**

(028) 313 8039

Hermanus Administration

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

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

14 DECEMBER 2016

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

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Land Use Planning Ordinance (LUPO) Approvals

1. ERF 559, 49 RIDGE WAY, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE AND RELAXATION OF RESTRICTIVE TITLE DEED CONDITION : LA & AA VAN RENSBURG

559 GPB (3144)

SW van der Merwe

(028) 313 8900

Hermanus Administration

3 October 2016

Executive Summary

To consider an application for departure and relaxation of a restrictive title deed condition received on 26 November 2015 from the owners of Erf 559, Pearly Beach, L & AA van Rensburg, in order to encroach the 4m street building line (Scheme Regulations) as well as the 4,72m title deed building line up to 0,785m in order to accommodate the existing dwelling.

RESOLVED :

1. that the application for relaxation of restrictive title deed conditions applicable to Erf 599, Pearly Beach in order to relax the 4,72m street building line contained in Title Deed T4114/2003 to 0,785m, **be approved**;
2. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure on Erf 559, Pearly Beach, in order to relax the 4m street building line up to 0,785m to accommodate the encroachment of the existing dwelling, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. JJ71/15 dated 10 November 2015, as submitted with the application;
 - (b) that the conditions of Operational Services, be complied with;
 - (c) 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;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;

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- (f) that the ground floor stoep and first floor balcony, may not be enclosed; and
 - (g) that all future additions at both ground and first floor level adheres to the development parameters in terms of the applicable Scheme Regulations
3. that the applicants be notified of its right of appeal in terms of Section 62 of the Municipal Systems Act with regard to the above decision.

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2. **PORTION 50 OF FARM 587, HEMEL EN AARDE VALLEY, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL, AMENDMENT OF ARCHITECTURAL GUIDELINES, AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN AND DEPARTURES : MESSRS PLAN ACTIVE ON BEHALF OF COCH-Y-BONDHU SHARE BLOCK (PTY) LTD**

RCAL 50/587 (3183)

H van der Stoep

(028) 313 8900

Hermanus Administration

28 September 2016

Executive Summary

To consider an application received on 15 January 2016 from Messrs Plan Active on behalf of Coch-Y-Bondhu Share Block (Pty) Ltd for the amendment of conditions of approval, amendment of architectural guidelines, amendment of the approved site development plan and departures.

RESOLVED :

1. that the application for the amendment of conditions of approval, amendment of architectural guidelines, amendment of the approved site development plan and departures in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved**, subject to the following conditions:
 - (a) that the conditions and site plan as per Plan no. farm587-50sdp-1rev2.drw, dated September 2016 be amended;
 - (b) that the amendment of Architectural Guidelines be signed by all owners and submitted to the Municipality for record purposes;
 - (c) that the sectional plan and diagrams as approved by the Land Surveyor be submitted to the Municipality for record keeping;
 - (d) that all owners submit an undertaking that it acknowledges that their property is located in a primarily agricultural area and thus cannot object to the surrounding agricultural activities taking place, and
 - (e) that an investigation be done pertaining alternative sewerage systems and how the existing systems can be incorporated in such an alternative system. This investigation be done within three (3) months of the approval with the cooperation of the Municipality and the Breede Gouritz Catchment Management Agency.

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2. that the applicant be notified of its 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.

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**3. ERF 268, 1 QUEEN VICTORIA STREET, STANFORD, OVERSTRAND
MUNICIPAL AREA : PROPOSED REZONING : MESSRS INTERACTIVE
TOWN- AND REGIONAL PLANNERS ON BEHALF OF LOCAL EVENTS
SEVENTEEN CC**

268 SSS (3034)

P Roux

(028) 313 8900

Hermanus Administration

3 October 2016

Executive Summary

To consider an application received on 3 September 2015 from Messrs InterActive Town- and Regional Planners on behalf of Local Events Seventeen CC, the owner of Erf 268, Stanford, for the rezoning of the subject property from Industrial Zone 1 (General Industry) to Business Zone 2 (General Business) in order to conduct a business from the property.

RESOLVED :

1. that in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for the rezoning of Erf 268, Stanford from Industrial Zone 1 (General Industry) to Business Zone 2 (General Business) in order to conduct a business from the property, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the building plan Drawing REF: 1815.100 dated August 2015, as submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that building plans be submitted to the Building Department for approval;
 - (d) that all the conditions compiled in the Service Report, be complied with;
 - (e) that parking bays for people for disabilities be provided on site;
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (g) that the necessary Health and Safety certificates be obtained.

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2. that the applicant be informed of its right of appeal in terms of Section 62 of the Municipal Systems Act with regard to the above decision.

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4. PORTION 3 OF THE FARM SPRINGFONTEIN NO. 641, DIVISION CALEDON : APPLICATION FOR CONSENT USE (ADDITIONAL DWELLING UNITS & TOURISM ACCOMMODATION) : MESSRS WRAP CONSULTANCY ON BEHALF OF SPRINGFONTEIN WINE ESTATE (PTY) LTD

3/641 GRCAL (3184)

SW van der Merwe

(028) 313 8900

Hermanus Administration

29 September 2016

Executive Summary

To consider an application received on 15 January 2016 from Messrs WRAP Consultancy on behalf of the owners of Portion 3 of the Farm Springfontein No. 641, Division Caledon, Springfontein Wine Estate (Pty) (Ltd), for consent use for the construction of two (2) additional dwelling units and to utilize the primary dwelling and the two (2) additional dwelling units for tourism accommodation.

RESOLVED :

1. that, in terms of Section 2.2 of the Overstrand Municipality Zoning Scheme Regulations the application for consent use on Portion 3 of the Farm Springfontein No. 641, Division Caledon for the construction of two (2) additional dwelling units and to utilize the primary dwelling and the two (2) additional dwelling units for tourism accommodation, **be approved**, subject to the following conditions:
 - (a) that this approval only pertains to the proposed Site Development Plans, Plan Numbers 15/11/01, 15/11/02, 15/11/03 and 15/11/04, as submitted with the application;
 - (b) that building plans be submitted for approval to the Building Department and that all Building and Fire Regulations are complied with at that stage;
 - (c) that the conditions contained in the Services Report, be complied with;
 - (d) that all the requirements from the Department of Health and Fire Services, be complied with
 - (e) that the requirements of Eskom, Breede-Gouritz Catchment Management Agency, Department of Transport and Public Works, Department of Agriculture (Provincial), Cape Nature and the Environmental Authorisation obtained from the Department of

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Environmental Affairs and Development Planning, be complied with;

- (f) that no activities other than stipulated in this approval, be allowed on the property without the written approval of the Municipality;
 - (g) that commercial rates and service tariffs as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (h) that no accumulation of refuse occur on the premises;
 - (i) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (j) that this approval does not absolve the applicant from compliance with any other relevant legislation;
2. that the applicant be notified of its right of appeal in terms of the Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

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5. PORTION 8 OF THE FARM 587, SPOOKFONTEIN, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE: MR DAVIS ON BEHALF OF PAPERMOON PROPERTIES CC

Ptn 8/587 (3129)

H van der Stoep

(028) 313 8900

Hermanus Administration

9 September 2016

Executive Summary

An application has been received on 18 November 2015 from MR Davis on behalf of the property owner of Portion 8 of the Farm 587, Spookfontein, Hemel-en-Aarde Valley, Papermoon Properties CC, for a consent use from the relevant Scheme Regulations in order to accommodate the activity of the existing wine cellar and restaurant on the farm concerned.

RESOLVED :

1. that in terms of Section 2.2 of the Section 9 Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a consent use on Portion 8 of the Farm Hemel-en-Aarde No. 587 in order to accommodate the activity of the existing wine cellar and restaurant on the farm concerned, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the winery and restaurant as per Drawing No. SP-LL/01 dated 4 November 2009, as submitted with the application;
 - (b) that the two (2) cottages of approximately 120m² each be used for tourism accommodation;
 - (c) that building plans (site development plan with all the structures and area of extent) be submitted to the Building Control Department within thirty (30) days of the date of the approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
 - (d) that the Record of Decision (ROD), dated 2005 remain in force. The conditions as per the ROD be complied with and proof thereof be submitted to the Environmental Section;
 - (e) that all the conditions in the Service Report, be complied with;
 - (f) that all the conditions imposed by the Western Cape Government : Transport & Public Works, be complied with and implemented within thirty (30) days of the date of the approval;

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- (g) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its 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.

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Spatial Land Use Management Act (SPLUMA) Approvals

1. **ERF 7161, UNIT 1, 20 MITCHELL STREET, HERMANUS (EASTCLIFF),
OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF
APPROVED SITE DEVELOPMENT PLAN, AMENDMENT OF CONDITIONS
OF APPROVAL AND DEPARTURE : INTERACTIVE TOWN AND
REGIONAL PLANNING ON BEHALF OF H**

7161 HEC (3304)

P Roux

(028) 313 8900

Hermanus Administration

12 September 2016

Executive Summary

An application was received on 25 May 2016 from InterActive Planning on behalf of a property owner on Erf 7161, Hermanus in order to construct an enclosed braai- and entertainment area. The application includes the following:

- the amendment of the approved Site Development Plan (SDP) in terms of Section 16(2)(l) in order to upgrade the dwelling (Unit 1);
- the amendment of the conditions of approval in terms of Section 16(2)(h) in order to upgrade the dwelling (Unit 1); and
- departure of the lateral building line from 3m to 1m in terms of Section 16(2)(b) in order to accommodate the braai area.

RESOLVED :

1. that the application received from Interactive Planning on behalf of the owner on Erf 7161, Hermanus (Eastcliff) in order to construct an enclosed braai- and entertainment area and includes the following:
- the amendment of the approved Site Development Plan (SDP) in terms of Section 16(2)(l) in order to upgrade the dwelling (Unit 1);
 - the amendment of the conditions of approval in terms of Section 16(2)(h) in order to upgrade the dwelling (Unit 1);
 - and departure of the lateral building line from 3m to 1m in terms of Section 16(2)(b) in order to accommodate the braai area,

be approved, subject to the following conditions:

- (a) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;

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- (b) that this is not an approval in terms of any other legislation;
 - (c) that this application only relates to the extension of dwelling Unit 1 as shown on the Site Development Plan named House Verwey dated 05 May 2016 as submitted by the applicant;
 - (d) that the Sectional Title Plan be amended and proof thereof be submitted for record keeping;
 - (e) that any extensions to the other dwelling units in Tangle Wood Close be done in similar fashion and limited to the exclusive use area at the back of each unit;
 - (f) that the amended Site Development Plan be submitted to the Town Planning Department for approval by the Senior Manager: Town- and Spatial Planning;
 - (g) that the amended condition approval now reads as follow: “this approval is specific to the scheme submitted and no deviation from the style of design in the sketch plans will be permitted without the permission granted by the Body Corporate and the Director of the Overstrand Municipality.”; and
 - (h) that all the conditions contained in the Services Report, be adhered to.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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**2. ERF 9902, 223 ELEVENTH STREET, VOËLKLIP, HERMANUS,
OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE :
BE THORPE**

9902 HVK (3304)

P Roux

(028) 313 8900

Hermanus Administration

13 September 2016

Executive Summary

An application was received from BE Thorpe, the property owner on Erf 9902, Hermanus (Voëlklip), in order to encroach the street building line from 4m to 0m in terms of Section 16(2)(b) to construct a ramp leading to the garages.

RESOLVED :

1. that the application for departure received from the owner of Erf 9902, Hermanus, BE Thorpe, in order to encroach the street building line from 4m to 0m to construct a ramp leading to the garages in terms of Section 16(2)(b), **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (b) that this is not an approval in terms of any other legislation;
 - (c) that this application only relates to the extension of the ramp as shown on the Site Development Plan drawing DJvZ Project No. 150803/01 dated 5 February 2016 as submitted by the applicant (attached as Annexure B);
 - (d) that the proposed ramp may not have any effect on the sidewalk, and
 - (e) that the conditions compiled in the Services Report (attached as Annexure D) be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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3. ERF 6180, 8 HARBOUR ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF CONDITIONS : HE KIESLING ON BEHALF OF IMMENHOF HOMESTEAD APIARY CC

6180 KKM (3233)

H van der Stoep

(028) 313 8900

Hermanus Administration

28 September 2016

Executive Summary

An application has been received from HE Kiesling on behalf of Immenhof Homestead Apiary CC for the amendment of a condition of approval.

RESOLVED :

1. that the application for the amendment of conditions on Erf 6180, Kleinmond in terms of Section 16(2)(h) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 to amend condition 1(j) of the approval letter, dated 14 July 2016, **be approved**, subject to the following conditions:

(a) that this approval does not absolve the applicant from compliance of the conditions of approval dated 14 July 2016, with the exception of condition 1(j) with regard to the BCILs amount payable to the Municipality, and

(b) that the BCILs amounts be as follows:

| | |
|----------------------|--------------------------------------|
| Water (W7A) | R24 851.00x 1.68 = R41 749.68 |
| Sewerage (SEW5A) | R19 945.00x 1.68 = R33 507.60 |
| Roads & (SW) (RDST1) | R6 500.00 x 1.68 = <u>R10 920.00</u> |

Total Amount: R86 177.28

All other conditions as per the Services Report, dated 8 April 2016 remains in place

2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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4. ERF 4180, 26 GLEN FRUIN, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : N WILSON ON BEHALF OF NR & JM WILSON

4180 HON (3248)

H Olivier

(028) 313 8900

Hermanus Administration

4 August 2016

Executive Summary

Application in terms of Section 16(2)(o) in order to construct a proposed additional dwelling on the property concerned.

RESOLVED :

1. that the application for consent use in terms of Section 16(2)(o) of the Overstrand By-Law on Municipal Land Use Planning, 2016 on Erf 4180, Onrustrivier to construct an additional dwelling on the property, be approved, subject to the following conditions:
 - that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - that all the other development parameters in the Zoning Scheme be complied with;
 - that this application only relates to the approval of the additional dwelling unit as indicated on the plan submitted by the architect;
 - that all the conditions in the Services Report, be complied with;
 - that this is not an approval in terms of any other legislation;
 - that all the conditions of Eskom, be complied with, and
 - that all the conditions of Telkom, be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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5. ERF 4094, 11 BOSPLASIE CRESCENT, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : A BASSON ON BEHALF OF GREEN IS GOLD GARDENS ON LINE CC

4094 HON (3299)

H Olivier

(028) 313 8900

Hermanus Administration

28 September 2016

Executive Summary

Departure to relax the street building line as stipulated in the Bosplasia Special Zone with Nicol Street from 4,5m to 2,5m and the street building line on the corner with Nicol Street and Bosplasia Crescent from 4,5m to 2m to accommodate a new proposed garage.

RESOLVED :

1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 to relax Bosplasia Special Zone street building line with Nichol Street from 4,5m to 2,5m and the street building line on the corner of Bosplasia Crescent and Nicol Street from 4,5m to 2m, to accommodate a garage, **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (b) that this is not an approval in terms of any other legislation;
 - (c) that this application only relates to the approval to relax building lines as indicated on the plan submitted by the architect;
 - (d) that all the conditions of Eskom be complied with, and
 - (e) that all the conditions of Telkom be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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6. ERF 1462, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL AND AMENDMENT OF THE SITE DEVELOPMENT PLAN : MESSRS PLAN ACTIVE ON BEHALF OF AMANZI BIOSECURITY NPC

1462 HSB (3281)

H Olivier

(028) 313 8900

Hermanus Administration

22 September 2016

Executive Summary

Amendment of conditions of approval to be able to amend the Site Development Plan.

RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 to amend Condition 2(b) of the Land Use Planning approval on Erf 1462, Sandbaai dated 25 April 2016, **be approved and be amended** as follows:

“that a Site Development Plan in compliance with all conditions of approval be submitted to the satisfaction of the Authorized Official;”

2. that this approval be subject to the following condition:
 - (a) that Conditions 2(a) and 2(c) to 2(m) as stipulated in the approval letter dated 25 April 2016, be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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7. **ERVEN 1101, 1102, AND 1196, VAN DYKSBAAI (KLIPFONTEYN RESIDENTIAL ESTATE, KLEINBAAI), OVERSTRAND MUNICIPAL AREA : SUBDIVISION, REZONING AND CONSOLIDATION : MESSRS PLANACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF RB DE JAGER AND KLIPFONTEYN HOMEOWNERS' ASSOCIATION**

1101, 1102 & 1196 GVD (3254)

S van derMerwe (028) 313 8900

Hermanus Administration

14 September 2016

Executive Summary

To consider an application received on 12 April 2016 submitted by Messrs PlanActive Town-and Regional Planners on behalf of the registered owner of Erven 1101 and 1102, Van Dyksbaai, RB de Jager and Erf 1196, Van Dyksbaai, Klipfonteyn Home Owners' Association (KHOA), for the following:

- subdivisions, and consolidations for the re-alignment of Erven 1101, 1102, and 1196, Van Dyksbaai;
- rezoning from Open Space Zone 3 (Private Open Space) to Residential Zone 1; and
- rezoning from Residential Zone 1 to Open Space Zone 3 (Private Open Space).

RESOLVED :

1. that, in terms of Sections 16(2)(d), of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016, the application for the subdivision of Erf 1101, Van Dyksbaai into two (2) erven namely, Portion C $\pm 84\text{m}^2$ and Remainder $\pm 529\text{m}^2$, the subdivision of Erf 1102, Van Dyksbaai into two (2) erven namely, Portion B $\pm 35\text{m}^2$ and Remainder $\pm 570\text{m}^2$, and the subdivision of Erf 1196, Van Dyksbaai into two (2) erven namely, Portion A $\pm 119\text{m}^2$ and Remainder $\pm 5,0134$ ha, **be approved**;
2. that, in terms of Section 16(2)(a) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016, the application for the rezoning of Portions C and B in 1. above from Residential Zone 1 to Open Space Zone 3 (Private Open Space), and the rezoning of Portion A in 1. above from Open Space Zone 3 (Private Open Space) to Residential Zone 1, **be approved**;
3. that in terms of Section 16(2)(e) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016, the application for the consolidation of Portions C and B in 2. above with Remainder Erf 1196 in 1. above, and the consolidation of Portion A in 2. above with Remainder Erf 1102 in 1.

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above, **be approved**;

4. that the approvals in paragraphs 1.; 2. and 3. above be subject thereto that the consolidations in paragraph 3. above be done simultaneously with the registration of the subdivisions in paragraph 1. above.
5. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above condition of approval.

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8. ERF 2212, 8 ELF STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : D SPANELLIS

2212 GPB (3385)

S van der Merwe

(028) 313 8900

Hermanus Administration

4 October 2016

Executive Summary

To consider an application received on 4 August 2016 from ED Spanellis, the registered owner of Erf 2212, Pearly Beach for a departure from the resort development rules in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning in order to encroach the 1m lateral building line with 0,6m and to provide one (1) onsite parking bay instead of two (2).

RESOLVED :

1. that, in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 the departure application on Erf 2212, Pearly Beach in order to relax the 1m lateral building line to 0,4m to accommodate a chimney and also to depart from the Pearly Beach Resort Development Rules to provide only one (1) parking bay instead of two (2) on the property, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the building plan, Project #. 08/DS/16 dated 21 July 2016, as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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**9. ERF 2500, 41 MELKHOUT STREET, PEARLY BEACH, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : MS LOURENS**

2500 GPB (3319)

S van der Merwe

(028) 313 8900

Hermanus Administration

3 October 2016

Executive Summary

A departure application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning in order to encroach the rear building line from 1m to 0m in order to accommodate a store and bathroom.

RESOLVED :

1. that, in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning , 2016 the departure application on Erf 2500, Pearly Beach in order to relax the 1m rear building line to 0m to construct a storeroom and bathroom, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the building plan as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval

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10. ERF 1926, 1 NISSEN STREET, MASAKHANE, GANSBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : OVERSTRAND MUNICIPALITY

1926 GMAS (3376)

S van der Merwe

(028) 313 8900

Hermanus Administration

28 September 2016

Executive Summary

To consider an application for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning in order to encroach the 5m building line to 3,9m adjacent to the northern property boundary and 3,8m adjacent to the southern property boundary.

RESOLVED :

1. that, in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 the departure application on Erf 1926, Masakhane in order to relax the 5m building lines to 3,9m (northern side) and 3,8m (southern side), to accommodate the community hall, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed Site Development Plan, Project # 02/MCH/16 dated 12 January 2016;
 - (b) that building plans be submitted to the Building Department for approval and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (c) that all the conditions contained in the Services Report, be adhered to;
 - (d) that the building plan be accompanied by a parking layout, providing onsite parking bays in accordance with the requirements of the Scheme Regulations;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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**11. ERF 122, 35 CLIFF STREET, DE KELDERS, GANSBAAI, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : PE LOURENS ON
BEHALF OF THE HDD RESIDENCE TRUST**

122 GDK (3327)

S van der Merwe

(028) 313 8900

Hermanus Administration

30 September 2016

Executive Summary

To consider an application for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 in order to encroach the 2m eastern and western lateral building lines from 2m to 1,57m to accommodate the proposed additions to the existing dwelling.

RESOLVED :

1. that, in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 the departure application on Erf 122, De Kelders in order to relax the 2m lateral building line to 1,57m to accommodate the proposed alterations and additions to the existing dwelling, **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire- and Building Departments be complied with at that stage;
 - (b) that this is not an approval in terms of any other legislation;
 - (c) that this approval only has reference to the proposed building plan no. DK1 dated 5 June 2016, as submitted with the application;
 - (d) that all the conditions contained in the Services Report, be adhered to.
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.