

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

**Deputy Executive Mayor,
Cllr R Smith**

Committee Members :

**Cllrs K Brice, D Botha
M Dyani & JJ Januarie**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

**Uitvoerende Onderburgemeester
Rdl R Smith**

Komiteelede :

**Rdle K Brice, D Botha
M Dyani & JJ Januarie**

INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE
INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE

19 APRIL 2016

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

15/3/11

R van Antwerp
14 March 2016

(028) 313 8039

Hermanus Administration

1. Executive Summary

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 6 February 2016 – 14 March 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.

7. Financial Implications

None

8. Staff Implications

None

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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 disposed of by the Senior Manager : Town- & Spatial Planning in terms of delegated authority for the period 6 February 2016 – 14 March 2016:

1.	Erf 1727, Gansbaai	8 February 2016
2.	Portion 229 of the farm Afdaks Rivier No. 575	9 February 2016
3.	Erf 440, Stanford	9 February 2016
4.	Erf 6393, Mount Pleasant	10 February 2016
5.	Portion 2 of Farm Klipfontein No.711	11 February 2016
6.	Erf 3367, Onrus River	17 February 2016
7.	Erf 5447, Kleinmond	19 February 2016
8.	Erf 2294, Pearly Beach	19 February 2016
9.	Erf 2290, Pearly Beach	19 February 2016
10.	Erf 1880, Franskraal	19 February 2016
11.	Portions 130 + 131 of the farm Baardscheeders Bosch No. 213	19 February 2016
12.	Portion 16 of the farm Klipfonteyn No. 711	22 February 2016
13.	Erven 1789 – 1791, Sandbaai	25 February 2016
14.	Erf 1335, Vermont	25 February 2016
15.	Erf 4034, Onrus River	25 February 2016
16.	Erf 2302, Pearly Beach	25 February 2016
17.	Erf 3980, Onrus River	25 February 2016
18.	Erven 1734, 1449, 1450 + 1452, Sandbaai	26 February 2016
19.	Erf 57, Sandbaai	1 March 2016
20.	Erven 2802 – 2811, 2813, 2814, 2817 + 2829, Gansbaai	3 March 2016
21.	Erf 4103, Onrus River	10 March 2016
22.	Erf 1496, Vermont	10 March 2016
23.	Erf 9944, Hermanus	10 March 2016
24.	Erf 4075, Hermanus	10 March 2016

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RESPONSIBLE OFFICIAL :	R VAN ANTWERP
TARGET DATE FOR IMPLEMENTATION :	12 MAY 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 : FEBRUARY 2016 TO
MARCH 2016**

**15/3/11
R van Antwerp
14 March 2016**

(028) 313 8039

Hermanus Administration

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
19 APRIL 2016, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL : R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION : 12 MAY 2016

TARGET DATE TO INFORM APPLICANT : N/A

TARGET DATE TO INFORM OBJECTOR : N/A

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1. **ERF 1727, GANSBAAI : OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN : PREMIER FISHING SA (PTY) LTD**

1727 GPB (3005)

S van der Merwe

(028) 313 8900

Hermanus Administration

28 January 2016

Executive Summary

An application has been received on 24 November 2015 from Premier Fishing SA (Pty) Ltd on Erf 1727, Gansbaai to amend the approved Site Development Plan (SDP) in order to accommodate bathroom additions to an existing storage building on the premises.

RESOLVED :

that the revised Site Development Plan 27/AA/15 Sheets 1/4 to 4/4, dated 29 October 2015, **be approved**, subject thereto that all the conditions in the original approval dated 16 February 2010, read together with the additional requirements from the internal user departments attached as Annexures D to H, be complied with.

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**2. PORTION 229 OF FARM AFDAKS RIVIER NO. 575, CALEDON DISTRICT,
OVERSTRAND MUNICIPAL AREA : PROPOSED APPROVAL OF SITE
DEVELOPMENT PLAN : MESSRS EBEN RALL & ASSOCIATES ON
BEHALF OF BENGUELA COVE (PTY) LTD**

Ptn 229/575 RCAL (3017)

H Olivier

(028) 313 8900

Hermanus Administration

29 January 2016

Executive Summary

The application was received from Messrs Eben Rall & Associates on behalf of Benguela Cove (Pty) Ltd for an approval of a Site Development Plan on the above-mentioned property.

RESOLVED :

1. that the application on Portion 229 of Farm Afdaks Rivier No. 575 for the approval of the Site Development Plan, **be approved**, subject to the following conditions:
 - (a) that development be in line with the proposals on Plan No. Beng-002-01, Beng-200-00 and Beng-001-03 dated 30.06.2015, as submitted with the application;
 - (b) that all conditions imposed in the Services Report, be complied with;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the Special Zone approved for Benguela Cove be complied with, and
 - (e) that building plans be submitted to the Building Department.

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3. ERF 440, 20 MORTON STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MAUREEN WOLTERS ON BEHALF OF J GILMAN

440 SSS (3039)

P Roux

(028) 313 8900

Hermanus Administration

5 February 2016

Executive Summary

An application has been received on 18 September 2015 from Maureen Wolters on behalf of the owner, J Gilman, on Erf 440, Stanford for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 0m in order to accommodate the proposed building.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 440, Stanford in order to relax the street building line from 4m to 0m to accommodate the proposed building, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Drg No 072.03 to 05 dated 15 July 2015, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
 - (e) that the Electro Technical Services is contacted before excavations start in order to ensure that no services are damaged;
 - (f) that no part of the building can protrude over the property boundary and that all water run-off from the proposed dwelling is on the property;
 - (g) that all the conditions imposed in the Services Report and the comments from the Operational Department, be complied with, and

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- (h) that consent from the Engineering Department for the second entrance is obtained before the submission of building plans.
- 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 decision.

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**4. ERF 6393, 157 ANGELIER STREET, MOUNT PLEASANT, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : Y & L SMITH**

6393 HMP (3074)

H Olivier

(028) 313 8900

Hermanus Administration

5 February 2016

Executive Summary

An application has been received on 30 September 2015 from Y & L Smith, the property owners, on Erf 6393, Mount Pleasant for a departure from the relevant Scheme Regulations to relax the street building line from 2m to 0m to accommodate a proposed carport, to relax the western lateral building line from 1m to 0m to accommodate the mentioned carport and two garages, and also to relax the eastern lateral building line from 1m to 0m to accommodate an extension to the dwelling.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 6393, Mount Pleasant, to relax the street building line from 2m to 0m to accommodate a proposed carport, to relax the western lateral building line from 1m to 0m to accommodate the mentioned carport and two garages, and also to relax the eastern lateral building line from 1m to 0m to accommodate an extension to the dwelling, **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 marked Smith-01 dated June 2015, which was submitted with the application;
 - (d) 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;
 - (e) that all the conditions in the Services Report, be complied with;
 - (f) that all the conditions by Telkom, be complied with, and

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- (g) that 60 minute fire resistant wall be present on boundaries as part of the structures, to the satisfaction of the Fire Department.
2. 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.

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**5. ROMANSBAAI SEA FARM, PORTION 2 OF FARM KLIPFONTEIN NO. 711,
CALEDON : PROPOSED AMENDMENT OF THE APPROVED SITE
DEVELOPMENT PLAN**

2/711 RCAL

Svan der Merwe

(028) 313 8900

Hermanus Administration

8 February 2015

Executive Summary

An application has been received on 28 January 2016 from Romansbaai Sea Farm, Portion 2 of the Farm Klipfontein No. 711, to amend the approved Site Development Plan (SDP) in order to accommodate additions/deviations from the SDP approved during 2013.

RESOLVED :

that the revised Site Development Plan ICE/0/055E/GN01 dated June 2013, **be approved**, subject thereto that all the conditions of the approval dated 14 January 2013 remain applicable.

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**6. ERF 3367, 43 CHIAPPINI STREET ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ORBIC
ARCHITECTS ON BEHALF OF DR WA VAN SCHOOR**

3367 HON (3055)

H Olivier

(028) 313 8900

Hermanus Administration

12 February 2016

Executive Summary

An application has been received on 18 September 2015 from Messrs Orbic Architects on behalf of the owner, Dr WA van Schoor, on Erf 3367, Onrus River for a departure from the relevant Scheme Regulations to relax the eastern lateral building line from 2m to 1m and the western lateral building line from 2m to 1m to accommodate extensions to the dwelling on ground floor and a garage with workshop respectively.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3367, Onrus River, to relax the eastern lateral building line from 2m to 1m and the western lateral building from 2m to 1m to accommodate extensions to the dwelling on ground floor and a garage with workshop respectively, **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 Plan No. AR.SD.100 – AR.SD.103 dated 20.05.2014, which were submitted with the application, and
 - (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, and
 - (f) that Telkom's conditions of approval in their letter, be complied with.

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2. 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.

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7. ERF 5447, 57 NINTH AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : W FOURIE

5447 KKM (3086)

H van der Stoep

15 February 2016

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 15 October 2015 from W Fourie on Erf 5447, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the lateral and rear building lines from 2m to 0m respectively, to accommodate a proposed new double garage on the property concerned, and correct placement of building on approved plan.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 5447, Kleinmond in order to relax the lateral and rear building lines from 2m to 0m respectively, to accommodate a proposed new double garage on the property concerned, and correct placement of building on approved plan, **be approved**, subject to the following conditions:
 - (a) that a detailed site development plan with correct building lines be submitted for approval to the Building Control Department within three (3) months of the approval letter;
 - (b) that the laundry and single garage as per site plan, Erf_5447-kleinmond.dgn dated 5 October 2015, land uses remain intact and not be converted to habitable space;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
 - (f) that all the conditions imposed in the Services Report, be complied with, and

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2. 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 decision.

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**8. ERF 2294, 18 HARDER STREET, PEARLY BEACH, OVERSTRAND
MUNICIPAL AREA : APPLICATION FOR DEPARTURE : E & JHP
NIEMAND**

Erf 2294 GPB (3104)

SW van der Merwe

(028) 384 8300

Gansbaai Administration

16 February 2016

Executive Summary

To consider an application for departure received on 29 October 2015 from the owners of Erf 2294, Pearly Beach, E & JHP Niemand, in order to provide only one on-site parking bay instead of two on the property.

RESOLVED :

1. that the application in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for departure in order to enable the owner of Erf 2294, Pearly Beach to provide only one on-site parking bay instead of two on the property, **be approved**, subject to the following conditions:
 - (a) that this approval is only applicable to the Site Development Plan HH56/15 dated 7 September 2015, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with, and
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
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 decision.

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**9. ERF 2290, 30 HARDER STREET, PEARLY BEACH, OVERSTRAND
MUNICIPAL AREA : APPLICATION FOR DEPARTURE : E SMALL**

2290 GPB (3104)

SW van der Merwe

(028) 384 8300

Gansbaai Administration

9 February 2016

Executive Summary

To consider an application for departure received on 16 July 2016 from the owner of Erf 2290, Pearly Beach, E Small, in order to provide only one on-site parking bay instead of two on the property.

RESOLVED:

1. that the application in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for departure in order to enable the owner of Erf 2290, Pearly Beach to provide only one on-site parking bay instead of two on the property, **be approved**, subject to the following conditions:
 - (a) that this approval is only applicable to the Site Development Plan JJ 42/15 dated 2 July 2015, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with, and
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
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 decision.

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10. ERF 1880, 21 ROSS STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : CF HOFFMANN

1880 GFK (2972)

P Roux

(028) 313 8900

Hermanus Administration

19 February 2016

Executive Summary

An application has been received on 2 July 2015 from the owner of Erf 1880, Franskraal, CF Hoffmann, for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,57m in order to accommodate a proposed bedroom and living room.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1880, Franskraal, in order to relax the lateral building line from 2m to 1,57m, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures as indicated on the building plans which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all the conditions as compiled in the Services Report, be complied with;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
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 decision.

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11. PORTIONS 130 & 131 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION AND CONSOLIDATION : MESSRS GEOMATICS AFRICA ON BEHALF OF J & A MILES

130 & 131/213 (2988)

SW van der Merwe

(028) 313 8900

Hermanus Administration

15 February 2016

Executive Summary

An application has been received in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and Section 2.3 of the Overstrand Zoning Scheme Regulations on 21 July 2015 from Messrs Geomatics Africa on behalf of the owners of Portions 130 and 131 of the Farm Baardscheerders Bosch No. 213, Division Bredasdorp, J & A Miles, for the following:

- subdivision of Portion 130 of the Farm Baardscheerders Bosch No. 213 into two portions, namely Portion A approximately 455m² in extent and a Remainder approximately 1866m² in extent; and
- consolidation of Portion A with Portion 131 of the Farm Baardscheerders Bosch No. 213.

RESOLVED :

1. that in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and Section 2.3 of the Overstrand Zoning Scheme Regulations, the application for the following:
 - subdivision of Portion 130 of the Farm Baardscheerders Bosch No. 213 into two portions, namely Portion A approximately 455m² in extent and a Remainder approximately 1866m² in extent; and
 - consolidation of Portion A with Portion 131 of the Farm Baardscheerders Bosch No. 213;

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;

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- (c) that this approval is only for the proposed Subdivision- and Consolidation Plan, Drawing No. 213p130S dated July 2015, which was submitted with the application;
 - (d) that the onus is on the owner to register the newly formed property, and
 - (e) that the conditions as compiled in the Services Report, be complied with.
2. 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.

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**12. REMAINDER PORTION 16 OF THE FARM KLIPFONTEYN NO. 711 :
EXTENSION OF VALIDITY OF REZONING AND SUBDIVISION**

3673 & 5145 KBB (3054)

H van der Stoep (028) 313 8900

Hermanus Administration

1 February 2016

Executive Summary

An application was received on 1 December 2015 from First Plan Town- and Regional Planners for the extension of the validity of the rezoning and subdivisional approval of Remainder Portion 16 of the Farm Klipfonteyn No. 711, Division Caledon.

RESOLVED :

The application for the extension of time is supported subject to the updated Engineering Services Report and all the conditions of approval dated 26 October 2011.

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13. **ERVEN 1789, 1790 AND 1791, CNR BERGSIG STREET AND ARGON ROAD, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION : MESSRS PLAN ACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF ERF 1755 HERMANUS CC**

1789 – 1791 HSB (2922)

H Olivier

(028) 313 8900

Hermanus Administration

18 February 2016

Executive Summary

An application has been received on 20 May 2015 from Messrs Plan Active Town- and Regional Planners on behalf of the property owner, Erf 1755 Hermanus CC, to consolidate Erven 1789, 1790 and 1791, Sandbaai.

RESOLVED :

1. that in terms of Section 2.3 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the consolidation of Erven 1789, 1790 and 1791, Sandbaai, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed SG Diagram, Erf 2844, Sandbaai, dated April 2015, as submitted with the application;
 - (b) that all the conditions in the Service Report, be complied with;
 - (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 and Hermanus Business Park Development Guidelines 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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14. ERF 1335, 9 BARNACLE CLOSE, VERMONT, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : G & R THOMASON

1335 HVM (3079)

H Olivier

(028) 313 8900

Hermanus Administration

19 February 2016

Executive Summary

An application has been received on 7 October 2015 from G and R Thomason, the property owners, on Erf 1335, Vermont for a departure from the relevant Scheme Regulations to relax the western lateral building line from 2m to 0m to accommodate an existing gazebo and screen walls which were erected against the boundary wall.

RESOLVED :

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 1335, Vermont, to relax the western lateral building line from 2m to 0m to accommodate a gazebo and allow a boundary wall more than 2,1m in height, **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 Plan No. GI001, which was submitted with the application, and
 - (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 the conditions in the Services Report be complied with, and
 - (g) that the property owner raises the common boundary fence with Erf 1336, as indicated on Plan GT001.

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2. 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.

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**15. ERF 4034, 9 JOHN GOUSSARD STREET, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : B SCORGIE ON BEHALF
OF CA FOURIE**

4034 HON (3100)

H Olivier

(028) 313 8900

Hermanus Administration

19 February 2016

Executive Summary

An application has been received on 30 October 2015 from B Scorgie on behalf of the property owner, CA Fourie, on Erf 4034, Onrus River for a departure from the relevant Scheme Regulations to relax the 2m southern lateral building line to 1,3m to accommodate the proposed new study, roofed porch and the usage change of the existing veranda into a living room, also to relax the 2m rear building line to 1,8m to accommodate a new window in the existing en-suite bathroom.

RESOLVED :

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 4034, Onrus River, to relax the 2m southern lateral building line to 1,3m to accommodate the proposed new study, roofed porch and the usage change of the existing veranda into a living room, also to relax the 2m rear building line to 1,8m to accommodate a new window in the existing en-suite bathroom, **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 Plan No. CA Fourie dated September 2015, which was submitted with the application, and
 - (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, and

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- (f) that all the conditions of Telkom in their letter, be complied with.
- 2. 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.

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**16. ERF 2302, 31 GALJOEN STREET, PEARLY BEACH, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : FA GANTZ**

2302 GPB (3082)

SW van der Merwe

(028) 313 8900

Hermanus Administration

22 February 2016

Executive Summary

To consider an application received from the owner of Erf 2302, Pearly Beach, FA Gantz, in order to depart from the relevant Pearly Beach Resort Development Rules in order to relax the 2m street building line to 0,55m and the 1m lateral building line to 0,5m to accommodate the proposed bedroom.

RESOLVED :

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for departure received from the owner of Erf 2302, Pearly Beach, FA Gantz, in order to relax the 2m street building line to 0,55mm and the 1m lateral building line to 0,5m to accommodate the proposed bedroom on the property, **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. 31/AG/15 dated 28 September 2015, as submitted with the application;
 - (b) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department 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 his/her right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**17. ERF 3980, 1 GUILLAUME CLOSE, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA: PROPOSED SUBDIVISION : MESSRS GEOMATICS
AFRICA ON BEHALF OF THE N1 CITY TRUST/DE WET FAMILY TRUST**

3980 HON (3115)

H Olivier

(028) 313 8900

Hermanus Administration

19 February 2016

Executive Summary

An application has been received on 6 November 2015 from Messrs Geomatics Africa on behalf of the property owner, the N1 City Trust/De Wet Family Trust, for the subdivision of Erf 3980, Onrus River into a Remainder of approximately 506m² in extend and a new portion of approximately 513m² in extend.

RESOLVED :

1. that in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a subdivision of Erf 3980, Onrus River into a Remainder of approximately 506m² in extend and a new portion of approximately 513m² in extend, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the Subdivisional Plan, Drawing No: ON52915 dated October 2015, as submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation,
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that all the conditions in the Service Report, be complied with;
 - (e) that all the conditions imposed by Telkom, be complied with, and
 - (f) that all the conditions imposed by Eskom, be complied with.

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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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18. APPLICATION ERVEN 1734, 1449, 1450 AND 1452, SANDBAAI, OVERSTRAND MUNICIPALITY : PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL : MESSRS BCD TOWN AND REGIONAL PLANNERS ON BEHALF OF COAST VILLAGE MALL (PTY) LTD

1734, 1449, 1450 + 1452 HSB

H Olivier (028) 313 8900

Hermanus Administration

25 February 2016

Executive Summary

An application has been received on 25 January 2016 from Messrs BCD Town and Regional Planners on behalf of the property owners, Whale Coast Village Mall (Pty) Ltd and Shoprite Checkers (Pty) Ltd, to amend the conditions of approval for the development of a regional mall on Erven 1734, 1449, 1450 and 1452, Sandbaai, as approved on 28 May 2015.

RESOLVED :

1. that in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application to amend Condition 1(b) and 2 as in the Land Use Planning approval dated 28 May 2015, **be approved**, and the amended conditions are amended to read as follows:

“1(b) that Erven 1449, 1452 and 1734, Sandbaai be consolidated, and that servitudes be registered over the consolidated erf in favour of Erf 1450, Sandbaai, and that servitudes also be registered over Erf 1450, Sandbaai in favour of the consolidated erf, ensuring access and parking to the general public on the two properties.”

*“2. that, in terms of Section 4.7 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), a consent use on the consolidated site of Erven 1449, 1452 and 1734, Sandbaai, and also Erf 1450, Sandbaai to establish a supermarket, bottle store, place of entertainment, place of assembly and service trade, **be approved**,”*

2. that paragraph 1 above, **be approved**, subject to the following additional condition being comply with:

that one Business Owners' Association be created for the consolidated erf (Erven 1449, 1452 and 1734, Sandbaai) and Erf 1450, Sandbaai, to deal with all matters of the regional mall in the development phase and in the operation of the mall after the development phase and a copy of the Constitution be submitted to the Municipality for approval, and

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3. 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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**19. ERF 57, 223 PIET RETIEF CRESCENT, SANDBAAI, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : PC PAGE**

57 HSB (3120)

H Olivier

(028) 313 8900

Hermanus Administration

25 February 2016

Executive Summary

An application has been received on 9 November 2015 from PC Page, the property owner, on Erf 57, Sandbaai for a departure from the relevant Scheme Regulations in order to relax the eastern lateral building line from 2m to 0m to legalize the existing covered braai area and some walling and screening in excess of 2,1m in height on the property.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 57, Sandbaai, in order to relax the lateral eastern building line from 2m to 0m to accommodate the existing covered built braai and walling and screening in excess of 2,1m, **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 all the conditions in the Service Report, be complied with;
 - (d) that all the conditions imposed by Telkom, be complied with;
 - (e) that this approval is only for the relaxation of building lines indicated on Plan Numbers I286/2015/01 rev 00 dated 30/10/2010, submitted with the application, and
 - (f) 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.

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2. 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.

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**20. ERVEN 2802-2811, 2813, 2814, 2817 & 2829, GANSBAAI
(PERLEMOENBAAI) : PROPOSED CONSOLIDATION : MESSRS
GEOMATICS AFRICA ON BEHALF OF JJ & MMC SMITH**

**2802-2811, 2813, 2814, 2817 & 2829 GGB (2980)
SW van der Merwe (028) 313 8900 Hermanus Administration
24 February 2016**

Executive Summary

An application has been received on 9 July 2015 from Messrs Geomatics Africa on behalf of the property owners of Erven 2802-2811, 2813, 2814, 2817 & 2829, Gansbaai (Perlemoenbaai) for the following consolidations, namely:

- the consolidation of Erven 2802 and 2803, Gansbaai (Perlemoenbaai), creating a consolidated erf of 1026m²;
- the consolidation of Erven 2817 and 2829, Gansbaai (Perlemoenbaai), creating a consolidated erf of 1041m², and
- the consolidation of Erven 2804 to 2811, 2813 and 2814, Gansbaai (Perlemoenbaai) to create a consolidated erf of 5226m².

RESOLVED :

1. that in terms of Section 2.3 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the consolidation of Erven 2802 and 2803, Gansbaai to create a consolidated erf of 1026m², the consolidation of Erven 2817 and 2829, Gansbaai to create a consolidated erf of 1041m², and the consolidation of Erven 2804 to 2811, 2813 and 2814, Gansbaai to create a consolidated erf of 5226m², **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed SG Diagrams (attached as Annexure B);
 - (b) that all the conditions in the Service Report, be complied with;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;

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- (f) that Erven 2817 and 2829, Gansbaai be registered in the same ownership and proof be submitted to the Municipality prior to the consolidation of the aforementioned erven;
 - (g) that the consent of Heritage Western Cape be obtained and submitted to the Municipality, prior to the consolidation of Erven 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2813 & 2814, Gansbaai;
 - (h) that building plans be submitted for approval of the garages situated on the existing Erf 2829, Gansbaai within 90 days from the final approval of the application for consolidation demonstrating compliance with the applicable Scheme Regulations, and
 - (i) that this office be furnished with proof pertaining to the registration of the consolidation of Erven 2829 and 2817, Gansbaai from the conveyance attorney within 90 days from the decision of this application;
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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**21. ERF 4103, 9 BOSPLASIE CRESCENT, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED CONSENT USE : MESSRS SKALK
STEYN ARCHITECTURE ON BEHALF OF THE WILLEM JACOBUS
ROGGE BAND FAMILY TRUST**

4103 HON (3037)

H Olivier

(028) 313 8900

Hermanus Administration

1 March 2016

Executive Summary

Application was made for a consent use by Messrs Skalk Steyn Architecture on behalf of the property owner The Willem Jacobus Roggeband Family Trust to legalise an existing second dwelling on the property.

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 in terms of the Bosplasia Zone to legalize an existing second dwelling on Erf 4103, Onrus River, **be approved**, subject to the following conditions:
 - (a) that the approval is only for approval of the second dwelling as indicated on Plan No. 1949-1001-02 dated 15.10.2015 submitted with this application;
 - (b) that building plans be submitted to the Building Department for approval;
 - (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation,
 - (d) that all the conditions in the Services Report, be complied with, and
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 decision.

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**22. ERF 1496, LYNX ROAD, VERMONT, OVERSTRAND MUNICIPAL AREA:
PROPOSED SUBDIVISION : MESSRS PLAN ACTIVE ON BEHALF OF
PPR DEVELOPERS CC**

1496 HVM (3123)

H Olivier

(028) 313 8900

Hermanus Administration

3 March 2016

Executive Summary

An application has been received on 16 November 2015 from Messrs Plan Active on behalf of the property owner, PRR Developers CC, for the subdivision of Erf 1496, Vermont into a Remainder of approximately 1.083 ha in extend and a new Portion A of approximately 2256m² in extend.

RESOLVED :

1. that in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a subdivision of Erf 1496, Vermont into a Remainder of approximately 1,083 ha in extend and a new Portion A of approximately 2256m² in extend, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the Subdivisional Plan, Drawing No: VERM1496s.drw dated October 2015, as submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation,
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that all the conditions in the Service Report, be complied with;
 - (e) that all the conditions imposed by Telkom, be complied with;
 - (f) that all the conditions imposed by Eskom, be complied with, and
 - (g) that a temporary right of way servitude be registered over the Remainder in favour of Portion A, as indicated on Subdivision Plan Drawing No. Verm.14965.drw dated October 2015.
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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23. ERF 9944, CNR OF THIRD STREET & ELEVENTH AVENUE, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : S REGENSTEIN & C VON ESS

9944 HVK (3096)

P Roux

(028) 313 8900

Hermanus Administration

3 March 2016

Executive Summary

An application has been received on 28 October 2015 from S Regenstein and C von Ess on Erf 9944, Hermanus (Voëlklip) for a departure from the relevant Scheme Regulations in order to relax the 2,1m prescribed height restriction of the boundary wall.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations in order to relax the 2,1m prescribed height restriction of the boundary wall, **be approved**.
2. that the approval in paragraph 1. be subject to the following conditions:
 - (a) that the approval is only for the departure of the 2,1m height restriction of the boundary wall as shown on Drawing no LAD_003 dated October 2015, as submitted with the departure application;
 - (b) that a building plan be submitted to the Building Department for approval and that all the relevant regulations pertaining to boundary walls and fencing be adhered to;
 - (c) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;
 - (d) that the approval does not absolve the applicant from compliance with any other relevant legislation and/or Title Deed conditions;
 - (e) that all conditions imposed in the Services Report, be complied with, and
 - (f) that compliance with Fire Safety Regulations is pre requisite-SANS 10400T:2011.

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3. that the applicant be notified of its right of appeal in terms of the provisions of the Local Government Municipal Systems Act, 2000 (Section 62) with regard to the above decision.

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**24. ERF 4075, 325 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : N LLOYD ON BEHALF OF
PM & B LEWIN**

4075 HVK (2747)

P Roux

(028) 313 8900

Hermanus Administration

3 March 2016

Executive Summary

An application has been received on 28 September 2015 from N Lloyd on behalf of the owners, PM & B Lewin, on Erf 4075, Hermanus (Voëlklip) in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 1,7m to accommodate new additions to the existing dwelling.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 4075, Hermanus (Voëlklip) in order to relax the street building lines from 4m to 1,7m to accommodate new additions to the existing dwelling, **be approved**, subject to the following conditions:
 - (a) that the approval is only for the departure of the street building lines as shown on Drawing no 730/00 to 730/03 as submitted with the departure application;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that all the conditions in the Service Report, be complied with;
 - (d) that the comment received from Environmental Management, be noted;
 - (e) that all structures must comply with Fire Safety Regulations;
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (g) that all the conditions imposed in the comment received from Telkom, be complied with;

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- (h) that a building plan be submitted to the Building Department for approval, and
 - (i) that the height restriction must be correctly indicated on the building plan which must be submitted to the Building Department and that no filling/cutting of ground levels or construction can take place on municipal property without the consent of the Municipality.
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 decision.