

**AGENDA of the
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18. ERF 2155, 59 SIXTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS SMART SOLUTION ARCHITECTURE ON BEHALF OF THE GRACE TRUST

2155 HVK (2861)

P Roux

(028) 313 8900

Hermanus Administration

5 June 2015

Executive Summary

An application has been received on 18 March 2015 from Messrs Smart Solution Architecture on behalf of The Grace Trust on Erf 2155, Voëlkliip for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 2,305m to accommodate a proposed covered porch.

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 2155, Voëlkliip in order to relax the relevant street building line from 4m and 2.,305m to 0m to accommodate a proposed covered porch, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of the lateral building line and existing structures indicated on Plan No. I 0165/03, I 0165/04 and I 0165/05 dated 16 March 2015, which was submitted with the application;
 - (b) that the existing patio cannot be enclosed in the future;
 - (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 Department be complied with at that stage, and
 - (f) that all the conditions in the Service Report (attached as Annexure D), be complied with.

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2. that the applicant be notified of their 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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19. ERF 3559, 74A MAIN ROAD, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : A LAWSON

3559 HON (2840)

H Olivier

(028) 313 8900

Hermanus Administration

9 June 2015

Executive Summary

An application has been received on 5 March 2015 from the property owner, A Lawson, on Erf 3559, Onrus River for a departure from the relevant Scheme Regulations in order to relax the street lateral building line from 4m to 0m to construct a carport over the street building line instead of the pergola structure as was approved previously.

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 3559, Onrus River, in order to relax the street lateral building line from 4m to 0m to accommodate the alteration of an approved pergola into a carport, **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 dated July 2014 which was submitted by the architect 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, and
 - (e) that all the conditions in the Services Report (attached as Annexure D) be complied with.
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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**20. ERF 3742, 40 CHIAPPINI STREET, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : EJ VAN ZYL**

3742 HON (2837)

H Olivier

(028) 313 8900

Hermanus Administration

5 June 2015

Executive Summary

An application has been received on 2 March 2015 from the property owner, EJ van Zyl, on Erf 3742, Onrus River for a departure from the relevant Scheme Regulations in order to relax the western lateral building line from 2m to 0,7m in order to legalize an enclosed entrance porch 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 3742, Onrus River, in order to relax the 2m western lateral building line to 0,7m to legalize the existing enclosed entrance porch , **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 dated 10 November 2014 as submitted with the application;
 - (d) that adequate ventilation be provided for storage of the gas cylinders and the structure is to be of non-combustible material, to the satisfaction of the Fire Department, and
 - (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.
2. that the applicants be notified of their 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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**21. ERVEN 541 & 574, MARINE DRIVE, WESTCLIFF, HERMANUS,
OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION :
MESSRS GEOMATICS AFRICA ON BEHALF JC WINSHAW**

541 & 574 HWC (2819)

H van der Stoep

(028) 313 8900

Hermanus Administration

10 June 2015

Executive Summary

An application has been received on 10 February 2015 from Messrs Geomatics Africa on behalf of the property owner, JC Winshaw, for the consolidation of Erven 541 and 574, Hermanus.

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 541 and 574, Hermanus, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed SG Diagram, Erf 12208, Hermanus, dated February 2015, as submitted with the application;
 - (b) that the applicant submits proof from the Western Cape Government : Environmental Affairs and Development Planning that no listed activities are triggered in terms of the National Environmental Management Act and Integrated Coastal Management Act with building plan submission;
 - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
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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**22. ERF 4098, 6 NICHOL CLOSE, BOSPLASIE, ONRUS RIVER, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : MR K WINTER ON
BEHALF OF JE VAN NIEKERK**

4098 HON (2642)

H Olivier

(028) 313 8900

Hermanus Administration

2 June 2015

Executive Summary

An application has been received on 24 July 2014 from Mr K Winter on behalf of the property owner, JE van Niekerk, on Erf 4098, Onrus River for a departure from the Bosplasia Special Zone Regulations, in order to relax the 4,5m street and 1,2m lateral building line to 0m to accommodate an existing front façade wall with garage door, and a pergola, also to relax the two storey height restriction to legalize the basement level which was created below 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 4098, Onrus River, in order to relax the 4,5m street building line and 1,2m western lateral building line to 0m to accommodate a front façade with garage and pergola, and also to relax the two storey height restriction to legalize a basement level that was created below 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 and storey restrictions indicated on the plan by Jenuin Design Architects, 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, and
 - (e) that the conditions by Telkom as in their letter dated 10 September 2014 (attached as Annexure E), be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of

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the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**23. ERF 407, 21 DE GOEDE STREET, WESTCLIFF, HERMANUS,
OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : F BING**

407 HWC (2874)

H van der Stoep

(028) 313 8900

Hermanus Administration

11 June 2015

Executive Summary

An application has been received on 30 March 2015 from F. Bing on Erf 407, Hermanus for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m to accommodate the usage change of the existing single garage into a maid's quarters.

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 407, Hermanus in order to relax the lateral building line from 2m to 0m to accommodate the usage change of the existing single garage into a maid's quarters, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan Numbers A.01.1, A.01.2, A.01.3 and A.01.4 dated 12 March 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 reflecting the change 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 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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24. ERF 90, 46 KORTMARK STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS WRAP obo N & M CLARKE

90 Stanford (2832)

P Roux

(028) 313 8900

Hermanus Administration

12 June 2015

Executive Summary

An application has been received on 24 March 2015 from Messrs WRAP on behalf of the property owners, N and M Clarke, on Erf 407, Stanford for a departure from the relevant Scheme Regulations to relax the street building line from 4m to 0m in order to add a new bathroom and four brick columns to support the existing roof of the stoep.

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 90, Stanford to relax the street building line from 4m to 0m in order to add a new bathroom and four brick columns to support the existing roof of the stoep, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on the building plans, which was submitted with the application;
 - (b) that supporting pillars must not transgress the property boundary line
 - (c) that windows on the street boundary should be sliding windows;
 - (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, and
 - (f) that building plans reflecting the change 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 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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**25. ERF 4315, 305 FOURTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ENGELBRECHT
& SCORGIE ON BEHALF OF JJ STEENEKAMP**

4315 HVK (2821)

P Roux

(028) 313 8900

Hermanus Administration

12 June 2015

Executive Summary

An application has been received on 12 February 2015 from Messrs Engelbrecht & Scorgie on behalf of the property owner on Erf 4315, Voëlkliip, JJ Steenkamp, for a departure from the relevant Scheme Regulations to relax the lateral building line from 2m to 1,2m in order to legalize the existing additions.

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 4315, Voëlkliip, Hermanus to relax the lateral building line from 2m to 1,2m in order to legalize the existing additions, **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 Numbers. 62-1-15, as submitted with the application, and
 - (d) that building plans be submitted to the Building Department for approval.
2. that the applicant be notified of his 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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26. PORTION 21 OF THE FARM AFDAKSRIVIER NO 575, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : MESSRS WARREN PETTERSON PLANNING ON BEHALF OF THE AFDAKSRIVIER TRUST

RCAL 21/575 (2248)

H Olivier

(028) 313 8900

Hermanus Administration

3 June 2015

Executive Summary

An application has been received on 6 March 2013 from Messrs Warren Petterson Planning on behalf of the property owners, The Afdakrivier Trust, of Portion 21 of the farm Afdakrivier No. 575 for a consent use from the Overstrand Municipality Zoning Scheme Regulations in order to erect a transmission tower on the property.

RESOLVED :

1. that in terms of Section 2.2 of the Overstrand Municipality Scheme Regulations, the application for a consent use to allow the installation of a transmission tower on Portion 21 of the farm Afdakrivier No. 575, **be approved**, subject to the following conditions:
 - (a) that the transmission tower be restricted to Plan Nos 351728/0001 (Top View) and 351728 (Elevation) both dated 18 October 2012 (attached as Annexure B), submitted with the application;
 - (b) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site;
 - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (d) that the conditions in the letter dated 31 March 2015 from the Department of Transport and Public Works (attached as Annexure F), be complied with;
 - (e) that the conditions in the letter dated 11 March 2015 from Telkom (attached as Annexure H), be complied with;
 - (f) that that the conditions in the letter dated 10 March 2015 from Eskom (attached as Annexure I), be complied with;

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- (g) that the conditions in the Environmental Impact Assessment Record of Decision dated 2 July 2014 and 4 July 2014 (attached as Annexure K), be complied with;
 - (h) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (i) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
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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**27. ERVEN 2177 & 2178, VERMONT, OVERSTRAND MUNICIPAL AREA :
PROPOSED CONSOLIDATION : PLANACTIVE ON BEHALF OF TL AND
DA PATTON**

2177 & 2178 HVM (2854)

H Olivier

(028) 313 8900

Hermanus Administration

15 June 2015

Executive Summary

An application has been received on 16 March 2014 from PlanActive Town- and Regional Planners on behalf of the property owners, TL and DA Patton, for the consolidation of Erven 2177 and 2178, Vermont.

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), application for the consolidation of Erven 2177 and 2178, Vermont, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed SG Diagram, Erf 2435, Vermont, dated February 2015, as submitted with the application;
 - (b) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (c) that all the conditions stipulated by Eskom in their letter dated 29 April 2015 (attached as Annexure F) be complied with;
 - (d) that all the conditions in the letter dated 14 April 2015 received from Telkom (attached as Annexure F) be complied with;
 - (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 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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**28. ERF 4775, 38 LOBELIA STREET, BERGHOF ESTATE, ONRUS RIVER,
OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : ID MULLER
ON BEHALF OF AV BUTTLE**

4775 HON (2866)

H Olivier

(028) 313 8900

Hermanus Administration

15 June 2015

Executive Summary

An application has been received on 24 March 2015 from ID Muller on behalf of the property owner, ID Muller, on Erf 4775, Berghof Estate, Onrus River for a departure from the relevant Scheme Regulations in order to relax the 2m southern lateral building line from 2m to 0,806m, to accommodate the existing pool, water feature, the 2,4m high yard wall and also to relax the same lateral building line to 0m to legalize the existing braai and planter box.

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 4775, Berghof Estate, Onrus River, in order to relax the 2m southern building line to 0,806m to accommodate the existing pool, water feature and 2,4m high yard wall, and also relax the same lateral building line to 0m to legalize the existing braai and planter box, **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, which was submitted by the architect 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 by Telkom in their letter dated 14 April 2015 (attached as Annexure E) be complied with;
 - (f) that the final building plan be approved and stamped by the Berghof Estate Home Owners' Association, and

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- (g) that all the conditions in the Services Report (attached as Annexure D) be complied with.
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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**29. ERF 80, 201 PIET RETIEF CRESCENT, SANDBAAI, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ENGELBRECHT
& SCORGIE ON BEHALF OF RG & L BEYER**

80 HSB (2852)

H Olivier

(028) 313 8900

Hermanus Administration

15 June 2015

Executive Summary

An application has been received on 10 March 2015 from Messrs Engelbrecht & Scorgie on behalf of the property owners, RG and L Beyer, on Erf 80, Sandbaai for a departure from the relevant Scheme Regulations in order to relax the 2m western lateral building line to 1,5m to legalize an existing single garage and servant's quarters 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 80, Sandbaai, in order to relax the 2m western building line to 1,5m to legalize an existing single garage and servant's quarters, **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, as indicated on Plan No. 60-11/14 dated 19/02/2012, 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 by Telkom in their letter dated 9 April 2015 (attached as Annexure E) be complied with;
 - (f) that the conditions imposed by Eskom in their letter dated 14 April 2015 (attached as Annexure F), be complied with, and
 - (g) that all the conditions in the Services Report (attached as Annexure D) be complied with.

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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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30. ERF 431, 60 DIRKIE UYS STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : E. ALDRICH

431 HSB (2880)

H Olivier

(028) 313 8900

Hermanus Administration

25 June 2015

Executive Summary

An application has been received on 13 April 2015 from Ms. E. Aldrich on Erf 431, Sandbaai for a departure from the relevant Scheme Regulations in order to relax the western lateral building line from 2m to 0m to accommodate a use change of a garage and store room to a portion of the dwelling and laundry, and also to deal with a small portion of the dwelling encroaching onto Erf 432, Sandbaai.

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 431, Sandbaai, in order to relax the western lateral building line from 2m to 0m to accommodate the use change of a garage and store room to a portion of the dwelling and laundry, **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 for a Residential Zone I erf as prescribed in the relevant Zoning Scheme, be complied with;
 - (c) that this approval is only for the relaxation of building lines, as indicated on the plan submitted with the application, excluding the encroachment over the property boundary;
 - (d) that the portion of the laundry traversing the erf boundary be demolished, or alternatively that a boundary adjustment be done prior to building plan approval;
 - (e) that the portion of the dwelling which traverse the 2m building line, which includes the two bedrooms and one bathroom be made interleading with the main dwelling;
 - (f) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control– and the Fire Department be complied with at that stage, and

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- (g) that all the conditions in the Services Report (attached as Annexure D) be complied with.
- 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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**31. ERF 475, 28 FLOWER STREET, WESTCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : C WEITZ**

475 HWC (2762)

**H van der Stoep
10 June 2015**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 19 November 2014 from C Weitz on Erf 475, Hermanus for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,2m to accommodate an existing structure over the building line, and the usage change from garage to second 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 475, Hermanus in order to relax the lateral building line from 2m to 1,2m to accommodate an existing structure over the building line, and the usage change from garage to second dwelling, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan Numbers A.01.1, A.01.2, A.01.3 and A.01.4 dated 14 April 2014, 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 their 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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32. ERF 6190, 14 HARBOUR ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : C DE HAAS

6190 KKM (2798)

**H van der Stoep
22 June 2015**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 23 January 2015 from C de Haas on Erf 6190, Kleinmond for a consent use in order to continue utilizing the property as a business premises, and more specifically to continue with the operation of a restaurant on the property 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 Erf 6190, Kleinmond in order to continue utilizing the property as a business premises, and more specifically to continue with the operation of a restaurant on the property concerned, **be approved**, subject to the following conditions:
 - (a) that the restaurant be restricted to the area demarcated on the attached Plan No. 1A dated June 2015;
 - (b) that any additional land use approvals be subject to parking requirements;
 - (c) that the parking area be implemented and the parking bays be properly demarcated to the satisfaction of the Municipality and that the said parking at all times be available for customers;
 - (d) that the selling or serving of liquor on the premises be subject to the applicant obtaining the necessary Liquor License;
 - (e) 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;
 - (f) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (g) that a single non-illuminated sign that complies with the Municipal By-

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Law on signage, may be displayed on the premises;

- (h) that the owner and his successors in title prevent the occurrence of any public nuisance, which through an act or omission materially interferes with the comfort, peace and quiet of the surrounding area, and should the owner or his successor in title fail to comply with such condition, they will themselves make themselves liable to further legal action;
 - (i) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (j) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation,
 - (k) that should any building alterations be required, building plans should be submitted to the Building Department for approval, and
 - (l) that all the conditions in the Services Report (attached as Annexure D), be complied with.
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.

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

**33. ERF 3639, 227 FIFTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND
MUNICIPAL AREA : PROPOSED DEPARTURE : PB HANEKOM**

3639 HVK (2867)

P Roux

(028) 313 8900

Hermanus Administration

19 June 2015

Executive Summary

An application has been received on 19 March 2015 from PB Hanekom on Erf 3639, Hermanus for a departure from the relevant Scheme Regulations in order to relax the street building line from 4,m to 0,4m to accommodate an existing carport.

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 3639, Hermanus in order to relax the street building line from 4,m to 0,4m to accommodate an existing carport, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan Numbers 716/01, and 716/02 which was submitted with the application;
 - (b) that no other structures may encroach the street building line;
 - (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, and
 - (e) that building plans be submitted to the Building Control Department for approval.
2. that the applicant be notified of his right of appeal in terms of Section 51 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) with regard to the above decision.

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

**34. ERF 512, CNR ROSSEAU & MEYER STREETS, FRANSKRAAL,
OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : FJ VAN
EEDEN**

512 FK (2849)

SW van der Merwe

(028) 313 8900

Hermanus Administration

30 June 2015

Executive Summary

To consider an application for departure received on 5 March 2015 from the owner of Unit 1, Erf 512, Franskraal, FJ van Eeden, in order to relax the 4m street building line to 2,26m.

RESOLVED :

1. that the application for departure in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to encroach the 4m street building line with 1,74m, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of the building lines as indicated on drawing ref *512/1VANEEDEN*, which was submitted with the application;
 - (b) that the approval be subject to the approval of building plans and the compliance with any applicable conditions that may be incorporated in the building plan approval prior to the commencement of the development;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, including onsite parking provision.
2. that the applicant be notified of his right of appeal in terms of Section 51 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) with regard to the above decision.