

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

**Cllrs D Botha, J Orban,  
S Tebele & V Pungupungu**

**PORTEFEULJEKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

**Rdle D Botha, J Orban,  
S Tebele & V Pungupungu**

**INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE**  
**INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE**

17 August 2021

**I N D E X**

	<u>PAGE</u> <u>NUMBER</u>
<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	
1. TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS CONSIDERED IN TERMS OF DELEGATED AUTHORITY: MAY 2021 – JULY 2021	1
2. PORTIONS OF REMAINDER ERVEN 243 AND 1253 AS WELL AS ERF 4935 HERMANUS: RENEWAL OF LEASE OF MUNICIPAL PROPERTIES TO JOSHGRO INVESTMENTS 9 (PTY) LTD	169
3. A PORTION OF ERF 1660 PRINGLE BAY (BUFFELS ROAD): LEASE OF MUNICIPAL PROPERTY TO THE PRINGLE HOUSE ECO SCHOOL NPC	175
4. APPLICATION TO PURCHASE: A PORTION OF ERF 7238 KLEINMOND, A PORTION OF ERF 7442 KLEINMOND, AS WELL AS A PORTION OF REMAINDER ERF 5462 KLEINMOND – WC JANUARY & SC ONCHER	182
5. GANSBAAI: IN PRINCIPLE APPROVAL FOR THE ALIENATION OF ERF 1886 FRANSKRAALSTRAND (SITUATED AT FOUCHE STREET, FRANSKRAALSTRAND) BY MEANS OF A COMPETITIVE PROCESS	191
6. TRANSFER OF UNREGISTERED ERF 9828 HERMANUS (A PORTION OF ERF 572 HERMANUS) (ROAD RESERVE) ADJACENT TO ERF 624 HERMANUS SITUATED AT 63 MARINE DRIVE, HERMANUS, TO HERMANUS ESPLANADE 1970 (PTY) LTD	208
7. ERF 425, MFUNDO STREET, ZWELIHLE, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP ON BEHALF OF MC BHALA	217
8. COVID-19 FINANCIAL RELIEF ARRANGEMENTS EXEMPTION FROM PAYMENT OF RENTAL FOR THE MONTH OF JULY 2021 (ADJUSTED LOCKDOWN LEVEL 4) – SPECIFIC TENANTS	250

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**1.  
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: MAY 2021 – JULY 2021**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

23 July 2021

(028) 3138900

---

**1. Executive Summary**

To report on applications disposed of by the Authorised Official and Municipal Planning Tribunal in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 22 May 2021 – 21 July 2021.

**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 Authorised Official in terms of SPLUMA and the Municipal Planning Tribunal.

**7. Financial Implications**

None

**8. Staff Implications**

None

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**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 Authorised Official in terms of SPLUMA for the period 22 May 2021 – 21 July 2021:

- |     |   |              |
|-----|---|--------------|
| 1.  | Erven 6804 and 6515, 72 Katjeepering Street, Mount Pleasant                         | 7 June 2021  |
| 2.  | Erf 4008, 120 Second Avenue, Kleinmond  | 7 June 2021  |
| 3.  | Erven 4729 NS 4730, 67 & 69 Oxalis Road, Betty's Bay                                | 7 June 2021  |
| 4.  | Erf 5539, Second Street, Voëlklip, Hermanus   | 8 June 2021  |
| 5.  | Erf 1409, 20 Gull Close, Vermont  | 11 June 2021 |
| 6.  | Erf 7586, 11 Swartdam Road, Hermanus  | 11 June 2021 |
| 7.  | Erven 475 and 476, 28 & 28 Flower Street, Westcliff, Hermanus                       | 14 June 2021 |
| 8.  | Erf 178, 25 Dirkie Uys Street, Gansbaai   | 14 June 2021 |
| 9.  | Erf 5676, 320 Fifth Street, Voëlklip, Hermanus                                      | 14 June 2021 |
| 10. | Erven 221 and 222, 3 Longmarket Street, Stanford                                    | 14 June 2021 |
| 11. | Erf 194, 57 Barnard Street, Gansbaai  | 14 June 2021 |
| 12. | Erf 11033, 21 Marine Drive, Westcliff, Hermanus                                     | 21 June 2021 |
| 13. | Erf 2140, Oxford Close, Hawston   | 12 July 2021 |
| 14. | Erf 552, 7 Strandloper Avenue, Vermont  | 12 July 2021 |
| 15. | Erf 2602, 17 Viljoen Street, Onrustrivier   | 12 July 2021 |
| 16. | Erf 6594, 21 Esseboom Street, Kleinmond   | 12 July 2021 |
| 17. | Remainder Farm 892, Division Caledon  | 15 July 2021 |
| 18. | Erf 4081 (an unregistered portion off Erf 611) cnr of R43 and Riet Street, Gansbaai | 20 July 2021 |
| 19. | Erf 456, 1 Land Street, Pearly Beach  | 20 July 2021 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 1 July 2021:

- |    |  |             |
|----|--|-------------|
| 1. | Erf 3383, 11 Bob Laubser Street, Kleinmond | 1 July 2021 |
| 2. | Erf 6165, 32 Hardepeer Avenue, Kleinmond   | 1 July 2021 |
| 3. | Erf 939, Vermont                           | 1 July 2021 |
| 4. | Erf 80, 9 Gnida Road, Rooiels              | 1 July 2021 |

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

<b>RESPONSIBLE OFFICIAL :</b>	<b>R VAN ANTWERP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>8 SEPTEMBER 2021</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>N/A</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**1.  
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: MAY 2021 – JULY 2021**

**15/3/11**

**R Kuchar**

**23 July 2021**

**Senior Manager : Town & Spatial Planning**

**(028) 3138900**

---

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON  
17 AUGUST 2021, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**8 SEPTEMBER 2021**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

Spatial Land Use Management Act (SPLUMA) Approvals

1. **ERVEN 6804 AND 6515, 72 KATJIEPIERING STREET, MOUNT PLEASANT, HERMANUS: APPLICATION FOR SUBDIVISION, CLOSURE OF A PORTION OF PUBLIC ROAD, REZONING, CONSOLIDATION AND AMENDMENT OF GENERAL PLAN: MESSRS WRAP ON BEHALF OF DG & MG COERT AND OVERSTRAND MUNICIPALITY**

**6804 & 6515 HMP**

**H van der Stoep  
19 May 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application in terms of the provisions of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 21 October 2020 from Messrs WRAP Consultancy on behalf of DG & MG Coert and the Overstrand Municipality, applicable to Erven 6804 and 6515, Hermanus for the following:

- (a) **Subdivision** of Erf 6804, Hermanus in terms of Section 16(2)(d) of the By-Law into two (2) portions, namely Portion A ( $\pm 180\text{m}^2$  in extent) and a Remainder;
- (b) **Closure** of the above Portion A in terms of Section 16(2)(n) of the By-Law;
- (c) **Rezoning** of the above Portion A from Transport Zone 2: Road and Parking (TR2) to Residential Zone 1: Single Residential (SR1) in terms of Section 16(2)(a) of the By-Law;
- (d) **Consolidation** of the above Portion A with Erf 6515, Hermanus in terms of Section 16(2)(o) of the By-Law; and
- (e) **Amendment** in terms of Section 25(1) of the By-Law of General Plan No. 10949 (1549/1985) to indicate the above Portion A of Erf 6804, Hermanus to be closed, as an ordinary erf.

**RESOLVED :**

- 1. that the application in terms of Section 16(2)(d) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2021 (By-Law) for the subdivision of Erf 6804, Hermanus into two (2) portions, namely Portion A ( $\pm 180\text{m}^2$  in extent) and a Remainder, **be approved** in terms of the provisions of Section 61 of the By-Law;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

2. that the application in terms of Section 16(2)(n) of the By-Law for the closure of the above Portion A of  $\pm 180\text{m}^2$  of road reserve, **be approved** in terms of the provisions of Section 61;
3. that the application in terms of Section 16(2)(a) of the By-Law for the rezoning of the above Portion A from Transport Zone 2: Road and Parking (TR2) to Residential Zone 1: Single Residential (SR1), **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(e) of the By-Law for the consolidation of the above Portion A with Erf 6515, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;
5. that the application for the amendment in terms of Section 25(1) of the By-Law of General Plan No. 10949 (1549/1985) to indicate the above Portion A of Erf 6804, Hermanus, as an ordinary erf, **be approved** in terms of the provisions of Section 61 of the By-Law;
6. that the approvals in 1. – 5. above be subject to the following conditions:
  - (a) that Portion A of Erf 6804, Hermanus may only be used for gardening and parking purposes and no structures, excluding a boundary wall or fence, may be constructed over, on or under the property and this condition must be registered against the Title Deed of the to be consolidated property as a condition imposed by the Overstrand Municipality;
  - (b) that access to the consolidated property may only be from Katjeepering Street;
  - (c) that the upgrading and/or development of the relevant sidewalks adjacent to the consolidated property, must form part of the development and application for such development must be made to the office of the Overstrand Municipality's Senior Manager: Operational Services (Hermanus) for written approval;
  - (d) that the conditions of the Engineering Services must be complied with; and
  - (e) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be must complied with.
7. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 regarding the above conditional approvals.



**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ It is in line with policy documents.
- ❖ No structures of any kind (except a boundary wall or fence) may be constructed on the portion of Erf 6804 that is acquired by the applicants.
- ❖ The application is not regarded as being undesirable from a town planning point of view.

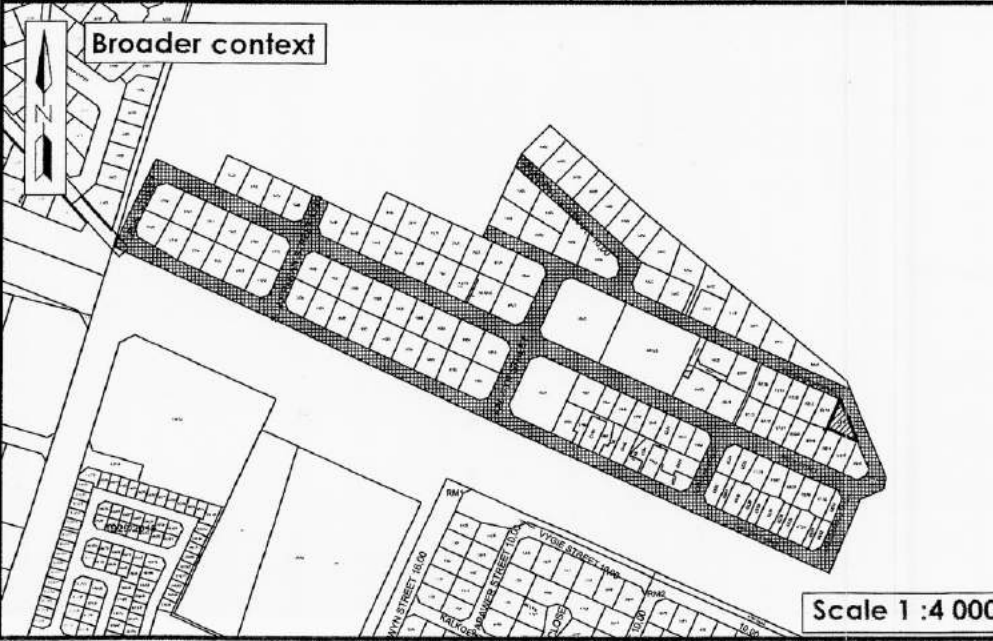
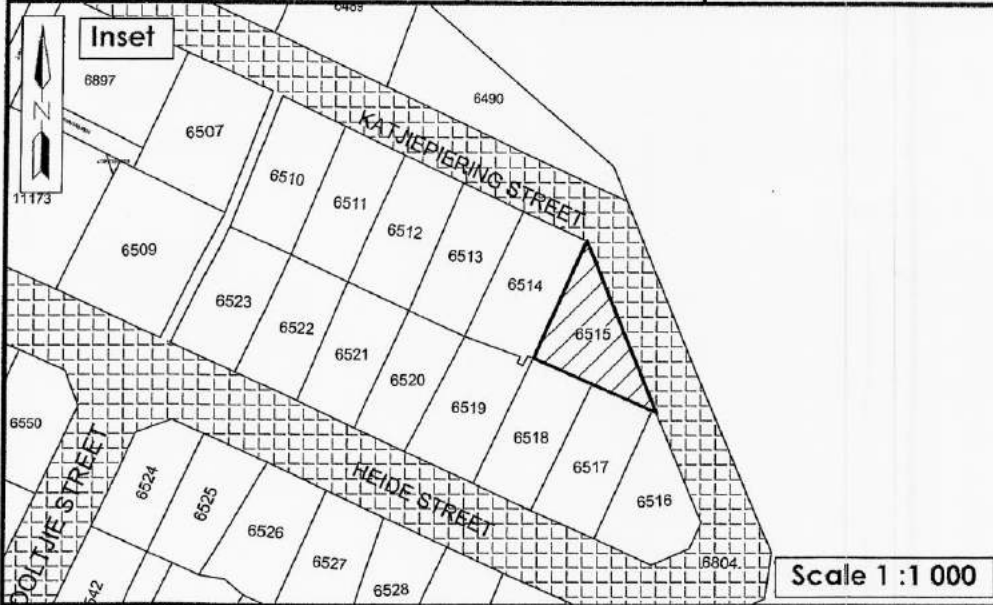
### Plan 1: Locality Plan Erven 6515 and 6804 Hermanus

-  Erf 6515 Hermanus (306m<sup>2</sup>)
-  Erf 6804 Hermanus (7 5075m<sup>2</sup>)

Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Plan 1.1  
Unit 8, Corner of Royal and Dikie Uys  
Street Hermanus, 7200  
Plan prepared by: Reatlehlle Jonkie  
All distances are approximate  
and subject to a survey



**Project Office**  
Town Planning & Project Management

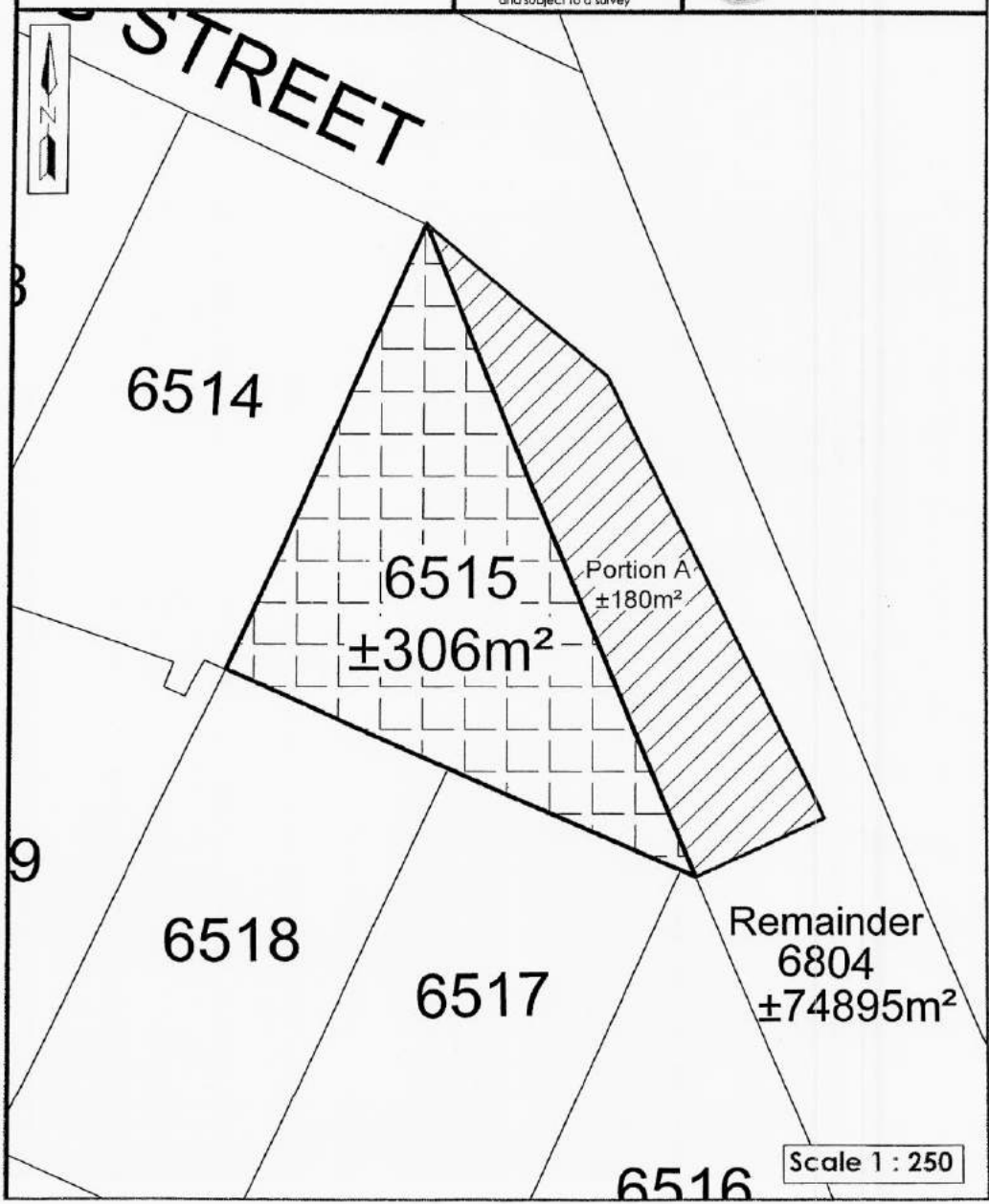


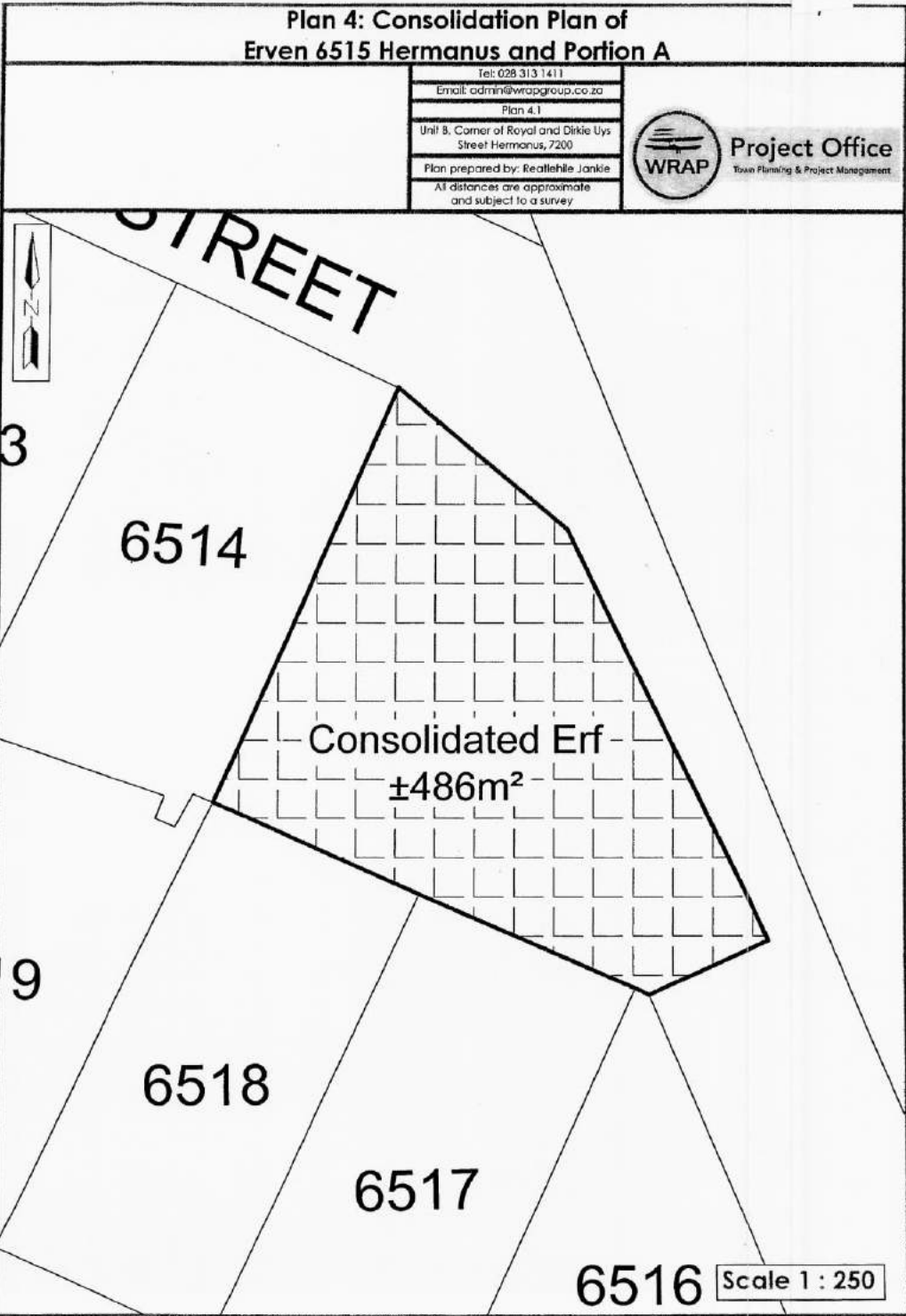
**Plan 3: Subdivision Plan of  
Erf 6804 Hermanus**

Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Plan 3.1  
Unit B, Corner of Royal and Dirkie Uys  
Street Hermanus, 7200  
Plan prepared by: Reatlehle Jonkie  
All distances are approximate  
and subject to a survey



**Project Office**  
Town Planning & Project Management





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION, CLOSURE OF A PORTION OF A PUBLIC  
ROAD, REZONING & CONSOLIDATION: ERVEN 6515 & 6804, MOUNT  
PLEASANT**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erven 6515 & 6804, Mount Pleasant, unobstructed;
7. that no on-street parking be allowed.

*D.P. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*01/03/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**2. ERF 4008, 120 SECOND AVENUE, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: C STRYDOM**

**4008 KKM**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**5 May 2021**

---

**Executive Summary**

An application was received on 10 September 2020 from C Strydom on Erf 4008, Kleinmond for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 in order to relax the respective eastern and western lateral building lines from 2m to 1,5m to accommodate an extension to a bedroom on the ground floor and new balconies on the first floor level.

**RESOLVED :**

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 4008, Kleinmond for a departure in order to relax the respective eastern and western lateral building lines from 2m to 1,5m to accommodate an extension to a bedroom on the ground floor and new balconies on the first floor level, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the development as indicated on plan number KL4008/2020 dated 01 June 2020;
  - (b) that no further departures over the building lines be approved;
  - (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, and
  - (f) that all the conditions in the Services Report, be complied with.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

- ❖ The structure has approved building plans.
- ❖ The surrounding owners did not object.
- ❖ The change of use will have no impact on the surrounding area, since the balconies were approved and will only now be enclosed.



OVERSTRAND  
MUNICIPALITY

Locality Map  
Erf 4008 Kleinmond

5504



Date: 2020/10/27



**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**3. ERVEN 4729 & 4730, 67 & 69 OXALIS ROAD, BETTY'S BAY,  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION:  
LA BOYD**

**4729 & 4730 KBB**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**6 May 2021**

---

**Executive Summary**

An application was received on 1 October 2020 from LA Boyd on Erven 4729 and 4730, Betty's Bay for consolidation in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the consolidation of Erven 4729 & 4730, Betty's Bay to create a consolidated erf of 1265m<sup>2</sup> in extent.

**RESOLVED :**

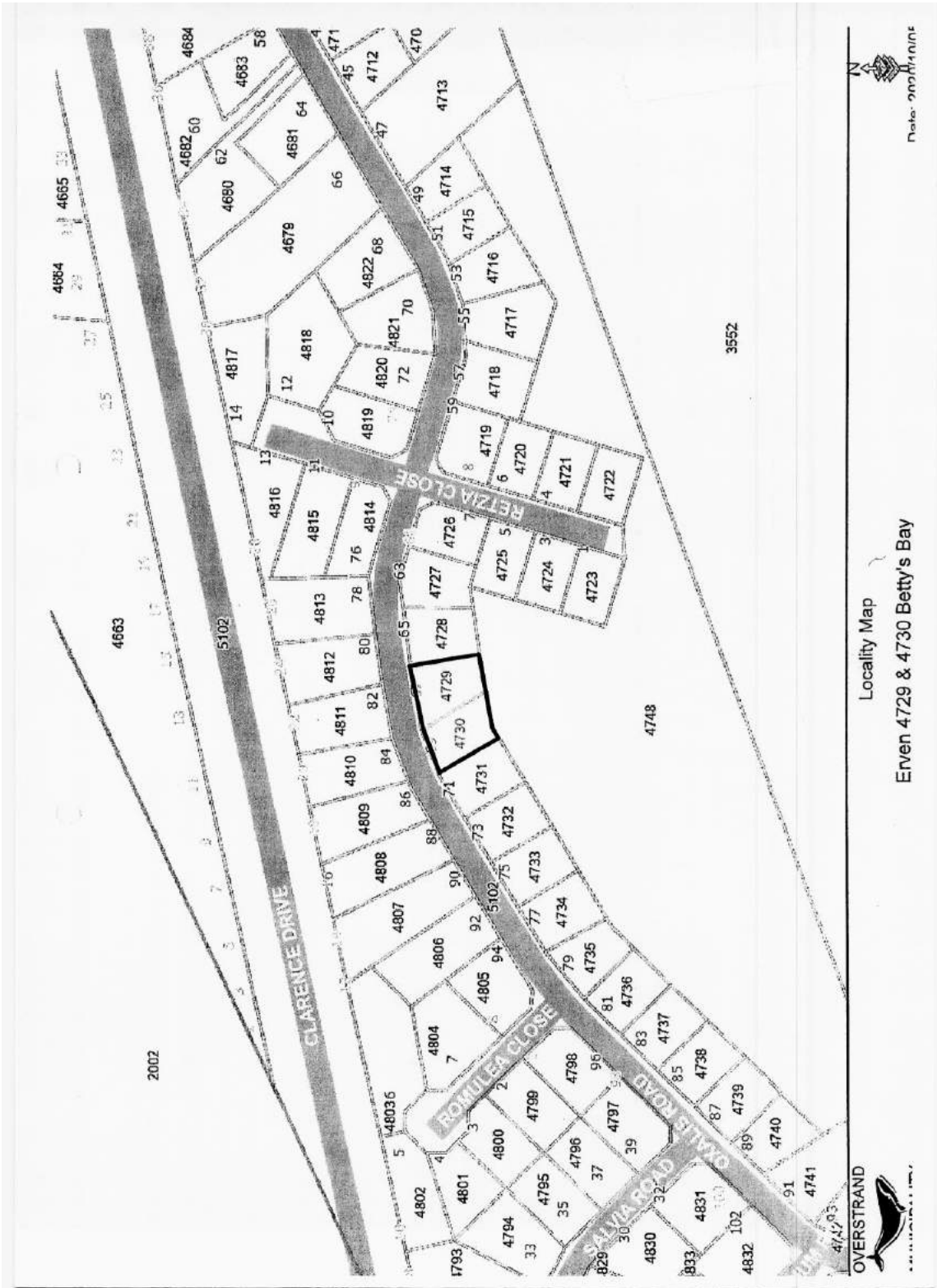
1. that the application in terms of Section 16.(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to consolidate Erven 4729 & 4730, Betty's Bay to create a consolidated erf of 1265m<sup>2</sup> in extent, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that this approval is only for the consolidation as indicated on the undated diagram compiled in October 2020, submitted with the application;
  - (b) that the coverage of 50% be maintained;
  - (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, and
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with.
2. that the applicant be notified of the right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

- ❖ The consolidation of the erven is to the benefit of the environment by creating larger green space in terms of climate change reduction.
- ❖ The consolidated erf will assist in storm water reduction and retention.
- ❖ Neighbours consented to the consolidation.



geomatrics africa

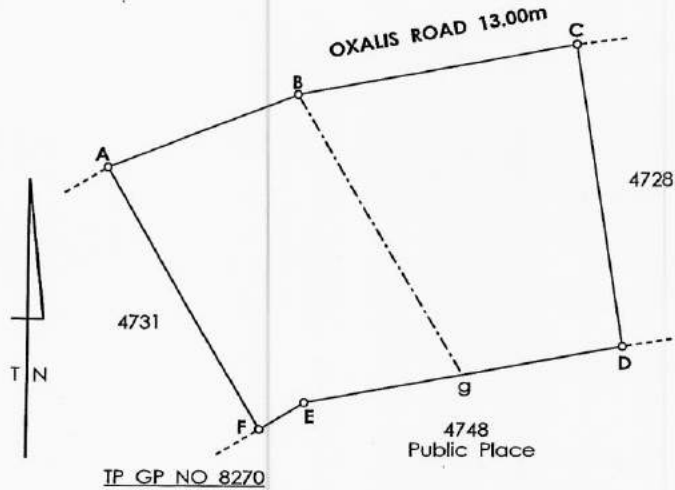
**Components:**

1. The figure ABgEF represents Erf 4730 Betty's Bay, vide TP GP No 8270.
2. The figure BCDg represents Erf 4729 Betty's Bay, vide TP GP No 8270.

S.G. No.

FOR INFORMATION

Approved  
Surveyor-General



Scale 1:500

The figure A B C D E F  
represents 1265 Square Metres of land, being  
**ERF BETTY'S BAY (Comprising 1 and 2 as above)**

situate in Overstrand Municipality  
Administrative District of Caledon Province Western Cape  
Compiled in October 2020  
by me

*NA Clark*

**NA Clark**  
Professional Land Surveyor  
Registration Number PLS 1072

<p>This diagram is annexed to No. dated i.f.o. Registrar of Deeds</p>	<p>The original diagrams are as indicated above.</p>	<p>File No. S.R. No. Comp</p>
---	--	---------------------------------------

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**4. ERF 5539, SECOND STREET, VOËLKLIP, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: CAJ BOTHA**

**5539 HVK**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**18 May 2021**

---

**Executive Summary**

An application was received on 29 July 2020 from Dr CAJ Botha applicable to Erf 5539, Voëlkliip, Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure to relax the lateral building line from 2m to 1,5m to accommodate an existing extension to the dwelling which include a kitchen on the first storey.

**RESOLVED :**

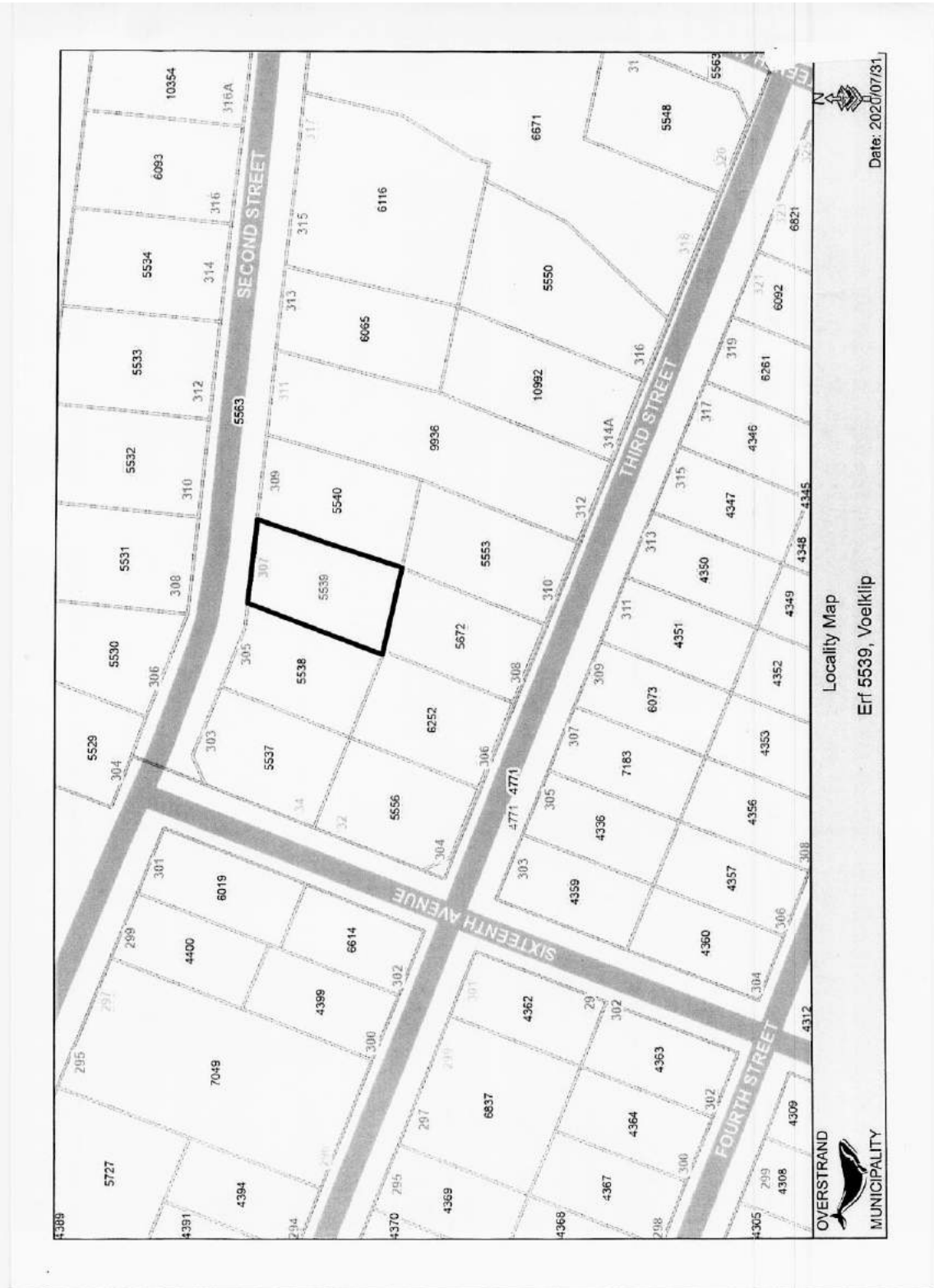
1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 5539, Hermanus in order to relax the lateral building line from 2m to 1,5m to accommodate an existing extension to the dwelling which includes a kitchen, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval is only for the departure as indicated on the Site Plan as submitted with the application;
  - (b) 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;
  - (b) that the conditions in the Services Report, be complied with;
  - (c) that this approval does not absolve the owner/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 their 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.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

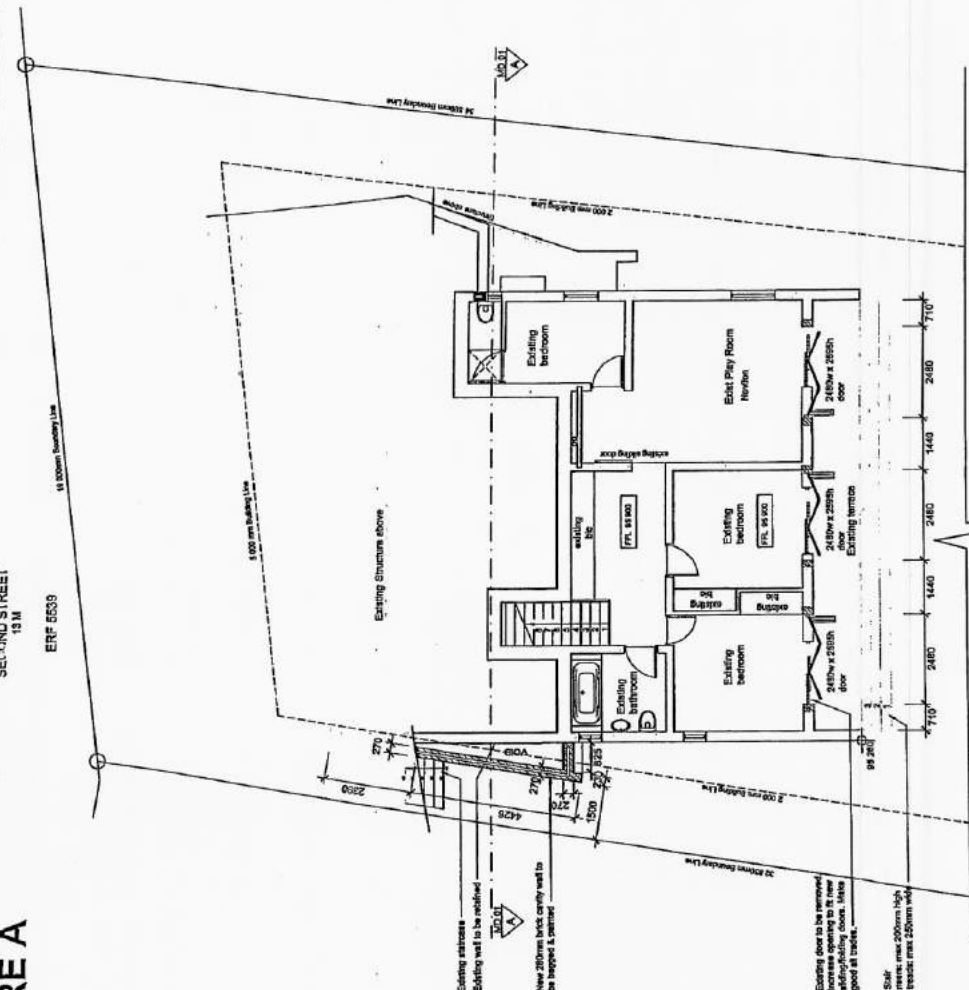
- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.
- ❖ The encroachment on the building line will have no negative impact on the surrounding properties in the area.
- ❖ The extension of the building does not impact the aesthetics of the surrounding area and will not impact the natural environment.
- ❖ The privacy of the neighbours is not affected by the encroachment over the building line





# ANNEXURE A

SECOND STREET  
19 M  
ERF 6533



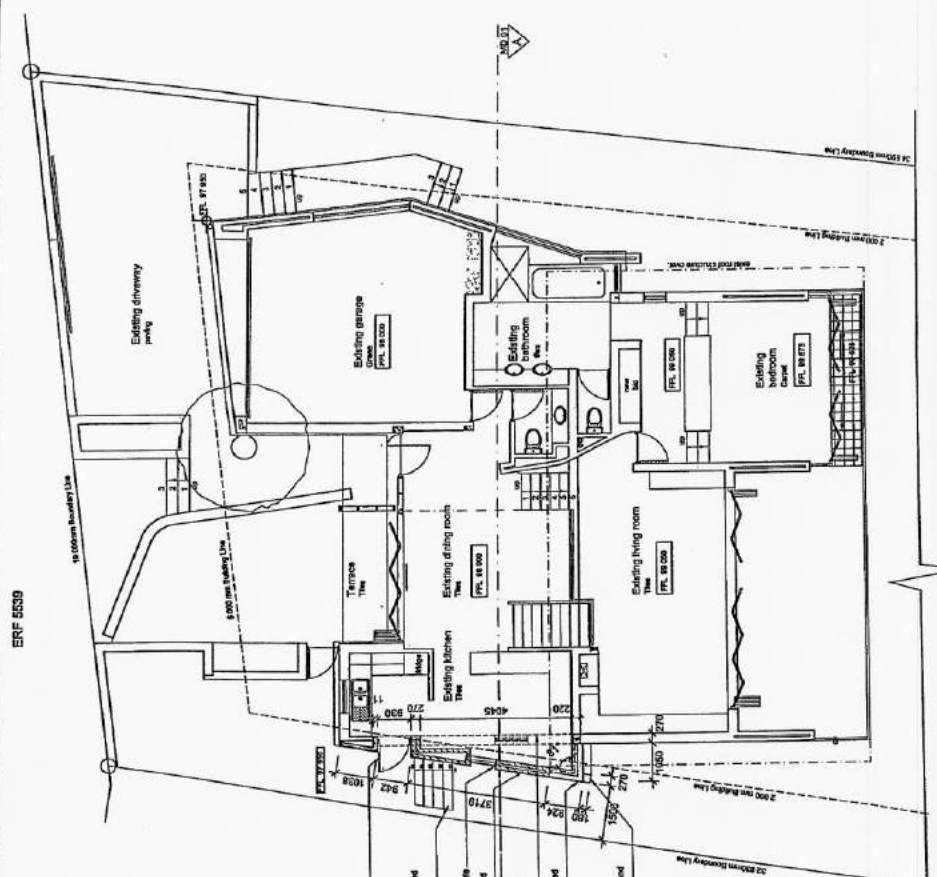
Ground Floor Plan  
scale 1:100



CALLAGHAN LOVINGS ARCHITECTS  
 100/102 WILSON STREET  
 WILSON, VIC 3207  
 PH: 03 9477 4200 FAX: 03 9477 4210

**ANNEXURE A**

ERF 5539



- New door as per schedule
- Slab edge to be specially finished in place with new wall finish - 150mm, 200mm - 250mm
- New window as per window schedule
- New 270mm brick wall to be bagged and painted.
- Downfall cast wall and render for brickwork to be bagged and painted.
- New external 200mm brick, tile ledger as per height to be bagged and painted.

**First Floor Plan**  
 scale 1:100



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 5539, VOELKLIP**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 5539, Voelklip, unobstructed;
7. that no on-street parking be allowed.

*p.p. R. Cohen*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

*07-04-2021*  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**5. ERF 1409, 20 GULL CLOSE, VERMONT, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR DEPARTURE: H DE LA QUERRA ON BEHALF OF HP  
AND HC DE LA QUERRA**

**1409 HVM**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**16 April 2021**

---

**Executive Summary**

An application was received on 12 October 2020 from H de la Querra on behalf of the owners on Erf 1409, Vermont in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to relax the street building line from 4m to 2,2m to accommodate a storage shed

**RESOLVED :**

1. that the application in terms of Section 16(2)(b) of the Amended Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 1409, Vermont to relax the street building line from 4m to 2,2m to accommodate a storage shed, **be approved** in terms of the provisions of Section 61 subject to the following conditions:
  - (a) that this approval only relates to a building line relaxation as indicated on undated plan Erf 1409 submitted with this application;
  - (b) that building plans be submitted to the Building Department for the store and any other new structures/buildings simultaneously, and all conditions set by the Building- and Fire Departments at that stage, be complied with;
  - (c) that all the conditions in the Services Report, be complied with;
  - (d) that all conditions imposed by Telkom, be complied with, and
  - (e) that all conditions imposed by Eskom, be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above-mentioned approval.

**REASONS FOR THE RESOLUTION:**

- ❖ All municipal departments support the application.

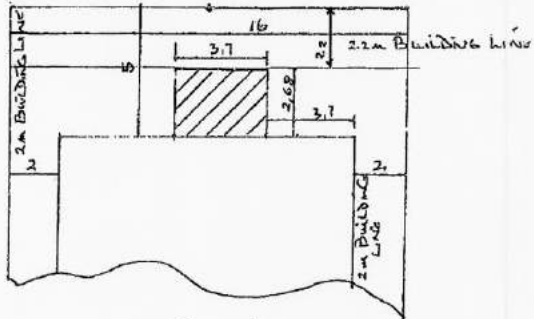
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

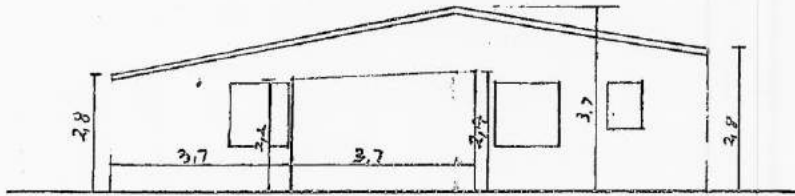
- ❖ The existing structure will not impact the privacy of surrounding property owners.
- ❖ The application will not impact on the character of the area.
- ❖ No objections were received against the application.
- ❖ The application is in line with the Planning Principles of efficiency as land will be optimally used.



PROPOSED STORAGE SHED



SITE PLAN



EAST ELEVATION

<u>OWNER:</u> H. DE LA QUEIRA 20 GULL CLOSÉ VERMONT	SCALE : 1:200 1:100
	ERF NO: 1409
	SIZE : 10 m <sup>2</sup>

MATERIAL: FRAME : 30X30X2mm ANGLE IRON PAINTED SILVER  
 ROOF : 1BR GALV. SHEETS  
 SIDES : NU TECH BOARDS. ALL SURFACES PAINTED SAME AS EXISTING BUILDING.  
 FLOOR : FLOOR BEAMS 120 X 38 MARANTI WITH 22mm PLY BOARD FLOOR  
 STRUCTURE IS 50mm FROM EXISTING BUILDING.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 1409, VERMONT**

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

**Conditions**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 – P:2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 1409, Vermont, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

6. **ERF 7586, 11 SWARTDAM ROAD, HERMANUS INDUSTRIAL AREA, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: IM NUH ON BEHALF OF CAPTAIN STIRLING INVESTMENTS 112 (PTY) LTD**

**7586HIND**

**H van der Stoep  
12 May 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application was received on 30 November 2019 from IM Nuh on Erf 7586, Hermanus Industrial Area for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to relax the rear and lateral building lines from 2m to 0m to legalize built structures by previous owner.

**RESOLVED :**

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 7586, Hermanus for a departure in order to relax the lateral and rear building lines from 2m to 0m to legalize built structures by the previous owner, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that this approval is only for the relaxation of the building lines as indicated on plan numbers 1/3, 2/3 and 3/3 dated 25 January 2021;
  - (b) that the roof on the wall of Erf 5632 be rectified in as far as erecting a wall and locate the roof on the applicant's wall, the wall must be built on the applicant's erf and the roof set back within four (4) months of the approval and the extractor fans be made good as approved building plan of the objector, erf 5632.
  - (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;

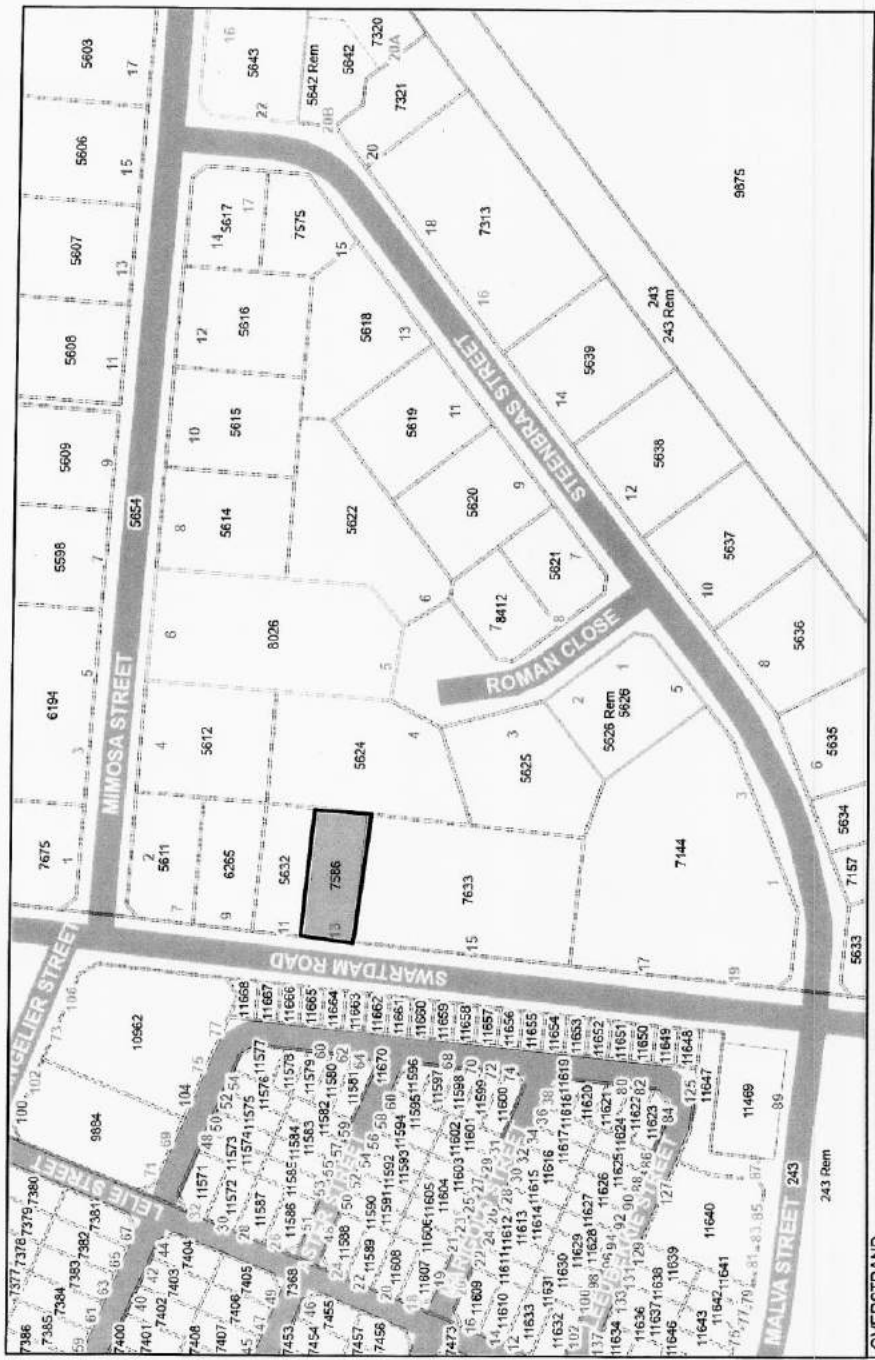
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (f) that all the conditions in the Services Report, be complied with, and
  - (g) that the Operational Department investigate and resolve the issue of sewage.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above-mentioned approval.

**REASONS FOR THE RESOLUTION:**

- ❖ The structure has approved building plans, except for the work done of 254m<sup>2</sup>.
- ❖ The surrounding owners' buildings are erected on the 0m building line.
- ❖ The change of use will have no impact on the surrounding area.
- ❖ The objections can be mitigated and rectified as indicated by the applicant.




  
 Date: 2019/12/13

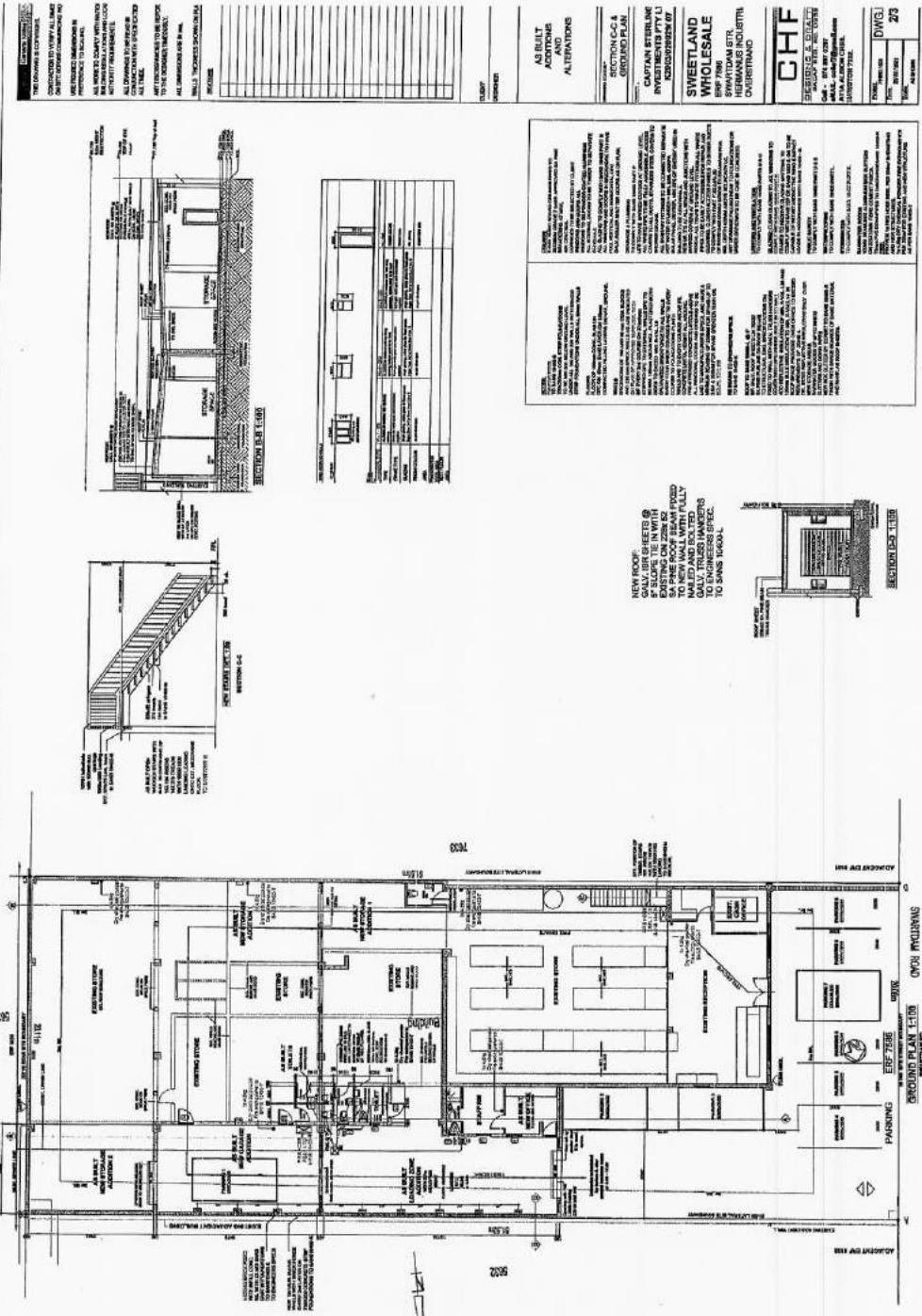
ERF 7586, HERMANUS INDUSTRIAL









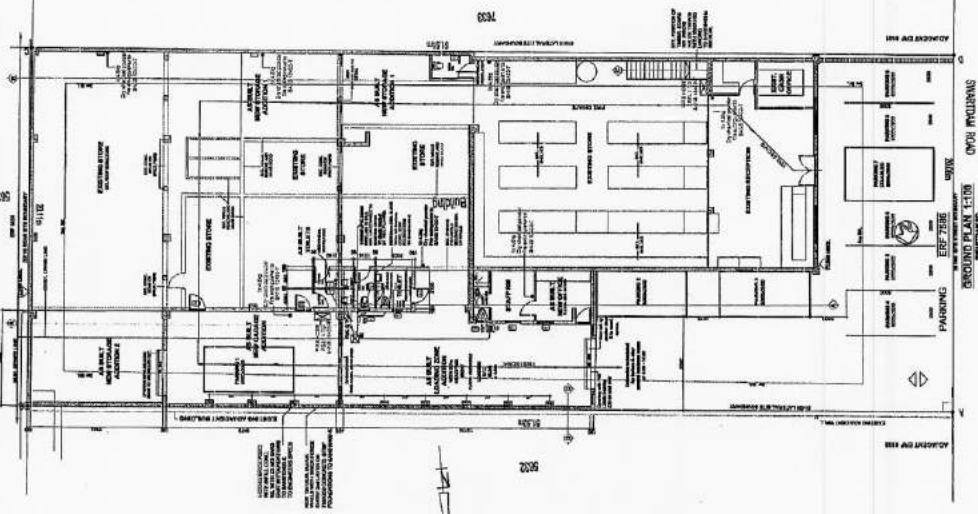
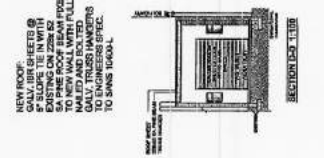
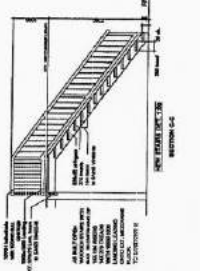
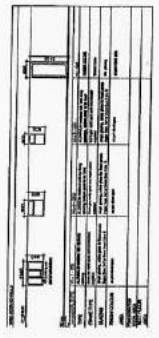
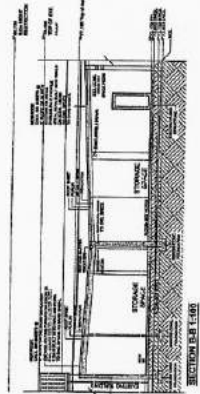


**CHF**  
 CHRYSLER FINANCIAL CORPORATION  
 100 WALL STREET  
 NEW YORK, N.Y. 10038  
 TEL: (212) 850-0100  
 FAX: (212) 850-0101

**SWEETLAND WHOLESALE**  
 897 79th  
 SWATDAM STR  
 CENTRAL  
 OVERSTAND

**AS BUILT ADDITIONS ALTERATIONS**  
 SECTION C-C  
 SECTION D-D  
 SECTION E-E

**NOTES**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 5. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 8. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 11. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 13. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 14. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 15. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 16. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 17. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.  
 18. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 19. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 20. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE USE.







**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 7586, HERMANUS INDUSTRIAL**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that stormwater be allowed to discharge through Erf 7586, Hermanus Industrial, unobstructed;
4. that any additional and / or extended vehicle entrances will be for the owner's account;
5. that a separate application be made with regard to any development on the sidewalk. Such application must be submitted to the Senior Manager: Operational Services (Hermanus) for written approval;
6. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

7. **ERVEN 475 AND 476, 28 & 26 FLOWER STREET, WESTCLIFF, HERMANUS: APPLICATION FOR THE AMENDMENT OF EXISTING CONDITIONS OF APPROVAL, CONSENT USE AND DEPARTURES: MESSRS WRAP PROJECT OFFICE ON BEHALF OF PB AND HA VAN DER WALT**

**475 & 476 HWC**

**S van der Merwe  
16 April 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

The following applications, applicable to Erven 475 and 476, Hermanus have been received on 28 February 2020 from Messrs WRAP Project Office on behalf of PB and HA van der Walt:

1. application in terms of Section 16(2)(h) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the amendment of existing conditions of approval applicable to Erf 476, Hermanus in order to expand the accommodation establishment on the property from eight (8) lettable rooms that sleeps twenty (20) guests to thirteen (13) lettable rooms that sleeps forty (40) guests, as well as the conversion of the usage of the accommodation establishment from guesthouse usage to backpackers usage;
2. application for departures in terms of Section 16(2)(b) of the By-Law to:
  - (a) deviate from the provision of the required additional parking bays on Erf 476, Hermanus as a result of the expansion of the existing accommodation establishment;
  - (b) relax the eastern lateral building line of Erf 476, Hermanus from 4,5m to 1,01m to accommodate a breakfast lounge; and to
  - (c) relax the western lateral building line of Erf 476, Hermanus from 4,5m to 1,9m in order to convert the existing staff quarters into two (2) lettable bedrooms for guests;
3. application for consent use in terms of Section 16(2)(o) of the By-Law in order to utilize the existing main dwelling unit and the existing second dwelling unit on Erf 475, Hermanus as a guesthouse with a maximum of five (5) lettable rooms (three (3) lettable rooms in the main dwelling and two (2) lettable rooms in the second dwelling unit);

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

4. application for departure in terms of Section 16(2)(b) of the By-Law to relax the eastern lateral building line of Erf 475, Hermanus from 2m to 1m to accommodate an existing bathroom; and an
5. application in terms of Section 16(2)(d) of the By-Law in order to register a parking servitude area by means of a notarial servitude against Erf 475, Hermanus in favor of Erf 476, Hermanus to accommodate the required additional parking bays on the adjacent Erf 475, Hermanus.

**RESOLVED :**

1. that the application in terms of Section 16(2)(h) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the amendment of existing conditions of approval applicable to Erf 476, Hermanus, **be approved** in terms of Section 61(a) of the By-Law;
2. that paragraph 2.2 of the Department of Environmental Affairs and Development's decision as set out in its letter *E17/2/2/3AH8/Erf 476, Hermanus* dated 24 November 2006, **be amended** to read as follows:
 

*"2.2 The request for the amendment of certain conditions of the earlier rezoning, to permit the operation of a backpackers' facility, be amended to read as follows:*

  - "i) the rezoning is for a backpackers' facility with a maximum of thirteen (13) lettable rooms that accommodates a maximum of forty (40) guests/tourists at any given time on the property;*
  - ii) adequate on-site parking be provided for ten (10) cars and that no on-street parking whatsoever is permitted; and*
  - iii) municipal services are to be paid at commercial rates."*
3. that paragraphs 1. and 2. of the Mayoral Committee's decision taken on 13 July 2016 be amended to read as follows:
  - "1. that the application for departure in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the relaxation of the western lateral building line of Erf 476, Hermanus from 4,5m to ±1,9m to accommodate the conversion of the existing staff quarter's into two (2) lettable rooms that sleeps a maximum of four (4) tourists, **be approved**,*
  - 2. that, in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application applicable to Erf 476, Hermanus for the amendment of the Site Development Plan to*

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

*accommodate the change of usage of the structure in 1. above, **be approved,***

4. that the application for departure in terms of Section 16(2)(b) of the By-Law for the relaxation of the eastern lateral building line of Erf 476, Hermanus from 4,5m to  $\pm 1,01$ m to accommodate a breakfast lounge for paying guests of the backpackers' establishment, **be approved** in terms of Section 61(a) of the By-Law;
5. that the application for departure in terms of Section 16(2)(b) of the By-Law to deviate from the requirement to provide eleven (11) additional parking bays on Erf 476, Hermanus as a result of the twenty (20) additional allowable tourists on the property, **be approved** in terms of Section 61(a) of the By-Law;
6. that the application in terms of Section 16(2)(d) of the By-Law in order to register a parking servitude area by means of a notarial servitude against Erf 475, Hermanus in favour of Erf 476, Hermanus to accommodate eleven (11) additional standard parking bays on Erf 475, Hermanus, **be approved** in terms of Section 61(a) of the By-Law;
7. that the application for consent use in terms of Section 16(2)(o) of the By-Law to utilize the existing main dwelling unit and the existing second dwelling unit on Erf 475 as a guesthouse with a maximum of five (5) lettable rooms (three (3) lettable rooms in the main dwelling and two (2) lettable rooms in the second dwelling unit), **be approved** in terms of Section 61(a) of the By-Law;
8. that the following conditions be imposed for the backpackers' establishment on Erf 476, Hermanus in terms of Section 61(b) of the By-Law:
  - (a) that "as built" building plans as per the Site Development Plan for the development on the property must be submitted to the Building Department for approval within sixty (60) days from the final approval of the above applications, which plans must indicate all structures on the property and the precise use of each room in each structure as per the above approvals, and that any requirements by the Building Department or Fire Services at that stage be complied with – the site plan of the sets of building plans must be marked as "Site Development Plan" and when approved will be the formal Site Development Plan of the property for future purposes;
  - (b) that a surveyed parking servitude area (as per the parking layout submitted) be registered over Erf 475, Hermanus by means of a notarial servitude in favour of Erf 476, Hermanus for eleven (11)

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

standard size parking bays within sixty (60) days from the final approval of the above applications;

- (c) that the parking bays be properly demarcated and provided with a hard surface to the satisfaction of the Municipality;
- (d) that no on-street parking be allowed whatsoever;
- (e) that the Municipality reserves the right to reduce the allowable number of guests on the property to twenty (20) should any justified complaints be received in the way the establishment is being conducted;
- (f) that should Erf 475, Hermanus be sold in future for whatever reason, and the new owner only intends to use the property for single residential purposes that require the cancellation of the parking servitude, then the number of guests on Erf 476, Hermanus must revert back to twenty (20) and the Municipality must be informed accordingly;
- (g) that the owner/manager must reside permanently on the premises and be responsible for the proper management of the backpackers' establishment;
- (h) that a guest logbook always be kept on the property and that it be made available to Municipality immediately on request;
- (i) that the applicable rates and service tariffs as determined by the annual budget, is applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (j) that no entertainment activities such as pool tables or any associated activities that generates noise are allowed on the property whatsoever;
- (k) that strictly no disturbance from loud music or any other sources whatsoever, are allowed after 22:00;
- (l) that no activities constituting a public nuisance shall be carried out on the property;
- (m) that the breakfast lounge may solely be used for the provision of meals to bona fide guests and for no other purposes;
- (n) that no openings are allowed at the eastern side of the breakfast lounge structure;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (o) that no guest rooms may be converted or used as self-catering units for guests;
  - (p) that subject to obtaining a liquor license, alcoholic beverages may be only sold to bona fide guests for consumption with meals;
  - (q) that no bar facilities whatsoever are allowed on the property;
  - (r) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
  - (s) that the backpackers' establishment must comply with the provisions of SANS 10400-A 2016, SANS-T2020 and the By-Law relating to Community Fire Safety;
  - (t) that the backpackers' establishment comply 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;
  - (u) that no advertising on the property shall be displayed without the approval of the Municipality;
  - (v) that the conditions of Telkom and Engineering Services, (respectively attached as Annexures H and E), must be complied with;
  - (w) that this approval does not absolve the landowner from compliance with any other relevant legislation;
  - (x) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with, and
  - (y) that a forty (40) backpackers' establishment may not be operated prior to the landowners submitted proof to the Municipality of compliance with the above conditions (a), (b), (c), (r) and (s);
9. that the following conditions be imposed for the guesthouse establishment on Erf 475, Hermanus in terms of Section 61(b) of the By-Law:
- (a) that no more than ten (10) guests are allowed in the guest house establishment at any given time;
  - (b) that the owner/manager must reside permanently on the premises and be responsible for the proper management of the guesthouse establishment;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (c) that the eleven (11) servitude parking bays for the lodgers of the backpackers' establishment on Erf 476, Hermanus must be reserved for the sole use for the guests of the said property;
- (d) that the parking bays as indicated on the parking layout plan submitted must be provided with a hard surface and be properly demarcated;
- (e) that no on-street parking be allowed whatsoever;
- (f) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (g) that no guest rooms may be converted or used as self-catering units for guests;
- (h) that the residential character of the property must be sustained;
- (i) that should meals be provided to bona fide guests, a R918 Certificate of Acceptability must be obtained from the Overberg District Municipality prior to operating the establishment;
- (j) that subject to the obtaining of a liquor licence, alcoholic beverages may only be sold to bona fide guests for consumption with meals;
- (k) that no entertainment activities such as pool tables or any associated activities that generates noise are allowed on the property whatsoever;
- (l) that no activities constituting a source of public nuisance shall be carried out on the property;
- (m) that strictly no disturbance from loud music or any other sources whatsoever, are allowed after 22:00;
- (n) that no more than three (3) staff members shall be employed at the guesthouse establishment at any given time;
- (o) that the accommodation establishments comply 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;
- (p) that only a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the property with the written approval of the Municipality;

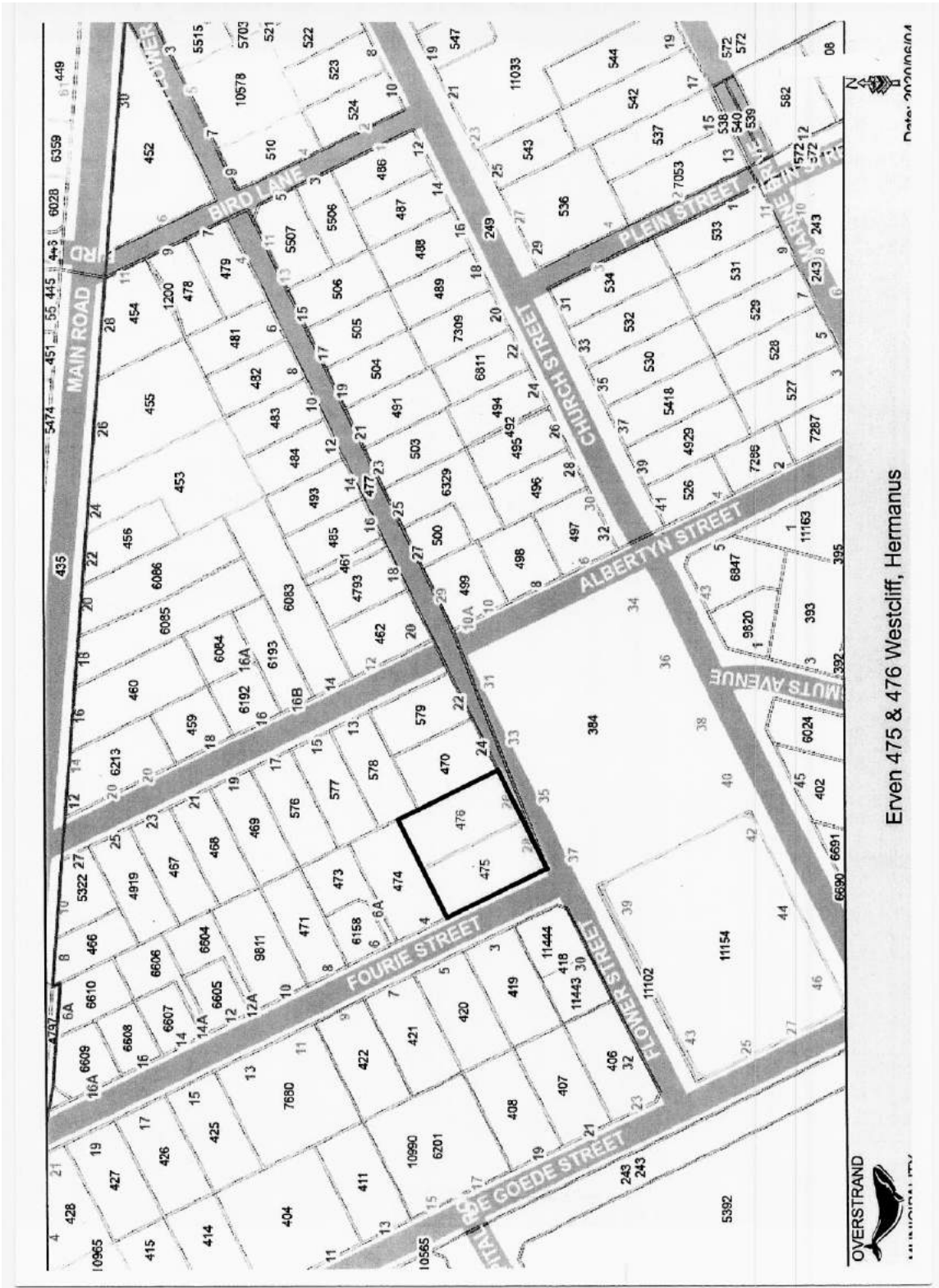
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (q) that the accommodation establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area; and
  - (r) that this approval does not absolve the landowner from compliance with any other relevant legislation;
10. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 regarding the above conditional approvals.

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ No objections were received from the public.
- ❖ It is in line with policy documents.
- ❖ The accommodation establishments will be beneficial for optimization of the erven.
- ❖ It will promote the tourism industry.
- ❖ The establishments will not have any mentionable impacts on the rights of surrounding property owners, the surrounding built environment, or the character of the area.
- ❖ The properties are situated in a transitional area where similar rights have already been obtained to establish guesthouses/accommodation establishments.
- ❖ Is not regarded as being undesirable from a town planning point of view.



Erven 475 & 476 Westcliff, Hermanus

**Plan 3.1: Amended SDP of the Ground Floor of Erven 475 and 476 Hermanus**

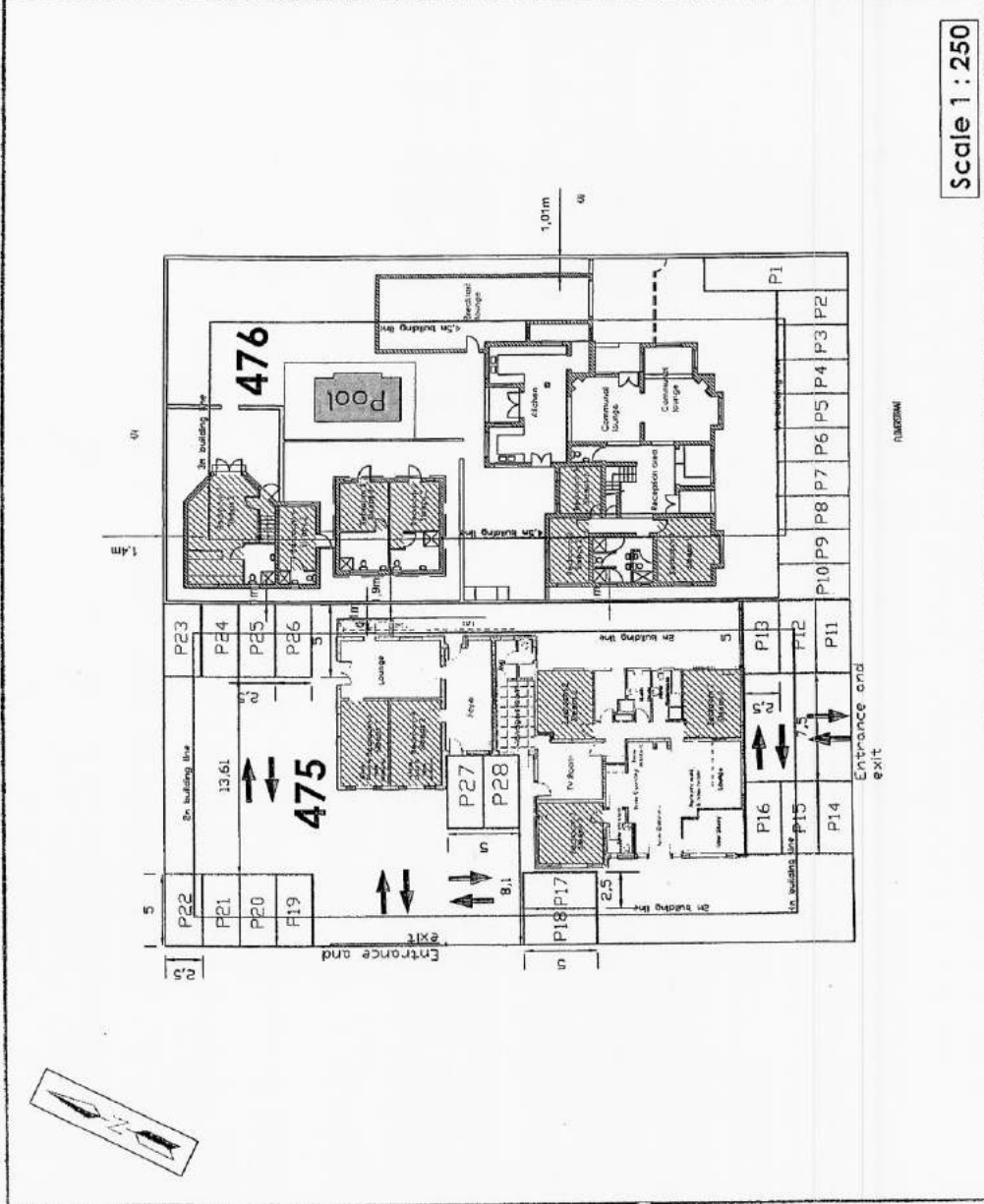
Leiftable rooms  
Managers rooms

Er 476 Hermanus  
7 Leiftable rooms  
Sleeps 17 guest in total

Er 475 Hermanus  
5 Leiftable rooms  
Sleeps 10 guests in total

Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Plan prepared in February 2020  
File number: 20/007  
35 Duiker Street, Hermanus 7200  
Plan prepared by: Kestel  
All distances are approximate and subject to a survey

**Project:** rict  
**WRAP**  
Your Name & Position



**Plan 3.2: SDF of the  
First Floor  
Erf 476 Hermanus**

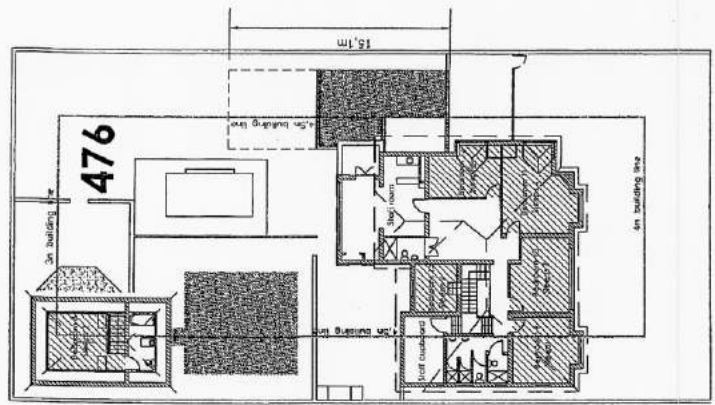
Leiftable rooms

Erf 476 Hermanus  
6 Leiftable rooms  
Sleeps 23 guest in total

Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Plan prepared in February 2020  
File number 20/008  
35 Duiker Street, Hermanus, 7200  
Plan prepared by: Reclivale Janite  
All dimensions are approximate  
and subject to a survey

**Project C. ce**  
WRAP  
Team Planning & Project Management

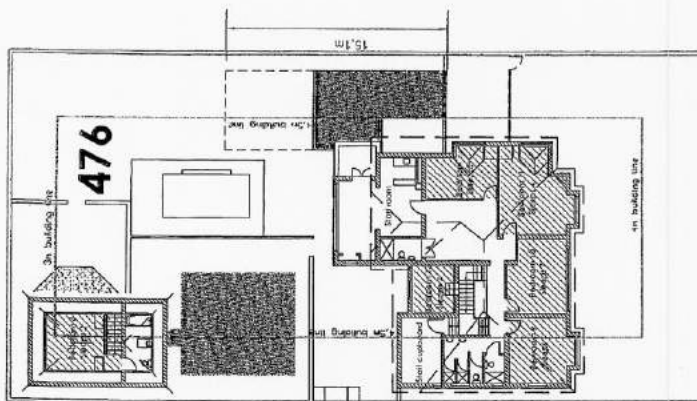
**Scale 1 : 250**



Plan 3.2: SDP of the  
First Floor  
Erf 476 Hermanus

Leivable rooms

Erf 476 Hermanus  
6 Leivable rooms  
Sleeps 23 guests (in total)



Tel: 028 313 1411  
Email: admin@wrapproject.co.za  
Plan prepared in February 2020  
File number 20/008  
35 Dulke Street, Hermanus, 7200  
Plan prepared by: Renatille Janse  
All distances are approximate  
and subject to a survey



Scale 1 : 250

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR THE AMENDMENT OF EXISTING CONDITIONS OF  
APPROVAL, CONSENT USE & DEPARTURE: ERVEN 475 & 476, WESTCLIFF**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that stormwater be allowed to discharge through Erven 475 & 476, Westcliff, unobstructed.

*p.p. D. Hendriks*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

*06/10/2020*  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**8. ERF 178, 25 DIRKIE UYS STREET, GANSBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND CONSENT USE: MESSRS ME PLANNERS ON BEHALF OF RHP REUVERS & MF BARNARD**

**178 GGB (3047/2019)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**26 May 2020**

---

**Executive Summary**

An application has been received on 15 October 2019 from Messrs ME Planners on behalf of RHP Reuvers and MF Barnard in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 178, Gansbaai for the following:

- rezoning in terms of Section 16(2)(a) of the By-Law from Residential Zone 1 (SR1) to Business Zone 2: General Business (B2), and
- consent use in terms of Section 16(2)(o) to accommodate a transmission tower.

**RESOLVED :**

1. that the application for rezoning in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 178, Gansbaai, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for consent use in terms of Section 16(2)(o) of the By-Law to accommodate a rooftop transmission tower, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that building plans be submitted within thirty (30) days from the final approval to the Building Department for consideration, and that all conditions of the Building- and the Fire Department be complied with at that stage;
  - (b) that on-site parking provision be provided in accordance with the approval in (a) above;
  - (c) that the requirements of Engineering Services, be adhered to;
  - (d) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;

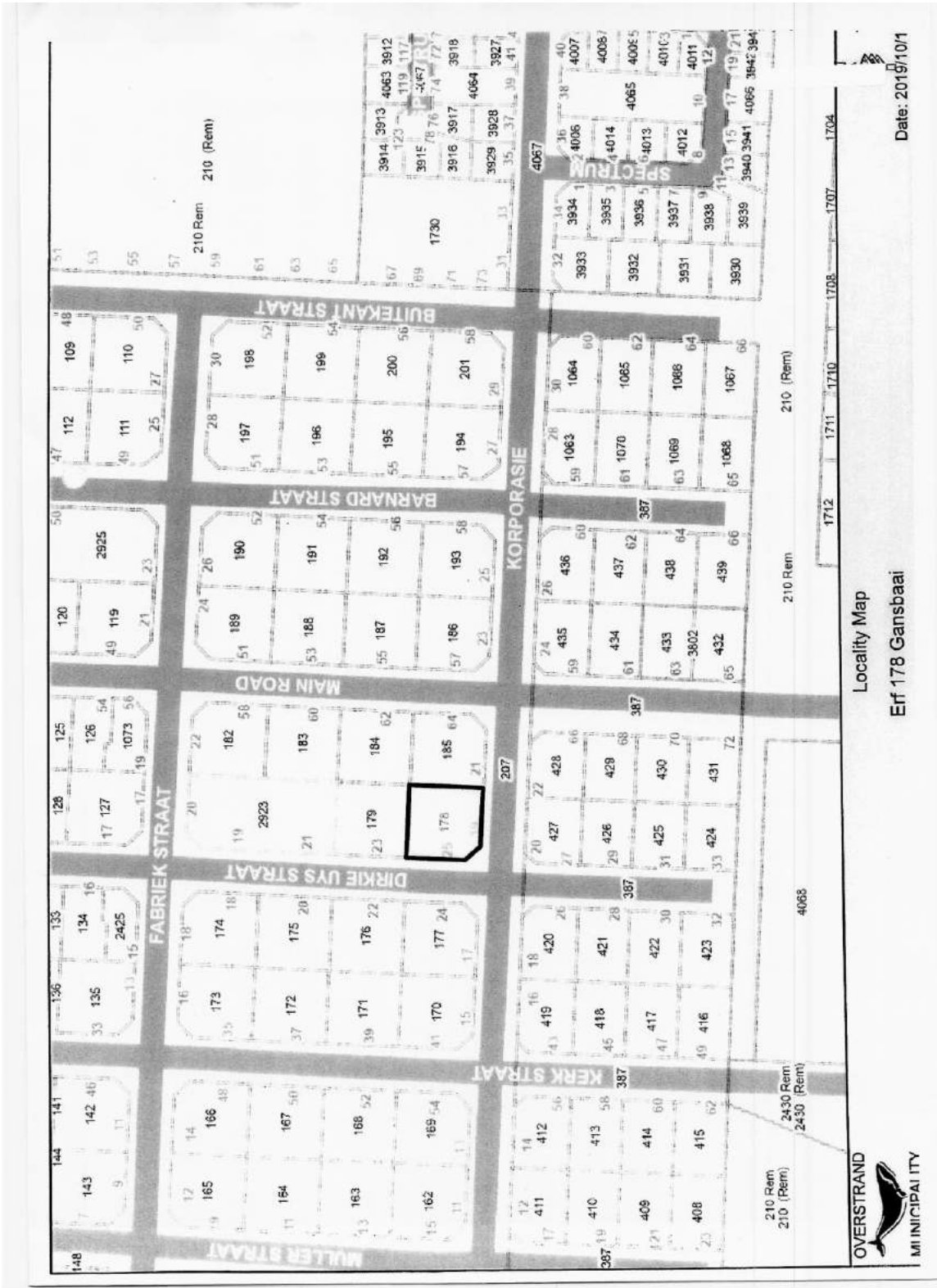
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (e) that the display of signage be subject to compliance with the Municipal By-Law on Signage;
  - (f) that a departure application be submitted within 30 days from the final approval of the rezoning application, addressing the building line encroachment of the existing outbuilding adjoining the northern lateral building line;
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
  - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
  - (i) that the consent use for transmission tower be limited to the existing apparatus installed on the property as per the building plans referred to in condition (a) above.
4. 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, 2015 with regard to the above conditions of approval.

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ The development is consistent with the applicable strategic policy documents.
- ❖ The development is consistent with the planning principles.
- ❖ The development will not detract from the character of the area.
- ❖ The development will not adversely impact upon vested rights of adjoining property owners.
- ❖ The development is situated within the CBD.
- ❖ The development provides employment opportunities.



Locality Map  
Erf 178 Gansbaai

Date: 2019/10/1



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING & CONSENT USE: ERF 178, GANSBAAI  
(3420/2019)**

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

**Conditions:**

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

- 1.1 **Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full prior to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

- 1.2 **Developments with free standing properties** (property that is subdivided and plots to be sold individually).

The BICLs are payable prior to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2020/2021) is as follows:

**Freehold erven:**

Water	R 23 957.00 x -0.39428=	-R 9 445.77
Sewerage	R 16 153.00 x -0.39428=	-R 6 368.80
Roads	R 7 243.00 x 3.2711=	R 23 692.58
Stormwater	R 8 357.00 x 1.29466=	R 10 819.47
Solid Waste	R 1 448.00 x 1.4275=	<u>R 2 067.02</u>
<b>TOTAL (inclusive of VAT)</b>	<b>=</b>	<b><u>R 20 764.50</u></b>

Note:

- 1.3 **The above figures are estimates**  
1.4 **The above figures do not include connection fees**

2. that the existing water- and sewer connections to Erf 178 shall be used to service Erf 178;
3. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
4. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
5. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
6. that any additional and / or extended vehicle entrances will be for the developer's account;
7. that stormwater be allowed to discharge through Erf 178, Gansbaai, unobstructed.

*D.P. R. Coetzee*  
DENNIS HENDRIKS

SENIOR MANAGER: ENGINEERING SERVICES

*04/08/2020*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**9. ERF 5676, 320 FIFTH STREET, VOËLKLIP, HERMANUS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SUBDIVISION AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF CM ZIMAN**

**5676 HVK**

**P Roux**

**20 May 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application was received on 3 November 2020 from Messrs PlanActive Town- and Regional Planners on behalf of CM Ziman applicable to Erf 5676, Voëlklip, Hermanus for the following:

➤ **Removal of Restrictive Title Deed Conditions**

Application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) with reference to Clauses D.(b) and D.(c) of Title Deed T31005/2018 applicable to Erf 5676, Hermanus to accommodate the proposed development.

➤ **Subdivision**

Application in terms of Section 16(2)(d) of the By-Law to subdivide the property into two (2) portions, namely Portion A (±495m<sup>2</sup> in extent) and a Remainder (±495m<sup>2</sup> in extent).

➤ **Departures**

Application in terms of Section 16(2)(b) of the By-Law for the following:

- relax the lateral building line from 2m to ±0,5m applicable to the Remainder to accommodate an existing bathroom;
- relax the eastern lateral building line from 2m to 0m applicable to Portion A to accommodate a double garage;
- relax the rear- and southern lateral building lines from 2m to 0m applicable to Portion A to accommodate a lapa;
- relax the western lateral building line from 2m to 1,9m applicable to Portion A to accommodate a sundeck, and
- relax the western lateral building line from 2m to 0m applicable to Portion A to accommodate a built braai.

**RESOLVED :**

1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

(By-Law) for the removal of restrictive title deed conditions Clause D.(b) and the amendment of Clause D.(c) as contained in Title Deed T31005/2018 applicable to Erf 5676, Hermanus, **be approved** in terms of the provisions of Section 61;

2. that the application in terms of 16(2)(d) of the By-Law to subdivide Erf 5676, Hermanus into two (2) portions, namely Portion A ( $\pm 495\text{m}^2$  in extent) and a Remainder ( $\pm 495\text{m}^2$  in extent), **be approved** in terms of the provisions of Section 61;
3. that the application for a departure in terms of Section 16(2)(b) of the By-Law for the following:
  - to relax the lateral building line from 2m to  $\pm 0.5\text{m}$  applicable to the Remainder to accommodate an existing bathroom;
  - to relax the eastern lateral building line from 2m to 0m applicable to Portion A to accommodate a double garage;
  - to relax the rear and southern lateral building lines from 2m to 0m applicable to Portion A to accommodate a lapa;
  - to relax the western lateral building line from 2m to 1,9m applicable to Portion A to accommodate a sundeck;
  - to relax the western lateral building line from 2m to 0m applicable to Portion A to accommodate a built braai,

**be approved** in terms of the provisions of Section 61 of the By-Law;

4. that the approvals in Points 1. 2. and 3. above be subject to the following conditions:
  - (a) that the approval is only for the subdivision and departures as indicated on *Subdivision Plan No. her5676.drw dated 10/2020* as submitted with the application;
  - (b) that the outbuilding/lapa area only be used for storage purposes;
  - (c) that the garage and other outbuildings on Portion A be demolished if no building plan is submitted within 12 months from the date of approval;
  - (d) that clause D.(c) of Title Deed T31005/2018 applicable to Erf 5676, Hermanus be amended to read as follows: *"D.(c) No canteen, hotel, restaurant, shop or factory industry whatsoever shall be opened or conducted on the said property except with the consent of the Transferor Company."*;
  - (e) that the conditions in the Services Report, be complied with;

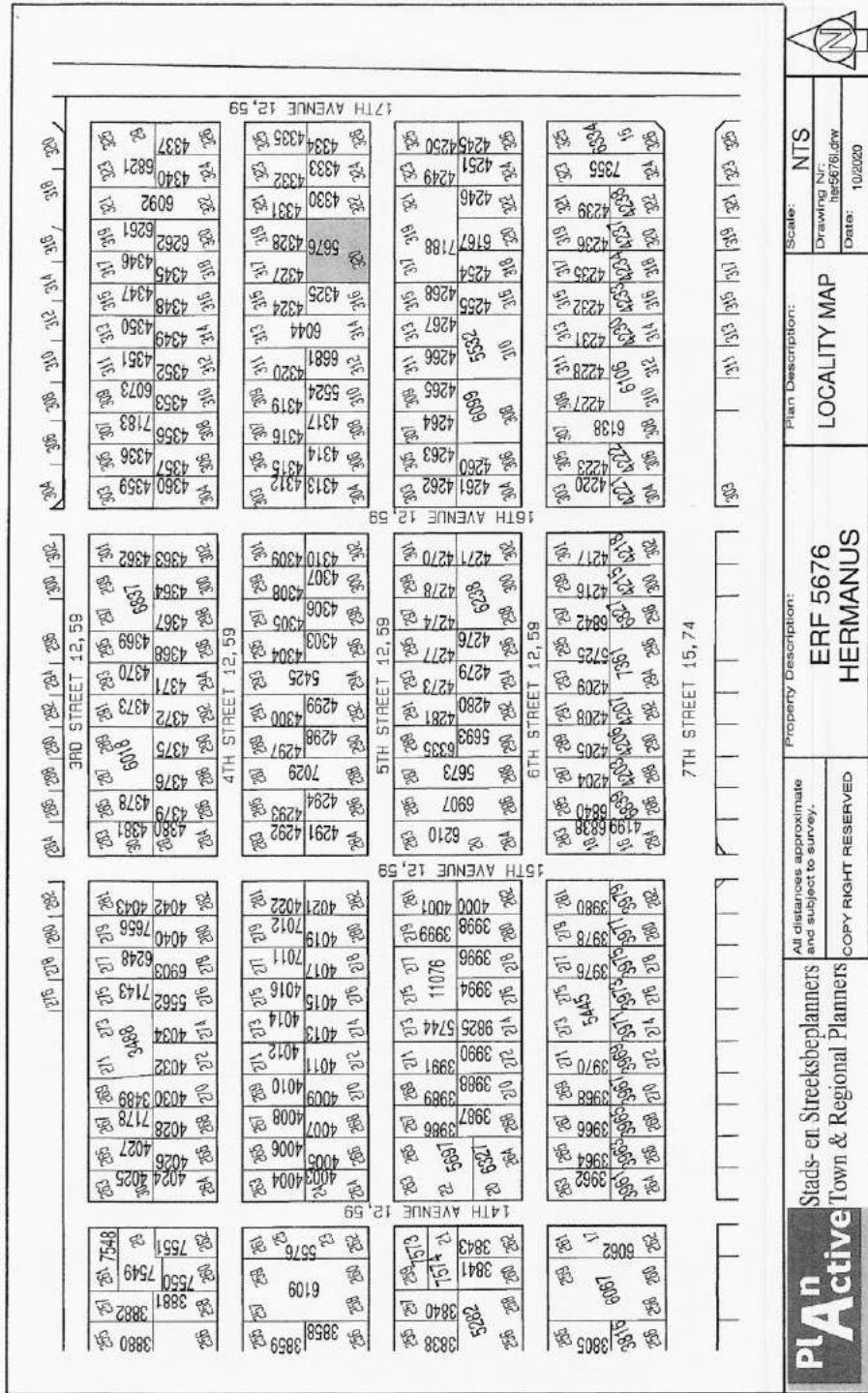
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (f) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed subdivision is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ Habitable spaces on common boundaries are not desirable from a town planning point of view.
- ❖ The primary use of a Single Residential zoned property is for the development of a dwelling house and therefore Portion A must be developed with a dwelling house in order to retain the existing outbuildings.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.



**PLA<sup>n</sup> Active**

Stads- en Streeksbeplanners  
Town & Regional Planners

All distances approximate  
and subject to survey.

COPY RIGHT RESERVED

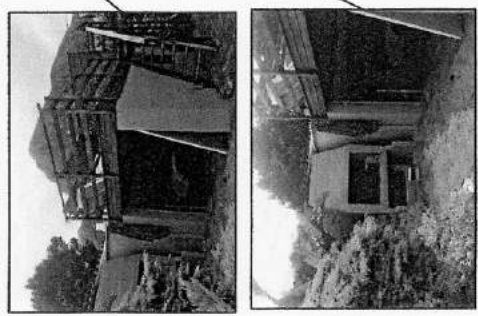
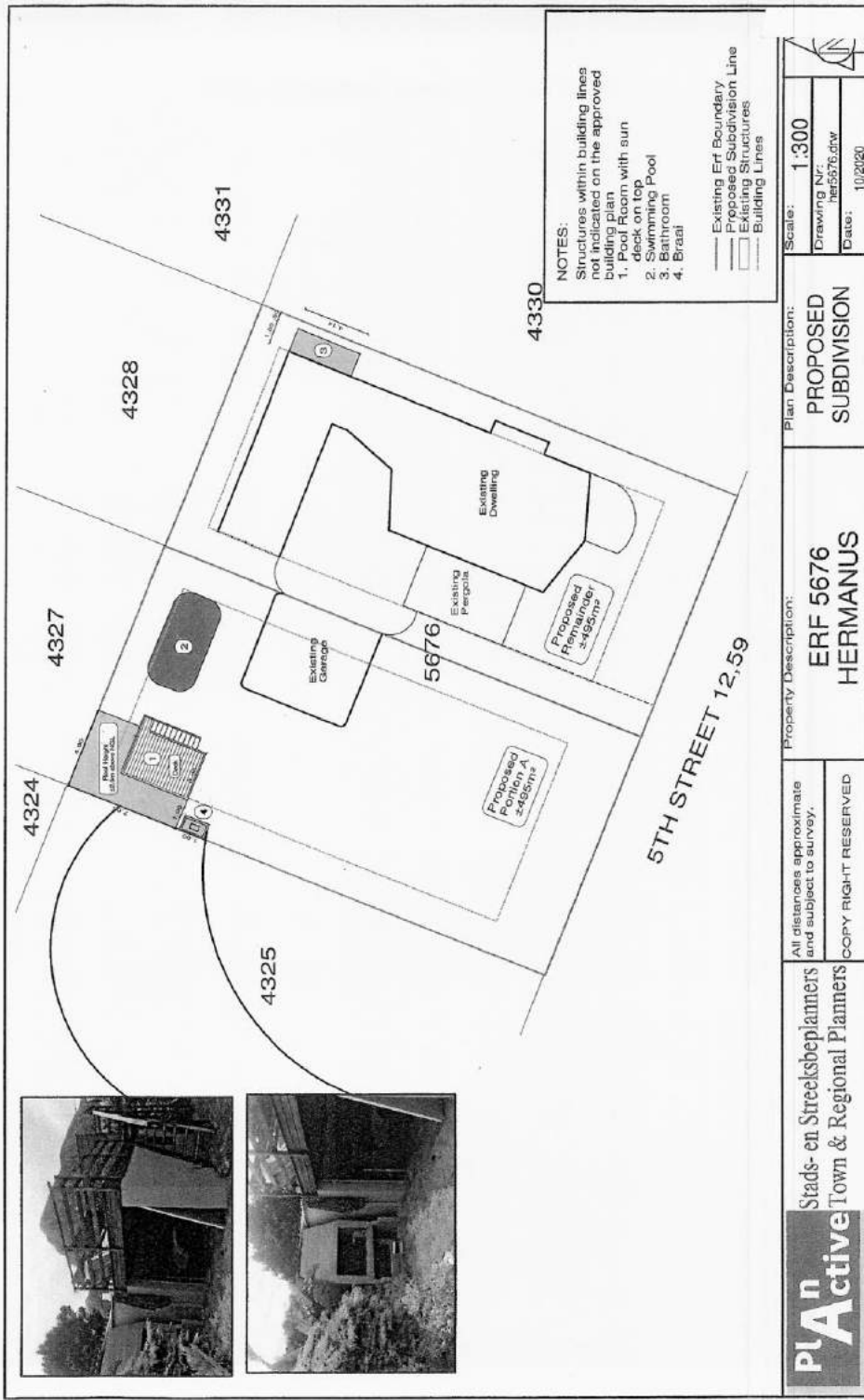
Property Description:  
**ERF 5676  
HERMANUS**

Plan Description:  
**LOCALITY MAP**

Scale: **NTS**

Drawing No:  
her5676.dwg

Date:  
10/2020



**NOTES:**  
Structures within building lines not indicated on the approved building plan

1. Pool Room with sun deck on top
2. Swimming Pool
3. Bathroom
4. Bradi

— Existing Erf Boundary  
 — Proposed Subdivision Line  
 — Existing Structures  
 — Building Lines

Scale:	1:300
Drawing Nr:	her5576.dwg
Date:	10/20/20

Plan Description:  
**PROPOSED SUBDIVISION**

Property Description:  
**ERF 5676 HERMANUS**

All distances approximate and subject to survey.  
**COPY RIGHT RESERVED**

**PLAN** Stads- en Streetsbeplanners  
Town & Regional Planners

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION, REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS & DEPARTURE: ERF 5676, VOELKLIP**

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

**Conditions:**

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

**1.1 Developments containing Sectional Title Units/ Commercial Buildings (non-free standing properties – property is not to be subdivided)**

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

**1.2 Developments with free standing properties (property that is subdivided and plots to be sold individually).**

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2020/2021) is as follows:

**Freehold erven:**

Water	R 23 957.00 x 1	=	R 23 957.00
Sewerage	R 16 153.00 x 1	=	R 16 153.00
Roads	R 7 243.00 x 1	=	R 7 243.00
Stormwater	R 8 357.00 x 1	=	R 8 357.00
Solid Waste	R 1 448.00 x 1	=	R 1 448.00
Electricity	R 33 586.00 x 1	=	<u>R 33 586.00</u>
<b>TOTAL (inclusive of VAT)</b>		<b>=</b>	<b>R 90 744.00</b>

Note:

- 1.3 **The above figures are estimates**  
1.4 **The above figures do not include evaluation/investigation levies and connection fees**
2. that each property to have their own water connection, the cost of connection and / or any upgrade for any of these services be required, will be at the owner's cost;

3. that each property to have their own sewerage connections to Municipal specification;
3. that only a standard 60 Amp single phase electricity connection will be available per erf;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that stormwater be allowed to discharge through the proposed Erven, Voelklip, unobstructed;
8. that no on-street parking be allowed.

*p.p. M. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*08/03/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

10. **ERF 221 & 222, 3 LONG MARKET STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MW ROBERTSON, EL BULBRING AND MA HOFFMAN.**

**221 & 222 SSS**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**18 May 2021**

---

**Executive Summary**

An application was received on 15 December 2020 from Messrs PlanActive Town and Regional Planners on behalf of MW Robertson, EL Bulbring and MA Hoffman applicable to Erf 221 and 222, Stanford in terms of Section 16(2)(d) and (e) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 (By-law) in order to subdivide Erf 221 into two (2) portions, namely Portion A ( $\pm 504\text{m}^2$  in extent) and a Remainder ( $\pm 1481\text{m}^2$  in extent) and the subsequent consolidation of Portion A with Erf 222 to create a consolidated property of  $2489\text{m}^2$  in extent.

**RESOLVED :**

1. that the application received from Messrs PlanActive Town and Regional Planners on behalf of MW Robertson, EL Bulbring and MA Hoffman applicable to Erf 221 and 222, Stanford in terms of Section 16(2)(d) and (e) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 (By-law) in order to subdivide Erf 221 into two (2) portions, namely Portion A ( $\pm 504\text{m}^2$  in extent) and a Remainder ( $\pm 1481\text{m}^2$  in extent) and the subsequent consolidation of Portion A with Erf 222 to create a consolidated property of  $2489\text{m}^2$  in extent, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval is only for the subdivision and consolidation as indicated on the Subdivision- and Consolidation Plan, Drawing No. sub=consol plan drw dated December 2020 as submitted with the application;
  - (b) that the conditions in the Services Report, be complied with;
  - (c) that this approval does not absolve the owner/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.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

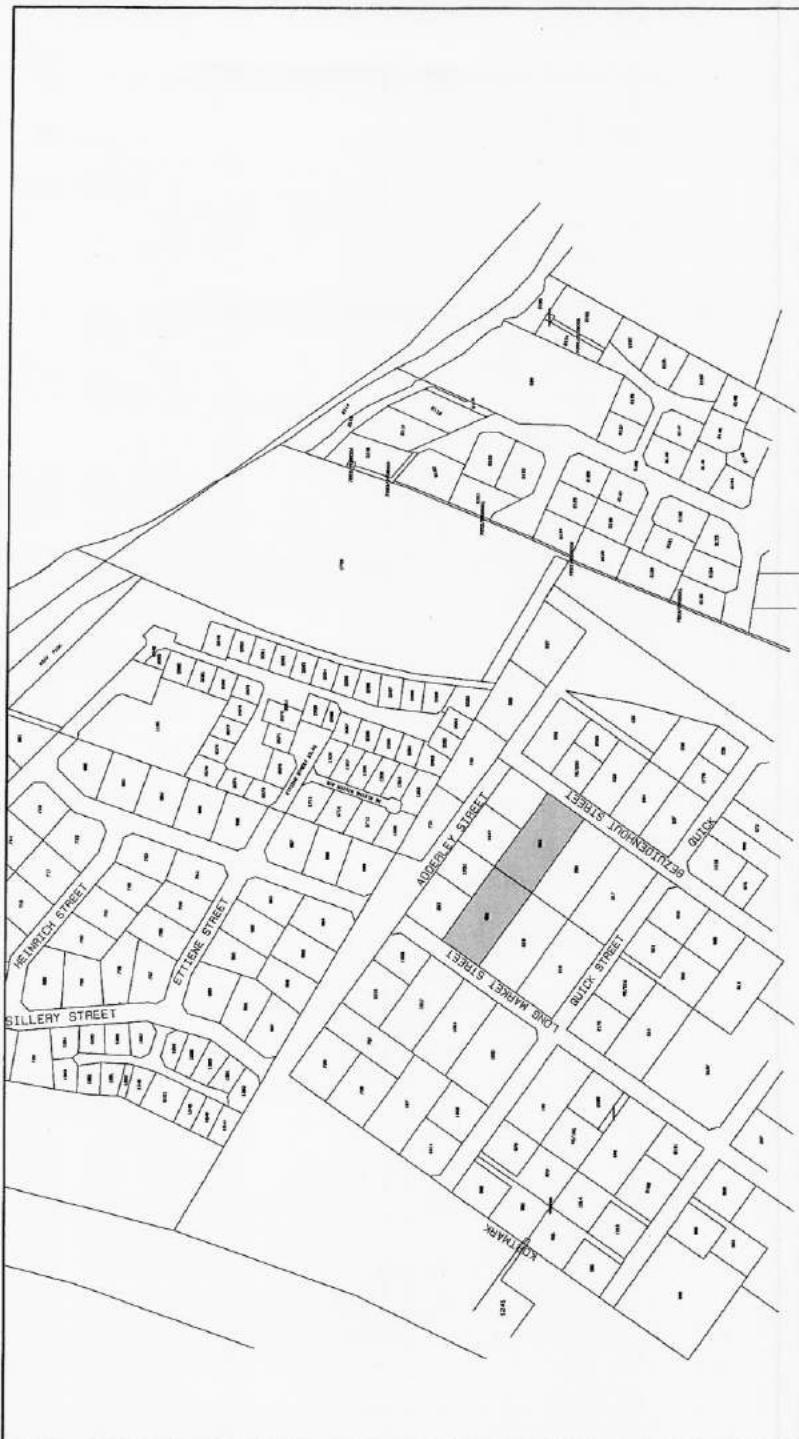
---

2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

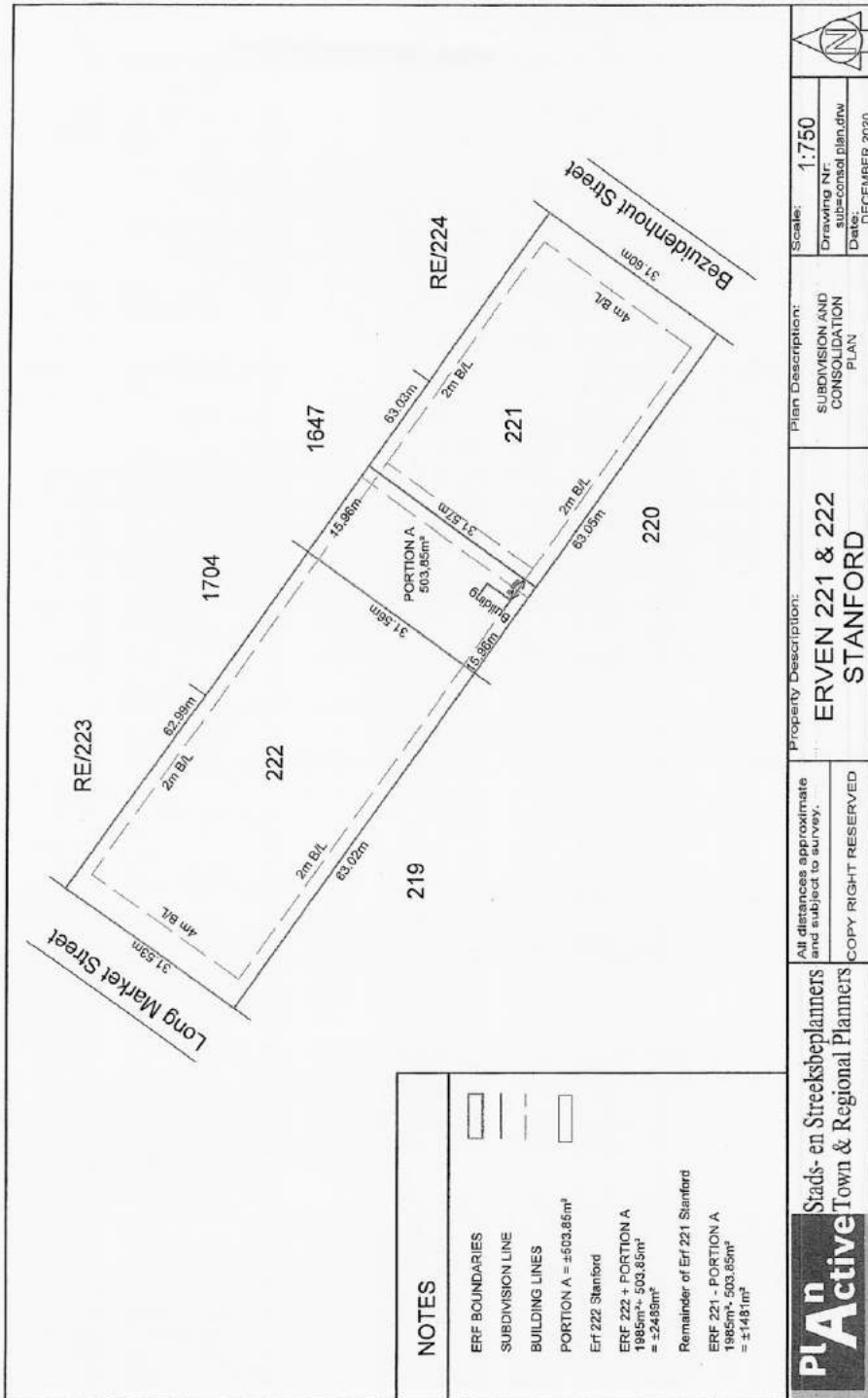
**REASONS FOR THE RESOLUTION:**

Reasons for approval

- The application has followed due procedure.
- None of the relevant departments have any objection.
- The proposed subdivision and consolidation is in line with the applicable municipal and planning policy and will make more efficient use of land within the urban edge.
- The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- The proposed application fits in with the character of the surrounding area and is desirable.
- The properties will not be rezoned, and the desirable Residential Zone 1 will be retained.
- The proposal is compatible with the existing erf sizes in the area.
- There will be no impact on services.
- The proposed subdivision and consolidation will not have a negative impact on the character and land values of the surrounding properties.
- The proposed subdivision and consolidation are in line with the Spatial Planning Land Use Management Act, 2013 and Land Use Planning Act, 2014.
- The proposed subdivision and consolidation will not negatively impact the natural environment.



<b>PLAn</b> Stads- en Streeksbeplanners <b>Active</b> Town & Regional Planners	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: <b>ERVEN 221 &amp; 222          STANFORD</b>	Plan Description: <b>LOCALITY MAP</b>	Scale: <b>NTS</b> Drawing No: <b>Z22 &amp; Z21.dwg</b> Date: <b>NOVEMBER 2020</b>	



NOTES	
ERF BOUNDARIES	
SUBDIVISION LINE	
BUILDING LINES	
PORTION A = 503.85m²	
Erf 222 Stanford	
ERF 222 + PORTION A	
1985m² - 503.85m²	
= 2491m²	
Remainder of Erf 221 Stanford	
ERF 221 - PORTION A	
1985m² - 503.85m²	
= 2148 m²	

<b>PLAN</b> Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: <b>ERVEN 221 &amp; 222                  STANFORD</b>	Plan Description: SUBDIVISION AND CONSOLIDATION PLAN	Scale: <b>1:750</b> Drawing Nr: Date:
		Drawing Nr: Date:	Date: DECEMBER 2020	Drawing Nr: Date:

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION & CONSOLIDATION: ERVEN 221 &  
222, STANFORD**

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

**Conditions:**

1. that only the existing water and sewerage connections to Erf 221 shall be used to service the Remainder of Erf 221, as well as the existing water- and sewer connection to Erf 222 be used to service the proposed consolidated Portion A of Erf 221 and Erf 222;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through the proposed Erven, Stanford, unobstructed;
6. that no on-street parking be allowed.

*D.P. M. Craffo*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*15/03/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**11. ERF 194, 57 BARNARD STREET, GANSBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: AJ OTTO**

**194 GGB**

**S van der Merwe  
8 June 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application was received on 3 March 2021 from AJ Otto on Erf 194, Gansbaai in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for a departure in order to relax the street building line from 4m to 2,4m to accommodate a bedroom and bathroom addition.

**RESOLVED :**

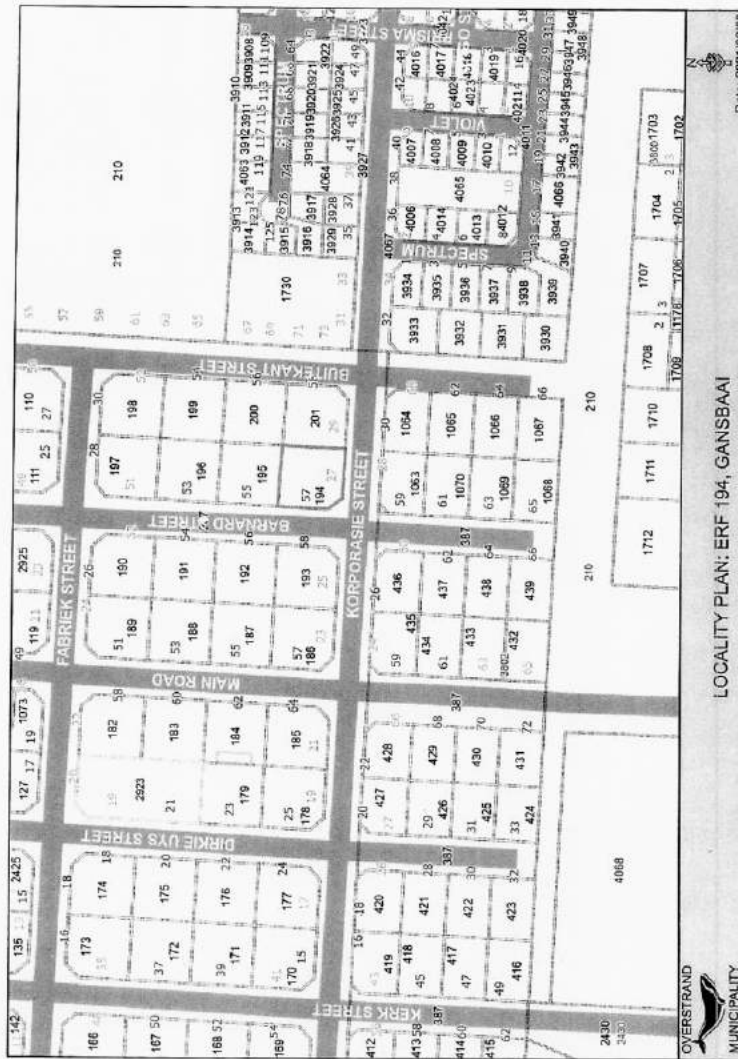
1. that the application received in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for a departure applicable to Erf 194, Gansbaai in order to relax the street building line from 4m to 2,4m to accommodate a bedroom and bathroom addition, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval is only for the departure as indicated on the Site Development Plan as submitted with the application;
  - (b) 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;
  - (c) that the conditions in the Services Report, be complied with;
  - (d) that this approval does not absolve the owner/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 its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.
- ❖ The proposed development will not negatively impact the natural environment.
- ❖ The proposed bedroom and bathroom are considered as a minor development.
- ❖ The proposed development will be adjacent to Korporasie Street and will not impact any adjacent neighbours.



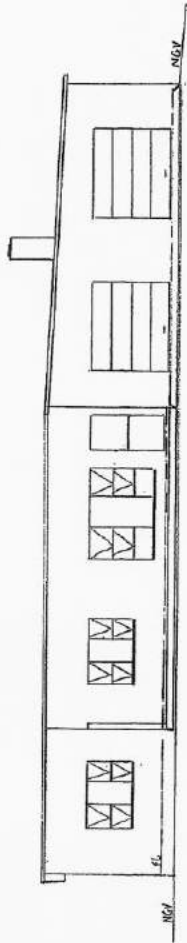




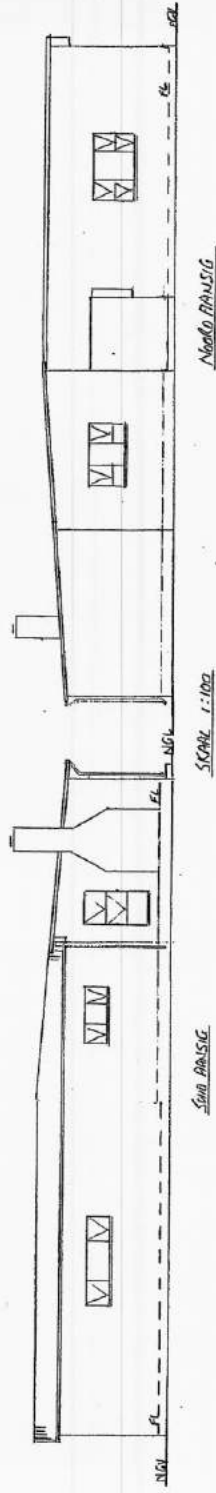
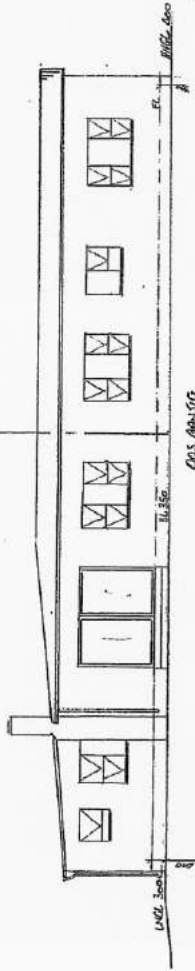
KLANT 3 VAN O

VOORGESTELDE NUWE AANBOUING VIR  
A.-J. OTTO  
OP ERF No 194 GELEË TE GANSBAAI

REMAAR: *A.J. Otto*  
J.J. van der Nest  
ARGITEKTONIESE  
DIENSTE  
SAGAP RED: *A.J. Otto*  
GETEKEN: *A.J. Otto*  
J.J. van der Nest  
Breedekraan 3  
KLEINBAAI, 7220  
Tel: 022 488 8860  
DATUM: *22.01.2021*  
TEK NO.: *Y. 0412*



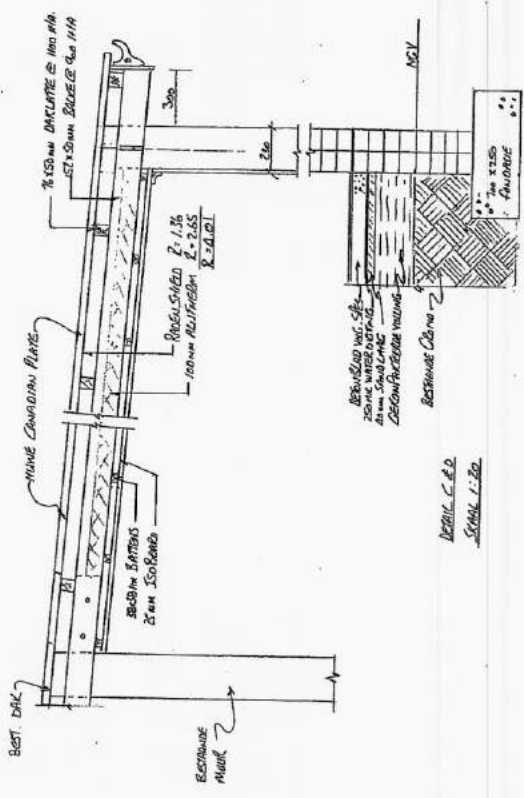
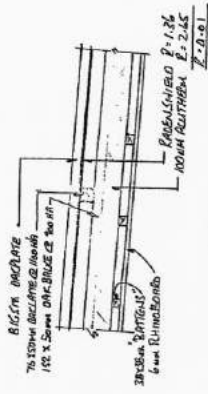
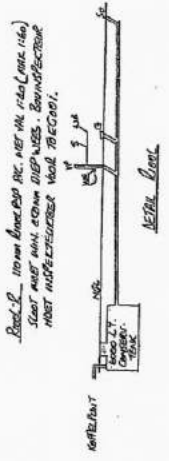
Bou. Sitema Appose Beplaning



LEADY A. VAN DER

VOORGESTELDE NIJWE AANBOUWING VIR  
A. J. OTTO  
OP ERF No 194 GELEB TE GANSBAAI

BIENNAAR: 14. 0276  
J.J. VAN DER NEST  
ARGENTONIESE  
DIENSTE  
BAGAP REG. 14137394  
GETEKEN: [Signature]  
J.J. VAN DER NEST  
DIENSTSTRAAT 3  
KLUIFSTRAAL 720  
8411 832 484 8880  
DATUM: 22.01.1921  
TEK. NO.: 210412



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 194, GANSBAAI**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing, standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 194, Gansbaai, unobstructed;
6. that no on-street parking be allowed.

*D.P. R. Hendriks*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

*04/05/2021*  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**12. ERF 11033, 21 MARINE DRIVE, WESTCLIFF, HERMANUS: APPLICATION FOR AMENDMENT OF THE SITE DEVELOPMENT PLAN: MESSRS PLANACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF ZELPY 1776 (PTY) LTD**

**11033 HWC (11033 HWC)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**22 April 2021**

---

**Executive Summary**

An application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, applicable to Erf 11033, Hermanus, has been received on 23 February 2021 from Messrs PlanActive Town and Regional Planners on behalf of Zelphy 1776 (Pty) Ltd for the amendment of the approved Site Development Plan (SDP) in order to:

- retain the existing conference/recreational building at its current position that had to be demolished in terms of the previous approved SDP and the omission of the new conference/recreational building that had to replace the current building at a different location on the property;
- reduce the number of approved guestrooms from thirty six (36) to thirty two (32) and to make provision for one (1) additional penthouse (two (2) in total) within the ambit of the existing structures; and to
- reduce the size of the public accessible areas within the restaurant building at the southern side of the property to 50m<sup>2</sup>.

**RESOLVED :**

1. that the application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 11033, Hermanus to amend the Site Development Plan (SDP) to:
  - (1) retain the existing conference/recreational building at its current position that had to be demolished in terms of the approved SDP and the omission of the new conference/recreational building that had to replace the current building at a different location on the property;
  - (2) reduce the number of approved guestrooms from thirty six (36) to thirty two (32) and to make provision for one (1) additional penthouses (two (2) in total) within the ambit of the existing structures; and to

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (3) reduce the size of the public accessible areas within the restaurant building at the southern side of the property to 50m<sup>2</sup>;

**be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:

- (a) that detailed building plans as per the above approvals must be submitted to the Building Department within thirty (30) days from the final date of the above approvals and once approved will together with the parking SDP her11033parking2.drw dated 01/2021 that was submitted with the application, be the approved SDP for the development on Erf 11033, Hermanus;
  - (b) that all the requirements of the Building Department and Fire Services must be complied with when evaluating the building plans in 2(a) above;
  - (c) that a copy of the approved building plans in (a) above must be provided to the Department: Planning and Infrastructure for its records immediately after approval thereof;
  - (d) that the total number of hotel rooms on the property be restricted to thirty-two (32) guest rooms and two (2) penthouses;
  - (e) that the conference/recreational building be for the sole utilisation of paying guests of the hotel;
  - (f) that all the applicable conditions of the previous approvals pertaining to the development of the property must still be complied with;
  - (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.
3. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

**REASONS FOR THE RESOLUTION:**

- ❖ No additional structures are to be constructed and only internal changes will be made.
- ❖ The development will be reduced resulting in less possible impacts.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- ❖ All services already exist on the property and no additional services are required.
- ❖ The current parking layout will remain unchanged.
- ❖ It is in line with forward planning being the promotion of the tourism industry.
- ❖ It is regarded as being desirable from a town planning perspective.



**PLA<sup>n</sup> Active**

Stads- en Streeksbeplanners  
Town & Regional Planners

Property Description:  
**ERF 11033  
HERMANUS**

Plan Description:  
**LOCALITY MAP**

Scale: **NTS**  
Drawing Nr: **Her11033.dwg**  
Date: **01/2021**

All distances approximate  
and subject to survey.  
COPY RIGHT RESERVED



*Blair Day 8/1/2001*

**NOTES:**

- Existing Structures
- Parking Bays

**PARKING SCHEDULE:**

Front number of Guestrooms = 32  
 Restaurant = 100 seats  
 Guest room = 28 Parking bays required.  
 Hotel guests = 100  
 Hotel Restaurant is reserved for  
 Hotel Guests  
 Parking requires = 0 Bays  
 Public parking = 10 Bays  
 Accessible to the General Public  
 5 parking requirements = 5 bays / 100m<sup>2</sup>  
 2 Permitted = 4 Parking Bays

**TOTAL NUMBER OF PARKING BAYS REQUIRED = 38**  
**TOTAL NUMBER OF PARKING BAYS PROVIDED = 42**

	Study on Streetscape Town & Regional Planners	All references approximate and subject to survey. COPY RIGHT RESERVED	Property Description: <b>ERF 11033                  HERMANIJS</b>	Scale: 1:500 Drawn by: [Name] Date: 01/2001
	<b>PARKING LAYOUT</b>			

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**13. ERF 2140, OXFORD CLOSE, HAWSTON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: FC FEBRUARY**

**2140 HHW**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**17 May 2021**

---

**Executive Summary**

An application was received on 2 November 2020 from FC February on Erf 2140, Hawston in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following departures:

- To relax the street building line from 2m to 0,9m to accommodate a carport,
- To relax the eastern lateral building line from 1m to 0m to accommodate a carport and garage.

**RESOLVED :**

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 2140, Hawston for the following departures:

- to relax the street building line from 2m to 0,9m to accommodate a carport,
- to relax the eastern lateral building line from 2m to 0m to accommodate the garage and carport;

**be partially approved** in terms of the provisions of Section 61 subject to the following conditions:

- (a) that the portion of the carport in line with the western garage wall in a western direction that encroaches the 2m street building line, be demolished to comply with the 2m street building line;
- (b) that this approval only relates to building line relaxations as indicated on the plan numbers dated 17 December 2020, and in line with condition (a), and
- (c) that building plans be submitted to the Building Department, and that all conditions set by the Building- and Fire Departments at that stage, be complied with;
- (d) that this approval does not absolve the owner/applicant from

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

compliance with any other relevant legislation;

- (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (f) that all the conditions in the Services Report, be complied with, and
  - (g) that all the conditions imposed by Telkom, be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above-mentioned approval.

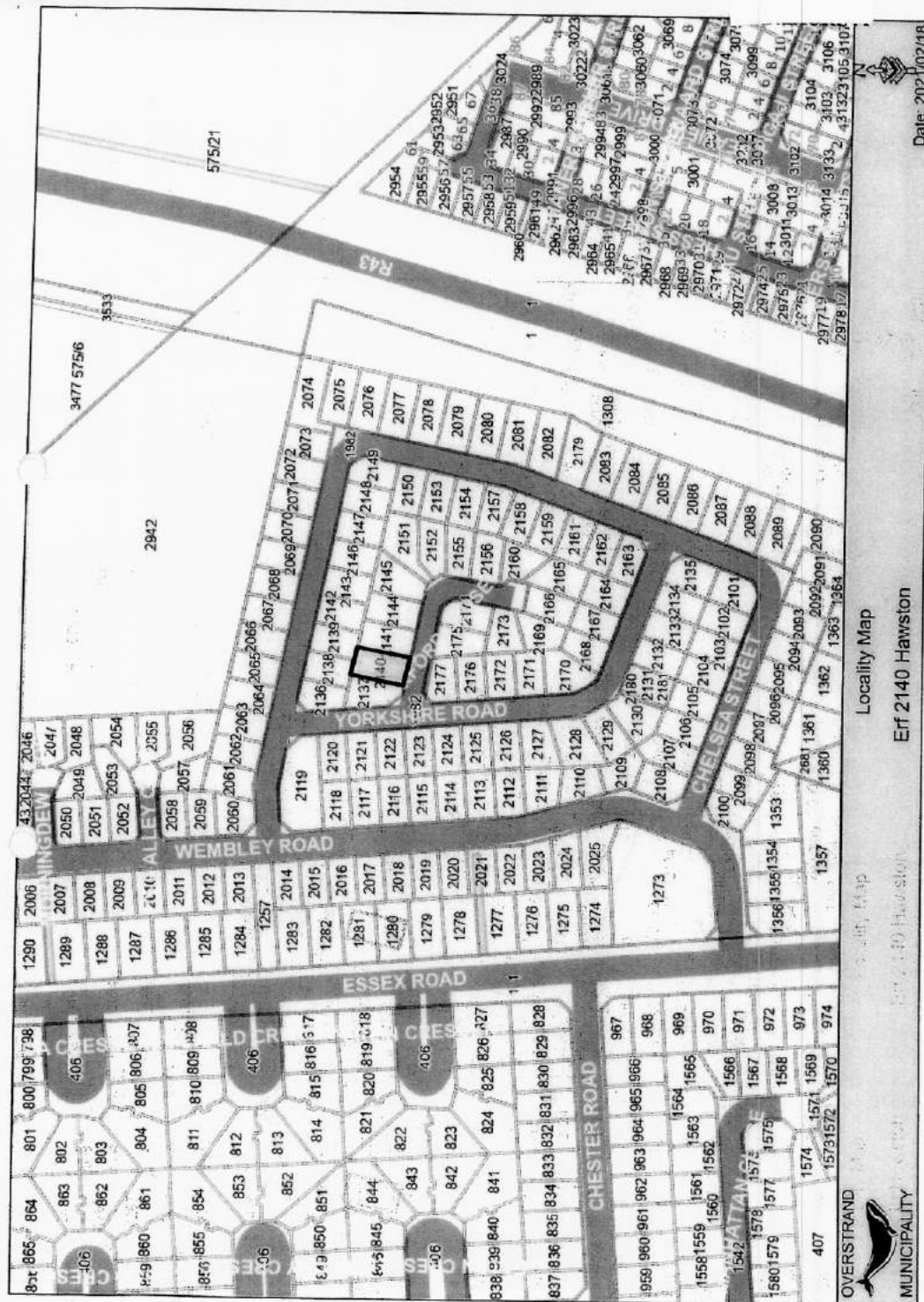
**REASONS FOR THE RESOLUTION:**

**SUPPORTED**

- ❖ The garage and carport over the lateral building line will be less than 50% of the total length of the lateral boundary.
- ❖ The portion of carport supported over the street building line will only be approximately 3m wide, and have a minimum impact on the street scape.
- ❖ No services will be impacted.
- ❖ No objections were received from neighbours.

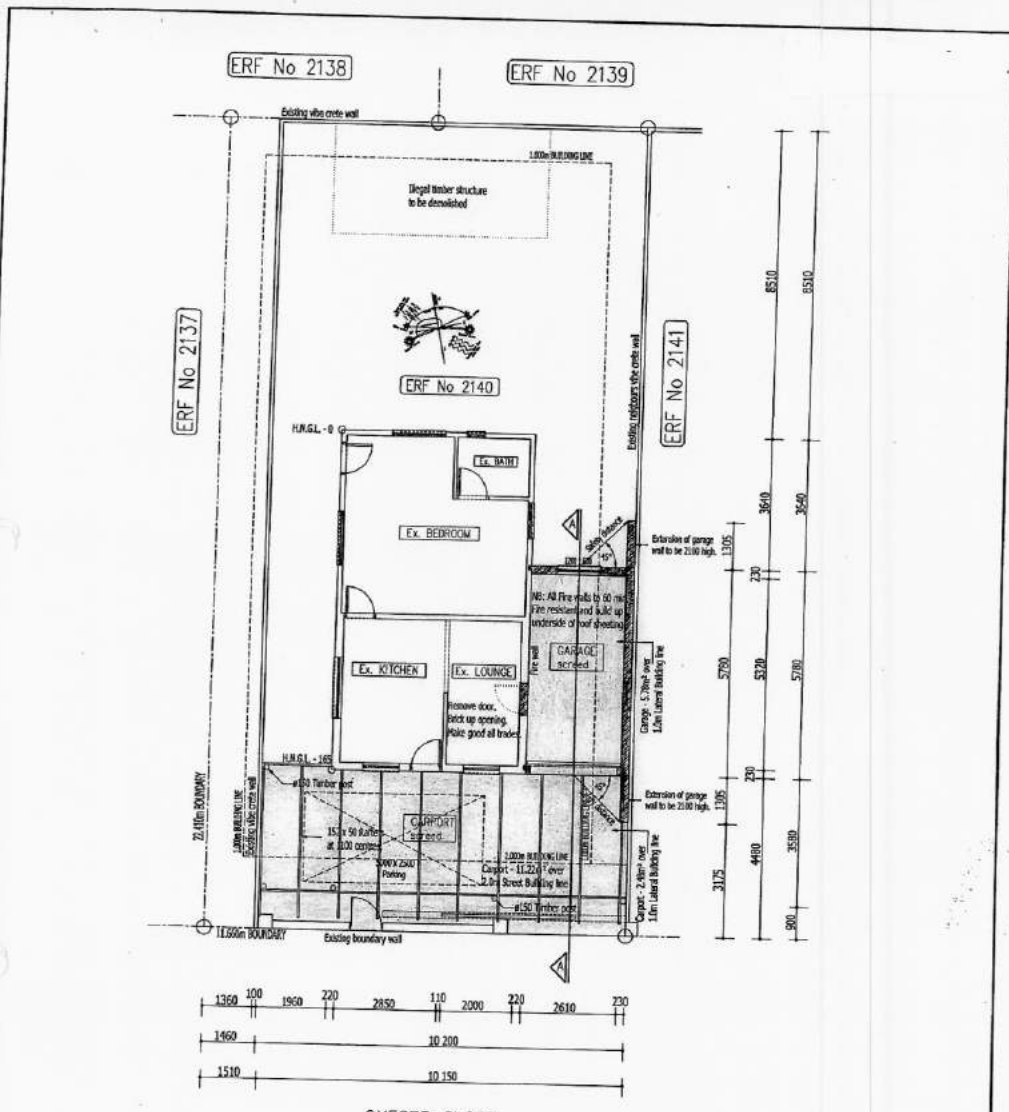
**NOT SUPPORTED**

- ❖ The Fire Department does not support a carport in front of windows and the front door, as it would impact fire safety.
- ❖ A carport with a total length of 10,15m, which is approximately 85% of the street boundary length, negatively impact the street scape.
- ❖ The owner can still create a 2m wide covered stoep in front of his house, in compliance with the Zoning Scheme, to ensure there is protection against the rain.




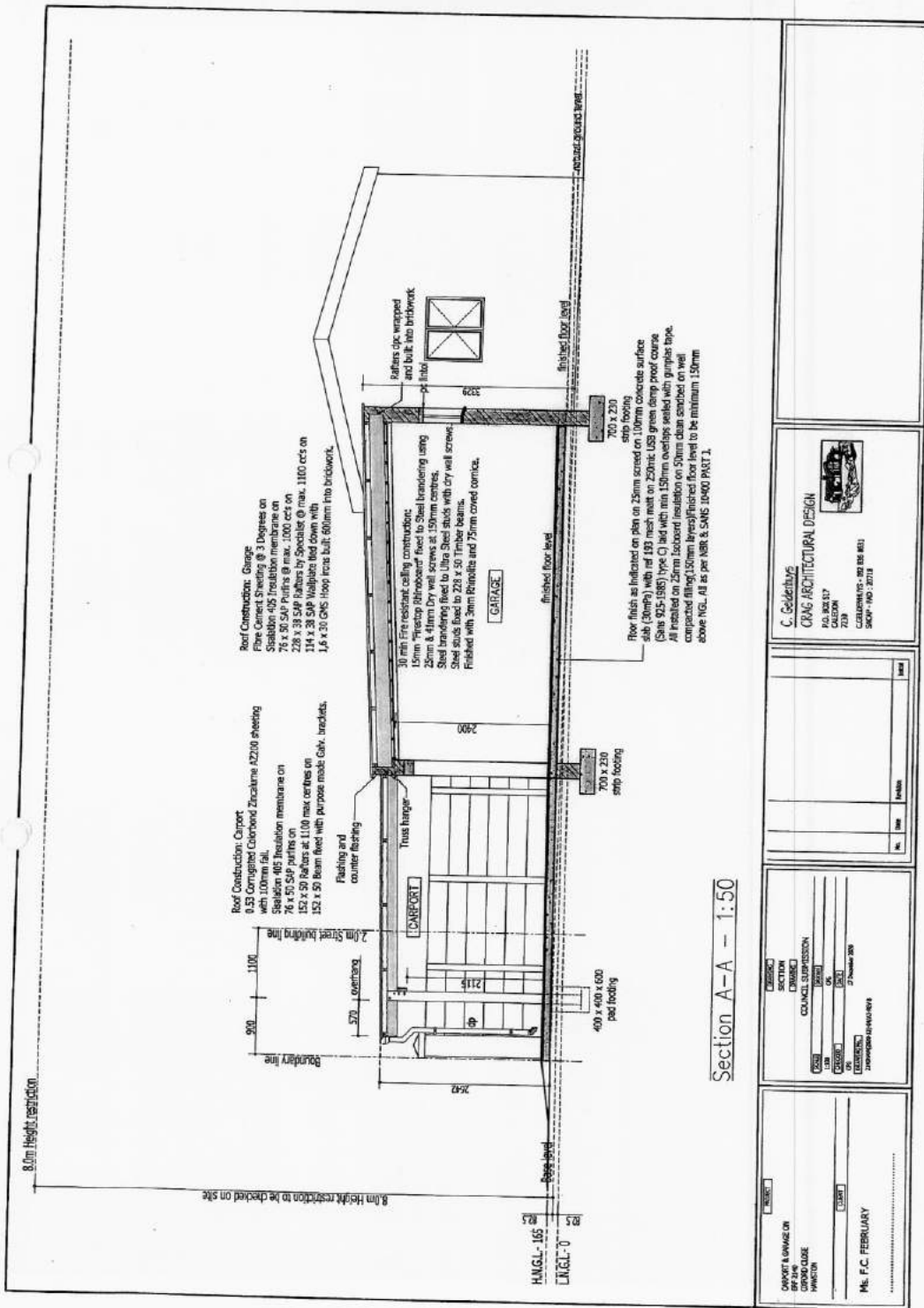
Locality Map  
Erf 1140 Hawtson





Site and Ground Floor Plan  
Scale 1:100


<p><b>PROJECT</b></p> <p>CARPORT &amp; GARAGE ON ERF 2140 OXFORD CLOSE WINSTON</p> <p><b>CLIENT</b></p> <p>Ms. F.C. FEBRUARY</p>	<p><b>DRAWING</b></p> <p>SITE &amp; GROUND FLOOR PLAN</p> <p><b>REVISIONS</b></p> <p>COUNCIL SUBMISSION</p> <table border="1"> <tr> <td>NO.</td> <td>DATE</td> <td>REVISION</td> </tr> <tr> <td>1</td> <td>01</td> <td>DATE</td> </tr> <tr> <td>2</td> <td>02</td> <td>DATE</td> </tr> </table> <p>DATE: 17 December 2010</p> <p>DRAWING NO: 210104020-02-0100-001</p>	NO.	DATE	REVISION	1	01	DATE	2	02	DATE	<table border="1"> <tr> <td>No.</td> <td>Date</td> <td>Revision</td> <td>Initial</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	No.	Date	Revision	Initial					<p><b>C. Geldenhuys</b> CRAG ARCHITECTURAL DESIGN</p> <p>P.O. BOX 517 CALDERON 7230</p> <p>CELLEREN AVS - 082 854 8631 SACAP - PMS - 20710</p> 
NO.	DATE	REVISION																		
1	01	DATE																		
2	02	DATE																		
No.	Date	Revision	Initial																	

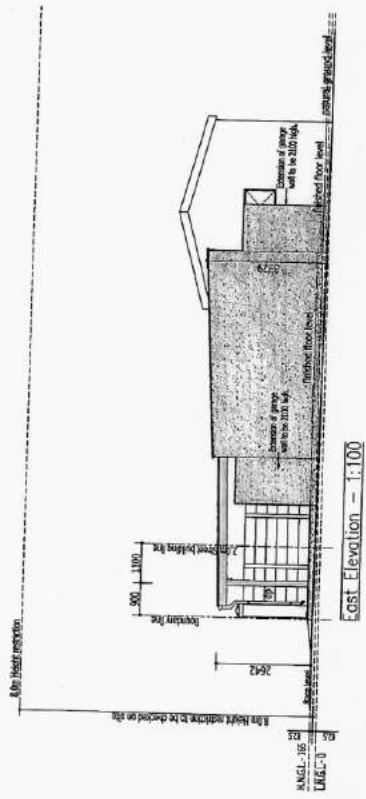


Section A-A - 1:50

<p>CONTRACT NUMBER OR BY LINE DRAWING NUMBER MASON</p> <p>DATE PROJECT</p> <p>MR. F.C. FEBRUARY</p>	<p>DESIGNER SECTION DRAWING COUNCIL SUPERVISION DATE SCALE OR REVISIONS</p>	<p>C. Geddes &amp; Co.          CRAG ARCHITECTURAL DESIGN          101, 102 &amp; 103          CALEDON          229          CALDERWAYS - 018 305 8611          9607 - 160 2713</p>
---	---	---



<p>C. Geddes  <b>CRAG ARCHITECTURAL DESIGN</b>          P.O. BOX 67          CALSON          220          CHARLESTON, MS 389 01          601-725-2070</p>	
	<p>CONTRACT &amp; DRAWING NO.          207-240          DRAWING NO.          100-101</p>
<p>DATE: _____</p>	
<p>PROJECT: _____</p>	
<p>CLIENT: _____</p>	
<p>Mr. F.C. FEBRUARY</p>	
<p>PROJECT NO. _____</p>	
<p>DATE: _____</p>	
<p>COUNCIL SUBMISSION</p>	
<p>DATE: _____</p>	
<p>BY: _____</p>	
<p>DATE: _____</p>	
<p>PROJECT NO. _____</p>	
<p>DATE: _____</p>	



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 2140, HAWSTON**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Operational Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 2140, Hawston, unobstructed;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that no on-street parking be allowed.

*Dennis Hendriks*  
**DENNIS HENDRIKS**  
SENIOR MANAGER: ENGINEERING SERVICES

*01/03/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**14. ERF 552, 7 STRANDLOPER AVENUE, VERMONT, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF CONDITION OF APPROVAL AND EXISTING SUBDIVISION PLAN: MESSRS PLAN ACTIVE ON BEHALF OF Y OUAKNINE**

**552 HVM  
H Olivier  
18 May 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application was received on 18 November 2020 from Messrs Plan Active on behalf of Y Ouaknine on Erf 552, Vermont in terms of Section 16(2)(h) and 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to amend the conditions of approval and also to amend the approved subdivision plan in order to register a proposed access servitude over Erf 703, Vermont.

**RESOLVED :**

1. that the application in terms of Section 47 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 522, Vermont for an application in terms of Section 16(2)(h) to amend conditions 1(a) and 1(b) in the Land Use approval dated 12 January 2015, **be approved** in terms of Section 61, and read as follows:

*“1(a) that the final subdivision plan be submitted in line with Plan No VERM552(6).drw dated October 2020, as submitted with the application;”*

*“1(b) that an access servitude be registered over the panhandle portion of the newly created Portion A in favour of the Remainder and that an access servitude be registered over a corner of Erf 703, Vermont (as indicated on Plan No VERM552(6).drw dated October 2020, in favour of the newly created Portion A and the Remainder.”*

2. that the application in terms of Section 47 of the By-Law for an application in terms of Section 16(2)(h) to amend the existing subdivision plan, in order to register a proposed access servitude over Erf 703, Vermont, **be approved** in terms of Section 61;
3. that the approvals in 1 and 2 above be subject to the following conditions:
  - (a) that all the other conditions in the approval dated 12 January 2015 and the extension of time approval be complied with, and

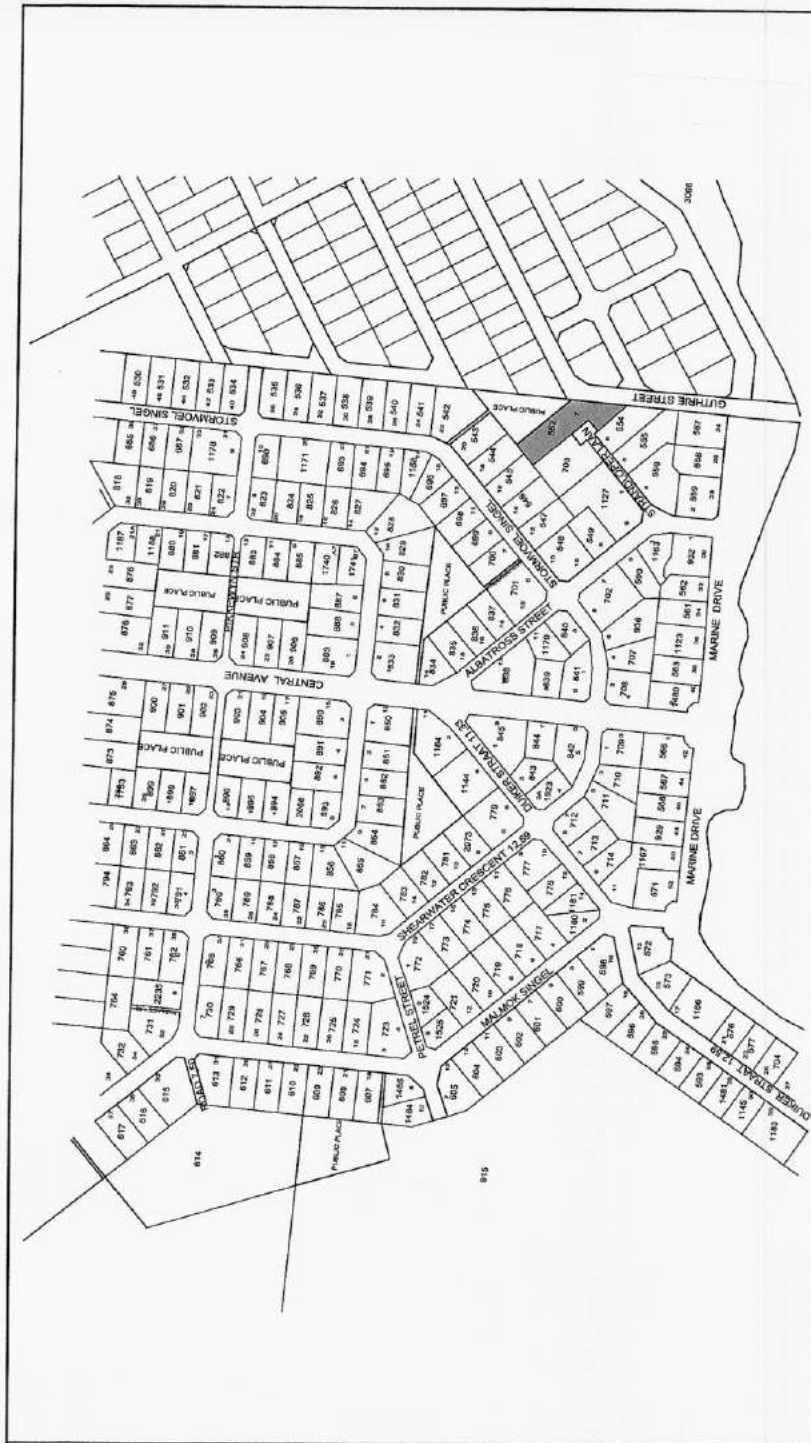
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

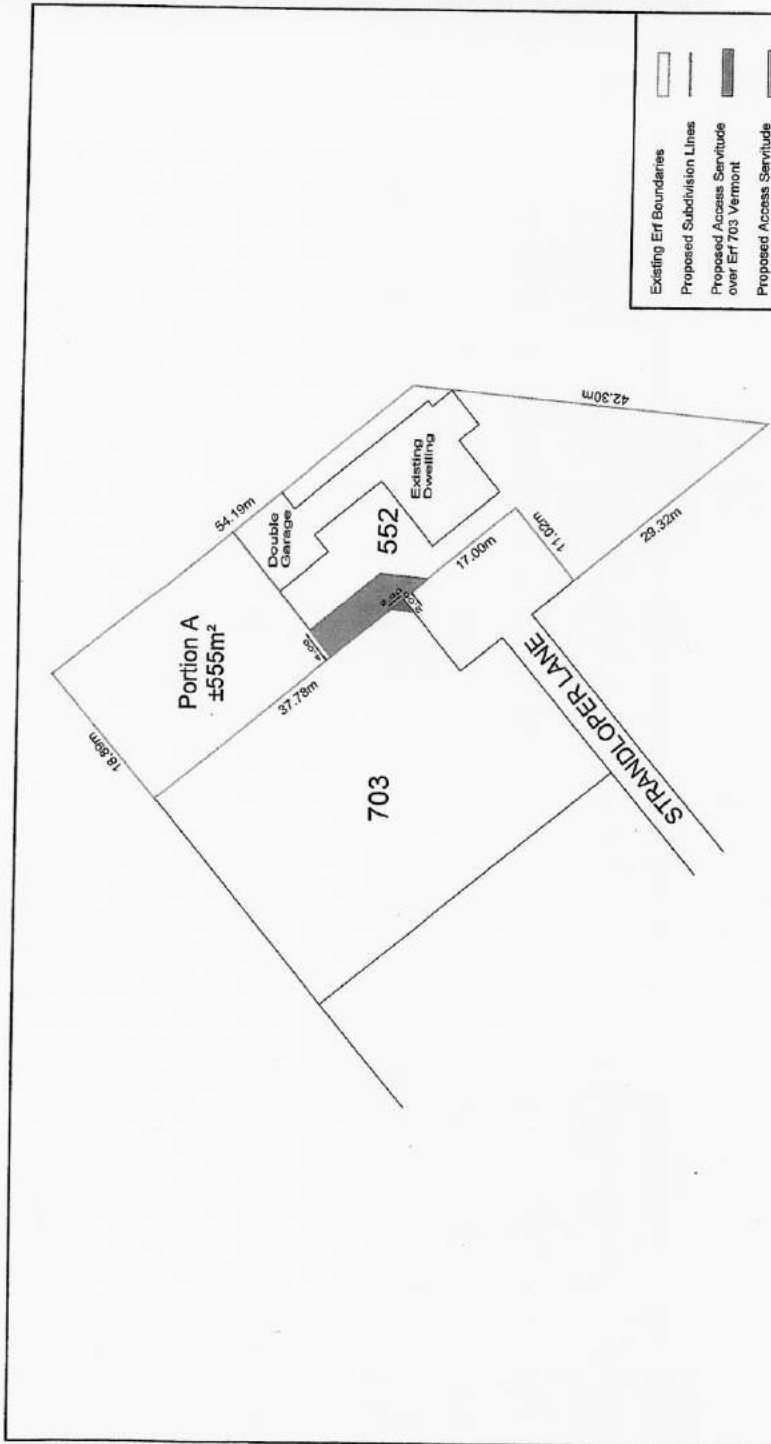
- (b) that the conditions in the services report be complied with.
4. that the portion of the wall on Erf 703, Vermont and any existing structures blocking access to the pan-handle serving the new portion and the right-of-way servitudes, **be demolished**, prior to the registration of the new portion, and
  5. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the abovementioned approval.

**REASONS FOR THE RESOLUTION:**

- ❖ The application has followed due procedure.
- ❖ The application will not impact on the surrounding community, character of the area or services.



	<b>Stads-en Strecksbeplanners</b> <b>Town &amp; Regional Planners</b>	All distances approximate and subject to survey.	<b>Property Description:</b> <b>ERF 552</b> <b>VERMONT</b>	<b>Plan Description:</b> <b>LOCALITY MAP</b>	<b>Scale:</b> NTS <b>Drawing NF:</b> vwm552i.dwg <b>Date:</b> JANUARY 2020
	<b>PLAN Active</b>		COPY RIGHT RESERVED		



Existing Erf Boundaries  
 Proposed Subdivision Lines  
 Proposed Access Servitude over Erf 703 Vermont  
 Proposed Access Servitude over Proposed Portion A



Scale: 1:600  
 Drawing Nr: vsm552(6).dwg  
 Date: OCTOBER 2020

Plan Description:  
**SUBDIVISION PLAN**

Property Description:  
**ERF 552 VERMONT**

All distances approximate and subject to survey.  
 COPY RIGHT RESERVED

**PLAN ActiveTown & Regional Planners**  
 Stads- en Streeksbeplanners

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR AMENDMENT OF EXISTING SUBDIVISION PLAN &  
AMENDMENT OF PREVIOUS CONDITIONS OF APPROVAL: ERF 552,  
VERMONT**

**Conditions:**

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

**Conditions**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 - P:2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 1409, Vermont, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.

*p.p. D. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*12/02/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**15. ERF 2602, 17 VILJOEN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS JLR & ASSOCIATES ON BEHALF OF JR & SP BARNARD**

**2602 HON**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**26 April 2021**

---

**Executive Summary**

An application was received on 16 October 2020 from Messrs JRL & Associates on behalf of JR & SP Barnard on Erf 2602, Onrustrivier in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following departures:

- to relax the eastern lateral building line from 2m to 1,57m to accommodate a portion of a proposed new covered patio, and
- to relax the western lateral building line from 2m to 0m, to accommodate a garage longer than 9m in length.

**RESOLVED :**

1. that the application for departure in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 2602, Onrustrivier in order to relax the following:
  - the eastern lateral building line from 2m to 1,57m to accommodate a portion of proposed new covered patio.
  - the western lateral building line from 2m to 0m, to accommodate a garage longer than 9m in length

**be approved**, subject to Section 61 of the By-Law subject to the following conditions:

- (a) that this approval only relates to a building relaxation as indicated on plan numbers BOR/04/2020 dated September 2020, as submitted with the application;
- (b) 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;
- (c) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with;
- (d) that this approval does not absolve the applicant from compliance with

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

any other relevant legislation;

- (e) that all the conditions in the Services Report, be complied with;
  - (f) that all the conditions imposed by Eskom, be complied with, and
  - (g) that all the conditions imposed by Telkom, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decision.

**REASONS FOR THE RESOLUTION:**

- The application has followed due procedure.
- No objections were received.
- It is in line with policy documents.
- The application will not have an impact on surrounding neighbours or the character of the area
- The application is regarded as being desirable from a town planning point of view.



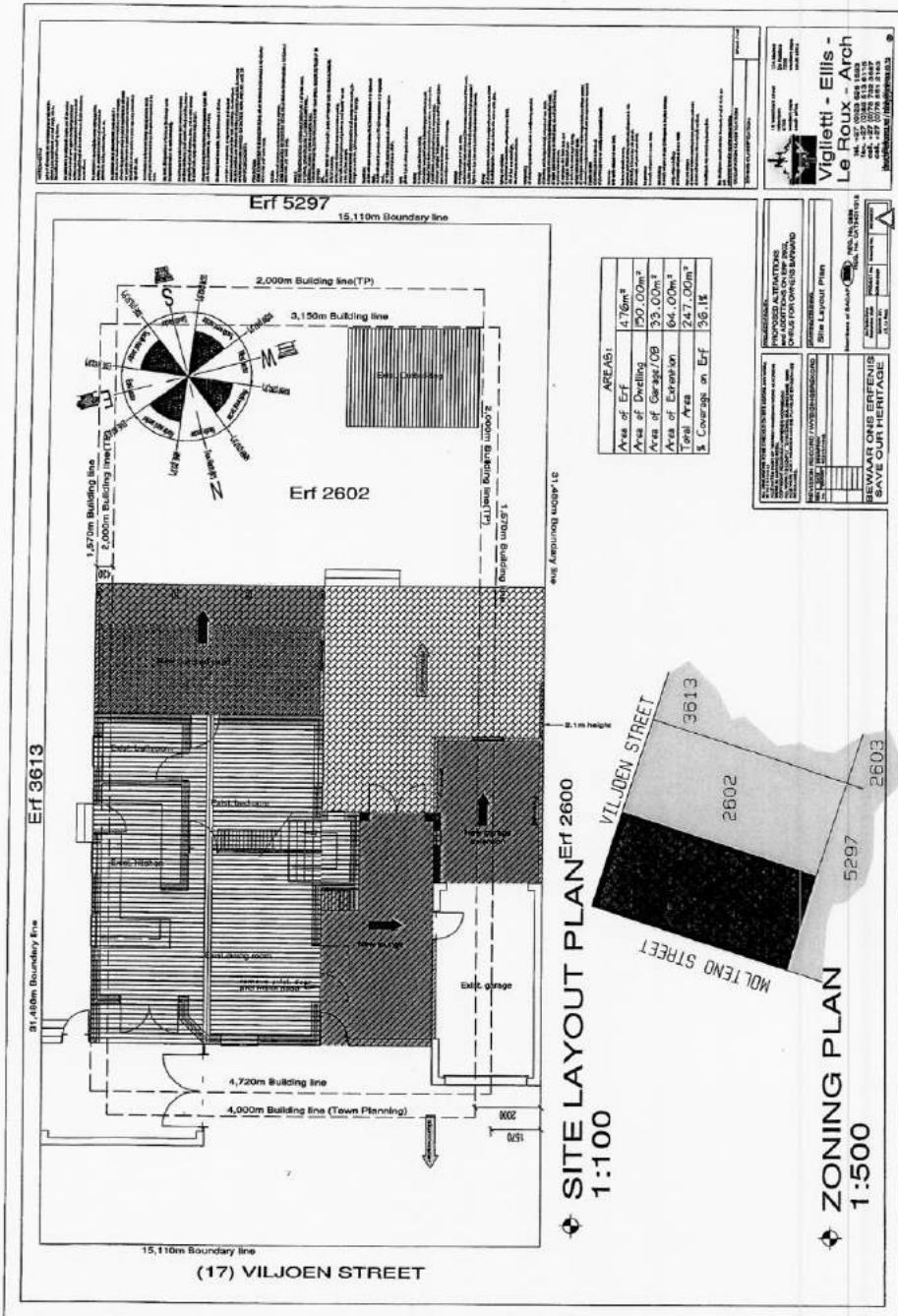
OVERSTRAND  
MUNICIPALITY

V ANNEXURE

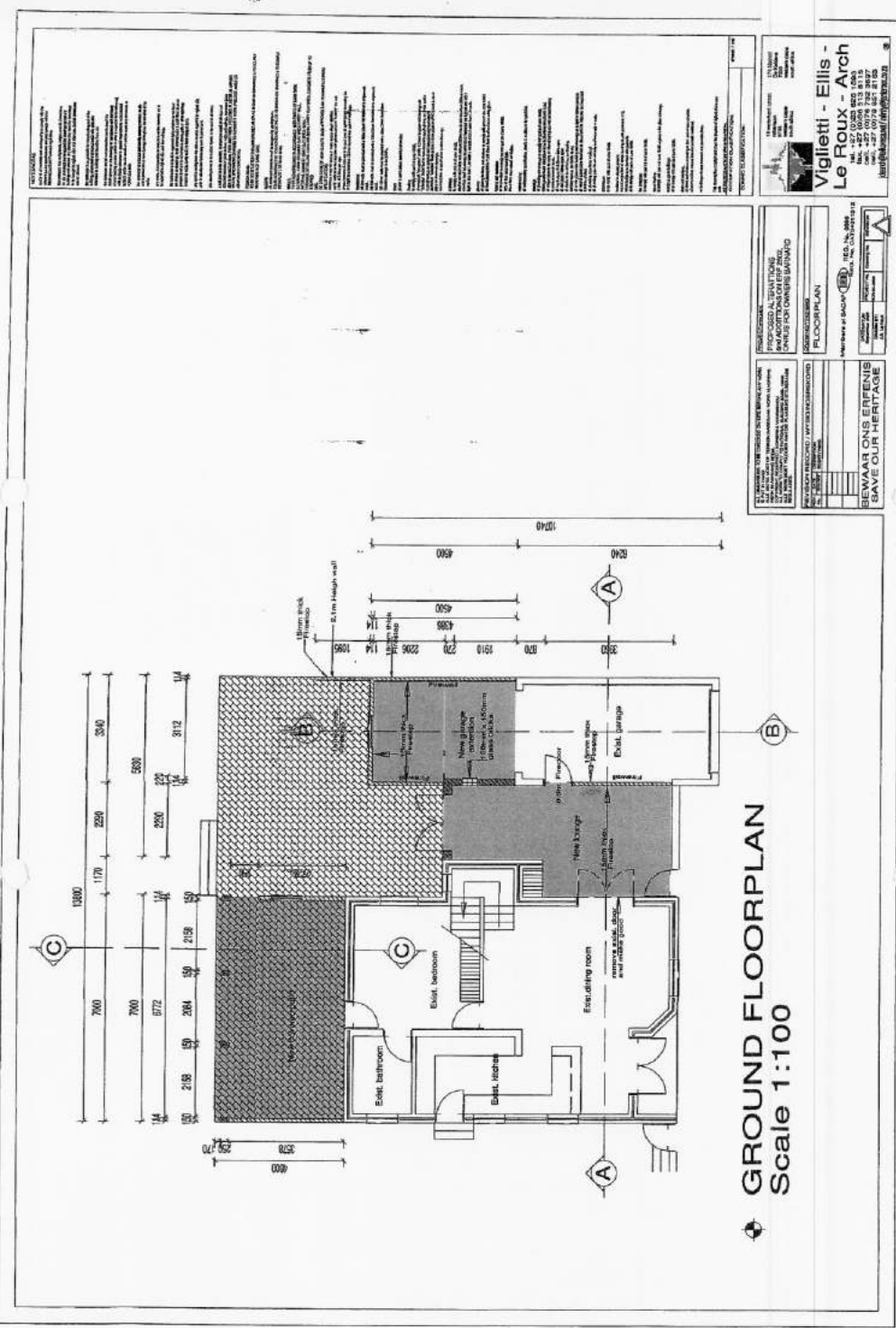
Erf 2602 Onrus River

Locality Map

Date: 2012







**SECTION A-A**  
Scale 1:100

**SECTION B-B**  
Scale 1:100

**SECTION C-C**  
Scale 1:100

**PROFESSIONAL SEAL**  
 ARCHITECT  
 VIGLIETTI - ELLIS - Le ROUX - ARCH  
 1700 W. 10th Street  
 St. Paul, MN 55102  
 Tel: 612-292-8083  
 Fax: 612-292-8084  
 Email: info@leroux-arch.com  
 Website: www.leroux-arch.com

**BEWAAR ONS ERFENIS  
SAVE OUR HERITAGE**





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 2602, ONRUS RIVER**

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

**Conditions**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 – P:2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 2602, Onrus River, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**16. ERF 6594, 21 ESSEBOOM AVENUE, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: PROPOSED DEPARTURE: A GROBLER**

**6594 KKM**

**H van der Stoep  
26 June 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application has been received on 30 March 2021 from A Grobler on Erf 6594, Kleinmond for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to relax the eastern lateral building line from 2m to 1m to accommodate a proposed carport and exceed the 9m or third requirement of the Overstrand Land Use Scheme Section 16.(c).

**RESOLVED :**

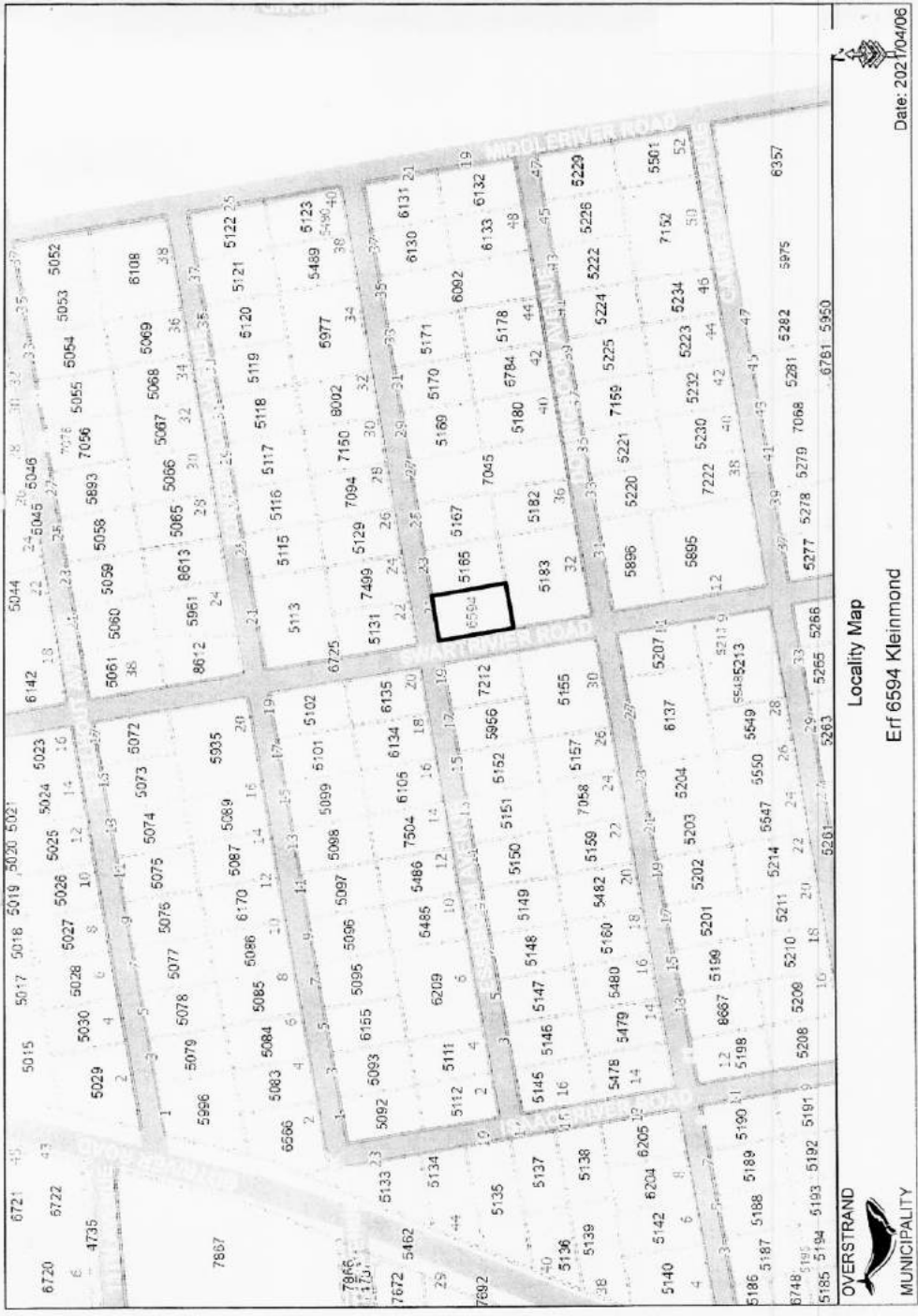
1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2020 on Erf 6594, Kleinmond for a departure in order to relax the western lateral building line from 2m to 1m to accommodate the proposed carport and exceed the 9m or third requirement of the Overstrand Land Use Scheme Section 16.(c)., **be approved**, subject to the following conditions:
  - (a) that this approval is only for the development as indicated on the plans dated February 2021, as submitted with the application;
  - (b) that no other structures over the eastern building line be allowed;
  - (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, and
  - (e) 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 Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR THE RESOLUTION:**

- ❖ The structure has approved building plans.
- ❖ The surrounding owner did not object.
- ❖ The proposed carport will be located alongside of the adjacent neighbour's garage and thus will have no impact.



Date: 2021/04/06

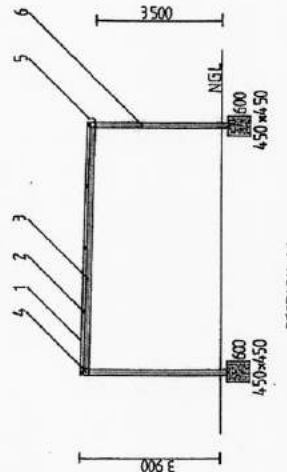
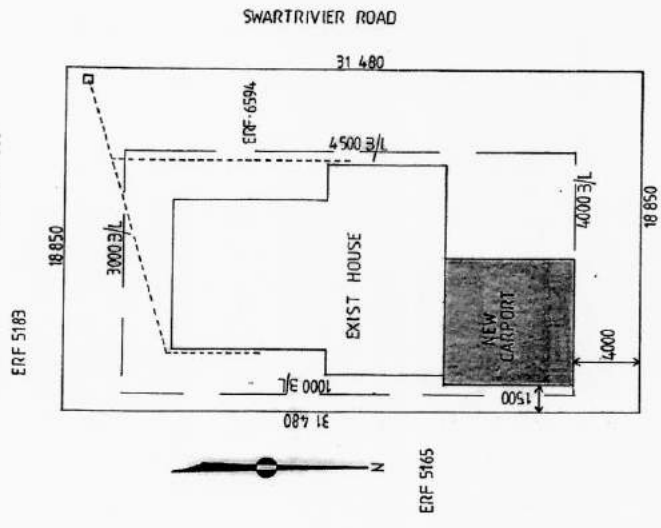
Locality Map  
Erf 6594 Kleinmond



**REVISIONS:**  
**REVISIONS:**  
 1 = 100 x 50 x 203 2mm Lipred Channel Profile  
 2 = 100 x 50 x 203 2mm Lipred Channel Profile  
 3 = 100 x 50 x 203 2mm Lipred Channel Profile  
 4 = 100 x 50 x 203 2mm Lipred Channel Profile  
 5 = Aluminium Gutter  
 6 = 100mm Gals Steel Post  
**24.9.2021:**  
 Existing house (ground) 244.45m2  
 New Carport 40.00m2  
 Total build on Erf 289.45m2  
 Erf 5183  
 Erf 5185  
**GENERAL:**  
 \*All measurements in mm.

**NEW CARPORT FOR  
 CHRIS GROBLER ON  
 ERF 6594, ESSEBOOM STREET,  
 KLEINMOND**  
 DRAWN BY:  
 J.J. Meiring  
 SACAP-00237  
 Cell: 084 004 4937  
 DATE: February 2021  
 SCALE: 1:100

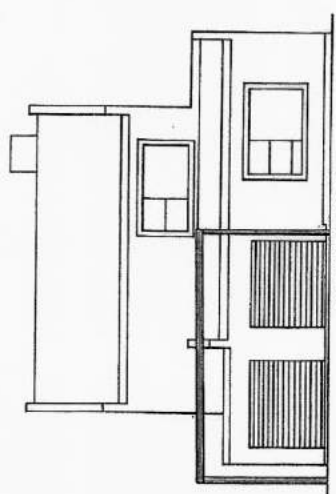
SCALE 1:200



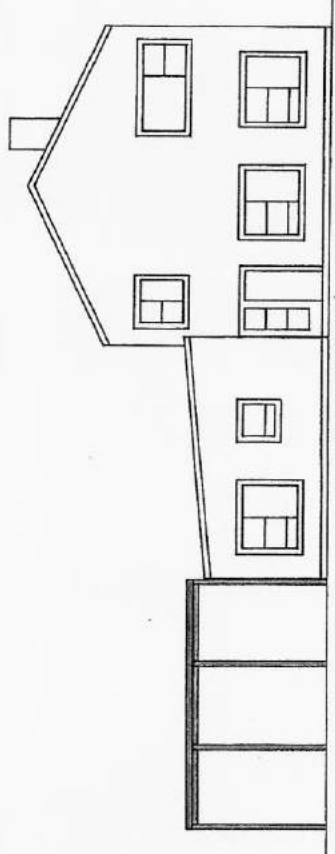


**SUMMARY:**  
**SECTIONAL:**  
 1 = HR Facchiworks  
 2 = 100 x 50 x 20 x 2mm Upped Channel Profiles  
 3 = 175 x 50 x 20 x 2mm Upped Channel Frame  
 4 = 275 x 50 x 20 x 2mm Upped Channel Frame  
 5 = Aluminium Gutter  
 6 = 200mm Galv Steel Posts  
 7. Handl...  
 8.0m House (ground)  
 9.0m post  
 10.0m in air  
 11.0m  
 12.0m  
 13.0m  
 14.0m  
 15.0m  
 16.0m  
 17.0m  
 18.0m  
 19.0m  
 20.0m  
 21.0m  
 22.0m  
 23.0m  
 24.0m  
 25.0m  
 26.0m  
 27.0m  
 28.0m  
 29.0m  
 30.0m  
 31.0m  
 32.0m  
 33.0m  
 34.0m  
 35.0m  
 36.0m  
 37.0m  
 38.0m  
 39.0m  
 40.0m  
 41.0m  
 42.0m  
 43.0m  
 44.0m  
 45.0m  
 46.0m  
 47.0m  
 48.0m  
 49.0m  
 50.0m  
 51.0m  
 52.0m  
 53.0m  
 54.0m  
 55.0m  
 56.0m  
 57.0m  
 58.0m  
 59.0m  
 60.0m  
 61.0m  
 62.0m  
 63.0m  
 64.0m  
 65.0m  
 66.0m  
 67.0m  
 68.0m  
 69.0m  
 70.0m  
 71.0m  
 72.0m  
 73.0m  
 74.0m  
 75.0m  
 76.0m  
 77.0m  
 78.0m  
 79.0m  
 80.0m  
 81.0m  
 82.0m  
 83.0m  
 84.0m  
 85.0m  
 86.0m  
 87.0m  
 88.0m  
 89.0m  
 90.0m  
 91.0m  
 92.0m  
 93.0m  
 94.0m  
 95.0m  
 96.0m  
 97.0m  
 98.0m  
 99.0m  
 100.0m

**GENERAL:**  
 \*All measurements in mm.



NORTH ELEVATION



WEST ELEVATION

**NEW CARPORT FOR  
 CHRIS GROBLER ON  
 ERF 6594, ESSEBOOM STREET,  
 KLEINMOND**

**DRAWN BY:**  
 J. Neling  
**SACAP 20237**  
 Cell: 064 604 4837  
 DATE: February 2021  
 SCALE: 1:100

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**17. REMAINDER FARM NO. 892, SITUATED IN THE OVERSTRAND MUNICIPALITY, DIVISION CALEDON: APPLICATION FOR CONSENT USE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF ELEPHANT VENTURES AFRICA CC**

**RCAL Rem Farm No. 892**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**28 March 2021**

---

**Executive Summary**

An application has been received on 19 December 2019 from Messrs Interactive Town & Regional Planners on behalf of Elephant Ventures CC on the Remainder of Farm No. 892, Kleinmond for a consent use in terms of Section 16(2)(o) of the By-Law to accommodate tourist facilities consisting of a reception area including a dining area and curio-shop with ancillary uses.

**RESOLVED :**

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Remainder of Farm No. 892, Kleinmond for a consent use to accommodate tourist facilities consisting of a reception area including a dining area and curio-shop with ancillary uses, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that this approval is only for the development as indicated on plan numbers Drawings 00, 02 and 03, as submitted with the application;
  - (b) 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;
  - (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 all the conditions in the Services Report, be complied with;
  - (f) that all the conditions imposed by Western Cape Government : Transport & Public Works, be complied with;
  - (g) that all the conditions imposed by Eskom, be complied with;

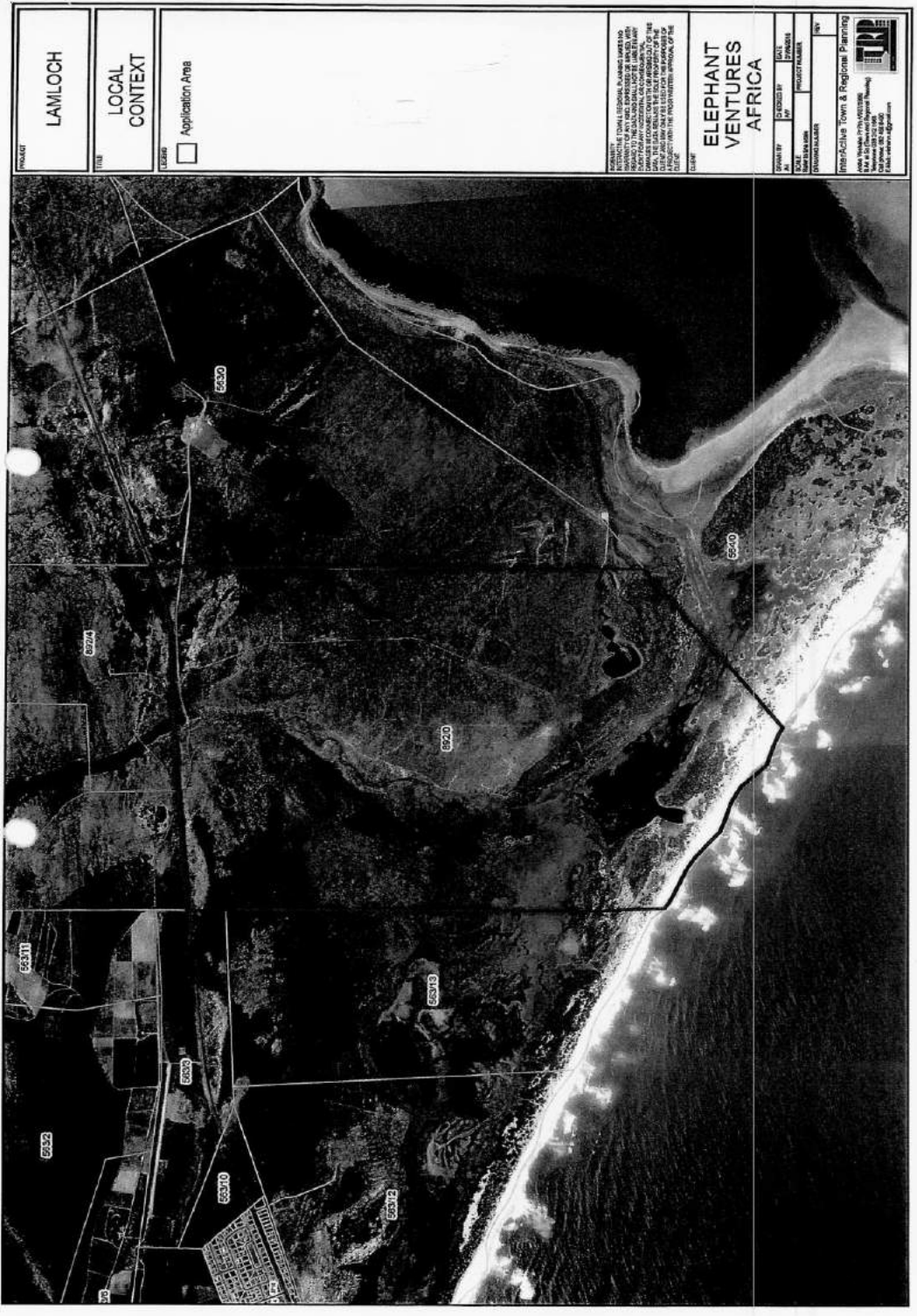
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (h) that the selling and serving of liquor on the premises will be subject to the applicant obtaining the necessary liquor license;
  - (i) that there be compliance with all relevant Health and Fire Regulations;
  - (j) that the site must have a dedicated waste storage area as per part of the National Building Regulations (SANS 10400), and all refuse must then be removed from the property to a registered dump site;
  - (k) that commercial rates and taxes, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget, and
  - (l) that application be made for a business license at the Overstrand Municipality prior to the operation of the facility.
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, 2015 with regard to the above decision.

**REASONS FOR THE RESOLUTION:**

- ❖ The application will open up tourism in the Kleinmond area.
- ❖ No objections were received by Provincial Departments.
- ❖ The application erf is located in existing buildings, thus no impact on the environment.



PROJECT  
**LAMLOCH**

TITLE  
**LOCAL CONTEXT**

LEGEND  
 Application Area

FOR THE PURPOSES OF THIS DOCUMENT, THE INFORMATION CONTAINED HEREIN IS PROVIDED AS IS AND WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

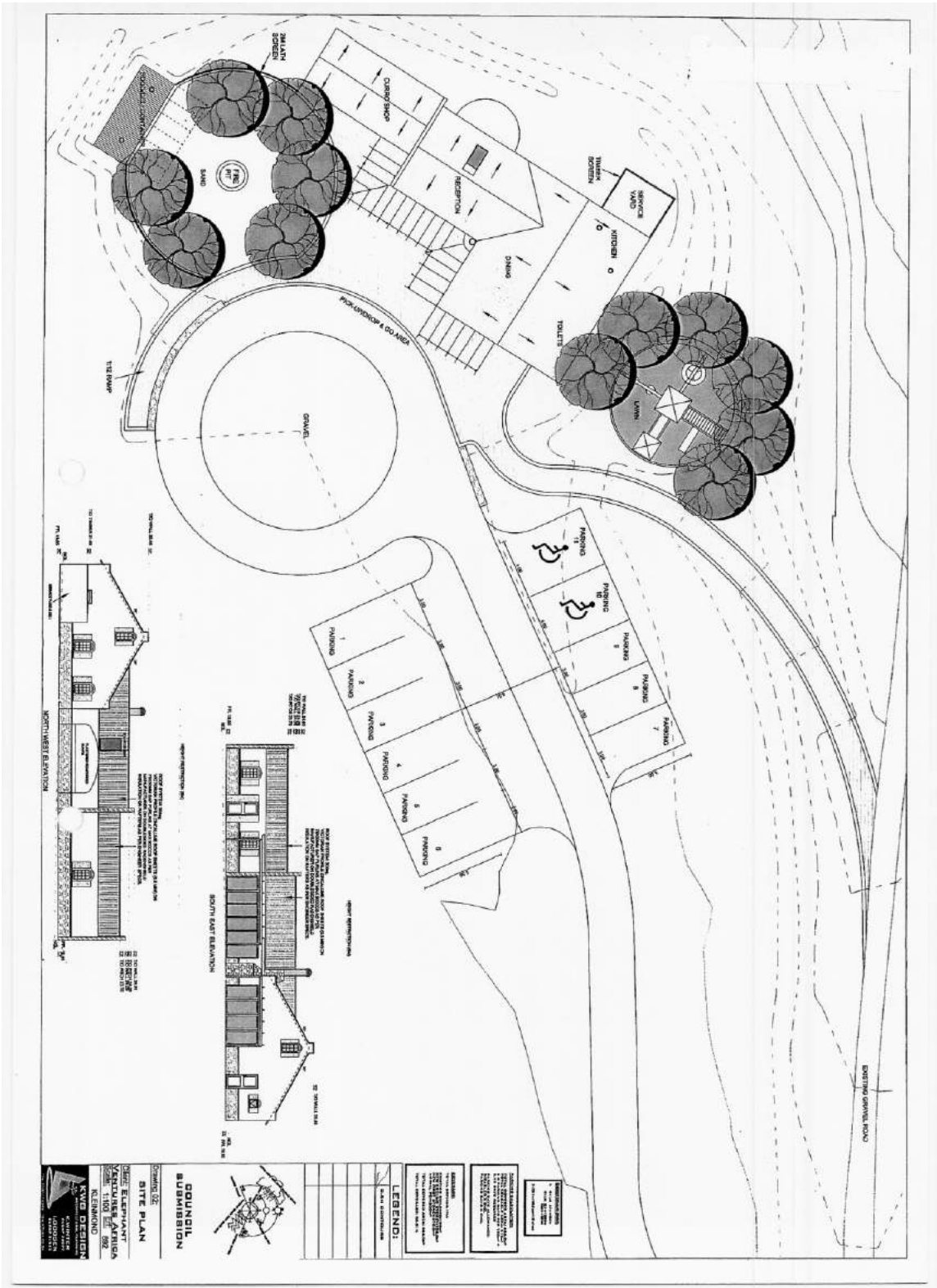
CLIENT  
**ELEPHANT VENTURES AFRICA**

APPROVED BY: [Signature]  
 DATE: [Date]  
 PROJECT NUMBER: [Number]  
 DRAWING NUMBER: [Number]

PREPARED BY: [Signature]  
 DATE: [Date]  
 PROJECT NUMBER: [Number]  
 DRAWING NUMBER: [Number]

**Metropolitan Town & Regional Planning**  
 1000 Highway 107, Westville  
 Durban 4013, South Africa  
 Tel: +27 31 201 1000  
 Email: info@metroplan.co.za

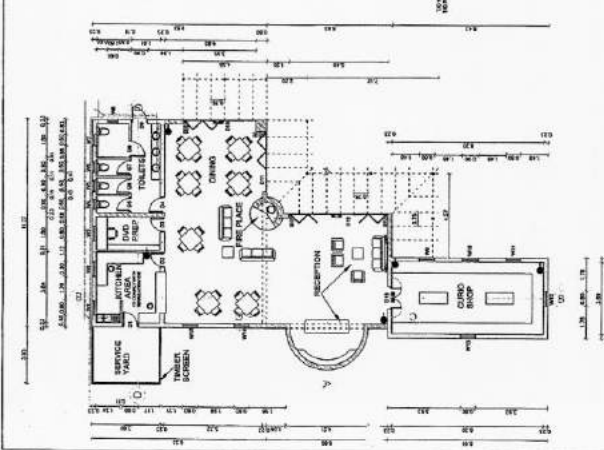
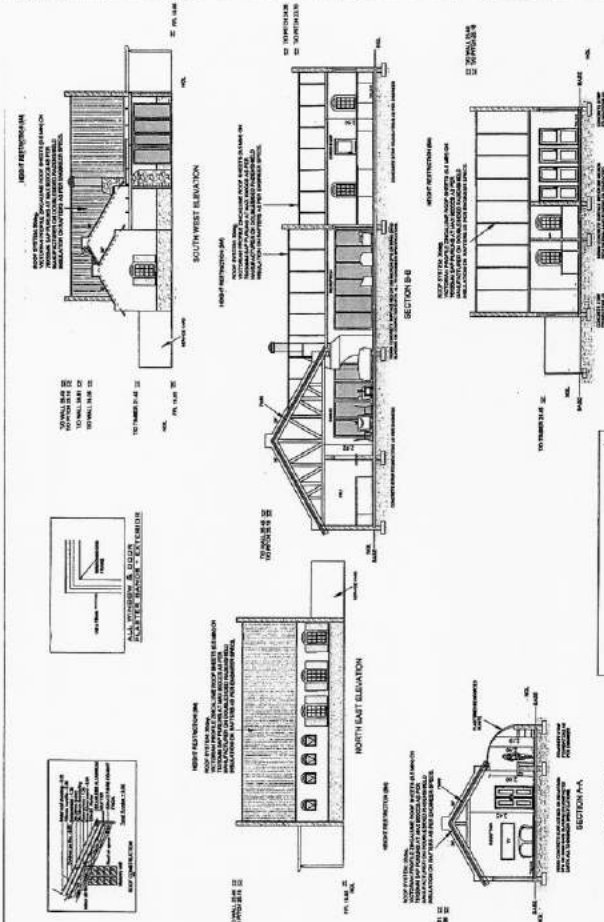




**LEGEND:**

1	NEW CONCRETE
2	NEW BRICKWORK
3	NEW PLASTER
4	NEW ROOFING
5	NEW GLAZING
6	NEW PAINT
7	NEW FLOORING
8	NEW MASONRY
9	NEW ROOFING
10	NEW PAINT
11	NEW FLOORING
12	NEW MASONRY
13	NEW ROOFING
14	NEW PAINT
15	NEW FLOORING
16	NEW MASONRY
17	NEW ROOFING
18	NEW PAINT
19	NEW FLOORING
20	NEW MASONRY

NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.  
 2. ALL WORK IS TO BE ACCORDING TO THE S.A. STANDARD SPECIFICATIONS FOR BUILDING CONTRACTS, 1995 EDITION.  
 3. ALL MATERIALS TO BE USED SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.  
 4. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 5. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 6. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 7. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 8. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 9. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 10. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 11. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 12. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 13. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 14. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 15. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 16. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 17. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 18. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 19. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 20. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



**COUNCIL SUBMISSION**

GENERAL  
 JACK ELEANANT  
 VENTURUS AFRICA  
 1000 11th St  
 KENILWOOD



PROJECT: [Project Name]  
 CLIENT: [Client Name]  
 DATE: [Date]

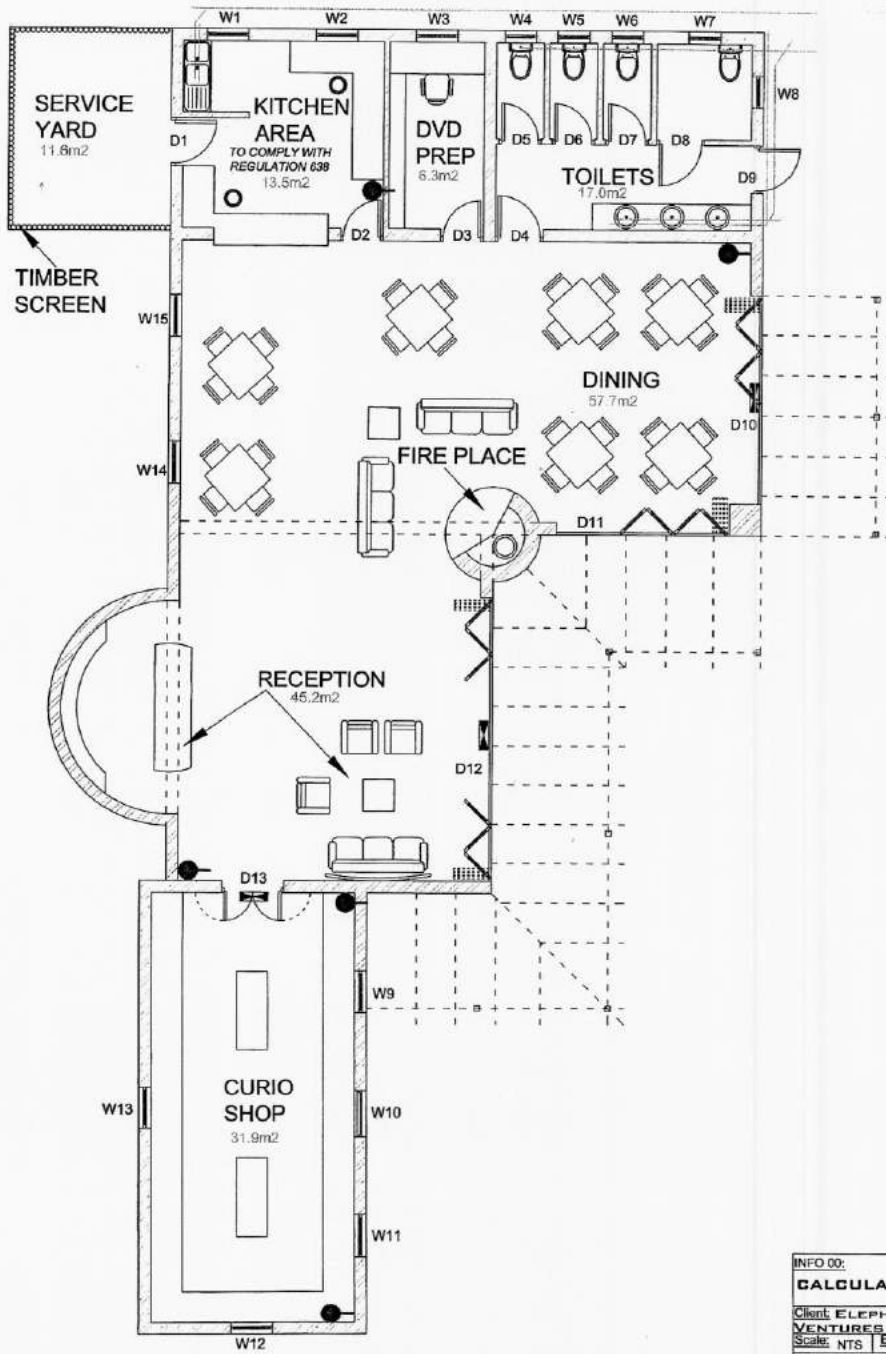
ARCHITECT: [Architect Name]  
 ADDRESS: [Address]  
 CONTACT: [Contact Info]

SCALE: [Scale]  
 DRAWING NO: [Drawing No]

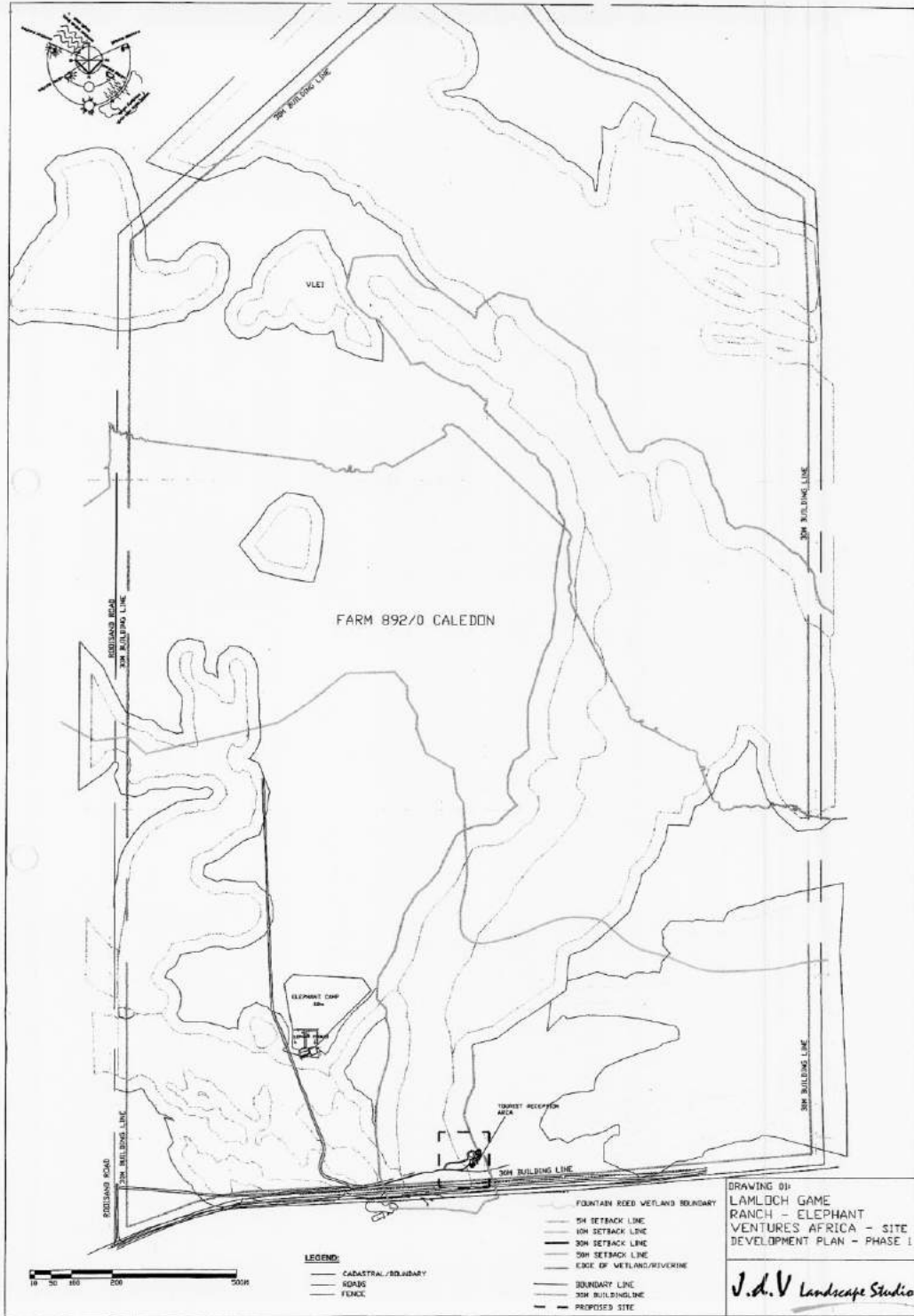
DATE: [Date]  
 BY: [Name]  
 CHECKED: [Name]

PROJECT: [Project Name]  
 CLIENT: [Client Name]  
 DATE: [Date]

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	m <sup>3</sup>	1500	150000
2	BRICKWORK	200	m <sup>2</sup>	1000	200000
3	PLASTER	300	m <sup>2</sup>	500	150000
4	ROOFING	400	m <sup>2</sup>	1200	480000
5	GLAZING	500	m <sup>2</sup>	2000	1000000
6	PAINT	600	m <sup>2</sup>	300	180000
7	FLOORING	700	m <sup>2</sup>	800	560000
8	MASONRY	800	m <sup>2</sup>	1000	800000
9	ROOFING	900	m <sup>2</sup>	1200	1080000
10	PAINT	1000	m <sup>2</sup>	300	300000
11	FLOORING	1100	m <sup>2</sup>	800	880000
12	MASONRY	1200	m <sup>2</sup>	1000	1200000
13	ROOFING	1300	m <sup>2</sup>	1200	1560000
14	PAINT	1400	m <sup>2</sup>	300	420000
15	FLOORING	1500	m <sup>2</sup>	800	1200000
16	MASONRY	1600	m <sup>2</sup>	1000	1600000
17	ROOFING	1700	m <sup>2</sup>	1200	2040000
18	PAINT	1800	m <sup>2</sup>	300	540000
19	FLOORING	1900	m <sup>2</sup>	800	1520000
20	MASONRY	2000	m <sup>2</sup>	1000	2000000



INFO 00:  
**CALCULATIONS**  
Client: ELEPHANT  
VENTURES AFRIC  
Scale: NTS | Erf: 892  
KLEINMOND  
**KWG DESIGN**  
ARCHITECTURAL PLANNING  
K. WINTER  
2008 2009  
I. GOOSEN  
GROUP #1218



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE: REMAINDER FARM NO. 892,  
DIVISION CALEDON**

Electricity : Eskom area  
Stormwater : No services available  
Water : No services available  
Sewer : No services available  
Roads and traffic : No services available

**Conditions:**

1. that the developer arrange with ESCOM for the provision of electricity and that he complies with all conditions as may be set by ESCOM;
2. that no water and sewer services from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, Bocma etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Manager: Water Infrastructure & Quality Control, Overstrand Municipality (Tel: 028 313 8972 ; e-mail - probinson@overstrand.gov.za);
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma.

  
DENNIS HENDRIKS  
SENIOR MANAGER: ENGINEERING SERVICES

14-09-2020  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- 18. ERF 4081 (AN UNREGISTERED PORTION OF ERF 611), CORNER OF R43 AND RIET STREET, GANSBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR THE EXTENTION OF THE PERIOD OF VALIDITY OF AN EXISTING APPROVAL: MESSRS CAPE ETHICAL ORGANICS ON BEHALF OF OVERSTRAND MUNICIPALITY**

**4081 GGB**

**SW van der Merwe  
21 June 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**Executive Summary**

An application was received on 27 January 2021 from Cape Ethical Organics on behalf of Overstrand Municipality on Erf 4081 Gansbaai for the an extension of the period of validity of an existing approval in terms of Section 16(2)(i) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 (By-Law) to accommodate the development of a day hospital with associated medical facilities.

**RESOLVED :**

1. that the application in terms of Section 16(2)(i) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for an extension of the period of validity of an approval to accommodate the development of a day hospital, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the conditions of the land use approvals of 29 September 2010 and 8 November 2016 remain applicable;
  - (b) that the approval is valid for a period of five (5) years and expires on 1 February 2026;
  - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (d) that all the conditions in the Services Report, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

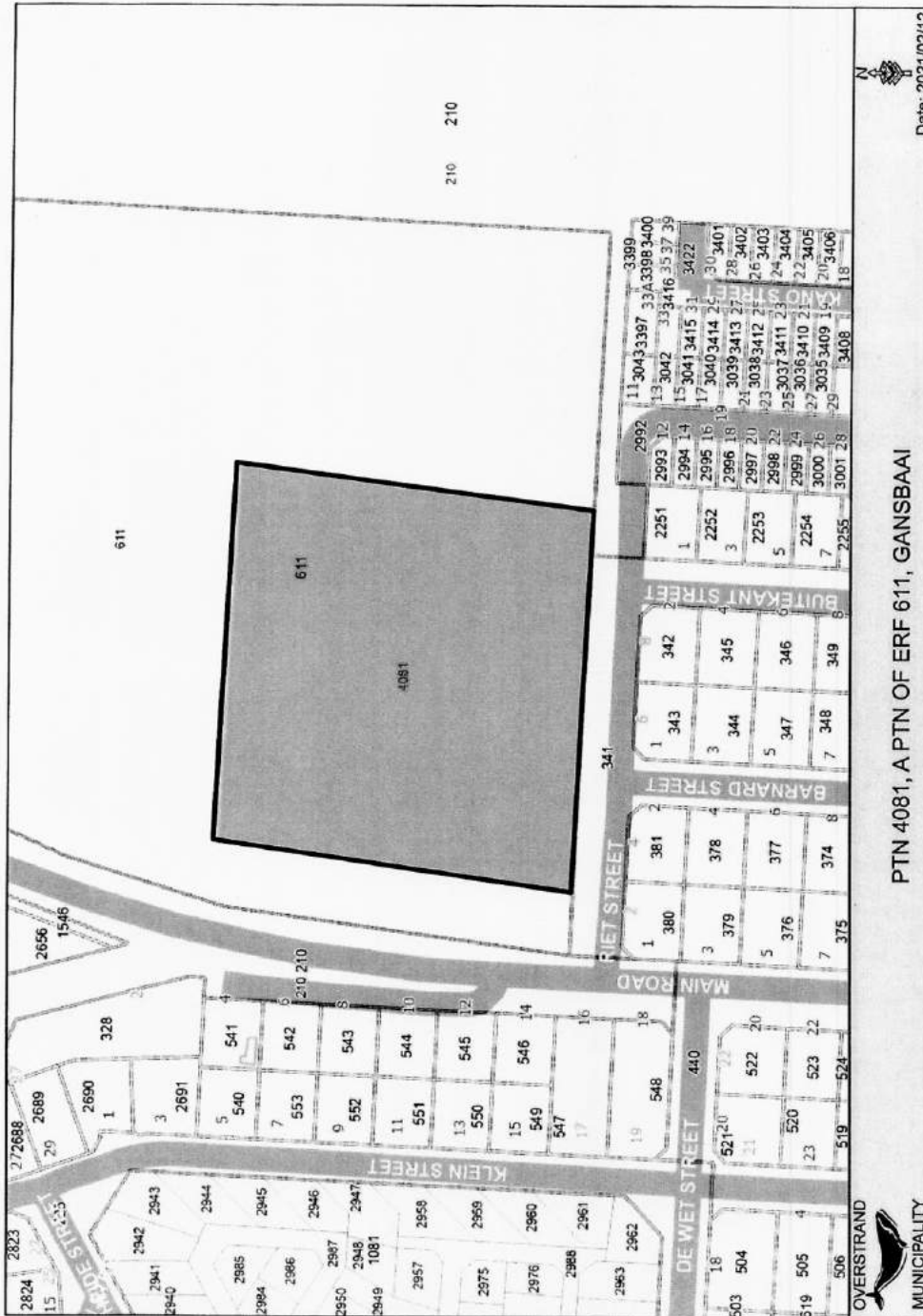
**REASONS FOR THE RESOLUTION:**

- ❖ The application for extension of time complies with the planning principles and is considered desirable.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- ❖ The application was submitted on 27 January 2021 prior to the expiry date of 1 February 2021.
- ❖ The proposed development will not negatively impact the natural environment.
- ❖ The proposed development will not negatively impact the character of the surrounding area.



Date: 2021/02/12

PTN 4081, A PTN OF ERF 611, GANSBAAI



OVERSTRAND MUNICIPALITY

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR EXTENSION OF THE PERIOD OF VALIDITY OF AN  
APPROVAL: ERF 4081 (AN UNREGISTERED PORTION OF ERF 611),  
GANSBAAI**

Water	:	According to GLS Report
Sewer	:	See condition No. 23, 24, 25, 26 & 27
Roads and traffic	:	According to the TIS report approved by the Municipality
Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	See condition No. 20

**Conditions:**

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.
  - 1.1 **Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided)
 

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.
  - 1.2 **Developments with free standing properties** (property that is subdivided and plots to be sold individually).
 

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
  - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:

- 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
- 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
  - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
  - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
  - 4.3 the insurance to be to an amount which shall not be less than that required by the CESA;
  - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
5. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
  - 5.1 way-leaves must be obtained from the Operational Manager;
  - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;

6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
  - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
  - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
  - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SANS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. that, as a municipal stormwater pipeline is located on the relevant Portion of Erf 611, and the development will extent over the storm pipeline and over the required maintenance servitude for this pipeline, the stormwater pipe must be relocated to a position outside the proposed development. All cost in this regard will be for the new developer's account;

12. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
13. that the above stormwater management plan include the following:
  - 13.1 pre-development run-off from the catchment area;
  - 13.2 post-development run-off from catchment area;
  - 13.3 existing stormwater reticulation system and the capacity thereof;
  - 13.4 connection of internal stormwater reticulation system;
  - 13.5 overland escape routes
14. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2010, of 12 months, and
15. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
16. that the developer furnish the Council with a bank guarantee equal to 2.5% of the value of the provided municipal civil and electrical services as certified by the independent professional engineer/technologist. The guarantee shall be to the satisfaction of the Director: Infrastructure and Planning and valid for the 12 months maintenance period which commences from date of the Certificate of Completion;
17. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
18. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
  - a. properly ventilated;
  - b. a cement floor;
  - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
  - d. is a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;

19. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Director: Infrastructure and Planning;
20. that the developer appoint a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;
21. that an investigation be conducted, by GLS Consulting Engineers, to determine whether sufficient capacity exist in the existing water, to accommodate the proposed development, at the developer's cost;
22. that, as a municipal bulk water pipeline is located on the relevant Portion of Erf 611, and the development will extent over the water pipeline and over the required maintenance servitude for this pipeline, the water pipe must be relocated to a position outside the proposed development. All cost in this regard will be for the new developer's account;
23. that the proposed development must be serviced with adequate sewer conservancy tanks, which must comply with the standards of the Department: Operational Services, and to which the sewer services of the development must connect to;
24. that sewerage will be removed from the sewer conservancy tanks as per municipal arrangement;
25. that the sewer conservancy tanks must be accessible to the municipal sewer tankers from one of the adjacent public roads, with parking areas for the sewer tankers provided with permanent surfaces and to the layout and specification of the Department: Operational Services;
26. that should the sewer reticulation be available in the vicinity of the proposed development at the time of the construction, that the developer connect to the sewer reticulation networks at his cost instead of provision of sewer tanks;
27. that the above-mentioned arrangement be evaluated before commencement of construction activities, by the Senior Manager: Engineering Services;
28. that a detailed Traffic Impact Statement of the proposed development and access from the road reserve be provided in accordance with the National Department of Transport's "*Manual for Traffic Impact Studies*" (PR93/635 of 1995), refer Section 29(2) of Act 22, 2000;
29. that the developer will be responsible for removal of all medical waste and disposal thereof at a registered medical waste disposal facility;

30. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.

p.p. *D. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

19/04/2021  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**19. ERF 456, 1 LAND STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING: MESSRS OVERPLAN & ASSOCIATES ON BEHALF OF PJM KOMEN**

**456 GPB**

**SW Van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**14 July 2021**

---

**Executive Summary**

An application was received on 14 December 2020 from Messrs Overplan & Associates on behalf of PJM Komen in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the rezoning of Erf 456, Pearly Beach from Open Space Zone 2: Public Open Space (OS1) to Residential Zone 1: Single Residential (SR1).

**RESOLVED :**

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) in order to rezone Erf 456, Pearly Beach from Open Space Zone 2 (OP) to Residential Zone 1 (SR1), be approved in terms of the provisions of Section 61, subject to the following conditions:
  - (a) that all the conditions in the deed of sale be complied with according to Annexure D;
  - (b) that all the conditions in the Services 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 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 decision.

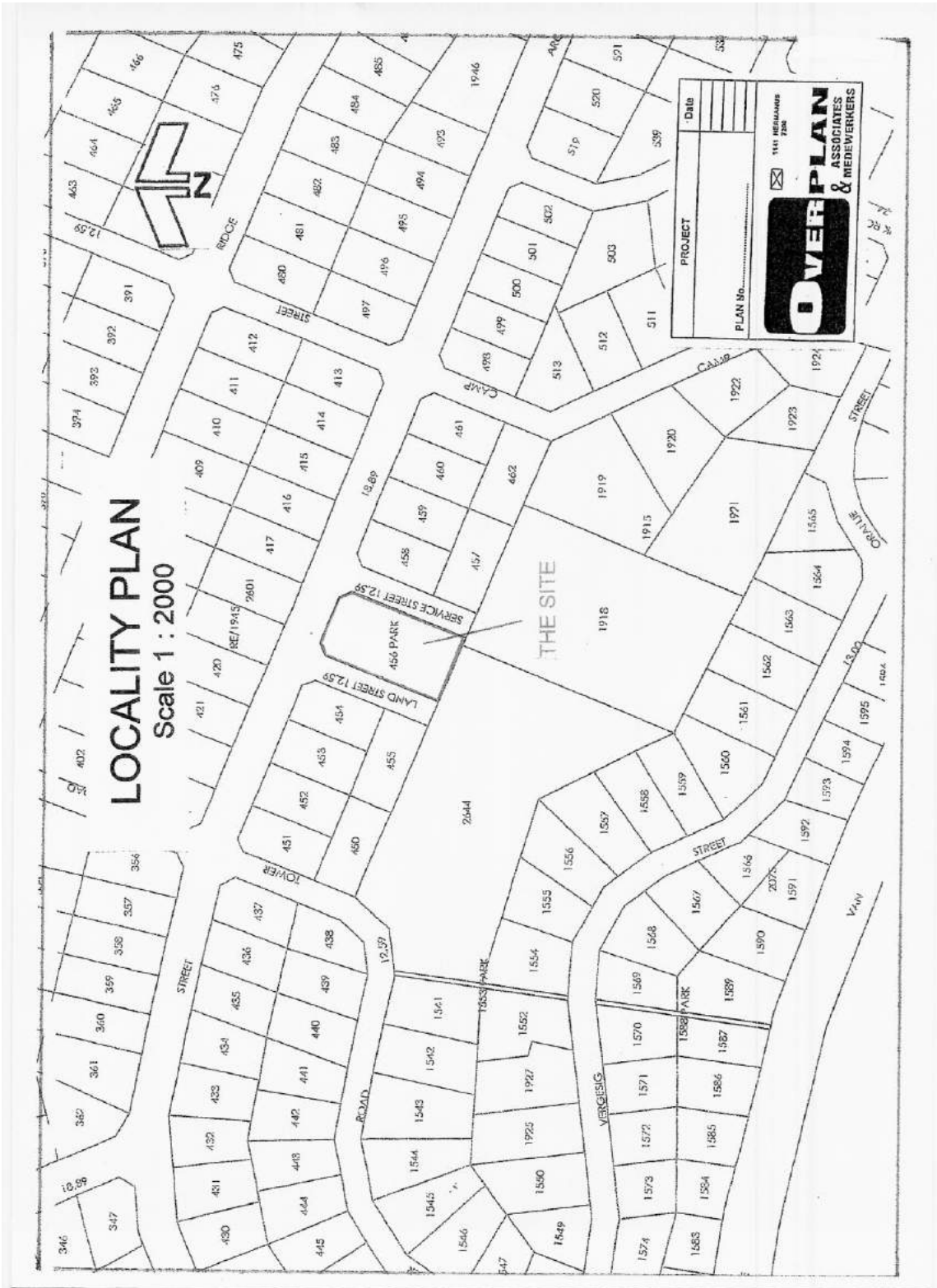
**REASONS FOR THE RESOLUTION:**

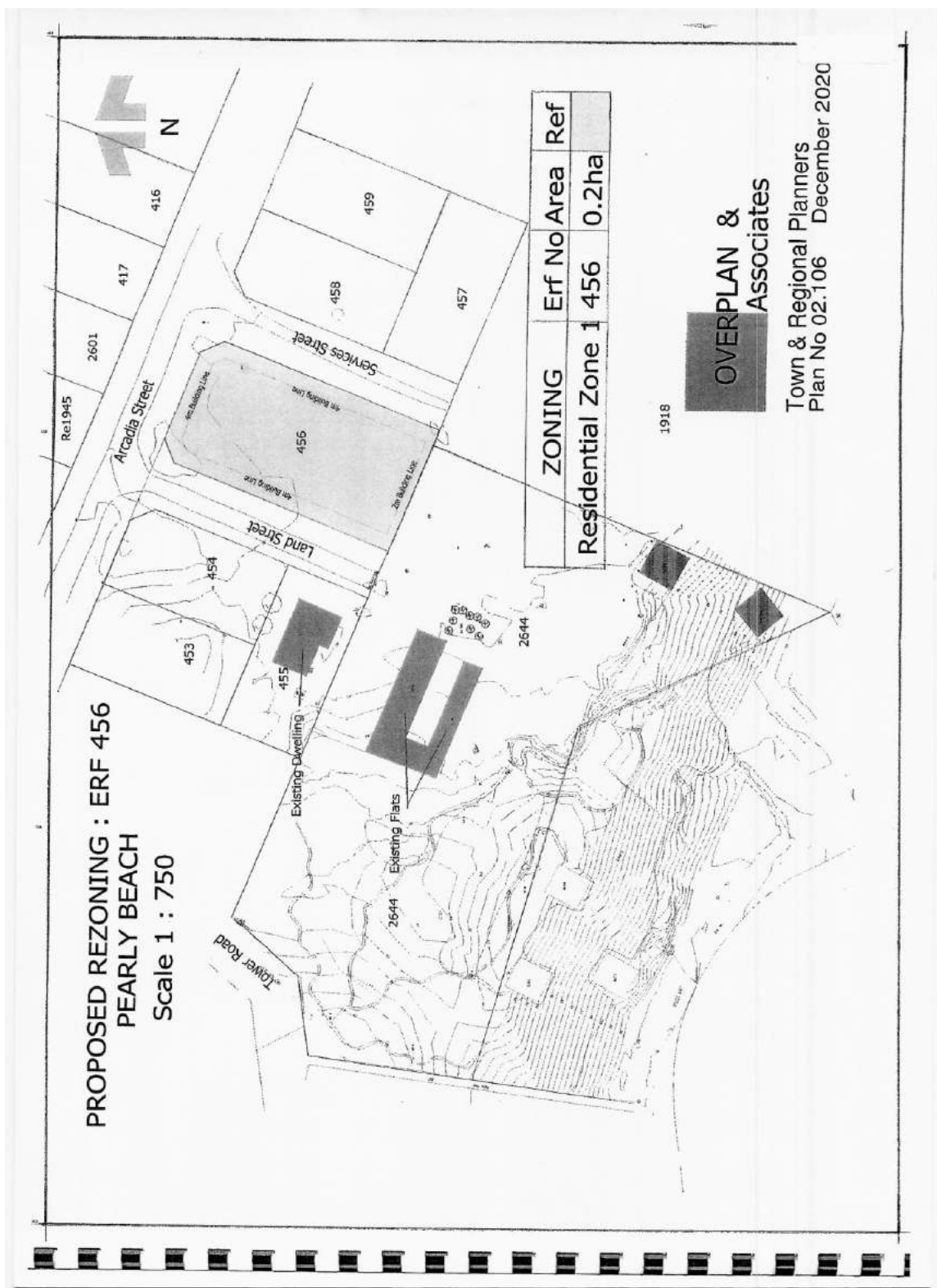
- ❖ The application has followed due procedure.
- ❖ The proposal is consistent with the applicable policy documents.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- ❖ The proposed rezoning will have no negative impact on the character of the area as the majority of the surrounding properties are Residential Zone 1.
- ❖ The subject property will not negatively impact the natural environment.





**OVERPLAN & Associates**

Town & Regional Planners  
Plan No 02.106 December 2020

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING: ERF 456, PEARLY BEACH)**

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



**Conditions:**

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

- 1.1 **Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full prior to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

- 1.2 **Developments with free standing properties** (property that is subdivided and plots to be sold individually).

The BICLs are payable prior to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2020/2021) is as follows:

**Freehold erven:**

Water	R 23 957.00 x 1=	R 23 957.00
Sewerage	R 16 153.00 x 1=	R 16 153.00
Roads	R 7 243.00 x 1=	R 7 243.00
Stormwater	R 8 357.00 x 1=	R 8 357.00
Electricity	R 33 586.00 x 1=	R 33 586.00
Solid Waste	R 1 448.00 x 1=	R 1 448.00
<b>TOTAL (inclusive of VAT)</b>	=	<b><u>R 90 744.00</u></b>

**Note:**

- 1.3 The above figures are estimated amounts and should be confirmed before payment.

- 1.4. **The above figures do not include evaluation/investigation levies connection fees**
- 1.5. **Are only valid for the current financial year and are subject to annual tariffs adjustment on the 1<sup>st</sup> July of each year**
2. that should Erf 456 be developed; Erf 456 be provided with water meter as per detail and requirements stipulated;
3. that should Erf 456 be developed, Erf 456 be provided with adequate sewer conservancy tanks;
4. that the sewer conservancy tanks must be accessible to the municipal sewer tankers from one of the adjacent public roads, with a sewer tank suction point on the erf boundary;
5. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
6. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
  - 6.1. the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided;
  - 6.2. the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
  - 6.3. if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
7. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
  - 7.1. way-leaves must be obtained from the Operational Manager;
  - 7.2. such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;

8. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
    - 8.1. such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
    - 8.2. such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
    - 8.3. to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
  9. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
  10. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
  11. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
  12. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
  13. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
  14. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
  15. that any additional and / or extended vehicle entrances will be for the developer's account;
-

- 16. that stormwater be allowed to discharge through Erf 456, Pearly Beach, unobstructed.

*D.P. R. Coetzer*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*01/06/2021*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

Municipal Planning Tribunal

1. **ERF 3383, 11 BOB LAUBSER STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE: MESSRS ARCHITECTURAL HOME DESIGN ON BEHALF OF SL VERRUGGIO**

**3383 KKM (2785)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**1 March 2021**

---

**Executive Summary**

An application was received on 15 November 2019 from Messrs Architectural Home Design on behalf of SL Verruggio on Erf 3383, Kleinmond for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to relax the rear building line from 2m to 1,5m and the eastern lateral building line from 2m to 0m to legalize a staff quarters and western lateral building line from 2m to 0m to legalize a storeroom and staff quarters.

**RESOLVED:**

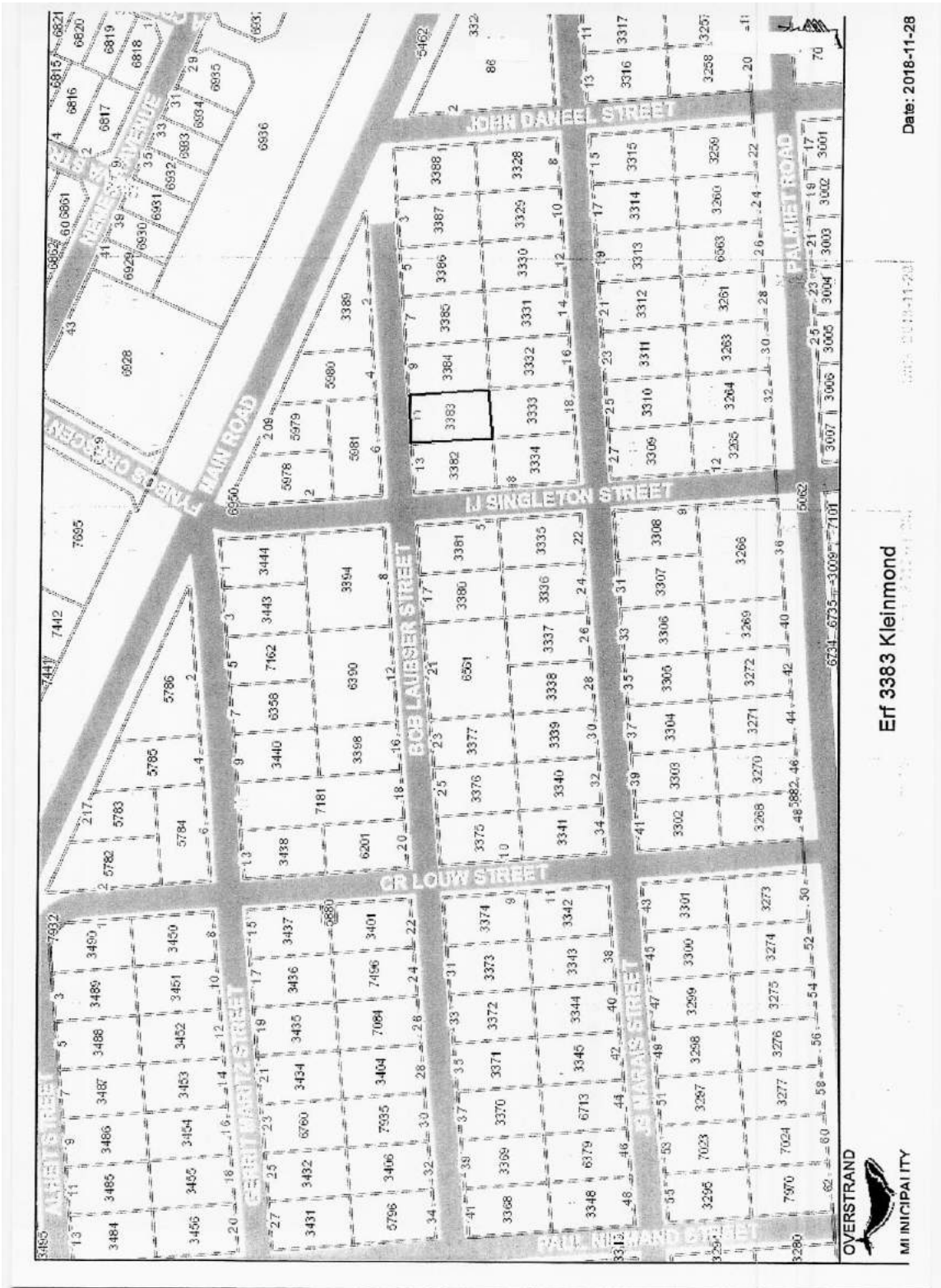
1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 3383, Kleinmond in order to relax the eastern lateral building line from 2m to 0m to accommodate a storeroom, **not be approved** in terms of the provisions of Section 61 of the By-Law and the following action be executed:
  - (a) the illegal structures (servant's quarters, storeroom and the structure on the western lateral and rear building line), **be demolished within three (3) months** from date of the letter of non-approval.
2. that the applicant and objector be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**REASONS FOR RESOLUTION:**

- ❖ The staff quarters (servant's quarters) constitute a third dwelling in terms of the Zoning Scheme and has been illegally built without an approved building plan
- ❖ The storeroom has been changed into a habitable structure, which will constitute a fourth dwelling on the property.
- ❖ The Zoning Scheme and Title Deed do not allow for more than two (2) dwellings on this Single Residential erf
- ❖ The illegal structures (the store room on the western lateral boundary and the structure on the rear- and western lateral boundary) be demolished within three (3) months.
- ❖ Habitable structures are not allowed on the boundary line due to privacy, aesthetics and character of the area and a third and fourth dwellings will have an effect on the latter.
- ❖ The application motivation does not address the structures and uses in terms of need and desirability.
- ❖ The application is not complete since structures and uses on the property is not address or shown on the plans submitted with the application.



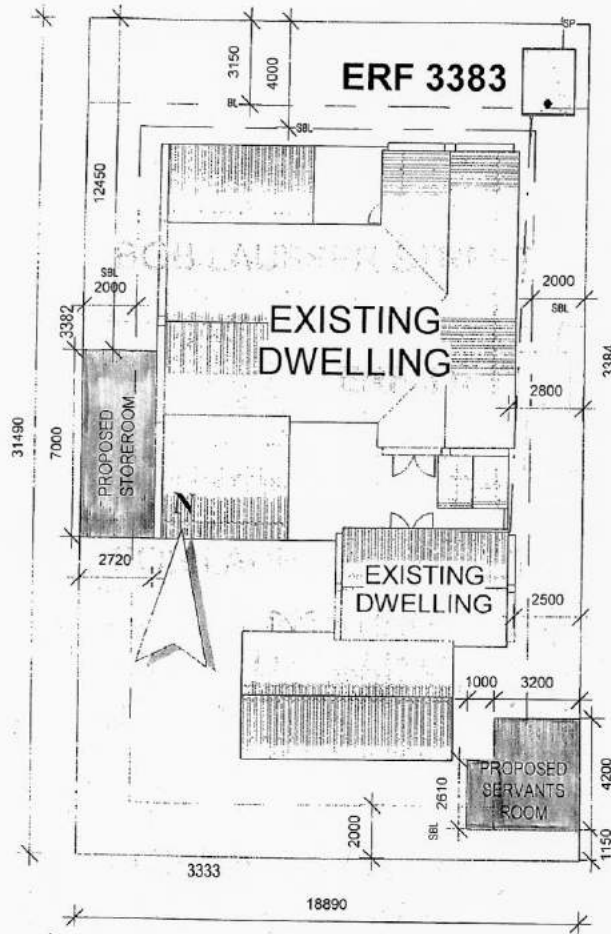
Erf 3383 Kleinmond

Date: 2018-11-28

Scale: 1:1000



BOB LAUBSER STREET

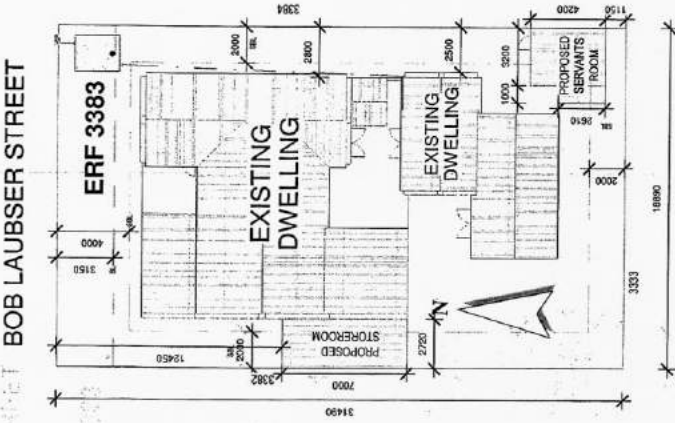


ERF	595sqm
EXIST DWELLING	228.5sqm
NEW EXTENSION	35.1sqm
<b>TOTAL</b>	<b>263.6sqm</b>
<b>COVERAGE</b>	<b>44.30%</b>

1 SITEPLAN  
1 : 200

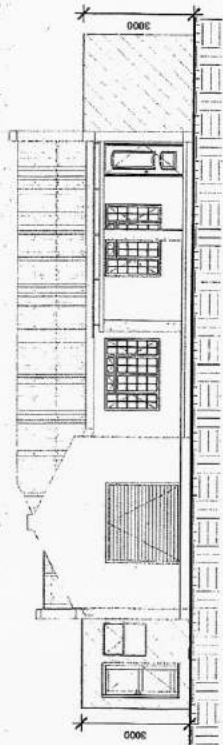
<p><b>A.H.D.</b> ARCHITECTURAL HOME DESIGNS 072 315 1336 ahd@mweb.co.za</p>	<p>MR S. VERRUGGIO ERF 3383 BOB LAUBSER STR KLEINMOND</p>	AS BUILT EXTENSIONS								
		<table border="1"> <tr> <td>Project nr</td> <td>KM3383/18</td> <td rowspan="4" style="text-align: center; vertical-align: middle;"><b>A5</b></td> </tr> <tr> <td>Date</td> <td>14/11/2018</td> </tr> <tr> <td>Drawn by</td> <td>pjm</td> </tr> <tr> <td>Sacap</td> <td>20652</td> </tr> </table>	Project nr	KM3383/18	<b>A5</b>	Date	14/11/2018	Drawn by	pjm	Sacap
Project nr	KM3383/18	<b>A5</b>								
Date	14/11/2018									
Drawn by	pjm									
Sacap	20652									

BOB LAUBSER STREET



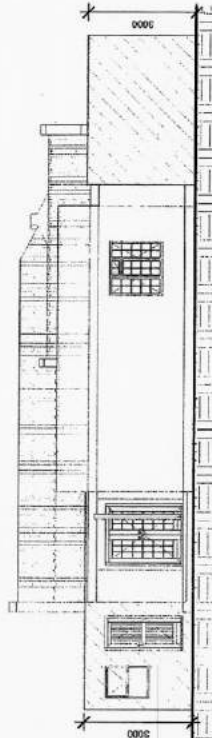
3 SITEPLAN

1 : 200



1 NORTH ELEVATION

1 : 100



2 SOUTH ELEVATION

1 : 100



**Architectural Home Design**

Real Estate Design with Distinction

107-314 3336  
 1417/1018  
 1417/1018

1417/1018

1417/1018

1417/1018

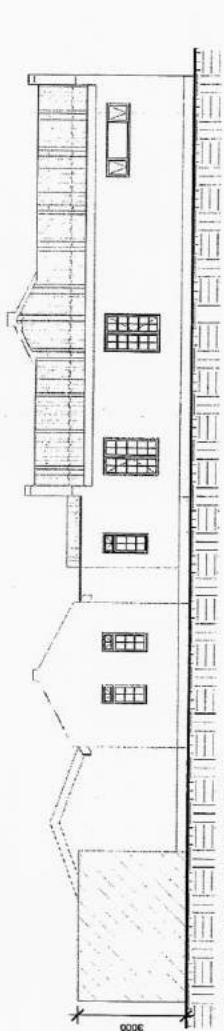
AS BUILT  
EXTENSIONS

MR S. VERRUGGIO  
 ERF-3383  
 BOB LAUBSER STR  
 KLEINMOND

COUCIL DRAWINGS

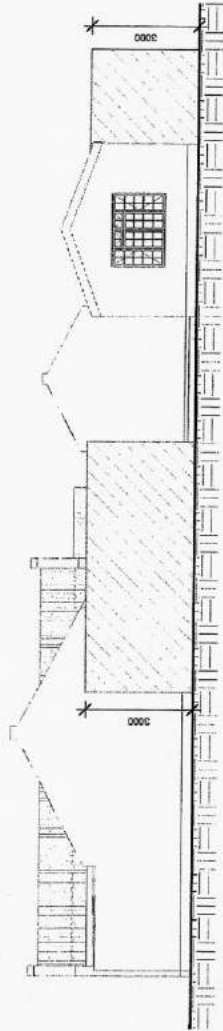
Project number	3403363/18
Date	14/11/2018
Drawn by	pin
Reg. nr.	PAD 20052
Scale	As indicated

A102



**EAST ELEVATION**

1 1 : 100



**WEST ELEVATION**

2 1 : 100

**Architectural Home Design**  
*Real Estate Design with Distinction*  
 Tel: 07 2315 1382  
 Email: [ahd@architecturalhomedesign.com.au](mailto:ahd@architecturalhomedesign.com.au)  
 Website: <http://www.architecturalhomedesign.com.au>

**AS BUILT  
EXTENSIONS**

MR. S. VERRUGGIO  
 ERF 3383  
 BOB LAURSER STR  
 KLEINMOND

<b>COUNCIL DRAWINGS</b>	
Project number	K0032878
Date	14/11/2018
Drawn by	pjm
Reg. nr	PAD 20052
Scale	1 : 100

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 3383, KLEINMOND (2785/2019)**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that stormwater be allowed to discharge through Erf 3383, Kleinmond, unobstructed;
4. that no on-street parking be allowed.

*Dennis Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*14/03/2019*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**2. ERF 6165, 32 HARDEPEER AVENUE, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE  
DEED CONDITIONS AND DEPARTURE: R COETZEE**

**6165 KKM**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**5 May 2021**

---

**EXECUTIVE SUMMARY**

An application was received on 20 March 2020 from R Coetzee on Erf 6165, Kleinmond for the following :

- ❖ Removal of Restrictive Title Deed Conditions in terms Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for the removal of restrictive title deed condition I.C.8 as contained in Title Deed T14595/2013 to permit the proposed application.

The restrictive conditions read as follows:

- I. REGARDING the figures AefD and eBCf on Diagram number 936/1988;*
  - C. SUBJECT FURTHER to and with the benefit of the conditions contained in the Annexure market "A" to Deed Transfer T22152/1951 (wherein "the Company" means KLEINMOND SYNDICATE LIMITED), which conditions read as follows:*
  - 8. All buildings to be erected on the land herein sold shall stand back at least 3.15 metres from the line of the street or avenue on which the lot or lots herein mentioned may front."*
- ❖ Departure in terms of Section 16(2)(b) of the By-Law to relax the street building line from 4m to 0,380m to accommodate a new garage.

**RESOLVED:**

1. that the application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition I.C.8 as contained in Title Deed T14595/2013 applicable to Erf 6165, Kleinmond to permit the proposed application, **be approved** in terms of the provisions of Section 61, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
2. that the application in terms of Section 16(2)(b) and (f) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 in order to relax the street building line from 4m and 3,15m to 0,38m to accommodate a proposed garage **not be approved**.
3. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

**REASONS FOR THE RESOLUTION:**

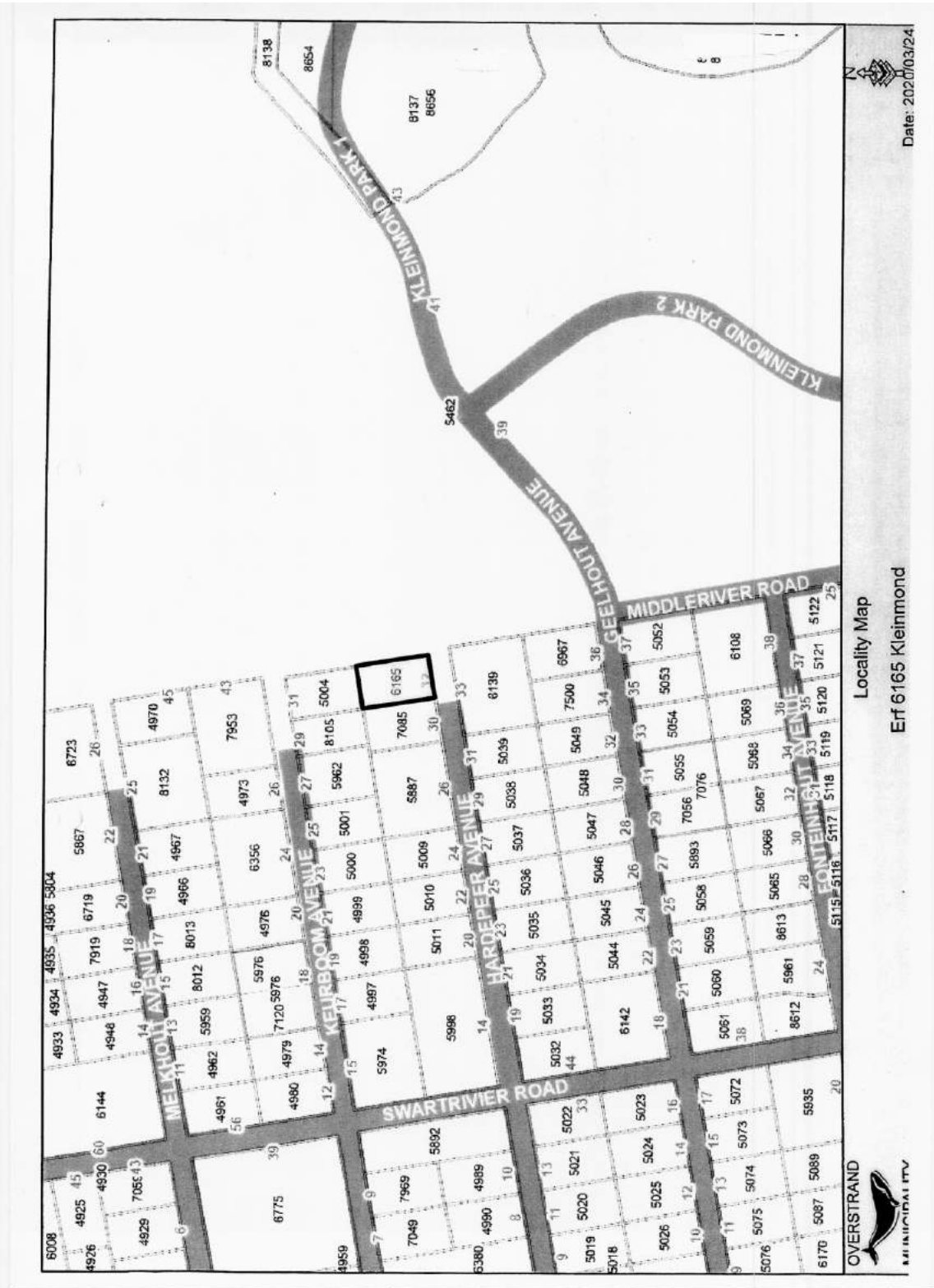
POINT 1:

The removal will enable the applicant to make use of Section 16 of the Overstrand Land Use Scheme with regard to structures lower than a 1m and rainwater tanks lower than 2,1m to be constructed within the street building line.

The possibility for a carport is viable through an application.

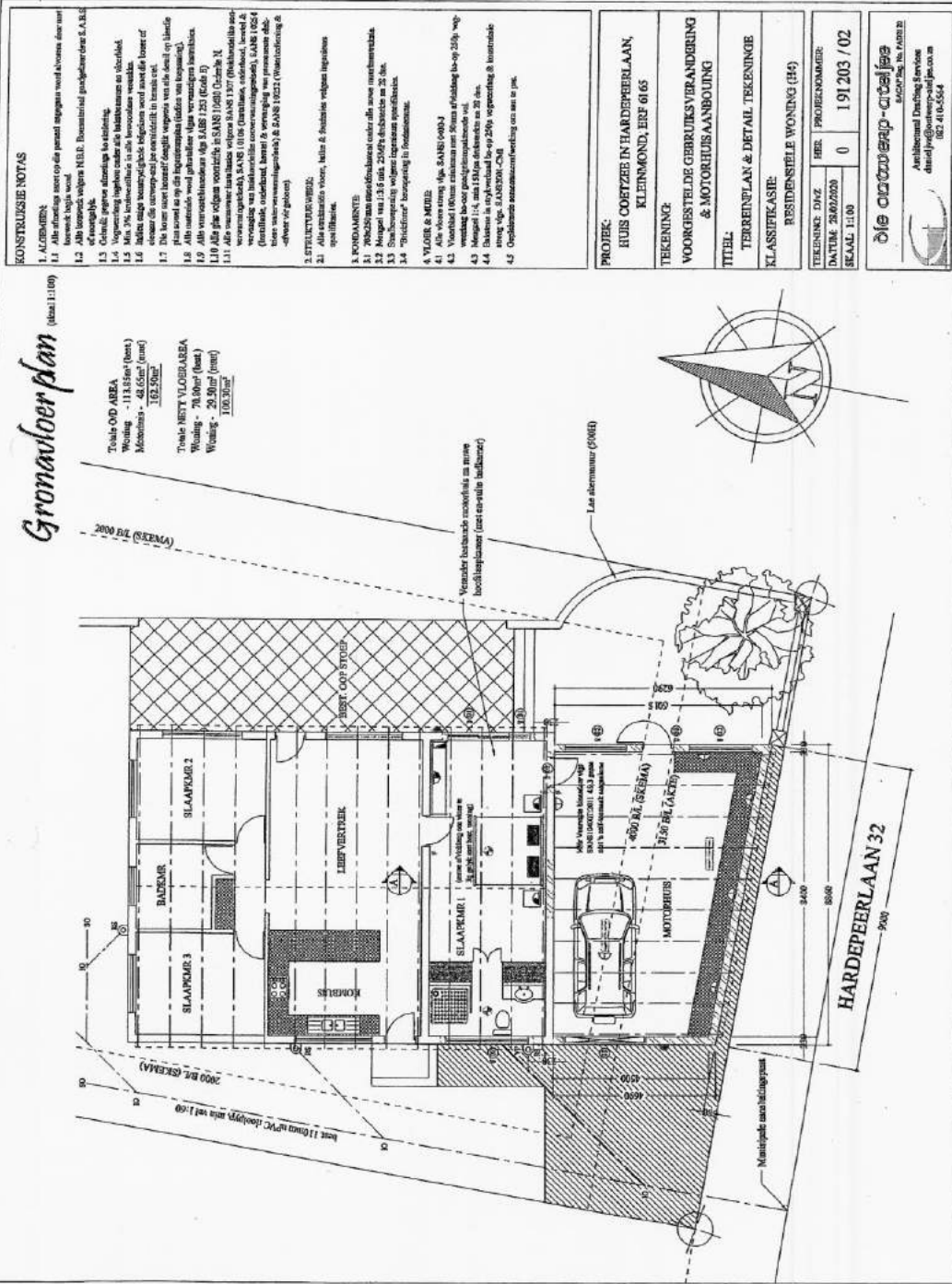
POINT 2

- ❖ There is an existing garage that can be extended to the title deed street building line, which will be similar in size and configuration.
- ❖ There is sufficient space to the rear of the property to add a bedroom.
- ❖ The street scape in the specific area will be compromised with a structure on the street front.



Locality Map  
Erf 6165 Kleinmond

Date: 2020/03/24



# Gronaivoer plan

(Maat 1:100)

**Totale OOD AREA**  
 Woning - 113,50m² (bont)  
 Motorhuis - 48,00m² (ruud)  
 Tuin - 132,50m²

**Totale NETT VLOER AREA**  
 Woning - 70,00m² (bont)  
 Woning - 20,00m² (ruud)  
 Motorhuis - 100,00m²

- KONSTRUKSIE NOTAS**
1. ALGEMEEN:
    - 1.1 Alle afmeting moet op die punas reggaan vand hooies die met die afmeting vand hooies.
    - 1.2 Alle konstruksie moet volgens NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.3 Certain pipes should be installed.
    - 1.4 Voerwering liggaam onder alle balkvloere as required.
    - 1.5 Min. 3% betonvloer in alle betonvloere verkeer.
    - 1.6 Die konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.7 Die konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.8 Alle konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.9 Alle konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.10 Alle konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 1.11 Alle konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
  2. STRUKTUURWERK:
    - 2.1 Alle konstruksie moet volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
  3. FONDAMENTE:
    - 3.1 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 3.2 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 3.3 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 3.4 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
  4. VLOER & MUR:
    - 4.1 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 4.2 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 4.3 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 4.4 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.
    - 4.5 Volgens die NBR. Dimensional guidelines for 2, 3, 4 & 5 story buildings.

<b>PROJEC:</b>	HUIS COETZEE IN HARDEPERLAAN KLEINMOND, ERF 6165
<b>TEKENING:</b>	VOORGESTELDE GEBRUIKSVERANDERING & MOTORHUISAANBOUW
<b>TITEL:</b>	TERRITENPLAN & DETAIL TEKENINGE
<b>KLASSIFIKASIE:</b>	RESIDENSIËLE WONING (H4)
<b>TEKENINGE: DVS:</b>	ERF: PROJEKTNOMMER:
<b>DATE:</b> 2002/2020	0 191 203 / 02
<b>SKAAL:</b> 1:100	

**die owerloop-uitelinge**  
 ARCHITECTURE & INTERIOR  
 Architectural Drawing Services  
 082 410 5544



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS &  
DEPARTURE: ERF 6165, KLEINMOND**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that stormwater be allowed to discharge through Erf 6165, Kleinmond, unobstructed;
4. that no on-street parking be allowed.

  
**DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES**

  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**3. ERF 939, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF THE CONDITIONS OF AN EXISTING APPROVAL: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF AFRICA EVANGELISTIC CHURCH**

**939 HVM**

**H Olivier**

**26 March 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**EXECUTIVE SUMMARY**

An application was received on 1 June 2020 from Messrs Plan Active Town and Regional Planners on behalf of Africa Evangelistic Church on Erf 939, Vermont for an application in terms of Section 48 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the amendment of conditions of approval in terms of Section 16(2)(h) to allow the registration and transfer of the new erven prior to the construction of the public road.

**RESOLVED:**

1. that the application in terms of Section 48 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:
  - ❖ Amendmend of the conditions of approvals in respect of an existing approval in terms of Section 16(2)(h) of the By-Law to allow the registration and transfer of the new erven prior to the construction of the public road,

**not be approved** in terms of the provisions of Section 61.
2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

**REASONS FOR THE RESOLUTION:**

- ❖ The objections relating to the applicant's motivation that the landowner and developers want to transfer the erven to comply with a Sales Agreement and to secure finance, is supported, as it is a matter between the parties concerned how the road construction must be financed, and not the Municipality.
- ❖ In terms of Section 30 of the Amended Overstrand By-Law on Land Use Planning, 2020, all requirements and conditions must be complied with prior to the registration of an erf in a development. The construction of the road prior to transfer is still considered a requirement to ensure all services, including road access to each new erf is provided to municipal standards. The Amana Resort

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

and at least one (1) other site will have no formal access, if the road is not constructed.

- ❖ The Municipal Engineering Branch in their Services Report for this application only supported some of the Department of Transport's revised conditions, and clearly stipulate the road be constructed prior to the subdivision can be registered.
- ❖ Should the transfers be allowed, prior to the construction of the road, the development rights would not lapse anymore, and the public road will vest with the Municipality. This will enable the new property owners to transfer the properties should they wish to do so, and it could create an expectation by new landowners that the Municipality would construct the road.
- ❖ If transfer take place, the Municipality would not be able to enforce a time frame when the construction must take place as it would be in the hands of the developers.
- ❖ The Municipality is not a party to the Sale Agreement between Amana Resort and the two (2) developers. Considering that both developers must still obtain additional rights for development and only then will be able to apply for finances to obtain finances for the construction of the road, there is a risk that the projects are not seen through. This will create challenges with regard to the construction of the road. It could also create challenges to the phasing of the construction of the road if one developer does not proceed with his/her development.
- ❖ The general principle of good administration is also to ensure that development take place in an ordered manner. If this application is supported it will put additional strain on the Municipality and some risk, while should the road be constructed prior to any transfer, no further administrative pressure or risk will be placed on the Municipality.
- ❖ The general principle of spatial sustainability promotes viable communities. This also include the provision of services to ensure viable communities. Should the road not be constructed before transfer, at least two (2) properties will be created without formal road access, which is not considered spatially sustainable.
- ❖ The property owner and developers can amend their sales agreement and can submit a full detailed planning application showing the new proposed developments, and again applying for the subdivision of the road portion and erven with it. If successful, they will be able to use such an approval to obtain finances, and it will enable the Engineering Department to prepare a better service contract with all parties responsible for the finance and construction of the road.



**P/A n** **Active**

Statis-en Streetsplanners  
Town & Regional Planners

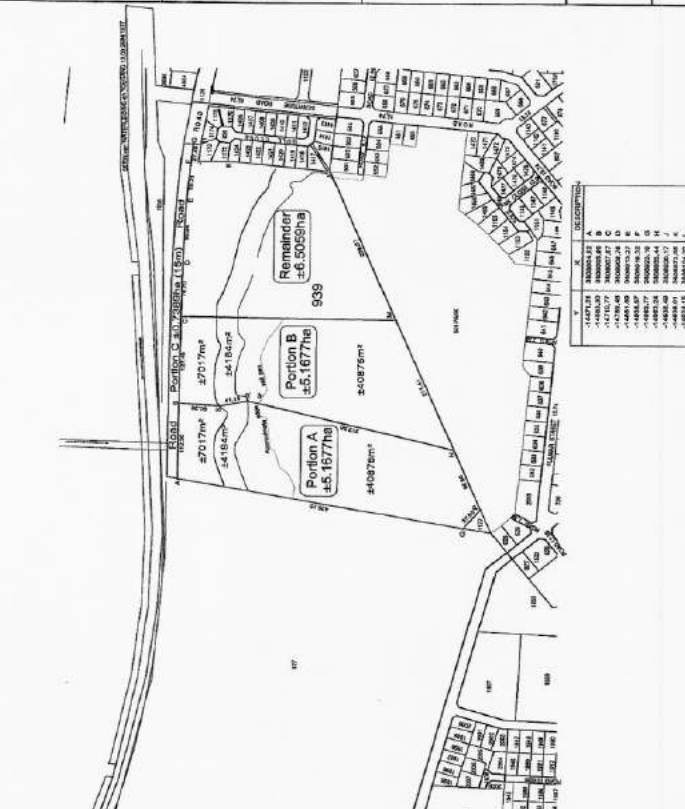
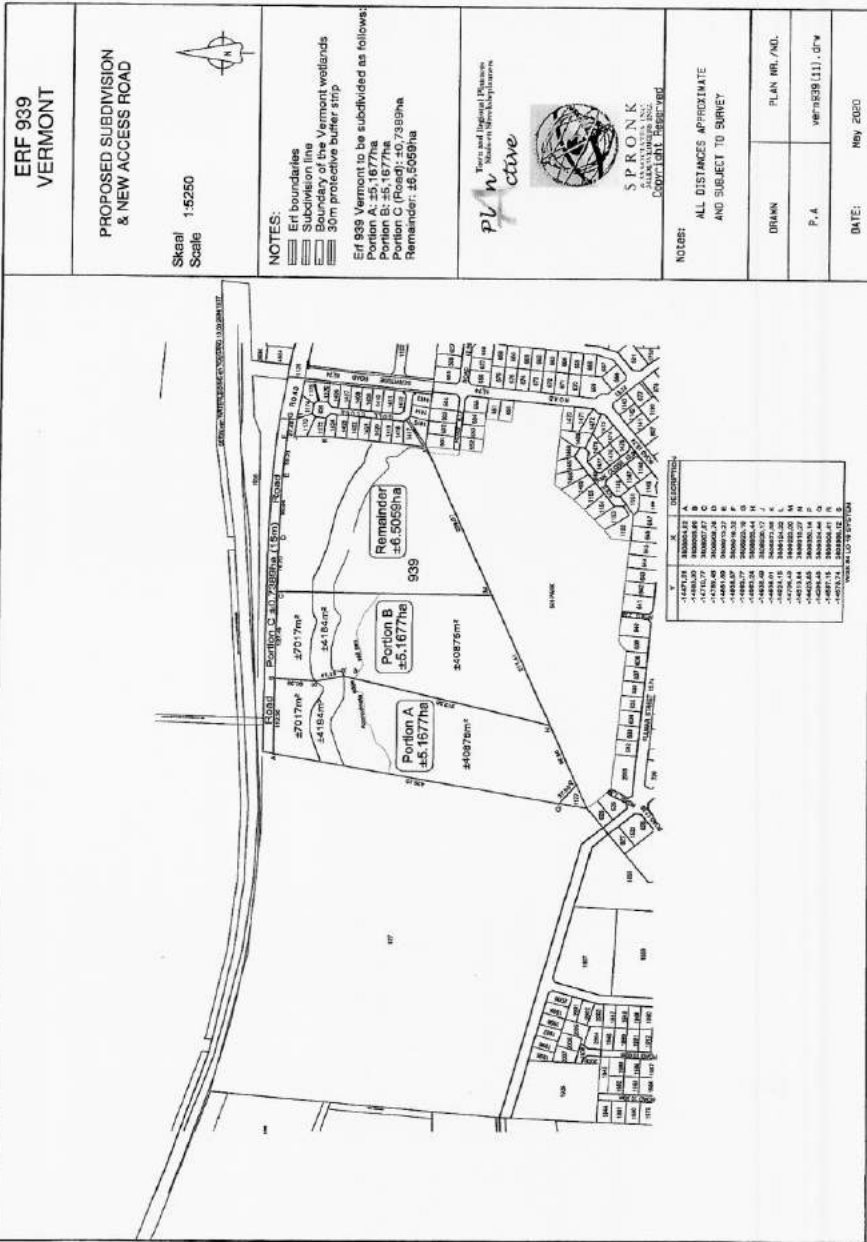
All dimensions approximate  
and subject to survey.

PROPERTY DESCRIPTION:  
**REMAINDER ERF  
939 VERMONT**

PLAN DESCRIPTION:  
**LOCALITY MAP**

Scale: NTS  
Drawing by: JESSIE LAW  
Date: OCTOBER 2016

PROPERTY RIGHTS RESERVED



X	Y	DESCRIPTION
-4427.20	330004.41	A
-4427.20	330004.41	B
-4427.20	330004.41	C
-4427.20	330004.41	D
-4427.20	330004.41	E
-4427.20	330004.41	F
-4427.20	330004.41	G
-4427.20	330004.41	H
-4427.20	330004.41	I
-4427.20	330004.41	J
-4427.20	330004.41	K
-4427.20	330004.41	L
-4427.20	330004.41	M
-4427.20	330004.41	N
-4427.20	330004.41	O
-4427.20	330004.41	P
-4427.20	330004.41	Q
-4427.20	330004.41	R
-4427.20	330004.41	S
-4427.20	330004.41	T
-4427.20	330004.41	U
-4427.20	330004.41	V
-4427.20	330004.41	W
-4427.20	330004.41	X
-4427.20	330004.41	Y
-4427.20	330004.41	Z
-4427.20	330004.41	AA
-4427.20	330004.41	AB
-4427.20	330004.41	AC
-4427.20	330004.41	AD
-4427.20	330004.41	AE
-4427.20	330004.41	AF
-4427.20	330004.41	AG
-4427.20	330004.41	AH
-4427.20	330004.41	AI
-4427.20	330004.41	AJ
-4427.20	330004.41	AK
-4427.20	330004.41	AL
-4427.20	330004.41	AM
-4427.20	330004.41	AN
-4427.20	330004.41	AO
-4427.20	330004.41	AP
-4427.20	330004.41	AQ
-4427.20	330004.41	AR
-4427.20	330004.41	AS
-4427.20	330004.41	AT
-4427.20	330004.41	AU
-4427.20	330004.41	AV
-4427.20	330004.41	AW
-4427.20	330004.41	AX
-4427.20	330004.41	AY
-4427.20	330004.41	AZ
-4427.20	330004.41	BA
-4427.20	330004.41	BB
-4427.20	330004.41	BC
-4427.20	330004.41	BD
-4427.20	330004.41	BE
-4427.20	330004.41	BF
-4427.20	330004.41	BG
-4427.20	330004.41	BH
-4427.20	330004.41	BI
-4427.20	330004.41	BJ
-4427.20	330004.41	BK
-4427.20	330004.41	BL
-4427.20	330004.41	BM
-4427.20	330004.41	BN
-4427.20	330004.41	BO
-4427.20	330004.41	BP
-4427.20	330004.41	BQ
-4427.20	330004.41	BR
-4427.20	330004.41	BS
-4427.20	330004.41	BT
-4427.20	330004.41	BU
-4427.20	330004.41	BV
-4427.20	330004.41	BW
-4427.20	330004.41	BX
-4427.20	330004.41	BY
-4427.20	330004.41	BZ
-4427.20	330004.41	CA
-4427.20	330004.41	CB
-4427.20	330004.41	CC
-4427.20	330004.41	CD
-4427.20	330004.41	CE
-4427.20	330004.41	CF
-4427.20	330004.41	CG
-4427.20	330004.41	CH
-4427.20	330004.41	CI
-4427.20	330004.41	CJ
-4427.20	330004.41	CK
-4427.20	330004.41	CL
-4427.20	330004.41	CM
-4427.20	330004.41	CN
-4427.20	330004.41	CO
-4427.20	330004.41	CP
-4427.20	330004.41	CQ
-4427.20	330004.41	CR
-4427.20	330004.41	CS
-4427.20	330004.41	CT
-4427.20	330004.41	CU
-4427.20	330004.41	CV
-4427.20	330004.41	CW
-4427.20	330004.41	CX
-4427.20	330004.41	CY
-4427.20	330004.41	CZ
-4427.20	330004.41	DA
-4427.20	330004.41	DB
-4427.20	330004.41	DC
-4427.20	330004.41	DD
-4427.20	330004.41	DE
-4427.20	330004.41	DF
-4427.20	330004.41	DG
-4427.20	330004.41	DH
-4427.20	330004.41	DI
-4427.20	330004.41	DJ
-4427.20	330004.41	DK
-4427.20	330004.41	DL
-4427.20	330004.41	DM
-4427.20	330004.41	DN
-4427.20	330004.41	DO
-4427.20	330004.41	DP
-4427.20	330004.41	DQ
-4427.20	330004.41	DR
-4427.20	330004.41	DS
-4427.20	330004.41	DT
-4427.20	330004.41	DU
-4427.20	330004.41	DV
-4427.20	330004.41	DW
-4427.20	330004.41	DX
-4427.20	330004.41	DY
-4427.20	330004.41	DZ
-4427.20	330004.41	EA
-4427.20	330004.41	EB
-4427.20	330004.41	EC
-4427.20	330004.41	ED
-4427.20	330004.41	EE
-4427.20	330004.41	EF
-4427.20	330004.41	EG
-4427.20	330004.41	EH
-4427.20	330004.41	EI
-4427.20	330004.41	EJ
-4427.20	330004.41	EK
-4427.20	330004.41	EL
-4427.20	330004.41	EM
-4427.20	330004.41	EN
-4427.20	330004.41	EO
-4427.20	330004.41	EP
-4427.20	330004.41	EQ
-4427.20	330004.41	ER
-4427.20	330004.41	ES
-4427.20	330004.41	ET
-4427.20	330004.41	EU
-4427.20	330004.41	EV
-4427.20	330004.41	EW
-4427.20	330004.41	EX
-4427.20	330004.41	EY
-4427.20	330004.41	EZ
-4427.20	330004.41	FA
-4427.20	330004.41	FB
-4427.20	330004.41	FC
-4427.20	330004.41	FD
-4427.20	330004.41	FE
-4427.20	330004.41	FF
-4427.20	330004.41	FG
-4427.20	330004.41	FH
-4427.20	330004.41	FI
-4427.20	330004.41	FJ
-4427.20	330004.41	FK
-4427.20	330004.41	FL
-4427.20	330004.41	FM
-4427.20	330004.41	FN
-4427.20	330004.41	FO
-4427.20	330004.41	FP
-4427.20	330004.41	FQ
-4427.20	330004.41	FR
-4427.20	330004.41	FS
-4427.20	330004.41	FT
-4427.20	330004.41	FU
-4427.20	330004.41	FV
-4427.20	330004.41	FW
-4427.20	330004.41	FX
-4427.20	330004.41	FY
-4427.20	330004.41	FZ
-4427.20	330004.41	GA
-4427.20	330004.41	GB
-4427.20	330004.41	GC
-4427.20	330004.41	GD
-4427.20	330004.41	GE
-4427.20	330004.41	GF
-4427.20	330004.41	GG
-4427.20	330004.41	GH
-4427.20	330004.41	GI
-4427.20	330004.41	GJ
-4427.20	330004.41	GK
-4427.20	330004.41	GL
-4427.20	330004.41	GM
-4427.20	330004.41	GN
-4427.20	330004.41	GO
-4427.20	330004.41	GP
-4427.20	330004.41	GQ
-4427.20	330004.41	GR
-4427.20	330004.41	GS
-4427.20	330004.41	GT
-4427.20	330004.41	GU
-4427.20	330004.41	GV
-4427.20	330004.41	GW
-4427.20	330004.41	GX
-4427.20	330004.41	GY
-4427.20	330004.41	GZ
-4427.20	330004.41	HA
-4427.20	330004.41	HB
-4427.20	330004.41	HC
-4427.20	330004.41	HD
-4427.20	330004.41	HE
-4427.20	330004.41	HF
-4427.20	330004.41	HG
-4427.20	330004.41	HH
-4427.20	330004.41	HI
-4427.20	330004.41	HJ
-4427.20	330004.41	HK
-4427.20	330004.41	HL
-4427.20	330004.41	HM
-4427.20	330004.41	HN
-4427.20	330004.41	HO
-4427.20	330004.41	HP
-4427.20	330004.41	HQ
-4427.20	330004.41	HR
-4427.20	330004.41	HS
-4427.20	330004.41	HT
-4427.20	330004.41	HU
-4427.20	330004.41	HV
-4427.20	330004.41	HW
-4427.20	330004.41	HX
-4427.20	330004.41	HY
-4427.20	330004.41	HZ
-4427.20	330004.41	IA
-4427.20	330004.41	IB
-4427.20	330004.41	IC
-4427.20	330004.41	ID
-4427.20	330004.41	IE
-4427.20	330004.41	IF
-4427.20	330004.41	IG
-4427.20	330004.41	IH
-4427.20	330004.41	II
-4427.20	330004.41	IJ
-4427.20	330004.41	IK
-4427.20	330004.41	IL
-4427.20	330004.41	IM
-4427.20	330004.41	IN
-4427.20	330004.41	IO
-4427.20	330004.41	IP
-4427.20	330004.41	IQ
-4427.20	330004.41	IR
-4427.20	330004.41	IS
-4427.20	330004.41	IT
-4427.20	330004.41	IU
-4427.20	330004.41	IV
-4427.20	330004.41	IW
-4427.20	330004.41	IX
-4427.20	330004.41	IY
-4427.20	330004.41	IZ
-4427.20	330004.41	JA
-4427.20	330004.41	JB
-4427.20	330004.41	JC
-4427.20	330004.41	JD
-4427.20	330004.41	JE
-4427.20	330004.41	JF
-4427.20	330004.41	JG
-4427.20	330004.41	JH
-4427.20	330004.41	JI
-4427.20	330004.41	JJ
-4427.20	330004.41	JK
-4427.20	330004.41	JL
-4427.20	330004.41	JM
-4427.20	330004.41	JN
-4427.20	330004.41	JO
-4427.20	330004.41	JP
-4427.20	330004.41	JQ
-4427.20	330004.41	JR
-4427.20	330004.41	JS
-4427.20	330004.41	JT
-4427.20	330004.41	JU
-4427.20	330004.41	JV
-4427.20	330004.41	JW
-4427.20	330004.41	JX
-4427.20	330004.41	JY
-4427.20	330004.41	JZ
-4427.20	330004.41	KA
-4427.20	330004.41	KB
-4427.20	330004.41	KC
-4427.20	330004.41	KD
-4427.20	330004.41	KE
-4427.20	330004.41	KF
-4427.20	330004.41	KG
-4427.20	330004.41	KH
-4427.20	330004.41	KI
-4427.20	330004.41	KJ
-4427.20	330004.41	KK
-4427.20	330004.41	KL
-4427.20	330004.41	KM
-4427.20	330004.41	KN
-4427.20	330004.41	KO
-4427.20	330004.41	KP
-4427.20	330004.41	KQ
-4427.20	330004.41	KR
-4427.20	330004.41	KS
-4427.20	330004.41	KT
-4427.20	330004.41	KU
-4427.20	330004.41	KV
-4427.20	330004.41</	

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR AMENDMENT OF AN EXISTING APPROVAL: ERF  
939, VERMONT**

Water	:	According to GLS Report
Sewer	:	According to GLS Report
Roads and traffic	:	According to the TIS
Storm water	:	According to the Storm water Management Plan
Electricity	:	ESKOM

**Conditions:**

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

**1.1 Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

**1.2 Developments with free standing properties** (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2020/2021) is as follows:

Water	R 23 957.00 x 2	=	R 47 914.00
Sewerage	R 16 153.00 x 2	=	R 32 306.00
Roads	R 7 243.00 x 2	=	R 14 486.00
Stormwater	R 8 357.00 x 2	=	R 16 714.00
Solid Waste	R 1 448.00 x 2	=	<u>R 2 896.00</u>
TOTAL (inclusive of VAT)		=	<u><b>R 114 316.00</b></u>

**Note:**

The above figures:

- 1.1 Are estimated amounts and should be confirmed before payment.**

- 1.2 **Do not include evaluation/investigation levies and connection fees.**
  - 1.3 **Are only valid for the current financial year and are subject to annual tariffs adjustment on the 1<sup>st</sup> July of each year.**
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
    - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
    - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
    - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
  3. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
    - 3.1 way-leaves must be obtained from the Operational Manager;
    - 3.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
  4. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
    - 4.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
    - 4.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
    - 4.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;

5. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
6. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
7. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
8. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
9. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
10. that a storm water management plan (s), which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning; before any building plans may be approved or development occurs on any of the affected portions;
11. that the above storm water management plan include the following:
  - 11.1 development run-off from the catchment area;
  - 11.2 post-development run-off from catchment area;
  - 11.3 existing storm water reticulation system and the capacity thereof;
  - 11.4 connection of internal storm water reticulation system; overland escape routes;
12. that all the relevant recommendation according to the Vermont Pan and wetlands Delineation Study be implemented in conjunction with the storm water management plan;

13. that the following conditions according to the letter dated 28 September 2020 by the Department of Transport and Public Works be adhere to:
- 13.1 that as per application, proposed Portion C must be rezoned to Transport Zone 2, and the public road must be constructed in order to gain access from Vermont Avenue.
  - 13.2 that all the properties that currently use the existing "farm" access must be ensured of access via the new public road, should properties not have direct access (land locked) to the new public road, the properties owners should be allowed to register a servitude right of way from the new public road;
  - 13.3 that future developments proposals, on any portion, must be submitted to the Department of Transport and Public Works for approval before subdivision and / or construction may commence;
14. that the following conditions specified by Overstrand Municipality be adhered to before subdivision can be registered:
- ✓14.1 that the developer of Erf 939 Vermont will assume full responsibility for construction and completion of the access road providing access to Vermont Road;
  - 14.2 that the access to Vermont Road and associated access roads must be constructed in full providing unfettered access to all portions before subdivision can be registered or any building plans may be approved;
  - 14.3 that the existing access (described as "farm" access in the application) from Truck Road 28 section 1 (43) must permanently be closed and the existing bell mount demolished;
  - 14.4 That damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developers.

*p.p. D. Hendriks*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER: ENGINEERING SERVICES**

*19/05/2021*  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021**

**(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

- 4. ERF 80, 9 GNIDIA ROAD, ROOI ELS, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR THE REMOVAL OF A RESTRICTIVE TITLE DEED  
CONDITION AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND  
REGIONAL PLANNERS ON BEHALF OF T THORSSON AND  
C THOMPSON-THORSSON**

**80 KRE**

**H van der Stoep  
8 June 2021**

**(028) 313 8900**

**Hermanus Administration**

---

**EXECUTIVE SUMMARY**

An application was received on 21 September 2020 from Messrs Plan Active Town and Regional Planners on behalf of Messrs. T. Thorsson and C Thompson-Thorsson on Erf 80, Rooi Els for the following:

- ❖ Removal of a restrictive title condition with reference to Clause F.4.(d) of Title Deed T45817/2019 in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020.

Restrictive condition F.4.(d) reads as follows:

*“no building or structure except boundary walls and fences shall be erected nearer than 4.72 metres to the street line which forms a boundary of this erf, nor within 3.15 metres of the rear of 1.57 metres of the lateral boundary common to any adjoining erf provided that the consent of the Local Authority an outbuilding exceeding 3.05 metres in height measured from the floor to the wall plate and no portion of which will be used for human habitation may be erected within the above prescribed rear space and provided further that a garage may be erected up to such street line if in the opinion of the Local Authority the level of the erf is such as to make that necessary”*

- ❖ Departure in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to relax the following:
  - street building line from 4m to 0,73m to accommodate a portion of the existing carport;
  - southern lateral building line from 2m to 0m to accommodate a portion of the existing carport, and
  - southern lateral building line from 2m to 0,2m to accommodate a portion of the existing dwelling.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

**RESOLVED:**

1. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the removal of restrictive title deed condition Clause F.4.(d) as contained in Title Deed T45817/2019 applicable to Erf 80, Rooiels to accommodate a portion of the existing dwelling, **be approved** in terms of the provisions of Section 61;
2. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 on Erf 80, Rooiels for a departure to relax the southern lateral building line from 2m to 0,2m to accommodate a portion of the existing dwelling, **be approved** in terms of the provisions of Section 61 subject to the following conditions:
  - (a) that the departure be restricted to surveyed plan V20189 submitted with the application;
  - (b) that this approval only relates to a building line relaxation (for a portion of the dwelling only) as indicated on plan numbers rooiels80.drw dated 08/2020 and RE80 Bailey dated October 2019;
  - (c) that the revised building plans (*indicating the above approval only*) be submitted to the Building Department, and that all conditions set by the Building- and Fire Departments at that stage, be complied with;
  - (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 all the conditions in the Services Report, be complied with.
3. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 on Erf 80, Rooiels for the following departures, **not be approved**:
  - o street building line from 4m to 0,73m to accommodate a portion of the existing carport, and
  - o southern lateral building line from 2m to 0m to accommodate a portion of the existing carport;
4. that the shed be **demolished**, and the fence be **moved** to the surveyed boundary within three (3) months from the decision letter;
5. that no additional building work be approved on first floor level transgressing the lateral building line of 2m, and

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
17 August 2021  
(Also the agenda for the Mayoral Committee Meeting : 24 August 2021)**

---

6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

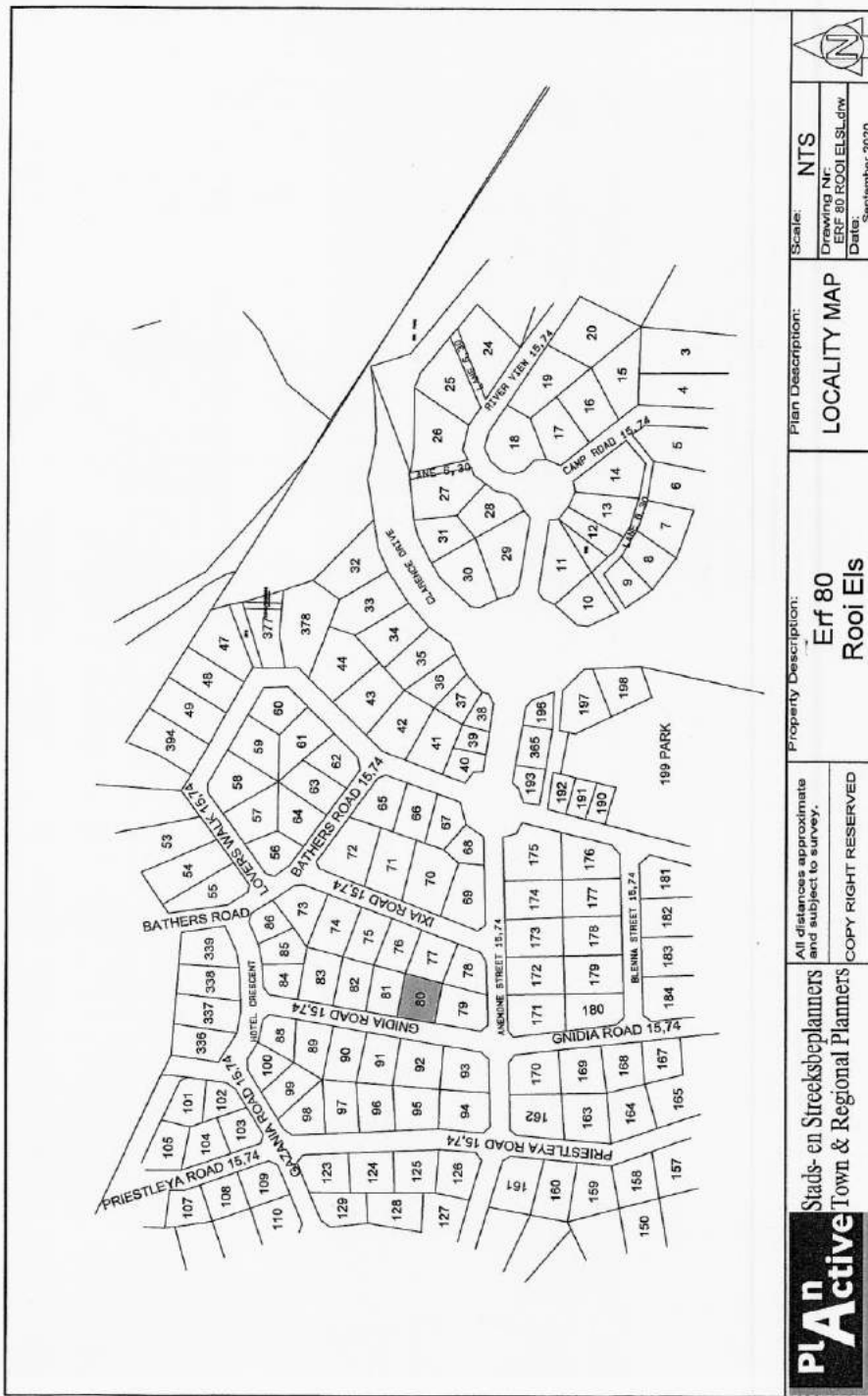
**REASONS FOR THE RESOLUTION:**

**APPROVAL POINT 1**

- ❖ The removal of restrictive condition 4.(d) will not be to the detriment of the area.
- ❖ The title deed condition does allow structures within the building lines and is less prescriptive than the Overstrand Land Use Scheme with regard to noise pollution and or visual impact.
- ❖ The removal of the condition will enable the legalization of the conversion and the water tanks, the latter which forms part of climate change adaptation.

**NON-APPROVAL - POINT 2:**

- ❖ The carport on both the street- and lateral building lines will influence the street scape since no other structure in Gnidia Road has been built on the street boundary.
- ❖ The buildings on Erf 80 has not been built according any of the approved building plans and the transgression of both the dwelling and carport has an accumulative impact on Erf 79.
- ❖ There is sufficient space north on the property to erect the carport.



**PLA<sup>n</sup>**  
Active

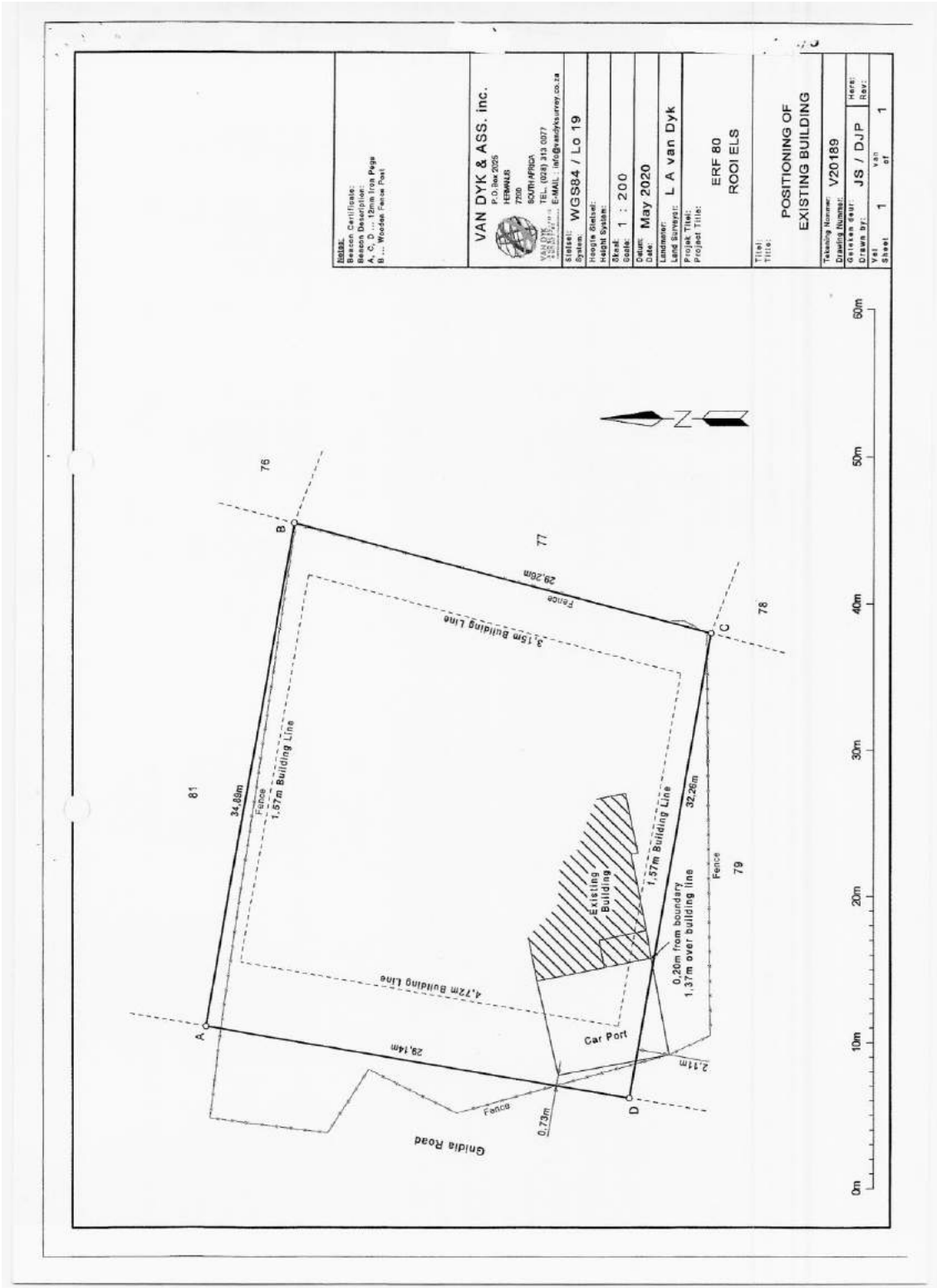
Stads- en Streeksbeplanners  
Town & Regional Planners

All distances approximate  
and subject to survey.  
COPY RIGHT RESERVED

Property Description:  
**Erf 80**  
**Rooi EIS**

Plan Description:  
**LOCALITY MAP**

Scale: **NTS**  
Drawing Nr: **ERF 80 ROOI EIS L.drw**  
Date: **September 2020**



**NOTES:**  
 Reason Certificate:  
 Reason Description:  
 A ...  
 B ...  
 C ...  
 D ...

**VAN DYK & ASS. INC.**  
 P.O. Box 2025  
 HEERLEN  
 7200  
 SOUTH AFRICA  
 TEL: (06) 311 0077  
 FAX: (06) 311 0078  
 EMAIL: info@vandykassurey.co.za

**Project:** WGS84 / LO 19  
**Project Name:** ...  
**Project Title:** ...  
**Scale:** 1 : 200  
**Date:** May 2020  
**Author:** L A van Dyk  
**Project Title:** ERF 80 ROOI ELS

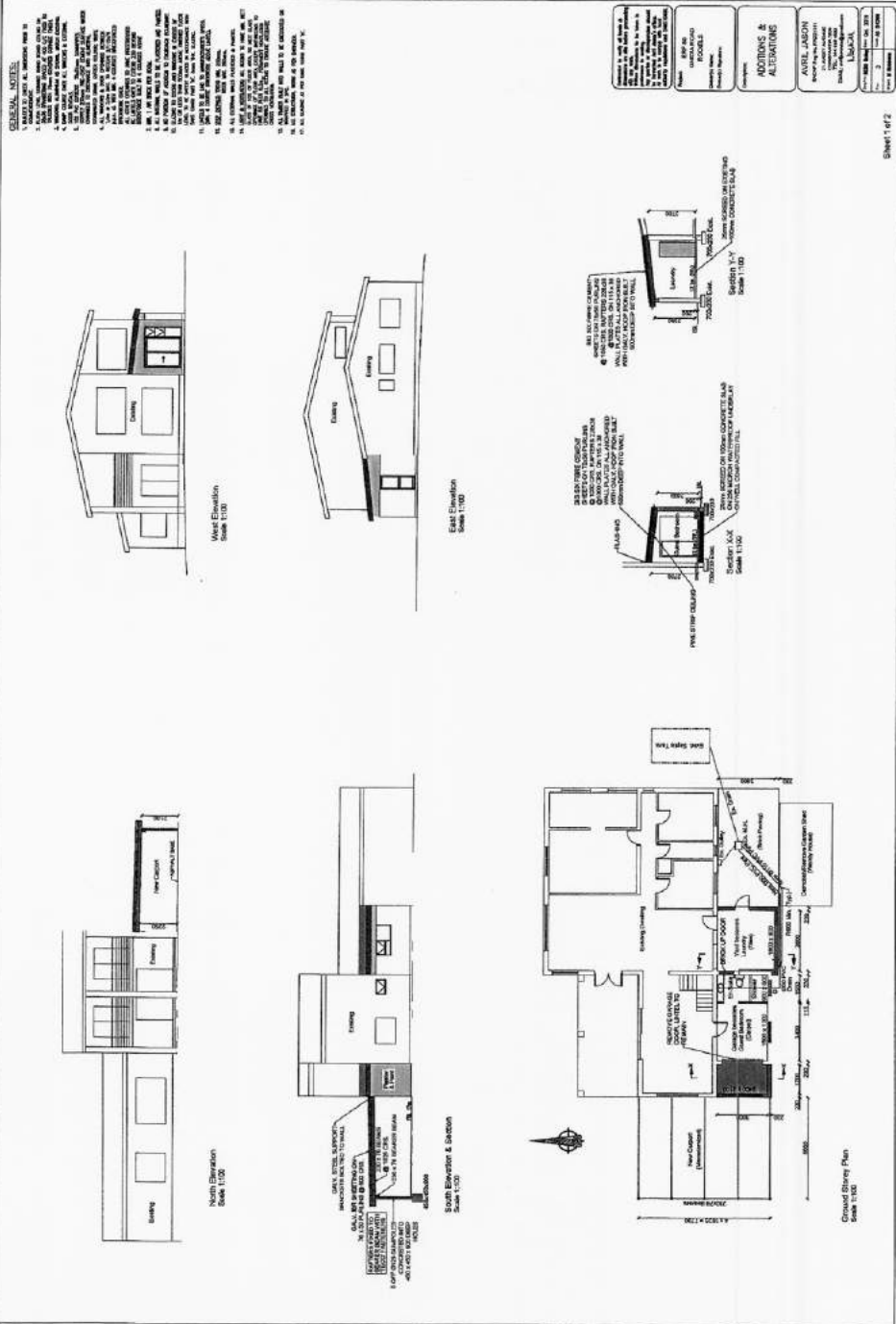
**Title:** POSITIONING OF EXISTING BUILDING

**Drawing Number:** V20189  
**Drawn by:** JS / DJP  
**Rev:** 1  
**Sheet:** 1 of 1



NOTES	
---	Boundary line
- - -	Existing Fence
---	Scheme Building line
---	Title Deed Building line

<b>PLAN</b> <b>Active</b> Streets on Streets/planners Town & Regional Planners	All statements and drawings are the property of the author and are not to be reproduced without written permission.	Property Description: <b>ERF 80</b> <b>ROOIELS</b>	Plan Description: <b>SITE</b> <b>PLAN</b>	Scale: 1:200 Drawing No: 00000000 Date: 08/2020



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS & DEPARTURE: ERF 80, ROOI ELS**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that stormwater be allowed to discharge through Erf 80, Rooi Els, unobstructed;
4. that no on-street parking be allowed;

*p.p. D. Hendriks*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

*26/01/2021*  
**DATE**