

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
16 February 2016  
(Also the agenda for the Mayoral Committee Meeting : 24 February 2016)**

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**8.  
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : NOVEMBER 2015 TO  
JANUARY 2016**

15/3/11

R van Antwerp

(028) 313 8039

Hermanus Administration

18 January 2016

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**1. Executive Summary**

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 17 October 2015 – 17 January 2016.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Infrastructure and Planning  
Town- and Spatial Planning

**3. Compliance with Strategic Priority**

Promotion of tourism, economic and social development

**4. Delegated Authority**

Executive Mayor

**5. Legal Requirements**

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

**6. Background/Discussion/Evaluation/Conclusion**

**Background**

This item serves to inform Council of matters that were disposed of by the Senior Manager : Town- & Spatial Planning.

**7. Financial Implications**

None

**8. Staff Implications**

None

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**9. Comments from other Departments, Divisions and Administrations**

None

**10. Annexures**

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

**RECOMMENDATION :**

that **cognisance be taken** of the town planning applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of delegated authority for the period 17 October 2015 – 17 January 2016:

1.	Erf 4635, Hermanujs	28 October 2015
2.	Erf 7021, Kleinmond	3 November 2015
3.	Erf 3936, Kleinmond	13 November 2015
4.	Erf 3677, Onrus River	13 November 2015
5.	Erf 1888, Sandbaai	13 November 2015
6.	Erf 6996, Hermanus	13 November 2015
7.	Erf 99, Stanford	13 November 2015
8.	Erf 952, De Kelders	13 November 2015
9.	Portion 11 of the Farm Hemel & Aarde No. 587	13 November 2015
10.	Erf 719, Hermanus	13 November 2015
11.	Erf 1128, Pringle Bay	27 November 2015
12.	Erf 1191, Vermont	27 November 2015
13.	Erf 2415, Gansbaai (Blompark)	27 November 2015
14.	Erf 273, Gansbaai	27 November 2015
15.	Erf 2351, Pearly Beach	27 November 2015
16.	Erf 3465, Onrus River	4 December 2015
17.	Farms 698 and 712 Caledon	8 December 2015
18.	Erf 8294, Sandbaai	8 December 2015
19.	Erf 2147, Sandbaai	8 December 2015
20.	Erf 3178, Onrus River	8 December 2015
21.	Erf 1705, Vermont	8 December 2015
22.	Erf 3801, Gansbaai	9 December 2015
23.	Erf 3394, Hermanus	10 December 2015
24.	Erf 2065, Hermanus	10 December 2015
25.	Erf 1835, Hermanus	10 December 2015
26.	Erf 2158, Hermanus	10 December 2015
27.	Remainder of Farm 970	10 December 2015
28.	Farm Welgesind No. 648	10 December 2015
29.	Erf 1444, Sandbaai	21 December 2015
30.	Erf 10303, Hermanus	23 December 2015

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31.	Erf 2522, Pearly Beach	23 December 2015
32.	Erf 4607, Onrus River	8 January 2016
33.	Erf 1061, Vermont	8 January 2016
34.	Erf 1506, Vermont	8 January 2016
35.	Portion 66 farm Baardscheerdersbosch No. 213	15 January 2016
36.	Erf 1218, Hermanus	15 January 2016
37.	Erf 84, Kleinbaai	15 January 2016
38.	Erven 1164, 6908 & Remainder 1166, Hermanus	15 January 2016

**Executive Mayor (acting under delegated authority during the recess period  
27 November 2015 – 17 January 2016) : Council Items**

39.	Erf 1095, Vermont	11 January 2016
40.	Erf 1310, Stanford	11 January 2016
41.	Erf 7490, Hermanus	11 January 2016
42.	Portion 11 of the farm Hemel & Aarde No. 587	11 January 2016
43.	Erf 246, Franskraal	11 January 2016
44.	Portion 94 of the farm Hemel & Aarde No. 587	11 January 2016
45.	Erf 254, Rooi Els	11 January 2016
46.	Erf 3220, Onrus River	11 January 2016
47.	Erven 2322 and 2327, Vermont	11 January 2016
48.	Erf 271, Kleinbaai	12 January 2016
49.	Erf 538, Sandbaai	12 January 2016
50.	Portion 20 of the farm Fransche Kraal No. 708	12 January 2016
51.	Erf 27, Fisherhaven	15 January 2016
52.	Erf 11097, Hermanus	15 January 2016
53.	Erven 49 and 50, Fisherhaven	15 January 2016
54.	Erf 3253, Onrus River	15 January 2016
55.	Erf 11154, Hermanus	15 January 2016
56.	Erven 3510 and 3511, Onrus River	15 January 2016

<b>RESPONSIBLE OFFICIAL :</b>	<b>R VAN ANTWERP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>9 MARCH 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>N/A</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

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15/3/11

R van Antwerp  
18 January 2016

(028) 313 8039

Hermanus Administration

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**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON  
16 FEBRUARY 2016, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

**RECOMMENDATION:**

that it **be noted** that the item **be withdrawn** from the agenda of the Portfolio Committee Infrastructure and Planning which was held on 16 February 2016 on the request of the administration and that a revised report be submitted during the March 2016 cycle.

<b>RESPONSIBLE OFFICIAL :</b>	<b>R VAN ANTWERP</b>
<b>TARGET DATE FOR IMPLEMENTATION :</b>	<b>9 MARCH 2016</b>
<b>TARGET DATE TO INFORM APPLICANT :</b>	<b>N/A</b>
<b>TARGET DATE TO INFORM OBJECTOR :</b>	<b>N/A</b>

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1. **ERF 4635, 6 STEENBOK STREET, HERMANUS, OVERSTRAND MUNICIPAL AREA : TITLE DEED RELAXATION AND PROPOSED DEPARTURE : MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF JL SYM**

**4635 HNC (2952)**

**H van der Stoep (028) 313 8900**

**Hermanus Administration**

**13 October 2015**

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**Executive Summary**

An application has been received on 23 June 2015 from Messrs Plan Active Town & Regional Planners on behalf of the property owner, JL Sym, on Erf 4635, Hermanus for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 0m and the eastern lateral building line from 2m to 0m to accommodate the existing braai lapa and double garage on the property concerned.

The application also include a relaxation of the 4,72m street building line as well as the 2,36m lateral building line to 0m as stipulated in the Title Deed to accommodate the mentioned structures.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 4635, Hermanus in order to relax the street building line from 4m to 0m and the eastern lateral building line from 2m to 0m to accommodate the existing braai lapa and double garage on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan Numbers her4635.drw dated 17 June 2015 and haman 001 dated April 2010 and March 2011, which was submitted with the application;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and

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- (e) that all the conditions imposed by Western Cape Government : Environmental Affairs and Development Planning in their letter dated 30 June 2015 (attached as Annexure E), be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**2. ERF 7021, 102 SECOND AVENUE, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: PROPOSED DEPARTURE : AJ MAREE**

**7021 KKM (2989)**

**H van der Stoep (028) 313 8900**

**Hermanus Administration**

**30 October 2015**

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**Executive Summary**

An application has been received on 22 July 2015 from AJ Maree on Erf 7021, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 1,5m to accommodate the usage change of the existing double garage into a living room.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 7021, Kleinmond in order to relax the lateral building line from 2m to 1,5m to accommodate the usage change of the existing double garage into a living room, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan No. C.508.K (Sheets 1 to 5) dated 7 May 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Services Report (attached as Annexure D), be complied with, and
  - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**3. ERF 3936, 128 FIRST AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE : CH & SJW COETZEE**

**3936 KKM (2939)**

**H van der Stoep  
29 October 2015**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

An application has been received on 11 June 2015 from CH & SJW Coetzee on Erf 3936, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the rear building line from 2m to 0,910m to legalize the existing built-in braai on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3936, Kleinmond in order to relax the rear building line from 2m to 0,910m to legalize the existing built-in braai on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan No. A.169.K (Sheets 1, 2 and 3) dated 3 June 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Services Report (attached as Annexure D), be complied with, and
  - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**4. ERF 3677, 64 OLD MAIN ROAD, ONRUS RIVER, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : JJ VISSER**

**3677 HON (2998)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**3 November 2015**

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**Executive Summary**

An application has been received on 29 July 2015 from JJ Visser on Erf 3677, Onrus River for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m to legalize the existing outside staircase.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3677, Onrus River, in order to relax the southern lateral building line from 2m to 0m to legalize an existing outside staircase on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that this approval is only for the relaxation of building lines indicated on Plan Numbers 2015/07/27 submitted with the application, and
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.

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**5. ERF 1888, MONTE MARE, C/O BERGSIG STREET AND MAIN ROAD,  
SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE  
: HJ POTGIETER**

**1888 HSB (2958)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**2 November 2015**

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**Executive Summary**

An application has been received on 26 June 2015 from HJ Potgieter, the property owner, on Erf 1888, Sandbaai for a departure from the relevant Scheme Regulations in order to relax the 5m street building line from 5m to 2,943m to legalize an existing covered and enclosed stoep.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1888, Monte Mare, Sandbaai, in order to relax the street building line from 5m to 2,943m to legalize the enclosing of an covered stoep, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that all the conditions imposed by Telkom (attached as Annexure E), be complied with;
  - (e) that this approval is only for the relaxation of building lines indicated on Plan Number erf1888\_POTGIETER\_A1/01-2015-RevO dated May 2015, submitted with the application;
  - (f) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
  - (g) that all the conditions imposed by Eskom (attached as Annexure G), be complied with.

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**6. ERF 6996, 11 THIRD AVENUE, HERMANUS (VOËLKLIP), OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : G DE SMIDT**

**6996 HVK (2968)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**29 September 2015**

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**Executive Summary**

An application has been received on 4 December 2014 from G de Smidt on Erf 6996, Hermanus (Voëlkliip) in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the relevant Scheme Regulations in order to relax the rear building line from 2m to 0m and the lateral building lines from 2m to 0m to legalize the garage that has been converted into a maids quarters.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the Scheme Regulations on Erf 6996, Hermanus (Voëlkliip) to relax the lateral- and rear building lines from 2m to 0m respectively in order to legalize the garage that has been converted into a maids quarters, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that the conditons compiled in the Services Report should be complied with, attached as Annexure D;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that the pergola be removed;
  - (e) that this approval is only for the relaxation of building lines indicated on the Site Development Plan ref. KH/72K dated Aug 2014, as submitted with this application; and
  - (f) that building plans be submitted to the Building Department for approval and that all Building and Fire regulations be complied with at that stage.

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2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**7. ERF 99, 40 SHORT MARKET STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION : TG McEWEN (STERN & ECKERMANS) ON BEHALF OF BJ BAXTER & FS CLITHEROE**

**99 SSS (2918)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**5 November 2015**

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**Executive Summary**

An application has been received on 9 June 2015 from TG McEwen on behalf of BJ Baxter & FS Clitheroe for the subdivision of Erf 99, Stanford into two portions, namely Portion A approximately 895m<sup>2</sup> and the Remainder approximately 1009m<sup>2</sup>.

**RESOLVED :**

1. that in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a subdivision of Erf 99, Stanford into two portions namely Portion A, approximately 895m<sup>2</sup> and the Remainder approximately 1009m<sup>2</sup>, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to Subdivisional Plan, Drawing No: 1738/1875, as submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (e) that all the comments received from Operational Services (attached as Annexure E), be noted and complied with;
  - (f) that the comment received from Electro Technical Services (attached as Annexure F), be noted, and
  - (g) that any future designs be submitted to the Stanford Heritage Committee for review.

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2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**8. ERF 952, 11 KILLARNEY STREET, DE KELDERS, OVERSTRAND  
MUNICIPAL AREA : APPLICATION FOR DEPARTURE : J DE WET ON  
BEHALF OF MESSRS MADRI BELEGGINGS BK**

**952 GDK (2996)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**6 November 2015**

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**Executive Summary**

An application was received on 27 July 2015 from Messrs Madri Beleggings BK, the owners of Erf 952, De Kelders for a departure from the Scheme Regulations in order to relax the 2m lateral building line from 2m to 1,57m.

**RESOLVED :**

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 952, De Kelders, in order to relax the 2m lateral building line with 0,43m, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on Site Development Plan No. 11/DC/15 as submitted with the application, maintaining a lateral building line of 1,57m;
  - (b) that building plans be submitted to the Building Department for approval;
  - (c) that all the conditions in the Service Report (attached as Annexure F), be complied with;
  - (d) that the comment from Electro Technical Services (attached as Annexure D), be noted;
  - (e) that the existing external lighting on the flank elevation facing Erf 953, De Kelders be removed as per the agreement between the applicant and the owner of Erf 953, De Kelders;
  - (f) that this approval does not absolve the 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.
2. that the applicant be notified of its right of appeal in terms of Section 62 of

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

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**9. PORTION 11 OF FARM 587, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN : JE MOGG (ON BEHALF OF HAYGROVE HAVEN (PTY) LTD)**

**11/587 (2996)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**11 November 2015**

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**Executive Summary**

An application has been received on 11 June 2015 from JE Mogg on Portion 11 of Farm 587, Hemel-en-Aarde Valley to amend the Site Development Plan for the restaurant (Moggs Cookhouse) on the property in order to construct additions to the existing building.

**RESOLVED:**

1. that in terms of Section 16.3 of the Overstrand Municipality Zoning Scheme Regulations promulgated in accordance with Section 9 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application to amend the Site Development Plan for Portion 11 of Farm 587, Hemel-en-Aarde Valley for Meggs Cookhouse, in order to accommodate new extensions to the existing reataurant, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the extensions as indicated on the Site Development Plan 2015-587/11/SH7 and 2015-587/11/SH8 dated 9 June 2015 (See Annexure C), as submitted with the application, and not for any other approvals or uses on the property;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that the necessary building plans be submitted to the Building Control Department for all proposed new building work;
  - (e) that all the conditions imposed by the Overberg District Municipality : District Health with building plan submission be adhered to;
  - (f) that all the conditions imposed by the Fire Department with building plan submission be adhered to;
  - (g) that all conditions imposed in the Services Report (attached as

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Annexure D), be complied with, and

- (h) that all the conditions imposed by BOCMA in their letter dated 20 October 2015 (attached as Annexure E), be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**10. ERF 719, C/O ABERDEEN & PATERSON STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF THE CONDITIONS OF APPROVAL: PLAN ACTIVE ON BEHALF OF OVERSTRAND HOSPICE NPC**

**719 HNC**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**10 November 2015**

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**Executive Summary**

An application has been received on 25 June 2015 from Plan Active on behalf of Overstrand Hospice NPC on Erf 719, Hermanus for the amendment of the conditions of approval in order to change the usage from offices only to offices and shop on the property concerned.

**RESOLVED :**

1. that in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the amendment of the conditions of approval on Erf 719, Hermanus in order to change the usage from offices only to offices and shop on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the development as indicated on the Site Development Plan CS-03 dated 4 June 2015 (See Annexure C), as submitted with the application, and not for any other approvals or uses on the property;
  - (b) that the ownership of the retail concern be that of Hospice;
  - (c) that the retail concern be subservient to the Hospice office use;
  - (d) that should the property change ownership, the retail concern fall away and only be used for office purposes;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (g) that the necessary building plans be submitted to the Building Control Department for all proposed new building work;
  - (h) that the approval of Heritage Western Cape be obtained;

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- (i) that all the conditions imposed by the Fire Department with building plan submission be adhered to, and
  - (j) that all conditions imposed in the Services Report (attached as Annexure D), be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**11. ERF 1128, 81 HILTON CIRCLE, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : DJ LESCH**

**1128 KPRB (2912)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**10 November 2015**

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**Executive Summary**

An application has been received on 11 May 2015 from DJ Lesch on Erf 1128, Pringle Bay for a departure from the relevant Scheme Regulations in order to relax the lateral and rear building lines from 3m and 2m respectively to 0m, and to exceed the 9m restriction of a building on one specific boundary, in order to accommodate the proposed double garage on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1128, Pringle Bay in order to relax the lateral and rear building lines from 3m and 2m respectively to 0m, and to exceed the 9m restriction of a building on one specific boundary, in order to accommodate the proposed double garage on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan No. 2015-002 dated 30 June 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Services Report (attached as Annexure D), be complied with;
  - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage, and
  - (f) that the structure make provision for a gutter on the rear boundary in order to accommodate the roof water on his own property and not that of his neighbour.

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2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**12. ERF 1191, UNIT 2, CNR GLASOLIEN & KANDELAAR STREET, VERMONT,  
OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : K BENE**

**1191 HVM (2959)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**17 November 2015**

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**Executive Summary**

An application has been received on 26 June 2015 from K Bene on Erf 1191, Vermont for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m, to accommodate a store room, braai and outside toilet on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1191, Vermont, in order to relax the northern lateral building line from 2m to 0m to accommodate a store room, a built braai and outside toilet, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that this approval is only for the relaxation of building lines indicated on Plans 2015/07/27 submitted by Richard Borello Architectural with the application;
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
  - (f) that all the conditions in the letter from Telkom dated 2 October 2015 (attached as Annexure E), be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**13. ERF 2415, 15 KAMPEER ROAD, GANSBAAI (BLOMPARK) : PROPOSED DEPARTURE : A DUNSDON**

**2415 GBP (2890)**

**SW van der Merwe  
19 November 2015**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

To consider an application for departure received on 14 April 2015 from the owner of Erf 2415, Gansbaai (Blompark), A Dunsdon, in order to encroach the 2m street building line with 1m and the 1m lateral building line up to the erf boundary.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 2415, Gansbaai (Blompark) in order to encroach the 2m street building line with 1m and the 1m lateral building line up to the southern lateral property boundary, **be approved**, subject to the following conditions:
  - (a) that the development occur strictly in accordance with the Site Development Plan, drawing no DUN-BP-13/015 1 and 2 of 2, dated 4 June 2013;
  - (b) that building plans be submitted to the Building Department for approval;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**14. ERF 273, 85 PARK STREET, GANSBAAI (PERLEMOENBAAI) : PROPOSED DEPARTURE : GF & BS BRUINTJIES**

**273 GGB (2865)**

**SW van der Merwe (028) 313 8900**

**Hermanus Administration**

**24 November 2015**

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**Executive Summary**

To consider an application for departure received on 20 March 2015 from the owners of Erf 273, Gansbaai, GF & BS Bruintjie, in order to relax the 2m lateral building line to 1,57m.

**RESOLVED :**

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985 ) the application for departure on Erf 273, Gansbaai in order to relax the western lateral building line from 2m to 1,57m, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on the Site Development Plan No. 85/KB14, sheets 1 to 5 of 5, dated 12 November 2014 attached as Annexure B;
  - (b) that building plans be submitted to the Building Department for approval;
  - (c) that all the conditions imposed by the Senior Manager: Operational Services and the Senior Manager Engineering Services, attached as Annexure D and E, be adhered to;
  - (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 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**15. ERF 2351, 22 JELLIEVIS STREET, PEARLY BEACH, OVERSTRAND  
MUNICIPAL AREA : APPLICATION FOR DEPARTURE : J LOMBAARD**

**2351 GPB (2863)**

**SW van der Merwe  
25 November 2015**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

To consider an application for departure received on 17 March 2015 from the owner of Erf 2351, Pearly Beach Resort, J Lombaard, in order to encroach the 2m street building line with 0,6m and to provide only one parking bay instead of two.

**RESOLVED :**

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 2351, Pearly Beach in order to relax the street building line from 2m to 1,4m as well as the provision of one on-site parking bay **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the street building line and the provision of one on-site parking bay as indicated on the Site Development Plan No. JJ/18/015 dated 3 March 2015;
  - (b) that building plans be submitted to the Building Department for approval;
  - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
  - (d) that the remainder of the open stoep may not be enclosed.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**16. ERF 3465, 24 RHEEZICHT CRESCENT, ONRUS RIVER, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : SM WOLVAARDT**

**3465 HON (2949)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**17 November 2015**

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**Executive Summary**

An application has been received on 23 June 2015 from SM Wolvaardt on Erf 3465, Onrus River for a departure from the relevant Scheme Regulations in order to relax the eastern lateral building line from 2m to 0m, to legalize the existing garage and to relax the western lateral building line from 2m to 0,71m to legalize a covered stoep on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3465, Onrus River, in order to relax the eastern lateral building line from 2m to 0m, to legalize the existing garage and to relax the western lateral building line from 2m to 0,71m to legalize a covered stoep on the property concerned, be approved, **subject to the following conditions:**
  - (a) that the garage structure can only be allowed if upgraded in terms of the requirements of the Fire Department as attached as Annexure E;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (e) that this approval is only for the relaxation of building lines indicated on the plan by Dirk J Walters dated 13/3/2015 submitted with the application, and
  - (f) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
  - (f) that all the conditions in the letter from Telkom dated 2 October 2015

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(attached as Annexure E), be complied with.

2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**17. FARMS 698 & 912, CALEDON, OVERSTRAND MUNICIPAL AREA :  
APPLICATION FOR CONSOLIDATION, SUBDIVISION AND CONSENT USE  
: MESSRS WRAP CONSULTANCY ON BEHALF OF PURPLE PLUM  
PROPERTIES 105 (PTY) LTD**

**Farms 912 & 698 (2625)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**9 October 2015**

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**Executive Summary**

To consider an application received on 4 July 2014 from Messrs WRAP Consultancy on behalf of Purple Plum Properties 105 (Pty) Ltd, the owners of Farms 698 & 912, Caledon, for the consolidation and the subdivision of the consolidated property into two portions, namely Portion A ( $\pm 100,2980$  ha) and Portion B ( $\pm 117,5169$  ha). Application is also made for consent use in order to establish five additional dwelling units on Portion B.

**RESOLVED :**

1. that the application for consolidation of Farms 698 and 912, Caledon Division and subdivision of the consolidated property into two portions, namely Portion A approximately  $\pm 100,2980$  ha in extent and Portion B approximately  $\pm 117,5169$  ha in extent, in terms of the provisions of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved;**
2. that the application for consent use in order to construct five additional dwelling units on the proposed Portion B in terms of the provisions of Section 2.2 of the Overstrand Zoning Scheme Regulations, **be approved;**
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that the requirements in terms of the Council's policy pertaining to additional dwelling units be adhered to;
  - (b) that household refuse must be disposed of at a municipal dumping site (no refuse may be disposed of on the properties);
  - (c) that no services will be provided by the Municipality (except for sewage disposal);
  - (d) that building plans for the additional dwelling units be submitted to the Municipality for consideration and approval and that all conditions imposed by the Building Department and Fire Services be adhered to;

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- (e) that both the construction of the sewage systems on the property and the disposal of sewage, be to the satisfaction of the Breede-Gouritz Catchment Management Agency and the Municipality;
  - (f) that the conditions, where applicable, of the Department of Agriculture Annexure G), Department of Agriculture, Forestry and Fisheries (Annexure H), Breede-Overberg Catchment Management Agency (Annexure I) CapeNature (Annexure J), Department of Transport and Public Works (Annexure K), Telkom (Annexure L), Department of Health, Eskom (Annexure N) and Department of Environmental Affairs and Development Planning (Annexure O), be adhered to;
  - (g) the applicant must submit proof to the Municipality that adequate drinkable household water for the whole development can be supplied;
  - (h) that all the conditions of approval be adhered to prior to the commencement of any building activities, and
  - (i) that the applicant is not exempted from compliance with any other relevant legislation;
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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18. **ERF 8294, 43 BLUE CRANE STREET, HEMEL-EN-AARDE ESTATE, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE: SE BENNETT**

**8294 HMS (3018)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**26 November 2015**

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**Executive Summary**

An application has been received on 19 August 2015 from SE Bennett, the property owner, on Erf 8294, Hemel-en-Aarde Estate, Sandbaai for a departure from the relevant Scheme Regulations in order to relax the 2m western lateral building line from 0m to accommodate a proposed pergola and awning.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 8294, Hemel-en-Aarde Estate, Sandbaai in order to relax the western lateral building line from 2m to 0m to accommodate a proposed pergola and awning, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that stormwater be allowed to discharge through Erf 8294, Hemel-en-Aarde Estate, unobstructed;
  - (d) that this approval is only for the relaxation of building lines indicated on the plan dated 28/07/2015, submitted with the application;
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
  - (f) that all the conditions imposed by Telkom (attached as Annexure D), be complied with, and
  - (g) that all the conditions imposed by Eskom (attached as Annexure E), be complied with.

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2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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19. **ERF 2147, 16 VILLA ANADIA, BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : C JANSE VAN RENSBURG ON BEHALF OF NGJA VAN DYK**

**2147 HSB (2978)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**24 November 2015**

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**Executive Summary**

An application has been received on 9 July 2015 from C Janse van Rensburg on behalf of the property owner, NGJA van Dyk, on Erf 2147, Sandbaai for a departure from the relevant Scheme Regulations to relax the north-eastern lateral building line from 3m to 2,75m to accommodate the existing sunroom on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Remainder Erf 2147, Sandbaai, to relax the north-eastern lateral building line from 3m to approximately 2,75m to accommodate an existing sunroom, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 2015/06/17, which was submitted with the application, and
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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**20. ERF 3178, 60 MC FARLANE STREET ONRUS RIVER, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : S RAAD**

**3178 HON (3029)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**26 November 2015**

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**Executive Summary**

An application has been received on 28 August 2015 from S Raad, the property owner, on Erf 3178, Onrus River for a departure from the relevant Scheme Regulations to relax the south-eastern street building line from 4m to 1,7m to legalize an existing carport and to relax the north-eastern lateral building line from 2m to 0m to legalize an existing built braai.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) an application for a departure from the relevant Scheme Regulations on Erf 3178, Onrus River, to relax the south eastern street building line from 4m to 1,7m to legalize a carport and to relax the north eastern building line from 2m to 0m to legalize a built braai, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. PR2015/1 – 1A3 dated July 2015, which was submitted with the application, and
  - (d) that the structure in order comply with National Building Regulations SANS 10400;
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
  - (f) that Eskom's conditions in their letter dated 22 June 2015 (attached as Annexure E) be complied with, and
  - (g) that Telkom's conditions of approval in their letter (attached as Annexure F), be complied with.

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2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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**21. ERF 1705, 3 YELLOW FINCH COVE, VERMONT, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : THE CHARMAINE VAN  
ZYL FAMILY TRUST**

**1705 HVM (3025)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**26 November 2015**

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**Executive Summary**

An application has been received on 25 August 2015 from the Charmaine van Zyl Family Trust on Erf 1705, Vermont for a departure from the relevant Scheme Regulations to relax the north-western lateral building line from 2m to 0,9m to accommodate a new braai room on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) an application for a departure from the relevant Scheme Regulations on Erf 1705, Vermont, to relax the north western lateral building line from 2m to 0,9m to accommodate a proposed braai room, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 15-01-NEL dated 21 March 2015, which was submitted with the application, and
  - (d) that the structure in order comply with National Building Regulations SANS 10400;
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
  - (f) that Eskom's conditions in their letter dated 29 September 2015 (attached as Annexure E) be complied with.
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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**22. ERF 3801, 10 INDUSTRY CIRCLE, GANSBAAI, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE AND DEPARTURE: GM MARTINENGO ON BEHALF OF KAYLATON TRUST**

**3801 GIP (2906)**

**SW van der Merwe  
2 December 2015**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

To consider an application received on 4 May 2015 from the owners of Erf 3801, Gansbaai, Kaylaton Trust for consent use (noxious trade) and departure and departure of the southern lateral building line from 2m to 0m in order to conduct a ready-mix plant from a portion of the subject property.

**RESOLVED :**

1. that in terms of Section 2.2 of the Overstrand Zoning Scheme Regulations, the application for consent use (noxious trade) on Erf 3801, Gansbaai in order to develop a ready- mix plant on a portion of the property, **be approved;**
2. that the application for departure of the lateral building line from 2m to 0m in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved**
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that the proposed ready-mix facility be restricted to the area indicated on the Site Development Plan Project No. 01/HM/15 1-5 dated 24 March 2015 as submitted with the application;
  - (b) that on site parking be provided in accordance with the requirements of the Zoning Scheme Regulations, be permanently demarcated and at all times be available for use by vistors/clients;
  - (c) that the comments from Operational Services, attached as Anenxure D be complied with;
  - (d) that all the conditions in the Services Report be complied with;
  - (e) that prior to the approval of building plans the applicant submit a Dust Management Plant and that the findings/recommendations be implemented as part of the normal operational procedures (refer to Annexure F).

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- (f) that prior to the approval of building plans details of the disposal of water/effluent that will not be used in the production process shall be submitted for the prior approval of the Senior Manager: Operational Services; and
  - (g) that this approval does not absolve the applicant from compliance with any other applicable legislation;
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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- 23. ERF 3394, 200 FIFTH STREET, HERMANUS (VOËLKLIP), HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MS SANDRA SCHUTTE ON BEHALF OF WJ & A DU PLESSIS**

**3394 HVK (3030)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**25 November 2015**

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**Executive Summary**

An application has been received on 28 August 2015 from Ms Sandra Schutte on behalf of the owners of Erf 3394, Hermanus, WJ and A du Plessis, for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 3,15m to accommodate two balconies.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application on Erf 3394, Hermanus (Voëlkliip) for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 3,15m to accommodate two balconies, **be approved**, due to the following reasons;
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. D.1002.H, as submitted with the application;
  - (b) that no future extensions transgressing the building lines be allowed;
  - (c) that building plans be submitted to the Building Department for approval;
  - (d) that the balconies cannot be enclosed without consent from Council;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**24. ERF 2065, 46 SIXTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : AE UPTON**

**2065 HVK (3031)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**7 December 2015**

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**Executive Summary**

An application has been received on 28 August 2015 from the property owner of Erf 2065, Hermanus (Voëlklip), AE Upton, for a departure from the relevant Scheme Regulations in order to relax the rear building line from 2m to 0m and the lateral building line from 2m to 0m to accommodate an existing pergola and braai.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 2065, Hermanus, in order to relax the 2m western lateral building line and 2m rear building line respectively to 0m to accommodate an existing pergola and braai, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that the pergola be moved back to in order not to protrude over the boundary wall/property boundary;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that this approval is only for the relaxation of building lines indicated on Plan No. A.01.1 to A.01.4 dated 24 June 2015, which was submitted with the application, and
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**25. ERF 1835, 39 FOURTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : THE PEROLD BELEGGINGS TRUST**

**1835 HVK (3049)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**6 December 2015**

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**Executive Summary**

An application has been received on 10 September 2015 from The Perold Beleggings Trust, property owners of Erf 1835, Hermanus (Voëlklip), for a departure from the relevant Scheme Regulations to relax the 2m lateral building line to 0,9m in order to accommodate the existing entrance steps.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1835, Hermanus (Voëlklip) to relax the 2m lateral building line to 0,9m in order to accommodate the existing entrance steps, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 440 dated 30 November 2015 and 1 December 2015, which was submitted with the application, and
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**26. ERF 2158, 57 SIXTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : A BARNARD ON BEHALF OF DJT VAN NIEKERK**

**2158 HVK (3007)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**7 December 2015**

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**Executive Summary**

An application has been received on 6 August 2015 from A Barnard on behalf of the owner of Erf 2158, Hermanus (Voëlklip), DJT van Niekerk, for a departure from the relevant Scheme Regulations in order to relax the lateral building lines from 2m to 1,33m and from 2m to 1,2m respectively to accommodate alterations and additions.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 2158, Hermanus in order to relax the lateral building lines from 2m to 1,33m and from 2m to 1,2m respectively to accommodate alterations and additions, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 15-00-02 to 15-00-04 dated 20 March 2014, which was submitted with the application, and
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**27. REMAINDER OF FARM NO. 970, DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE : MESSRS DIESEL & MUNNS INC. ON BEHALF OF MOIWAY (PTY) LTD**

**Farm 970 (2668)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**2 December 2015**

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**Executive Summary**

To consider an application received on 3 September 2014 from Messrs Diesel & Munns Inc. on behalf of Moiway (Pty) Ltd, the owners of Farm 970, Caledon Division for consent use (three additional dwelling units) and departure in order to relax the 30m building line to 21m.

**RESOLVED :**

1. that the application for departure from the lateral building line from 30m to 21m in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved;**
2. that the application for consent use to allow three additional dwelling units in terms of the provisions of Section 2.2 of the Overstrand Zoning Scheme Regulations, **be approved;**
3. that the approvals in paragraphs 1. and 2. above be subject to the following conditions:
  - (a) that the requirements in terms of Council's policy pertaining to additional dwelling units, be adhered to (attached as Annexure J);
  - (b) that the development be implemented strictly in accordance with the Site Development Plan, drawing number 970\_000 dated 2014/07/31 as submitted with the application;
  - (c) the applicant is responsible for the dumping of household refuse at a municipal dumping site (no refuse may be disposed of on the properties);
  - (d) that no services will be provided by the Municipality;
  - (e) that building plans for the additional dwelling units be submitted to the Municipality;
  - (f) that the conditions, where applicable, of Eskom (Annexure E), Department of Environmental Affairs and Development Planning

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(Annexure F), Department of Agriculture (Annexure G), CapeNature (Annexure H), and Department of Transport and Public Works (Annexure I), be adhered to;

- (g) the applicant must submit proof to the Municipality that adequate drinkable household water for the whole development can be supplied;
  - (h) that all the conditions of approval be adhered to prior to the commencement of any building activities; and
  - (i) that the applicant is not exempted from compliance with any other relevant legislation;
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**28. REMAINDER OF THE FARM 648 WELGESIND, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : MESSRS GUTHRIE & THERON ATTORNEYS ON BEHALF OF MESSRS GUILDER INVESTMENTS 46 (PTY) LTD**

**Rem Farm 648 (2887)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**8 December 2015**

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**Executive Summary**

An application has been received from Messrs Guthrie and Theron Attorneys on behalf of the owners Messrs Guilder Investments 46 (Pty) Limited on the Remainder of the Farm 648 Welgesind for a consent use in order to establish a tourist facility (micro manufacturing of wine) on the property.

**RESOLVED :**

1. that in terms of Section 2.2 of the Overstrand Zoning Scheme Regulations the application for a consent use in order to establish a tourist facility (micro manufacturing of wine) on the Remainder of Farm 648, **be approved**, subject to the following conditions:
  - (a) that the parking bays be clearly demarcated;
  - (b) that building plans be submitted to the Building Department and that the Building and Fire Regulations be complied with at that stage;
  - (c) that all the conditions stipulated by Eskom (attached as Annexure E) and Cape Nature (attached as Annexure F), be complied with;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (e) that the standard requirements, pertaining to Health and Safety Certificates as well as a liquor licence, be applicable;
  - (f) that all the conditions in the Services Report (attached as Annexure D) and Operational Services Report (attached as Annexure G), be complied with, and
  - (g) that the approval is linked to the Site Development Plan Drawing No. farm 648\_GUILDER-A1/01-Rev0 dated March 2015, as submitted with the application.

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2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**29. ERF 144, SANDBAAI, OVERSTRAND MUNICIPAL AREA : AMENDMENT OF ARCHITECTURAL GUIDELINES : MOOIZICHT GARDENS**

**1444,HSB**

**H Olivier**

**10 December 2015**

**(028)313 8900**

**Hermanus Administration**

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**Executive Summary**

The Home Owners' Association (HOA) submitted an application for the amendment of the guidelines.

**RESOLVED :**

The amendments to the Mooizicht Gardens Architectural Guidelines, is **approved**.

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**30. ERF 10303, 81 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : BM THOMPSON**

**10303 HVK (3080)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**15 December 2015**

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**Executive Summary**

An application has been received on 12 October 2015 from BM Thompson the owner of Erf 10303, Hermanus (Voëlkliip) for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m to accommodate a covered stoep on the eastern lateral boundary.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 10303, Hermanus (Voëlkliip) in order to relax the lateral building line from 2m to 0m to accommodate a covered stoep on the eastern lateral boundary, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that the height of the covered stoep must not to exceed 3,5m from natural ground level;
  - (d) that this approval is only for the relaxation of building lines indicated on Plan No. 2014/05/12.dwg submitted with the application; and
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
  
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**31. ERF 2522, 63 MELKHOUT STREET, PEARLY BEACH, OVERSTRAND  
MUNICIPAL AREA : APPLICATION FOR DEPARTURE : P NORTJE**

**2522 GPB (3084)**

**SW van der Merwe  
15 Desember 2015**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

To consider an application received on 13 October 2015 from the owner of Erf 2522, Pearly Beach, P Nortje, for a departure from the Pearly Beach Holiday Resort development rules in order to relax the lateral building line from 1m to 0,40m to accommodate the existing bathroom.

**RESOLVED :**

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 2522, Pearly Beach in order to relax the lateral building line from 1m to 0,40m, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the lateral building line as indicated on the Site Development Plan No. JJ 61/15 dated 23 September 2015;
  - (b) that building plans be submitted to the Building Department for approval; and
  - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**32. ERF 4607, 29 KINGSWAY, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : BC OLIVIER**

**4607 HON (2981)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**7 December 2015**

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**Executive Summary**

An application has been received on 14 July 2015 from BC Olivier, the property owner, on Erf 4607, Onrus River for a departure from the relevant Scheme Regulations to relax the rear building line from 2m to 0m to legalize an existing built braai.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 4607, Onrus River, to relax the rear building line from 2m to 0m to legalize an existing built braai, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. *4607kingsway* dated 28 June 2015, which was submitted with the application;
  - (d) that the structure in order comply with National Building Regulations SANS 10400, and
  - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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**33. ERF 1061, 25 KRINGTANG CRESCENT, VERMONT, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ENGELBRECHT & SCORGIE ON BEHALF OF DJ & MCM DU TOIT**

**1061 HVM (2995)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**10 December 2015**

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**Executive Summary**

An application has been received on 24 July 2015 from Messrs Engelbrecht & Scorgie on behalf of the property owners, DJ & MCM du Toit, on Erf 1061, Vermont for a departure from the relevant Scheme Regulations in order to relax the western lateral building line from 2m to 0m to accommodate a proposed wendy house.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1061, Vermont in order to relax the western lateral building line from 2m to 0m to accommodate a proposed wendy house, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the relaxation of building lines indicated on the plan marked du Toit 2 dated July 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
  - (e) that all the conditions imposed by Telkom (attached as Annexure F), be complied with;
  - (f) that all the conditions in the Services Report (attached as Annexure G), be complied with, and
  - (g) that the owner provide a 2,1m high 60 minute fire resistant wall on the property boundary in accordance with the National Fire Protection

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Regulations SANS 10400 T:2011, or other alternative acceptable to the Fire Department.

2. that the applicants be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**34. ERF 1506, VERMONT, OVERSTRAND MUNICIPAL AREA : PROPOSED  
CONSENT USE : MESSRS WARREN PETTERSON PLANNING ON BEHALF  
OF JIKELA INVESTMENTS CC**

**1506 HVM (2934)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**17 December 2015**

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**Executive Summary**

An application has been received on 3 June 2015 from Messrs Warren Petterson Planning on behalf of the property owner, Jikela Investments CC, on Erf 1506, Vermont for a consent use from the Overstrand Municipality Zoning Scheme Regulations in order to accommodate an existing communication base station and additional communication base station on the property.

**RESOLVED :**

1. that in terms of Section 2.2 of the Overstrand Municipality Scheme Regulations, the application for a consent use on Erf 1506, Vermont in order to accommodate an existing communication base station and additional communication base station on the property, **be approved**, subject to the following conditions:
  - (a) that the communication base station be restricted to Plan No. 282-Vermont Reservoir (Top View) and 282-Vermont Reservoir (Elevation), as submitted with the application;
  - (b) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that the conditions in the letter from Telkom (attached as Annexure G), be complied with;
  - (e) that that the conditions in the letter from Eskom (attached as Annexure H), be complied with;
  - (f) that this approval does not absolve the 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.

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2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**35. PORTION 66 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213,  
DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA :  
APPLICATION FOR DEPARTURE : WJ HAMMAN**

**66/213 GRBRE (3021)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**12 January 2016**

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**Executive Summary**

To consider an application for departure received from the owner, WJ Hamman, of Portion 66 of the Farm Baardscheerders Bosch No 213, in order to relax the 10m building line to 5m.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Portion 66 of the Farm Baardscheerders Bosch No. 213, Division Bredasdorp to relax the 10m building line to 5m, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 66/WH/13 dated 9 April 2015, which was submitted with the application;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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**36. ERF 1218, 12 PROTEA ROAD, HERMANUS (EASTCLIFF), OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : EB PETERS**

**1218 HEC (3061)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**13 January 2016**

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**Executive Summary**

An application has been received on 30 September 2015 from the owner of Erf 1218, Hermanus (Eastcliff) for a departure from the relevant Scheme Regulations in order to relax the street building line from 4m to 0m to accommodate alterations and additions to the existing dwelling.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 1218, Hermanus (Eastcliff) from the relevant Scheme Regulations in order to relax the street building line from 4m to 0m to accommodate alterations and additions to the existing dwelling, **be approved**, subject to the following conditions:
  - (a) that the garage/storeroom can only be used for storage purposes as indicated on the Site Development Plan as submitted with the application;
  - (b) that approval is only for the garage/storeroom as indicated on the Site Development Plan as submitted with the application;
  - (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 60 min fire walls are in place on boundaries that make up part of structure in compliance with SANS 10400;
  - (e) that all the conditions in the Services Report (attached as Annexure D), be complied with;
  - (f) that all the conditions imposed by Telkom (attached as Annexure E) 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

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Zoning Scheme be complied with;

2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**37. ERF 84, 17 KUSFRONT STREET, VAN DYKSBAAI (KLEINBAAI),  
OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS  
BOLAND PLAN TOWN AND REGIONAL PLANNING ON BEHALF OF THE  
SPRINGKUIL TRUST**

**84 GKB (3014)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**13 January 2016**

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**Executive Summary**

To consider an application for departure received on 11 August 2015 from Messrs Boland Plan Town- and Regional Planning on behalf of the owners of Erf 84, Van Dyksbaai, The Springkuil Trust, in order to relax the 2m lateral building line to 0m.

**RESOLVED :**

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985 ) the application for departure of the lateral building line on Erf 84, Van Dyksbaai (Kleinbaai) from 2m to 0m, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. 03/TS/15 dated 24 June 2015;
  - (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 the conditions imposed by the Operational Department and the Engineering Services, attached as Annexures D and E be adhered to;
  - (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;
  - (f) that the door between the bar/tv room be blocked up permanently within thirty (30) days from the final approval of the decision date;
  - (g) that a sixty (60) minute structural fire wall be provided for the rear wall of the new garage or alternatively on the property boundary adjoining Erf 1220, Van Dyksbaai, and

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- (h) the outbuilding may not be converted into or be utilised as a second dwelling unit without the prior written approval of the Municipality
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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- 38. ERVEN 1164, 6908 & REMAINDER ERF 1166, 247–251 MAIN ROAD & 106–108 MITCHELL STREET, HERMANUS (EASTCLIFF), OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION : MESSRS PLANACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF AKULA TRADING 319 (PTY) LTD**

**1164, 6908 & RE 1166 HEC (2911)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**6 January 2016**

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**Executive Summary**

An application has been received on 27 July 2015 from Messrs PlanActive Town- and Regional Planners on behalf of Akula Trading 319 (Pty) Ltd, the owner of Erven 1164, 6908 and the Remainder Erf 1166, Hermanus (Eastcliff), in terms of Chapter 2, Section 2.3 of the Overstrand Zoning Scheme Regulations, 2013 for the consolidation of Erven 1164, 6908 & Remainder Erf 1166, Hermanus (Eastcliff).

**RESOLVED :**

1. that in terms of Chapter 2, Section 2.3 of the Overstrand Zoning Scheme Regulations, 2013 the application for the consolidation of Erven 1164, 6908 and the Remainder Erf 1166, Hermanus (Eastcliff), **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the proposed SG Diagram, Erf 12209, Hermanus dated March 2015, as submitted with the application;
  - (b) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
  - (e) that all previous conditions must still to be complied with.
2. that the applicant be notified of his/her right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**39. ERF 1095, 23 BIETOU STREET, VERMONT, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : M VERHAVE**

**1095 HVM (2889)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**23 October 2015**

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**Executive Summary**

Application has been received on 17 April 2015 from M Verhave on Erf 1095, Vermont for a departure from the relevant Scheme Regulations in order to relax the 2m north western lateral building line to 1,5m in order to accommodate a portion of a proposed garage on the property.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure on Erf 1095, Vermont to relax the 2m north eastern lateral building line to 1,5m to accommodate a portion of a proposed garage, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of building lines as indicated on Plan No. Departure Application SP7 dated 7/4/2015, submitted with the application;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
  - (e) that all the conditions by Telkom in their letter dated 22 July 2015 (attached as Annexure F), be complied with, and
  - (f) that all the conditions in the Services Report (attached as Annexure G), be complied with.
  
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**40. ERF 1310, 14 CHURCH STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION : PLAN ACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF THE MANOR TRUST**

**1310 SSS (2918)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**4 November 2015**

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**Executive Summary**

An application has been received on 15 May 2015 from Messrs Plan Active Town and Regional Planners on behalf of the property owner, The Manor Trust, for the subdivision of Erf 1310, Stanford into three erven namely, Portion A approximately 948m<sup>2</sup> in extent, Portion B approximately 948m<sup>2</sup> in extent and the Remainder approximately 2523m<sup>2</sup> in extent.

**RESOLVED :**

1. that the objection and comment **be noted**;
2. that in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a subdivision of Erf 1310, Stanford into three erven namely, Portion A approximately 948m<sup>2</sup> in extent, Portion B approximately 948m<sup>2</sup> in extent and the Remainder approximately 2523m<sup>2</sup> in extent, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the Subdivisional Plan, Drawing No: stanf1210.drw dated May 13/03/2015, as submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Service Report (attached as Annexure F), be complied with;
  - (e) that the comments received by Electro Technical Services (attached as Annexure G), Operational Services (attached as Annexure H) and Telkom (attached as Annexure J), be noted;
  - (f) that solutions to mitigating the excess water on Caledon Street be discussed with the Municipality, and

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- (g) that all future buildings on the subject properties must conform to the Stanford Conservation Guidelines.
- 3. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**41. ERF 7490, HERMANUS (KLEINRIVIER), OVERSTRAND MUNICIPAL AREA :  
REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND  
CONSENT USE : MESSRS PLAN ACTIVE TOWN- & REGIONAL PLANNERS  
ON BEHALF OF MESSRS DELISYS (PTY) LTD**

**7490 (2778)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**10 November 2015**

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**Executive Summary**

An application has been received on 12 December 2014 from Messrs. Plan Active Town- & Regional Planners on behalf of Messrs Delisys (Pty) Ltd, the owner of Erf 7490, Hermanus (Kleinrivier), for the removal of a restrictive title condition in order to conduct a guest house with six bedrooms on the property.

The application further contains a consent use in terms of Section 2.2 of the Overstrand Zoning Scheme Regulations, in order to conduct a guest house with six bedrooms on the property.

**RESOLVED :**

1. that the objection be noted;
2. that the application for the removal of restrictive title deed conditions applicable to Erf 7490, Hermanus to enable the owner to operate a guest house on the property, **be recommended for approval** by the Provincial Government: Western Cape;
3. that the application for consent use on Erf 7490, Hermanus in order to conduct a tourist accommodation (guest house with six bedrooms), **be approved**, in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
4. that the approval in 3. above be subject to the following conditions:
  - (a) that the restrictive title deed condition be successfully removed by the Provincial Government : Western Cape;
  - (b) that the relevant conditions imposed by the Department of Environmental Affairs and Development Planning (Annexure F), Department of Transport and Public Works (Annexure G), Fire Department (Annexure H) and the Engineering Department (Annexure I), be adhered to;
  - (c) that the applicant acquires approval from CapeNature and Breede-

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- Gourtiz Catchment Management Area (BGCMA), which approvals are to be made available to the Municipality prior to the establishment of the tourist accommodation;
- (d) that the necessary health and sanitation permits and licenses are obtained before any activities are approved;
  - (e) that the parking area as per the approved Site Development Plan be implemented, demarcated and provided with a hard surface;
  - (f) that no advertising signs may be erected without the written approval of the Municipality and District Road Engineer;
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (h) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (i) that the owner and his successors in title prevent the occurrence of any public nuisance, which through an act or omission materially interferes with the comfort, peace and quiet of the surrounding area, and should the owner or his successor in title fail to comply with such condition, they will themselves make themselves liable to further legal action, and
  - (j) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget.
5. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**42. REMAINDER OF PORTION 11 (NIEUWE POST) OF FARM HEMEL-EN-AARDE NO. 587, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE: MESSRS WRAP ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD**

**Ptn 11/587 RCAL (2859)**

**H Olivier**

**(028) 313 8179**

**Hermanus Administration**

**19 November 2015**

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**Executive Summary**

An application has been received on 18 March 2015 from Messrs WRAP on behalf of Haygrove Heaven (Pty) Ltd for a consent use and departure on Remainder of Portion 11 (Nieuwe Post) of Farm Hemel-en-Aarde No. 587 to accommodate intensive horticulture (tunnels) and to relax the building lines applicable to the farm.

**RESOLVED :**

1. that in terms of Clause 2.2 of the Overstrand Municipality Zoning Scheme Regulations the application for a consent use on Remainder Portion 11 of Farm Hemel-en-Aarde No. 587 to accommodate intensive horticulture (tunnels) on the property, **be approved**;
2. that in terms of Section 15 of LUPO the application for departure to relax the southern lateral building line from 30m to 21,5m and the 30m building line with Portion 88 of Farm Hemel-en-Aarde No. 587 to 3,4m to accommodate portions of the tunnels, **be approved**;
3. that 1 and 2 above be approved subject to the following conditions:
  - (a) that the placement of the intensive horticulture tunnels be in line and limited to the tunnels indicated on the Site Development Plan 14/073/01/P11 submitted with the application, and application will have to be made for any possible future tunnels;
  - (b) that detailed building plans be submitted to the Building Department for approval;
  - (c) that this approval does not absolve the applicant/owner from compliance with any other relevant legislation;
  - (d) that all the other development parameters as prescribed in the Zoning Scheme Regulations be retained;
  - (e) that all the conditions imposed by Eskom (attached as Annexure G),

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be complied with;

- (f) that all the conditions imposed by Telkom (attached as Annexure H), be complied with;
  - (g) that all the conditions in the Services Report (attached as Annexure I), be complied with;
  - (h) that all the conditions of the Fire Department be complied with at building plan submission phase, and
  - (i) that the tunnels either be of a non-reflective material or covered by non-reflective netting.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**43. ERF 246, 12 CILLIERS STREET, FRANSKRAAL : PROPOSED DEPARTURE AND RELAXATION OF A RESTRICTIVE TITLE DEED CONDITION : CG COETZEE**

**246 GFK (2994)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**11 November 2015**

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**Executive Summary**

To consider an application for departure and relaxation of restrictive title conditions received on 27 July 2015 from the owner of Erf 246, Franskraal, CG Coetzee, in order to relax the 2m lateral building line to 1,5m.

**RESOLVED :**

1. that the application for the relaxation of restrictive title conditions on Erf 246, Franskraal in order to relax the lateral building line from 1,57m to 1,5m, **be approved**;
2. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985 ) the application for departure on Erf 246, Franskraal in order to relax the western lateral building line from 2m to 1,50m, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on the Site Development Plan No. COE-FK 15/12, 1 to 3 of 3 dated 28 May 2015, which was submitted with the application;
  - (b) that building plans be submitted to the Building Department for approval;
  - (c) that all the conditions in the Service Report (attached as Annexure D), be complied with;
  - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**44. PORTION 94 OF THE FARM 587, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE AND DEPARTURE: MESSRS WRAP ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD**

**Ptn 94/587 RCAL (2858)**

**H Olivier**

**(028) 313 8179**

**Hermanus Administration**

**24 November 2015**

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**Executive Summary**

An application has been received on 18 March 2015 from Messrs WRAP on behalf of Haygrove Heaven (Pty) Ltd for a consent use and departure on Portion 94 of the Farm Hemel-en-Aarde Valley to accommodate intensive horticulture (tunnels) and to relax the building lines applicable to the farm.

**RESOLVED :**

1. that in terms of Clause 2.2 of the Overstrand Municipality Zoning Scheme Regulations the application for a consent use on Portion 94 of Farm 587 Hemel-en-Aarde to accommodate intensive horticulture (tunnels) on the property, **be approved**;
2. that in terms of Section 15 of LUPO the application for departure to relax the western lateral building line from 30m to 10m and the 30m eastern building line to 3,4m to accommodate portions of the tunnels, **be approved**;
3. that Points 1 and 2 above is subject to the following conditions:
  - (a) that the placement of the intensive horticulture tunnels be in line and limited to the tunnels indicated on the Site Development Plan 14/073/01 submitted with the application, and application will have to be made for any possible future tunnels;
  - (b) that detailed building plans be submitted to the Building Department for approval;
  - (c) that this approval does not absolve the applicant/owner from compliance with any other relevant legislation;
  - (d) that all the other development parameters as prescribed in the Zoning Scheme Regulations be retained;
  - (e) that all the conditions imposed by Eskom (attached as Annexure G), be complied with;

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- (f) that all the conditions imposed by Telkom (attached as Annexure H), be complied with;
  - (g) that all the conditions in the Services Report (attached as Annexure I), be complied with;
  - (h) that all the conditions of the Fire Department be complied with at building plan submission phase, and
  - (i) that the tunnels either be of a non-reflective material or covered by non-reflective netting.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**45. ERF 254, 12 CRUENTA CIRCLE, ROOIELS, OVERSTRAND MUNICIPAL AREA : TITLE DEED RELAXATION : J WEIDEMAN ON BEHALF OF DR JD VAN DER RIET**

**254 KRE (3027)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**8 December 2015**

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**Executive Summary**

An application has been received on 27 August 2015 from J Weideman on behalf of Dr. JD van der Riet on Erf 254, Rooi Els for the relaxation of Condition (f)4.(b) as stipulated in Title Deed 2482/1973 in order to accommodate a proposed staff quarters on the property concerned.

**RESOLVED :**

1. that the application for the relaxation Condition (f)4.(b) as stipulated in Title Deed 2482/1973 of Erf 254, Rooi Els in order to accommodate a proposed staff quarters on the property concerned, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the structures indicated on Plan Numbers JC5868/101B and JC5868/102 dated May 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (d) that all the conditions in the Services Report (attached as Annexure D), be complied with, and
  - (e) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.

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**46. ERF 3220, 14 LAGOON DRIVE, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED RELAXATION OF TITLE DEED BUILDING LINE : THE WEST TRUST**

**3220 HON (3009)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**9 December 2015**

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**Executive Summary**

An application has been received on 13 August 2015 from The West Trust, the property owner on Erf 3220, Onrus River for a relaxation of the 5m street title deed building line to 4m to accommodate a portion of the new garage on the property.

**RESOLVED :**

1. that the relaxation of the 5m street building line as stipulated in Condition E6(b) of Title Deed T23422/10 of Erf 3220, Onrus River, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that this approval is only for the relaxation of the Title Deed building line as indicated on Plan No. 005-103 dated March 2015 which was submitted with the application, and
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**47. ERVEN 2322 AND 2327, CARACAL CLOSE, LYNX SANDS, VERMONT,  
OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION AND  
CONSOLIDATION : MESSRS PLAN ACTIVE ON BEHALF OF JA HUGO**

**2322 & 2327 HVM (3056)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**4 January 2016**

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**Executive Summary**

An application has been received on 18 September 2015 from Messrs Plan Active on behalf of JA Hugo for the subdivision of Erf 2327, Vermont to create a Remainder measuring approximately 2586m<sup>2</sup> and a new Portion measuring approximately 215m<sup>2</sup> in extend, and the consolidation of the portion with Erf 2322, Vermont to create a larger residential erf of approximately 867m<sup>2</sup> in extent.

**RESOLVED :**

1. that in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for the subdivision of Erf 2327, Vermont to create a Remainder measuring approximately 2586m<sup>2</sup> and a new Portion measuring approximately 215m<sup>2</sup> in extend, **be approved**;
2. that in terms of Section 2.3 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) application for the consolidation of the new Portion with Erf 2322, Vermont to create a larger residential erf of approximately 867m<sup>2</sup> in extent, **be approved**;
3. that 1 and 2 above be approved subject to the following conditions:
  - (a) that this approval only has reference to the Subdivisional and Consolidation Plan, Drawing No. VER2327.drw dated 25 August 2015, as submitted with the application;
  - (b) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the Zoning Scheme be adhered to;
  - (d) that all the conditions imposed by Eskom (attached as Annexure F), be complied with;
  - (e) that all the conditions in the Services Report (attached as Annexure G),

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be complied with, and

- (f) that the consolidation be done simultaneously with the subdivision of Erf 2327, Vermont.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**48. ERF 271, 5 BISKOP STREET, VAN DYKSBAAI (KLEINBAAI),  
OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE AND  
RELAXATION OF RESTRICTIVE TITLE DEED CONDITION : JGS & CE  
LABUSCHAGNE**

**271 GKB (2825)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**20 September 2015**

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**Executive Summary**

To consider an application for departure and relaxation of a restrictive title deed condition received on 2 July 2015 from the owners of Erf 271, Van Dyksbaai (Kleinbaai), JGS & CE Labuschagne, in order to encroach the 4m street building line with 0,34m to accommodate a proposed balcony. The application also involves the relaxation of the 5m street building line that applies in terms of the Title Deed to 3,66m.

**RESOLVED :**

1. that the application for relaxation of restrictive title deed conditions applicable to Erf 271, Van Dyksbaai in order to relax the 5m street building line contained in Title Deed T22130/2013, **be approved**;
2. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Zoning Scheme Regulations on Erf 271, Van Dyksbaai, to relax the 4m street building line with 0,34m to accommodate a proposed balcony, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the relaxation of the building lines as indicated on Plan No. 05/LL15 dated 5 May 2015, as submitted with the application;
  - (b) that the conditions of Operational Services (Annexure E) be complied with;
  - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
  - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and

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- (f) that the ground floor stoep and first floor balcony, may not be enclosed.
3. that the applicants be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**49. ERF 538, 1 LONG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA:  
REMOVAL OF RESTRICTIONS : FJ MULLER**

**538 HSB (2929)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**24 November 2015**

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**Executive Summary**

An application has been received on 29 June 2015 from FJ Muller for the removal of a restrictive title condition applicable to Erf 538, Sandbaai to enable the owner to construct a portion of the dwelling over the 15 feet (4,72m) street building line with Long Street to the south of the property.

**RESOLVED :**

1. that the removal of restrictive title condition Page 4, Paragraph 2(d) in Title Deed T7377/2014 in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) applicable to Erf 538, Sandbaai, **be recommended for approval** by the Western Cape Government : Environmental Affairs and Development Planning, subject to the following conditions
  - (a) that all development parameters, as prescribed in the relevant Zone Scheme, be complied with;
  - (b) that the approval does not absolve the applicants from compliance with any other relevant legislation and/or Title Deed conditions;
  - (c) that all conditions imposed in the Services Report (attached as Annexure D), be complied with;
  - (d) that all the conditions imposed by Telkom (attached as Annexure E), be complied with;
  - (e) that all the conditions imposed by Eskom (attached as Annexure F), be complied with;
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**50. PORTION 20 OF THE FARM FRANSCHÉ KRAAL NO. 708, DISTRICT CALEDON, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE AND DEPARTURE: TOWN & COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF "DIE WIETS-BEUKES TRUST"**

**Ptn 20/708 RCAL (2826)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**20 November 2015**

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**Executive Summary**

Application has been received on 18 February 2015 from Messrs Town and Country Creative Land Solutions on behalf of "Die Wiets-Beukes Trust" on Portion 20 of the Farm Franche Kraal No. 708, District Caledon for a consent use in order to establish a tourist facility (tourist accommodation, conference facility, farmers market, sports activity area and farm stall) on the property.

The application further entails the departure from the relevant Scheme Regulations in order to relax the 20m building line to accommodate the existing structures on the property.

**RESOLVED :**

1. that in terms of Section 2.2 of the Overstrand Zoning Scheme Regulations promulgated in accordance with Section 9 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) application for consent use on Portion 20 of the Farm Franche Kraal No. 708, District Caledon in order to establish a tourist facility (tourist accommodation, conference facility, farmers market, sports activity area and farm stall) on the property **be approved**;
2. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), an application for a departure from the relevant Scheme Regulations on the property to allow a relaxation of the 30m building line to approximately 20m to accommodate an additional dwelling, **be approved**;
3. that approval in paragraphs 1. and 2. be subject to the following conditions:
  - (a) that the approval is only to accommodate the existing operation and building footprints, as indicated on the revised Site Development Plan, CAL/1253;
  - (b) that a Site Development Plan be submitted to the Municipality only showing the existing buildings and also the parking layout, loading bays, refuse area, conservancy tanks and access to the site, for final

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consideration and approval by the Director: Infrastructure and Planning;

- (c) that the applicant arrange with Eskom for the provision of electricity;
- (d) that the applicant will be responsible to obtain the necessary approval, license and permit from the applicable authorities (Water Affairs, Health, Breede-Gouritz Catchment Management Area etc.) and that proof thereof is submitted to the Municipality for record keeping;
- (e) that any additional conditions that Council may deem fit be imposed and be implemented by the developer should the farm pack shed operation create a public disturbance or nuisance;
- (f) that all other parameters as prescribed in the Zoning Scheme be adhered to;
- (g) that a refuse area be built according to municipal specifications;
- (h) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (i) that no intensive farming activities are to be conducted on the farm without prior consent from Council;
- (j) that no butchery may be operated on the farm without prior consent from Council;
- (k) that any additional conditions that Council may deem fit be imposed and be implemented by the developer should the farm pack shed operation create a public disturbance or nuisance;
- (l) that all the conditions received from the Fire Department (attached as Annexure I) be complied with;
- (m) that all the conditions in the Services Report (attached as Annexure G), Department of Environmental Affairs and Development Planning (attached as Annexure H), the Provincial Department of Agriculture (attached as Annexure F) and the comment form Operational Services (attached as Annexure J) be complied with; and

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- (n) that building plans be submitted for approval to the Building Department and that all the regulations in terms of Building and Fire be complied with at that stage;
- 4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**51. ERF 27, 40 BROADWAY STREET, FISHERHAVEN, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE : AJ & C MASTERSON**

**27 HFH (3036)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**31 December 2015**

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**Executive Summary**

An application has been received on 3 September 2015 from AC & J Masterson the property owners on Erf 27, Fisherhaven for a departure from the relevant Scheme Regulations in order allow the use change of a single garage to a store room/guest room, laundry and office which already traverse the 2m lateral building line up to approximately 1,5m.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 27, Fisherhaven in order to allow a use change of an existing garage to a store room, laundry and guest room/store room, which traverse the 2m lateral western building line up to 1,5m, **be approved**, subject to the following conditions:
  - (a) that this approval is only for the use change as indicated on Plan No. LKN 042/2015 dated 27 May 2015, which was submitted with the application;
  - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the Zoning Scheme be complied with;
  - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**52. ERF 11097, FERNKLOOF, HERMANUS, OVERSTRAND MUNICIPAL AREA :  
PROPOSED AMENDMENT OF THE CONDITIONS OF APPROVAL AND  
AMENDMENT OF THE SITE DEVELOPMENT PLAN : MESSRS PLAN  
ACTIVE ON BEHALF OF NMH TRADING 23 (PTY) LTD**

**11097 HEC (2425)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**15 December 2015**

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**Executive Summary**

An application was received on the 26 September 2013 from Messrs PlanActive Town- and Regional Planners on behalf of NMH Trading 23 (Pty) Ltd for the following:

- amendment of the conditions of approval and the amendment of the approved Site Development Plan on Erf 11097, Hermanus to accommodate the change of use from 9 golf lodges to 18 sectional title residential units, and
- departure from the relevant Scheme Regulations on Erf 11097, Hermanus to relax the southern building line to 0m.

**RESOLVED :**

1. that events which have transpired and the revision of the Site Development Plan, **be noted**, and
2. that the amended Site Development Plan be submitted to the Senior Manager: Town & Spatial Planning for approval.

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**53. ERVEN 49 & 50, 61 AND 63 RIVERSIDE DRIVE, FISHERHAVEN,  
OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION : MESSRS  
PLAN ACTIVE ON BEHALF OF KJ & GD SCHUSTER**

**49 & 50 HFH (3011)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**4 January 2016**

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**Executive Summary**

An application has been received on 12 August 2015 from Messrs Plan Active on behalf of KJ and GD Schuster to consolidate Erven 49 and 50, Fisherhaven.

**RESOLVED :**

1. that in terms of Section 2.3 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for the consolidation of Erven 49 and 50, Fisherhaven, **be approved**, subject to the following conditions:
  - (a) that this approval only has reference to the proposed SG Diagram, Erf 798, Fisherhaven, dated July 2015, as submitted with the application;
  - (b) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (c) that all other development parameters as prescribed in the Zoning Scheme be adhered to;
  - (d) that all the conditions imposed by Telkom (attached as Annexure G), be complied with, and
  - (e) that all the conditions in the Services Report (attached as Annexure H) be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**54. ERF 3253, 76 DAWSON STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MR DFB LE ROUX ON BEHALF OF P RABIE**

**3253 HON (2946)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**4 January 2016**

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**Executive Summary**

An application has been received on 18 June 2015 from Mr DFB le Roux on behalf of P Rabie on Erf 3253, Onrus River for a departure from the relevant Scheme Regulations in order to relax the 2m northern lateral building line and the 2m rear building line to 1m respectively, to accommodate the existing dwelling and proposed extensions to the dwelling, on the property concerned.

**RESOLVED :**

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3253, Onrus River in order to relax the northern rear and western lateral building lines from 2m to 1m to accommodate the existing dwelling, **be approved**, subject to the following conditions:
  - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
  - (c) that amended building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage;
  - (d) that openings in the structure on a 1m building line may not exceed a total of 5m<sup>2</sup> in accordance with National Fire Protection Regulations Table 2 of SANS 10400 T : 2011 unless a boundary wall of 30 minute fire resistance at 2,1m height is provided;
  - (e) that all the conditions in the Services Report (attached as Annexure D), be complied with, and
  - (f) that all the conditions imposed by Telkom (attached as Annexure E), be complied with, and
  - (g) that all the conditions imposed by Telkom (attached as Annexure F), be

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complied with.

2. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3253, Onrus River in order to relax the northern rear and western lateral building lines from 2m to 1m to accommodate proposed new extensions to the dwelling, **not be approved**, due to the following reason :
  - (a) there is more than sufficient space on the property to plan future extensions to the dwelling inside the relevant building lines.
3. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**55. ERF 11154, DE GOEDE STREET, WESTCLIFF, HERMANUS, OVERSTRAND  
MUNICIPAL AREA : PROPOSED DEPARTURE & AMENDMENT OF THE  
SITE DEVELOPMENT PLAN : MESSRS PRAKTIPLAN ON BEHALF OF  
ANNENPROP 9 (PTY) LTD**

**11154 HWC (2982)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**11 January 2016**

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**Executive Summary**

An application has been received on 7 July 2015 from Messrs. Praktiplan on behalf of Messrs. Annenprop 9 (Pty) Ltd on Erf 11154, Hermanus for a departure from the relevant Scheme Regulations in order to relax the street building lines in order to accommodate the following:

- Erection of a 13m<sup>2</sup> guard house 1,4m from the De Goede Street boundary line,
- Erection of a 35m<sup>2</sup> covered refuse yard on the corner of the Church and Fourie Streets boundary lines and 7,87 metres from the centre line of Fourie Street,
- Installation of 2 emergency power generators in a 40,5m<sup>2</sup> enclosure 0,3 metre from the corner of the De Goede and Flower Streets Boundary lines,
- The erection of a mini electrical substation 0,3m from the corner of the De Goede and Church Streets boundary lines.

An application was also received for the Amendment of the approved Site Development Plan (SDP) for the application property to include a guard house on De Goede Street, emergency power generators on the corner of Flower and De Goede Streets and an electrical substation on the corner of De Goede and Church Streets.

**RESOLVED :**

1. that in terms of Section 42(3) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application on Erf 11154, Hermanus for the amendment of the approved Site Development Plan (SDP) for the application property to include a guard house on De Goede Street, emergency power generators on the corner of Flower and De Goede Streets and an electrical substation on the corner of De Goede and Church Streets, **be approved;**
2. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 11154, Hermanus in order to relax the street

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building lines in order to accommodate the following:

- Erection of a 13m<sup>2</sup> guard house 1,4m from the De Goede Street boundary line,
- Erection of a 35m<sup>2</sup> covered refuse yard on the corner of the Church and Fourie Streets boundary lines and 7,87 metres from the centre line of Fourie Street,
- Installation of 2 emergency power generators in a 40,5m<sup>2</sup> enclosure 0,3 metre from the corner of the De Goede and Flower Streets boundary lines, and
- The erection of a mini electrical substation 0,3m from the corner of the De Goede and Church Streets boundary lines,

**be approved;**

3. that the approvals of 1 and 2 above are subject to the following conditions:
  - (a) that the application be approved subject to all other conditions as per approval dated 25 June 2008;
  - (b) that the land uses be located as per the Site Development Plan and be screened off properly;
  - (c) that the emergency generators be fitted and/or screened to reduce any possible noise levels when functional;
  - (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;
  - (f) that this approval is only for the relaxation of building lines indicated on Plan Numbers A101-A104, A111, A130 & A131 dated 24 June 2015, which was submitted with the application, and
  - (g) 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.
4. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No. 32 of 2000 with regard to the above decision.

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**56. ERVEN 3510 AND 3511, 4 AND 6 TED WOOD STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION AND REZONING : MESSRS WRAP ON BEHALF OF ERF 3513 HOOFWEG ONRUSRIVIER CC**

**3510 & 3511 HON (2957)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**10 December 2015**

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**Executive Summary**

An application has been received on 25 June 2015 from Messrs WRAP on behalf of Erf 3513 Hoofweg Onrusrivier CC for the consolidation of Erven 3510 and 3511, Onrus River, and the rezoning thereof to General Residential Zone II : Town Housing to accommodate the development proposal of six (6) town housing units.

**RESOLVED :**

1. that in terms of Section 2.3 of the Overstrand Municipality Scheme Regulations, the application for the consolidation of Erven 3510 and 3511, Onrus River, **be approved**;
2. that in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for the rezoning of the consolidated erf mentioned in 1.above from Residential Zone 1 to General Residential Zone II : Town Housing, **be approved**;
3. that the approval of Point 2 be subject to the following conditions:
  - (a) that an amended Site Development Plan be submitted to address the stacking distance at the entrance gate and amending the parking and access road to the satisfaction of the Director: Infrastructure and Planning;
  - (b) that this approval does not absolve the applicant/owner from compliance with any other relevant legislation;
  - (c) that architectural design guidelines in line with the Zoning Scheme parameters be submitted for the development, to address the style of the houses that will be constructed and also address all future possible extensions;
  - (d) that a minimum of two parking bays per residential unit be provided;
  - (e) that a Body Corporate be established with compulsory membership for

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all property owners within the development, and that this body assumes responsibility (including costs) for the provision, maintenance, management, etc. of all internal facilities and services;

- (f) that all the conditions imposed in the Services Report (attached as Annexure G), be complied with;
  - (g) that all the conditions imposed by Eskom (attached as Annexure F), be complied with;
  - (h) that the Constitution of the Body Corporate be submitted for approval by the Municipality (which reserves the right to impose conditions in this regard), and that the following aspects inter alia be addressed in this document:
    - the approval of building plans by an “estate architect” prior to submission thereof to the Municipality, and
    - that the Constitution clarifies at what stage the responsibility for the provision/maintenance of internal services/facilities would be transferred from the land owner/developer to the Body Corporate, and also what the standard of completion of such internal services/facilities would be at that time.
  - (i) that internal services and facilities in the development remains the responsibility of the developer, his successor in title or the Body Corporate, and
  - (j) that a minimum of one fire hydrant must be provided in terms of Section 4.35.4 of SANS 10400 T:2011, and that all units must comply with Fire Safety requirements in terms of National Fire Protection Regulations SANS 10400 TT:2011.
4. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.