

PORTFOLIO COMMITTEE :

INVESTMENT & INFRASTRUCTURE

Chairperson :

Cllr C Lerm

Committee Members :

**Cllr M Nomatiti, Ald R de Coning,
Cllrs M Sihlahla & V Bandeza**

INVESTMENT & INFRASTRUCTURE PORTFOLIO COMMITTEE

2 November 2022

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**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

**1.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: JULY 2022 – AUGUST
2022**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

26 October 2021

(028) 313 8900

1. Executive Summary

To report on applications disposed of by the Authorised Official and Municipal Planning Tribunal in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 15 July 2022 – 15 August 2022.

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

This item serves to inform Council of matters that were disposed of by the Authorised Official in terms of SPLUMA and the Municipal Planning Tribunal.

7. Financial Implications

None

8. Staff Implications

None

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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 Authorised Official in terms of SPLUMA for the period 15 July 2022 – 15 August 2022:

- | | | |
|-----|---|---------------|
| 1. | Erf 2641, 1 Berggans Street, Perlemoenbaai, Gansbaai | 20 July 2022 |
| 2. | Erf 8093, 19 Sparrow Hawk Road, Hemel & Aarde Estate, Sandbaai, Hermanus | 22 July 2022 |
| 3. | Erf 2136, 30 Duke Street, Onrustrivier, Hermanus | 22 July 2022 |
| 4. | Erf 2588, 128 10 th Street, Voëlklip, Hermanus | 22 July 2022 |
| 5. | Erf 8312, 61 Kuyasa Street, Kleinmond | 22 July 2022 |
| 6. | Erf 5087, 14 Fonteinhout Avenue, Kleinmond | 25 July 2022 |
| 7. | Erf 4657 & 4658, 1 Kort Street & 7 4 th Avenue, Kleinmond | 27 July 2022 |
| 8. | Erf 11033, 21 Marine Drive, Hermanus | 27 July 2022 |
| 9. | Erf 1771, 3 2 nd Street, Voëlklip, Hermanus | 28 July 2022 |
| 10. | Portion 6, Bouchard Finlayson, Hemel & Aarde, Hermanus | 28 July 2022 |
| 11. | Erf 1183, 15 Bester Crescent, Van Dyksbaai, Gansbaai | 29 July 2022 |
| 12. | Erf 2025, 17 Oker Avenue, Vermont, Hermanus | 2 August 2022 |
| 13. | Erf 2171, 18 Francolin Close, Vermont, Hermanus | 2 August 2022 |
| 14. | Erf 477, Remainder of 65 Church Street, Hawston | 2 August 2022 |
| 15. | Unregistered Erf 8680, Corner of Main Road & 11 th Street, Kleinmond | 2 August 2022 |
| 16. | Erf 1594, 25 Caesar Road, Pringle Bay, Kleinmond | 2 August 2022 |
| 17. | Erf 5453, 81 Viljoen Street, Onrustrivier, Hermanus | 2 August 2022 |
| 18. | Erf 17, Meerenbosch, Hawston | 2 August 2022 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 28 July 2022:

- | | | |
|----|---|--------------|
| 1. | Erf 463, 17 Sharpie Street, Fisherhaven | 28 July 2022 |
| 2. | Erf 2699, 12 Trewwa Street, Gansbaai | 28 July 2022 |

**AGENDA of the
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RESPONSIBLE OFFICIAL :	L SMUTS
TARGET DATE FOR IMPLEMENTATION:	21 NOVEMBER 2022
TARGET DATE TO INFORM APPLICANT:	N/A
TARGET DATE TO INFORM OBJECTOR:	N/A

**AGENDA of the
Portfolio Committee : Investment & Infrastructure
2 November 2022
(Also the agenda for the Mayoral Committee Meeting : 16 November 2022)**

**1.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: JULY 2022 – AUGUST
2022**

15/3/11

R Kuchar

Senior Manager: Town & Spatial Planning

26 October 2021

(028) 313 8900

**THIS MATTER SERVED BEFORE THE INVESTMENT & INFRASTRUCTURE
PORTFOLIO COMMITTEE ON 2 NOVEMBER 2022, WHICH COMMITTEE
SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

L SMUTS

TARGET DATE FOR IMPLEMENTATION:

21 NOVEMBER 2022

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

Spatial Land Use Management Act (SPLUMA) Approvals

**1. ERF 2641, 1 BERGGANS STREET, GANSBAAI (PERLEMOENBAAI):
APPLICATION FOR DEPARTURE: MESSRS ME PLANNERS ON BEHALF
OF H & A BARNES**

2641 GPB (4067/2022)

SW van der Merwe

(028) 313 8900

Hermanus Administration

23 June 2022

Executive Summary

An application was received on 7 March 2022 from Messrs ME Planners on behalf of H Barnes, the owner of Erf 2641, Gansbaai in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- departure to encroach the south-eastern lateral building line from 4m to 2m to accommodate a proposed garage extension, and
- departure of the southern and western lateral building line from 2m to 1m to accommodate a proposed Wendy house.

RESOLVED :

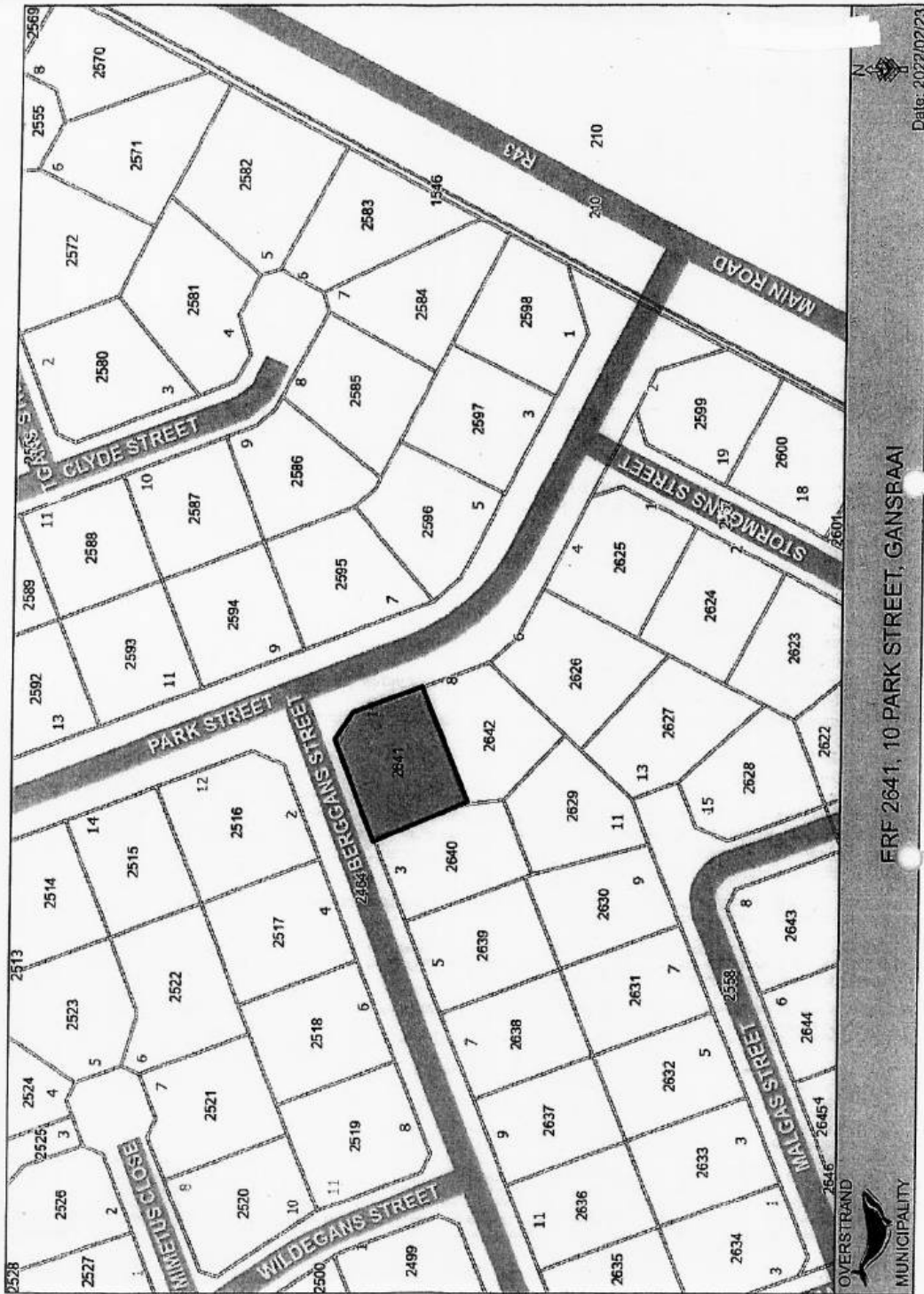
1. that the application in terms of Section 16.(2)(b) of the By-Law applicable to Erf 2641, Gansbaai for departure to encroach the south-eastern lateral building line from 4m to 2m to accommodate a proposed garage extension, be approved.
2. that the application in terms of Section 16.(2)(b) of the By-Law applicable to Erf 2641, Gansbaai for departure to encroach the southern and western lateral building line from 2m to 1m to accommodate a proposed wendy house, be approved.
3. that the approvals in paragraphs 1 and 2 above be subject to the following:
 - (a) that the development occurs in accordance with the Site Development Plan;
 - (b) that the garage door be provided with an sectional overhead or roll up garage door;
 - (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;

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- (d) that all the conditions in the Services Report, be complied with.
 - (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, and
4. that the applicant be notified of its right of appeal in terms Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The proposal is not considered to detract from the character of the area, vested rights of adjoining property owners or to affect the safety of road users.
- ❖ No objections were received.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.



ERF 2641, 10 PARK STREET, GANSBAAI

Date: 2022/02/23



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR: DEPARTURE: ERF 2641, GANSBAAI**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing, standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 2641, Gansbaai, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

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2. ERF 8093, 19 SPARROW HAWK ROAD, HEMEL-EN-AARDE ESTATE, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: ENGELBRECHT & SCORGIE ON BEHALF OF EP VAN RENSBURG

8093 HMS (3834/2021)

**H Van Der Stoep (H Boshoff) (028) 313 8900 Hermanus Administration
2 June 2022**

Executive Summary

An application has been received on 30 March 2021 (amended application received on 18 October 2021) from Engelbrecht & Scorgie Architectural Office on behalf of EP van Rensburg applicable to Erf 8093, Hermanus, Hemel & Aarde Estate, for the following:

✚ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ relaxation of the western street building line from 4m to ± 2.55 m to accommodate the following:
 - new supporting walls for the existing veranda and ground floor level;
 - a new gym and wine cellar at lower ground floor level, and to
 - extend the existing veranda and add a new timber deck;
- ❖ relaxation of the eastern street building line from 4m to ± 2.75 m to accommodate a covered pergola.

✚ Determination of an **administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the above illegal building line encroachments that calculates ± 10.28 m².

RESOLVED :

1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 8093, Hermanus, Hemel & Aarde Estate, for the following departures:
 - ❖ relaxation of the western street building line from 4m to ± 2.55 m to accommodate the following:

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- supporting walls for the existing veranda and ground floor level;
- a gym and wine cellar at lower ground floor level, and to
- extend the existing veranda and add a new timber deck;

❖ relaxation of the eastern street building line from 4m to ± 2.75 m to accommodate a covered pergola

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

- (a) that the approvals are only for the dimensions of the structures as indicated on Plan Numbers van Rensburg_8093_Rev002_Page 1 of 2 and Page 2 of 2 dated December 2020 which was submitted with the application;
 - (b) that the necessary building plans be submitted to the Building Department for approval that includes the interior alterations, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (c) that the conditions of Engineering Services, 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 application for the determination of an administrative penalty in terms of Section 16.(2)(q) of the By-Law for the illegal building line encroachment of the covered pergola that calculates 6.74m²; was considered and that an administrative penalty fee of R2325.30 (being 2% building costs for the 6.74m² encroachment of the Fish Eagle Street building line), be applicable in terms of Section 90.(4) of the By-Law which penalty must be paid within thirty (30) days from the final date of the decision of the application.
 3. that the applicant and objector be notified of their respective appeal rights in terms of Section 78 of the of the By-Law with regard to the above decisions.

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REASONS FOR RESOLUTION

POINT 1

- ❖ The application has followed due procedure.
- ❖ It is in line with policy documents.
- ❖ Is not regarded as being undesirable from a town planning point of view.

POINT 2

- ❖ The motivation of the applicant for a zero administrative penalty is not supported.
- ❖ The pergola was constructed prior to Municipal approval.

COUNCIL SUBMISSION
 REGIONAL APPEAL
REFER TO ADOPTS ON ORIGINAL PLAN

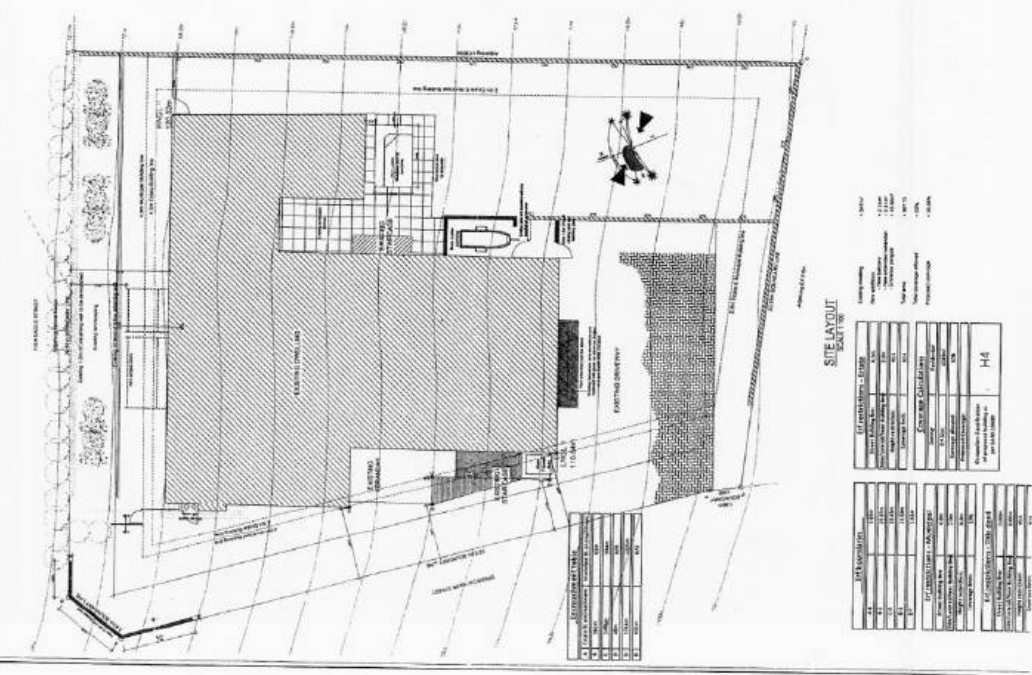
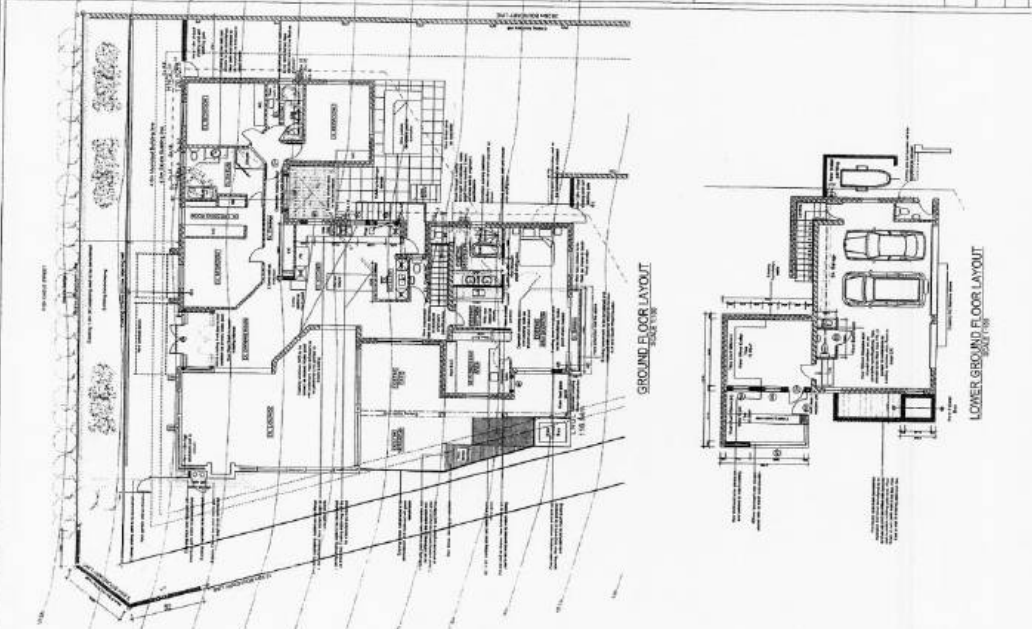
Architectural Office
 11417
 541 853-1001
 541 853-1002
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 541 853-1007
 541 853-1008
 541 853-1009
 541 853-1010

Proposed address and alterations to an existing dwelling
 541 853-1001 & 541 853-1002
 E. P. Vah Rensburg
 541 853-1001

DATE:
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PREPARED BY:
 E. P. Vah Rensburg
 541 853-1001

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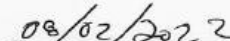
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 8093, HEMEL & AARDE ESTATE**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 – P:2010: Drainage;
4. that stormwater be allowed to discharge through Erf 8093, Hemel & Aarde Estate, unobstructed;
5. that any additional and / or extended vehicles entrances will be for the owner's account;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
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3. ERF 2136, 30 DUKE STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF ADMINISTRATIVE PENALTY FEE: ENGELBRECHT AND SCORGIE ON BEHALF OF THE FRANCENE TRUST

2136 HON (3910/2021)

H Olivier

(028) 313 8900

Hermanus Administration

6 June 2022

Executive Summary

An application has been received on 24 November 2021 from Messrs Engelbrecht and Scorgie on behalf of The Francene Trust on Erf 2136, Onrustrivier in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the north-eastern lateral building line from 2m to 1,5m and to exceed the 9m restriction of a building on one specific boundary to accommodate a domestic quarter and change of a carport into a garage, and
- ❖ determination of an **administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the unauthorized building line encroachments as discussed above.

RESOLVED :

1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 2136, Onrustrivier to relax the north-eastern lateral building line from 2m to 1,5m and to exceed the 9m restriction of a building on one specific boundary to accommodate a domestic quarter and change of a carport into a garage, be approved in terms of the provisions of Section 61 of the By-Law;
 - (a) that the approvals are for the development as indicated on Drawing numbers 0001 A1-01 and 0001 A1-02 dated 16 November 2021;
 - (b) that SDP be revised to indicate that the balustrades will be set back to respect the 4m street building line on all elevations and on the site plan;
 - (c) that building plans be submitted to the building control office within sixty (60) days of the decision, and all comments from the Fire department be complied with at that stage;

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- (d) that this approval does not absolve the landowners 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 all the conditions in the Services Report be complied with;
 - (g) that the conditions imposed by Telkom, be complied with; and
 - (h) that the conditions imposed by Eskom, be complied with.
2. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 2136, Onrustrivier for the unauthorized land use activities not be applicable; and
 3. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

POINT 1

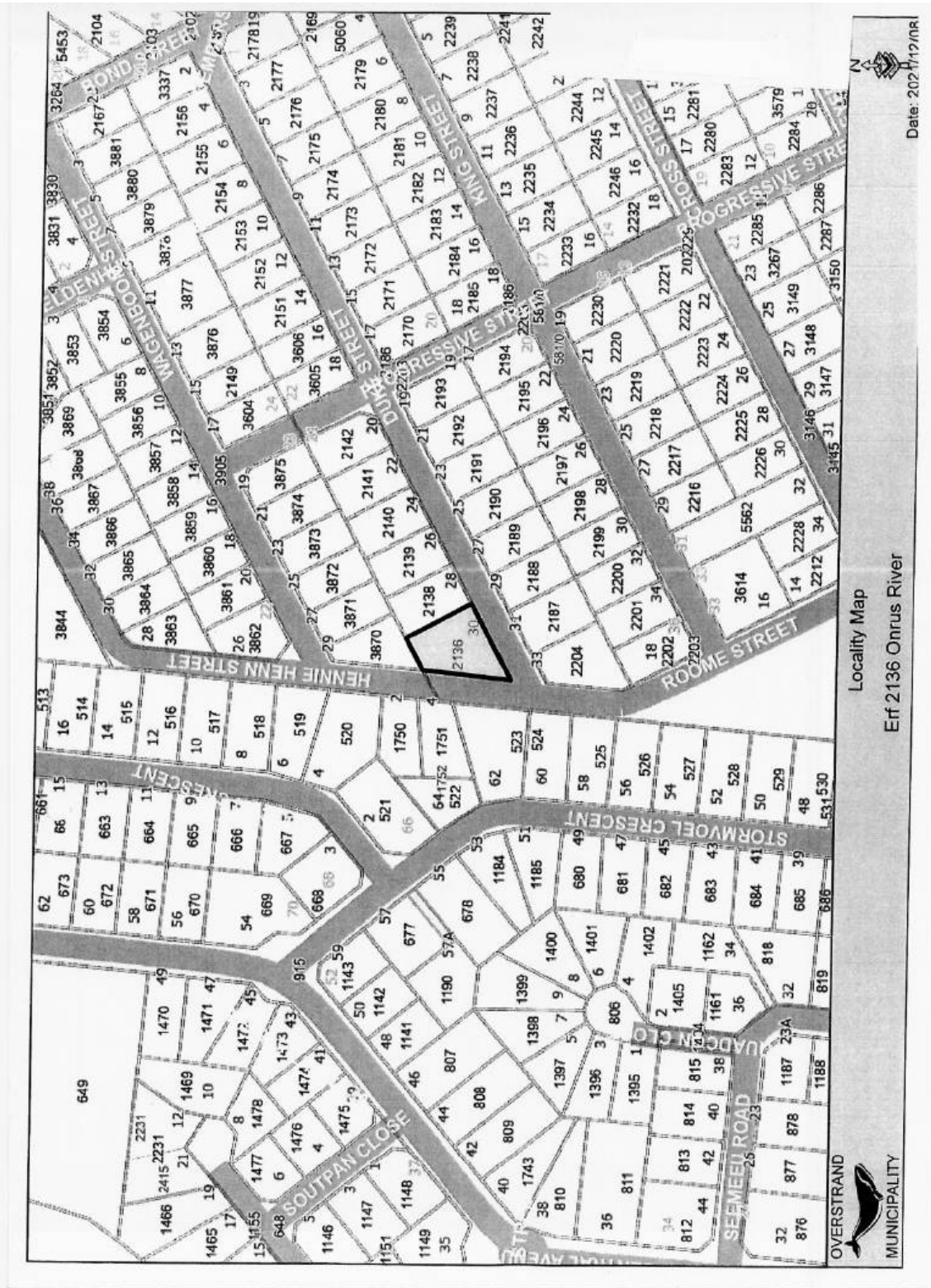
- ❖ The alterations done between 1987 and 1994 will have no additional impact on neighbours.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The structures have no impact on neighbours or the character of the area.
- ❖ The proposal is compliant with the spatial policies contained in the SDF.
- ❖ The proposal is consistent with the spatial principles as set out in SPLUMA and LUPA.
- ❖ No objection was received from the adjacent property owners.
- ❖ The application is desirable.

POINT 2

- ❖ The existing owner was not involved in constructing the illegal building work, and it was constructed by the previous owner between 1987 and 1994. It would not be reasonable to charge the existing property owner with a penalty fee.

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- ❖ The illegal alterations include a portion of a garage and domestic quarters over a lateral building line. This could have been accommodated with consent of neighbours, between 1987 - 1994, when no requirements for a departure application was necessary.



Locality Map
Erf 2136 Onrus River

COUNCIL SUBMISSION

Building Services Group

General Notes

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**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF ADMINISTRATIVE
PENALTY: ERF 2136, ONRUS RIVER**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 – P:2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 2136, Onrus River, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.


**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

02/02/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

4. ERF 2588, 128 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: MESSRS GEOMATICS AFRICA ON BEHALF OF STROEBEL TRUST

2588 HVK

P Roux

(028) 313 8900

Hermanus Administration

20 June 2022

Executive Summary

An application was received on 24 November 2021 from Messrs Geomatics Africa on behalf of the property owner on Erf 2588, Voëlklip, Hermanus for a subdivision in terms of Section 16(2)(d) to subdivide the above-mentioned erf into 2 portions namely Portion A approximately 518m² in extent and a Remainder approximately 1068m² in extent.

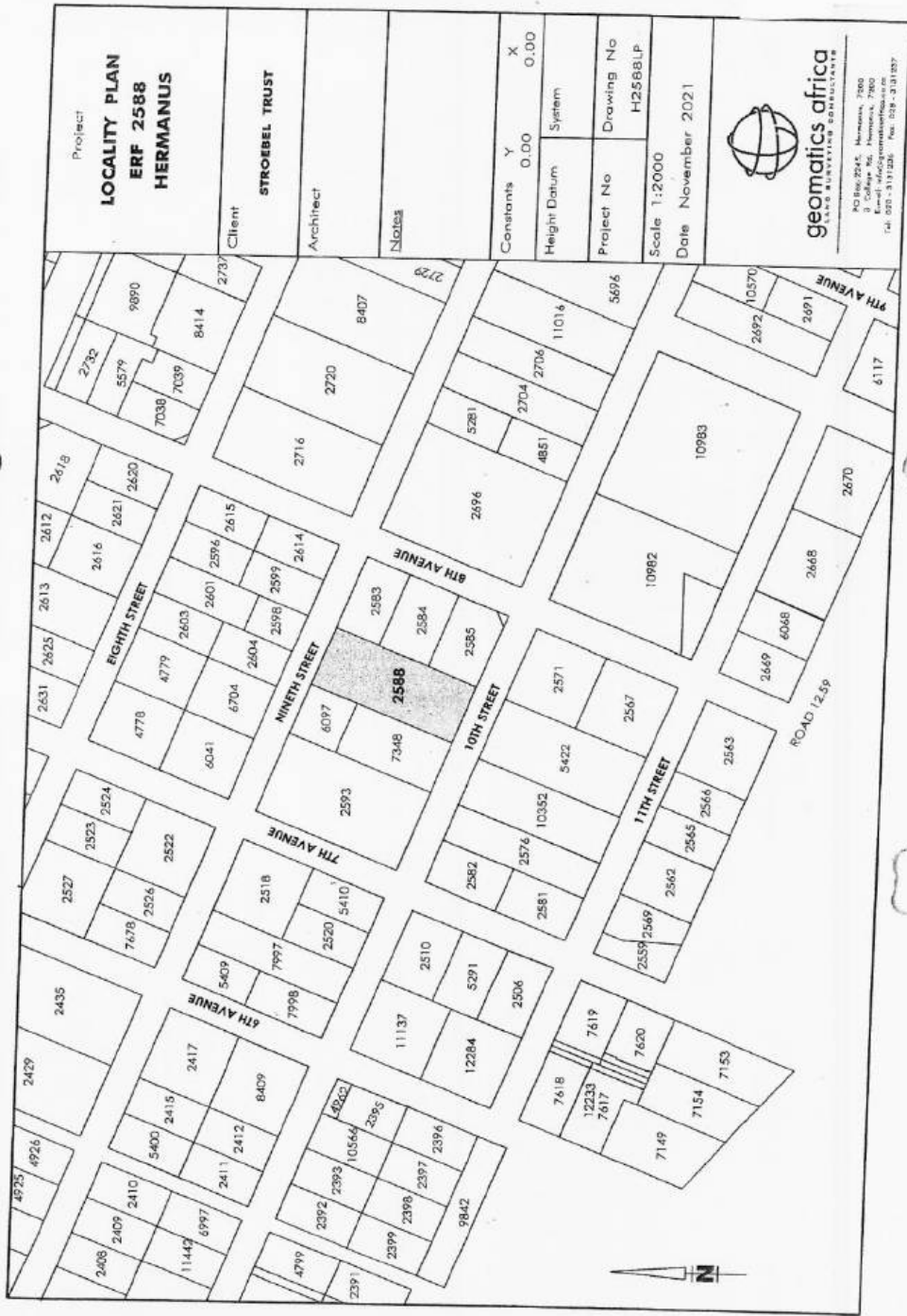
RESOLVED :

1. that the application in terms of 16(2)(d) of the By-Law to subdivide Erf 2588, Hermanus (Voëlklip) into two (2) portions, namely Portion A approximately 518m² in extent and a Remainder approximately 1068m² in extent, be approved in terms of the provisions of Section 61, subject to the following conditions:
 - (a) that the approval is only for the subdivision as indicated on *Subdivision Plan No. H2588S dated 11/2021* as submitted with the application;
 - (b) that building plans be submitted for any new work done and that the building department and fire department's comment be complied with at that stage;
 - (c) that the conditions in the Services Report, be complied with;
 - (d) that all the conditions imposed by Open Serve be complied with;
 - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed subdivision is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.

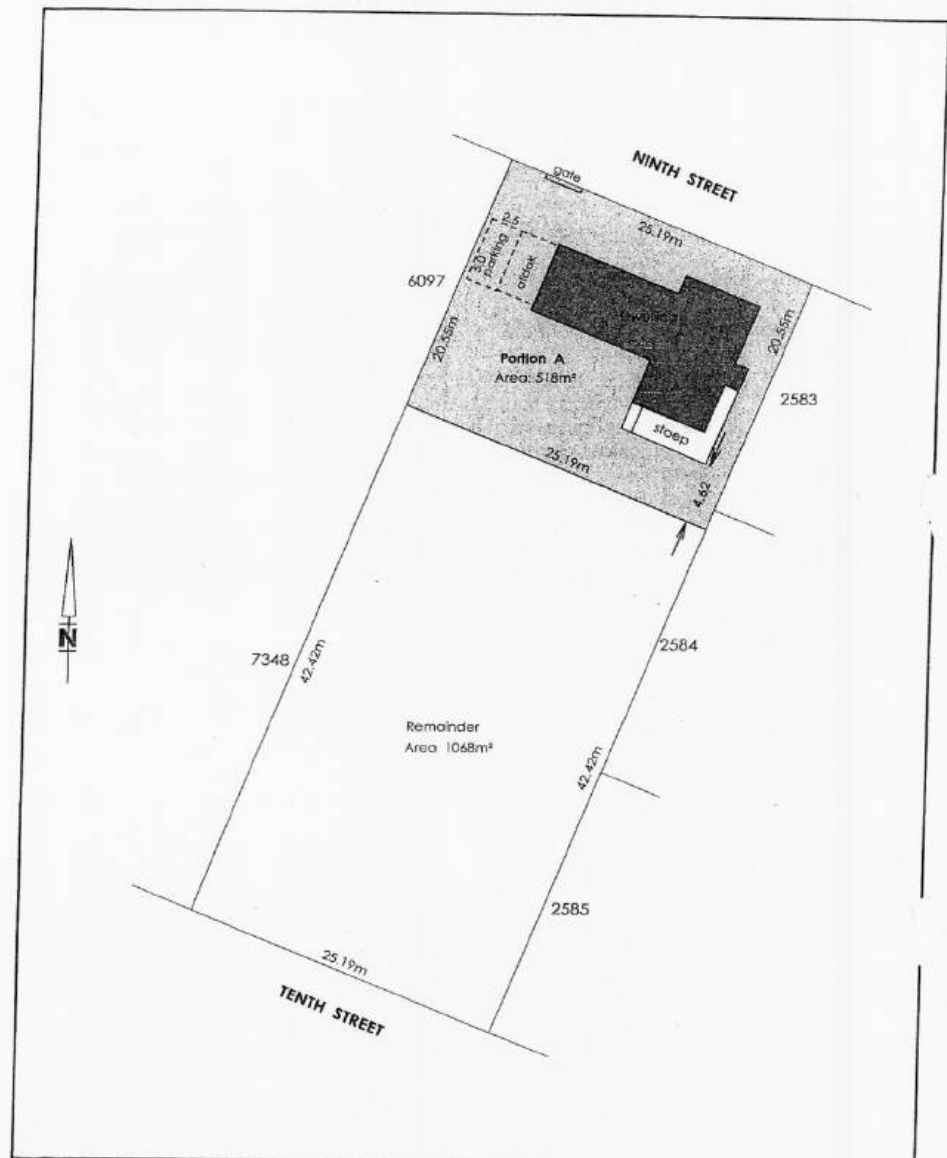



Project LOCALITY PLAN ERF 2588 HERMANUS	
Client STROEBEL TRUST	Architect
Notes	
Constants Y 0.00 X 0.00	System
Height Datum	Project No Drawing No H-2588LP
Scale 1:2000	
Date November 2021	



geomatics africa
LAND SURVEYING CONSULTANTS

PO Box 244, Hermanus, 7800
3 Docks Road, Hermanus, 7800
E-mail: info@geomatics.co.za
Tel: 027-3111236 Fax: 027-3111237



Project PROPOSED SUBDIVISION ERF 2588 HERMANUS	Client	STROEBEL TRUST		Constants	Y	X	
	Architect			Height Datum	0.00	0.00	
	Notes Area of dwelling, stoep and atdak = 157m²	Project No			System		
		Drawing No	H2588S				
				Scale	1:400		
				Date	November 2021		
				 LAYO SURVEYING CONSULTANTS PO Box 3345, Hermanus, 7200 3 Coligny Rd, Hermanus, 7200 E-mail: info@geomatics.co.za Tel: 028 - 3151736 Fax: 028 - 3131927			

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION: ERF 2588, VOELKLIP**

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

Conditions:

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

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

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

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

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

The contribution according to the current policy (**2021/2022**) is as follows:


Freehold erven:

Water	R 24 915.00 x 1	=	R 24 915.00
Sewerage	R 16 799.12 x 1	=	R 16 799.12
Roads	R 7 532.72 x 1	=	R 7 532.72
Stormwater	R 8 691.28 x 1	=	R 8 691.28
Solid Waste	R 1 505.92 x 1	=	R 1 505.92
Electricity	R 33 264.34 x 1	=	<u>R 33 264.34</u>
TOTAL (inclusive of VAT)		=	R 92 708.38

Note:

- 1.3 **The above figures are estimates**
- 1.4 **The above figures do not include evaluation/investigation levies and connection fees**
2. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;

3. that only a standard 60 Amp single phase electricity connection will be available per erf;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that on-site parking facility be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
6. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
7. that any additional and / or extended vehicle entrances will be for the owner's account;
8. that stormwater be allowed to discharge through the proposed Erven, Voelklip, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

5. ERF 8312, 61 KUYASA STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE & DEPARTURE: MB SEKOASHA

8312 KKM (3857/2021)

**H van der Stoep
16 May 2022**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 12 October 2021 from M Sekhoasha for a consent and departure in terms of Section 16(2)(o) and 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to utilize a portion of the existing dwelling on Erf 8312, Kleinmond as a house shop and to depart from the operating hours permitted by Overstrand Municipality.

RESOLVED :

1. that the application for consent use in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to utilize a portion of the existing dwelling on Erf 8312, Kleinmond as a house shop, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the house shop be restricted to 10.25m²;
 - (b) that two (2) standard parking bays be provided on-site;
 - (c) that building plans be submitted to the Building Department of the Municipality that indicates the 10.25m² house shop, the two parking bays, and that any requirements by the Fire- and Building Departments at that stage be complied with;
 - (d) that no more than one (1) vehicle, not exceeding 3500kg gross weight, may be utilized to make deliveries at the house shop at any one time;
 - (e) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc.;
 - (f) that the house shop may not be used for the purposes of noxious trade, risk activity, sale of alcoholic beverages, place of entertainment or gambling purposes;

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2 November 2022
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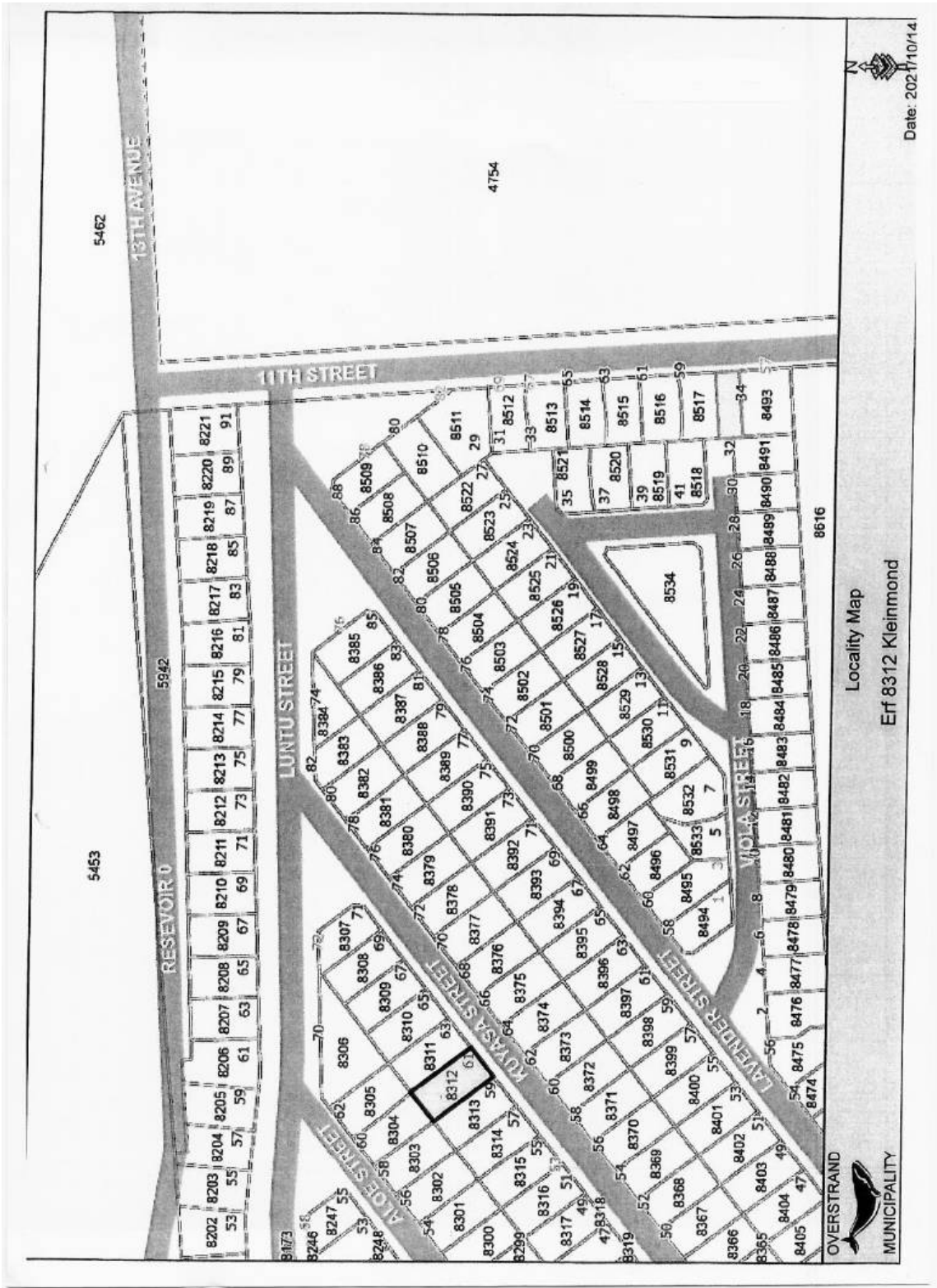
- (g) that no products, goods or supplies connected to the house shop may be stored on the property outside the building;
- (h) that only one un-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
- (i) that the business hours of the house shop are restricted to:
Mondays to Sundays: From 06:00 to 21:00;
- (j) that no more than three (3) persons, including the occupant(s) of the dwelling unit, are permitted to be engaged in retail activities on the property, other than with the consent of the Municipality;
- (k) that the operator of the house shop shall reside permanently on the premises;
- (l) that a Certificate of Acceptability be obtained from the Health Department of the Overberg District Municipality and a Fire Prevention Certificate from the Municipal Fire Department;
- (m) that permission to operate the house shop is granted to the applicant only and is not transferrable;
- (n) that no sub-letting is permitted;
- (o) that the Overstrand Municipality retains the right to enforce any relevant legislation, as well as law and order on the premises, on the landowner/s;
- (p) 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;
- (q) that application is made for a Business Licence at the Overstrand Municipality, prior to operating the house shop;
- (r) that no accumulation of refuse may occur on the premises; and
- (s) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

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

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be needed.
- ❖ It is in line with the aims of the Overstrand SDF.
- ❖ No objections were received from neighbours.
- ❖ It will not impact on surrounding neighbours or the character of the area, and is desirable.



Date: 2021/10/14

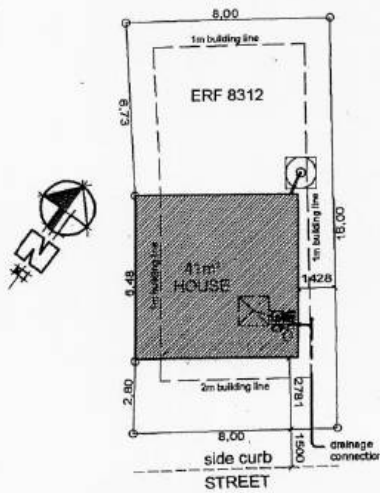
Locality Map
Erf 8312 Kleinmond



OVERSTRAND
MUNICIPALITY

AFRICAN POLICE SERVICE
 COMMUNITY SERVICE CENTRE
 20-09-2021
 GEMEENSKAPSDIENST
 GEMEINSCHAFTSDIENST

I hereby certify that this document is true and correct and that I am the holder of the original document.
 Date: 20-09-2021
 Signature: [Signature]
 Name: MOJAKI
 Rank: [Rank]



SITE PLAN
 SCALE 1:200

PROJECT TITLE/DRAWING TITLE KLEINMOND HOUSING			 OSCAR SCHMIDT PROFESSIONAL SENIOR ARCHITECTURAL TECHNOLOGIST 10 Klipfontein Avenue, Klipfontein, Brackenford Tel: 031 201 8000, Mobile: 082 294 2200 Email: oscar@oscararch.co.za	 OVERSTRAND 115 Developments
DRAWING TITLE/DRAWING TITLE NEW HOUSE - 41m²				
DRAWING NO. 747	DATE NOV 2011	SCALE 1:200		

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

6. ERF 5087, 14 FONTEINHOUT AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS FVS TOWN AND REGIONAL PLANNERS ON BEHALF OF HB BUCKLE

5087 KKM (3749/2021)

H van der Stoep

(028) 313 8900

Hermanus Administration

21 June 2022

Executive Summary

An application has been received on 8 July 2022 from Messrs FVS Town and Regional Planners on behalf of HB Buckle on Erf 5087, Kleinmond in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a departure in order to relax the lateral building line from 2m to 1,5m to accommodate a proposed carport.

During September 2021 an application was received on Erf 5087, Kleinmond for a departure and relaxation of restrictive Title Deed conditions. The motivation report however did not address the eastern lateral building line departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020, however it was indicated on the site plan that was submitted. The application was then only partially approved.)

An amended motivation report and proof of payment for the eastern lateral building line departure was subsequently submitted on 8 July 2022 to address the aforementioned departure which entails relaxation of the lateral building line from 2m to 1,5m to accommodate the proposed carport and the relaxation of the 9m or third of structures over the building line.

RESOLVED :

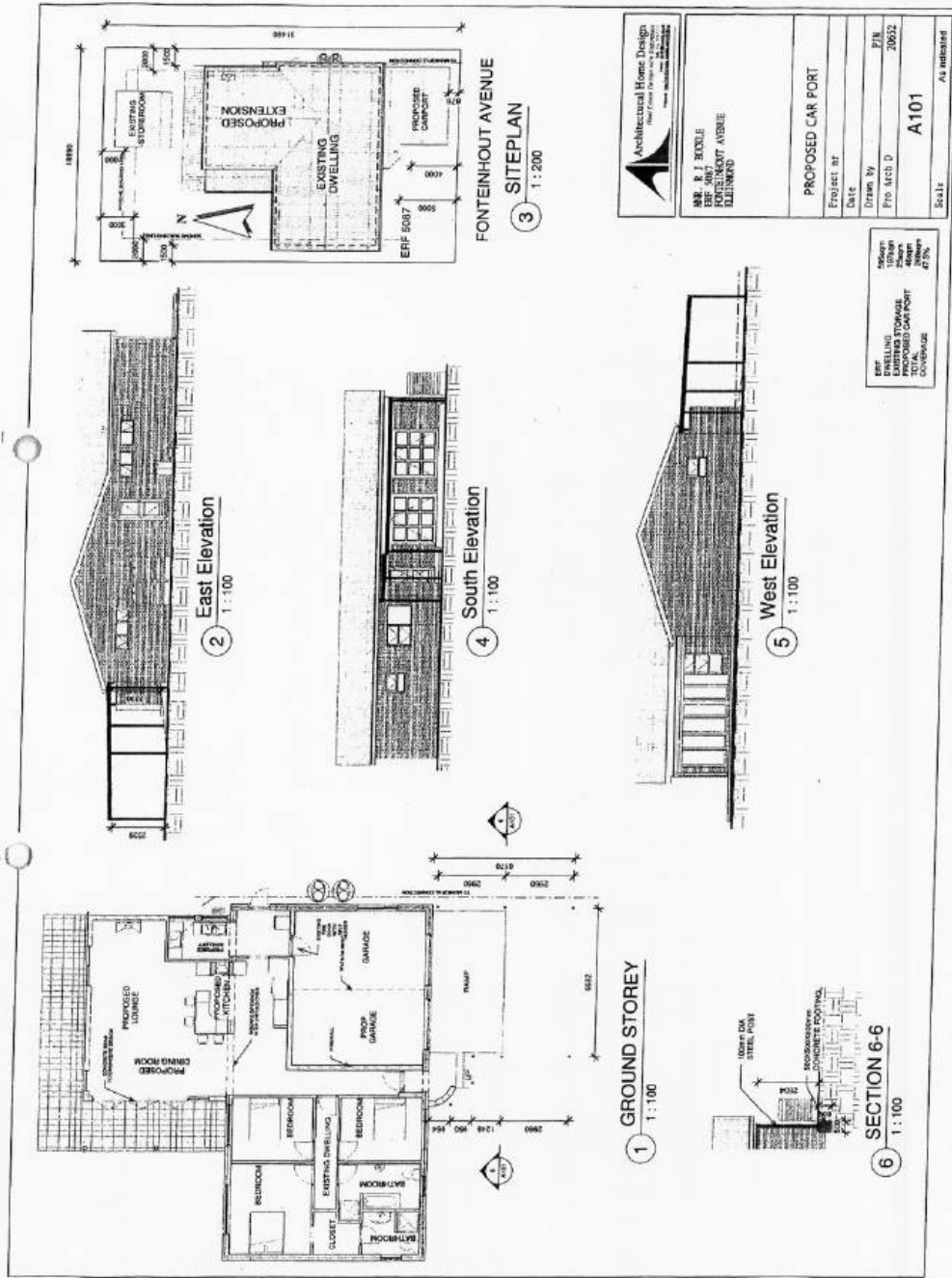
1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 5087, Kleinmond for a departure to relax the eastern lateral building line from 2m to 1,5m and the relaxation of the 9m or third of structures over a building line to accommodate a proposed carport, be approved, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that amended building plans be submitted to reflect the above approval;
 - (b) that no further departures over the building lines be approved, except as stipulated by the Land Use Scheme;

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- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (f) that all the conditions in the Services Report, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The structure has approved building plans.
- ❖ The surrounding owners did not object.
- ❖ The application will have no impact on the surrounding area.
- ❖ The applicant omitted to address the lateral building line in previous application, although the structure was indicated on plan.



Architectural Home Design
 MR. R. J. RIDDLE
 EFF 0067
 1111 FONTAINE AVENUE
 KILKINNO

PROJECT	PROPOSED CAR PORT
PROJECT NO.	
DATE	
DRAWN BY	
PROJECT NO.	20652
SCALE	As indicated
PROJECT NO.	A101

Scale:
 1:100
 1:200
 1:500
 1:1000

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & RELAXATION OF TITLE DEED: ERF 5087,
KLEINMOND**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer investigates and determine the limitations of the site in terms of drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
5. that any additional and / or extended vehicle entrance will be for the owner's account;
6. that, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services (Kleinmond) for written approval;
7. that stormwater be allowed to discharge through Erf 5087 Kleinmond, unobstructed.

p.p. R. Coetzee
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

04-11-2021
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

7. ERVEN 4657 & 4658, 1 KORT STREET AND 7 FOURTH AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION, SUBDIVISION AND DEPARTURE: MESSRS JP DESIGN ON BEHALF OF MONT LOUIS INVESTMENTS (PTY) LTD

4657 & 4658 KKM ()

H van der Stoep

(028) 313 8900

Hermanus Administration

22 June 2022

Executive Summary

Application has been received on 2 November 2021 from Messrs JP Design on behalf of Louis Investment (Pty) Ltd in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Consolidation:** in terms of Section 16(2)(e) of the By-Law to realign boundaries
- ❖ **Subdivision** in terms of Section 16(2)(d) of the By-Law to create two (2) Residential Zone I: Single Residential (SR1) erven
- ❖ **Departures** in terms of Section 16(2)(b) of the By-Law:
 - Portion 1 to relax the street building line from 4m to 3m and lateral building line from 2m to 1m to accommodate an approved existing dwelling.
 - Portion 2 to relax the rear and lateral building line from 2m to 0m to accommodate a braai and lateral building line from 2m to 0m to accommodate a wooden deck and covered braai area.
 - Portion 2 to relax the street building line from 4m to 1,5m to accommodate a concrete structure carport and open stoep and the lateral building line from 2m to 0m with Portion 1 for the erection of a covered stoep and braai area.

RESOLVED :

1. that the application in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to consolidate Erven 4836 and 4837, Kleinmond to realign two (2) Residential Zone I: Single Residential (SR1) erven, be approved in terms of the provisions of Section 61 of the By-Law;

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2. that the application for subdivision in terms of Section 2(d) of the By-Law of the above consolidated erf to create two (2) Residential Zone 1: Single Residential (SR1) erven, be approved in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the By-Law to relax the street building line on Portion 1 from 4m to 3m and lateral building line from 2m to 1m to accommodate an approved existing dwelling, and to relax the rear and lateral building line from 2m to 0m on Portion 2 to accommodate a braai and lateral the lateral building line from 2m to 0m to accommodate a wooden deck and covered braai area, be approved in terms of the provision of Section 61 of the By-Law;
4. that the approvals in Points 1, 2 and 3 above be subject to the following conditions:
 - (a) that this approval is only for the subdivision as indicated on drawing number kleinm4836s2.drw dated 07/2021, submitted with the application;
 - (b) that all existing buildings (dwelling and outbuildings) on the property comply with building lines as per approval;
 - (c) that building plans be submitted for all new buildings to the Building Department for approval, and that all conditions of the Building Control- and the Fire Departments be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
5. that the application for departure in terms of Section 16(2)(b) of the By-Law to relax the street building line on Portion 1 from 4m to 1,5m to accommodate an open stoep and concrete carport, not be approved in terms of the provision of Section 61 of the By-Law; however, the departure of the street building line from 4m to 3,15m will be approved to accommodate the open stoep and concrete carport; and
6. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

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2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be needed.
- ❖ The proposed subdivision is in line with Policy Plans.
- ❖ The size of the two (2) new erven is compatible with the sizes of surrounding erven.
- ❖ All relevant state and municipal departments support the application.
- ❖ No objections were received
- ❖ No negative impact on the character of the area and is desirable.

REASONS FOR NON-APPROVAL:

- ❖ The departure of the street building line was not motivated
- ❖ A restrictive condition of 3.15m on the street is applicable and no application was submitted to remove and or amend the condition.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSOLIDATION, SUBDIVISION & DEPARTURE: ERVEN 4657 &
4658, KLEINMOND**

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

Conditions:

1. that each property must be services with individual and separate water connections;
2. that the applicant to ensure that both properties have their own conservancy tanks with accessible suction points;
3. that only the standard 60 Amp electricity connection will be available to each erf;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 - P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Operational Manager: Kleinmond for written approval;
6. that, both the existing and the proposed vehicular access to the proposed erven be provided with road infrastructure to allow access to the proposed erven. Such infrastructure must comply with the specifications of the Department: Operational Services (Kleinmond);
7. that any additional and / or extended vehicle entrances will be for the owner's account;
8. that stormwater be allowed to discharge through the proposed erven unobstructed;
9. that no on-street parking be allowed.

pp. A. Caden
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

03/05/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

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

11033 HWC (3932)

(H Boshoff)

SW van der Merwe

(028) 313 8900

Hermanus Administration

25 July 2022

Executive Summary

An application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 11033, Hermanus, has been received on 3 December 2021 from Messrs PlanActive Town and Regional Planners on behalf of Zelphy 1776 (PTY LTD) for:

- departure in terms of Section 16(2)(b) of the By-Law to relax the eastern lateral boundary line of the property from 4.5m to $\pm 1.59\text{m}$ and $\pm 1.91\text{m}$ to accommodate a health spa on top of an existing guestroom at ground floor level at the eastern section of the main building on the property; and the
- amendment of the approved Site Development Plan in terms of Section 16(2)(l) of the By-Law to accommodate the health spa of $\pm 59\text{m}^2$ for guests on top of an existing guestroom at ground floor level at the eastern section of the main building on the property.

RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 11033, Hermanus to relax the eastern lateral boundary line of the property from 4.5m to $\pm 1.59\text{m}$ and $\pm 1.91\text{m}$ to accommodate a health spa on top of an existing guestroom at ground floor level, be approved in terms of the provisions of Section 61 of the By-Law;
2. that the application for the amendment of the current approved Site Development Plan (SDP) in terms of Section 16(2)(l) of the By-Law to accommodate the health spa of $\pm 59\text{m}^2$ for guests on top of an existing guestroom at ground floor level at the eastern section of the main building on the property, be approved and be replaced with the SDP Drawing No: her110033sdpnov2021.drw dated 01/2021 that was submitted with the application as the new SDP for the property;

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3. that the above approvals be subject to the following conditions in terms of Section 61(b) of the By-Law:
 - (a) that detailed building plans as per the approval in 1. above must be submitted to the Building Department and that all the requirements of the Building Department and Fire Services must be complied with;
 - (b) that the applicant/landowners must submit a fire protection plan for the addition together with the building plan application;
 - (c) that the development must be restricted to plan Project No. 530-17 dated 01/2021 that was submitted with the application;
 - (d) that a copy of the approved building plans in 3(a) above must be provided to the Department: Planning and Infrastructure for its records immediately after approval thereof;
 - (e) that the health spa may only be accessible to paying guests of the hotel facility;
 - (f) that all the applicable conditions of the previous approvals pertaining to the development of the property must still be complied with;
 - (g) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;

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

REASONS FOR RESOLUTION

- ❖ The proposal is compatible with the existing character of the area and the existing development on the property and will not impact on surrounding land values or the vested rights of surrounding property owners.
- ❖ The impact on traffic will not increase.
- ❖ The current parking layout will remain unchanged.
- ❖ It is in line with forward planning being the promotion of the tourism industry.
- ❖ It is regarded as being desirable from a town planning perspective.



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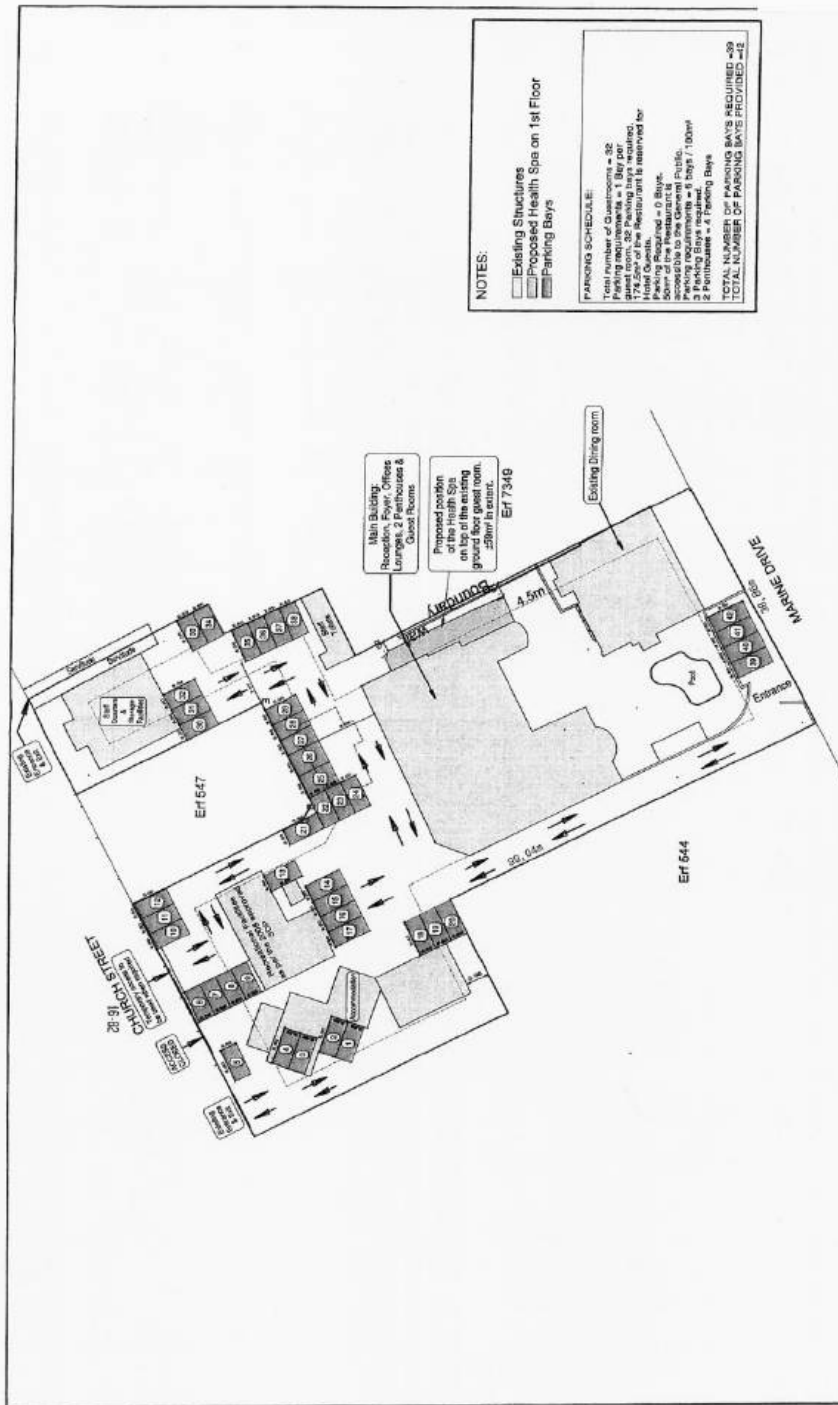
Stads- en Sireeksbeplanners
Town & Regional Planners

All distances approximates
and subject to survey.
COPY RIGHT RESERVED

Property Description:
**ERF 11033
HERMANUS**

Plan Description:
LOCALITY MAP

Scale: **NTS**
Drawing Nr: **her11033.dwg**
Date: **01/2021**



NOTES:

- Existing Structures
- Proposed Health Spa on 1st Floor
- Parking Bays

PARKING SCHEDULE:

Total number of Customers = 88
 Parking requirements = 1 Bay per
 174 sqm. 88 Parking bays required for
 Hotel Guests.
 20 Additional bays to be reserved for
 Staff of the Restaurant.
 Accessible to the General Public:
 3 Parking Bays required.
 2 Pantries = 4 Parking Bays

TOTAL NUMBER OF PARKING BAYS REQUIRED = 89
TOTAL NUMBER OF PARKING BAYS PROVIDED = 42

PIA D Stads- en Streetskiedplanners
 Town & Regional Planners

Property Description:
ERF 11033
HERMANUS

Scale: 1:500
 Drawing No: 1011033/10/201
 Date: 01/2021

All dimensions approximate and subject to survey.
 COPY RIGHT RESERVED

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR AMENDMENT OF SITE DEVELOPMENT PLAN &
DEPARTURE: ERF 11033, WESTCLIFF (MISTY WAVES BOUTIQUE HOTEL)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 11033, Westcliff, unobstructed;
6. that no on-street parking be allowed.


**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**


DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

9. ERF 1771, 3 SECOND STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF THE LABIA FAMILY TRUST

1771 HVK (4039/2022)

P Roux

(028) 313 8900

Hermanus Administration

27 June 2022

Executive Summary

An application has been received on 27 January 2022 from Messrs PlanActive Town and Regional Planners on behalf of the Labia Family Trust, the owners of Erf 1771, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- the determination of an administrative penalty in terms of Section 16(2)(q), in order to legalize the unlawful shed/Wendy house on the property;
- departure in terms of Section 16(2)(b) for the following:
 - relaxation of the eastern lateral building line from 2m to 0m and the rear building line from 2m to 0.27m to accommodate the existing shed/Wendy house; and
 - relaxation of the eastern lateral building line from 2m to 0m to accommodate the change of use of the existing single garage to a storeroom with gardener's bathroom.

RESOLVED :

1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 1771, Hermanus (Voëlklip) for the following:
 - departure in terms of Section 16(2)(b) for the following:
 - relaxation of the eastern lateral building line from 2m to 0m and the rear building line from 2m to 0.27m to accommodate the existing shed/Wendy house; and
 - relaxation of the eastern lateral building line from 2m to 0m to accommodate the change of use of the existing single garage to a storeroom with gardener's bathroom.

be approved in terms of the provisions of Section 61 of the By-Law, due to the reasons provided below:

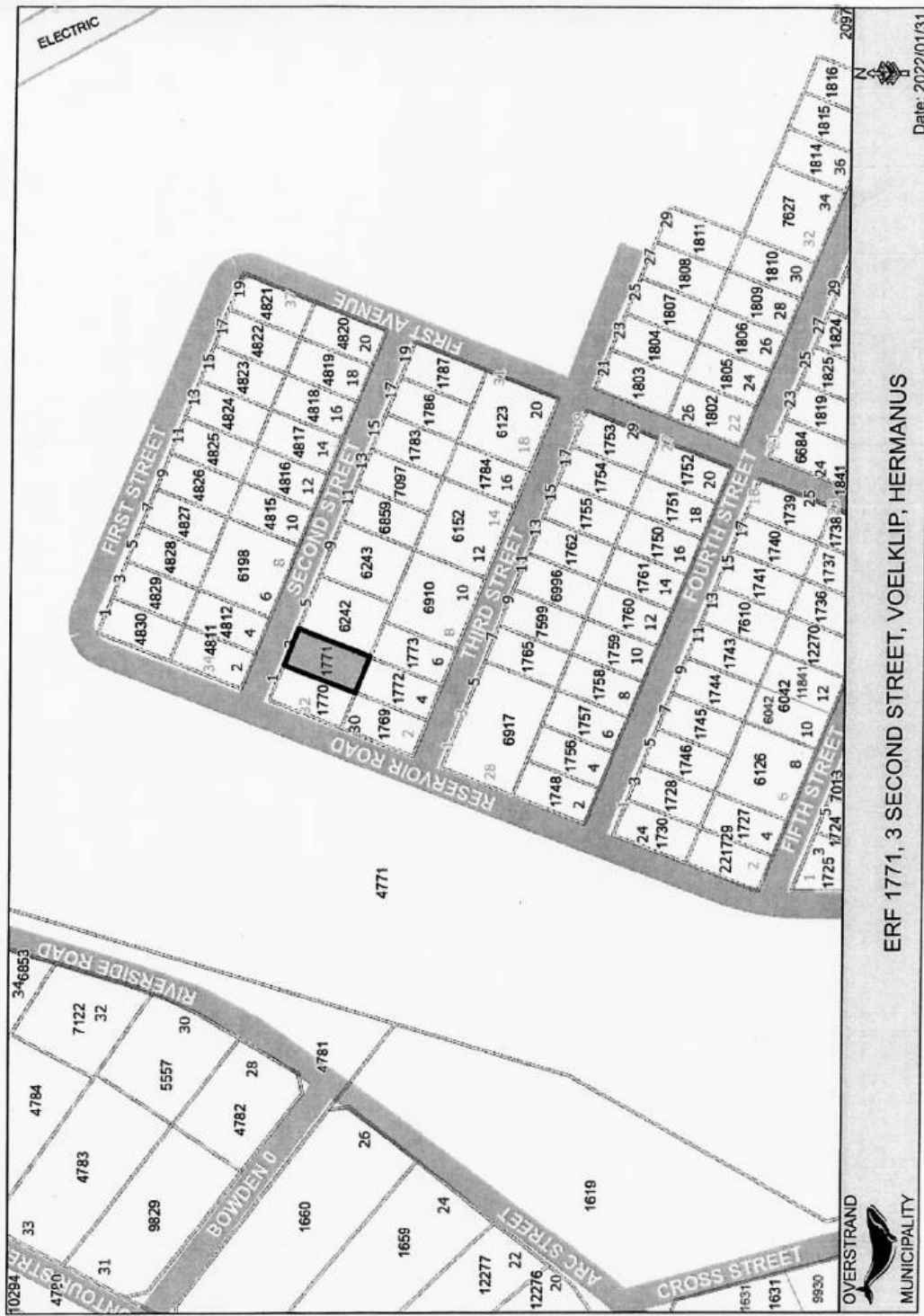
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2. that the application for the determination of an administrative penalty in terms of Section 16(2)(q) of the By-law for the unauthorised land use activities stipulated above, be exempted from the payment of an administrative penalty in terms of Section 90(4) of the By-Law;
3. that the approval in 1. above be subject to the following conditions:
 - (a) that approval is only for the structures indicated on the site development plan submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building Department be complied with at that stage;
 - (c) that the condition from the Fire Department: Condition: subject to compliance with the minimum safety distances to the boundary or provision of fire resistance in accordance SANS 10400-T:2020, 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.
4. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

Reasons for approval

- ❖ The application has followed due procedure.
- ❖ No objections were received from the public.
- ❖ It is in line with policy documents.
- ❖ The structures which encroach upon the 2m lateral building line must adhere to SANS 10400-T:2020 which includes fire safety distances and fire resistance.
- ❖ The proposed departures have no impact on the adjacent property.
- ❖ The existing structures will be unobtrusive and will be compatible with the existing built environment including the character of the dwelling, and
- ❖ The majority of the changes to the garage are internal in nature and does not constitute a habitable space.

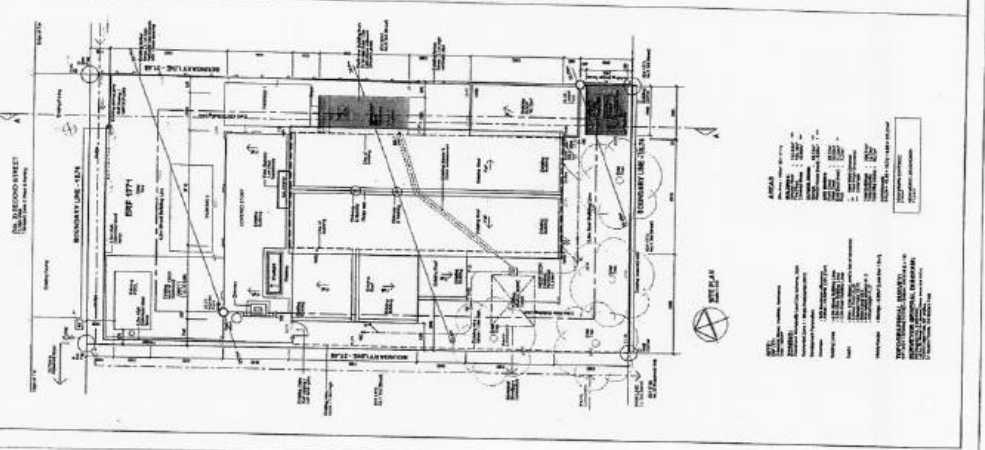
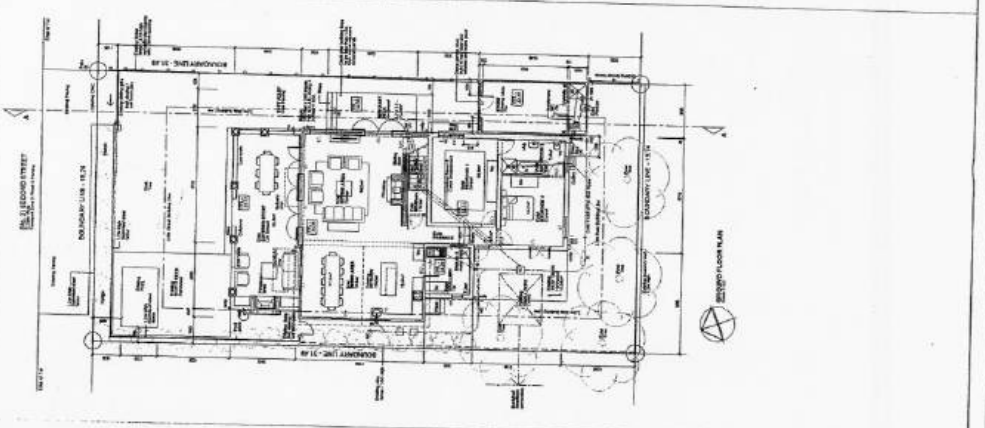
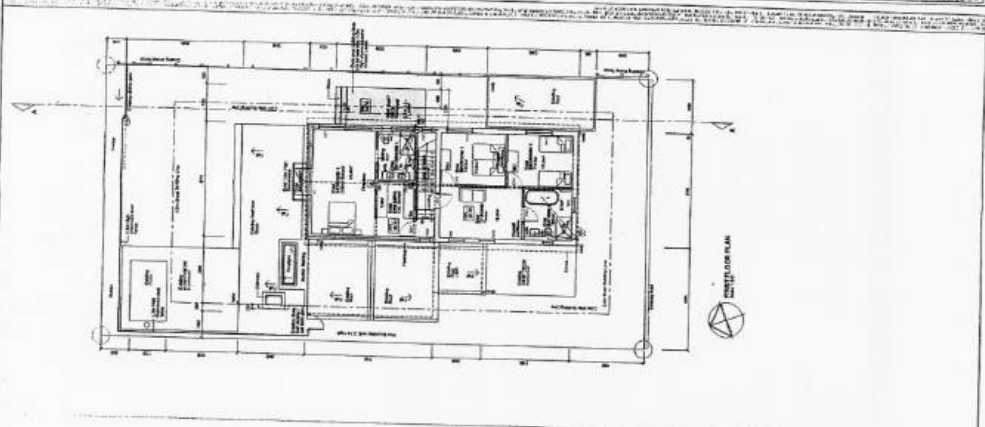


ERF 1771, 3 SECOND STREET, VOELKLIP, HERMANUS



RESALE RIGHTS BY STATE
 ALABAMA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 ARIZONA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 ARKANSAS: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 CALIFORNIA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 COLORADO: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 CONNECTICUT: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 DELAWARE: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 FLORIDA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 GEORGIA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 ILLINOIS: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 INDIANA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 IOWA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 KANSAS: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 KENTUCKY: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 LOUISIANA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MAINE: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MARYLAND: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MASSACHUSETTS: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MICHIGAN: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MINNESOTA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MISSISSIPPI: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MISSOURI: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 MONTANA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NEBRASKA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NEVADA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NEW HAMPSHIRE: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NEW JERSEY: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NEW YORK: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NORTH CAROLINA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 NORTH DAKOTA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 OHIO: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 OKLAHOMA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 OREGON: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 PENNSYLVANIA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 RHODE ISLAND: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 SOUTH CAROLINA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 SOUTH DAKOTA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 TENNESSEE: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 TEXAS: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 UTAH: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 VERMONT: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 VIRGINIA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 WASHINGTON: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 WEST VIRGINIA: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 WISCONSIN: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.
 WYOMING: The seller shall have the right to sell the property to any person for a period of 90 days after the date of the closing of the sale.

HOUSE SALE
 ENF 1771
 DRAWING
 SITE PLAN & PLANS
 DATE: 11/18/83
 DRAWN BY: [Name]



NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. FINISHES TO BE DETERMINED BY THE OWNER.
 3. SEE SEPARATE DRAWINGS FOR DETAILS.
 4. CONTRACTOR TO VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.
 5. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.
 6. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY &
DEPARTURE: ERF 1771, VOELKLIP**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 - P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 1771, Voelklip, unobstructed;
7. that no on-street parking be allowed.



DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

22-03-2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

10. PORTION 6 OF THE FARM NO. 586, HEMEL & AARDE VALLEY, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE, DEPARTURE AND AMENDMENT OF SITE DEVELOPMENT PLAN: MESSRS ANTON DE KOCK ARCHITECTS ON BEHALF OF BOUCHARD FINLAYSON

Ptn 6/586 RCAL (3693/2021)

H van der Stoep

(028) 313 8900

Hermanus Administration

16 June 2022

Executive Summary

An application has been received on 3 June 2021 from Anton de Kock Architects on behalf of Bouchard Finlayson on Portion 6 of the Farm No. 586, Hemel & Aarde Valley for the following:

- **Consent use** in terms of Section 16(2)(o) and (h) of the Amended Overstrand Municipality By-Law on Municipal Land Use Planning, 2020:
 - Building 1: Restaurant including verandas of 394m²
 - Building 2: Wine Tasting including verandas of 249m² and Red Wine Fermentation Cellar of 81m²
 - Building 3: Kitchen, restaurant, and associated facilities of 204m²
 - Building 4: Roof cover over wine production area of 133m²
- **Departures** in terms of Section 16(2)(b) and (h) of the Amended Overstrand Municipality By-Law on Municipal Land Use Planning, 2020:
 - to relax the height restriction of 8m pertaining to non-agricultural buildings to 9,375m²
 - to relax the restriction of floor space of 5000m² to 5640m²
- **Amendment of the site development plan** in terms of Section 16(2)(l) and (h) of the Amended Overstrand Municipality By-Law on Municipal Land Use Planning, 2020:
- **Departure** in terms of Section 16(2)(b) and (h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the northern building line from 30m to 12,04m, to accommodate an extension of an existing dwelling.

RESOLVED :

1. that the application in terms of Section 16(2)(o) of the By-Law on Portion 6 of the Farm 586 Hemel & Aarde Valley for a consent use for the following:
 - Building 1: Restaurant including verandas of 394m²;

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

- Building 2: Wine Tasting including verandas of 249m² and Red Wine Fermentation Cellar of 81m²;
- Building 3: Kitchen, restaurant, and associated facilities of 204m², and
- Building 4: Roof cover over wine production area of 133m²;

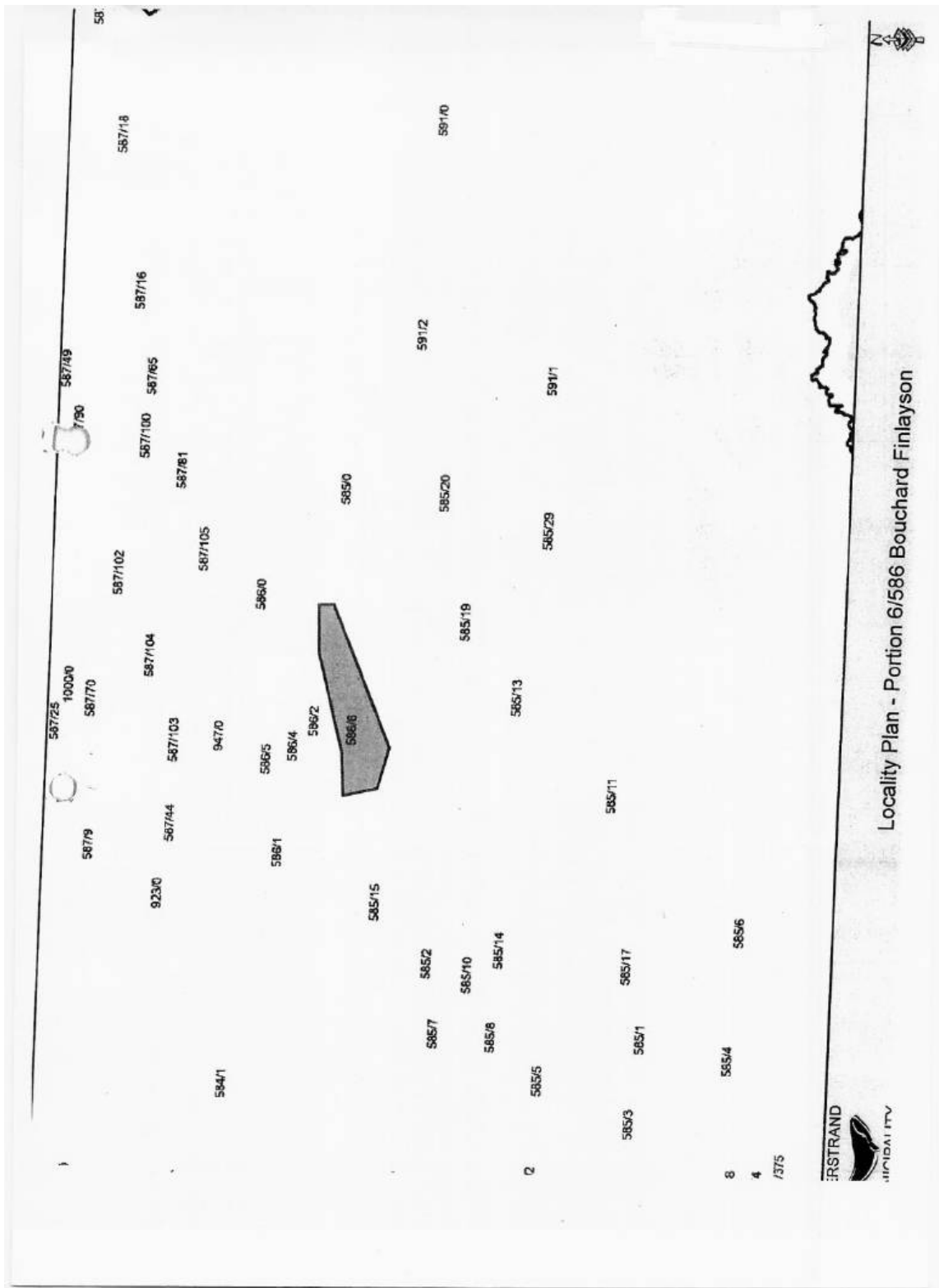
be approved in terms of the provisions of Section 61 of the By-Law;

2. that the application in terms of Section 16(2)(b) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Portion 6 of the Farm 586 Hemel & Aarde Valley to relax the restriction of floor space of 5000m² to 5640m², be approved in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the northern building line from 30m to 12,04m, to accommodate an extension of an existing dwelling. be approved in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(l) and (h) of the By-Law on Portion 6 of the Farm 586 Hemel & Aarde Valley to amend the Site Development Plan, be approved, in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that a Site Development Plan as stipulated in Section 16(3) of the Land Use Scheme be submitted and restricted to land uses as stipulated as per Plans BFC LA1-4 and 7, and parking calculations submitted with the application;
 - (b) that extension be restricted to plans submitted with the application.
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (e) that all the conditions in the Services Report, BGCMA, Department of Transport & Public Works, DEA&DP (Environmental) and Environmental Department and all other applicable legislation, be complied with.
5. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ It is in line with policy documents.
- ❖ It will contribute to Tourism in the Hemel & Aarde Valley.
- ❖ Enhance the financial viability of the farm.



Locality Plan - Portion 6/586 Bouchard Finlayson

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE, AMENDMENT OF THE SITE
DEVELOPMENT PLAN & DEPARTURES: PORTION 6 OF THE FARM 586,
HEMEL & AARDE VALLEY**

Water	:	Please refer to Conditions & Purification Proposal
Sewer	:	Please refer to Conditions
Roads and traffic	:	Please refer to Conditions & TIA
Stormwater	:	No service available
Electricity	:	Eskom

Conditions:

1. that the developer will be responsible for the provision and maintenance of all internal and external services required;
2. that no water service from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permit from the applicable authorities (water affairs, health, etc.) for the use of any water and the distraction thereof;
3. that the developer complies to all the conditions set by the Department of Water and Sanitation / BGCMA;
4. that all relevant sections and regulations of the National Water Act (1998) regarding water use must be adhered to. This includes the registration of all water uses as defined in Section 21 of the Water Act (1998).
5. That the proposal for the modular water purification plant (package plant) for the treatment of water be submitted to the Department of Water and Sanitation / BGCMA for comment and/or approval.
6. That all potable water discharged from the modular purification plant must be of a standard that meets the requirements of the Department of Water and Sanitation's SANS 241:2015 parameters.
7. that no electricity will be available from Overstrand Municipality and the developer is responsible to obtain approval from ESKOM for any use of electricity;
8. that no stormwater service is available from Overstrand Municipality;
9. that no solid waste removal service is available from Overstrand Municipality.
10. that the developer will arrange with Provincial Administration to obtain approval for any new access from the provincial road;

11. that the developer complies to all the conditions set by Department of Transport & Public Works;
12. that the developer must tie into their existing sewerage network and should determine whether their holding tanks have sufficient capacity for the additional load.

p.p. R. Chosen
DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

29/04/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

11. ERF 1183, 15 BESTER CRESCENT, VAN DYKSBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE, AMENDMENT OF A CONDITION OF APPROVAL AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: C & C PIO

1183 GKB (1183)

SW van der Merwe

(028) 313 8900

Hermanus Administration

20 July 2022

Executive Summary

To consider an application received on from C & C Pio on 17 March 2022 in terms of the Overstrand Municipal Land Use Planning Amendment By-Law, 2020 applicable to Erf 1183 van Dyksbaai for the following:

- departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law relax the street building line from 4m to 1,8m and the southern lateral building line from 2m to 0m to legalise an existing roof terrace, and
- amendment of a condition of approval and determination of an administrative penalty in terms of Sections 16(2)(h) and 16(2)(q) of the By-Law to legalise the existing roof terrace.

RESOLVED :

1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to relax the street building line from 4m to 1,8m and the southern lateral building line from 2m to 0m to accommodate an existing roof terrace with balustrading, be approved in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(h) to rescind condition 1.(c) of the approval dated 9 September 2021, be approved in terms of the provisions of Section 61 of the By-Law;
3. that the application for the determination of an administrative penalty in terms of Section 16(2)(q) of the By-law for the unauthorised land use activities stipulated above, not be exempted from the payment of an administrative penalty in terms of Section 90(4) of the By-Law;
4. that the decisions in paragraphs 1 to 3 above be subject to the following:

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

- (a) that the approval is only for the relaxation of the street and lateral building lines as indicated on the Site Development Plan as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval within 30 days of the final approval of the application, and that all conditions of the Building Control– and Fire Departments be complied with at that stage;
 - (c) that the conditions in the Services Report, be complied with;
 - (d) that the administrative penalty of 20% of the construction cost in the amount of R4972,60 (VAT inclusive) be payable within thirty (30) days of the decision;
 - (e) that this approval does not absolve the owner/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.
5. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ The development does negatively impact on vested rights of adjoining property owners, the character of the area or safety of road users.
- ❖ The development is supported by the HOA.
- ❖ No objections were received.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR: DEPARTURE: ERF 1183, VAN DYKSBAAI**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing, standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 1183, Van Dyksbaai, unobstructed;
6. that no on-street parking be allowed.

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

20/06/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

12. ERF 2025, 17 OKER AVENUE, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE & DETERMINATION OF ADMINISTRATIVE PENALTY: A SQUIRES-CARSTENS ON BEHALF OF AJN & AM CARSTENS & SQUIRES

2025 HVM (3904/2021)

H Olivier

(028) 313 8900

Hermanus Administration

13 May 2022

Executive Summary

An application was received on 17 November 2021 from A Squires-Carstens on behalf of AJN & AM Squires & Carstens on Erf 2025, Vermont, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Departure** in terms of Section 16(2)(b) to relax the lateral building line from 2m to 0m to accommodate a shade port.
- ❖ Determination of an **administrative penalty** in terms of Section 16(2)(q) for unauthorised land use as mentioned above.

RESOLVED :

1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 2025, Vermont for departure in order to relax the western lateral building line from 2m to 0m to accommodate the existing shade port, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the relaxations as indicated on Plan Number 2025/01/A, 2025/02/B and 2025/03/B dated April 2021 that was submitted with the application;
 - (b) that the necessary building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
 - (c) that the conditions of Engineering Services, be complied with;
 - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation; and
 - (e) that the conditions of Telkom be complied with.

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

2. that the application for the determination of an administrative penalty in terms of Section 16.(2)(q) of the By-law for the unauthorised building work, was considered and that no administrative penalty be imposed in terms of Section 90(4) of the By-Law; and
3. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

Reasons for approval

- ❖ The application has followed due procedure.
- ❖ No objections from internal departments or surrounding neighbours were received.
- ❖ It is in line with policy documents.
- ❖ The application will not have an impact on surrounding neighbours or the character of the area.
- ❖ The illegal encroachments of the shade port over the lateral building line have existed for approximately seven (7) years and will have no additional impact on the surrounding area.
- ❖ The shade port is a minor structure and could have been accommodated with a consent letter from a neighbour and building plan submission for minor works.
- ❖ The application is regarded as being desirable from a town planning point of view as the proposal is of a normal residential type of use.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF ADMINISTRATIVE
PENALTY: ERF 2025, VERMONT**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 10400 – P:2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 2025, Vermont, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.


**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

25/02/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

- 13. ERF 2171, 18 FRANCOLIN CLOSE, FRANCOLIN HEIGHTS, VERMONT, OVERSTRAND MUNICIPAL AREA: PROPOSED APPLICATION IN TERMS OF CONDITIONS OF APPROVAL: MESSRS ENGELBRECHT & SCORGIE ON BEHALF OF DJ & N MAROUN**

2171 HVM

H Olivier

(028) 313 8900

Hermanus Administration

8 July 2022

Executive Summary

An application has been received on 8 April 2022 from Messrs Engelbrecht & Scorgie on behalf of DJ & N Maroun on Erf 2171, Vermont for an application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for permission in terms of the conditions of approval to relax the street building line for double storey buildings from 5m to 4m as stipulated in the Francolin Heights Architectural Guidelines, to accommodate a bedroom on first floor level on top of the garage extension.

RESOLVED :

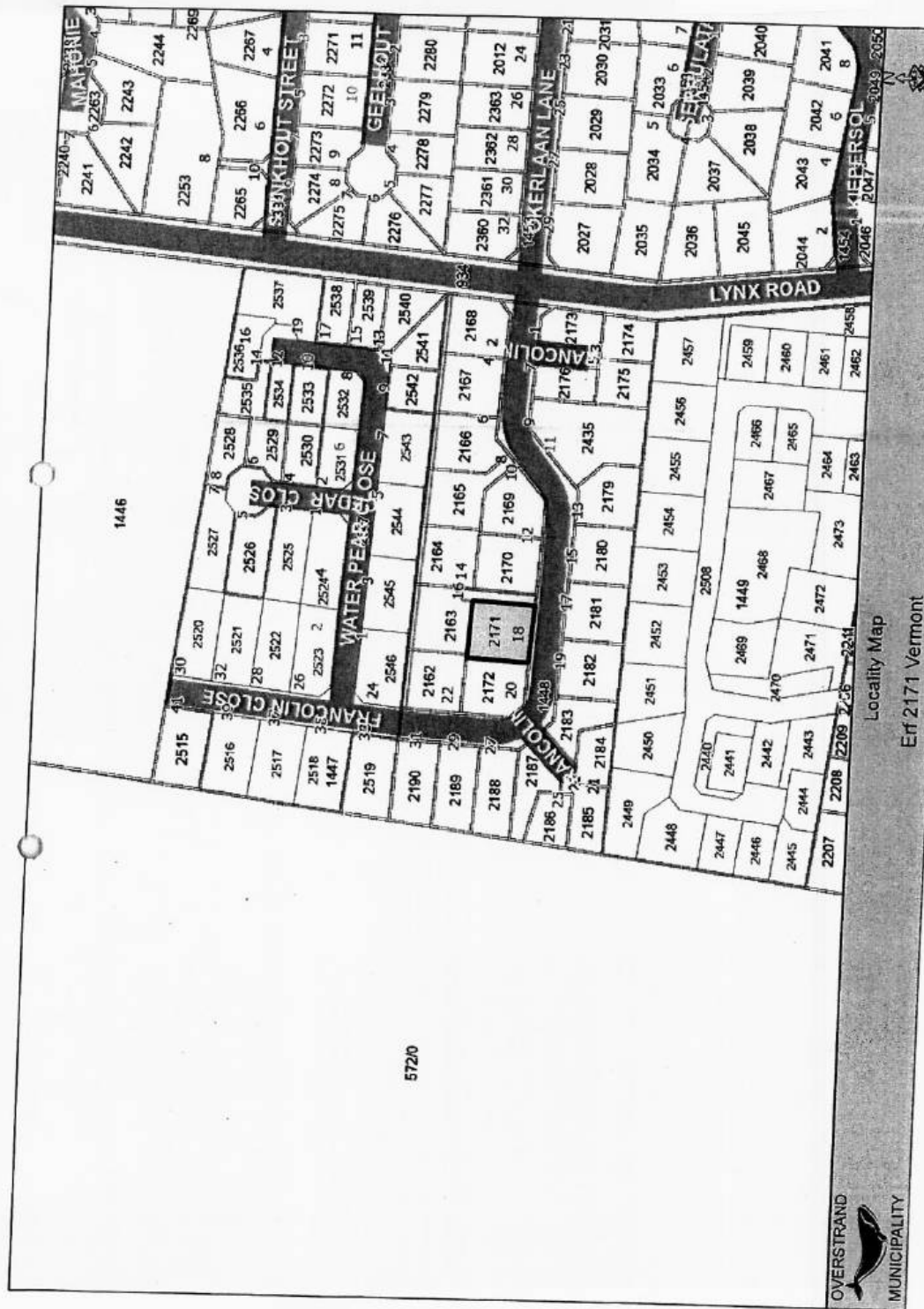
1. that the application in terms of Section 16.(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for permission in terms of the conditions of approval to relax the street building line for double storey buildings from 5m to 4m as stipulated in the Francolin Heights Architectural Guidelines, to accommodate a bedroom on first floor level on top of the garage extension, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the relaxation of the 5m street double storey building line to 4m as indicated on the plan submitted by the architect (Plan No. J1080.A101, dated 28 February 2022);
 - (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 Land Use Scheme be complied with; and
 - (d) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building- and Fire Department be complied with.

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

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

REASONS FOR RESOLUTION

- ❖ The application is supported by the Estate Architect.
- ❖ The application is supported by all relevant internal departments.
- ❖ The 5m street double storey building line was inserted into the architectural guidelines, but this is problematic as if owners want to extend their existing single storey dwellings constructed on 4m single storey street building lines, the guidelines prohibit this.
- ❖ The building will still comply with the 4m street Zoning Scheme building line.
- ❖ No objections were received from surrounding property owners.
- ❖ The application will not have a negative impact on the character of Francolin Heights or the surrounding area.
- ❖ The proposed relaxation is minor with no impact on the views or privacy of surrounding property owners.
- ❖ The application is considered desirable.



1446

5720

Locality Map
Erf 2171 Vermont



Francolin HEIGHTS

FRANCOLIN HEIGHTS
ERF 1448, VERMONT

ARCHITECTURAL DESIGN GUIDELINES
COMPILED FEBRUARY 2006
Revised September 2010

CONTENTS

1. Introduction
2. Town Planning Controls
3. Treatment of stand boundaries
4. Building design guidelines
5. Approved building materials and design styles
6. Prohibited building materials
7. Construction activities
8. General
9. Building plan submission
10. Acknowledgement

1. INTRODUCTION

- 1.1 ***The purpose of these design guidelines is to encourage individual creativity within a unity of materials and finishes ensuring that the overall development harmonizes and creates a balanced lifestyle for all residents.***

The architectural style should be cohesive and harmonious. This style could be obtained by the use of pastel/anthem colour paint and black, charcoal or grey roofs.. To achieve this, architectural guidelines have been drawn up as far as the use of materials and colours, the treatment of boundaries and the landscaping is concerned. The owners will benefit from a consistent architectural language and building conditions, thereby ensuring the value of their properties.

All plans must be in accordance with the Conditions of Establishment and approved by the Building Control Department of the Overstrand Municipality.

The idea is not to copy any style, but rather use the elements that made this style so distinctive. These elements should be adapted to make it practical but still in harmony with the character.

- 1.2 The controlling authority of the property is the developing company, represented by **Orbic Architects**, Somerset West, tel: 021 851 1334. This control will go over to the H.O.A. once it is formed. All plans must still be approved by the Overstrand Municipality
- 1.3 The design of the dwelling unit and the entire stand must show sensitivity to the existing natural features, flora and topography. All existing trees are to be shown on the site plan. Surrounding structures and houses must be taken into account in the design process. For the removal of a milkwood tree, permission must be obtained from the local authority.
- 1.4 No erf shall be subdivided or rezoned.
- 1.5 Elevation treatment of all buildings must conform to good architecture so as not to interfere with or detract from the general appearance of the neighbourhood. Orbic architects reserve the right to comment on the design to improve the architecture in the interest of all parties.

2. TOWN PLANNING CONTROLS

All plans must be in accordance with the Town Planning Scheme, and where they differ from the guidelines, the most restricting one will prevail.

Single Residential Stands

Coverage

- 2.1 Maximum dwellings per erf - One
- 2.2 Maximum height - 2 Storeys (excluding roof, loft rooms & basements) ^{to a maximum of 8m in height.}
- 2.3 Single storey dwellings - Maximum coverage allowed will be ~~60%~~ 50% (In line with zoning scheme)
- 2.4 First floor of double storey dwellings - The ground floor coverage of double storey dwellings shall not exceed 50% of the area of the stand, while the first floor level shall not exceed 80% of the ground floor plan or footprint.
- 2.5 Minimum size - The houses, excluding outbuildings and covered patio's, should not be less than 100m².

Buildings Lines

- 2.7 Single storey dwellings - Internal street boundaries
- Garages - 4.0m
 - House - ~~3.0m~~ 4.0m (See my letter dated 12/11/2010 to Orbic Architects)
 - External street boundaries - 5.0m (lynx)
 - Side boundaries - 2.0m
 - Back boundaries - 2.0m
- 2.8 Double storey dwellings - Internal street boundaries (First floor)
- Garages - 4.0m
 - House - 5.0m
 - External street boundaries 5.0m (lynx)
 - Side boundaries - 2.0m
 - Back boundaries - 3.0m

Abide by municipal by-laws and Paul de Villiers will sign off.

In the case of corner stands, application can be made for the relaxation of above.

Group Housing (stands 21, 22, 23 & 24 as well as stands 25, 26 & 27)

As above, but on the common boundaries application can be made for a zero building line. A site development plan must be submitted to Orbic Architects and the Municipality for approval.

3. **TREATMENT OF STAND BOUNDARIES**

It is appreciated that the diverse nature of single residential neighbourhoods will lead to a variety of treatments to the street boundary. Every effort must be made to avoid the hostile "canyon like" effect that high solid walls along streets cause in many residential areas. In order to enhance the appearance of sidewalks and the street scape of the general estate, the following guidelines will apply.

3.1 **Street Boundary**

The street boundary must be completely open with no boundary walls or fences within the 3.5m restricted area. Application may be made for the relaxation of this ruling, but only under the most extreme cases will it be granted.

3.2 **Side Space and back boundaries**

The side and back walls between properties may be a maximum of 1,8m high over the extent of the boundary except for the last 3.5m adjacent to the street boundary (see item 3.1)

4. **BUILDING DESIGN GUIDELINES**

- 4.1 All plans for the Group Housing must be prepared by a Registered Architect and submitted for approval to Orbic, Tel.: 012 851 1334, (see item 9 building plan submission). Only after this approval has been obtained can the plans be submitted to the local authority. It is the owners' responsibility to ensure that all plans are submitted and approved by both authorities prior to construction.
- 4.2 *The privacy of surrounding properties must be considered. As a general rule no windows or balconies on the upper storey should overlook the living space of the adjacent dwelling except from non-habitable rooms.*
- 4.3 No staff accommodation must be nearer to the street than the main building unless contained under the same roof or integrated into the overall design.
- 4.4 Staff accommodation and kitchen areas must open onto screened yards.
- 4.5 Outbuildings and additions must match the original building design in style, elevation and material usage. All plans must indicate at least one double enclosed garage and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted or any other steel carports.
- 4.6 Yard and screen walls must compliment the basic materials of the buildings and be indicated on the plans.
- 4.7 No dog kennels, caravans, boats or trailers are to be visible from the road and may not be placed in the restricted side space (buildings lines).
- 4.8 No pre-fabricated garden sheds or wendy houses will be allowed on the Estate.
- 4.9 No shade netting may be used for carports or any other coverage.

- 4.10 Solar heating panels if used should be incorporated into the building and form part of the basic structure and should be clearly shown on the approval drawings. It may not be visible on the street elevation.
- 4.11 Awnings, air conditioning units and other items, which do not form part of the basic structure, are to be clearly shown and annotated on the approval drawings.
- 4.12 All plumbing and washing lines must be fully screened and not be visible from the street elevations and other elevations onto adjoining properties. In the case of flat roofs, all geysers must be installed inside the houses so that it is not visible from the outside.
- 4.13 No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing prior to construction.
- 4.14 All steel fences, gates, burglar bars and hand railings must be shown on the S.D.P.'s and complement the style of the house. External burglar bars will not be allowed.

5. APPROVED BUILDING MATERIALS AND DESIGN STYLES

5.1 Roof Coverings

The following roof coverings will be allowed:

- Corrugated Everite or Chromadek sheeting (or similar approved) in traditional profile
- Flat concrete roofs (with non-reflecting waterproofing) as links between mono pitched roofs or gutters

The following roof coverings will **not** be allowed:

- Concrete roof tiles
- Thatch roofs
- Unpainted galvanized roof sheeting
- Flat steel roofs
- Full Concrete roofs

The following roof colours will be allowed (samples must be presented for approval):

- Black
- Charcoal

5.2 Structural walls and screen walls

The following wall finishes will be allowed:

- Plaster and paint (smooth or textured)
- Bagging and paint

The following wall panels will be allowed (limited only):

- Slate wall tiles (Mazista or similar)
- Smooth face brick - Red only
- Natural stone cladding

The colours of the walls should be:

Plaster and Paint	Tile Panels	Face Brick Panels
→ White	→ Slate	→ Red Bricks
	→ Natural Stone	→ As presented and approved by the Developer
	→ Multi Colour	

All colours must be indicated on the SDP for approval.

5.3 **Paving and Landscaping**

- 5.3.1 The landscaping theme is to encourage the use of indigenous trees and plants.
- 5.3.2 All driveways to be fully paved. Driveway widths are limited to 6 000mm at the junction with the public road. Preference will be given to clay brick paving, coloured interlocking or cobble stone, but no solid concrete paving will be allowed.
- 5.3.3 The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible.
- 5.3.6 The trees, plants or sidewalk lawn may not be removed without the permission of the Estate Manager.

6. **PROHIBITED BUILDING MATERIAL**

Although individual architectural designs within the theme will be encouraged, the following building materials may not be used:

- Unpainted plaster
- No precast concrete walls will be allowed and any face brick or plastered walls must be completed on both sides of the wall
- Unpainted reflective metal roof sheeting
- Wood panel fencing
- Thatch roof laps
- Unpainted galvanised sheet metal flashing

7. **CONSTRUCTION ACTIVITIES**

As the building within the residential estate will be constructed over a considerable time period, the following guidelines have been formulated for the benefit of residents:

- 7.1 All building materials are to be stored within the site boundary, no material is to be off-loaded onto the road or road reserve.

- 7.2 All contractors will be required to provide screened chemical ablation facilities for the workmen and subcontractors under his control.

8. GENERAL

- 8.1 It is recommended that the home owner or his Architect discuss his concept with the supervising Architect at an early stage.
- 8.2 All colours must be shown on the elevations and final colour sample must be painted on the wall for approval by the architects.
- 8.3 All future building or alterations must still comply with the design guidelines.

9. BUILDING PLAN SUBMISSION

The following must be adhered to before building plans for Group Housing will be considered for inspection:

- 9.1 A plan approval fee of R2 000-00 (Two Thousand Rand) must be paid to the Architects on submission of plans at:

Orbic Architects
Oakmont 303
Somerset Links
De Beers Ave
Somerset West
Tel: 021 851 1334

or

Orbic Architects *Paul de Villiers*
6 Erica Street
Onrus
~~Tel: 028 316 2034~~ *082 658 8265*

The Architects will inspect the township regularly to see that all regulations are adhered to.

- 9.2 All Group Housing plans necessary for City Council approval must be submitted together with an extra rendered paper copy to be kept for record purposes Orbic Architects. Plan approval fees for the City Council, for building, is for the owners own account.
- 9.7 The following items must be clearly shown on the plans:
- A fully coloured in site plan, plans and elevations
 - Area of dwelling including patios and outbuildings
 - Coverage (%)
 - Correct Building lines
 - All external finishes including a colour specification (coloured in elevation)
 - Boundary wall/fence details including elevations
 - Drainage and how it is concealed
 - Layout of driveway and all paving
- 9.8 A signed copy of these guidelines must be attached to the contracts.

10. ACKNOWLEDGEMENT

The above document is fully understood and the Contractor and owner undertake to comply with the above points, in addition to any further controls which may be instituted by the Developer from time to time in the form of a written notification and to ensure compliance by any sub-contractors employed by the Contractor, and any suppliers to either contractors, sub-contractors or owners.

In the case where the property is sold or leased, the seller or lessor must ensure that the buyer or lessee receives a copy of these guidelines and that is binding on the buyer or lessee.

OWNER _____	NAME _____
WITNESS _____	NAME _____
STAND NUMBER _____	DATE _____
BUSINESS TELEPHONE NUMBER _____	RESIDENTIAL TELEPHONE NUMBER _____
CELLULAR NUMBER _____	FAX NUMBER / E-MAIL _____

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

14. ERF 477 AND REMAINDER ERF 65, CHURCH STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA: REQUEST FOR EXTENSION OF THE PERIOD OF VALIDITY OF AN APPROVAL: MESSRS VAN DYK SAAYMAN ATTORNEYS ON BEHALF OF LB WILLIAMS

477 HHW (4147/2022)

H Olivier

(028) 313 8900

Hermanus Administration

11 July 2022

Executive Summary

An application has been received on 17 May 2022 from Messrs van Dyk Saayman Attorneys on behalf of the property owner, LB Williams, on Erf 477 and Remainder Erf 65, Hawston for an application in terms of Section 16(2)(i) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to grant an approval for the extension of the period of the validity of the approval of a development on the abovementioned property for a further one (1) year.

RESOLVED :

1. that the application in terms of Section 47 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of an application in terms of Section 16(2)(i) on Erf 477 and Remainder Erf 65, Hawston to extend the approval for the extension period of a development on these erven, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that approval is granted for an extension of time of an additional period of one (1) year, which will expire on 28 May 2023; and
 - (b) that all Council's conditions in the original approval and extension of time approvals, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

REASONS FOR RESOLUTION

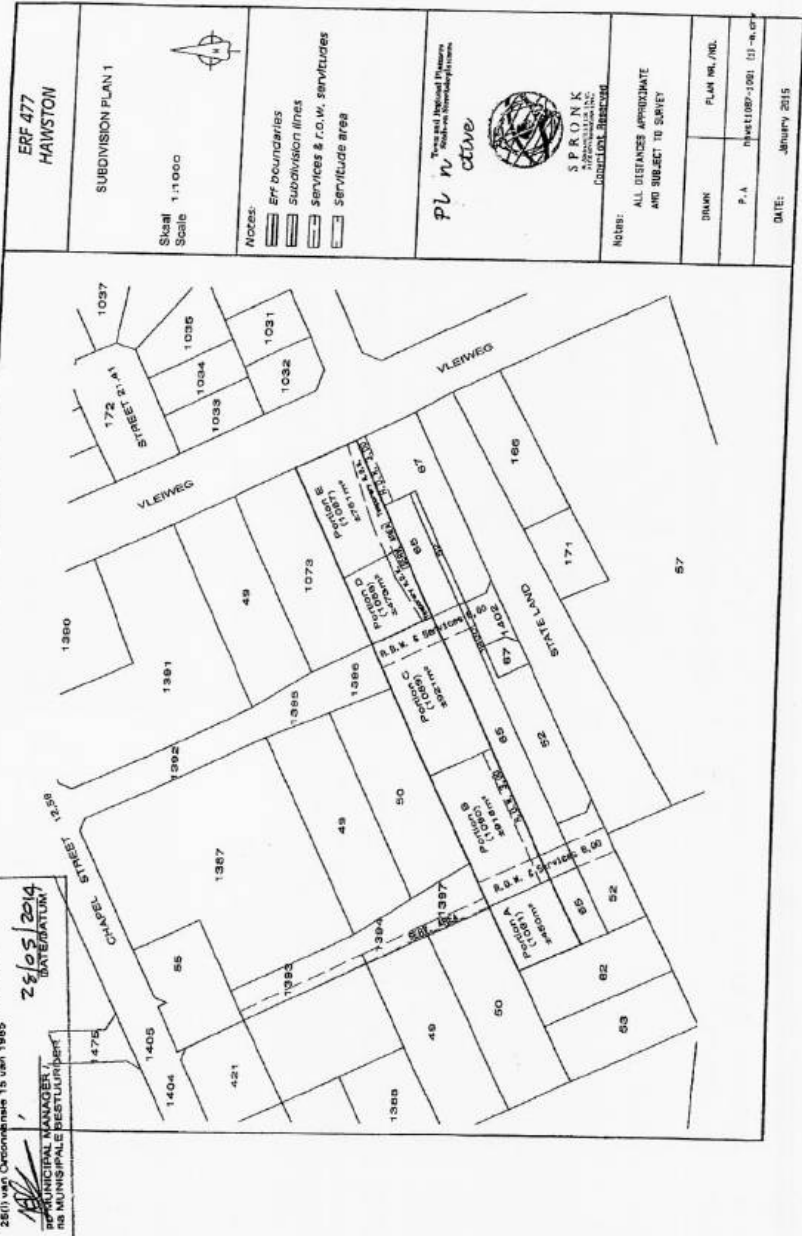
Reasons for the approvals in 1. and 3. above

- ❖ The application has followed due procedure.
- ❖ Internal departments have already commented on the final clearance for the development.

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

- ❖ It is in line with policy documents.
- ❖ The development will be the same as the original approval and this approval will ensure the subdivision does not lapse.

OVERSTRAND MUNICIPALITY / MUNISIPALITEIT
 Subdivision approved in terms of Section 25(1) of Ordinance 15 of 1988
 Oorskeedelike goedkeuring in terme van Artikel 25(1) van Oordnening 15 van 1988
 28/05/2014
 MUNICIPAL MANAGER / BUREAUHOOFD
 DE MUNISIPALE BESTUURDER



ERF 477
HAWSTON

SUBDIVISION PLAN 1

Scale
Scale 1:1000



- Notes:
- ERF boundaries
 - Subdivision lines
 - Services & r.o.w. servitudes
 - Servitude area

PL IV
 Theas and Richard Theas
 Architects
 1001
 1002



SPRONK
 CONSULTING ENGINEERS

Notes:
 ALL DISTANCES APPROXIMATE
 AND SUBJECT TO SURVEY

DRINK	PLAN NO./IND.
P.A.	HWST1087-1081 101-n-09
DATE:	January 2015

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

15. UNREGISTERED ERF 8680 (A PORTION OF ERF 8168), CNR OF MAIN ROAD AND ELEVENTH STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF SITE DEVELOPMENT PLAN AND NEW RIGHT OF WAY SERVITUDE FROM MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF THE GRAIL CENTRE TRUST

Unreg Erf 8680

H van der Stoep

(028) 313 8900

Hermanus Administration

28 June 2022

Executive Summary

An application was received on 18 February 2022 from Messrs Plan Active on behalf of the Grail Centre Trust in terms of:

- Section 16(2)(l) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020 for the amendment of the site development plan, and
- Section 16(1)(h)(v) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020 for the registration of a right of way servitude over unregistered Erf 8680, Kleinmond and Erf 8168, Kleinmond in favour of Erven 8166 and 8167, Kleinmond.

RESOLVED :

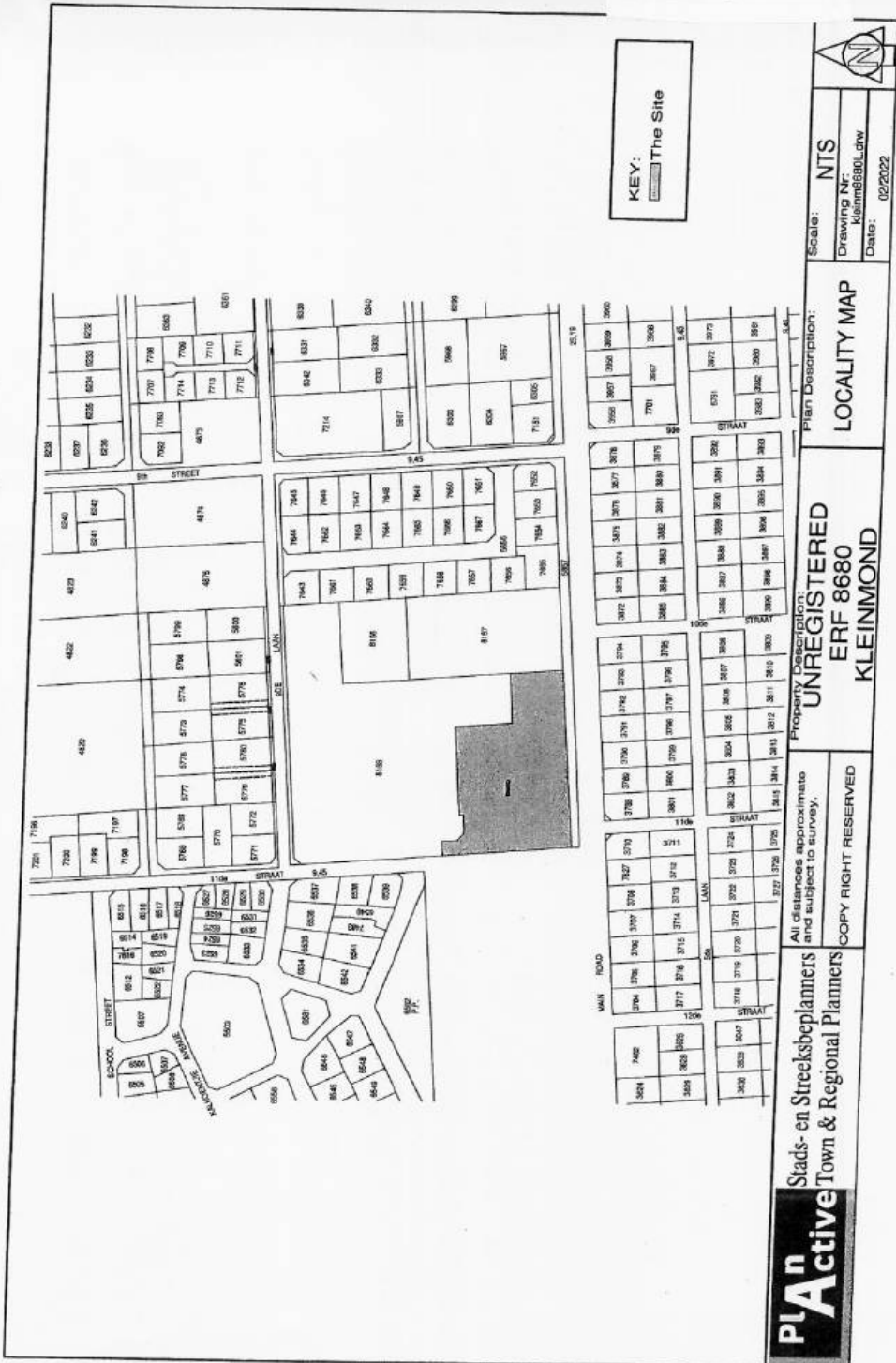
1. that the application in terms of Section 16(2)(l) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020 for the amendment of the site development plan, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(1)(h)(v) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020 for the registration of a right of way servitude over unregistered Erf 8680, Kleinmond and Erf 8168, Kleinmond in favour of Erven 8166 and 8167, Kleinmond, **be approved** in terms of the provisions of Section 61 of the By-Law, in terms of the following conditions:
 - (a) site plan no 2012- 00, revision 5;
 - (b) conditions as per approval date July 2017 remains applicable;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;

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- (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (e) that all the conditions in the Services Report, be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ It is in line with policy documents.
- ❖ The configuration of the amended site plan is more vehicle and pedestrian friendly.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR AMENDMENT OF SITE DEVELOPMENT PLAN:
UNREGISTERED ERF 8680 (A PORTION OF ERF 8168), KLEINMOND**

Electricity : Refer to approval conditions / SLA
Water : Refer to approval conditions / SLA
Sewer : Refer to approval conditions / SLA
Stormwater : Refer to approval conditions / SLA
Roads and traffic : Refer to approval conditions / SLA

Conditions:

1. That the applicant must comply with all statutory requirements that may be applicable to the undertaking of the proposed development.
2. That it is incumbent upon the applicant / developer to ensure that all operational requirements in terms of municipal services provision to the development are met.
3. That the terms and conditions specified in the municipal letter of approval dated 6 July 2017 remain applicable and must be adhered to;
4. That the terms and conditions specified in the services level agreement concluded on 25 October 2021 remain applicable and must be adhered to.


DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

11/07/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

16. ERF 1594, 25 CAESAR ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE & DETERMINATION OF ADMINISTRATIVE PENALTY: MESSRS GHS ARCHITECTURE & DESIGN ON BEHALF OF JD & CJE STEMMET

1594 KPRB (4092/2022)

H van der Stoep

(028) 313 8900

Hermanus Administration

25 July 2022

Executive Summary

An application was received on 17 December 2020 from Messrs GHS Architecture & Design on behalf of JD & CJE Stemmet in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1594, Pringle Bay for the following:

- **Departure** in terms of Section 16(2)(b) to relax the street building line from 4m to 0m and the lateral building line with Erf 1593 from 2m to 0m to accommodate a carport; and to relax the rear building line from 2m to 0m and the lateral building line with Erf 1596 from 2m to 0m to accommodate another carport.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) for unauthorised land use as mentioned above.

RESOLVED :

1. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 1594, Pringle Bay in order to relax the south-eastern street building line from 4m to 0m and north-eastern lateral building line from 2m to 0m, to accommodate the existing carport at the front of the property, not be approved in terms of the provisions of Section 61 of the By-Law;
2. that the application for departure in terms of Section 16(2)(b) of the By-Law applicable to Erf 1594, Pringle Bay in order to relax the south-western lateral building line from 2m to 0m and north-western rear building line from 2m to 0m, to accommodate the existing carport at the rear of the property, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is subject to the carport (situated at the front of the property) and the container (under the carport) be removed within 60-days from date of decision;

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(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

- (b) that this approval is only for the dimensions of the structures as indicated on Plan Number S.3077-2 dated 30 October 2020 that was submitted with the application;
 - (c) that the necessary 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 the conditions of Engineering Services, be complied with;
 - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation; and
 - (f) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the determination of an administrative penalty in terms of Section 90(4) of the By-Law for the above illegal encroachments of the street, lateral and rear building lines not be applicable; and
4. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

NOT APPROVED – Point 1

- ❖ The carport is obtrusive when viewed from the street view.
- ❖ The carport is not in line with the character of the surrounding neighbourhood.
- ❖ There is adequate space for a longer carport on the south-western portion of the property.

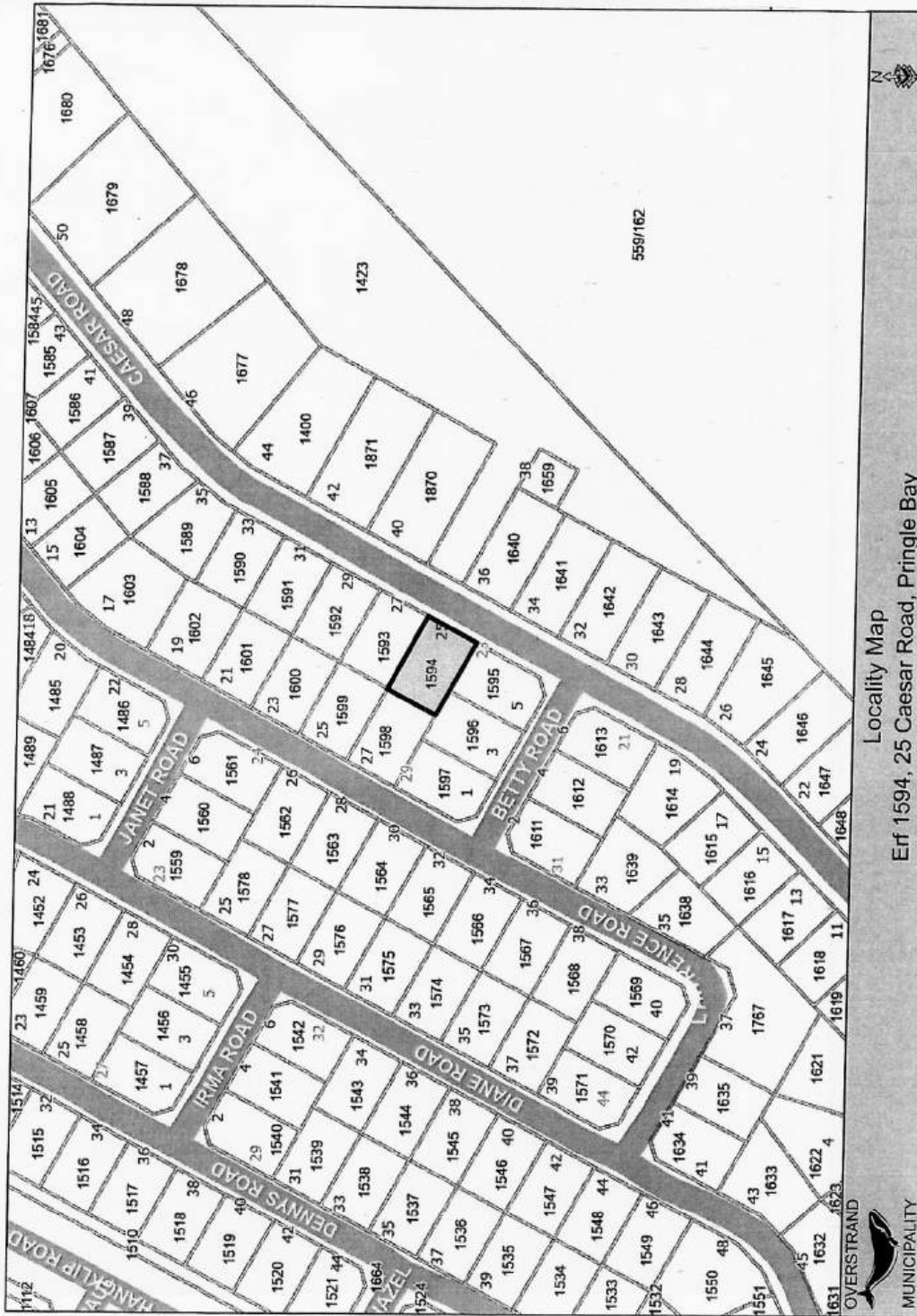
APPROVED – Point 2

- ❖ The application has followed due procedure.
- ❖ No objections from internal departments were received.
- ❖ It is in line with policy documents.
- ❖ The carport has the least visual impact at its current position and will have a larger impact if moved forwards to the building line (with Erf 1598).
- ❖ The application is regarded as being desirable from a town planning point of view as the proposal is of a normal residential type of use.

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APPROVED – Point 3

- ❖ The carports are of a normal residential type of construction/use.
- ❖ The carports were built approximately 8 years ago with no objections from the surrounding properties.
- ❖ The carports design and character are in line with the design of the current residential dwelling.
- ❖ The carport on the street building line be removed.



Locality Map
Erf 1594, 25 Caesar Road, Pringle Bay

Date: 2022/03/17



OVERSTRAND
MUNICIPALITY

Website:
<https://www.gsharchitects.co.za/>

KALLENSTR 12
 STRAND
 PROF SENJARGT.
 TEGN. STY0833
 TEL: 021 853 3378
 FAKS: 021 713 5104

E-Post:
 GSH@wawco@outlook.com
 henningstephanus@gmail.com

GIDEON STEPHANUS
 HENNING

072 233 8704

HOUSE STEMMET

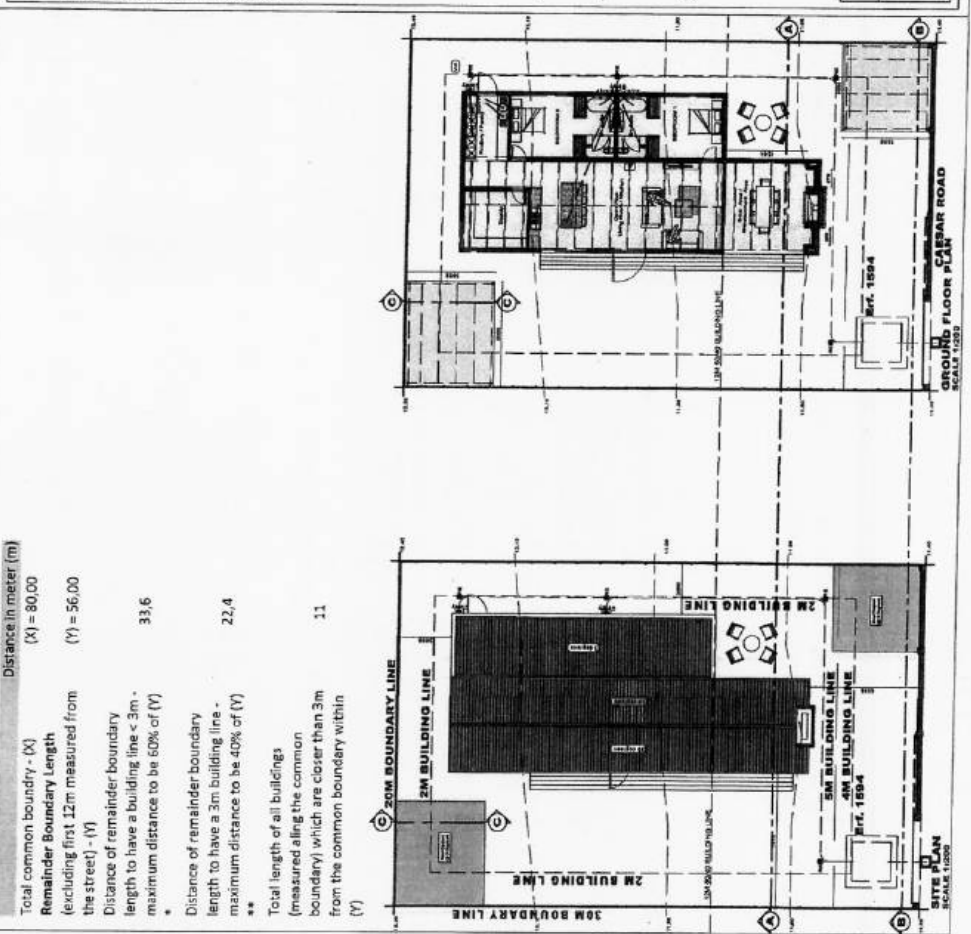
CLIENT/KLIENT:

DRAWING/TEKEN: **SGH** PAPER SIZE/PAPIER GROOTTE: **A3**

PROJECT/PROJEK: **New Carport
On Erf. 1594 Caesar Road
Pringle Bay**

J.S. Henning

DATE/DATUM: 30.10.2020	PROJECT NR. S. 3077-2
-------------------------------	------------------------------



Total common boundary - (X)

Remainder Boundary Length (excluding first 12m measured from the street) - (Y)

Distance of remainder boundary length to have a building line < 3m - maximum distance to be 60% of (Y)

Distance of remainder boundary length to have a 3m building line - maximum distance to be 40% of (Y)

Total length of all buildings (measured along the common boundary) which are closer than 3m from the common boundary within (Y)

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF ADMINISTRATIVE
PENALTY : ERF 1594, PRINGLE BAY**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigates and determine the limitations of the site in terms of drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
5. that any additional and / or extended vehicle entrance will be for the owner's account;
6. that, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services (Kleinmond) for written approval;
7. that stormwater be allowed to discharge through Erf 1594, Pringle Bay, unobstructed.

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

19/05/2021
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

17. ERF 5453, 81 VILJOEN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: U BRUWER ON BEHALF OF S LE ROUX

5453 HON (4086/2022)

H Olivier

(028) 313 8900

Hermanus Administration

5 July 2022

Executive Summary

An application was received on 8 March 2022 from U Bruwer on behalf of S le Roux on Erf 5453, Onrustrivier for an application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a departure to relax the south-eastern lateral building line from 2m to 1,66m to accommodate the replacement of a window with a larger window in the existing building.

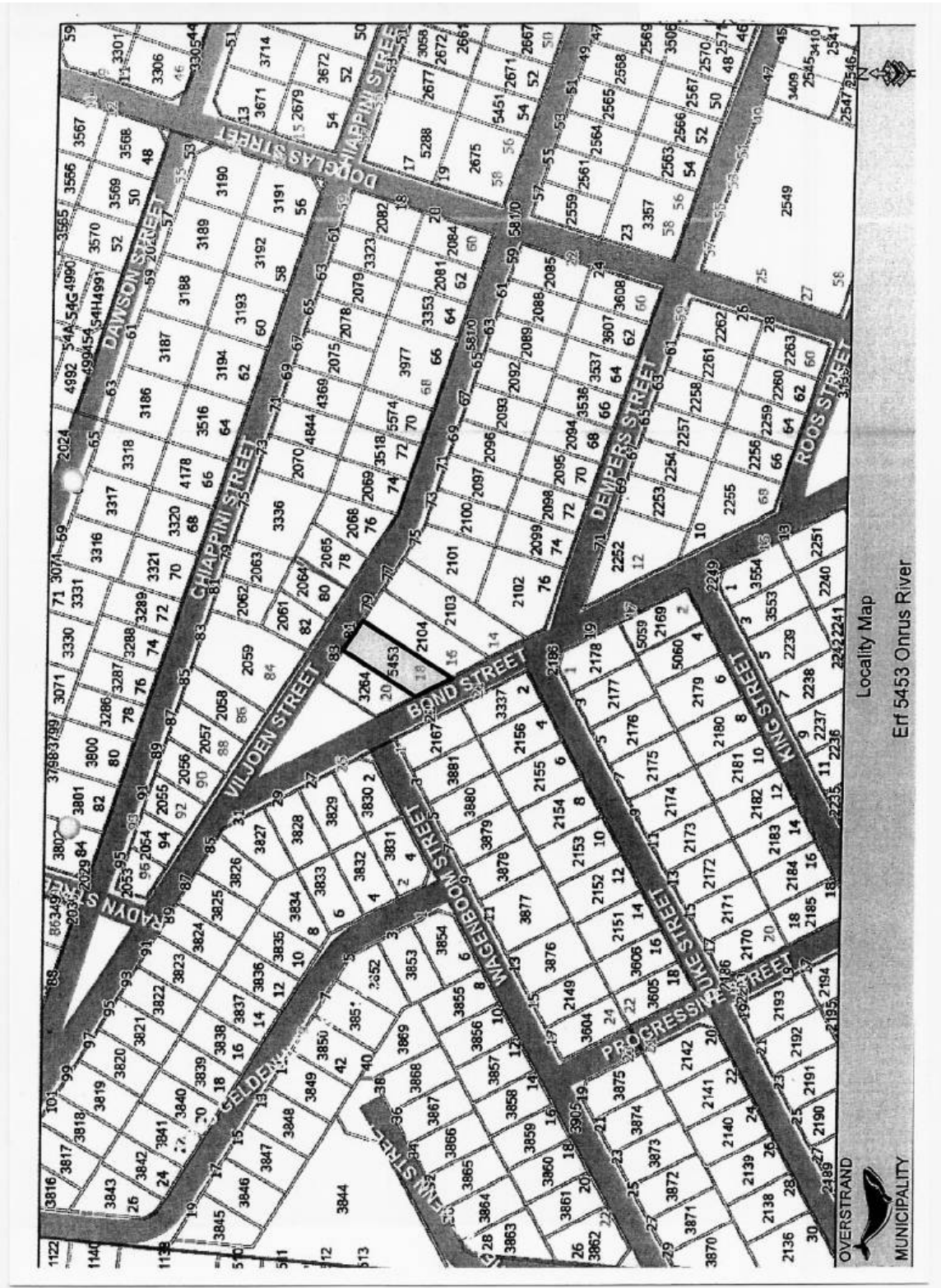
RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a departure on Erf 5453, Onrustrivier to relax the south-eastern lateral building line from 2m 1,66m to accommodate the replacement of a window with a larger window in the existing building, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the relaxations as indicated on plans 2020-017-2/1 revision 3 dated November 2021 and 2020-017-2/4 revision 3 dated November 2021;
 - (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 Land Use Scheme be complied with; and
 - (d) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building- and Fire Department be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

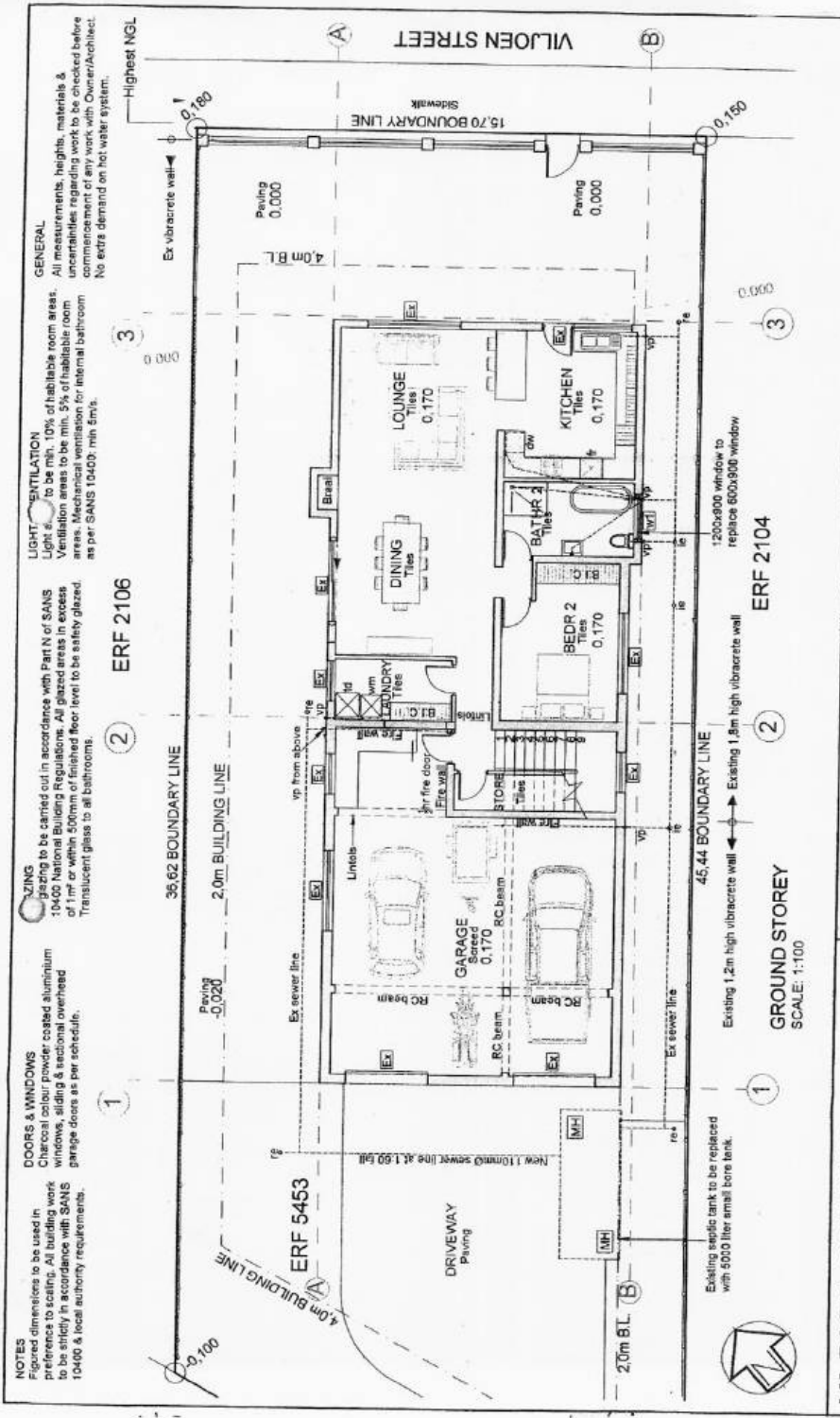
**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

REASONS FOR RESOLUTION

- ❖ The application is supported by all relevant internal departments.
- ❖ No objections were received in the public participation process.
- ❖ The application will not impact the privacy of the adjacent neighbour as the window is on ground floor level and there is a portion of walling of approximately 2,1m blocking any possible impact.
- ❖ This is only the enlargement of an existing window, and the size increase is only from 0,54m² to 1,08m², which is considered a minor increase.
- ❖ The existing building is only 0,34m over the 2m lateral building line, and therefore the application is considered a minor amendment on a minor encroachment.
- ❖ The application will not have a negative impact on the character of the surrounding area.
- ❖ The application is considered desirable.



Locality Map
Erf 5453 Ontus River



NOTES
 Figured dimensions to be used in preference to scaling. All building work to be strictly in accordance with SANS 10400 & local authority requirements.

DOORS & WINDOWS
 Charcoal colour powder coated aluminium windows, sliding & sectional overhead garage doors as per schedule.

GLAZING
 Glazing to be carried out in accordance with Part N of SANS 10400 National Building Regulations. All glazed areas in excess of 1 m² or within 500mm of finished floor level to be safety glazed. Translucent glass to all bathrooms.

LIGHT & VENTILATION
 Light s_c to be min. 10% of habitable room areas. Ventilation areas to be min. 5% of habitable room areas. Mechanical ventilation for internal bathroom as per SANS 10440; min 5m/s.

GENERAL
 All measurements, heights, materials & uncertainties regarding work to be checked before commencement of any work with Owner/Architect. No extra demand on hot water system.

SCALE	DATE
1:100	NOV 21
DRAWING NUMBER	REVISION
2020-017-2/1	03
REVISIONS	03
	COUNCIL 2021-11-02

PROJECT DESCRIPTION
 HOUSE ENGELBRECHT
 ALTERATIONS TO BATHROOM WINDOWS
 ERF 5453, 81 VILJOEN STREET,
 ONRUSRVIER
 Owner(s): *A. J. J. van*

ULRICH BRUWER architecture
 Ulrich Bruwer, SACAP Reg No: T1450
 Email: ulrich@ulrichbruwer.co.za
 Cell: 082 859 3707
 PO Box 15102, Pennington, 7506

GROUND STOREY
 SCALE: 1:100

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

18. ERF 17, MEERENBOSCH, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE: MESSRS PLAN ACTIVE ON BEHALF M LEVIN

17 HMB (4107/2022)

H Olivier

(028) 313 8900

Hermanus Administration

11 July 2022

Executive Summary

An application was received on 1 April 2022 from Messrs Plan Active on behalf of M Levin on Erf 17, Meerenbosch for an application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to depart from the Meerenbosch Homeowners' Association Building Regulations to accommodate storage boxes over the 1,5m internal street building line from up to 0,599m from the street boundary.

RESOLVED :

1. that the application in terms of Section 47 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) and in terms of Section 16(2)(b) to depart from the Meerenbosch Homeowners' Association Building Regulations to accommodate storage boxes over the 1,5m internal street building line from up to 0,599m from the street boundary, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for final approval;
 - (b) that all other regulations in terms of the Meerenbosch Building Regulations be complied with; and
 - (c) that this approval is only to relax the 1,5m street building line in terms of the Meerenbosch Building Regulation and indicated on plans submitted with this application dated 3 January 2022.
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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REASONS FOR RESOLUTION

- ❖ The Meerenbosch HOA support the proposal.
- ❖ No objections were received from adjacent property owners or relevant Municipal branches.
- ❖ The storage box is a minor structure and would not impact adjacent property owners, the street scape, traffic safety or the character of Meerenbosch.
- ❖ The Meerenbosch Building Regulations makes provision that the 1,5m building lines can be relaxed.
- ❖ The storage box size and height is in compliance with the Meerenbosch Building Regulations.




Plan Active Stads- en Streeksplannings Town & Regional Planners

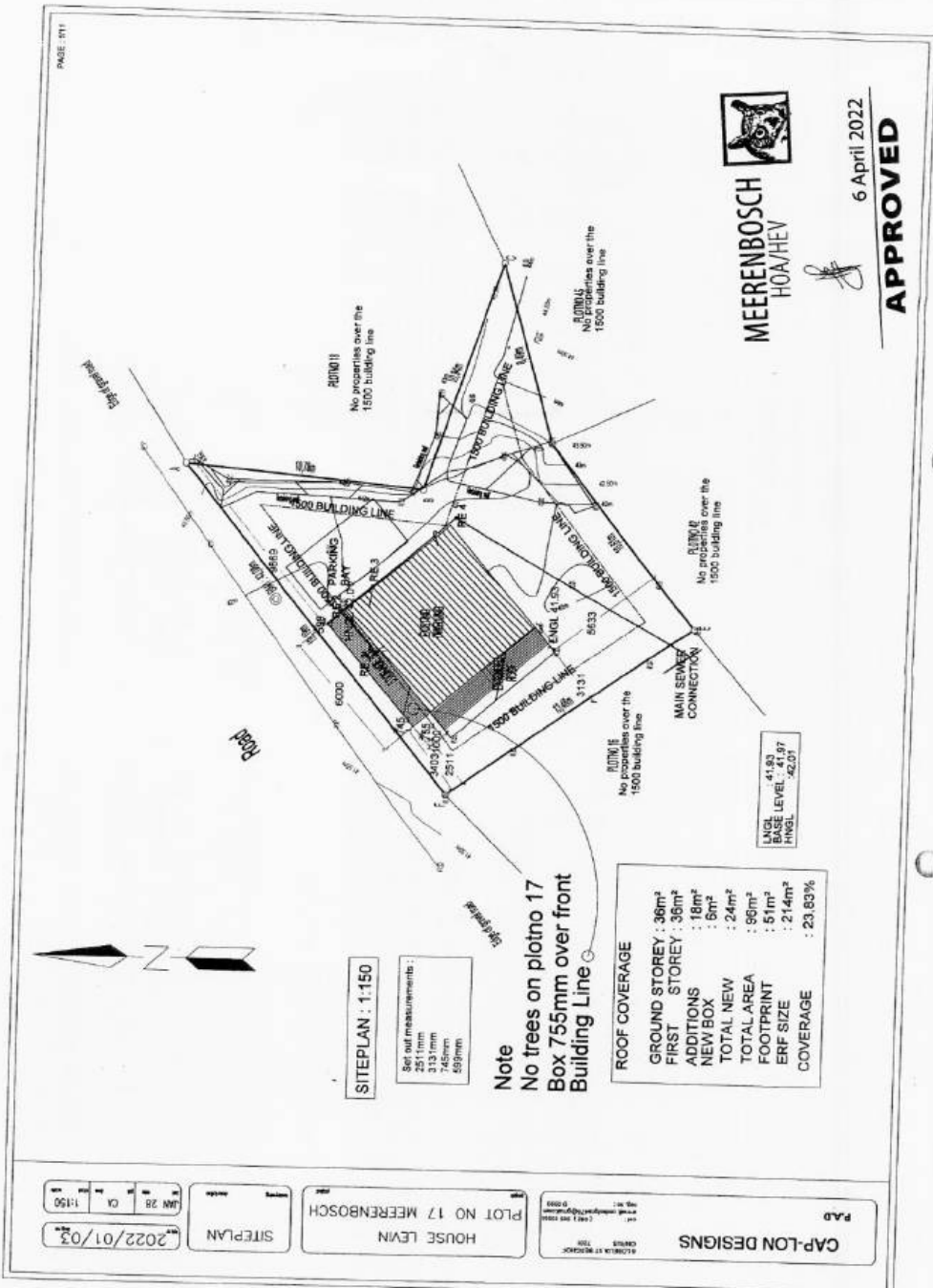
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Property Description: **ERF 17 MEERENBOSCH**

Part Description: **LOCALITY PLAN**

Scale: **NTS**
 Drawn by: **J. T. MEERENBOSCH, B.Sc.**
 Date: **MARCH 2022**





PAGE: 01/1



MEERENBOSCH
HOA/HEV

APPROVED

6 April 2022

APPROVED



SITEPLAN : 1:150

Set out measurements :
2511mm
745mm
593mm

Note
No trees on plot no 17
Box 755mm over front
Building Line

ROOF COVERAGE	
GROUND STOREY	: 36m ²
FIRST STOREY	: 36m ²
ADDITIONS	: 18m ²
NEW BOX	: 5m ²
TOTAL AREA	: 24m ²
FOOTPRINT	: 95m ²
ERP SIZE	: 51m ²
COVERAGE	: 23.83%

LEVEL
BASE LEVEL : 42.01
FINISH : 41.92

DATE: 2022/01/03
SCALE: 1:150
DRAWN BY: CA
CHECKED BY: AM

SITEPLAN

HOUSE LEVIN
PLOT NO 17 MEERENBOSCH


CAP-LON DESIGNS
P.A.D.
REGISTERED ARCHITECTS
1011 1011
1011 1011
1011 1011

COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 17, MEERENBOSCH

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

Conditions

1. that the Department Engineering Services has No Comment.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

26/04/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

Municipal Planning Tribunal

1. **ERF 463, 17 SHARPIE STREET, FISHERHAVEN, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: WRAP PROJECT OFFICE ON BEHALF OF DJ & M ERASMUS**

463 HFH (4050/2022)

H Olivier

(028) 313 8900

Hermanus Administration

9 June 2022

Executive Summary

An application has been received on 3 February 2022 from WRAP Project Office on behalf of DJ & M Erasmus on Erf 463, Fisherhaven in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title conditions E.4.(b), E.4.(c) and E.4.(d) as contained in Title Deed T68400/2017 of the property in order to enable the construction of a second dwelling unit and to remove conditions relating to building lines and coverage.

The restrictive title conditions read as follows:

*“E. **SUBJECT FURTHER** to the following special conditions as contained in Transfer No. T3108/1984, newly imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934, when approving the establishment of Fisherhaven Township, namely:*

4. *This erf shall be subject to the following further conditions, provided especially that where in the opinion of the Administrator after consultation with the Townships Board and the Local Authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation, subject to compliance with such conditions as he may impose:-*

(b) it shall be used only for the purpose of erecting thereon one dwelling, together with such outbuildings as are ordinarily required to be used therewith;

(c) not more than 30% of the area thereof shall be built upon;

(d) no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the lateral boundary common to any adjoining erf,

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provided with the consent of the Local Authority, any outbuildings not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf."

RESOLVED :

1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 463, Fisherhaven for the removal of restrictive title conditions E.4.(c) and E.4.(d) as contained in Title Deed T68400/2017 of the property in order to remove conditions relating to building lines and coverage, not be approved, in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 463, Fisherhaven for the removal of restrictive title condition E.4.(b) as contained in Title Deed T68400/2017 of the property in order to enable the construction of a second dwelling unit, be approved, in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
 - (a) that this approval is only for the removal of restriction and is not an approval in terms of any other legislation;
 - (b) that building plans be submitted for all new buildings to the Building Department for approval, and that all conditions of the Building and the Fire Department be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that all the conditions in the Services Report, be complied with; and
 - (f) that the conditions imposed by Telkom, be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

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REASONS FOR RESOLUTION

POINT 1

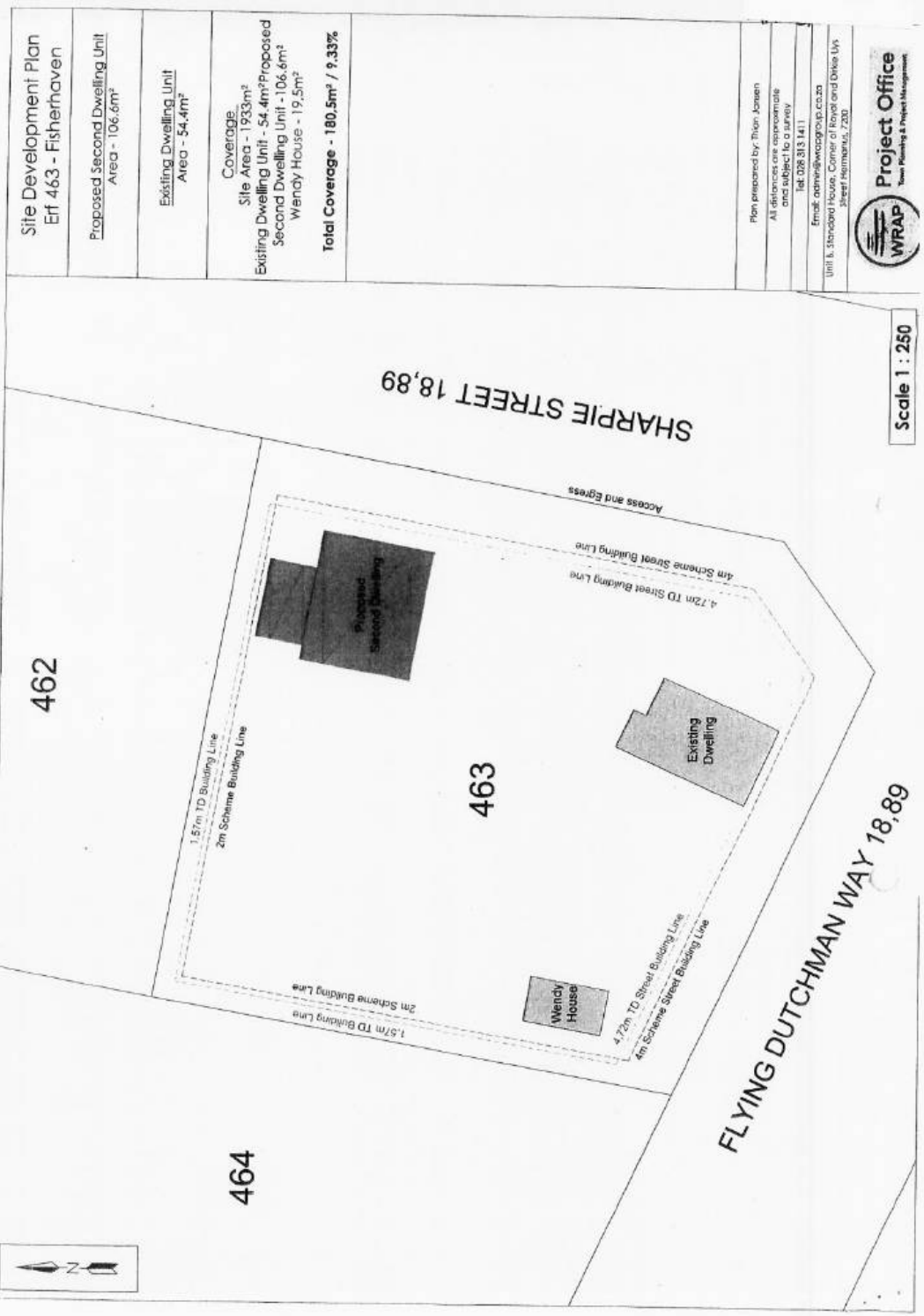
- ❖ The application did not involve any new building work over the Title Deed building lines or the 30% coverage limitation and did not require the removal of such building lines for the proposed second dwelling.
- ❖ To evaluate the impact of the removal of a Title Deed Restriction a detailed motivation and proposal must be provided for the decision maker to measure the impact of the removal of such restrictions. The applicant only motivated that the reason to remove these restrictions were to allow future development in line with the Overstrand Municipality Land Use Scheme, with no detailed proposal or motivation to properly measure the impact.

POINT 2

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be required.
- ❖ The proposed construction of a second dwelling is in line with Policy Plans which promote densification.
- ❖ The proposed second dwelling smaller than 120m² will be in line with the primary rights in terms of the Residential Zone I zone in terms of the Land Use Scheme.
- ❖ The restrictive conditions prohibit the property to be developed to its full potential, and the removal of the restrictive condition is thus supported.
- ❖ No negative impact on the character of the area.
- ❖ No objections were received from neighbours; therefore, the impact on neighbours' privacy and rights will be minimal.
- ❖ The application is desirable.



Broader context

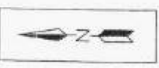


<p>Site Development Plan Erf 463 - Fishershaven</p>
<p>Proposed Second Dwelling Unit Area - 106,6m²</p>
<p>Existing Dwelling Unit Area - 54,4m²</p>
<p>Coverage Site Area - 1933m² Existing Dwelling Unit - 54,4m² Proposed Second Dwelling Unit - 106,6m² Wendy House - 19,5m²</p>
<p>Total Coverage - 180,5m² / 9,33%</p>

Plan prepared by: Thion Jansen
 All distances are approximate
 and subject to a survey
 lot: 028 313 1411
 Email: admin@wrap.co.za
 Unit 1, Standard House, Corner of Beyer and Orlow Aves
 Street Maraisburg, 7200



Scale 1 : 250



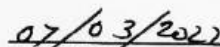
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS:
ERF 463, FISHERHAVEN**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of *SANS 10400 – P:2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 463, Fisherhaven, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
2 November 2022
(Also the agenda for the Mayoral Committee Meeting: 16 November 2022)**

**2. ERF 2699, 12 TREWWA STREET, GANSBAAI (PERLEMOENBAAI),
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS
INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF DP BOTHA**

2699 GPB

SW van der Merwe

(028) 313 8900

Hermanus Administration

30 June 2022

Executive Summary

An application has been received on 7 May 2021 from Messrs Interactive Town- and Regional Planning on behalf of DP Botha in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 2699, Gansbaai (Perlemoenbaai) for the following:

- ❖ departure in terms of Section 16(2)(b) of the By-law to accommodate the following:
 - a. encroachment of the eastern lateral building line from 2m to 1,56m, the southern rear building line from 2m to 1,86m and the western lateral building line from 2m to 1,55m to accommodate the existing dwelling;
 - b. encroachment of the western lateral building line from 2m to 1,72m to accommodate the existing store (outbuilding);
 - c. encroachment of the height restriction from 8m to 8,44m to accommodate the roof of the existing braai room;
 - d. encroachment of the boundary wall height restriction from 2,1m to 2,39m and 3,19m along the northern street boundary, from 2,1m to 3,16m and 3,19m on the western lateral boundary and from 2,1m to 2,39m along the eastern lateral boundary, and from 2,1m to 3,19m along the rear boundary;
 - e. encroachment of the street building line from 4m to 0m and the western lateral building line from 2m to 0m, and
 - f. encroachment of the maximum permissible coverage from 50% to 54,92% to accommodate a proposed garage.

- ❖ determination of an administrative penalty in terms of Section 16(2)(q) of the By-law to accommodate the existing building.

RESOLVED :

1. that the comment be noted;

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2. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law) applicable to Erf 2699, Gansbaai (Perlemoenbaai), to accommodate the following:
- encroachment of the height restriction from 8m to 8,44m to accommodate the roof of the existing braai room;
 - encroachment of the eastern lateral building line from 2m to 1,56m, the southern rear building line from 2m to 1,86m and the western lateral building line from 2m to 1,55m to accommodate the existing dwelling, and
 - encroachment of the western lateral building line from 2m to 1,72m to accommodate the existing store (outbuilding);
 - encroachment of eastern lateral and rear boundary wall height restriction;
- be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law) applicable to Erf 2699, Gansbaai (Perlemoenbaai), to accommodate the following:
- encroachment of the maximum permissible coverage from 50% to 54,92% to accommodate the proposed garage;
 - encroachment of the boundary wall height restriction from 2,1m to 2,39m and 3,19m along the northern street boundary, from 2,1m to 3,16m and 3,19m on the western lateral boundary and encroachment of the street building line from 4m to 0m and the western lateral building line from 2m to 0m to accommodate a proposed garage
- not be approved** in terms of the provisions of Section 61 of the By-Law, due to the reasons provided in paragraph 13 below;
4. that an administrative penalty in terms of Section 16(2)(q) of the By-law for the deviations from approved Building Plan No. 21594, dated 18 October 2019, **not be imposed** in terms of Section 90(4) of the By-Law;
5. that an administrative penalty in terms of Section 16(2)(q) of the By-law for the unauthorised deviations from approved building plan 38060 and unauthorised boundary wall alterations resulting in the encroachment of the height restriction **be imposed** in terms of Section 90(4) of the By-Law;

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6. that the recommendations in 2. and 5. above be subject to the following conditions:
 - (a) that the approval is limited to the encroachments as indicated per on the Site Development Plan as per Annexure C as submitted with the application;
 - (b) that building plans, in line with the above, be submitted to the Building Department for consideration within 60 days from the date of the final decision and that structure be rectified within 6 months, and all comments from the Building- and Fire Departments be complied with at that stage;
 - (c) that the portions of the street and western lateral boundary walls encroachment the 2,1m boundary wall height restriction be demolished within 90 days from the final approval of the application;
 - (d) that an administrative penalty of **R23751,87** (VAT inclusive) be payable within thirty (30) days of the decision;
 - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation; and
 - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
7. that the applicant/person who commented be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

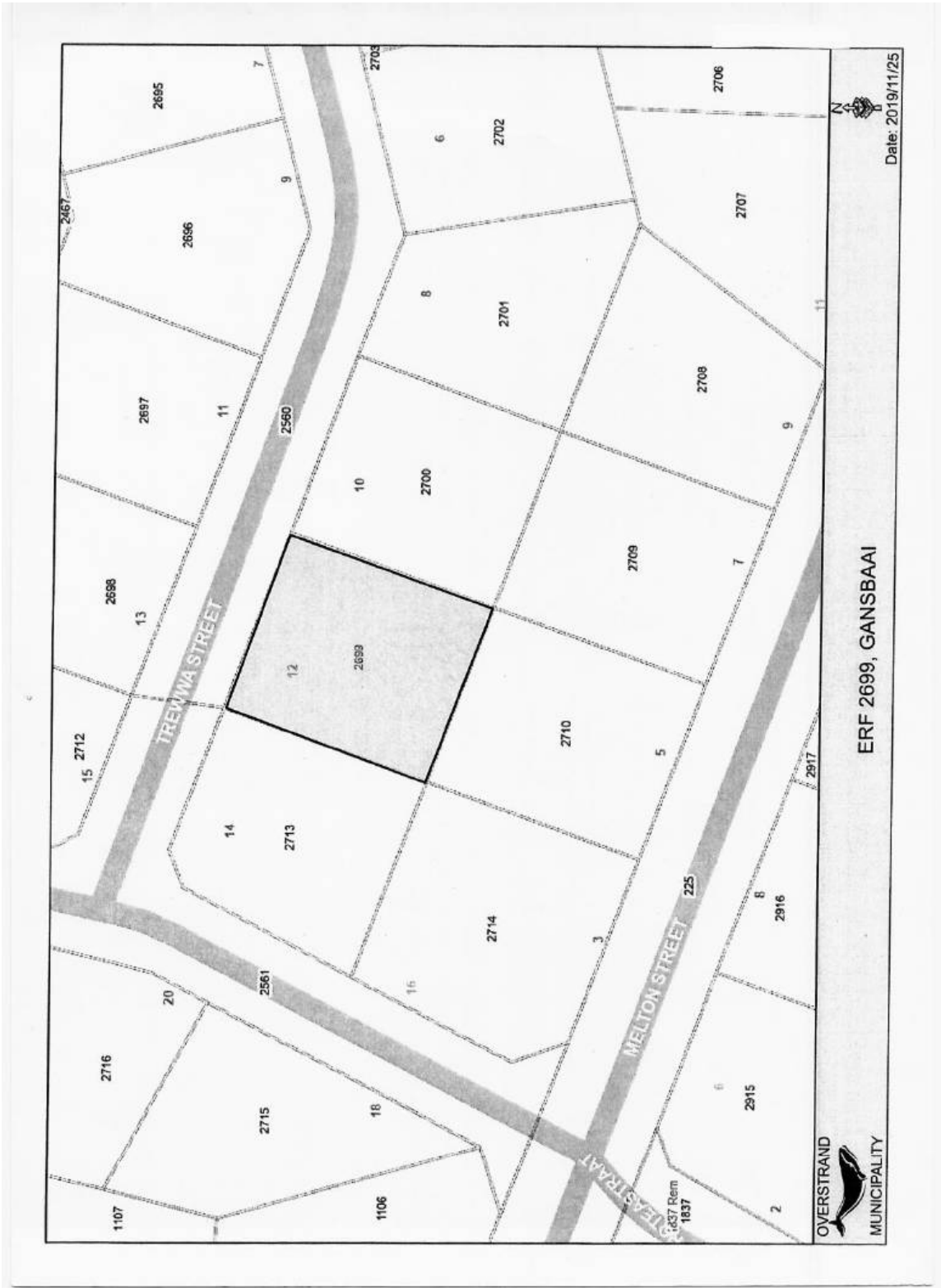
Reasons for approval

- The development is not considered to unacceptably detract from the character of the area, vested rights of adjoining property owners in terms of loss of privacy, overlooking, loss of views or sun / daylight.
- The application followed due process.
- The proposal is consistent with the SDF.
- The applicant is in possession of occupation certificates.

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Reasons for non-approval

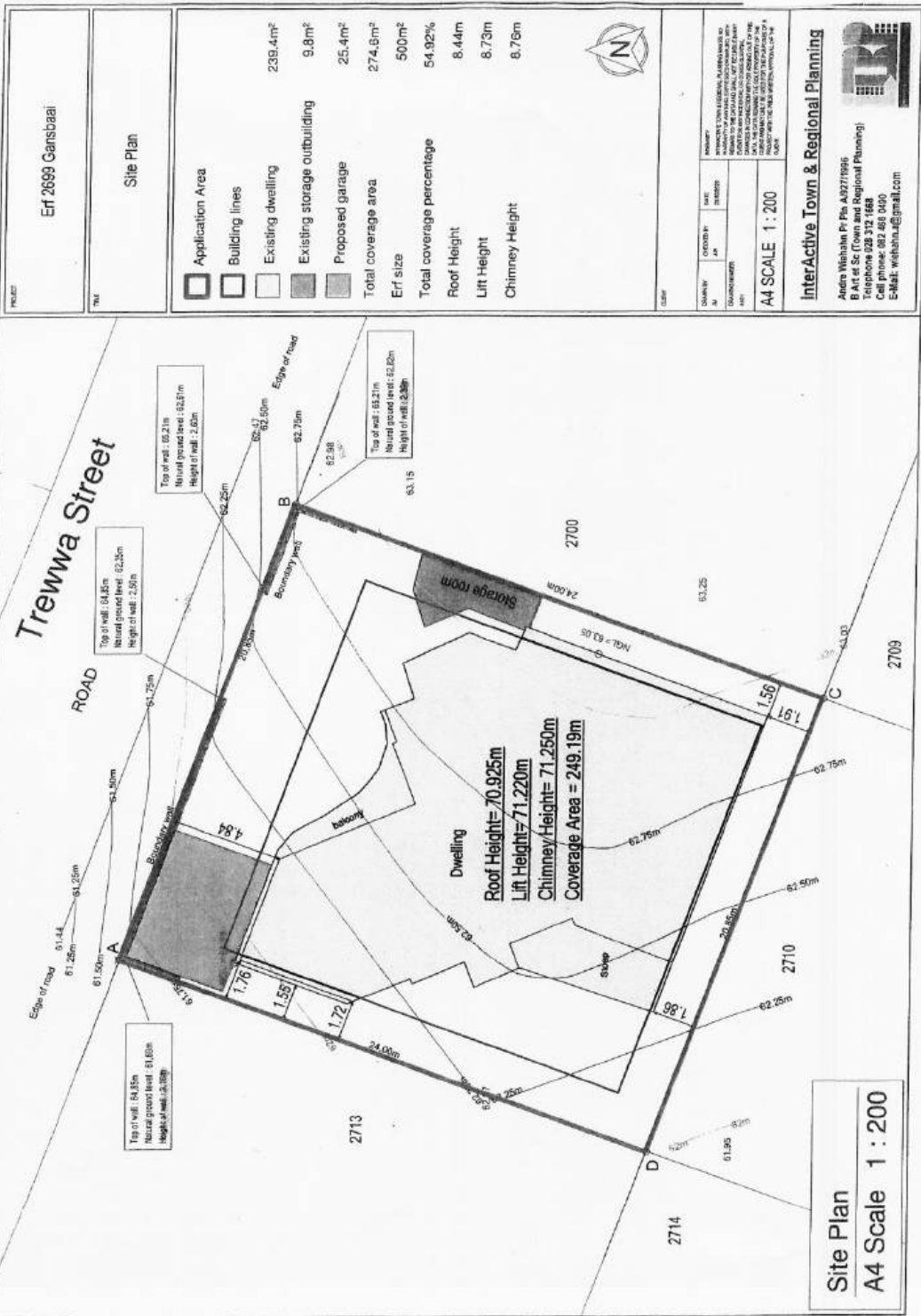
- The proposed double garage and resulting coverage encroachments is not in keeping with the character and morphology of existing development in the area.
- The retention of the street and western lateral boundary wall height encroachments is not in keeping with the character of the area.
- The retention of the street boundary wall encroachment is visually over-dominant in the street scape and reflected of the character of the area.
- Boundary walls should follow or step with the contours.
- The applicant failed to stop with the raising of the boundary wall when telephonically advised by the Senior Town Planner, whilst a stop notice from Building Control was ignored.
- The raising of the boundary walls takes place without building plan approval in terms of the National Building Regulations.
- The applicant did not obtain building plan approval for deviations pertaining to the braai and storeroom additions.



ERF 2699, GANSBAAI



Date: 2019/11/25



InterActive Town & Regional Planning

Andre Wehaha P. No. A3271966
 B. Art & Sc. (Town and Regional Planning)
 Telephone: 028 312 1668
 Cell phone: 082 888 0490
 E-Mail: wehaha.a@gmail.com



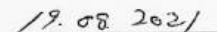
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 2699, GANSBAAI**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing, standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 2699, Gansbaai, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE