

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

**9.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2022 –
SEPTEMBER 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 16 August 2022 – 15 September 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

Background

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

7. Financial Implications

None

8. Staff Implications

None

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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 August 2022 – 15 September 2022:

- | | | |
|-----|--|-------------------|
| 1. | Erf 1292, 25 Edward Road, Pringle Bay | 2 August 2022 |
| 2. | Erf 204, 33 Park Road, Fisherhaven, Hermanus | 10 August 2022 |
| 3. | Portion Of Erf 2715 & Erf 3463 , Betty's Bay | 16 August 2022 |
| 4. | Erf 4022, 281 Fourth Street, Voëlklip, Hermanus | 16 August 2022 |
| 5. | ERF 1739, Sectional Title Unit 9, Watsonia Park Development, 49 Long Street Sandbaai, Hermanus | 18 August 2022 |
| 6. | ERF 4294, 286 Fifth Street, Voëlklip, Hermanus | 18 August 2022 |
| 7. | Farm No. 764, Weltevrede, Stanford | 18 August 2022 |
| 8. | Erf 9921, 34 Fernkloof Drive, Hermanus Heights, Hermanus | 19 August 2022 |
| 9. | Erf 648, 55 Main Road, Northcliff, Hermanus | 23 August 2022 |
| 10. | Erf 1169, Christine Crescent, Franskraal | 23 August 2022 |
| 11. | Erf 3529, 19 Old Main Road, Onrustrivier, Hermanus | 29 August 2022 |
| 12. | Erf 4913 (A Portion Of Erf 341) And Remainder Erf 341, 5 Rocklands Road And Westcliff Road 24, Westcliff, Hermanus | 30 August 2022 |
| 13. | Erf 1827, 1 Hemel-En-See Avenue And Erf 1962, 9 Sienna Street, Vermont, Hermanus | 12 September 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 1 September 2022:

- | | | |
|----|---|------------------|
| 1. | Erf 1449, Lynx Road, Vermont | 1 September 2022 |
| 2. | Erf 3266, 21 Main Road, Onrustrivier | 1 September 2022 |
| 3. | Erf 6114, 49 6th Street, Voëlklip, Hermanus | 1 September 2022 |

RESPONSIBLE OFFICIAL :

L SMUTS

TARGET DATE FOR IMPLEMENTATION:

21 NOVEMBER 2022

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

**9.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2022 –
SEPTEMBER 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 1292, 25 EDWARD ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS ADD CONTRACTS ON BEHALF OF J & J NIEUWOUDT

1292 KPRB (3868/2021)

H van der Stoep

(028) 313 8900

Hermanus Administration

24 May 2022

Executive Summary

An application was received on 19 October 2021 from Messrs ADD Contracts on behalf of J & J Nieuwoudt on Erf 1292, Pringle Bay 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 lateral building line from 2m to 0m for a proposed new double garage.

RESOLVED :

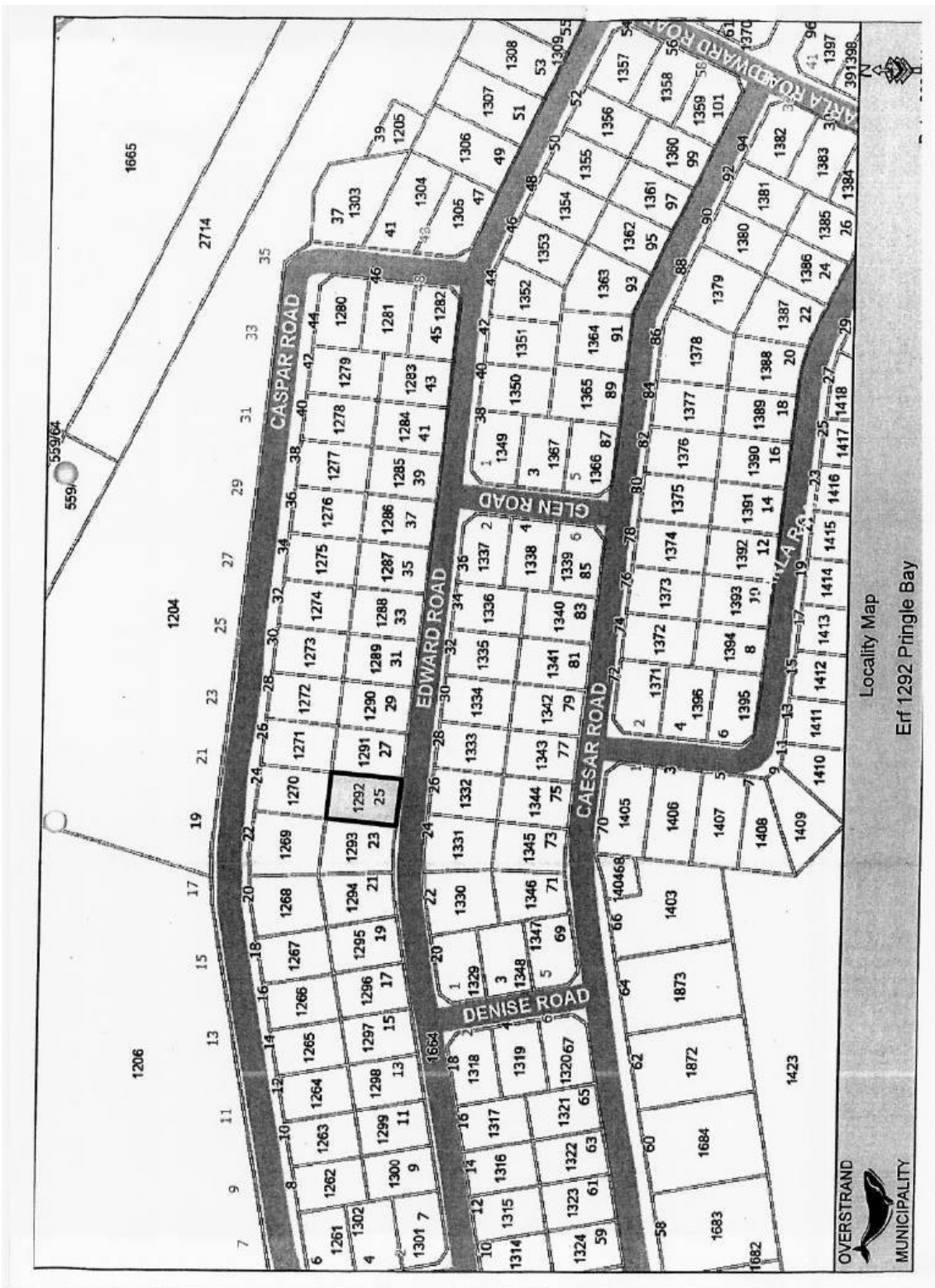
1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1292, Pringle Bay for a departure for the relaxation of the western lateral building line from 2m to 0m to accommodate the extension of the existing double garage, be approved, in terms of Section 61 of the By-Law subject to the following conditions:
 - (a) that the approval is only for the development indicated on Plan numbers JC5994/101 to JC5994/109 dated November 2020, as submitted with the application;
 - (b) that the proposed deck above the double garage complies with the 2m lateral building line;
 - (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 all other applicable development parameters as prescribed in the
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
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,

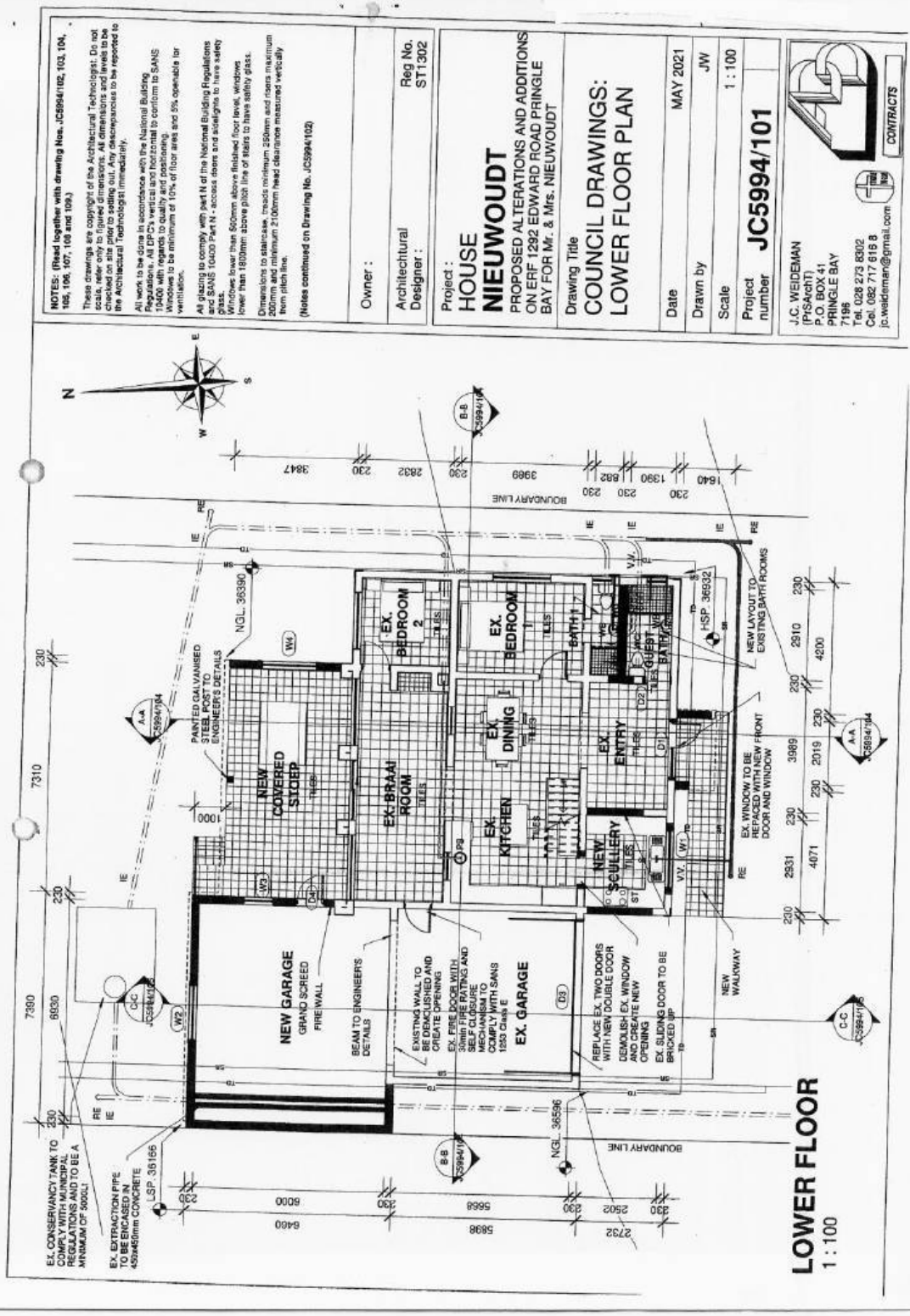
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2020 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- The application has followed due procedure.
- No objections were received.
- The proposed application fits in with the character of the surrounding area and is desirable.
- There will be no impact on services.
- The proposal will have no negative impact on the environment.
- No objections were received from surrounding property owners.





NOTES: (Read together with drawing Nos. JC5994/102, 103, 104, 105, 106, 107, 108 and 109.)
 These drawings are copyright of the Architectural Technologist. Do not scale, refer only to the drawings. Dimensions and levels to be checked on site prior to setting out. Any discrepancies to be reported to the Architectural Technologist immediately.
 All work to be done in accordance with the National Building Regulations. All L.P.C.'s vertical and horizontal to conform to SANS 10400 with regard to quality and positioning.
 Levels to be minimum of 10% of floor area and 5% openable for ventilates.
 All glazing to comply with part N of the National Building Regulations and SANS 10400 Part N - access doors and sash windows to have safety windows lower than 800mm above finished floor level, windows lower than 1800mm above pitch line of stairs to have safety glass.
 Dimensions to centre line, heads maximum 350mm and doors maximum 200mm and minimum 2100mm head clearance measured vertically from pitch line.
 (Notes continued on Drawing No. JC5994/102)

Owner :	Reg No. ST1302
Architectural Designer :	
Project :	HOUSE NIEUWOUDT
PROPOSED ALTERATIONS AND ADDITIONS ON ERF 1292 EDWARD ROAD PRINGLE BAY FOR Mr. & Mrs. NIEUWOUDT	
Drawing Title	COUNCIL DRAWINGS: LOWER FLOOR PLAN
Date	MAY 2021
Drawn by	JW
Scale	1 : 100
Project number	JC5994/101

J.C. WEIDEMAN
 (PISARCHT)
 P.O. BOX 41
 PRINGLE BAY
 7188
 Tel: 028 273 6302
 Cell: 082 717 619 8
 j.c.weideman@gmail.com

CONTRACTS

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2. **ERF 204, 33 PARK ROAD, FISHERHAVEN, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE AND DETERMINATION OF ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF S SHANAHAN**

204 HFH (3920/2021)

H Olivier

(028) 313 8900

Hermanus Administration

13 June 2022

Executive Summary

An application has been received on 2 December 2021 from Messrs WRAP on behalf of S Shanahan in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 204, Fisherhaven for the following:

- ❖ **Removal of Restrictive Title Deed Conditions** 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 deed conditions D.4.(b), D.4.(c) and D.4.(d), as contained in Title Deed T49199/2011 of the property to accommodate a second dwelling unit, building line relaxations and increased coverage.

The restrictive title conditions read as follows:

“D. FURTHER SUBJECT to the following special conditions in said Deed of Transfer Number 17672/1970 newly imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934 when approving of 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;

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(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, 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.”

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

- ✚ northern lateral building line from 2m to 1,9m to accommodate a water tank;
- ✚ southern lateral building line from 2m to 1,0m to accommodate a wendy house;
- ✚ rear building line from 2m to 1,15m and 1,25m respectively to accommodate three (3) water tanks, and to relax the same rear building line from 2m to 1,0m to accommodate a wendy house.

❖ **Determination of 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 encroachments on the property.

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 204, Fisherhaven for the removal of restrictive title deed conditions D.4.(b), D.4.(c) and D.4.(d) as contained in Title Deed T49199/2011 of the property to accommodate a second dwelling unit, building line relaxations and increased coverage, 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 Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 204, Fisherhaven to relax the following:
 - ✚ northern lateral building line from 2m to 1,9m to accommodate a water tank;
 - ✚ southern lateral building line from 2m to 1,0m to accommodate a wendy house;

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- ✚ rear building line from 2m to 1,15m and 1,25m respectively to accommodate three (3) water tanks, and to relax the same rear building line from 2m to 1,0m to accommodate a wendy house

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

3. 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 204, Fisherhaven for the unauthorized structures over building lines as stipulated above, be applicable, and that an administrative penalty fee of R2190-00 (being 1% of built cost for 14.6m² encroachments) be payable within thirty (30) days of the decision;
4. that the recommendations in Points 1 to 3 above be subject to the following conditions:
 - (a) that this approval is only for the removal of restriction and departure of building lines and is not an approval in terms of any other legislation;
 - (b) that the approval for the departure is only for the development over for the building lines as indicated on plan undated 492-18, submitted with the application;
 - (c) 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;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (f) that all the conditions in the Services Report (attached as Annexure E), be complied with, and
 - (g) that the conditions imposed by Eskom (attached as Annexure G), be complied with.
5. 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

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application.

REASONS FOR RESOLUTION

POINTS 1 and 2

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be needed.
- ❖ The proposed construction of a second dwelling is in line with Policy Plans which promote densification.
- ❖ The proposed second dwelling of smaller than 120m² will be in line with the primary rights in terms of the Residential Zone I zone in terms of the Zoning Scheme.
- ❖ The restrictive conditions prohibit the property to be developed to its full potential, and the removal of the restrictive conditions is thus supported.
- ❖ The restrictions regarding coverage in the Title Deeds for Fisherhaven have been relaxed with previous applications and considering that Erf 204 is one of the smaller erven in Fisherhaven, the removal of such restriction will not have a negative impact on the character of this area.
- ❖ The Title Deed restrictions regarding building lines and departures for building lines to accommodate the water tanks and Wendy house can be supported, as the structures are considered minor structures. Future management of building lines can be done in terms of the Land Use Scheme.
- ❖ No objections were received from neighbours; therefore, the impact on neighbours' privacy and rights will be minimal.
- ❖ The application is desirable.

POINT 3

- ❖ The water tanks and Wendy house was illegally constructed by the existing land over building lines and without building plans.
- ❖ The property owners motivated that he/she was not aware of the fact that building plans had to be submitted for water tanks and Wendy houses. It is however every landowner's responsibility to consult with the municipality prior to doing any construction on a property, and therefore not sufficient reason to exempt the landowner from paying an administrative penalty.

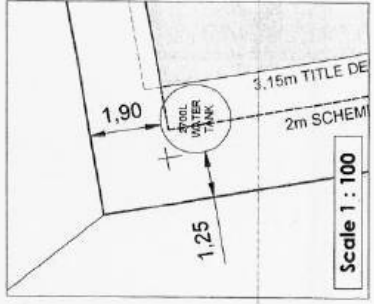


<p>Site Development Plan Erf 204 - Fisherhaven</p>
<p>Existing Wendy House Dimensions - 3m x 3m Area - 9m²</p>
<p>Existing Dwelling Unit Area - 149.4m²</p>
<p>Proposed Primary Dwelling Unit Area - 190.9m²</p>
<p>Coverage Site Area - 873m² Wendy House - 9m² Existing Dwelling Unit - 149.4m² Proposed Primary Dwelling Unit - 190.9m²</p>
<p>Total Coverage - 349.3m²/40.1%</p>

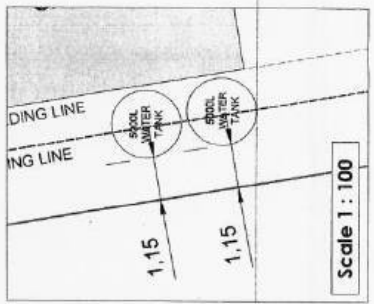
Plan prepared by: Henk Jansen
Based on plans drawn by: LA DESIGN STUDIO
All distances are approximate
and subject to a survey
Tel: 028 313 1411
Email: adriene@wrap.co.za
Unit 8, Standard House, Corner of Brand and Drive, Ux
Sheff, Hartbeespoort, 7200



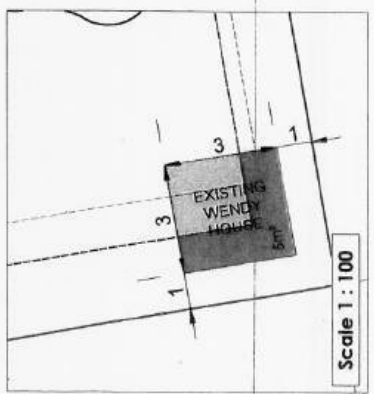
Scale 1 : 250



Scale 1 : 100



Scale 1 : 100



Scale 1 : 100

11

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS,
DEPARTURE & DETERMINATION OF ADMINISTRATIVE PENALTY: ERF 204,
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 204, 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.

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

08/02/2022
DATE

**AGENDA of the
Portfolio Committee: Infrastructure & Planning
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3. **PORTION OF ERF 2715 & ERF 3463 , BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF PUBLIC ROAD: MESSRS FRIEDLAENDER, BURGER AND VOLKMANN ON BEHALF OF THE MICHAEL DALL FAMILY TRUST, THE PETER DALL FAMILY TRUST, PH LE ROUX & M LE ROUX**

2715 & 3463 KBB (3776/2021)

**H van der Stoep
10 July 2022**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 21 August 2021 from Messrs Friedlaender, Burger and Volkmann, on Portion Erf 2715 & Erf 3463, Betty's Bay in terms of Section 16(2)(n), 16(2)(d), 16(2)(a) and 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- Closure of public place, in extent of approximately 3462m², portion of High level and Broadwith Roads, and
- Subdivision of Portion A, and
- Rezoning of Portion A from Transport Zone to Rural Zone 2: Conservation Usage, and
- Consolidation of Portion A with Erf 3463, Betty's Bay

RESOLVED :

1. that the application of a Portion of Erf 2715 and Erf 3463, Betty's Bay in terms of Section 16(2)(n), 16(2)(d), 16(2)(a) and 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- Closure of public place, in extent of approximately 3462m², portion of High Level and Broadwith Roads, and
- Subdivision of Portion A, and
- Rezoning of Portion A from Transport Zone to Rural Zone 2: Conservation Usage, and
- Consolidation of Portion A with Erf 3463, Betty's Bay,

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

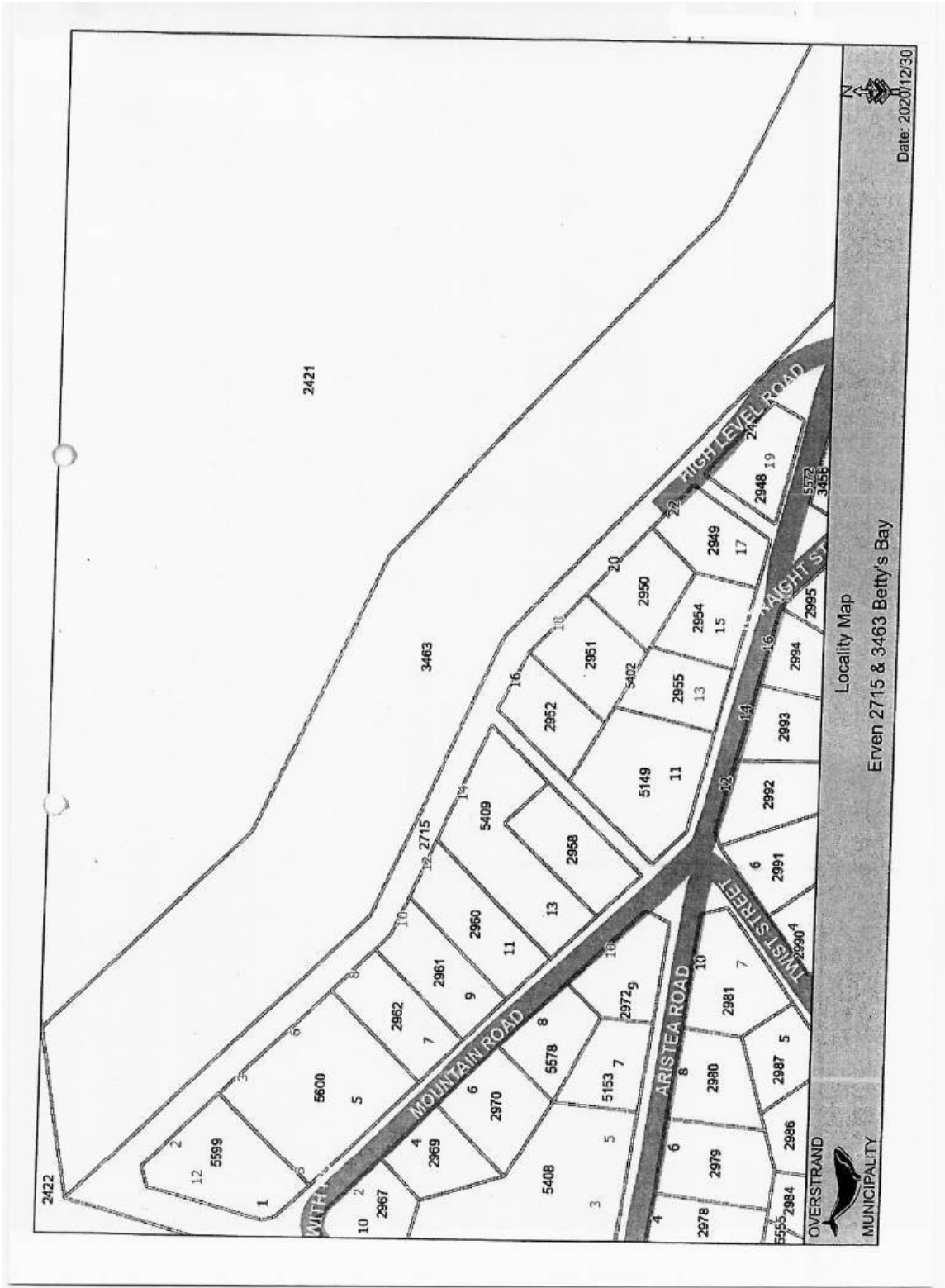
- (a) that this approval is only for the development as indicated on plans submitted with the application;
- (b) that the conditions of Engineering Services (attached as Annexure D), be complied with;

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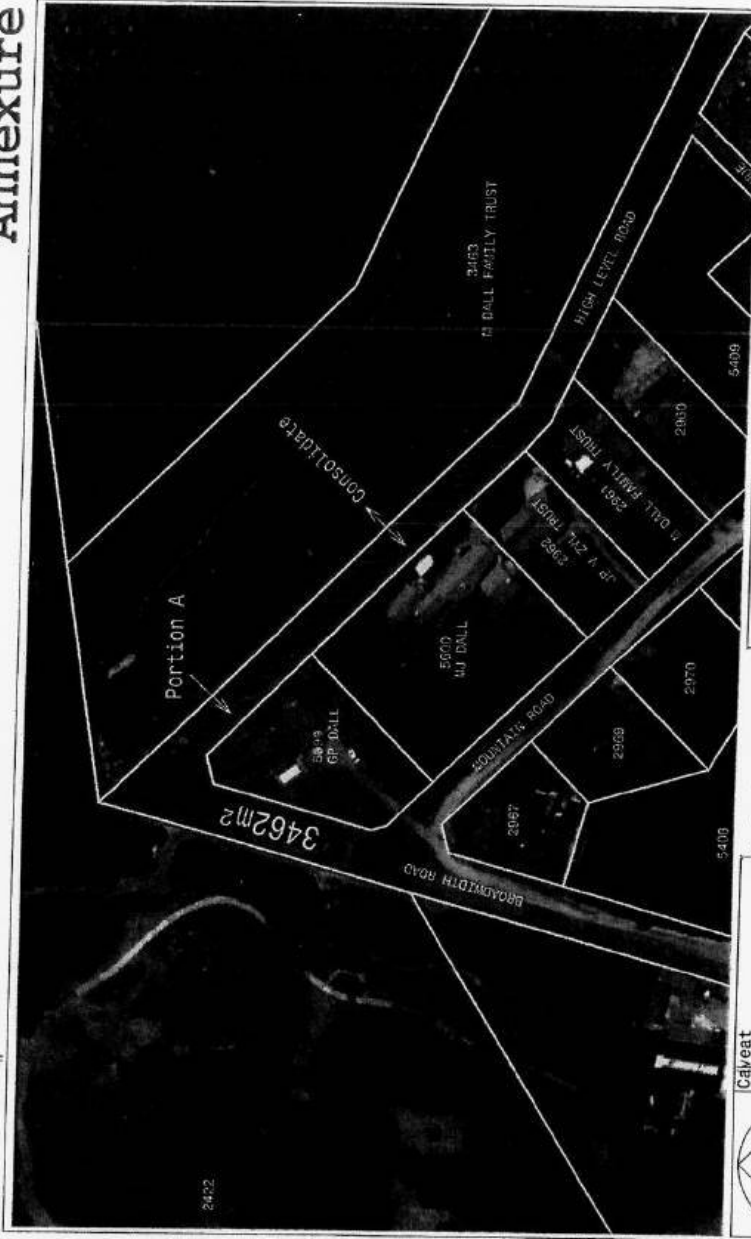
- (c) that the conditions of DEA&DP: Environmental letter dated 3/1/2022, Condition 6 be complied with, (attached as Annexure F);
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above decision.

REASONS FOR RESOLUTION

- ❖ The surrounding owners did not object.
- ❖ There is no development envisaged and thus no impact on the natural environment.
- ❖ Attribute to the natural environment



Annexure B



Caution
 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
 2. All levels are to be confirmed prior to construction.

TN

Scale 1:1500 @A4 Date: August 2020
 PROPOSED ROAD CLOSURE, RE-ZONING AND CONSOLIDATION WITH ERF 3463 OF PORTION OF BROADWIDTH AND HIGH LEVEL ROAD BETTY'S BAY
 Ref:BB3463 DWG:PROP_CLOSURE-REV5

Contours: N/A System: W8 19

fby
 friedlaender, burger & volkmann
 ENGINEERS AND ARCHITECTS
 21 New Road, Durbanville, Cape Town, South Africa
 Tel: +27 (0)21 959 1234 Fax: +27 (0)21 959 1235 Email: info@fby.co.za

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CLOSURE OF A PUBLIC PLACE, SUBDIVISION, REZONING
& CONSOLIDATION: PORTION OF ERF 2715 & ERF 3463, BETTY'S BAY**

Stormwater (SW) : In Order
Electricity : Eskom Area
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 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*;
3. that stormwater be allowed to discharge through Ptn of Erf 2715 & Erf 3463, Betty's Bay, unobstructed;
4. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

25/03/2022
DATE

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**4. ERF 4022, 281 FOURTH STREET, VOËLKLIP, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE:
MESSRS EVOLVE ARCHITECTS ON BEHALF OF WP & TA REED**

4022 HVK (3818)

P Roux

(028) 313 8900

Hermanus Administration

24 June 2022

Executive Summary

An application has been received on 27 January 2022 from Messrs Evolve Architects on behalf of WP & TA Reed, Hermanus (Voëlklip) for a departure in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- to relax the northern street building line from 4m to 3m to construct a garage;
- to relax the eastern street building line from 4m to 2m to construct a staircase, and
- to relax the eastern street building line from 4m to 3.25m for the development of (a passage and bedroom on the ground floor) and (three (3) bedroom, bathroom & dressing area on the first floor).

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 4022, Hermanus (Voëlklip) for the following:

- to relax the northern street building line from 4m to 3m to construct a garage;
- to relax the eastern street building line from 4m to 2m to construct a staircase, and
- to relax the eastern street building line from 4m to 3.25m for the development of (a passage and bedroom on the ground floor) and (three (3) bedroom, bathroom & dressing area on the first floor).

not be approved in terms of the provisions of Section 61 of the By-Law, due to the reasons provided below.

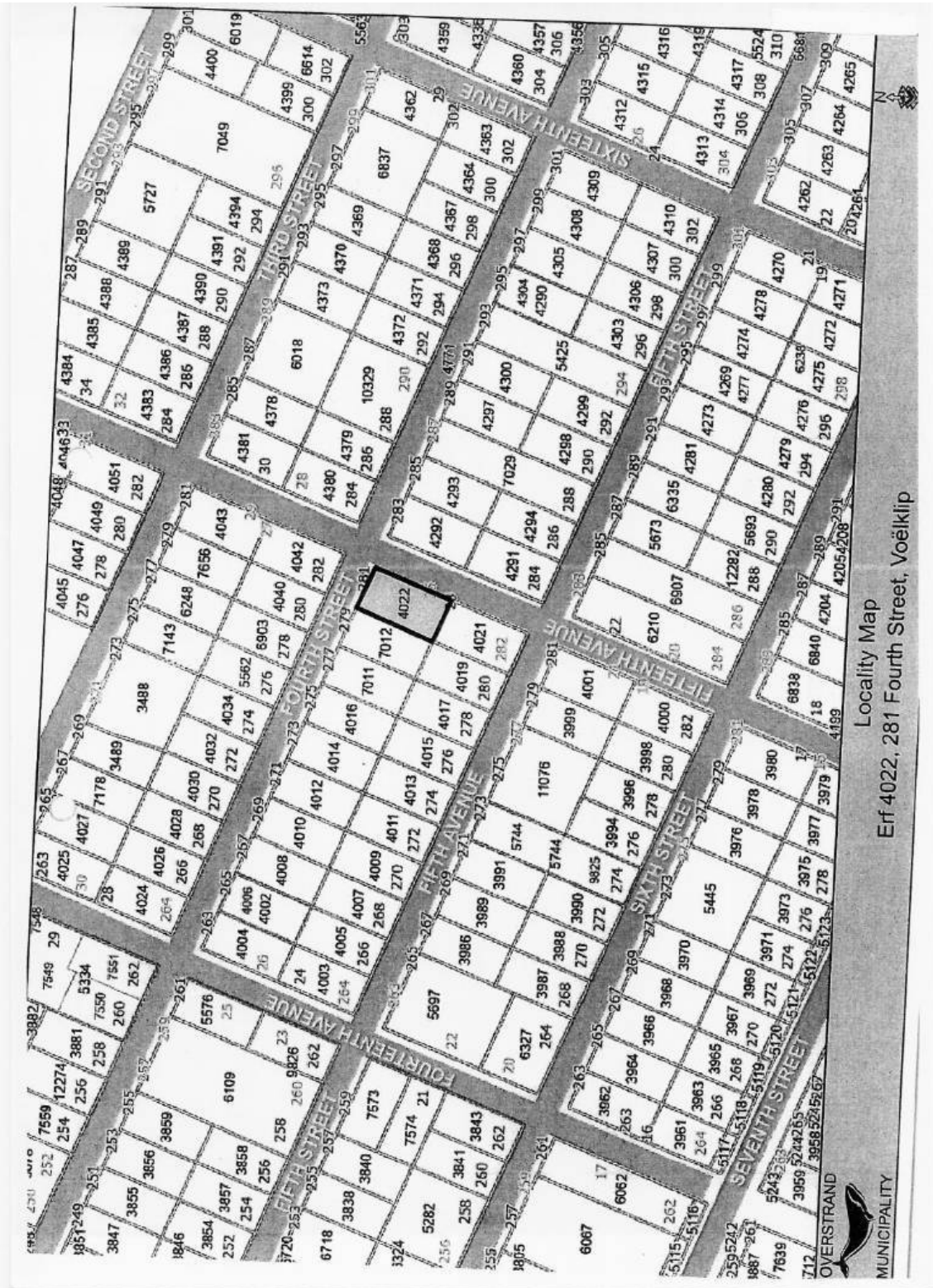
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

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REASONS FOR RESOLUTION

Reasons for the non-approval

- ❖ The character of the area is constructed in such a manner that the majority of the buildings respect the 4m and 3m street building lines.
- ❖ Only minor structures are allowed to encroach the street building line in terms of general encroachments over building lines, the proposed structure (stair well) will be a double storey structure which does add additional bulk on the street façade.
- ❖ There are no site-specific conditions which will prohibit the staircase from being placed and designed in compliance with the building line parameters.
- ❖ The applicant failed to motivate the need for the specific placement of the garage and what the site-specific constraints are for the placement of the garage. The site is not adversely sloped nor are there existing structures on the site which prohibit the placement of the garage. Therefore, the only reason for the encroachment is due to the design of the dwelling.
- ❖ The pergola and trafficable first floor slab on top of the garage exceeds the 4m northern street building line, this structure was not motivated for and was not part of the application. The pergola causes the garage to be higher than 4,5m.
- ❖ The street building line for 15th Avenue is 3m and not 4m therefore it is not required by the applicant to apply for the development of the rooms and passage over the 4m building line.



NOTES

- ALL WORK TO COMPLY WITH SOUTHERN BUILDING CODES OF PRACTICE FOR THE STATE OF SOUTH CAROLINA AND ALL APPLICABLE LOCAL ORDINANCES.
- ALL DIMENSIONS TO BE IN FEET UNLESS OTHERWISE NOTED.
- ALL FINISHES TO BE AS NOTED.
- ALL MATERIALS TO BE APPROVED BY THE ARCHITECT.
- THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
- CONSTRUCTION TO BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.

SPECIFICATIONS

- ROOFING: ALL WALLS AND ROOFING SHALL BE AS NOTED.
- PAINTS: ALL INTERIOR AND EXTERIOR SURFACES SHALL BE PAINTED AS NOTED.
- FINISHES: ALL FINISHES SHALL BE AS NOTED.
- MECHANICAL: ALL MECHANICAL SYSTEMS SHALL BE AS NOTED.
- ELECTRICAL: ALL ELECTRICAL SYSTEMS SHALL BE AS NOTED.
- PLUMBING: ALL PLUMBING SYSTEMS SHALL BE AS NOTED.
- CONCRETE: ALL CONCRETE SHALL BE AS NOTED.
- WOOD: ALL WOOD SHALL BE AS NOTED.
- GLASS: ALL GLASS SHALL BE AS NOTED.
- STEEL: ALL STEEL SHALL BE AS NOTED.
- BRICK: ALL BRICK SHALL BE AS NOTED.
- STONE: ALL STONE SHALL BE AS NOTED.
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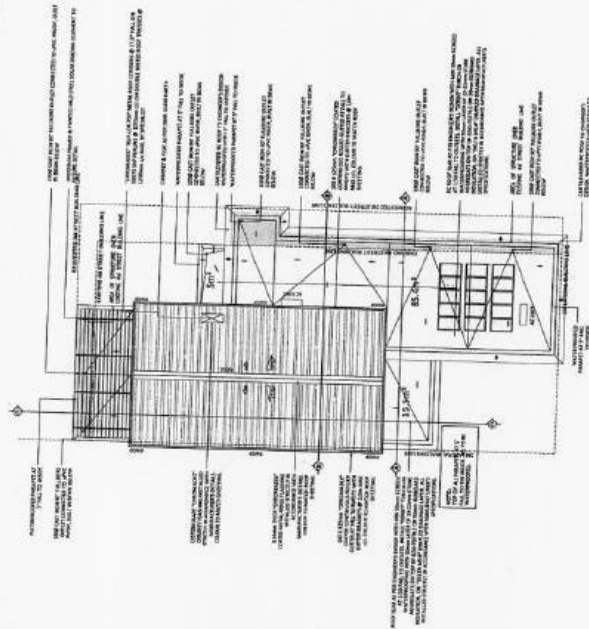
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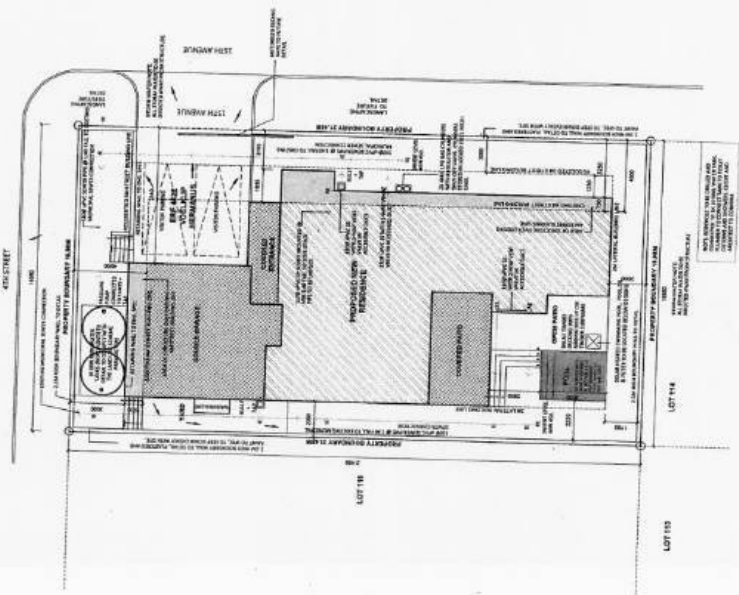
FOR COUNCIL SUBMISSION
 House Readlun
 Voeellig, Hennesius, W.C. SA
 DRAWN BY
 Site Plan
 Roof Plan

DATE	1/11/11	SCALE	AS SHOWN
BY	J. HENNESIUS	PROJECT NO.	00059 02
CHECKED BY	J. HENNESIUS	DATE	001

DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
FOUNDATION	1	SQ. FT.	100.00	100.00
FLOORING	1	SQ. FT.	50.00	50.00
ROOFING	1	SQ. FT.	200.00	200.00
MECHANICAL	1	SQ. FT.	150.00	150.00
ELECTRICAL	1	SQ. FT.	100.00	100.00
PLUMBING	1	SQ. FT.	100.00	100.00
CONCRETE	1	SQ. FT.	100.00	100.00
WOOD	1	SQ. FT.	100.00	100.00
GLASS	1	SQ. FT.	100.00	100.00
STEEL	1	SQ. FT.	100.00	100.00
BRICK	1	SQ. FT.	100.00	100.00
STONE	1	SQ. FT.	100.00	100.00



ROOF PLAN



SITE PLAN

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 4022, 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 4022, Voelklip, unobstructed;
7. that no on-street parking be allowed.

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

25/03/2022
DATE

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

5. ERF 1739, SECTIONAL TITLE UNIT 9, WATSONIA PARK DEVELOPMENT, 49 LONG STREET SANDBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND THE DETERMINATION OF AN ADMINISTRATIVE PENALTY: WNJ LOUW

1739 HSB (3806/2021)

(H Boshoff)

H van der Stoep

(028) 313 8900

Hermanus Administration

6 May 2022

Executive Summary

An application was received on 9 April 2021 from WNJ Louw the owner of Sectional Title Unit 9 of the Watsonia Park development on Erf 1739, Sandbaai, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- departure in terms of Section 16(2)(b) of the By-Law to:
 - relax the rear building line of Erf 1739, Sandbaai (Sectional Title Unit 9) from 3m to 0m to accommodate a braai with a veranda; and
- the determination of an Administrative Penalty in terms of Section 16(2)(q) of the By-Law.

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 1739, Sandbaai (Sectional Title Unit 9), to relax the rear building line from 3m to 0m to accommodate the braai with veranda, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the encroachments, except for the chimney, be restricted to the dimensions as indicated on layout plan No. 201 dated 19/11/2020 that was submitted with the application;
 - (b) that the chimney of the braai be raised with 1m (one) and that building plans for the structures be submitted to the Building Control Department within 30 days from the date of the above decisions and that any requirements of the Building- and Fire Departments at the time, be complied with;
 - (c) that the administrative penalty in paragraph 2. below of R6 145.14

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

- (VAT included) being 30% of the built cost as per the building contractor's quotation be payable within thirty (30) days from the final date of the departure approval;
- (d) that the conditions of Engineering Services and Telkom (attached as Annexures D and E), 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.
2. that the determination of an administrative penalty in terms of Section 90(4) of the By-Law for the unauthorized structures over the rear building line as stipulated above, be applicable and that an administrative penalty fee of R6 145.14 (including VAT) (being 30% of building costs for the 9m² encroachment), be payable;
 3. that the applicant and the commenter be notified of their respective appeal rights 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 the approval in 1. above

- ❖ The application has followed due procedure.
- ❖ No internal objections were received.
- ❖ The Watsonia Body Corporate supports the application.
- ❖ It is in line with policy documents.
- ❖ The structures are aesthetically pleasing.
- ❖ The structures are not out of the ordinary for the greater area nor will it impact on the surrounding built environment.
- ❖ Open braais and build braais occur on most properties, and various over building lines throughout the Overstrand Municipal area and wood burning smoke emitted by any fireplace or braai can cause some discomfort to some neighbouring property owners and therefore the applicant's built braai cannot be singled out.
- ❖ The commenter did not provide substantiated proof that the wood burning smoke fills its dwelling through one window at the upper level.
- ❖ The applicant must raise the chimney with 1m making it higher than the window of the dwelling where wood burning smoke enters the commenter's dwelling resulting in a much lower impact on the commenter, if at all.

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2 November 2022
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- ❖ The application is not regarded as being undesirable from a town planning point of view.

Reasons for making the administrative penalty in paragraph 2. above applicable

- ❖ The structures under discussion were knowingly constructed illegally by the applicant after it was informed twice by the Building Inspector of the area to stop building work and to apply for the necessary approvals, but it still proceeded to finish the construction of the structures.
- ❖ The applicant states in its motivation for the administration penalty, that when it was issued with a notice by the Building Inspection for the area during October 2020 to stop all building work, the structures were already completed when the notice were served, which is a false statement that was confirmed by the Building Inspector.
- ❖ The applicant states in its motivation that it constructed the structures without any knowledge that it needs approval from the Municipality, which is a false statement since it was ordered to cease building work and was served with a notice to cease building work, but knowingly proceeded in finalizing the building works that was confirmed by the Building Inspector.



PROJECT: 17333333
CLIENT: [REDACTED]
DATE: 08/11/11
SCALE: 1/8" = 1'-0"
PROJECT NO: 1111

DESIGNED BY: [REDACTED]
CHECKED BY: [REDACTED]
DATE: 08/11/11

REVISIONS:

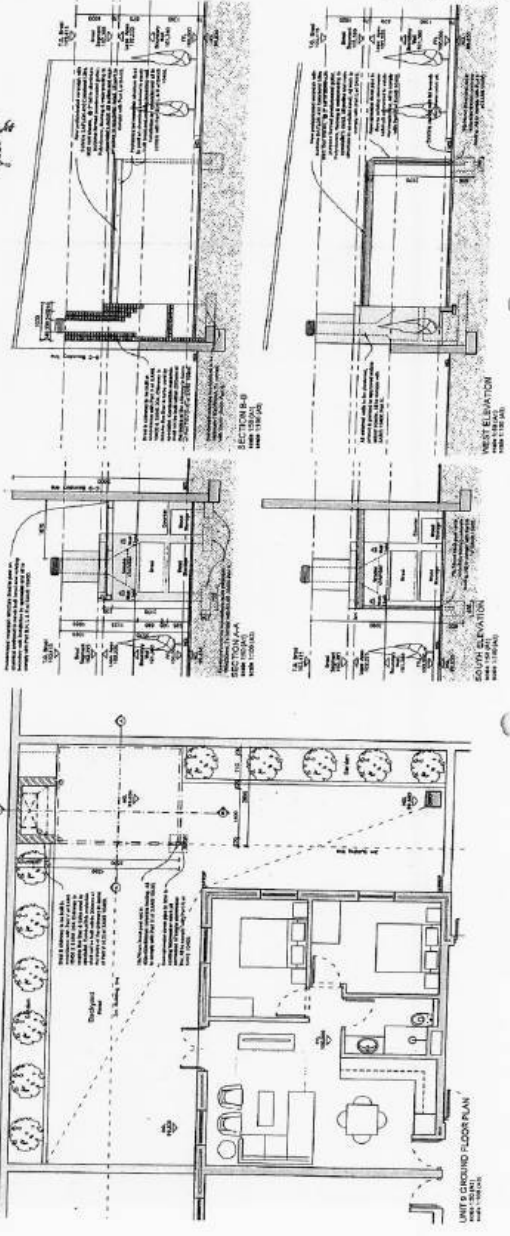
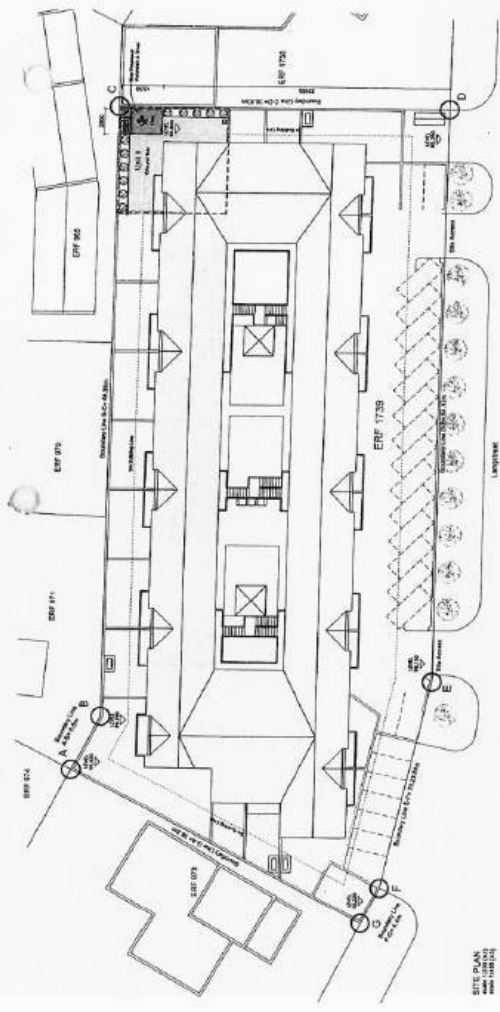
NO.	DESCRIPTION	DATE
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NOTES:

- SEE PERMITTING AGENCIES FOR ALL REQUIREMENTS.
- ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
- ALL FINISHES ARE TO BE AS NOTED.
- ALL MATERIALS ARE TO BE AS NOTED.
- ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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NAME:	VICE DESIGNS
ADDRESS:	84 Main Residence St, Puffin
CITY:	WARRINGTON
STATE:	NSW
POSTAL CODE:	2106
PHONE:	072 384 9613
FAX:	
EMAIL:	info@vice-designs.com.au
WEBSITE:	www.vice-designs.com.au
PROJECT NO:	1111
DATE:	08/11/11
DRAWN BY:	[REDACTED]
CHECKED BY:	[REDACTED]
DATE:	08/11/11



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 1739, SANDBAAI**

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 1739, Sandbaai, unobstructed;
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)**

6. **ERF 4294, 286 FIFTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY AND DEPARTURE: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF THE TRUSTEES FOR THE TIME BEING OF M & N FAMILIE TRUST**

4294 HVK (3902/2021)

P Roux

(028) 313 8900

Hermanus Administration

2 August 2022

Executive Summary

An application has been received on 9 November 2021 from Messrs Interactive Town and Regional Planning on behalf of The Trustees for the time Being of M & N Familie Trust the owner of Erf 4294, Hermanus (Voëlklip) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- relaxation of the western lateral building line from 2m to 1.2m to accommodate existing structures, which include a wall and window in the bedroom on the ground floor and existing internal wall between the dining room and family area and balcony on the first floor;
- relaxation of the eastern lateral building line from 2m to 1.2m to accommodate existing structures, which include a bricked-up window for the office on ground floor, existing stoep and braai walls and a bricked-up window for the living area on the first floor, and
- to encroach the permissible 50% coverage from 50% to 51% to accommodate the existing dwelling on the property.

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), for the following:
 - relaxation of the western lateral building line from 2m to 1.2m to accommodate existing structures, which include a wall and window in the bedroom on the ground floor and existing internal wall between the dining room and family area and balcony on the first floor;
 - relaxation of the eastern lateral building line from 2m to 1.2m to accommodate existing structures, which include a bricked-up window for the office on ground floor, existing stoep and braai walls and a bricked up window for the living area on the first floor, and
 - to encroach the permissible 50% coverage from 50% to 51% to accommodate the existing dwelling on the property;

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

- be approved** in terms of the provisions of Section 61 of the By-Law;
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 partially exempted from the payment of an administrative penalty in terms of Section 90(4) of the By-Law;
 3. that the recommendations in 1. and 2. above be subject to the following conditions:
 - (a) that the approvals are for the development as indicated on Drawing No 2139 dated 23 June 2021;
 - (b) that an administrative penalty of R 7 200.00 (excluding VAT) (being 10% of the built cost) be payable within thirty (30) days of the decision;
 - (c) that building plans be submitted to the Building Control Office within (60) days of the decision, and all comments from the Fire Department and Building Control Office be complied with at that stage;
 - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (e) that all other applicable 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 the decisions in 1.

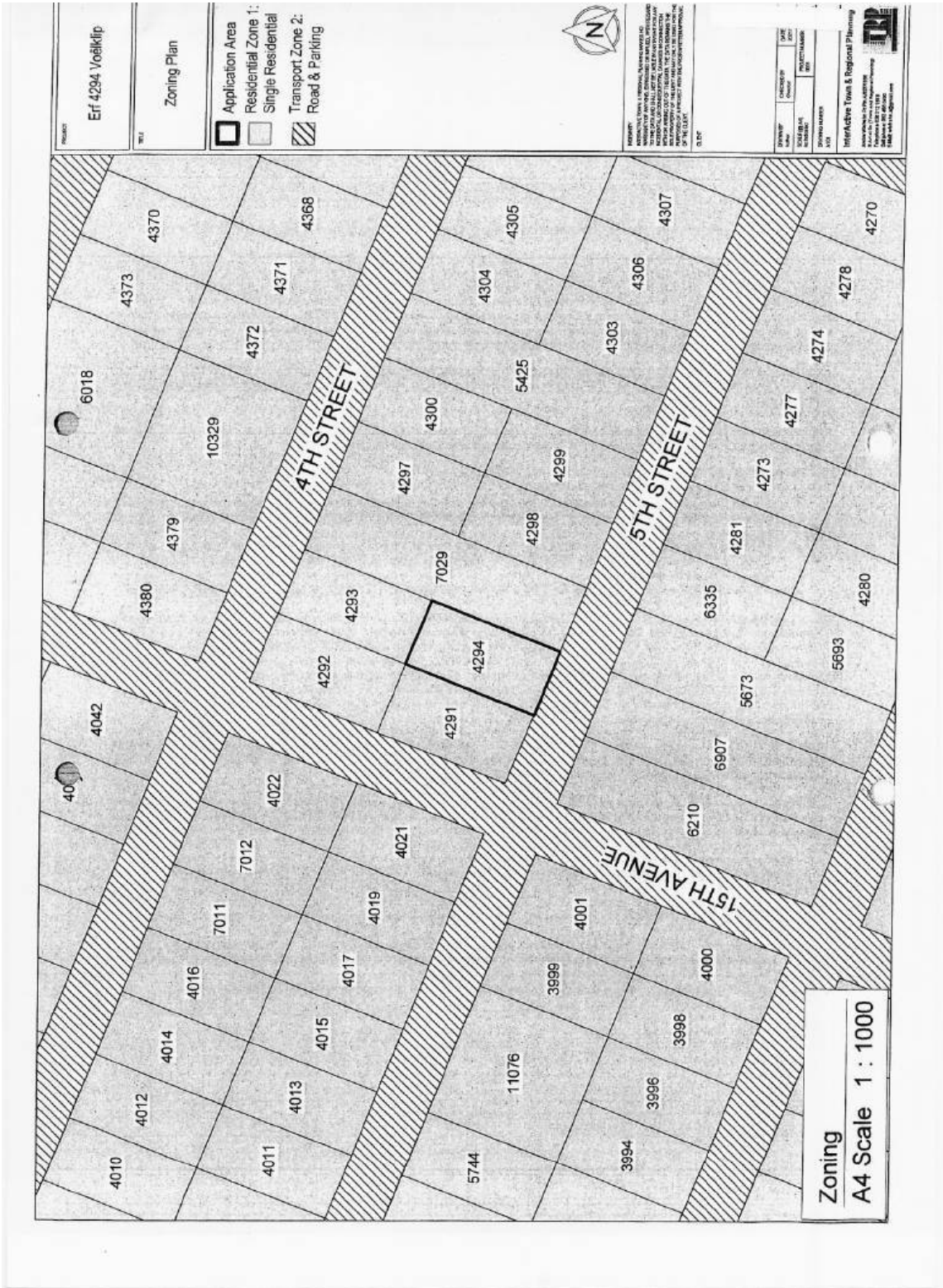
- ❖ Alterations made to the dwelling are in line with the character of the area and is in place for more than 30 years.
- ❖ The existing stoep and braai is screened from the adjacent property owners, the stoep area was always intended as it was shown on the original plan and the only portions added was the braai and screen wall.
- ❖ The bedroom on the ground is screened by a wall and planting and therefore does not have an impact on the neighbouring property owner.
- ❖ The balcony was constructed when the dwelling was constructed and is therefore considered to be part of the character of the dwelling, further the adjacent (affected) property owner has viewed the plans and provided her consent.

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

- ❖ The internal alterations and change in window schedule will have no additional impact on the surrounding property owners.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The proposal is compliant with the spatial policies contained in the SDF.
- ❖ The proposal is constant with the spatial principles as set out in SPLUMA and LUPA.
- ❖ No objection was received from the adjacent property owners.

Reasons for recommendation point 2.

- ❖ Only the encroachment of the 50% is fined as most of the structures over the building lines do not have a negative effect on the adjoining property owners and are of a lesser extent.
- ❖ The 50% coverage is exceeded due to the retention of the balcony; the size footprint extending over the 50% coverage is more than the size of the balcony which encroaches over the building line therefore only the footprint in excess of the 50% will be used.



FOR LOCAL MUNICIPAL AUTHORITY

PROJECT NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA (NBC) AND ALL APPLICABLE LOCAL ORDINANCES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL MUNICIPAL AUTHORITY.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
 7. ALL FOUNDATIONS SHALL BE CONCRETE ON COMPACTED GRAVEL.
 8. ALL ROOFING SHALL BE AS SPECIFIED IN THE SCHEDULES.
 9. ALL FINISHES SHALL BE AS SPECIFIED IN THE SCHEDULES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.

GENERAL NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA (NBC) AND ALL APPLICABLE LOCAL ORDINANCES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL MUNICIPAL AUTHORITY.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
 7. ALL FOUNDATIONS SHALL BE CONCRETE ON COMPACTED GRAVEL.
 8. ALL ROOFING SHALL BE AS SPECIFIED IN THE SCHEDULES.
 9. ALL FINISHES SHALL BE AS SPECIFIED IN THE SCHEDULES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.

PERMITS AND APPROVALS
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA (NBC) AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL MUNICIPAL AUTHORITY.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
 6. ALL FOUNDATIONS SHALL BE CONCRETE ON COMPACTED GRAVEL.
 7. ALL ROOFING SHALL BE AS SPECIFIED IN THE SCHEDULES.
 8. ALL FINISHES SHALL BE AS SPECIFIED IN THE SCHEDULES.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL MUNICIPAL AUTHORITY.

FOR MUNICIPAL APPROVAL
 PROJECT: HOUSE LEE
 ADDRESS: 14500 HWY 100, UNIT 100
 DATE: 23 MAR 2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

DESIGNER'S SEAL
 [Seal Area]
 DESIGNER: [Name]
 PROFESSION: [Profession]

DATE
 23 MAR 2011

PROJECT
 HOUSE LEE

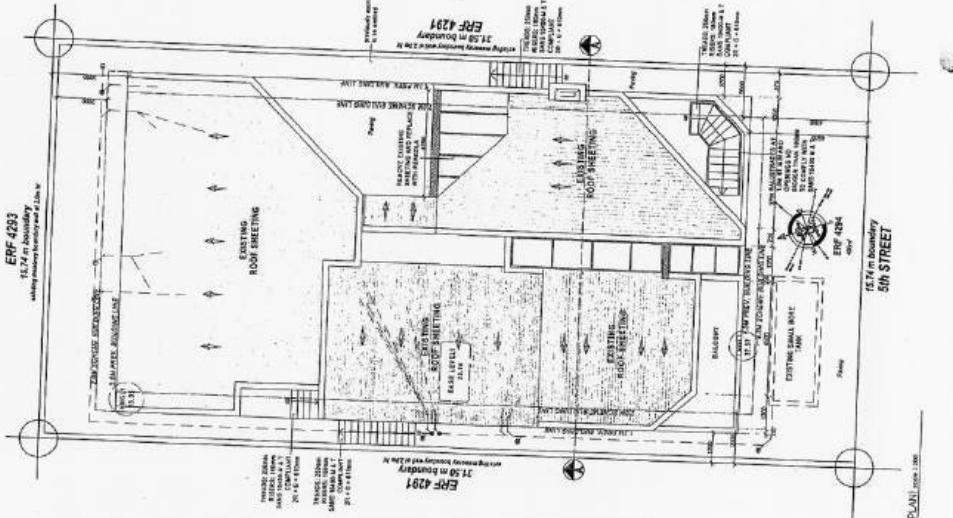
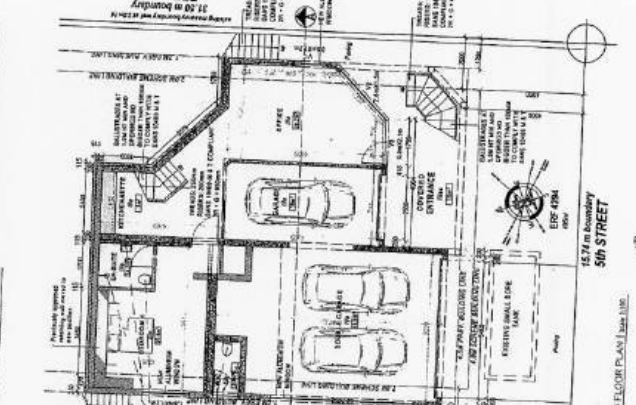
ADDRESS
 14500 HWY 100, UNIT 100

DATE
 23 MAR 2011

DRAWN BY
 [Name]

CHECKED BY
 [Name]

APPROVED BY
 [Name]



GROUND FLOOR PLAN (Scale 1:50)

SITE PLAN (Scale 1:50)

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DETERMINATION OF AN ADMINISTRATIVE PENALTY &
DEPARTURE: ERF 4294, 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 4294, Voelklip, unobstructed;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

17/03/2022
DATE

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

7. FARM NO. 764, WELTEVREDE, CALEDON DIVISION, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF STANFORD HILLS ESTATE (PTY) LTD

FARM 764 RCAL (3925/2021)

P ROUX (028) 313 8900 HERMANUS ADMINISTRATION

21 JULY 2022

EXECUTIVE SUMMARY

An application was received on 9 December 2021 from Messrs plan active town and regional planners on behalf of Stanford hills estate (Pty) Ltd, on farm no. 764 for consent use in terms of section 16(2)(o) in order to accommodate two (2) additional self-catering units on the property and to reinstate two (2) self-catering units in existing structures.

RESOLVED :

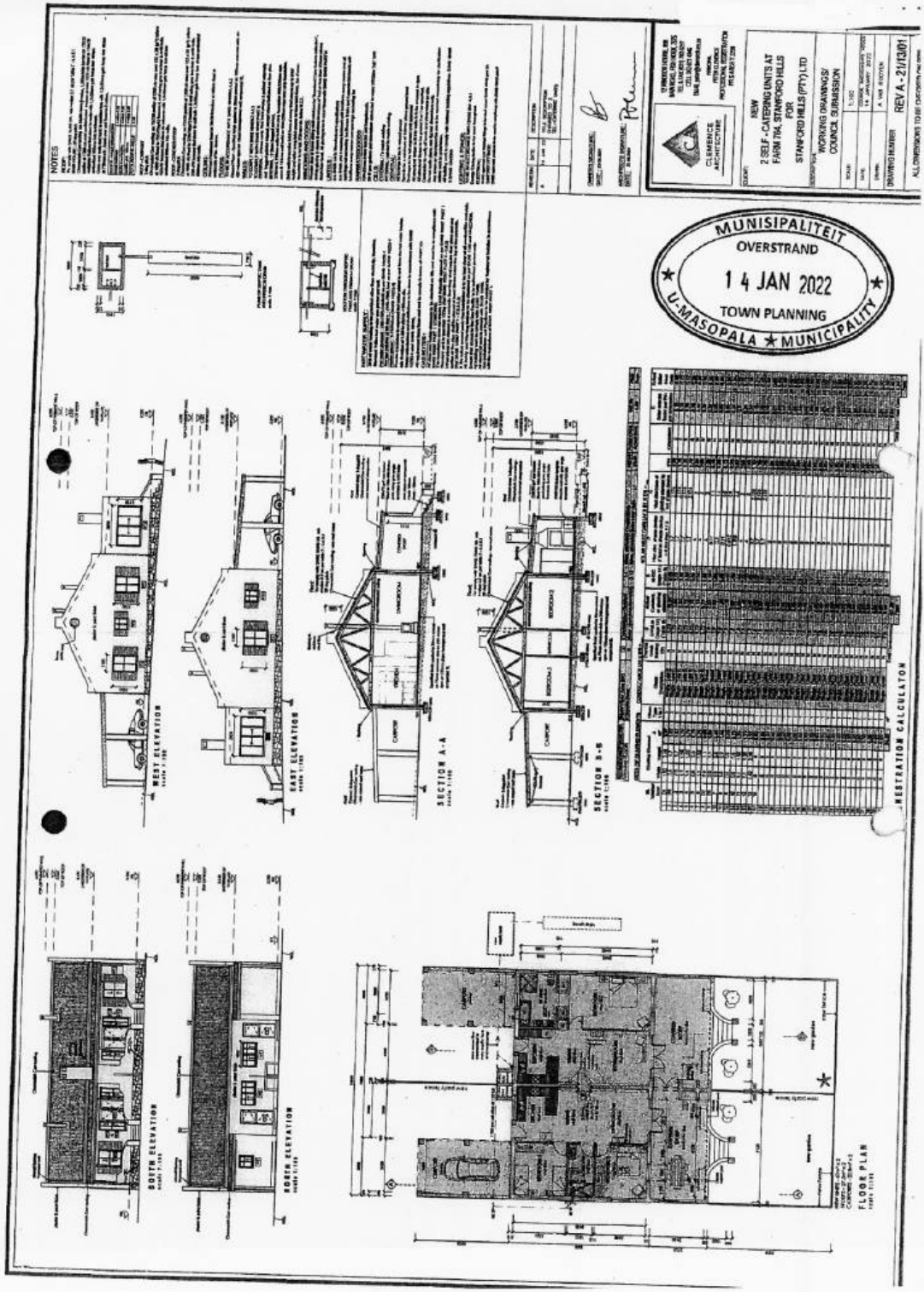
1. That the application for consent use in terms of section 16.(2)(o) of the Overstrand municipality amendment by-law on municipal land use planning, 2020 applicable to farm no. 764, division Caledon, in order to accommodate two (2) additional self-catering units on the property and to reinstate two (2) self-catering units in existing structures, be approved, in terms of the provisions of section 61 of the by-law, subject to the following conditions
 - (a) That this approval is only for the development as indicated on the building plan no. Rev a – 21/13/01 and rev a – 21/13/02;
 - (b) That should alterations be made to the existing building or new building construction proposed, then building plans must be submitted to the building department for approval, and that all conditions of the building- and the fire department be complied with at that stage;
 - (c) That all the conditions of Eskom (Annexure E), Department of Environmental Affairs and Development Planning: Directorates, Planning and Environmental (Annexures D and F), Department of Transport and Public Works, Department of Agriculture, Cape Nature and Breede-Gouritz Catchment Management Agency (Annexures H-K), be complied with;
 - (d) That all the conditions contained in the Engineering Services Report (Annexure G), be adhered to;
 - (e) That this approval does not absolve the applicant from compliance with any other relevant legislation;

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

- (f) That all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
- 2. That the applicant be notified of his/her right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

Reasons For Resolution

- ❖ There is good accessibility and sufficient parking provisions.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be required.
- ❖ No external state departments objected to the application.
- ❖ The application is in line with Spluma principles.
- ❖ No impact on the environment.
- ❖ No objections were received from surrounding property owners.
- ❖ It is in line with the aims of the Overstrand SDF to promote tourism.
- ❖ The proposed uses and structures will be compatible with the existing Land Use rights enjoyed by the property owner.
- ❖ The subject property is consisting with the natural beauty which attracts tourist to the area.



MUNISIPALITEIT
 OVERSTRAND
 14 JAN 2022
 TOWN PLANNING
 U-MASOPALA MUNICIPALITY

NEW
 2 SELF-CATERING UNITS AT
 FARM 704, STAMFORD HILLS
 FOR
 STAMFORD HILLS (PTY) LTD
 WORKING DRAWINGS
 COUNCIL SUBMISSION

DATE: 14 JAN 2022
 SCALE: AS SHOWN
 DRAWN BY: A. VAN ROOYEN
 CHECKED BY: A. VAN ROOYEN
 REV A - 21/1/2021

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: FARM 764, WELTEVREDE,
STANFORD (3393)**

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

Conditions:

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water service from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (water affairs, health, etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Senior Manager: Engineering Services, Overstrand Municipality;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that, as no municipal refuse removal services are rendered in the area, the owner is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or –waste disposal facility;
6. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
7. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
8. that, as no municipal refuse removal services are rendered in the area, the developer is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or-waste disposal facility;

9. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Department: Operations;
10. that the developer arrange with Provincial Administration to obtain approval for any new access from the Provincial road.

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

05/04/2022
DATE

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

8. ERF 9921, 34 FERNKLOOF DRIVE, HERMANUS HEIGHTS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION & REGISTRATION OF A SERVITUDE AREA: MESSRS PLANACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF ROYALSTRAAT 3 EIENDOMME CC

9921 HVK

P Roux

(028) 313 8900

Hermanus Administration

20 July 2022

Executive Summary

An application was received on 25 April 2022 from Messrs PlanActive on behalf of the property owner on Erf 9921, Hermanus in terms of Section 16(2)(d) in order to subdivide Erf 9921 Hermanus Heights into two (2) portions namely, Portion A approximately 926m² in extent with a 'no build' restriction servitude area approximately 200m² extent, with a height restriction of 2m for shrubs and trees over a portion of Portion A, and a Remainder approximately 821m² in extent.

RESOLVED :

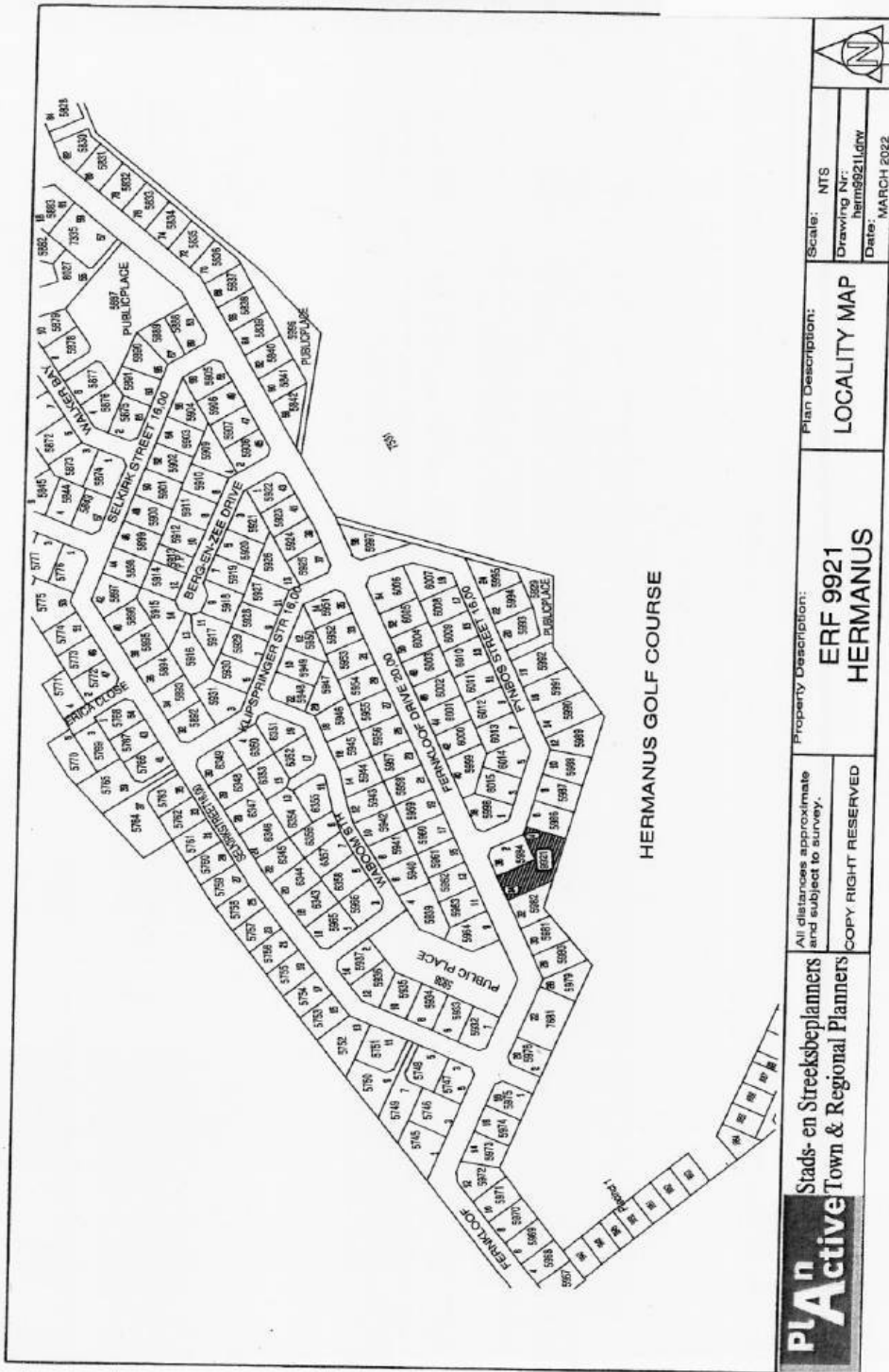
1. that the subdivision in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of Erf 9921, Hermanus into two portions, namely Portion A approximately 926m² with a 'no build' restriction servitude area approximately 200m² with a height restriction of 2m for shrubs and trees over a portion of Portion A and a Remainder approximately 821m², 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 herm9921s.drw dated February 2022* 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 (attached as Annexure D), be complied with;
 - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

**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 conditions of approval.

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.



PLAN
 Stads- en Sireeksbeplanners
 Town & Regional Planners

All distances approximate
 and subject to survey.

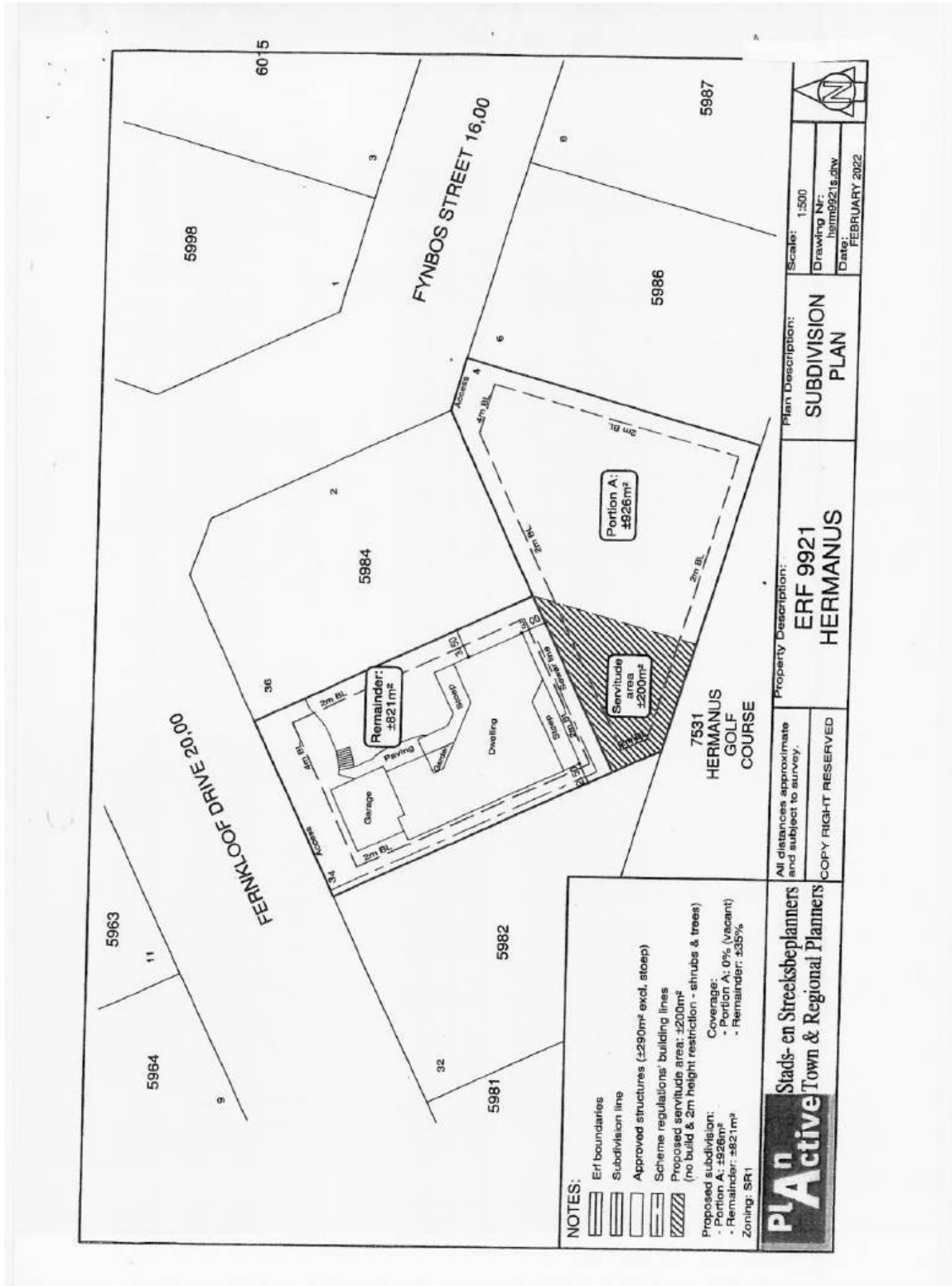
COPY RIGHT RESERVED

Property Description:
**ERF 9921
 HERMANUS**

Plan Description:
LOCALITY MAP

Scale: NTS
 Drawing Nr: Erfm9921.dwg
 Date: MARCH 2022





NOTES:

- Erf boundaries
- Subdivision line
- Approved structures (±290m² excl. stoep)
- Scheme regulations' building lines
- Proposed servitude area: ±200m² (no build & 2m height restriction - shrubs & trees)

Proposed subdivision:

- Portion A: ±926m²
- Remainder: ±821m²

Zoning: SR1

PLAⁿ Active
Stads- en Streeksbeplanners
Town & Regional Planners

All distances approximate and subject to survey.
 COPY RIGHT RESERVED

Property Description:
ERF 9921
HERMANUS

Plan Description:
SUBDIVISION
PLAN

Scale: 1:500
 Drawing Nr: herms9921s.dwg
 Date: FEBRUARY 2022

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION & REGISTRATION OF A SERVITUDE AREA:
ERF 9921, HERMANUS HEIGHTS**

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 servitudes for municipal services be registered at the developer's cost in respect of all existing municipal services concerned crossing private property;
6. that on-site parking facility be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
7. 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;
8. that any additional and / or extended vehicle entrances will be for the owner's account;
9. that stormwater be allowed to discharge through the proposed Erven, Hermanus Heights, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

17/05/2022
DATE

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

9. ERF 648, 55 MAIN ROAD, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR A CONSENT USE: RM NAGEL

445 HNC

H van der Stoep

(028) 313 8900

Hermanus Administration

22 Augustus 2022

Executive Summary

An application has been received on 24 November 2022 from RM Nagel for a consent use in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the establishment of a dwelling unit on the ground floor.

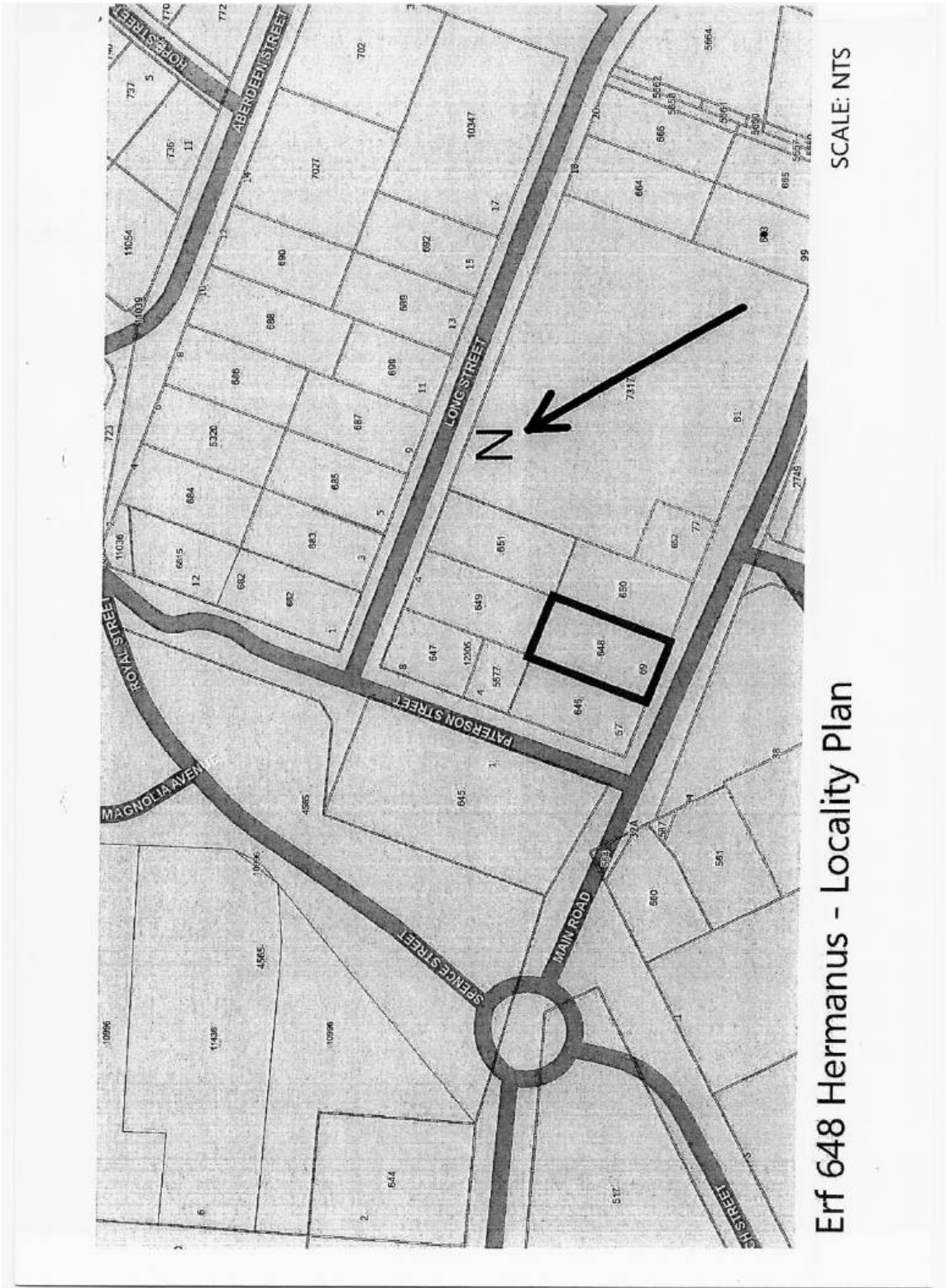
RESOLVED :

1. that the application for departure in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to permit the utilisation of the existing office building for the purposes of a residential unit on Erf 648, Northcliff, Hermanus, be approved in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that no off-street parking be allowed;
 - (b) that the conditions in the Engineering Report (attached as Annexures D), be adhered to;
 - (c) that building plans be submitted to the Building Department of the Overstrand Municipality, and that any requirements by the Fire- and Building Departments at that stage be complied with;
 - (d) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
 - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
2. that the applicant be notified of its right of appeal in terms Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 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)**

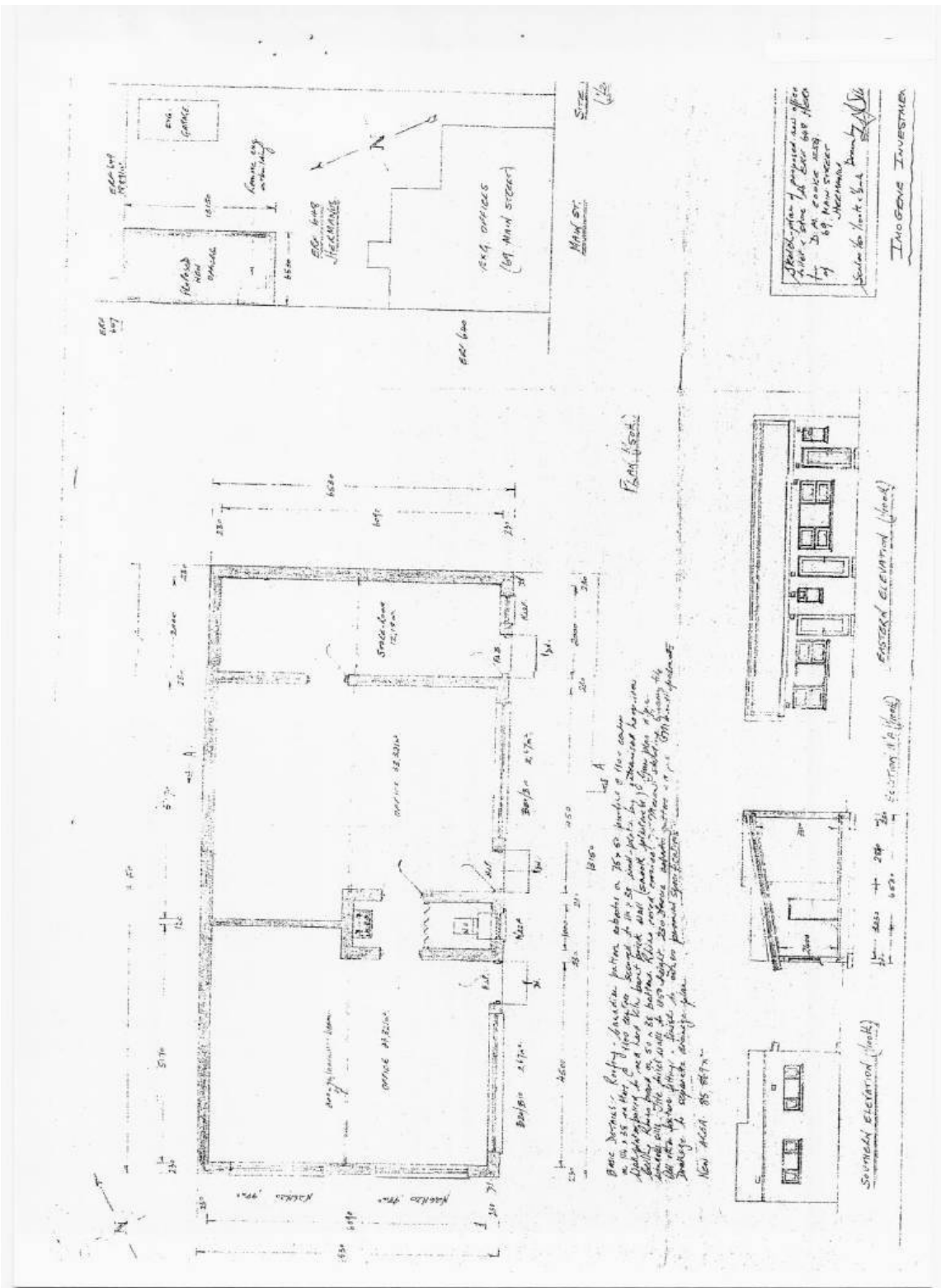
REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ It is in line with the aims of the Overstrand SDF.
- ❖ No objections were received from neighbours.



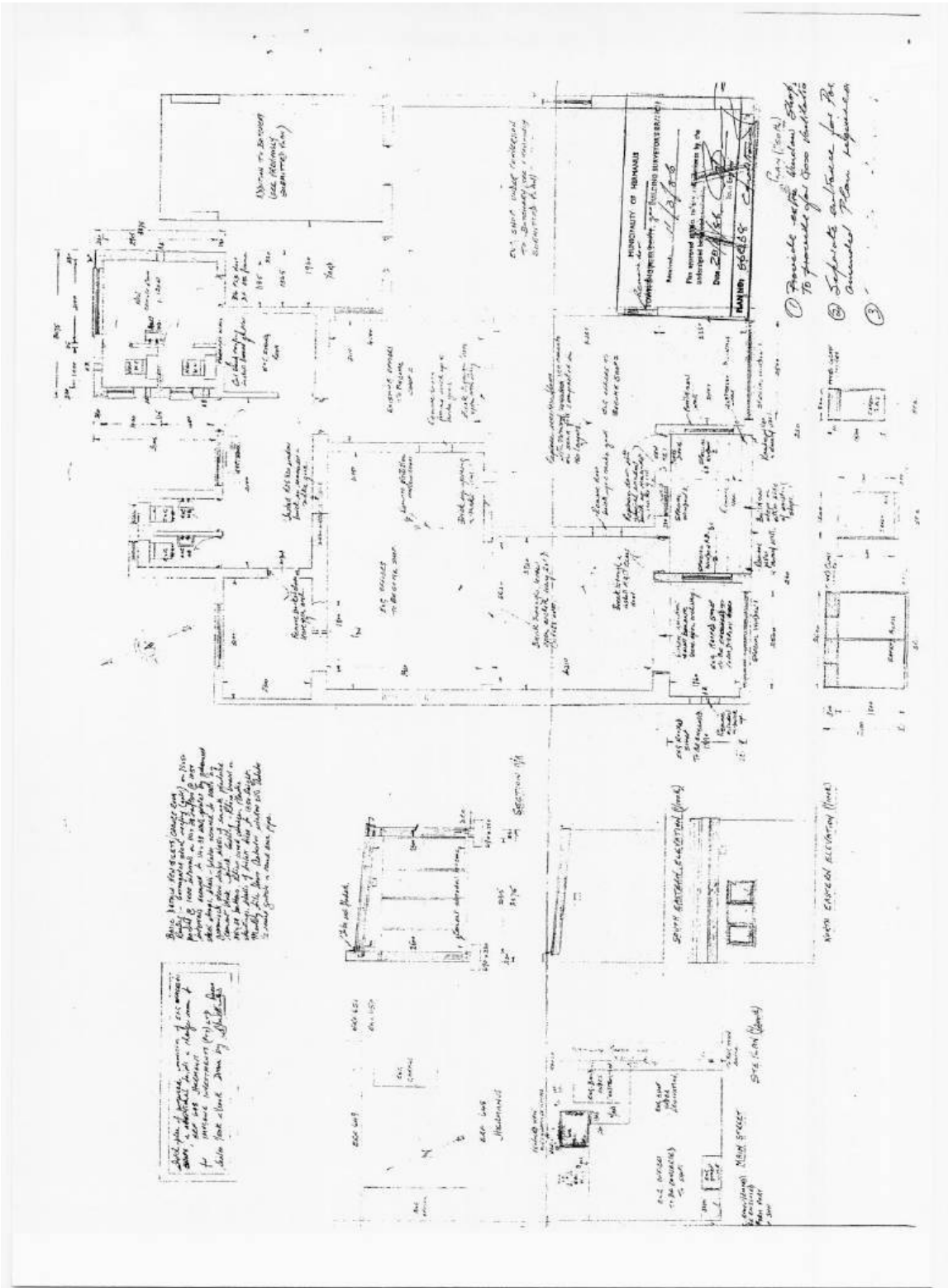
Erf 648 Hermanus - Locality Plan

SCALE: NTS



Base finish, Roof, Insulation pattern, etc. on 35' x 50' profile of the wall
 on 10' x 25' on the C type type, second at 10' x 25' and sets by structural design
 depending on the base finish and wall finish. Also, pattern is shown to require
 ability to finish on 10' x 25' base. Also, note that the wall is shown to be
 10' x 25' base. Also, note that the wall is shown to be 10' x 25' base.
 All the above are shown to be 10' x 25' base. Also, note that the wall is shown to be
 10' x 25' base. Also, note that the wall is shown to be 10' x 25' base.
 Design to separate above from
 New floor 85' x 50'

Study plan proposed and floor
 plan for the building on the
 lot 24' x 100' on
 149' New Street
 Mechanics
 Scale 1/4" = 1'-0"
 EUGENE INVESTOR




**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: ERF 648, NORTHCLIFF**

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 648, Northcliff, unobstructed;
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)**

10. ERF 1169, CHRISTINE CRESCENT, FRANSKRAAL: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: JW VAN RENSBURG

1169 GFK (4006/2022)

SW van der Merwe

(028) 313 8900

Hermanus Administration

4 August 2022

Executive Summary

An application was received from JW van Rensburg in terms of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 1169, Franskraal for the following:

- departure in terms of Section 16(2)(b) of the By-Law to relax the southern rear and eastern lateral building line from 2m to 0m to accommodate an existing braai;
- departure in terms of Section 16(2)(b) of the By-Law to relax the southern rear and western lateral building line from 2m to 0,22m to accommodate a proposed garage, and
- application for determination of an administrative penalty in terms of Section 16(2)(q) of the By-Law in respect of the existing braai.

RESOLVED :

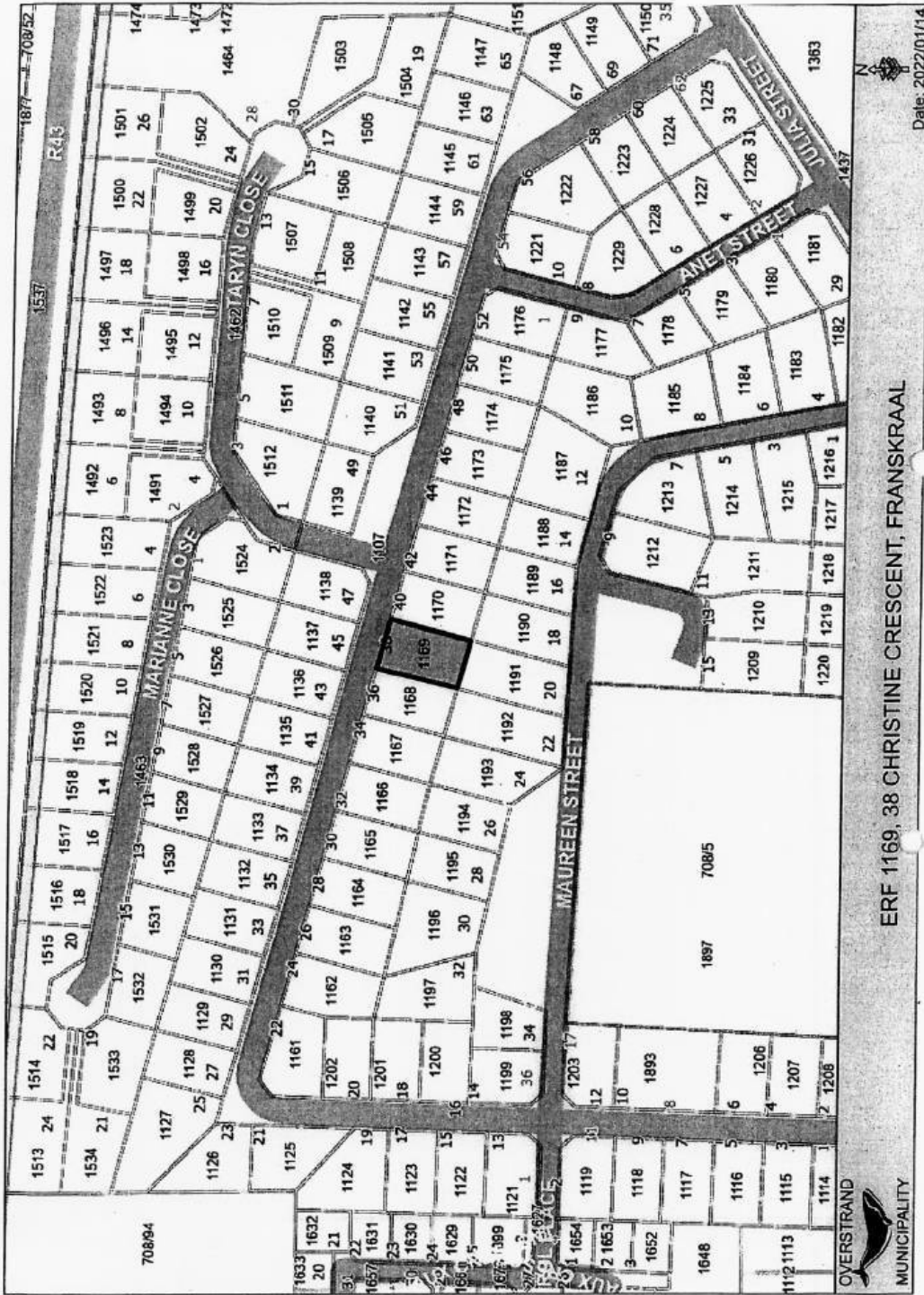
1. that the application for departure in terms of Section 16(2)(b) of the By-Law applicable to Erf 1169, Franskraal to relax the southern rear and western lateral building line from 2m to 0,2m to accommodate a proposed double garage, be approved in terms of the provisions of Section 61 of the By-law;
2. that the application for departure in terms of Section 16(2)(b) of the By-Law applicable to Erf 1169, Franskraal to relax the southern rear and eastern lateral building line from 2m to 0m to accommodate an existing braai, be approved in terms of the provisions of Section 61 of the By-Law;
3. that an administrative penalty in terms of Section 16(2)(q) of the By-law for the unauthorised braai for 10% of the built cost as per municipal tariff list be imposed in terms of Section 90(4) of the By-Law;
4. that the recommendation in paragraphs 1. to 3. above be subject to the following conditions:
 - (a) that the approval is only for the departures indicated on the ground floor of the Site Development Plan (attached as Annexure C);

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

- (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department, be complied with at that stage;
 - (c) that all the conditions in the Services Report (attached as Annexure F), be complied with;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;
 - (e) that an administrative penalty of R3208,50 (VAT inclusive) (10% of the building costs) be payable within thirty (30) days of the decision;
 - (f) that a fire arrestor be fitted to the braai place within 30 days of the approval of building plans;
 - (g) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (h) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.
5. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

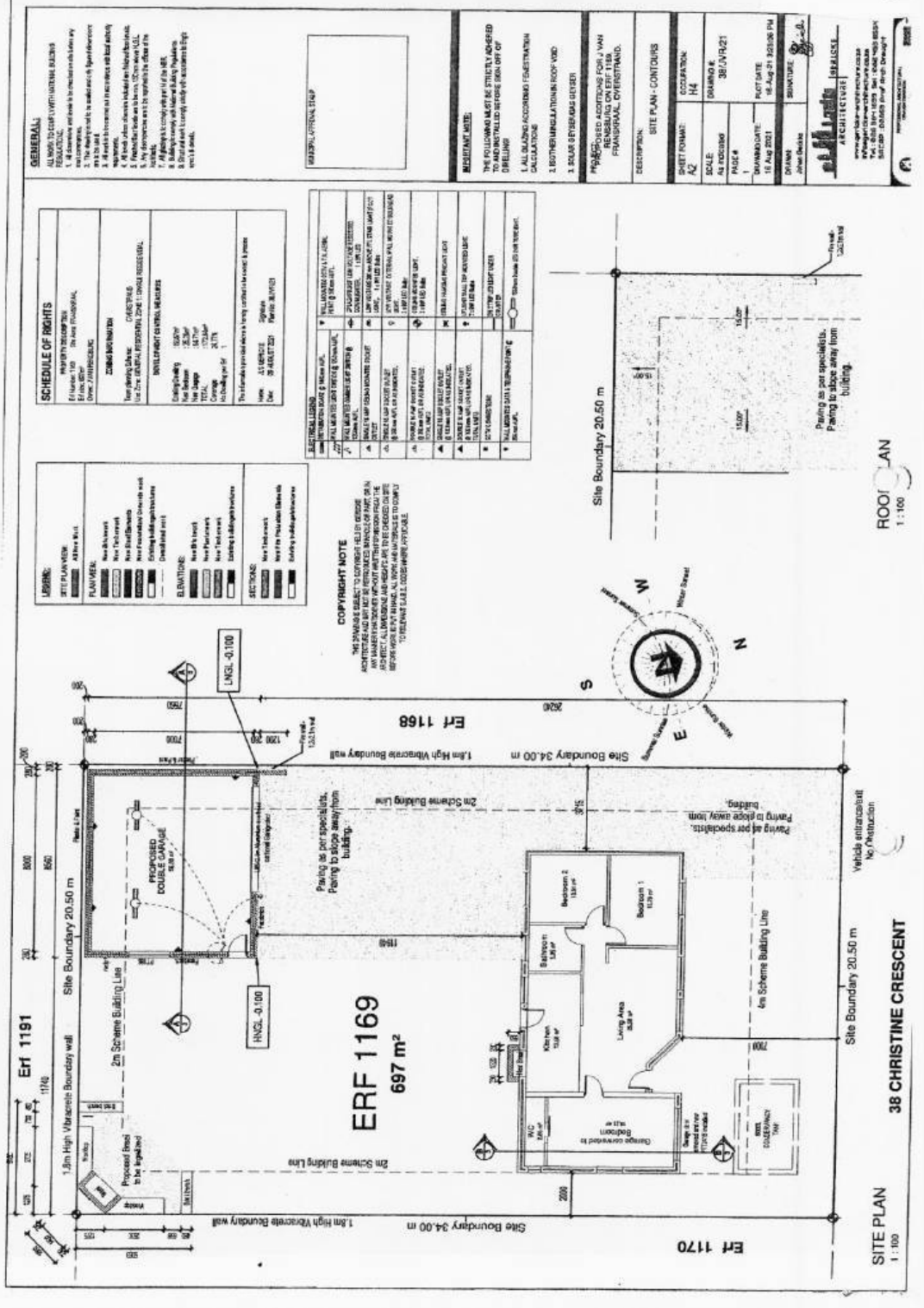
- ❖ The application has followed due procedure.
- ❖ None of the relevant internal municipal departments have any objection.
- ❖ The Overstrand Zoning Scheme Regulations have sufficient control measures when it comes to land use, coverage and building line controls.
- ❖ The development will not negatively impact on existing/vested rights of adjoining property owners or the character of the area.
- ❖ The development is consistent with the planning principles in terms of LUPA and SPLUMA.



ERF 1169, 38 CHRISTINE CRESCENT, FRANSKRAAL

Date: 2022/01/14

OVERSTRAND MUNICIPALITY



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR: DEPARTURE & DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 1169, FRANSKRAAL**

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 1169, Franskraal, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

29/06/2022
DATE

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

11. **ERF 3529, 19 OLD MAIN ROAD, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF JAQUES JEANE FERREIRA**

3529 HON (4078/2022)

H Olivier

(028) 313 8900

Hermanus Administration

11 August 2022

Executive Summary

An application was received on 3 March 2022 from Messrs WRAP on behalf of JJ Ferreira in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 3529, Onrustrivier for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16(2)(f) of the By-Law for the removal of restrictive Title Deed Condition Clause D. as contained in Title Deed T30959/2021 of the property to remove a height restriction.

The restrictive title conditions read as follows:

“D. FURTHER SUBJECT to the following special condition in the Deed of Transfer Number T 25289/1988 by the Transfer upon the sale of the within property, namely:

The property hereby sold shall be subject to the condition that only one single- storey dwelling and outbuilding shall be erected thereon,”

Which condition shall be in favour of the Remainder Erf 3129, Onrustrivier, held by the transferor under Deed of Transfer No. T5549/1987 and/or her Successors-in-title.”

RESOLVED :

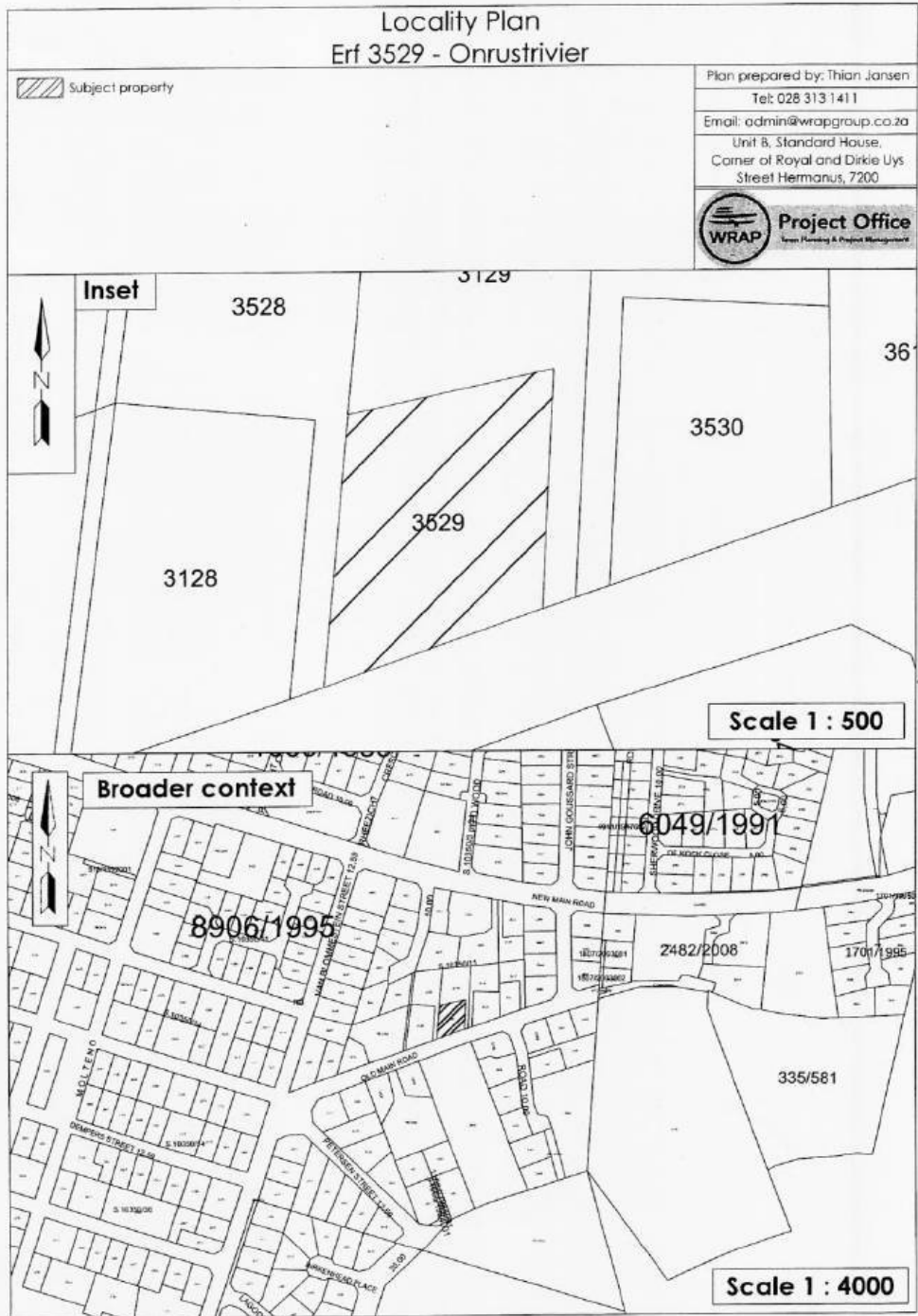
1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 3529, Onrustrivier for the removal of restrictive title deed condition D as contained in Title Deed T30959/2021 of the property to accommodate a second storey dwelling, 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 the restriction in the Title Deed and is not an approval in terms of any other legislation;

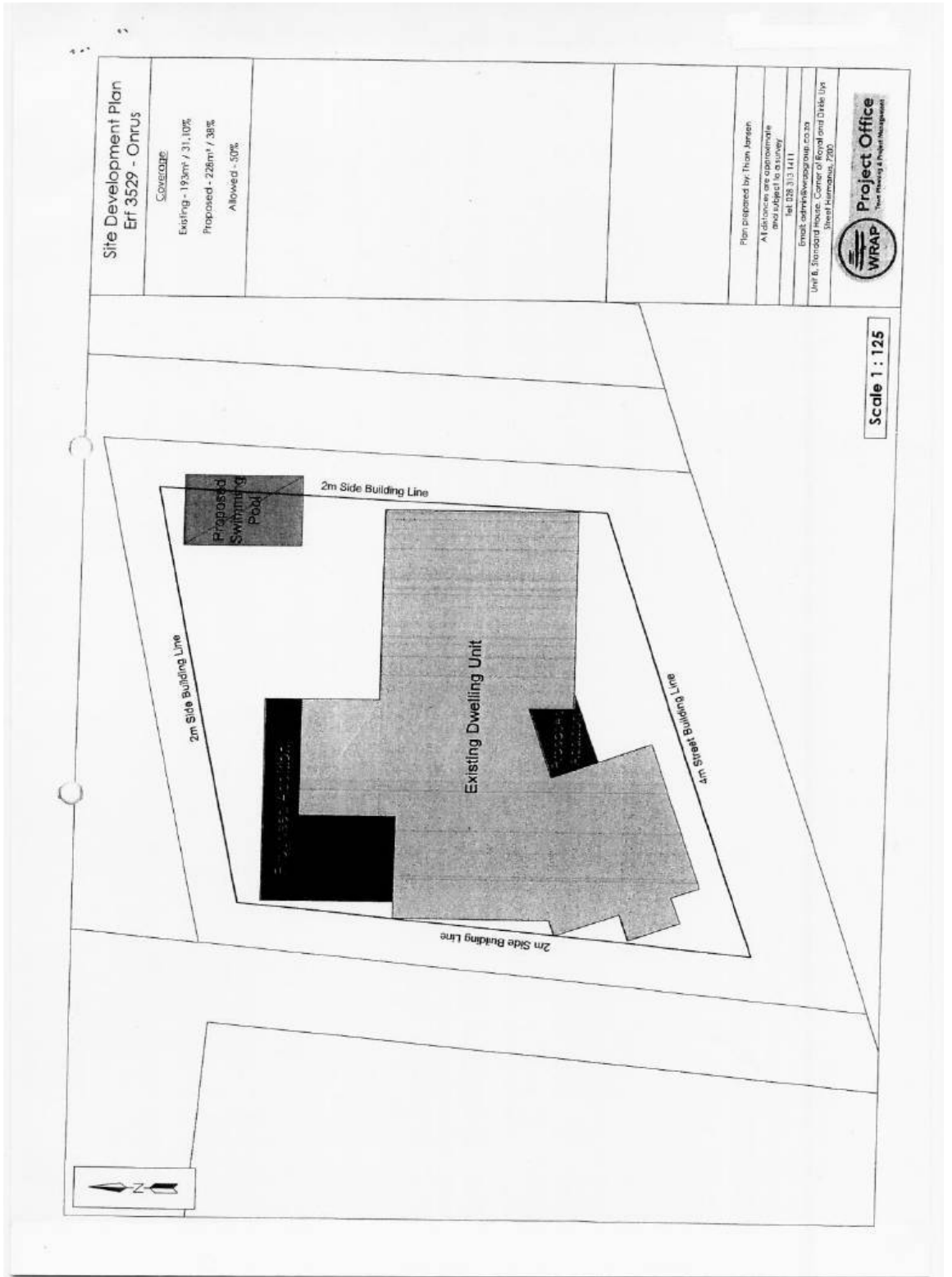
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- (b) that building plans be submitted for all new buildings to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance
 - (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 (attached as Annexure E), be complied with, and
 - (f) that the conditions imposed by Eskom (attached as Annexure F), be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be needed.
- ❖ The proposed construction of a second storey is in line with Policy Plans which promote densification.
- ❖ The proposed second storey can be allowed in terms of 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 conditions is thus supported.
- ❖ No objections were received from neighbours; therefore, the impact on neighbours' privacy and rights will be minimal.
- ❖ The owner of Erf 3129, Onrustvriër in whose favour the height servitude over Erf 3529 is registered, consented to the removal of such restriction.
- ❖ The application is desirable.





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS:
ERF 3529, ONRUS RIVER**

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 3529, 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.

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

19/05/2022
DATE

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

12. **ERF 4913 (A PORTION OF ERF 341) AND REMAINDER ERF 341, 5 ROCKLANDS ROAD AND WESTCLIFF ROAD 24, HERMANUS, WESTCLIFF: OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CLOSURE OF A PORTION OF PUBLIC ROAD, REZONING, CONSOLIDATION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF THE OVERSTRAND MUNICIPALITY & JC DAVIS**

4913 & 341 HWC (3909/2021)

(H Boshoff)

S van der Merwe

(028) 313 8900

Hermanus Administration

19 Augustus 2022

Executive Summary

An application in terms of the provisions of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 25 November 2021 from Messrs PlanActive Town- and Regional Planners on behalf of the Overstrand Municipality and JC Davis, applicable to Erf 4913 (a portion of Erf 341), Hermanus and Remainder Erf 341 for the following:

- (a) closure of portion of road Erf 4913 (a portion of Erf 341), Hermanus in terms of Section 16(2)(n) of the By-Law;
- (b) rezoning of Erf 4913 (a portion of Erf 341), Hermanus from Transport Zone 2: Road and Parking (TR2) to Residential Zone 1: Single Residential (SR1) in terms of Section 16(2)(a) of the By-Law; and the
- (c) consolidation of Erf 4913 (a portion of Erf 341), Hermanus with Remainder Erf 341, Hermanus in terms of Section 16(2)(e) of the By-Law.

RESOLVED :

1. that the application in terms of Section 16(2)(n) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the closure of portion of road Erf 4913 (a portion of Erf 341), Hermanus, be approved in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(a) of the By-Law for the rezoning of the Erf 4913 (a portion of Erf 341) from Transport Zone 2: Road and Parking (TR 2B) to Residential Zone 1: Single Residential (SR1), be approved in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(e) of the By-Law the for the consolidation of Erf 4913 (a portion of Erf 341), Hermanus with Remainder

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Erf 341, Hermanus, be approved in terms of the provisions of Section 61 of the By-Law;

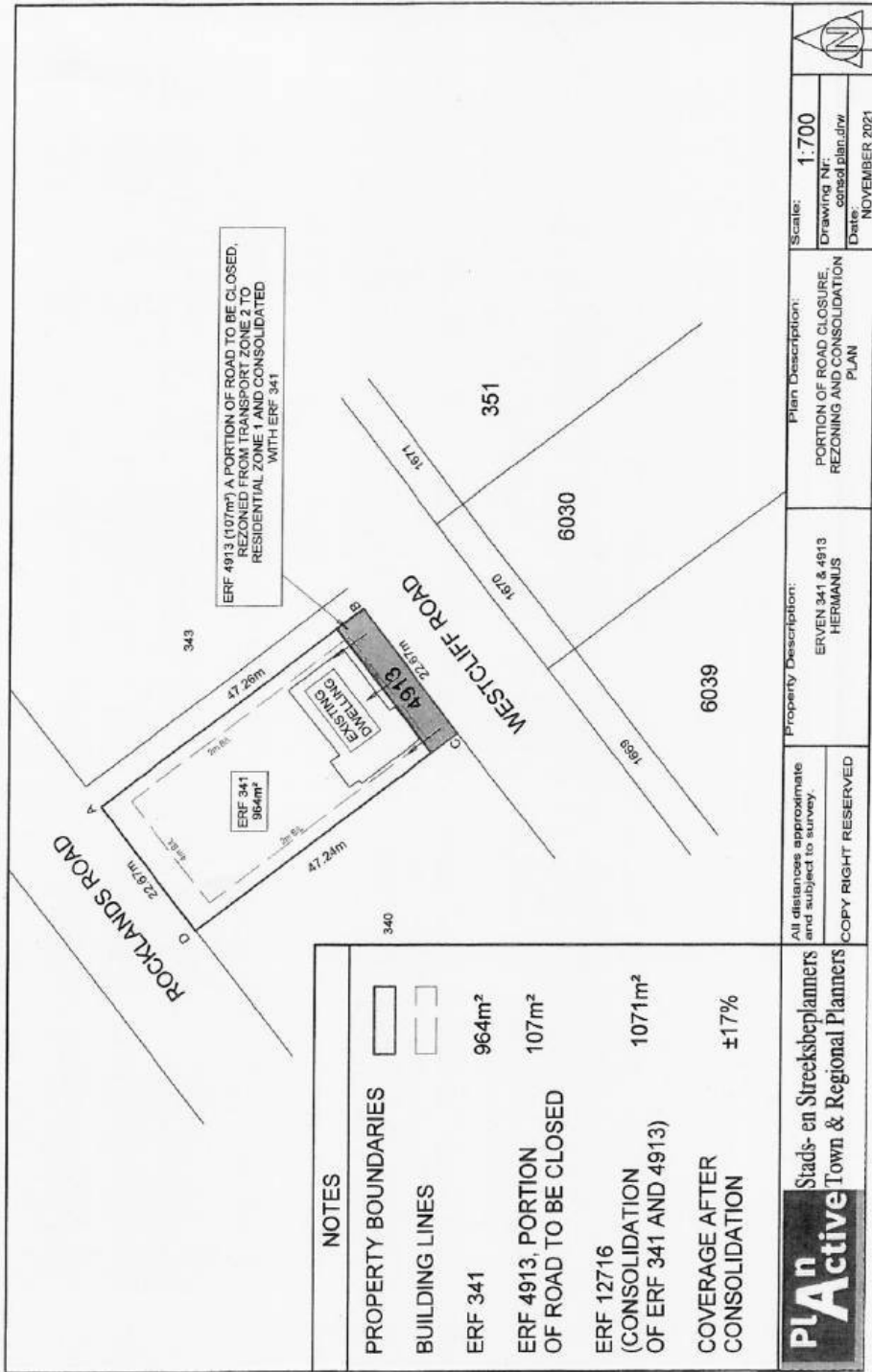
4. that the above approvals be subject to the following conditions:
 - (a) that the conditions of Engineering Services (attached as Annexure D) must be complied with;
 - (b) that all applicable development parameters as prescribed in the relevant Zoning Scheme be must complied with; and
 - (c) that the landowners must comply with any other applicable legislation;
5. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 regarding the above conditions of the approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objections.
- ❖ No external objections were received.
- ❖ It is in line with policy documents.
- ❖ The application is not regarded as being undesirable from a town planning point of view.



PLAN Stads- en Streetskiedplanners Town & Regional Planners	All dimensions approximate and subject to survey. COPY RIGHT RESERVED	Project Description: ERVEN 341 & 4913 HERMANUS	Plan Description: LOCALITY MAP	Scale: NTS
				Drawing No: _____ Date: _____ NOVEMBER 2021



NOTES

PROPERTY BOUNDARIES	
BUILDING LINES	
ERF 341	964m ²
ERF 4913, PORTION OF ROAD TO BE CLOSED	107m ²
ERF 12716 (CONSOLIDATION OF ERF 341 AND 4913)	1071m ²
COVERAGE AFTER CONSOLIDATION	±17%

	Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey.	Property Description: ERVEN 341 & 4913 HERMANUS	Plan Description: PORTION OF ROAD CLOSURE, REZONING AND CONSOLIDATION PLAN	Scale: 1:700 Drawing NF: consol plan.dwg Date: NOVEMBER 2021
		COPY RIGHT RESERVED			

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CLOSURE OF A PORTION OF A PUBLIC ROAD, REZONING,
CONSOLIDATION & THE TRANSFER OF THE PORTION OF ROAD: ERVEN 4913
(A PORTION OF ERF 341) & REMAINDER ERF 341, WESTCLIFF**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erven 4913 & Remainder Erf 341, Westcliff, unobstructed;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

02/03/2022
DATE

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

13. **ERF 1827, 1 HEMEL-EN-SEE AVENUE AND ERF 1962, 9 SIENNA STREET, VERMONT, OVERSTRAND MUNICIPAL AREA: PROPOSED SUBDIVISION AND CONSOLIDATION: WRAP PROJECT OFFICE ON BEHALF OF KGV & VM HAWKINS & STEWART AND GRANDSELECT FOUR (PTY) LTD**

1827 & 1962 HVM (4056/2022)

H Olivier

(028) 313 8900

Hermanus Administration

24 August 2022

Executive Summary

Application were received on 8 February 2022 from WRAP Project Office on behalf of KGV & VM Hawkins & Stewart and Grandselect Four (Pty) Ltd in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the following:

- ❖ Subdivision in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 1962, Vermont into a Portion A (approximately 395m²) and a Remainder (approximately 881m²), and
- ❖ Consolidation in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to consolidate the newly created Portion A (approximately 395m²) with Erf 1827, Vermont to create a newly consolidated property of approximately 848m² in extent.

RESOLVED :

1. that the subdivision in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 1962, Vermont into a Portion A (approximately 395m²) and a Remainder (approximately 881m²) be approved in terms the provisions of Section 61 of the By-law;
2. that the consolidation in terms of Section 16(2)(e) of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 to consolidate the newly created Portion A (approximately 395m²) with Erf 1827, Vermont to create a newly consolidated property of approximately 848m² in extent, be approved in terms the provisions of Section 61 of the By-law.
3. that the above approvals in Points 1. and 2. be subject to the following conditions:
 - (a) that this approval is only for the subdivision and consolidation as indicated on V196252 dated May 2021, submitted with the application by the applicant;

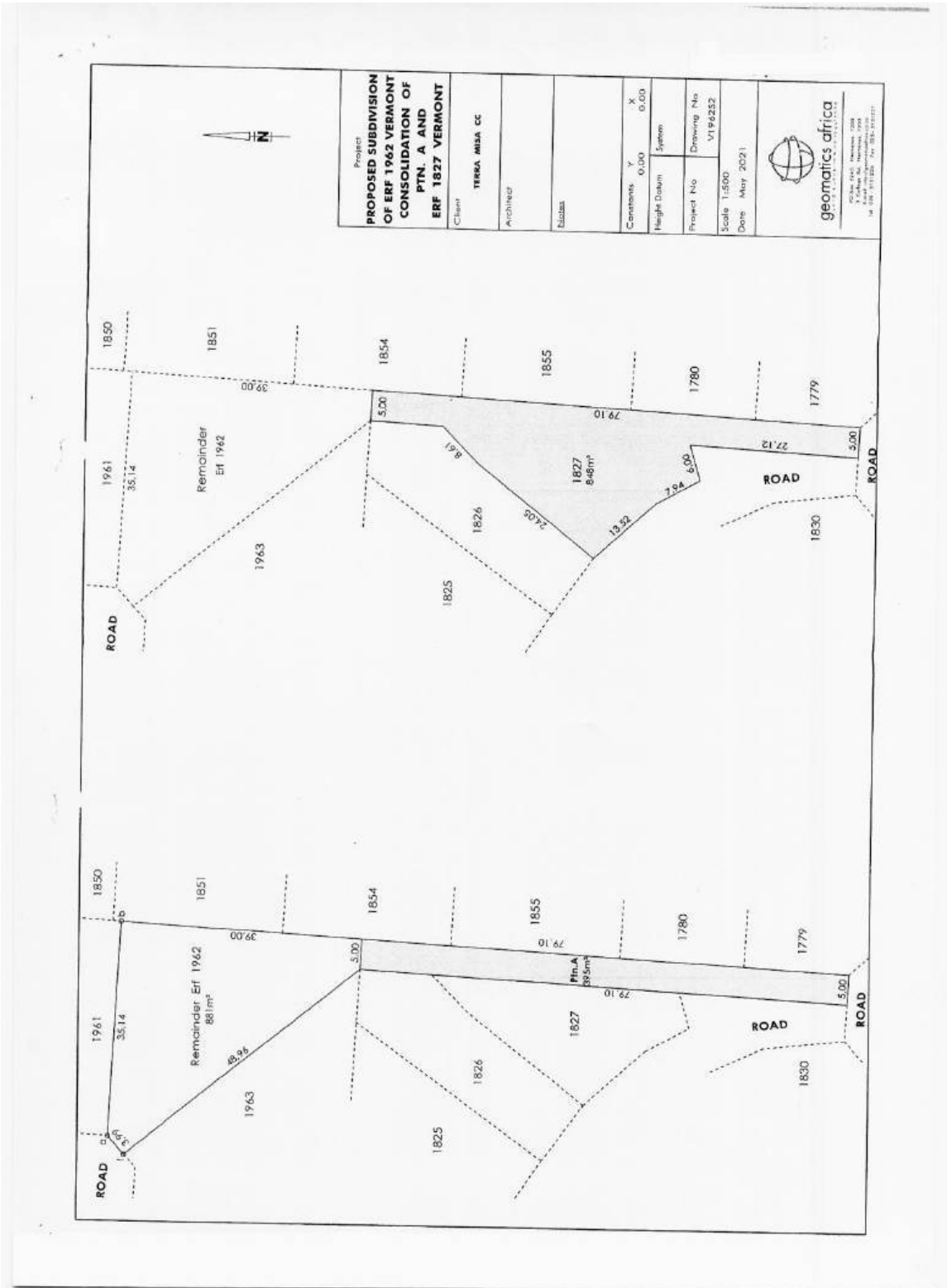
**AGENDA of the
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- (b) that building plans be submitted for all new buildings to the Building Department for approval, and that all conditions of the Building and the Fire Department be complied with at that stage;
 - (c) that this approval does not 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 (attached as Annexure D), be complied with;
 - (f) that the conditions imposed by Telkom (attached as Annexure E), be complied with, and
 - (g) that the conditions imposed by Eskom (attached as Annexure F), be complied with.
4. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be needed.
- ❖ The proposed subdivision and consolidation are in line with Policy Plans.
- ❖ The size of the two amended erven is compatible with the sizes of surrounding erven.
- ❖ All relevant state and municipal departments support the application.
- ❖ No valid objections were received from surrounding property owners and the one objection received is considered a late objection.
- ❖ No negative impact on the character of the area and is desirable.





Project
**PROPOSED SUBDIVISION
 OF ERF 1962 VERMONT
 CONSOLIDATION OF
 PTN. A AND
 ERF 1827 VERMONT**

Client
TERRA MISA CC

ARCHITECT

Scale
 1:500

Constants	Y	X
	0.00	0.00

Height Datum
 System

Project No
 Drawing No
 V194252

Scale 1:500
 Date May 2021

geomatics africa
 CONSULTANTS (PVT) LTD
 101-102, 101/102, 101/102, 101/102
 14, 101/102, 101/102, 101/102, 101/102



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION & CONSOLIDATION: ERVEN 1827 & 1962,
VERMONT**

Stormwater (SW) : Refer to conditions
Electricity : Eskom
Water : Refer to conditions
Sewer : Refer to conditions
Roads and traffic : Refer to conditions

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 Erven 1827 & 1962, Vermont, unobstructed;
6. that a servitude (approximately 5m wide and 68m long) be registered for municipal services on the pan handle portion of Erf 1962 Vermont at the developer's cost. This is required in order to access the sewer manholes and associated infrastructure.
7. that any additional and / or extended vehicles entrances will be for the owner's account;
8. that no on-street parking be allowed.

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

19/07/2022
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 6114, 49 6th STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF ADMINISTRATIVE PENALTY: DLC TOWNPLAN ON BEHALF OF ZONDAGH FAMILY TRUST**

6114 HVK

P Roux

19 May 2022

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 29 April 2021 (revised application received on 30 August 2021) from DLC Townplan on behalf of the owner of Erf 6114, Voëlkliip, Hermanus, Zondagh Family Trust, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- departure in terms of Section 16(2)(b) to relax the western lateral building line from 2.0m to 0.0m to accommodate the change of use of an existing outbuilding (from garage to hobby/entertainment area and toilet) and pergola; and to relax the street building line from 4.0m to 0.0m to accommodate the pergola attached to the outbuilding, and
- determination of administrative penalty in terms of Section 16(2)(q) for the unauthorised land use on the property.

RESOLVED :

1. that the objection be noted;
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 6114, Hermanus (Voëlkliip) to relax the western lateral building line from 2.0m to 0m to accommodate the change of use of an existing outbuilding (from garage to hobby/entertainment), not 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 6114, Hermanus (Voëlkliip) to relax the western lateral building line from 2.0m to 0m to accommodate the change of use of an existing outbuilding (from garage to bathroom), be approved in terms of the provisions of Section 61 of the By-Law;

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4. 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 6114, Hermanus (Voëlklip) to relax the western lateral building line from 2.0m to 0m and to relax the street building line from 4.0m to 0m to accommodate the pergola attached to the outbuilding, be approved in terms of the provisions of Section 61 of the By-Law;
5. 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;
- 6.1 that the recommendations in points 2. above be subject to the following condition:
 - (a) that the Site Development Plan and building plan be revised to indicate that the hobby/recreational room is altered back to a garage;
- 6.2 that the recommendations above (points 3,4 and 5) be subject to the following conditions:
 - (a) that the approvals are for the development as indicated on Drawing No WD-100-GEN, as submitted with the application;
 - (b) that an administrative penalty of R 2 923.22, excluding VAT (being 10% of the valuation cost as determined by the municipality) be payable within thirty (30) days of the decision;
 - (c) that the storeroom can only be used for storage purposes and not for the accommodation of people;
 - (d) that building plans be submitted to the building control office within (60) days of the decision, and all comments from the fire department be complied with at that stage;
 - (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 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.

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

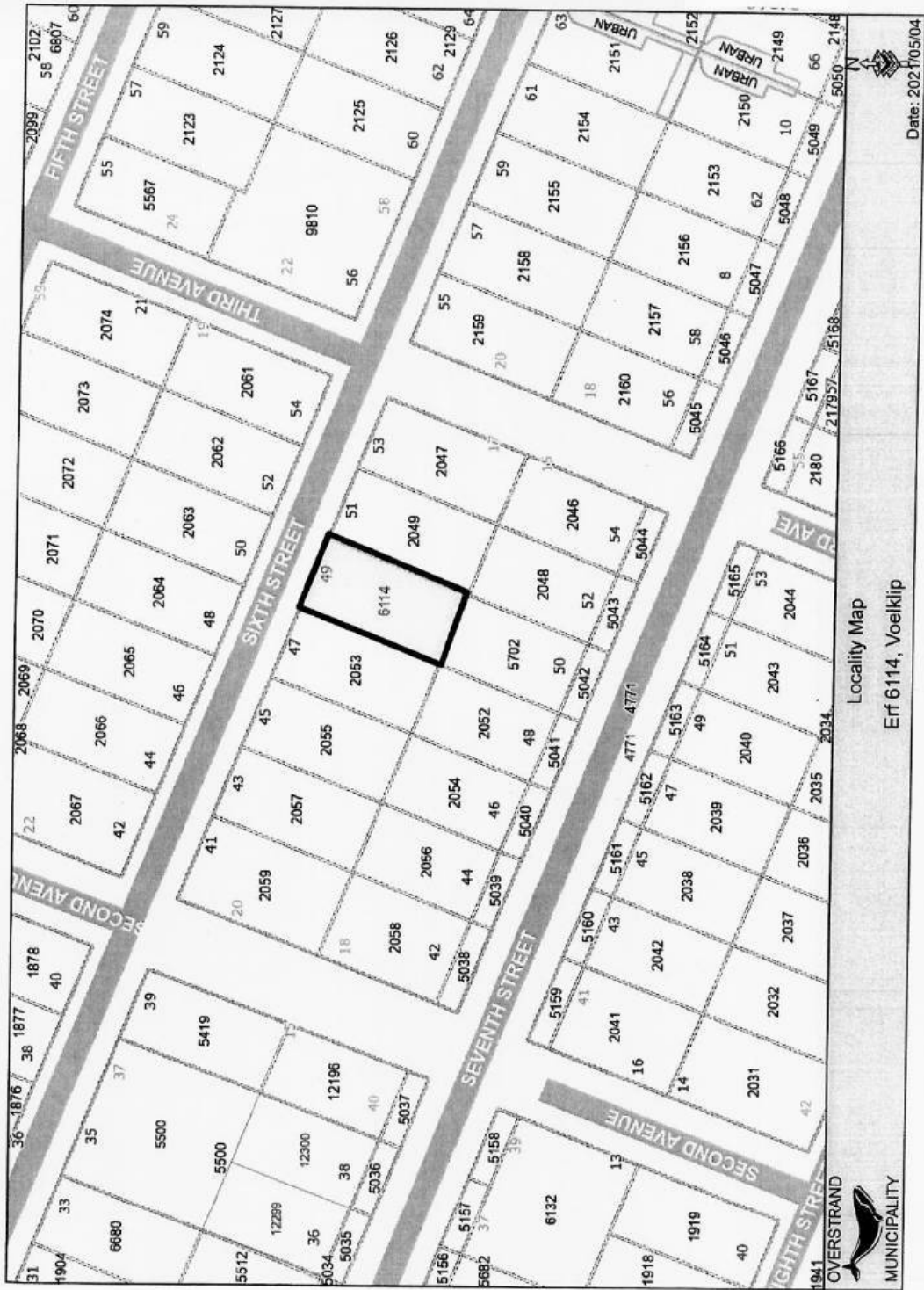
REASONS FOR RESOLUTION

Reasons for the decisions in points 2, 3, 4.

- ❖ The proposed retention of the hobby / recreational room has a negative impact on the neighbouring property owner and its vested rights. Considering this, the retention of the hobby / recreational room is considered to be in transgression of the definition of an outbuilding in the Land Use Management Scheme, 2020 which states the following: *“recreational activities such as a pool room, braai room, Lapa and gazebo and the practising of hobbies (which may not cause a **nuisance and/or disturbance and/or noise** and/or damage to a neighbouring property or properties or premises).”*
- ❖ The character of the area is a low-density residential suburb oppose to a high-density residential area where such applications would be regarded as more in line with the character of such a built environment.
- ❖ From the inspection done on the property the outbuilding is furnished as a living room.
- ❖ The pergola will have a minimal impact on the adjacent property owners.
- ❖ The location where the pergola is situated will have limited impact.
- ❖ The proposed bathroom will have no negative impact on the adjacent property owners or the character of the area.
- ❖ The application has followed due procedure.
- ❖ 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.

Reasons for recommendation point 5.

- ❖ The property owner made alterations to the outbuilding without first seeking approval and gaining approval from the Municipality.
- ❖ The property owner knowingly contravened the parameters of the applicable land use scheme.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 6114, 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 6114, Voelklip, unobstructed;
7. that no on-street parking be allowed.

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

05/11/2021
DATE

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

2. ERF 3266, 21 MAIN ROAD, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE AND DEPARTURE: MESSRS WARREN PETTERSON PLANNING CONSULTANTS ON BEHALF OF TELKOM SA (LTD)

3266 HON (3755/2021)

H Olivier

(028) 313 8900

Hermanus Administration

29 June 2022

Executive Summary

An application was received on 3 September 2021 from Messrs Warren Petterson Planning on behalf of Telkom SA (Ltd), applicable to Erf 3266, Onrustrivier for the following:

- ❖ application in terms of Section 16(2)(o) for a consent use to erect a transmission tower on the above property.
- ❖ application in terms of Section 16(2)(b) for a departure to exceed the applicable 8,5m height restriction to accommodate the proposed 25m high transmission tower, and
- ❖ application in terms of Section 16(2)(b) for a departure to encroach the 3m rear building line up to 0m to accommodate the transmission apparatus.

RESOLVED :

1. that the objections be noted;
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law), for a consent use to erect a transmission tower on Erf 3266, Onrustrivier, 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 By-Law for a departure to exceed the applicable 8,5m height restriction on Erf 3266, Onrustrivier, be partially approved, in terms of the provisions of Section 61 of the By-Law, subject to the following condition:
 - (a) that the relaxation is to only construct a transmission tower of maximum 15m in height.
4. that application in terms of Section 16(2)(b) of the By-Law for a departure to encroach the 3m rear building line up to 0m on Erf 3266, to accommodate
5. that the approvals in 2 to 4 above be subject to the following conditions:

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- (a) that a tree mast be erected as recommended in the Visual Impact Assessment, and that the Municipal Environmental Branch will have to support the specific tree type for the tree mast;
 - (b) that the transmission apparatus be restricted to the development indicated on Plan 05185-P1 and that an amended elevation plan showing the 15m height tree mast be submitted;
 - (c) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site;
 - (d) that all the conditions in the Service Report (attached as Annexure F), be complied with;
 - (e) that the conditions in the letter from Telkom (attached as Annexure G), be complied with;
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above decision.

REASONS FOR RESOLUTION

Points 2 and 4

- ❖ The objections relating to health and safety concerns and environmental impact has duly been addressed and does not prove the application not to be desirable, whilst the concerns relating to impact on property value, visual impact and location of the site (alternative better sites) have been addressed by applying mitigation measures to only allow a 15m high tree mast on the property.
- ❖ Erf 3266, Onrustvriër is zoned Business Zone 3 and utilized by Telkom for telecommunication infrastructure, and the utilization of this site for a transmission tower will be in line with existing uses and will utilize existing infrastructure.
- ❖ With an increased demand for coverage more communication infrastructure will be placed closer to residential areas as their radius for coverage gets smaller. Erf 3266 is one of the few sites in Hermanus area which are zoned and can be utilized for such use, mitigating

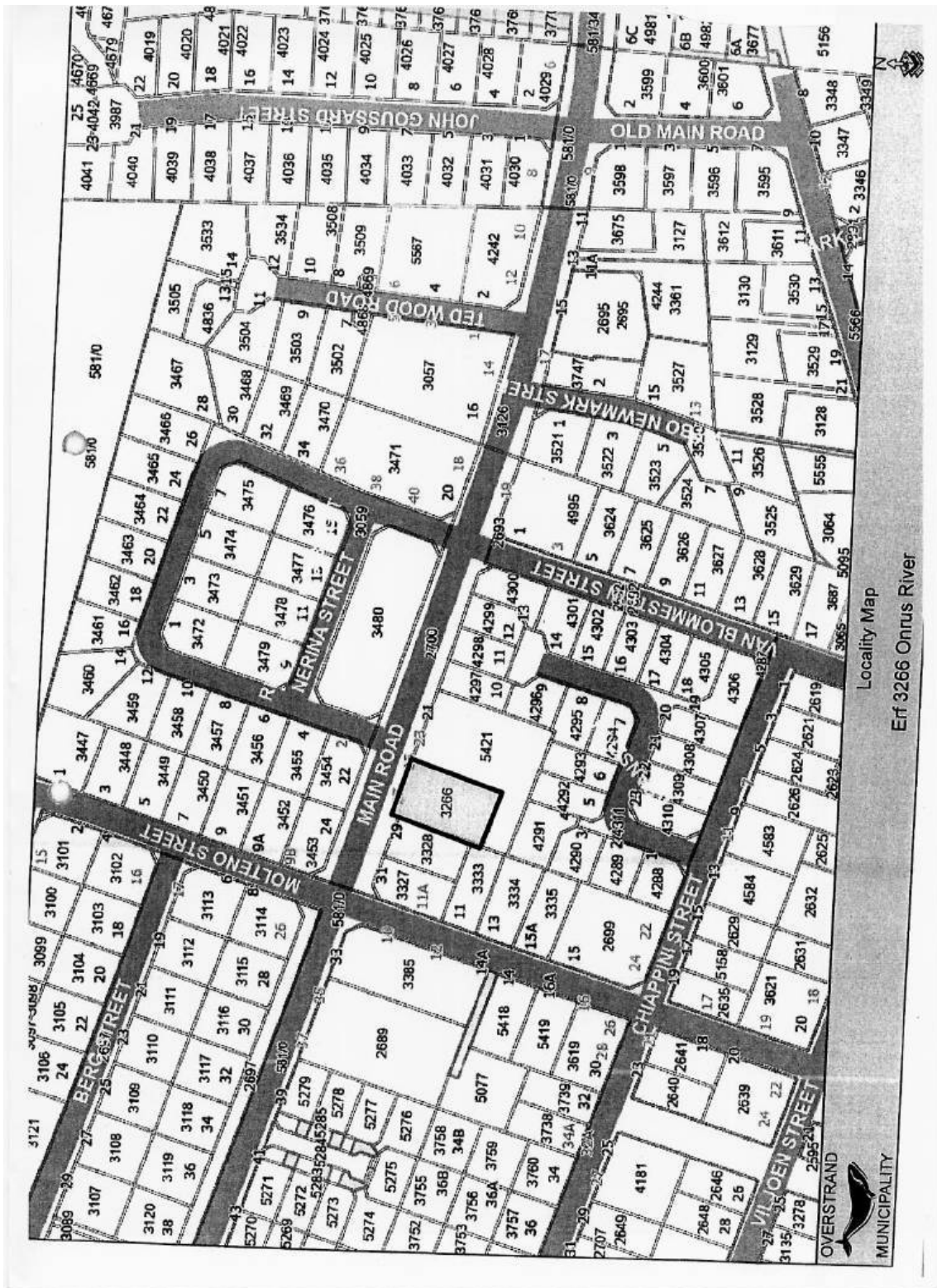
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measures such as to construct a lower mast of 15m in height in line with surrounding tree heights, and camouflaging the mast as a tree, the major concern of visual impact can sufficiently be mitigated.

- ❖ The relaxation of the 3m rear building line to accommodate the transmission apparatus will have no impact on surrounding property owners, as there is still a vacant business site to the rear, and all residential sites will still be more than 13m from the transmission tower service yard.

Point 3


- ❖ The concerns of the objectors are valid with regards to the visual impact of a 25m transmission tower so close to residential units.
- ❖ The Visual Impact Assessment indicated that a 25m transmission tower will have a high visual impact over a short distance from the site up to 150m, and moderate up to 400m.
- ❖ The proposal to construct a tree mast, as recommended in the Visual Impact Assessment, would mitigate the visual impact to a certain extent, but considering that existing surrounding trees is only approximately 15m in height, a 25m high structure or even a 20m high structure will still be visually imposing in this area.
- ❖ A tree mast of 15m in height will be in line with the height of adjacent trees in the area and will blend in more with the surrounding area.




Locality Map

Erf 3266 Onrus River

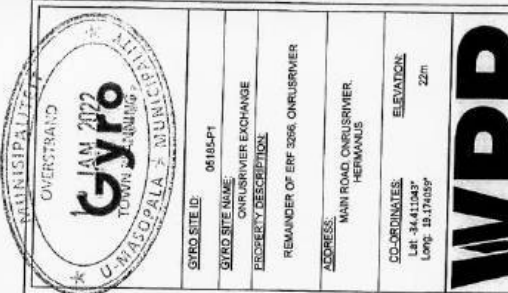
MUNICIPALITY



Aerial Map



Locality Map



OVERSTRAND
Gyro
 TOWN PLANNING
 U-WISOPALA MUNISIPALITEIT

GYRO SITE ID: 06185-P1

GYRO SITE NAME: ONNUSRIVER EXCHANGE

PROPERTY DESCRIPTION: REMAINDER OF ERF 3266, ONNUSRIVER

ADDRESS: MAIN ROAD ONNUSRIVER, PERMANUS

COORDINATES: ELEVATION: 22m
 Lat: -34.411043°
 Long: 18.174059°

WPP

TOWN AND REGIONAL PLANNING CONSULTANTS
 124 1011 800 800
 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PROJECT: PROPOSED NEW GYRO 25m TREE MAST WITH 8m X 8m BASE STATION

APPROVED MAST: 25m TREE MAST

NOTES:
 A) NEW 25m TREE MAST
 B) 8m X 8m BASE STATION
 C) 2.1m PALISADE FENCE
 D) SITE SIZE: SITE SHAPED TO FENCE WITH FENCE
 E) BASE STATION: CHIP STONE SURFACE
 F) SITE TO BE USED FOR LOCAL BUSINESS
 G) OWNER: TELKOM SA LTD

DATE	DESCRIPTION	REVISION
19-02-2020	1st Issue	0
18-01-2022	Rear Building Line Incl.	1

DRAWING NUMBER: 00185-P1
SHEET: 1 OF 1
DRAWING TITLE: LOCALITY MAP
DRAWN: C. BRIEDENMANN
SCALE: NTS
DATE: 2022-01-18
REVISION: 1

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE & DEPARTURE: ERF 3266, ONRUS RIVER**

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 3266, 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.

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

07/03/2022
DATE

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

3. ERF 1449, LYNX ROAD, VERMONT: APPLICATION FOR REZONING, SUBDIVISION, DEPARTURES, RIGHT OF WAY SERVITUDES, PHASING OF A DEVELOPMENT AND THE ALLOCATION OF STREET NAMES AND NUMBERS: MESSRS PLAN ACTIVE ON BEHALF OF L LEWIS

1449 HVM

H Olivier

(028) 313 8900

Hermanus Administration

1 August 2022

Executive Summary

An application was received on 23 October 2020 from Messrs Plan Active on behalf of L Lewis on Erf 1449, Vermont in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) for the following:

- Rezoning of the property in terms of Section 16(2)(a) of the By-Law from Residential Zone I: Single Residential (SR1) to Subdivisional Area Zone (SA); and
- Subdivision of the rezoned property in terms of Section 16(2)(d) of the By-Law, to create the following:
 - Seventeen (17) Residential Zone I: Single Residential (SR1) erven;
 - Thirteen (13) General Residential Zone I: Town Housing (GR1) erven;
 - Three (3) Open Space Zone 2: Public Open Space (OS2) erven; and
 - One (1) Transport Zone 2: Road and Parking (TR2) portion.
- Departure in terms of Section 16(2)(b) of the By-Law to relax the following:
 - Street building line applicable to Erf 26 from 4m to 2,1m to accommodate an existing outbuilding, and 4m to 0,71m to accommodate a portion of the existing stoep;
 - Street building line next to Lynx Road from 4m to 3m applicable to Erven 15 to 17;
 - Street building line from 3m to 2m applicable to Erven 2 to 7 and 18 to 24;
 - Common building lines from 3m to 0m applicable to Erven 1, 2, 7 and 8 to construct garaging;
 - Common building lines from 3m to 2m applicable to Erven 7 and 8, 17, 18, and 22 to 25
- Subdivision in terms of Section 16(2)(d) to create the following:
 - 5m right of way servitude over Erven 28 and 29 in favour of Erven 27

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to 29.

- 0,5m wide servitude between the newly created right of way servitude and the existing southern boundary of Erf 1449, Vermont to accommodate a proposed unlined stormwater channel.

- Phasing of the development in terms of Section 16(2)(k) of the By-Law to phase the development in five (5) phases.

Allocation of street names and numbers in terms of Section 96 of the By-Law, in order to allocate street names (Flycatcher Street and Buzzard Close) and numbers to the new streets in the development.

RESOLVED :

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 1449, Vermont to rezone the said property from Residential Zone I: Single Residential (SR1) to Subdivisional Area Zone (SA) and the subsequent subdivision in terms of Section 16(2)(d) of the By-Law, read with Section 22, of the rezoned property to create the following:

- Seventeen (17) Residential Zone I: Single Residential (SR1) erven;
- Thirteen (13) General Residential Zone I: Town Housing (GR1) erven;
- Three (3) Open Space Zone 2: Public Open Space (OS2) erven; and
- One (1) Transport Zone 2: Road and Parking (TR2) site.

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

- (a) that Development be in line with Site Development vern1449naec dated October 2018;
- (b) that a minimum of 2 (two) parking bays be provided on each erf, to municipal standards and satisfaction;
- (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
- (d) that the Architectural Design Guidelines in line with the Zoning Scheme parameters and the departure relaxation as dealt with in Point 2. below, be submitted for the development to address the style of the houses in line with the surrounding Cape Vernacular style that will be constructed, in consultation with the Building Control department;

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- (e) that all the conditions imposed by Telkom (attached as Annexure I), be complied with;
 - (f) that all the conditions imposed by Eskom (attached as Annexure J), be complied with;
 - (g) that all conditions in the Services Report (attached as Annexure F), be complied with;
 - (h) that the original conditions imposed by Heritage Western Cape (attached as Annexure H), be complied with;
 - (i) that the conditions of the DEA&DP: Western Cape (attached as Annexure G), be complied with;
 - (j) that a Homeowners' Association be established with compulsory membership for all property owners within the development;
 - (k) that the Constitution of the Homeowners' Association be submitted for approval by the Municipality (which reserves the right to impose conditions in this regard), and that the following aspects inter alia be addressed in this document:
 - the approval of building plans by an "estate architect" prior to submission thereof to the Municipality, and
 - that the Constitution clarifies at what stage that the responsibility would be transferred from the developer to the Homeowners' Association to deal with approval of plans, and
 - (l) that the owner submits an operational plan to be approved by the Area Manager before construction commences.
2. that the application for departure in terms of Section 16(2)(b) of the By-Law on Erf 1449, Vermont to relax the following building lines for General Residential Zone I and Residential Zone 1 erven to be created, **be approved** in terms of the provisions of Section 61 of the By-Law, as follows:
- Street building line applicable to Erf 26 from 4m to 2,1m to accommodate an existing outbuilding, and 4m to 0,71m to accommodate a portion of the existing stoep;
 - Street building line next to Lynx Road from 4m to 3m applicable to Erven 15 to 17;
 - Street building line from 3m to 2m applicable to Erven 2 to 7 and 18 to 24;
 - Common building lines from 3m to 0m applicable to Erven 1, 2, 7 and 8 to construct garaging;

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- Common building lines from 3m to 2m applicable to erven 7 and 8, 17, 18 and 22 to 25;
3. that the application for subdivision in terms of Section 16(2)(d) of the By-Law to create the following,:
- 5m Right of Way Servitude over Erven 28 and 29 in favour of Erven 27 to 29.
 - 0,5m wide servitude between the newly created Right of Way Servitude and the existing southern boundary of Erf 1449, Vermont to accommodate a proposed unlined stormwater channel.

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

4. that the application in terms of Section 16(2)(k) of the By-Law for the phasing of the developments in 5 phases, as depicted on plan verm1449ph2 dated October 2018, be approved, in terms of the provisions of Section 61 of the By-Law;
5. that the application in terms of Section 96 of the By-Law for the allocation of street names (Flycatcher Street and Buzzard Close) and numbers to the new streets in the development as indicated on plan verm1449sn2 dated October 2018, be approved in terms of the provisions of Section 61 of the By-Law, and
6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

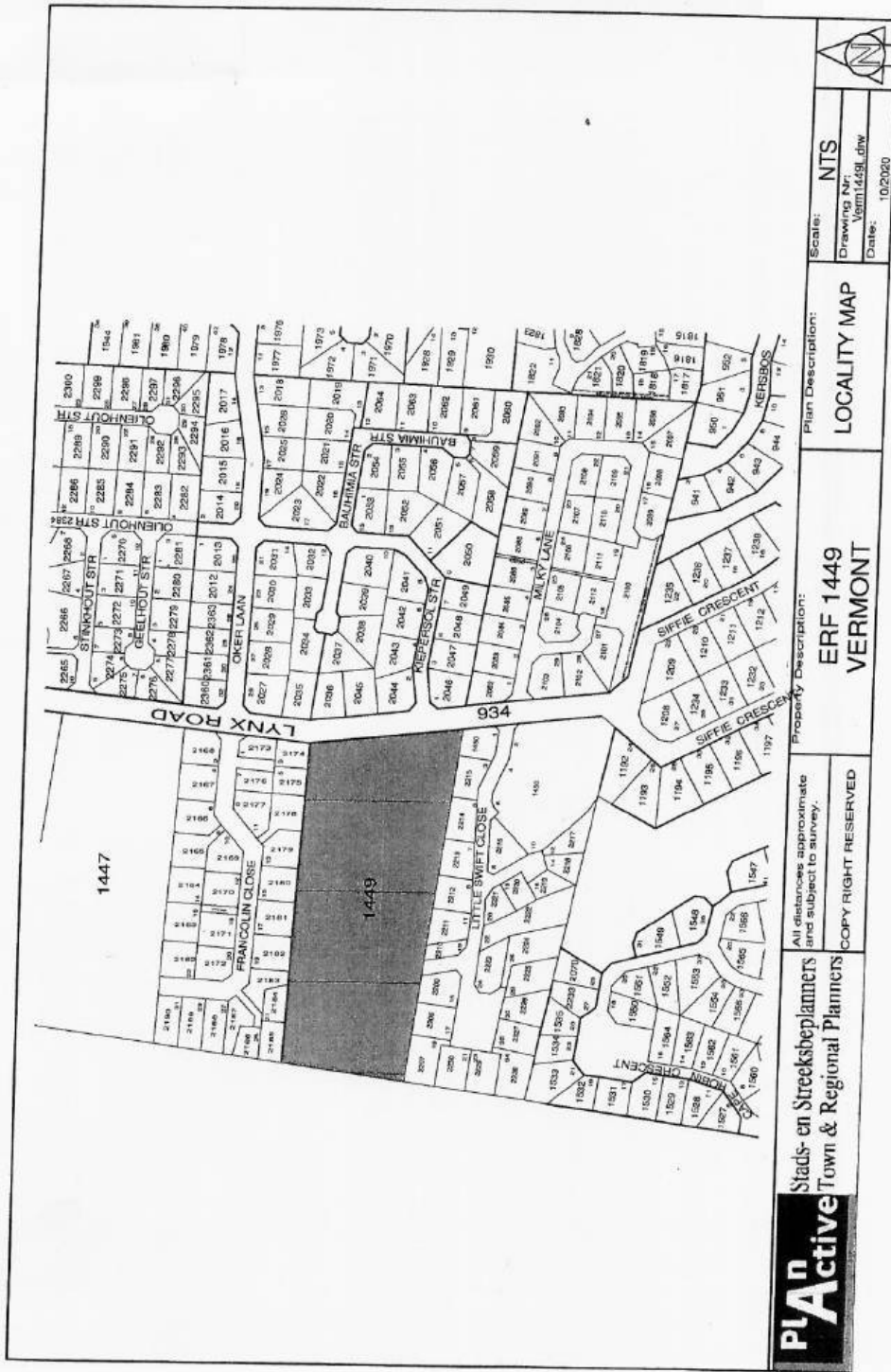
REASONS FOR RESOLUTION

- ❖ The proposal for a development with a mix of Residential Zone I and General Residential Zone I erven is in line with the Overstrand Municipality Spatial Growth Management Strategy, 2010 (Guideline document) and Overstrand Municipal Wide SDF, 2020.
- ❖ All relevant municipal departments and external departments/institutions support the application.
- ❖ The necessary environmental approval was obtained from the Western Cape Government: Environmental Affairs and Development Planning, and there are no environmental concerns.
- ❖ Concerns/objections raised about the possible impact on the character of the area and property values are unfounded as this proposed development

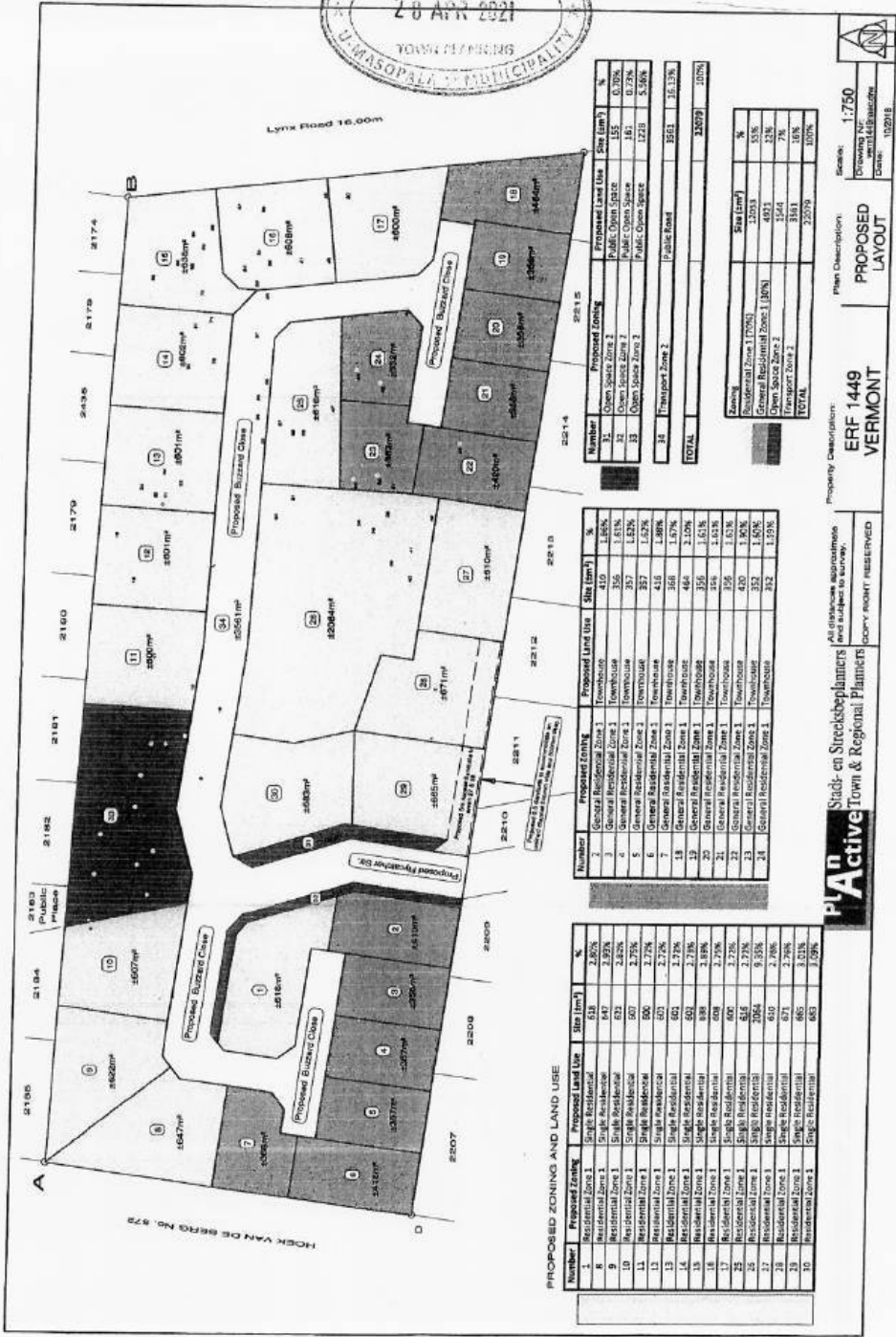
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will be in line with the character of surrounding developments, which most also have a mixture of Group Housing and Single Residential erven.

- ❖ Concerns/objections raised about the impact of additional traffic in Little Swift Close does not prove the development to be undesirable, as the road was planned in such a manner that it would provide access to future development in the north. Hence the reason the road stopped dead on the border with Erf 1449. The Operational and Engineering Services Departments support the application.
- ❖ The application will have no Heritage impact.
- ❖ The application is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable as it will not lead to urban sprawl or developed on agricultural land or environmentally sensitive areas. In terms of efficiency, it will utilize existing road networks and services.
- ❖ In terms of the character of Vermont, developments consist of a mixture of Residential Zone I and General Residential Zone I erven, with Public Roads, to avoid creating a “gated complex” character. Challenges have been experienced regarding building line limitations in respect of, especially group housing erven in such developments, and for that reason the departure application for building line relaxations, is supported.
- ❖ The relaxations only relate to relaxation to the new “internal road” within the development, the internal lateral building lines next to internal Residential Zone I erven, and the external road (Lynx Road), and not any adjacent residential developments. There will be no real impact on the adjacent residential developments.



PIAⁿ Active Stads- en Streeksbeplanners Town & Regional Planners	Property Description: ERF 1449 VERMONT	Plan Description: LOCALITY MAP	Scale: NTS Drawing No: Verm1449L.dwg Date: 10/2020
	All distances approximate and subject to survey. COPYRIGHT RESERVED		



PROPOSED ZONING AND LAND USE

Number	Proposed Zoning	Proposed Land Use	Site (m ²)	%
1	Residential Zone 1	Single Residential	618	2.82%
2	Residential Zone 1	Single Residential	647	2.97%
3	Residential Zone 1	Single Residential	623	2.82%
4	Residential Zone 1	Single Residential	507	2.29%
5	Residential Zone 1	Single Residential	500	2.27%
6	Residential Zone 1	Single Residential	601	2.72%
7	Residential Zone 1	Single Residential	601	2.72%
8	Residential Zone 1	Single Residential	609	2.76%
9	Residential Zone 1	Single Residential	609	2.76%
10	Residential Zone 1	Single Residential	616	2.79%
11	Residential Zone 1	Single Residential	1064	4.83%
12	Residential Zone 1	Single Residential	610	2.76%
13	Residential Zone 1	Single Residential	671	3.04%
14	Residential Zone 1	Single Residential	685	3.11%
15	Residential Zone 1	Single Residential	683	3.09%

Number	Proposed Zoning	Proposed Land Use	Site (m ²)	%
1	General Residential Zone 1	Townhouse	410	1.86%
2	General Residential Zone 1	Townhouse	325	1.51%
3	General Residential Zone 1	Townhouse	357	1.63%
4	General Residential Zone 1	Townhouse	415	1.89%
5	General Residential Zone 1	Townhouse	366	1.67%
6	General Residential Zone 1	Townhouse	444	2.02%
7	General Residential Zone 1	Townhouse	356	1.61%
8	General Residential Zone 1	Townhouse	356	1.61%
9	General Residential Zone 1	Townhouse	356	1.61%
10	General Residential Zone 1	Townhouse	430	1.96%
11	General Residential Zone 1	Townhouse	353	1.60%
12	General Residential Zone 1	Townhouse	352	1.59%

Number	Proposed Zoning	Proposed Land Use	Site (m ²)	%
15	Open Space Zone 1	Public Open Space	182	0.83%
16	Open Space Zone 1	Public Open Space	182	0.83%
17	Open Space Zone 1	Public Open Space	1221	5.56%
18	Transport Zone 2	Public Road	3551	16.13%
TOTAL			22079	100%

Zoning	Site (m ²)	%
Residential Zone 1 (70%)	15413	69.8%
General Residential Zone 1 (10%)	440	2%
Open Space Zone 1 (10%)	3544	16%
Transport Zone 2	3541	16%
TOTAL	22079	100%

PLAN
Active Town & Regional Plan
Study on Streetscape
VERMONT
ERF 1449
PROPOSED LAYOUT
 Scale: 1:750
 Date: 10/2018

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION, DEPARTURES, RIGHT OF WAY
SERVITUDES, PHASING OF A DEVELOPMENT AND THE ALLOCATION OF
STREET NAMES & NUMBERS: ERF 1449, VERMONT**

Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	Eskom supply area
Water	:	According to GLS Report / SLA
Sewer	:	According to GLS Report / SLA
Roads and traffic	:	Refer to Conditions

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 26.4 =	R 657 756.00
Sewerage	R 16 799.12 x 26.4 =	R 443 496.77
Stormwater	R 8 691.28 x 3.280666=	R 28 513.19
Solid Waste	R 1 505.92 x 29 =	R 43 671.68
Road	R 7 532.72 x 29 =	<u>R 218 448.88</u>
TOTAL (inclusive of VAT)	=	<u>R1 391 886.52</u>

Note:

- 1.1 The above figures are estimates

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

- 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SANS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the CESA and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period,

as described in the General Condition of Contract for works of Civil Engineering Construction – 2010, of 12 months, and

13. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
14. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
15. that the above stormwater management plan include the following:
 - 15.1. pre-development run-off from the catchment area;
 - 15.2. post-development run-off from catchment area;
 - 15.3. existing stormwater reticulation system and the capacity thereof;
 - 15.4. connection of internal stormwater reticulation system; overland escape routes;
16. that the connection to the stormwater reticulation system be provided according to the stormwater management plan, by the developer and approved by Overstrand Municipality;
17. that the water reticulation system of the development be connected to the existing 100mm diameter water pipe in Little Swift Close as by messers GLS report;
18. that the sewer reticulation system of the development be connected to the existing municipal systems by link services items 1, 2 & OHS11.13 as by messers GLS report;
19. that no off-street parking will be allowed;
20. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.


DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

25/03/2022
DATE