

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

Cllr E Gillion

Committee Members :

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

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

Rdl E Gillion

Komiteelede :

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

INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE
INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE

23 March 2021

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**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

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

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

16 February 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 23 January 2021 – 16 February 2021.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priority

Promotion of tourism, economic and social development

4. Delegated Authority

Executive Mayor

5. Legal Requirements

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

6. Background/Discussion/Evaluation/Conclusion

Background

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

7. Financial Implications

None

8. Staff Implications

None

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

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

RECOMMENDATION:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 23 January 2021 – 16 February 2021:

1.	Erf 3810, 20 Main Road, Gansbaai	19 January 2021
2.	Erf 4160, 84 Third Avenue, Kleinmond	25 January 2021
3.	Erf 369, 30 Peak Road, Pringle Bay	25 January 2021
4.	Erf 736, 11 Aberdeen Street, Northcliff, Hermanus	25 January 2021
5.	Erf 4239, 42 Adenandea Road, Betty's Bay	25 January 2021
6.	Erf 2216, 8 Little Swift Close, Vermont	25 January 2021
7.	Erf 5156, Old Main Road, Onrustrivier	25 January 2021
8.	Erf 435, 67 Flying Dutchman Way, Fisherhaven	25 January 2021
9.	Portion Remainder Erf 243 – Site C, Swartdam Road, Zwelihle	9 February 2021
10.	Remainder of Farm 562, Division Caledon	10 February 2021
11.	Erf 1169, 243 Main Road, Eastcliff, Hermanus	10 February 2021
12.	Erf 233, 7 Kus Road, Gansbaai	10 February 2021
13.	Erf 287, 99 Park Street, Gansbaai	10 February 2021
14.	Erf 2580, 3 Clyde Street, Perlemoenbaai, Gansbaai	10 February 2021
15.	Erf 1879, 72 Schneider Street, Franskraal	10 February 2021
16.	Erf 744, 9 Lincoln Street, Franskraal	10 February 2021

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 28 January 2021:

1.	Erf 787, 15 Cove Street, De Kelders	28 January 2021
2.	Erf 708, 9 Front Street, De Kelders	28 January 2021
3.	Erf 13, 22 Hoop Street, Gansbaai	28 January 2021
4.	Erf 852, 23 Angelier Street, Gansbaai	28 January 2021
5.	Erf 418, 30 Flower Street, Westcliff, Hermanus	28 January 2021

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

RESPONSIBLE OFFICIAL :	R VAN ANTWERP
TARGET DATE FOR IMPLEMENTATION :	14 APRIL 2021
TARGET DATE TO INFORM APPLICANT :	N/A
TARGET DATE TO INFORM OBJECTOR :	N/A

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

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

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

16 February 2021

(028) 313 8900

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
23 MARCH 2021, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

14 APRIL 2021

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

Spatial Land Use Management Act (SPLUMA) Approvals

**1. ERF 3810, 20 MAIN ROAD, GANSBAAI, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR DEPARTURE: HA VAN ZYL ON BEHALF OF
NEDERDUITSE GEREFORMEERDE KERK GANSBAAI**

3810 GGB

SW van der Merwe

(028) 313 8900

Hermanus Administration

8 December 2020

Executive Summary

An application was received on 16 March 2020 from HA van Zyl on behalf of the Nederduitse Gereformeerde Kerk Gansbaai applicable to Erf 3810, Gansbaai for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2015 to encroach the southern lateral building line from 5m to 1,98m to accommodate a proposed canopy.

RESOLVED :

1. that in terms of Section 16(2)(b) of the By-Law, the application for departure to relax the southern lateral building line from 5m to 1,98m to accommodate a proposed canopy, **be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
 - (a) that the approvals are for the development as indicated on Drawing No. *02/NG/18 dated 20 September 2018* submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that all the conditions in the Services Report and Telkom, be complied with;
 - (d) that the approvals do 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, 2015 with regards to the approval in paragraph 2 above.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

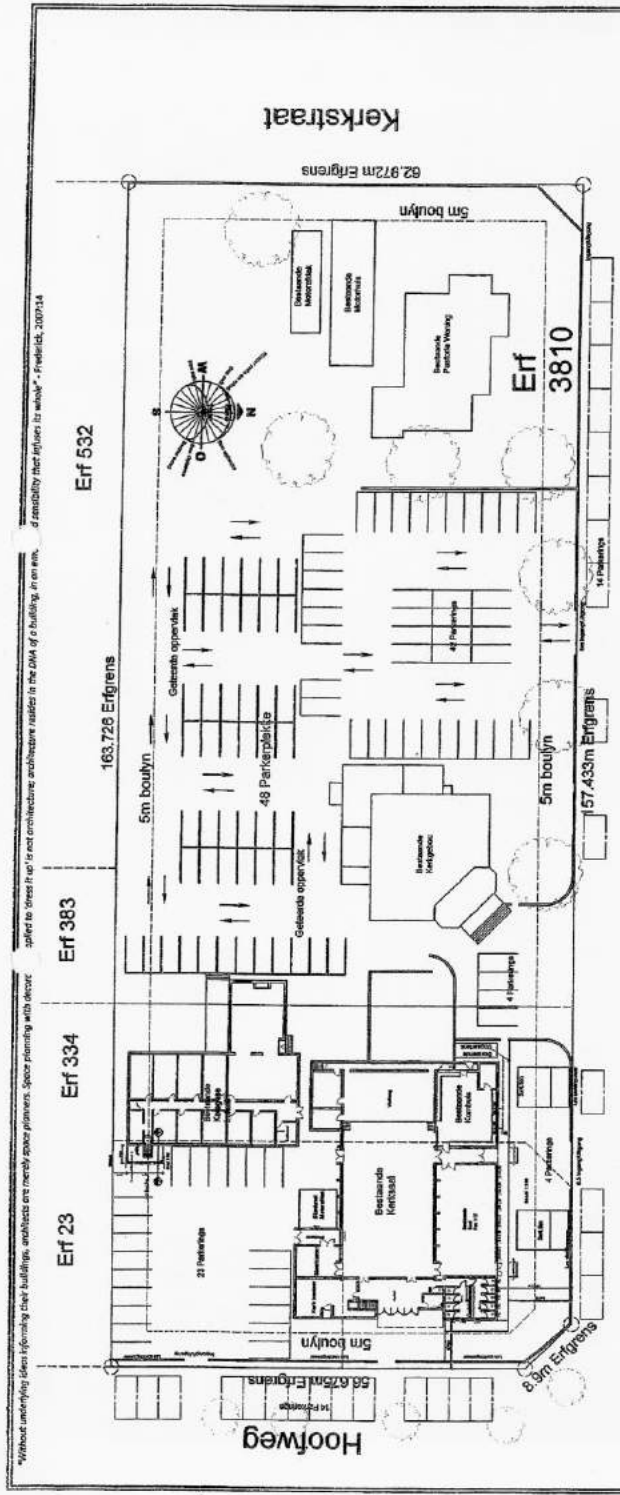
REASONS FOR RECOMMENDATION

- ❖ The proposal is in line with the character of the area.
- ❖ The proposal will not adversely impact vested rights of adjoining 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.



Erf 3810 Gansbaai

Date: 2



Gerieks Argimkrooniese Dienste
 Johan Gerieks
 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.

1 **Terreinplan**
 Skaal 1 : 500

Stadsbeplanning :
 Partering : Voldoenda
 Corsky en Atywk : 5m Syboullyn
 corsky met 3.02m.
Bullagaalou :
 Dakloug : Voldoenda
 Zide Woning :
 Grondgebouk : Gemeenskapsone
 Hoogte : Voldoende

- Figure 2: Zanyer/Plot :**
 1. Land use planning
 2. Land use planning
 3. Land use planning on rock
 4. Land use planning on rock
 5. Land use planning on rock
 6. Land use planning on rock
 7. Land use planning on rock
 8. Land use planning on rock
 9. Land use planning on rock
 10. Land use planning on rock
 11. Land use planning on rock

Diopendelias :

Prastore Woning :	+277m ²
Moborfuul en otdak :	+178m ²
Kerkgebou :	+403m ²
Labala :	+279m ²
Best Stal :	+802m ²
Alakal 1 Aenboul :	12,54m ²
Total :	2145,54m ²
Erf :	10288m ²
Dakloug :	20,35%

This need to be approved off from public entrance and 'vo Ertreus' sign to be display. Contractor to supply health & safety file as well. Best Practice to appoint Health & Safety Officer.

Hierdie Bouplan is ooretrek volgens die standaard vir bourekeninge : SARRS N14.3

Without underlying files informing their buildings, architects are merely space planners. Space planning with decor...
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**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 3810, GANSBAAI**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
2. that only the existing, standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 3810, Gansbaai, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

2. ERF 4160, 84 THIRD AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: E BASSON

4160 KKM (3599/2020)

**H van der Stoep
6 November 2020**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 12 February 2020 from E Basson for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 4160, Kleinmond to relax the rear building line from 2m to 1,57m and the lateral building line from 2m to 1,57m to accommodate the usage change of the existing double garage into a proposed second dwelling unit.

RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 for a departure on Erf 4160, Kleinmond in order to relax the rear building line from 2m to 1,57m and the lateral building line from 2m to 1,57m to accommodate the usage change of the existing double garage into a proposed second dwelling unit, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the development as indicated on the plan numbers 2019-011 (004 and 005) dated 9 February 2020, as submitted with the application,
 - (b) that no further transgression over the building lines will be allowed, except that is sanctioned by the Overstrand Zoning Scheme;
 - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (f) that all the conditions in the Services Report, be complied with.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

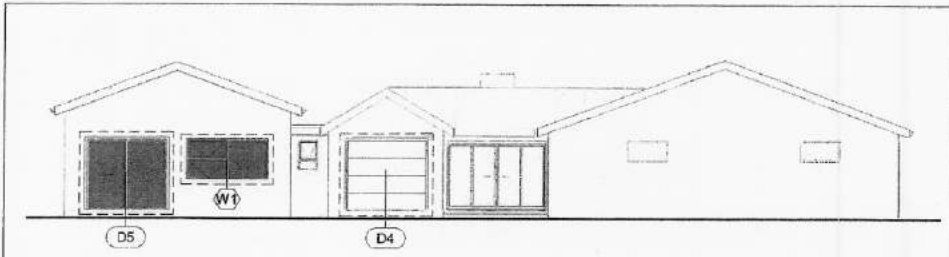
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

REASONS FOR RECOMMENDATION

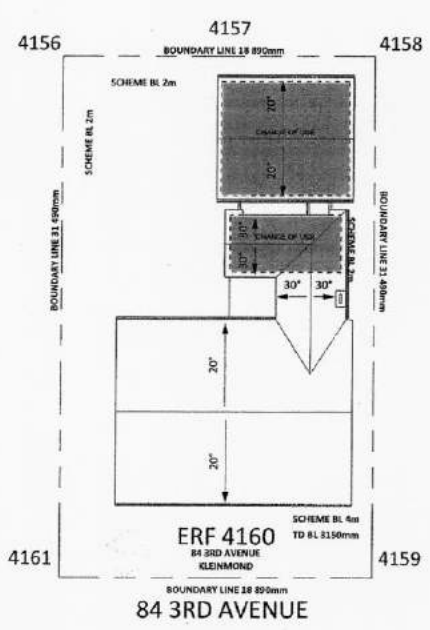
- ❖ The garage is situated on the previous 1,5m lateral building line and the structure is in existence.
- ❖ The conversion will not impede on any neighbours – no objections have been received in this regard.
- ❖ It is in line with the majority of buildings in the residential areas of Kleinmond.



FRSTRAND MUNICIPALITY
 Locality Map
 Erf 4160 Kleinmond
 Date: 2020/01



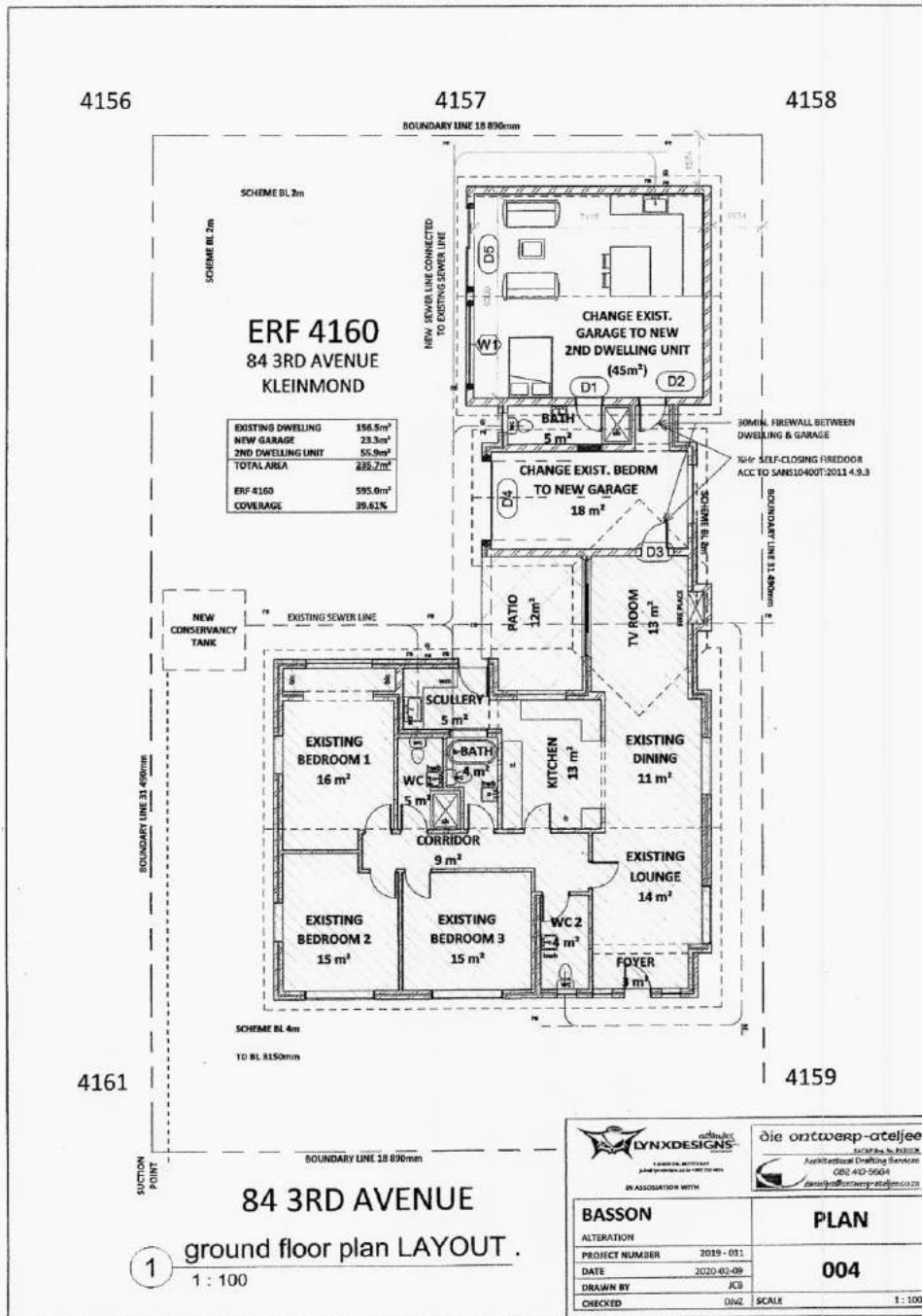
1 west ELEVATION.
1 : 100



2 site & roof PLAN LAYOUT.
1 : 200

			
BASSON ALTERATION		SITE & ELEV.	
PROJECT NUMBER 2019 - 011		005	
DATE 2020-02-09		SCALE As indicated	
DRAWN BY JCB		CHECKED DNZ	

BASSON 005/2020



SPRINT 60/20/2020

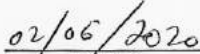
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 4160, KLEINMOND (3599/2019)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that stormwater be allowed to discharge through Erf 4160, Kleinmond, unobstructed;
4. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

3. ERF 369, 30 PEAK ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MADWANA TRADING 2 (PTY) LTD

369 KPRB

H van der Stoep

(028) 313 8900

Hermanus Administration

23 November 2020

Executive Summary

An application has been received on 5 November 2020 from Madwana Trading 2 (Pty) Ltd for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 369, Pringle Bay to exceed the boundary wall height restriction from 2,1m to 2,4m to accommodate the legislative requirement of a fire wall.

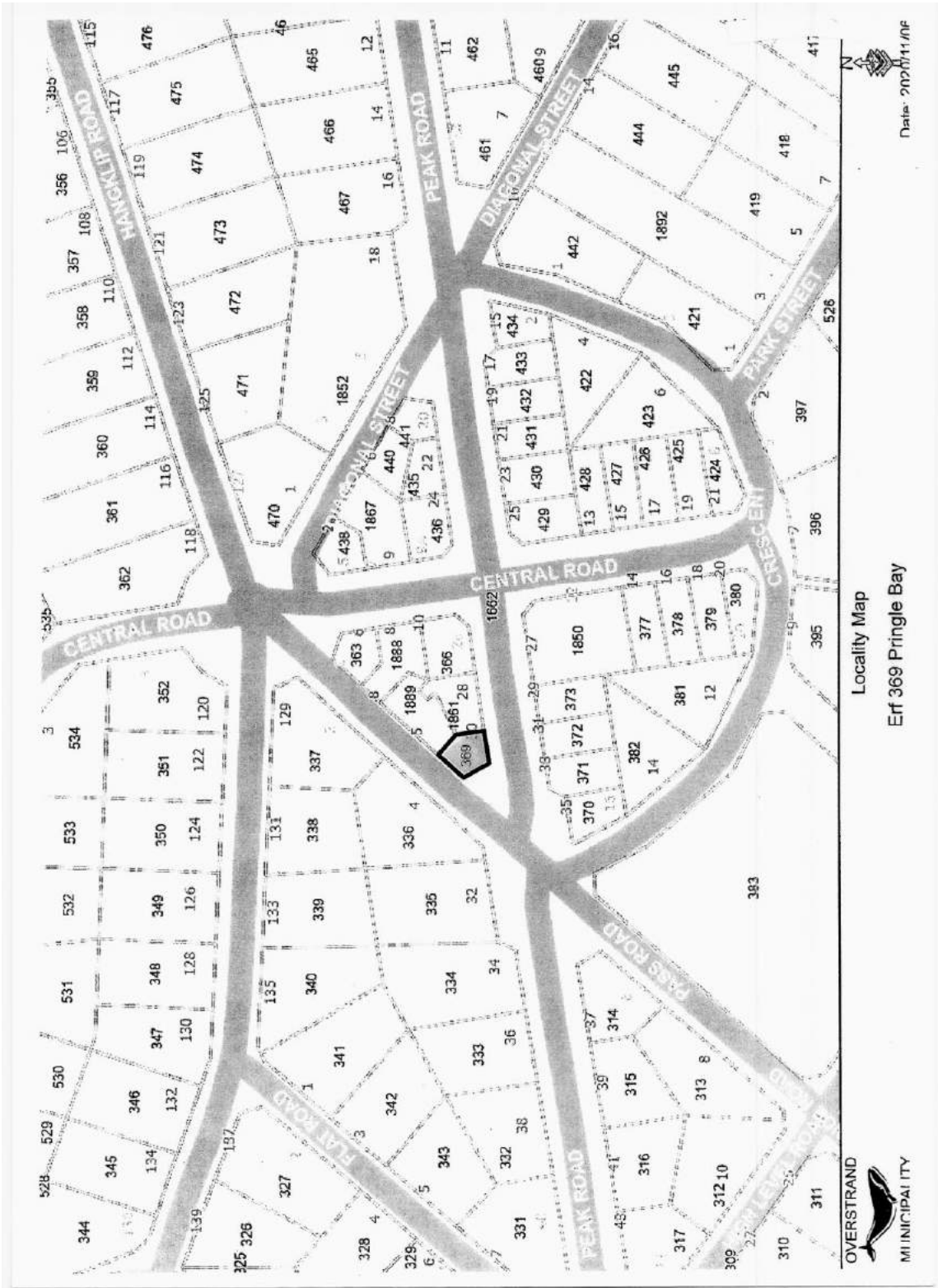
RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) for a departure on Erf 369, Pringle Bay to exceed the boundary wall height restriction from 2,1m to 2,4m to adhere to the requirement of SANS 10087, **be approved** in terms of the provisions of Section of the By-Law, subject to the following conditions:
 - (a) that a building plan be submitted to reflect the approval;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (d) 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, 2015 with regard to the above decision.

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REASONS FOR RECOMMENDATION

- ❖ The impact will be minimal.
- ❖ The integrity of the site may be in question if non compliant with SANS 10087.



Locality Map
Erf 369 Pringle Bay



**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

**4. ERF 736, 11 ABERDEEN STREET, NORTHCLIFF, OVERSTRAND
MUNICIPAL AREA: PROPOSED REZONING AND DEPARTURE : MESSRS
WRAP PROJECT OFFICE ON BEHALF OF PENHEY (EDMS) BPK**

736 HNC (3768)

H van der Stoep

15 January 2021

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 5 June 2020 from Messrs WRAP Project Office on behalf of Penhey (Edms) Bpk on Erf 736 Hermanus for the following:

- ❖ Rezoning in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) to rezone Erf 736, Hermanus from General Residential Zone 1: Town Housing (GR1) to Business Zone 3: Local Business (B3)
- ❖ Consent Use in terms of Section 16(2)(o) of the By-Law to accommodate an existing flat
- ❖ Departure in terms of Section 16(2)(b) of the By-Law in order to depart the north- western lateral building line from 3m to 1,2m to accommodate the offices, and
- ❖ Departure in terms of Section 16(2)(b) of the By-Law in order to depart the north- eastern lateral building line from 3m to 1,2m to accommodate the offices and flat.

RESOLVED :

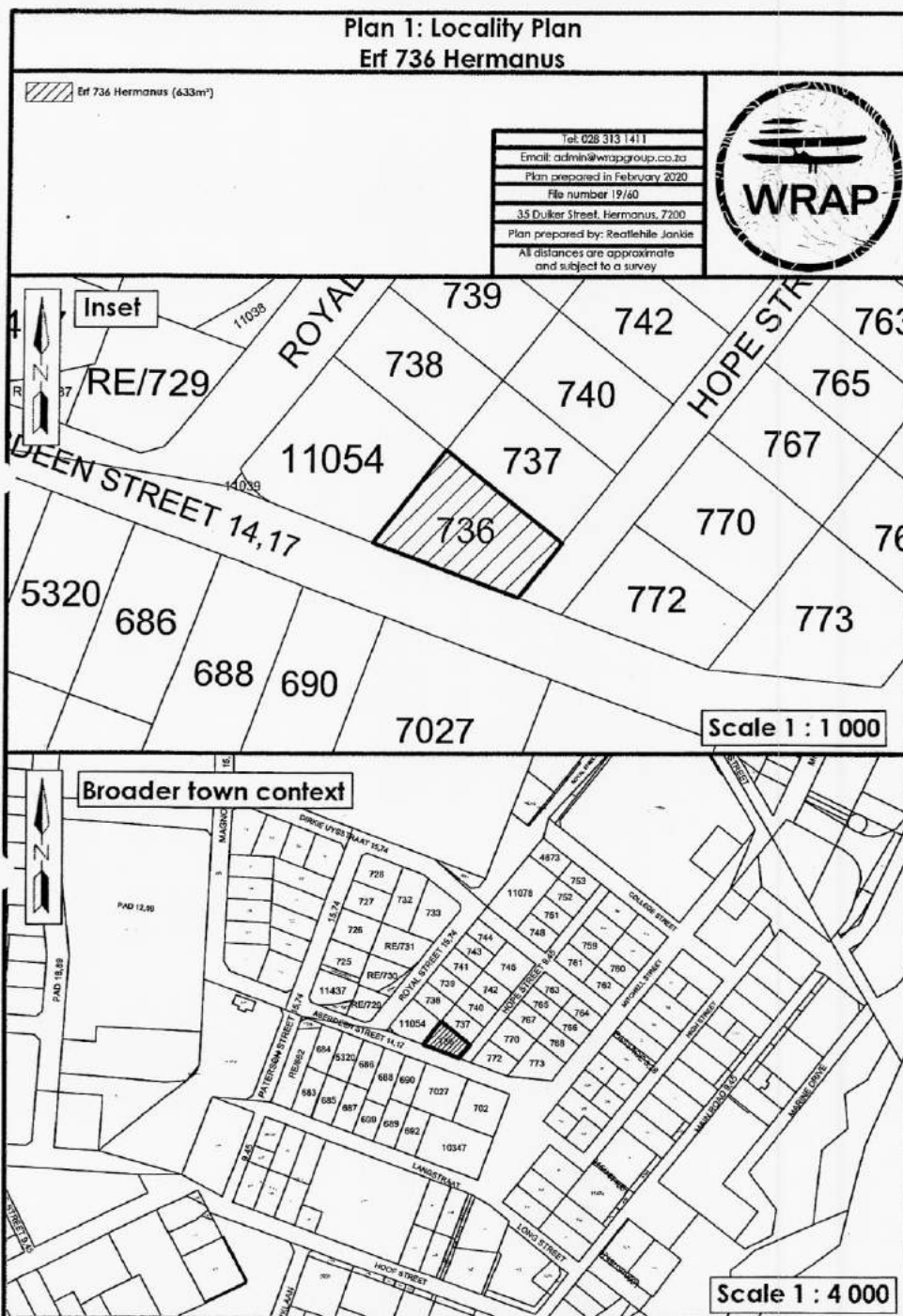
1. that the application in terms of Section 16(2)(a), (b) and (o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) to rezone Erf 736, Hermanus from General Residential Zone 1: Town Housing (GR1) to Business Zone 3: Local Business (B3), Consent Use for a flat on ground floor and departure of building lines from 3m to 1,2m on the north-western and north-eastern building lines, **be approved** in terms of the provisions of Section 61, subject to the following conditions:
 - (a) 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 as per plan no 19/60 submitted with the application;

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- (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that the registered property enter into a discussion with the Engineering Services and Town Planning Department pertaining the parking lay-out to the satisfaction of the aforementioned departments, and
 - (e) that all the conditions in the Services Report, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above decision.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ None of the municipal services will be needed.
- ❖ It is in line with policy documents.
- ❖ Will enhance the mixed development proposed in the policy documents.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, CONSENT USE & DEPARTURE: ERF 736
NORTHCLIFF**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 23 957.00 x -0.4440=	-R10 636.91
Sewerage	R 16 153.00 x -0.443999=	-R 7 171.92
Roads	R 7 243.00 x 2.920512=	R 21 153.27
Stormwater	R 8 357.00 x 0.8440=	R 7 053.31
Solid Waste	R 1 448.00 x 0.5825=	<u>R 843.46</u>
TOTAL (inclusive of VAT)	=	<u>R 11 241.21</u>

Note:

- 1.3 **The above figures are estimates**
1.4 **The above figures do not include 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 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;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that stormwater be allowed to discharge through Erf 736, Northcliff, unobstructed;
7. that any additional and / or extended vehicle entrances will be for the owner's account;
8. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

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5. ERF 4239, 42 ADENANDEA ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE AND RELAXATION OF TITLE DEED RESTRICTION: S DORFLING

4239 KBB (3600/2020)

H van der Stoep

(028) 313 8900

Hermanus Administration

9 November 2020

Executive Summary

An application has been received on 12 February 2020 from S Dorfling on Erf 4239, Betty's Bay in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure from the maximum length of structures transgressing the building line from 9m to 12,68m to accommodate a tandem garage.

The application also entails the relaxation of restrictive title deed condition III. 7 of Title Deed No. T47470/2017 to relax the lateral building line from 3m to 2m to accommodate a proposed extension of an existing garage.

RESOLVED :

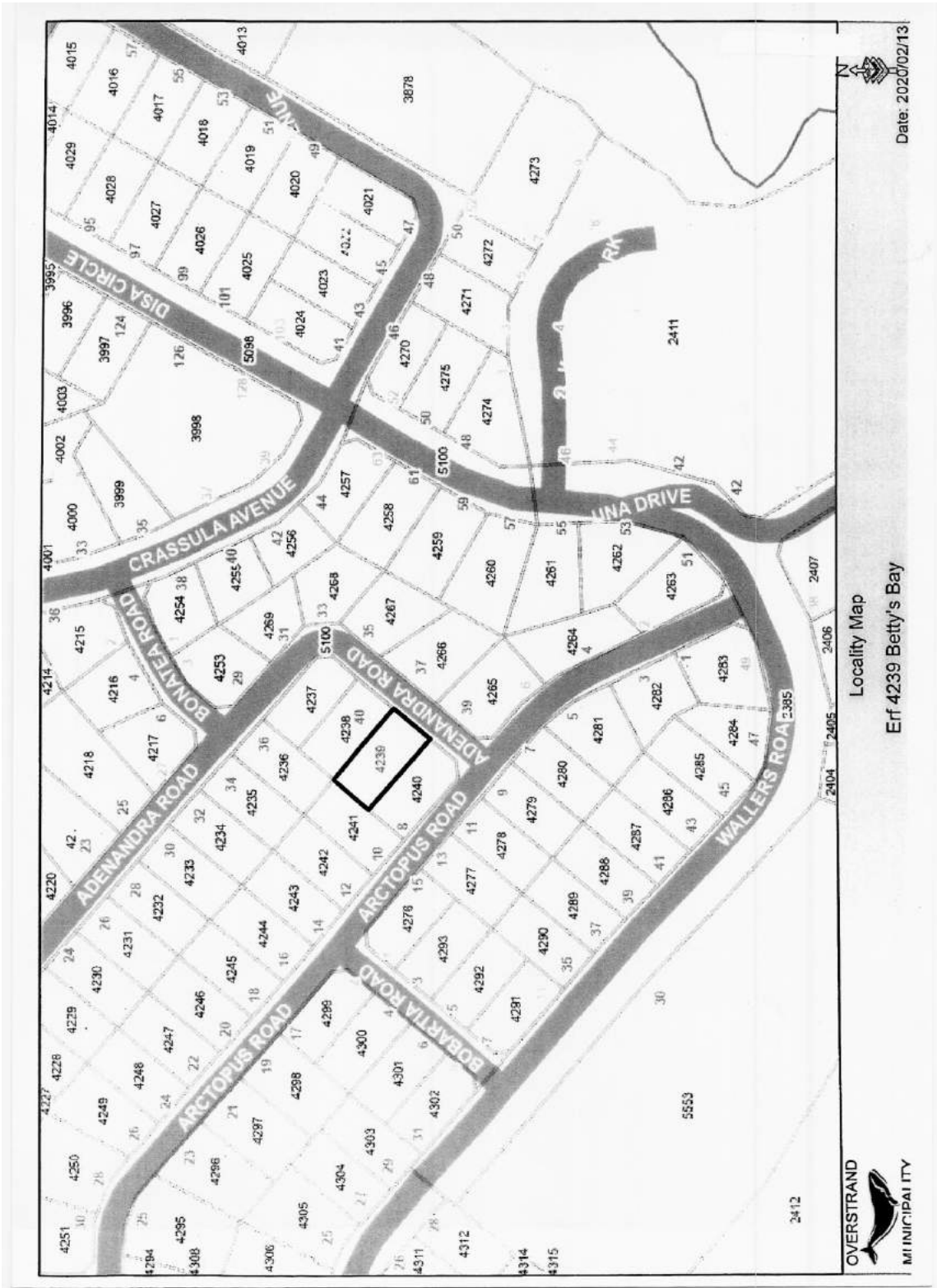
1. that the application in terms of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 for the relaxation of restrictive title deed condition III.(7) as contained in Title Deed No.T47470/2017 applicable to Erf 4239, Betty's Bay in order to relax the lateral building line from 3m to 2m to accommodate the extension of the single garage, **be approved** in terms of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 applicable to Erf 4239, Betty's Bay for a departure from the maximum length of structures transgressing the building line from 9m to 12,68m to accommodate a tandem garage, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the development as indicated on Plan numbers 2020-005 (005 and 006), dated 17 March 2020, as submitted with the application,
 - (b) that no further transgression over the building lines will be allowed, except that is sanctioned by the Overstrand Zoning Scheme;

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- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant be notified of its right of appeal (against Paragraph 2. above) in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ It will not impact on the rights of surrounding property owners or the character of the existing surrounding built environment.
- ❖ The building line encroachment is not regarded as being undesirable from a town planning point of view.
- ❖ The proposed renovations are supported by the adjacent owner, and consent was provided in this regard.



1 west ELEVATION A3
1 : 100



TOTAL SITE AREA	800m ²
EXISTING GFL	81m ²
EXISTING FFL	80m ²
EXISTING GARAGE	24m ²
GARAGE EXTENSION	25m ²
NEW GARAGE 2	55m ²
TOTAL AREA	265m²
COVERAGE	23.13%

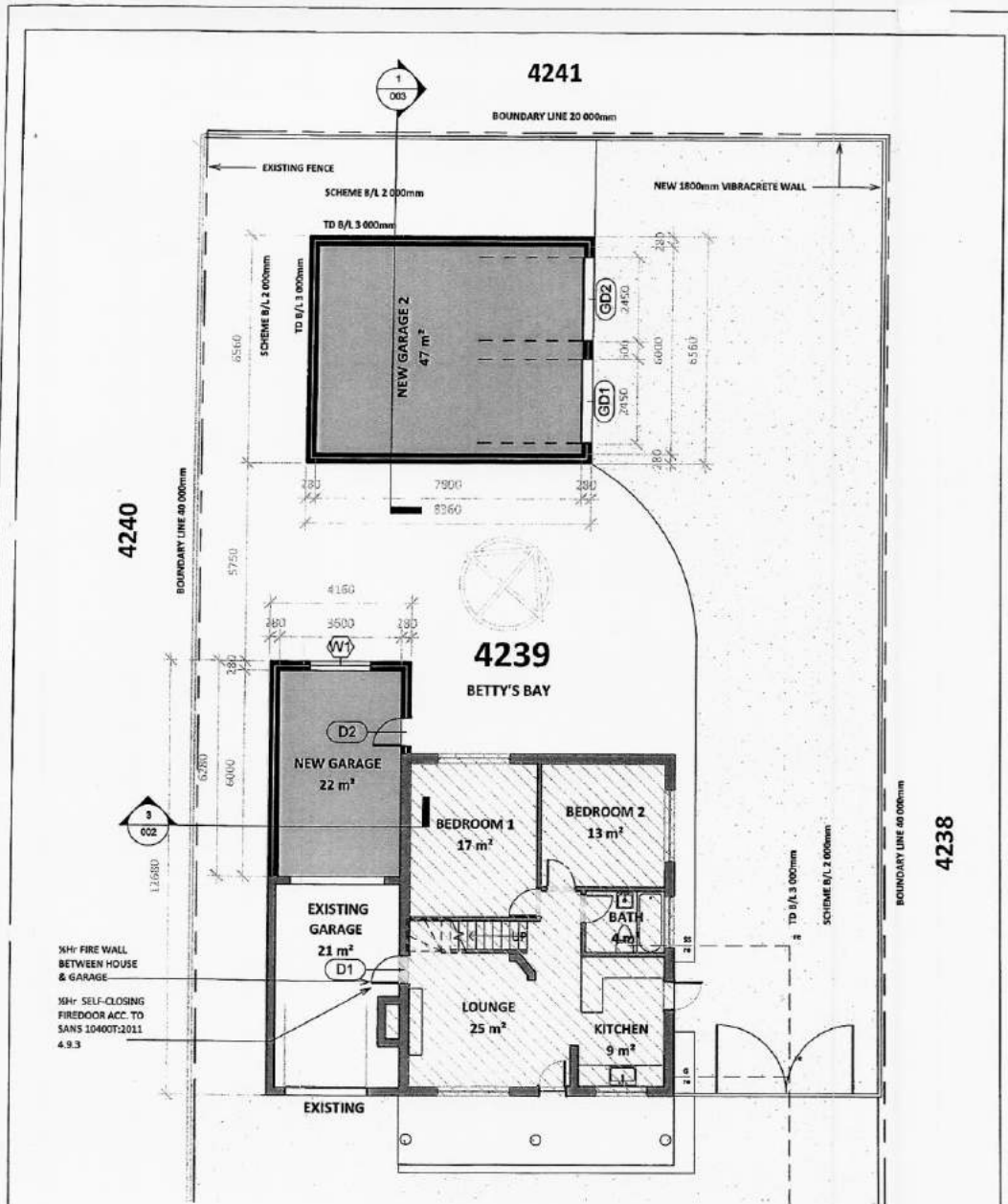
42 ADENANDRA ROAD

2 site LAYOUT
1 : 200



DORFLING	
ADDITIONS & ALTERATIONS	
PROJECT NUMBER	2020-005
DATE	2020-03-17
DRAWN BY	JCB
CHECKED	DJZ

SITE & ELEVATIONS
006
SCALE
As indicated



1/2 hr FIRE WALL BETWEEN HOUSE & GARAGE
 1/2 hr SELF-CLOSING FIRE DOOR ACC. TO SANS 10400T:2011 4.9.3

1 ground floor LAYOUT
 1 : 100

		die ontwerp-ateeljee Architectural Drafting Services 082 410-5554 dieontwerp-ateeljee@co.za	
IN ASSOCIATION WITH		DORFLING ADDITIONS & ALTERATIONS	
PROJECT NUMBER	2020-005	GROUND FLOOR PLAN 005	
DATE	2020-03-17		
DRAWN BY	JCB		
CHECKED	Divz	SCALE	1 : 100

CC-BY-NC-SA

**AGENDA of the
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(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

6. ERF 2216, 8 LITTLE SWIFT CLOSE, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: JF KRIEL

2216 HVM

H Olivier

(028) 313 8900

Hermanus Administration

22 December 2020

Executive Summary

An application was received on 20 July 2020 from JF Kriel on Erf 2216, Vermont in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure in order to exceed the maximum allowable boundary wall height from 2,1m to approximately 2,94m for security purposes.

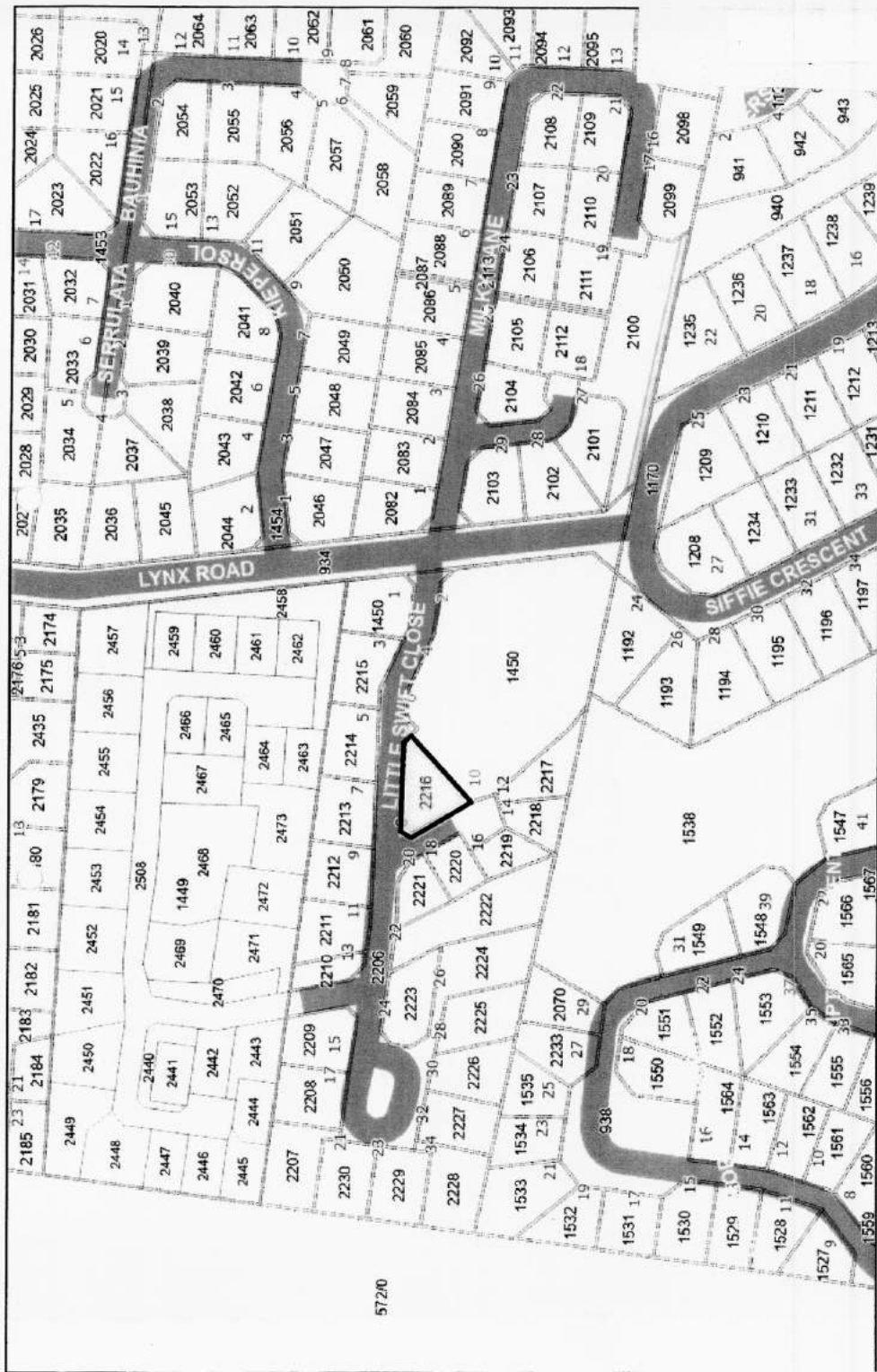
RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure on Erf 2216, Vermont in order to exceed the maximum allowable boundary wall height from 2,1m to approximately 2,94m for security purposes, **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 portion on the south-western boundary as indicated on the plans dated July 2020 – Sheets 1 – 4, submitted by the architect;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

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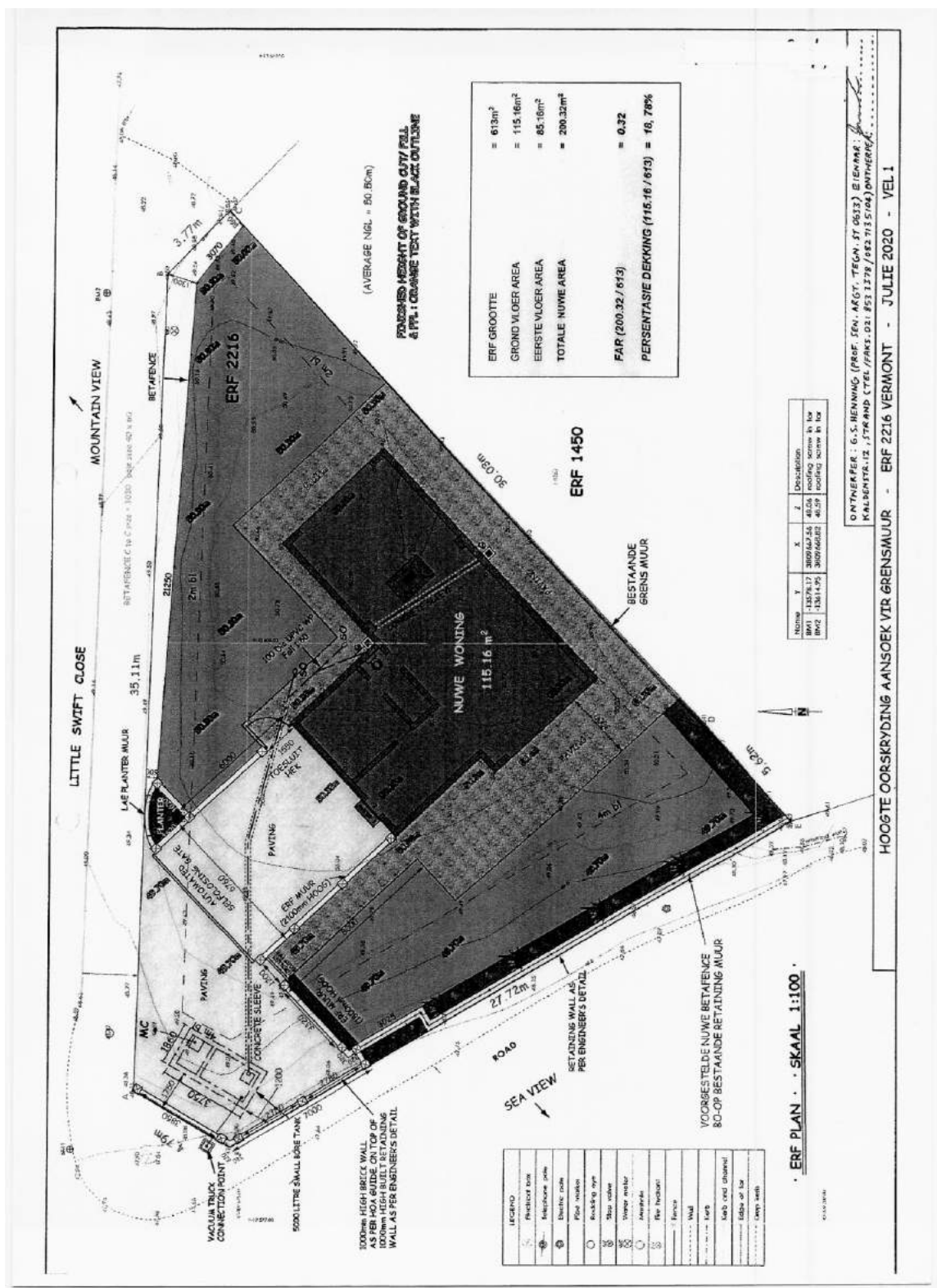
REASONS FOR RECOMMENDATION

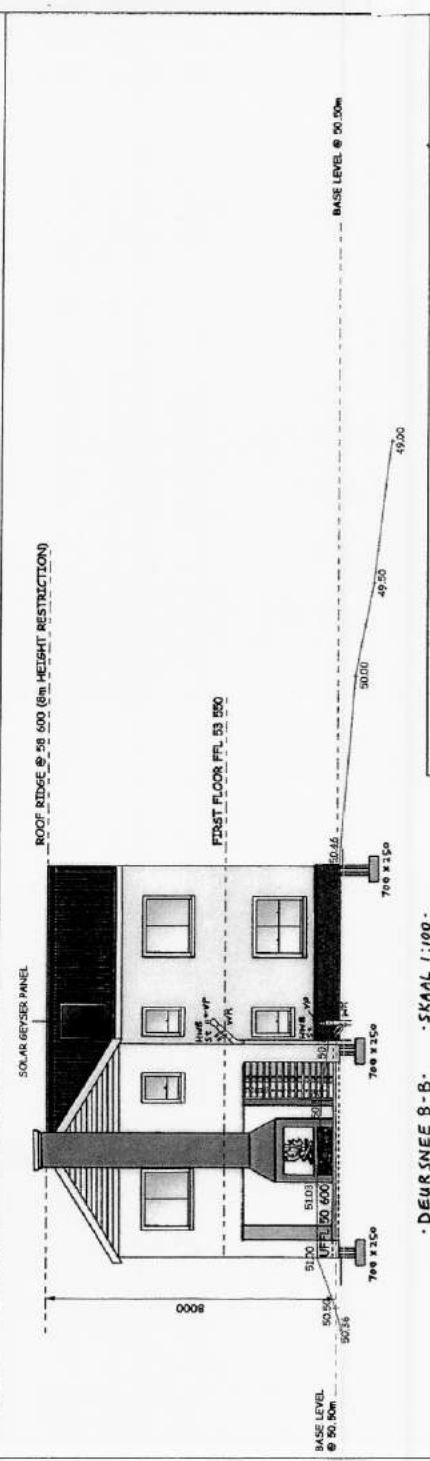
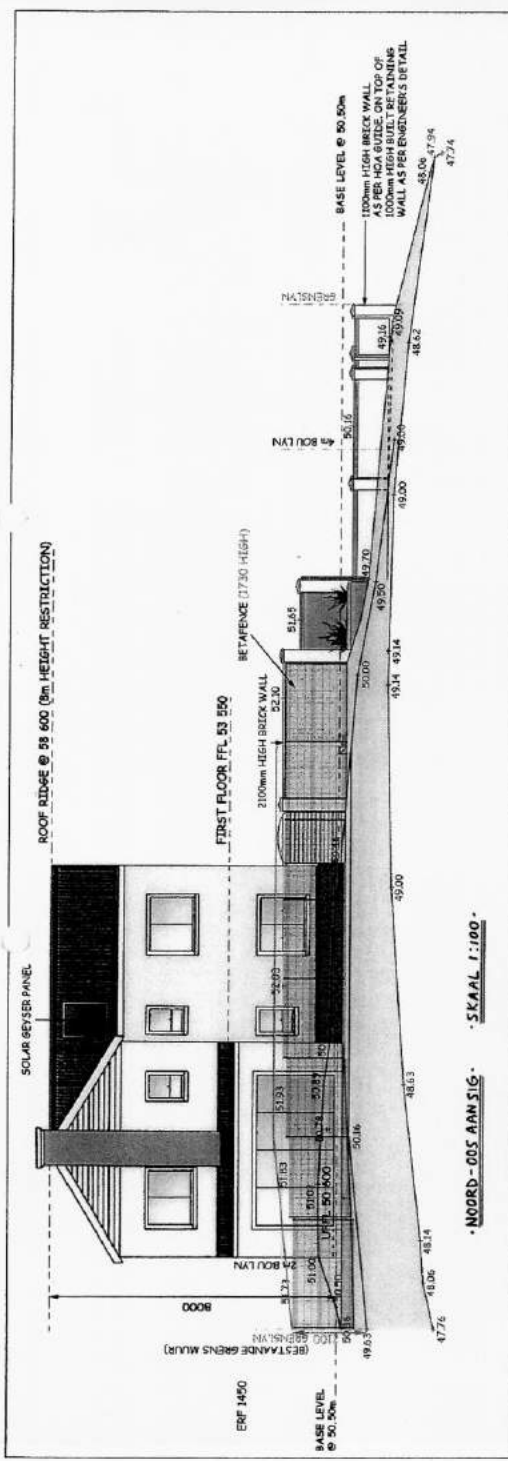
- ❖ The application has followed due process.
- ❖ The Homeowners' Association support the application.
- ❖ The fence is see-through and will have no impact on the street scape.
- ❖ No new municipal services will be required.
- ❖ The application is desirable.



Locality Map
Erf 2216 Vermont

Date: /





• NOORD-OOS AANSIG • SKAAL 1:100 •

• DEUR SNEE B-B • SKAAL 1:100 •

D'UITKERPER : G.S. HENNING (PROF. SEN. ARG. TEG. ST 0833) EIENAR:
 KALDENSTR. 12, STRAND (TEL/FAKS. 021 853 3378 / 082 713 5104) ONTWERPER

HOOGTE OORSKRYDING AANSOEK VTR GRENSMUUR - ERF 2216 VERMONT - JULIE 2020 - VEL 4

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
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(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

7. ERF 5156, OLD MAIN ROAD, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF IMBALI PROPS 49 (PTY) LTD

5156 HON (3597/2020)

H Olivier

(028) 313 8900

Hermanus Administration

9 December 2020

Executive Summary

An application was received on 11 February 2020 from Messrs InterActive Town & Regional Planning on behalf of Imbali Props 49 (Pty) Ltd in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 5156, Onrustrivier for a consent use in order to accommodate the existing additional dwelling unit on the property.

RESOLVED :

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 on Erf 5156, Onrustrivier for a consent use in order to accommodate the existing additional dwelling unit on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is for the additional dwelling only, as indicated on Plan numbers 1908 Rev 03 dated 27 May 2019, as submitted with the application;
 - (b) that the additional dwelling unit be single storey and the size be limited to a maximum of 250m² in size;
 - (c) that Heritage Western Cape must stamp the building plan prior to consideration by the Municipality;
 - (d) that building plans be submitted to the Building Department, and that all conditions set by the Building- and Fire Departments at that stage, be complied with;
 - (e) that all the conditions in the Services Report, be complied with, and
 - (f) that all conditions imposed by Telkom, be complied with.

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2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ 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.
- ❖ The application will not have a negative effect on the character of the area.
- ❖ This is an existing situation, with only some minor additions to the additional dwelling.
- ❖ This is a Heritage building that will be upgraded and saved.





NOTES:

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FOR SUBMISSION (06/01)

PROJECT - SINGLE PHASE
 CIVIL ENGINEERING (1:250)
 ARCHITECTURAL ALTERNATIVE
 CHINESE-INDIAN PROPOSAL (FTY) LTD

ZONING - AGRICULTURE 1 (AG1)

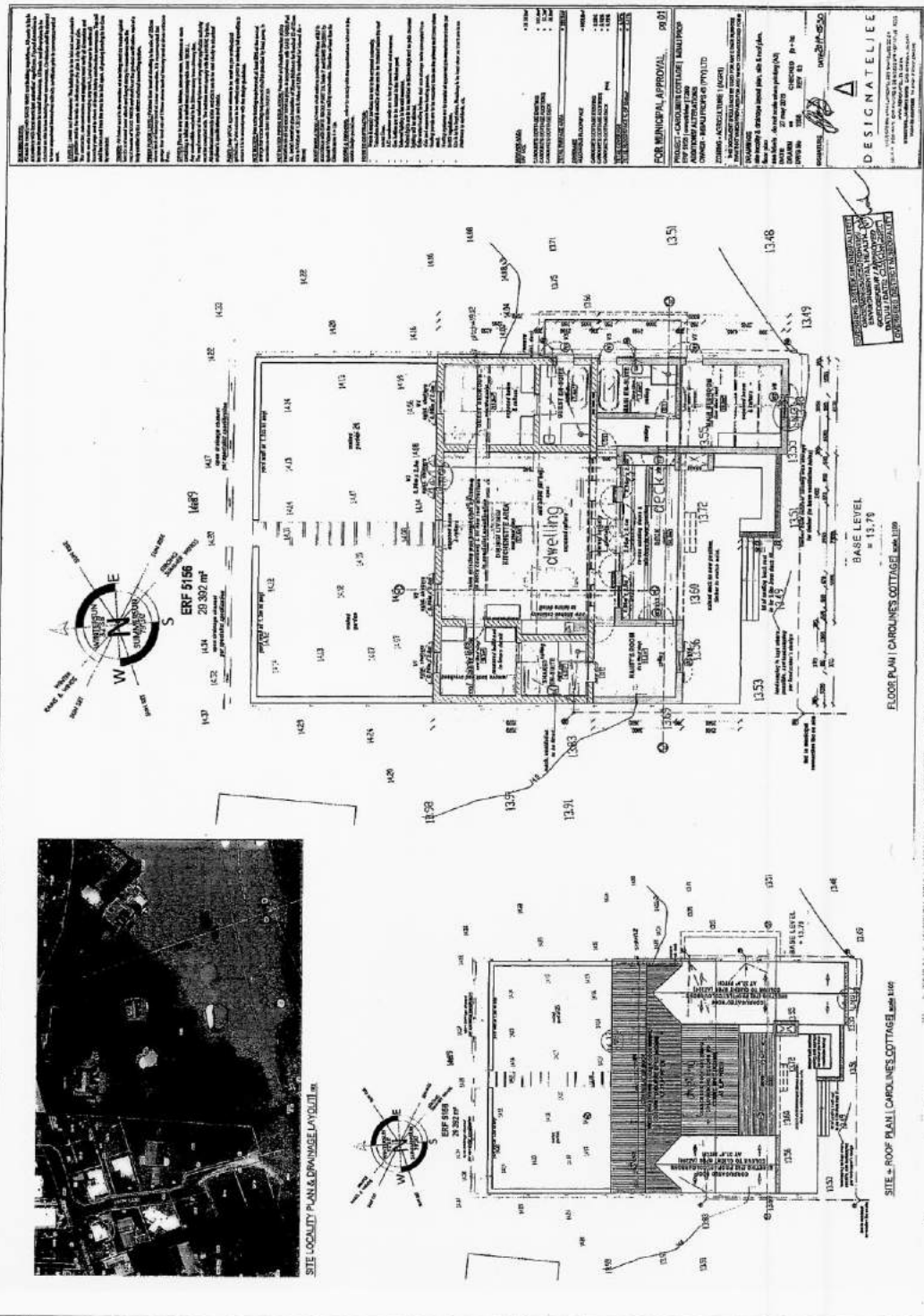
THESE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PURPOSES
 WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT

DRAWINGS
 Site Development Plan, roof plan & locality plan
 DATE: 02 June 2019
 DRAWN BY: [Name] CHECKED BY: [Name]
 DWG No: 1001 REV 01

SIGNATURE: DATE:

DESIGNATELIEE

SITE DEVELOPMENT PLAN | scale 1:250



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: ERF 5156, ONRUS RIVER**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of *SANS 10400 – P:2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 5156, Onrus River, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

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8. **ERF 435, 67 FLYING DUTCHMAN WAY, FISHERHAVEN, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF JD KIRBY**

435 HFH

H Olivier

(028) 313 8900

Hermanus Administration

15 December 2020

Executive Summary

An application was received on 25 March 2020 from Messrs Interactive Town and Regional Planning on behalf of JD Kirby in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 435, Fisherhaven for the removal of restrictive title conditions with reference Title Deed T24031/2018, Clause D.4.(b) in order to enable the construction of a second dwelling.

Restrictive title condition D.4.(b) reads as follows:

“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;”

RESOLVED :

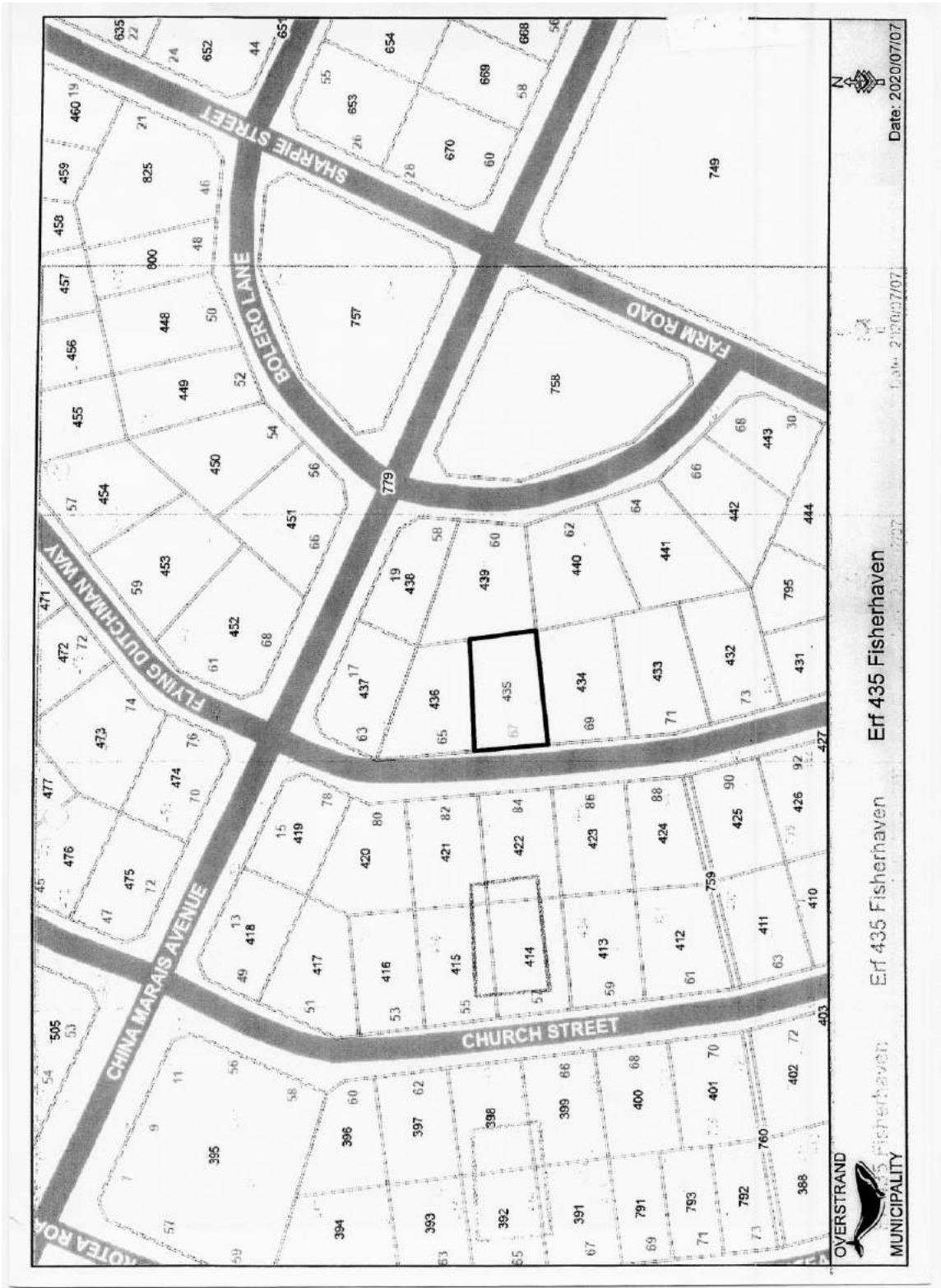
1. that the application for removal of restrictive title conditions in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) with reference Title Deed T24031/2018, Clause D.4.(b) applicable to Erf 435, Fisherhaven in order to enable the construction of a second dwelling on the erf, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the removal of restriction and is not an approval in terms of any other legislation;

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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, be complied with;
 - (f) that the conditions imposed by Telkom, be complied with, and
 - (g) that the conditions imposed by Eskom, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ 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 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.
- ❖ No negative impact on the character of the area.
- ❖ No objections were received from neighbours; therefore, the impact on neighbours' privacy and rights will be minimal.
- ❖ The application is desirable.



Erf 435 Fisherhaven

OVERSTRAND MUNICIPALITY

Date: 2020/07/07

TOWN PLANNING APPLICATION
 on Erf No.435 Fisherhaven
 No 67 FLYING DUTCHMAN AVENUE
 For Julie Kirby

Floor Areas :
 Main Dwelling : 252 m²
 2nd Dwelling : 100 m²
 Total : 352 m²
 Erf Area : 1,472 m²
 Coverage : 24 %

General Specifications

ALL WORK TO COMPLY WITH NBR

LINK Architects
 55
 P.O. Box 343
 Drummerivier
 7501 088 85 8997
 Cell 082 411 3997
 email: standlinkarchitects.co.za

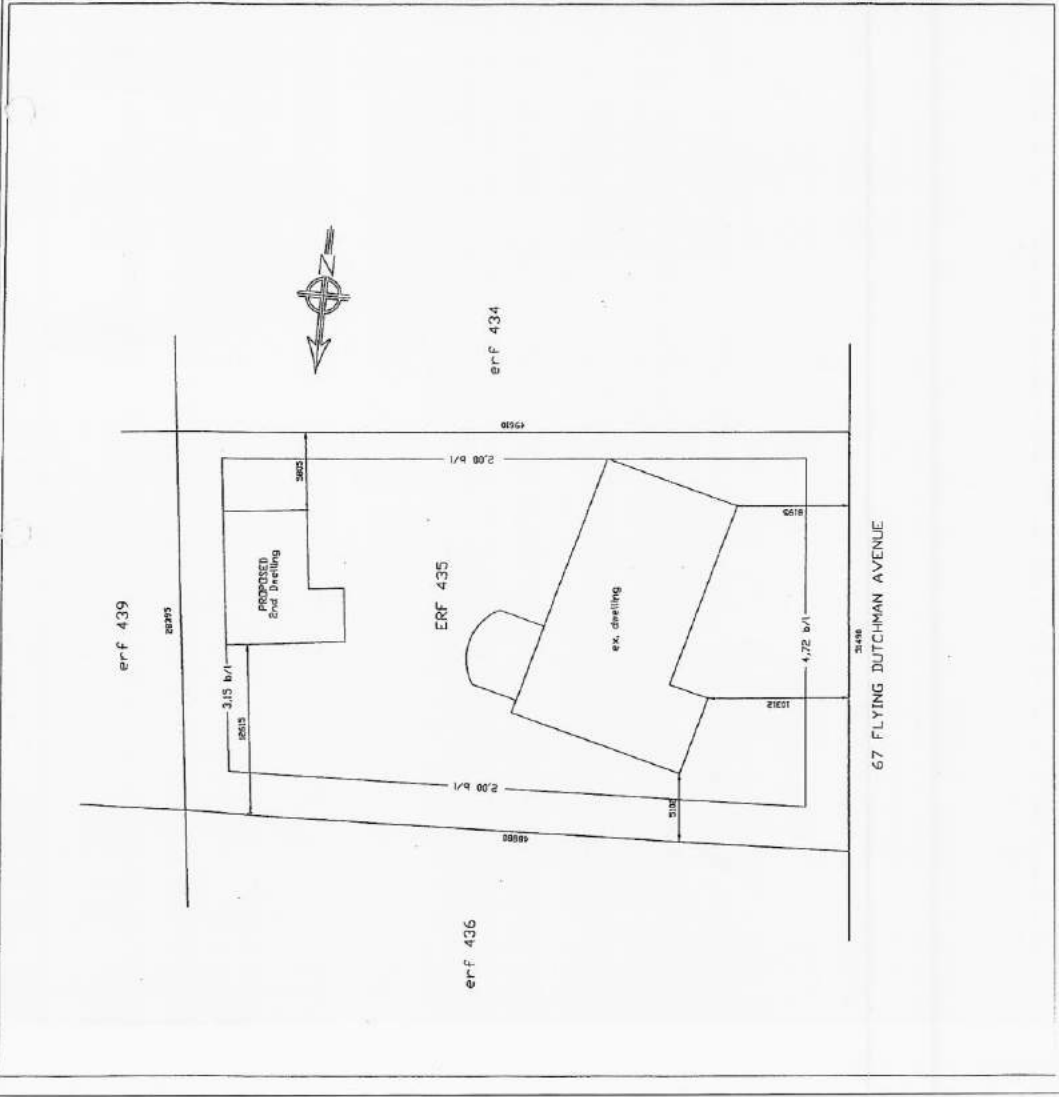


PLAN No. : LRM116/2002
 Scale No. : 1:100
 Principal : Alan Vainough (A-arch)
 Date : 2002
 SAAT Reg No : 2002/1424
 Drawn by : sda
 Checked by : sda

Revisions

Rev No	Date	Details

Copyright reserved. This drawing may not be copied, either in total or in part, without the express written consent of the author of the plan



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION:
ERF 435, FISHERHAVEN**

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

Conditions

1. that only the existing water connection and sewer conservancy tank 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 must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that, should any upgrading and / or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
7. that stormwater be allowed to discharge through Erf 435, Fisherhaven, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
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9. **PORTION OF REMAINDER ERF 243, HERMANUS: SUBSIDISED HOUSING PROJECT (SITE C), SWARTDAM ROAD, ZWELIHLE, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT AND DELETION OF CONDITIONS OF APPROVAL, AS WELL AS THE AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN: MESSRS URBAN DYNAMICS ON BEHALF OF OVERSTRAND MUNICIPALITY**

**Rem Erf 243, HZW
(Site C)**

**H van der Stoep
1 February 2021**

(028) 313 8900

Hermanus Administration

Executive Summary

An application in terms of the provisions of Sections 16(2)(h) and (l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Portion of Remainder Erf 243, Hermanus, Site C housing project, Swartdam Road, Zwelihle, was received on 26 October 2020 from Messrs Urban Dynamics on behalf of Overstrand Municipality for the amendment of the wording of approval, the deletion of a condition of approval, as well as the subsequent amendment of the approved Site Development Plan (SDP) in respect of the existing approval dated 14 December 2016 of the housing project on the abovementioned property, in order to change the entire development from a combination of subsidized (BNG housing) and market/bonded (GAP housing) to subsidized (BNG housing) only.

The condition of approval by the Authorised Official dated 14 December 2016 to be amended, is quoted as follows:

- “B. that in terms of Section 16 and 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the rezoning of the above-mentioned portion (±5.16 ha) to subdivisional area, and the phasing of the development in two phases, Portion A being a portion of 2.32 ha in extent, and Portion B being a portion of 2.83 ha in extent, for subsidized and market/bonded (GAP) housing, and the further subdivision of the two portions, as follows:*

Portion A

132 Residential Zone I erven

1 Transport Zone II (public Road) portion

12 Open Space Zone II (public open space) portions

Portion B

150 Residential Zone I erven

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*1 Transport Zone II (public Road) portion
13 Open Space Zone II (public open space) portions.”*

It is proposed that the amendment of the first paragraph of the decision to read as follows:

- B. that in terms of Section 16 and 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the rezoning of the above-mentioned portion (\pm 5,16 ha) to subdivisational area, and the phasing of the development in two phases, Portion A being a portion of 2,32 ha in extent, and Portion B being a portion of 2,83 ha in extent, for subsidized ~~and market/bonded (GAP)~~ housing, and the further subdivision of the two portions, as follows:

The condition of approval by the Mayoral Committee taken on 30 April 2014 that is to be deleted, is quoted as follows:

“C (i) that boundary walls be erected on the property boundaries of the residential erven and washing lines be placed on each property by the implementing agents, to the satisfaction of the Manager: Building Department and Senior Manager: Town Planning.”

RESOLVED :

1. that the application in terms of the provisions of Sections 16(2)(h) and (l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, applicable to a portion of Remainder Erf 243, Hermanus, Site C housing project, Swartdam Road, Zwelihle, for the amendment of condition B. of the decision taken on 14 December 2016 and the deletion of condition C.(i) of the approval dated 30 April 2014, as well as the subsequent amendment of the approved Site Development Plan in order to change the entire development from a combination of subsidized (BNG housing) and market/bonded (GAP housing) to subsidized (BNG housing) only, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the amendment of the wording of part B. of the decision taken on 14 December 2016, to read as follows:

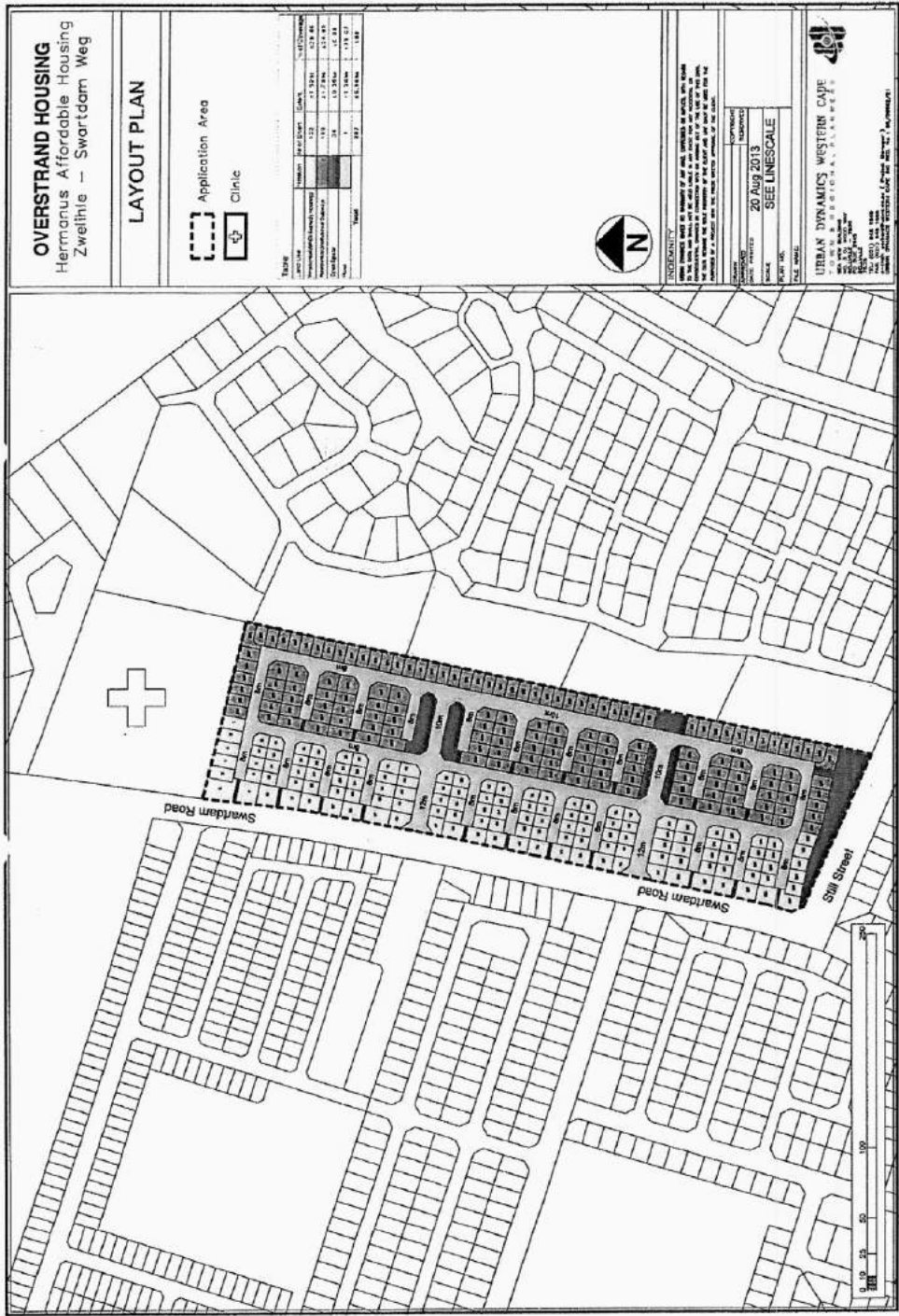
“that in terms of Section 16 and 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the rezoning of the above-mentioned portion (\pm 5,16 ha) to subdivisational area, and the phasing of the development in two (2) phases, Portion A being a portion of 2,32 ha in extent, and Portion B being a portion of 2,83 ha in extent, both for a subsidized (BNG) housing development, and the further subdivision of the two (2) portions, as follows:

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3. that the above approval be subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval and that any conditions by the Building Department and Fire Services at the time, be adhered to;
 - (b) that the remaining conditions for the approval of the development as taken on 30 April 2014, still be in place;
 - (c) that the conditions of Engineering Services, be adhered to;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with.
4. that the applicant and the objectors be notified of its respective appeal rights in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above conditional approval.

REASONS FOR THE APPROVAL

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The proposal is regarded as being compatible with the existing surrounding land uses and zoning of the property.
- ❖ The subsidized development will ensure more affordable housing for the broader community.
- ❖ It is an existing approved development and no additional erven will be created.
- ❖ It is regarded as being desirable from a town planning perspective.



OVERSTRAND HOUSING

Hermanus Affordable Housing
Zwelihle – Swartdam Weg

SUBDIVISION PLAN

Application Area
Existing Clinic

TYPE	DESCRIPTION	AREA (m ²)	PERCENTAGE
Application Area	Application Area	15,120m ²	100%
Existing Clinic	Existing Clinic	15,120m ²	100%

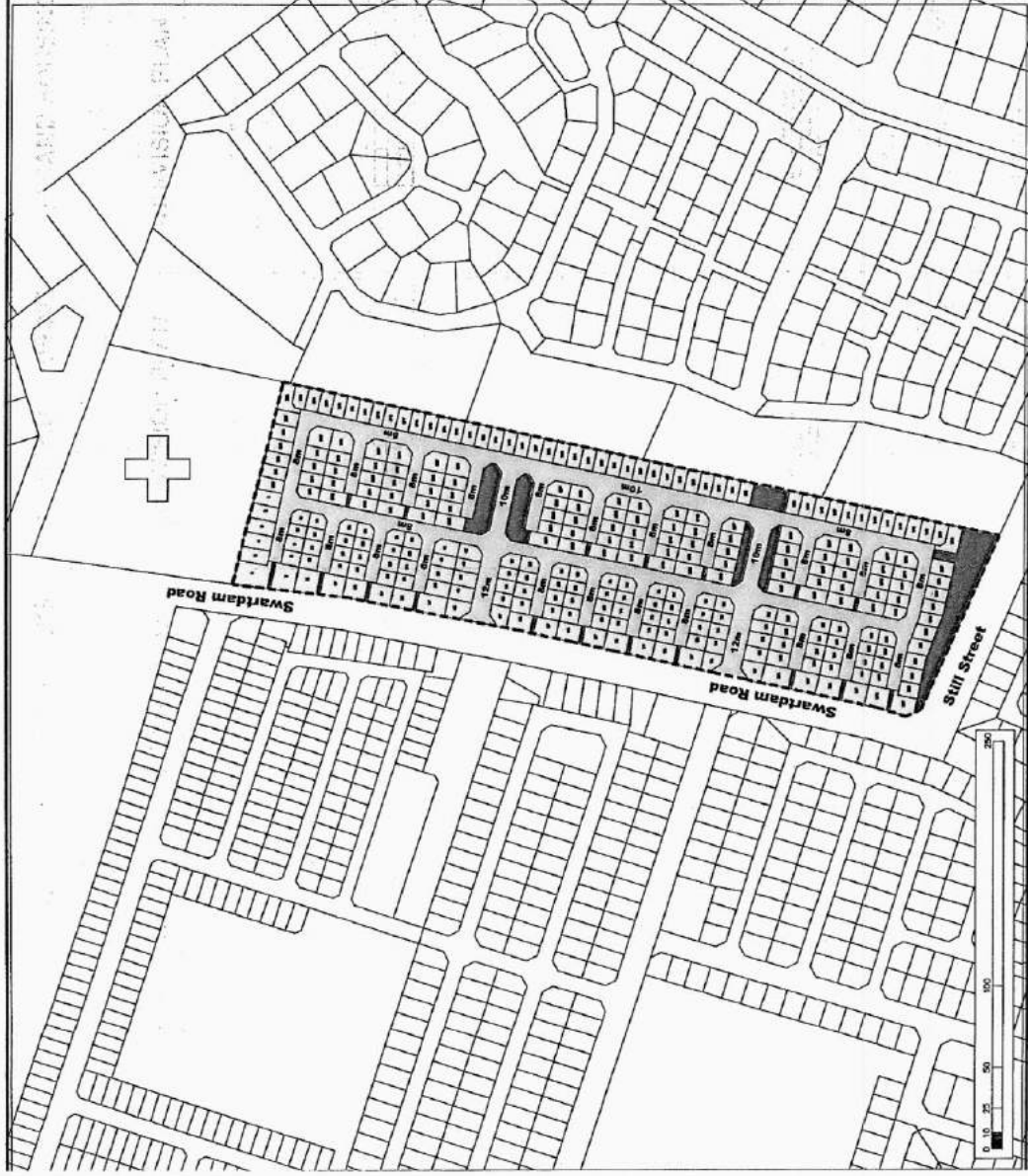


INTEGRITY
We warrant that the content of our plans, drawings or reports, and the information provided in connection therewith, is true and correct to the best of our knowledge and belief, and that we have not been negligent in the preparation of the same.

DATE: 16 October 2020
SCALE: SEE LINESCALE
PLAT NO.:
P.L.E. NO.:



URBAN DYNAMICS WESTERN CAPE
EDWARD & BELOTTI PLANNERS
100, ALBERTS ROAD
CLOUWENBURG
7210
Tel: (021) 885 1100
Fax: (021) 885 1101
Email: info@urban-dynamics.co.za



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR AMENDMENT AND DELETION OF CONDITIONS OF
APPROVAL, AS WELL AS THE AMENDMENT OF THE APPROVED SITE
DEVELOPMENT PLAN: PORTION OF REMAINDER ERF 243,SUBSIDISED
HOUSING PROJECT (SITE C), SWARTDAM ROAD, ZWELIHLE,
HERMANUS**

Water	:	According to GLS report
Sewer	:	According to GLS report
Roads and traffic	:	According to TIA
Stormwater (SW)	:	See conditions 8, 9 & 10
Electricity	:	In order

Conditions:

1. that the developer (Overstrand Municipality) 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. that servitudes for municipal services be registered in respect of all main services to be taken over by the developer and all existing municipal services concerned, crossing private property;
3. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 3.1 way-leaves must be obtained from the Operational Manager;
 - 3.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
4. that 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;
5. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;

6. 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;
 7. 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
 8. 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;
 9. that the above stormwater management plan include the following:
 - 9.1 pre-development run-off from the catchment area;
 - 9.2 post-development run-off from catchment area;
 - 9.3 existing stormwater reticulation system and the capacity thereof;
 - 9.4 connection of internal stormwater reticulation system;
 - 9.5 overland escape routes.
 10. that the connection to the stormwater reticulation system if any, be provided according to the stormwater management plan;
 11. 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;
 12. that the Implementing Agent apply for a temporary water connection on the prescribed application form, at Overstrand Municipality's Finance Department, before commencement of construction;
 13. that the connection to the main water line only be done by the Operational Department, after payment of the connection fee, by the developer;
-

- 14. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;
- 15. that the conditions set by the Department of Transport & Public Works be adhered to.

p.p. D. Hendriks

**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

10/12/2020

DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

10. REMAINDER OF FARM 562, A DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF TITLE DEED RESTRICTIONS AND CONSENT USE: MESSRS NUPLAN AFRICA ON BEHALF OF THE OVERSTRAND MUNICIPALITY

**Farm 562 RCAL
(3034/2019)
H van der Stoep
18 January 2021**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 26 April 2019 from Messrs NuPlan Africa on behalf of the Overstrand Municipality on the Remainder of the Farm 562, Kleinmond for the following:

- ❖ Removal of Title Deed Restrictive Condition B.(a) from Title Deed No. T19294/1977 in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to allow a cemetery.

The condition to be removed read as follows:

“B. VERDER ONDERWORPE aan die volgende voorwaardes:

- (b) Die hierby toegekende grond mag slegs as ‘n openbare ontspanningsoord in oorleg met die Direkteur Plaaslike Bestuur gebruik word en indien en wanneer dit nie meer vir hierdie doel gebruik of benodig mag word nie, sal dit terugval en op koste van die eienaar aan die Staat teruggetransporteer word;...”*

- ❖ Consent Use in terms of Section 16(2)(o) the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to allow a cemetery.

RESOLVED :

1. that the application in terms of Section 16.(2)(f) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Remainder Farm No. 562, Kleinmond for the removal of Condition B.(a) from Title Deed No. T19294/1977, **be approved**, in terms of the provisions of Section 61 of the By-Law;

**AGENDA of the
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23 March 2021
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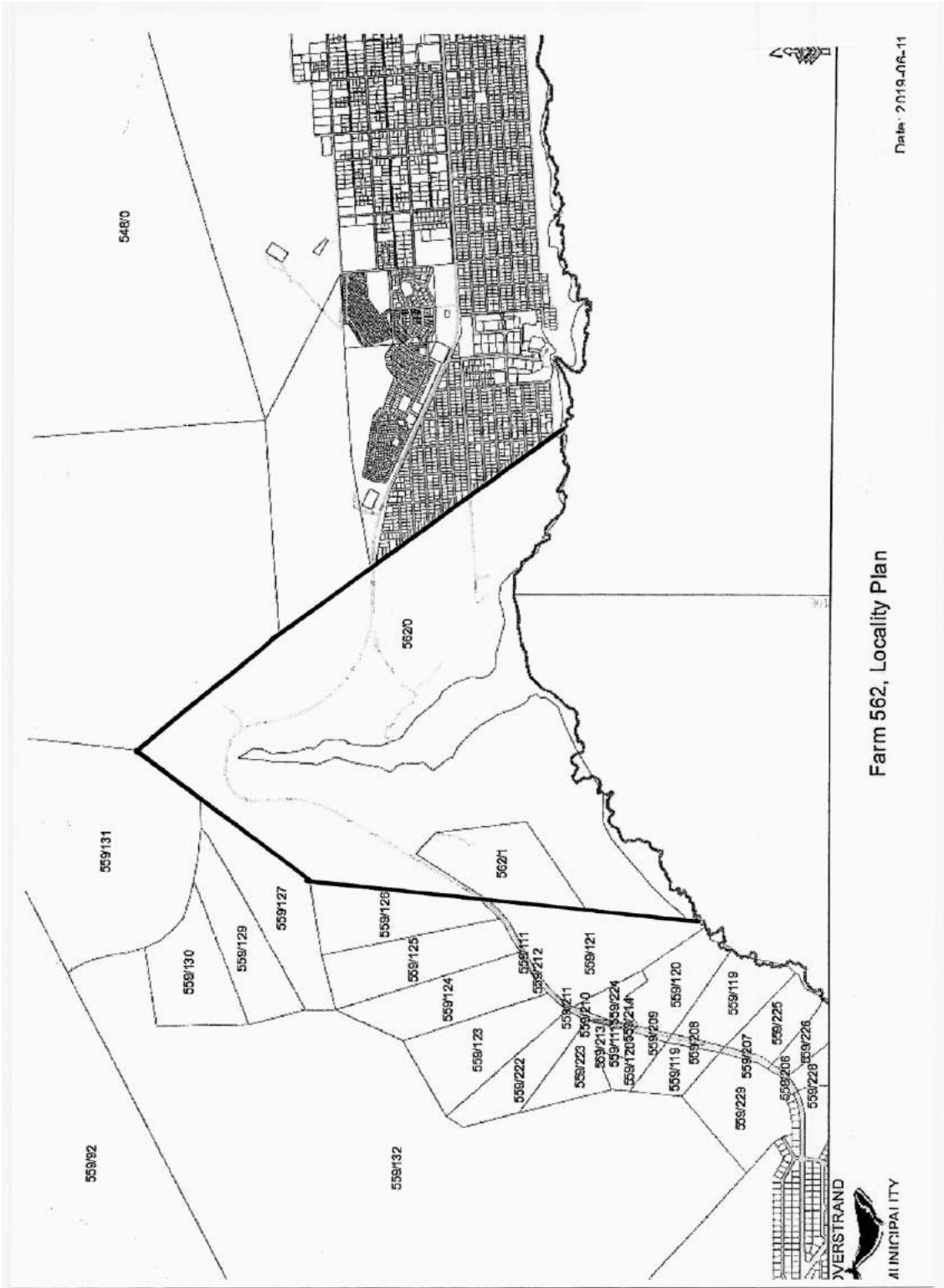
2. that the application in terms of Section 16.(2)(o) of the By-Law on Remainder Farm No. 562 for a consent use in order to allow a cemetery, **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the approvals in Points 1. and 2. be subject to the following conditions:
 - (a) that this approval is only for the development as indicated on the Plan No. 3.399-S1-01 dated 8 January 2018, as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that the investigation by Messrs Lyners Engineers and the Environmental Practitioner regarding the design and operation of the cemetery to be submitted for approval by the Municipal Engineering Services and Environmental Management Departments;
 - (f) that an EMP be compiled in conjunction with Cape Nature, Kogelberg Biosphere Management and the Municipality. The EMP be approved by the Municipal Environmental Management Department.
 - (g) that signage complies with the Municipal By-Law on Signage;
 - (h) that all the conditions in the Services Report, be complied with;
 - (i) that all the conditions imposed by BGCMA, be complied with;
 - (j) that all the conditions imposed by the National Department of Environmental Affairs Authorization (Record of Decision) dated 6 June 2020, be complied with;
 - (k) that all the conditions imposed by the Western Cape Government: Transport & Public Works, be complied with;
 - (l) that a landscaping plan be submitted, and
 - (m) that no upright gravestones be erected.

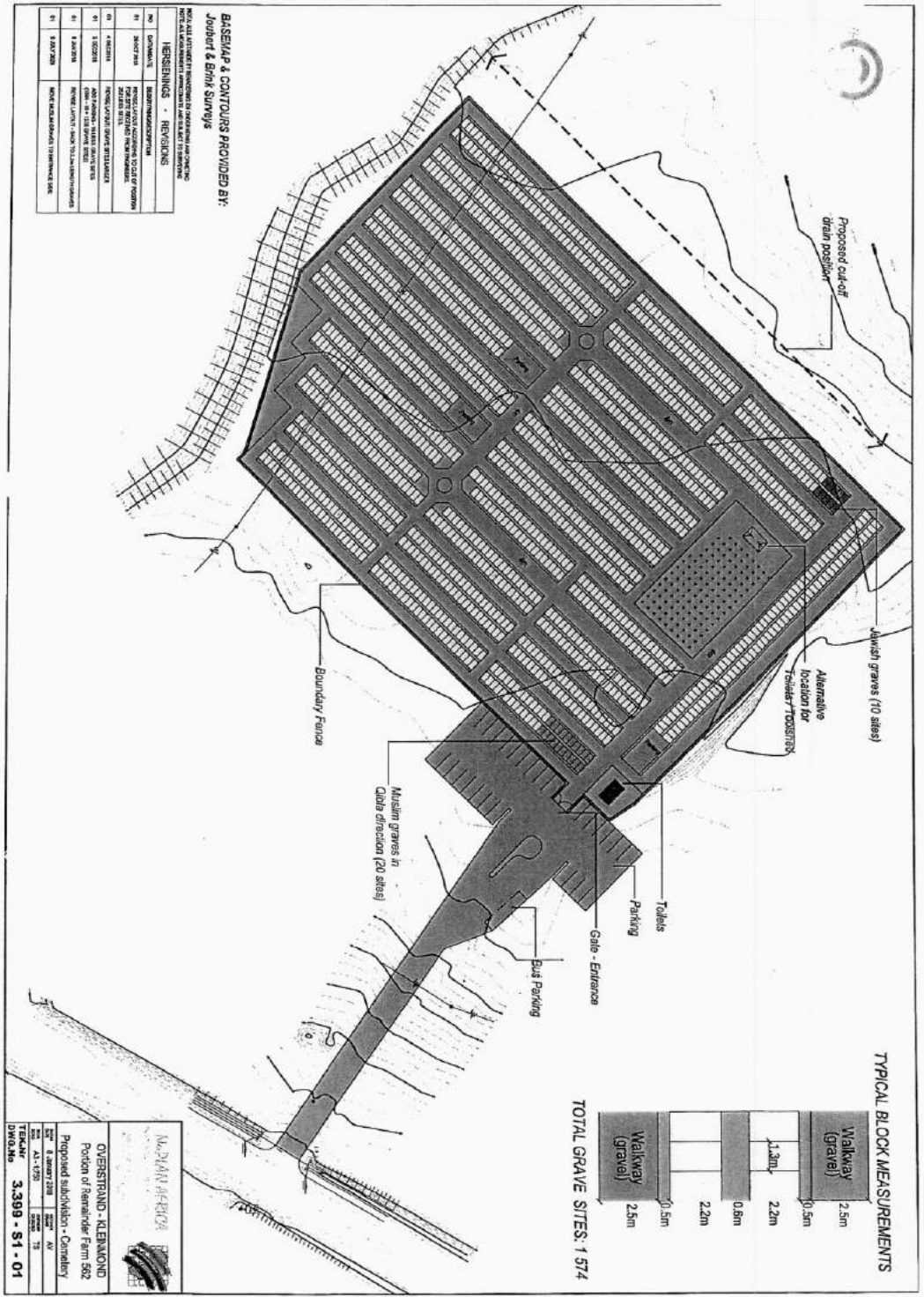
**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

4. 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, 2015 with regard to the above conditions of approval.

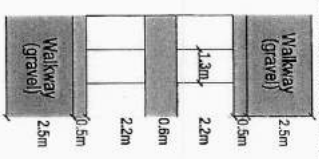
REASONS FOR RECOMMENDATION

- ❖ The proposed cemetery is an extension of the existing Palmiet Cemetery.
- ❖ A dire need exists for a cemetery in Kleinmond.
- ❖ The option of Karwyderskraal is too far and does not contribute to the financial well-being of the community.
- ❖ The Department of Environmental Affairs and Development Planning issued a ROD for the Palmiet cemetery.





TYPICAL BLOCK MEASUREMENTS



TOTAL GRAVE SITES: 1 574

BASELINE 4 CONTOURS PROVIDED BY:
 Robert & Brian Surveys

NO. 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

M. SHARIF

OVERSTRAND - KLEINMOND
 Portion of Renoster Farm 582
 Proposed subdivision - Cemetery

DATE: 11-11-2010
 SCALE: 1:500
 DRAWING NO: 3.398 - S1 - 01

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITION & CONSENT USE: REMAINDER OF FARM 562, A DIVISION
OF CALEDON (3034/2019)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that stormwater be allowed to discharge through Remainder of Farm 562, A Division of Caledon, unobstructed;
4. that no on-street parking be allowed;

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

18/07/2019
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

11. **ERF 1169, 243 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: S CLARK ON BEHALF OF THE 243 MAIN ROAD TRUST**

**1169 HEC (2935)
KR Thomas
15 January 2021**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 31 January 2019 from S Clark on behalf of the 243 Main Road Trust for a consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 1169, Hermanus in order to utilise the main dwelling for self-catering purposes.

RESOLVED :

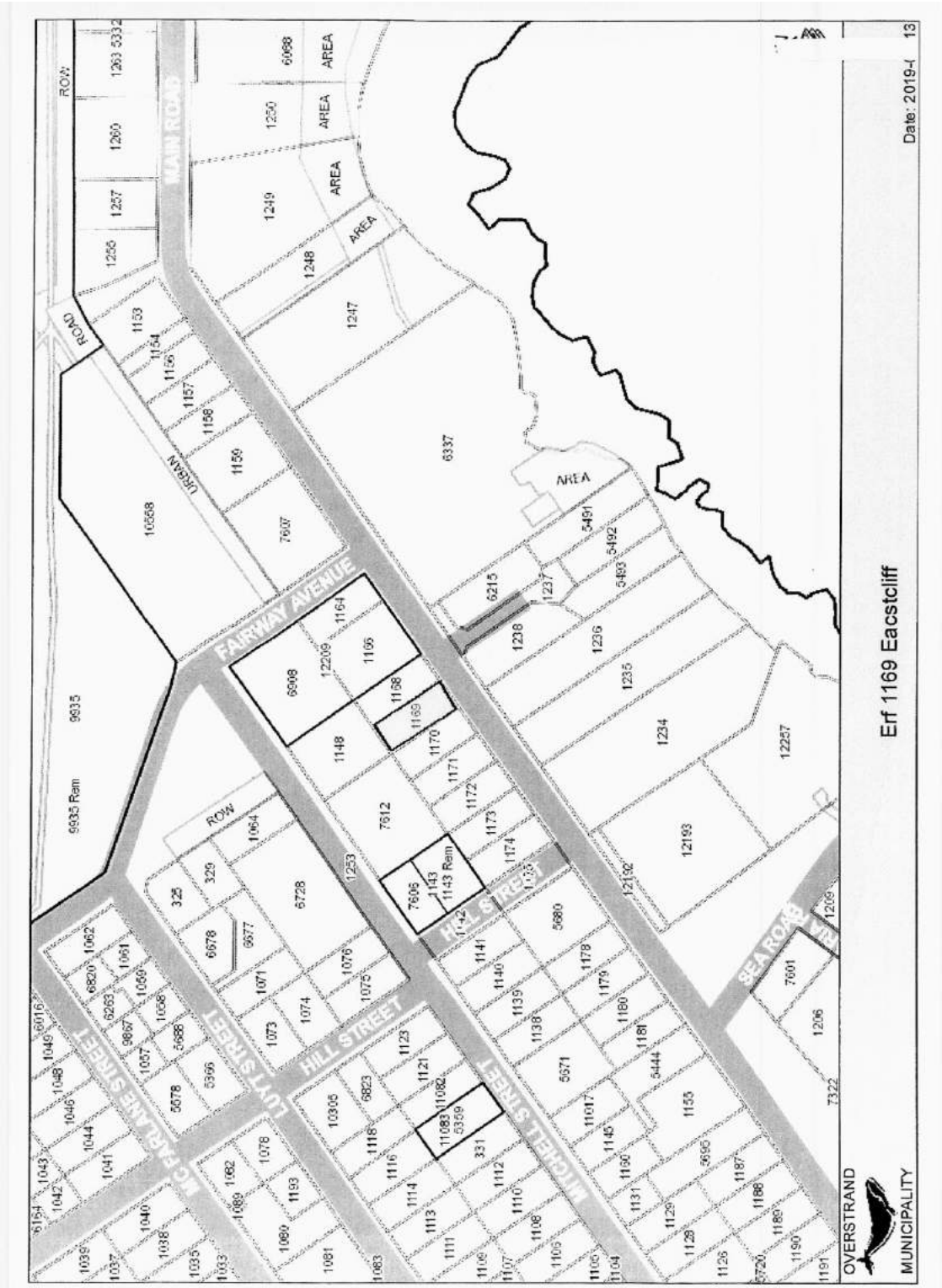
1. that the application for consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), applicable to Erf 1169, Hermanus in order to operate self-catering tourist accommodation from the main dwelling unit on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is only for the renting of the dwelling to one (1) single family with a maximum of six (6) individuals;
 - (b) that all other structures comply with the relevant Zoning Scheme Regulations and title deed restrictions;
 - (c) that applicable rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (d) that all the conditions of Fire Services and Engineering Services, be complied with;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with, and
 - (f) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

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2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval

REASONS FOR RECOMMENDATION

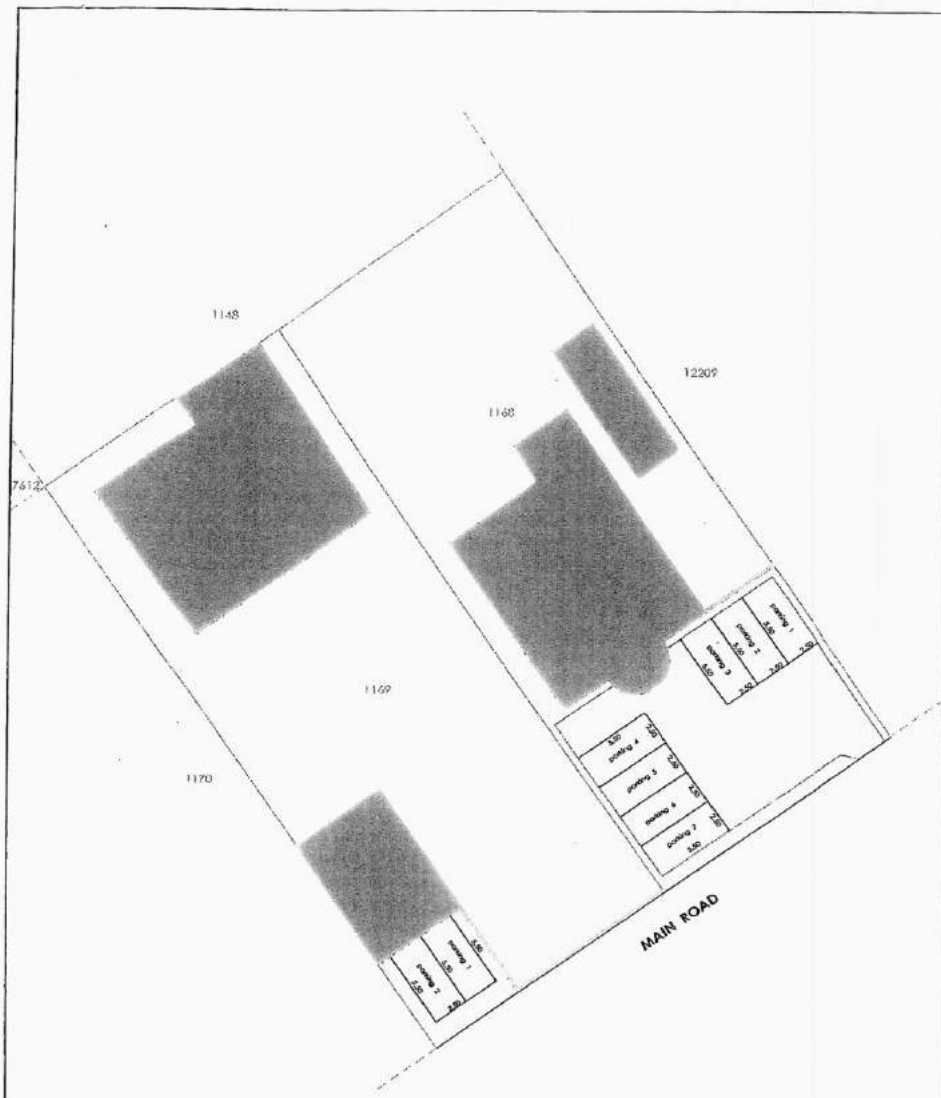
- No objections were received from internal departments.
- The proposed use has a limited impact on the surrounding environment.
- No change is proposed to the existing structures on the property.
- No objections were received from adjacent property owners.
- The application has followed due process.
- The proposal is compliant with the spatial policies of the SDF.
- The proposal is consistent with the spatial principles as set out in SPLUMA and LUPA.




Erf 1169 Eacstcliff

Date: 2019-1-13





Project ERVEN 1168 AND 1169 HERMANUS	Client	PATS PLACE		Constants	Y	X
	Architect			Height	0.00	0.00
	Notes			System		
		Project No	M1169		Drawing No	
Scale 1:250						
Date Dec 2018						
			 geomatics africa LAND SURVEYING CONSULTANTS P.O. Box 2243, Hermanus, 7200 37 College St, Hermanus, 7200 Email: info@geomatics.co.za Tel: 022-2131234 Fax: 022-2131237			

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: ERF 1169, EASTCLIFF (2935/2019)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the 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 any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that stormwater be allowed to discharge through Erf 1169, Eastcliff, unobstructed;
7. that any additional and / or extended vehicle entrances will be for the owner's account;
8. that a maximum width of 6,0 m will be allowed for the driveway entrance. That is in order to limit development over existing services and / or over maintenance servitudes on the sidewalks, as well as to limit any negative impact on pedestrian traffic and safety on sidewalks;
9. that only the existing road/street accesses shall be available to the development, and that the developer will arrange with Provincial Administration to obtain approval for any new access from Main Road (Provincial Road);

10. that refuse will be removed from the sidewalks as per municipal arrangement;
11. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

**12. ERF 233, 7 KUS ROAD, GANSBAAI, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON
BEHALF OF C GROVÉ**

233 GGB (3629/2020)

SW van der Merwe

(028) 313 8900

Hermanus Administration

26 November 2020

Executive Summary

An application was received in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) from Messrs Wrap Project Office on behalf of C Grové applicable to Erf 233, Gansbaai for the following:

- ❖ removal of restrictive title deed conditions with reference to clauses C.(a), C.(b), C.(c), C.(d) and C.(e) of Title Deed T23060/1991 in terms of Section 16(2)(f) of the aforementioned By-Law;
- ❖ departure in terms of Section 16(2)(b) of the aforementioned By-Law in order to relax the street building line from 4m to 2,899m and the western lateral building line from 2m to 0,932m to accommodate the existing garage, as well as the encroachment of the south-western lateral building line from 2m to 1,474m and 2m to 1,617m to accommodate the existing store room/toilet.

RESOLVED :

1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the removal of restrictive title conditions C.(a), C.(b), C.(c) and C.(e) as contained in Title Deed T23060/1991 applicable to Erf 233, Gansbaai, **not be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the removal of restrictive title condition C.(d) as contained in Title Deed T23060/1991 applicable to Erf 233, Gansbaai, **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 departure in order to relax the street building line from 4m to 2,899m and the western lateral building line from 2m to 0,932m to accommodate the existing garage, as well as the encroachment of the south-western lateral building line from 2m to 1,474m and 2m to 1,617m to accommodate the existing store room /

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

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

4. that the approvals in paragraphs 2. and 3. above be subject to the following conditions:
 - (a) that the approval is only for the relaxation as indicated on the Site Development Plan as submitted with the application;
 - (b) that the conditions in the Services Report, be complied with;
 - (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

4. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regards to the above conditions of approval


REASONS FOR NON-APPROVAL

- ❖ The application does not include the construction of a second dwelling, subdivision, change of use or coverage relaxation.
- ❖ The impact of the removal of the conditions on the character of Gansbaai could also not be measured.

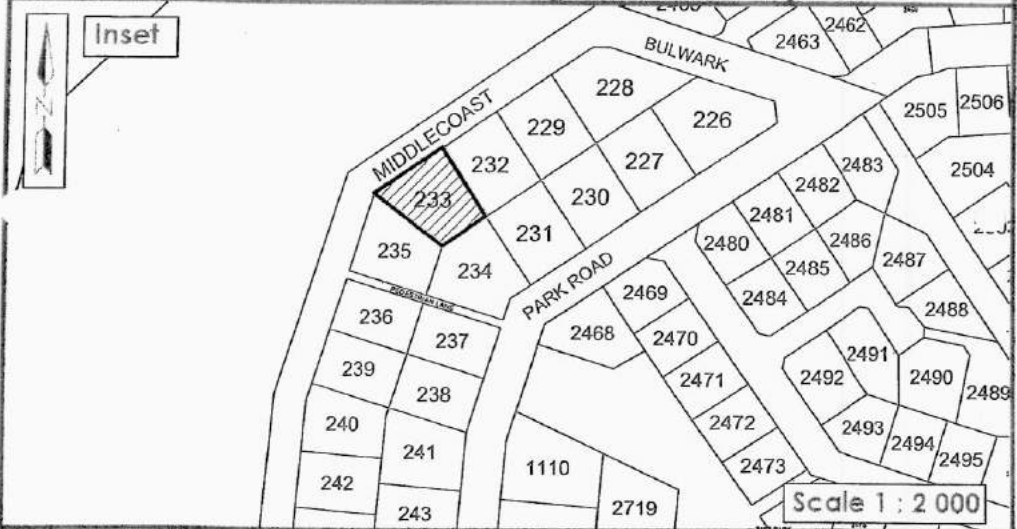
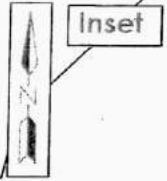
REASONS FOR APPROVAL

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed application is in line with the applicable municipal and provincial planning policy.
- ❖ The removal of the title deed condition 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 1: Locality Plan Erf 233 Gansbaai

 Subject property (817m²)

Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Plan prepared in January 2020
File number 20/005
35 Dulker Street, Hermanus, 7200
Plan prepared by: Reatlehle Jankie
All distances are approximate
and subject to a survey



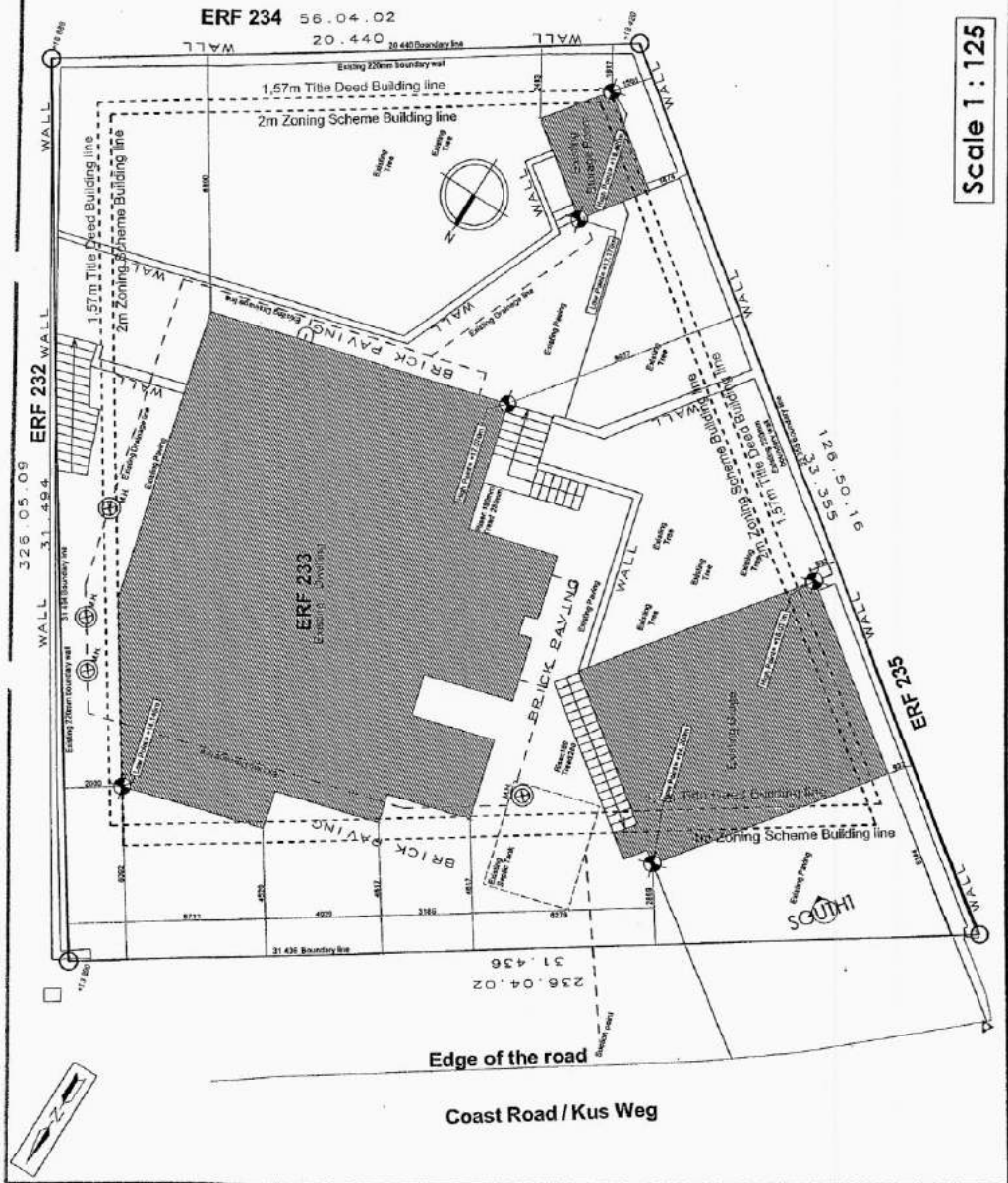
**Plan 3 SDP of Erf
233 Gansbaai**

Coverage	817m ²
Erf	200m ²
Footprint	31.82%
Coverage	0.32
Floor Area Ratio	
Land Use	Residential

Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Plan prepared in February 2020
 File number 20/006
 35 Duiker Street, Hermanus, 7200
 Based on drawings by
 Fritsco Architectural Studio
 Plan prepared by: Reeliehe Janke
 All distances are approximate
 and subject to a survey



Scale 1 : 125



**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

13. ERF 287, 99 PARK STREET, GANSBAAI: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: DJ & C ACKERMAN

287 GGB (3024/2019)

**SW van der Merwe
15 December 2020**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 21 September 2020 from DJ & C Ackerman in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 287, Gansbaai for the removal of restrictive title conditions with reference to Title Deed T61721/2013, Clause B.(a) and (b) in order to accommodate a second dwelling unit on the property.

Restrictive title condition B.(a) and (b) reads as follows:

“B.(a):

That this erf be used for residential purposes only.

B.(b):

That only one dwelling, together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.”

RESOLVED :

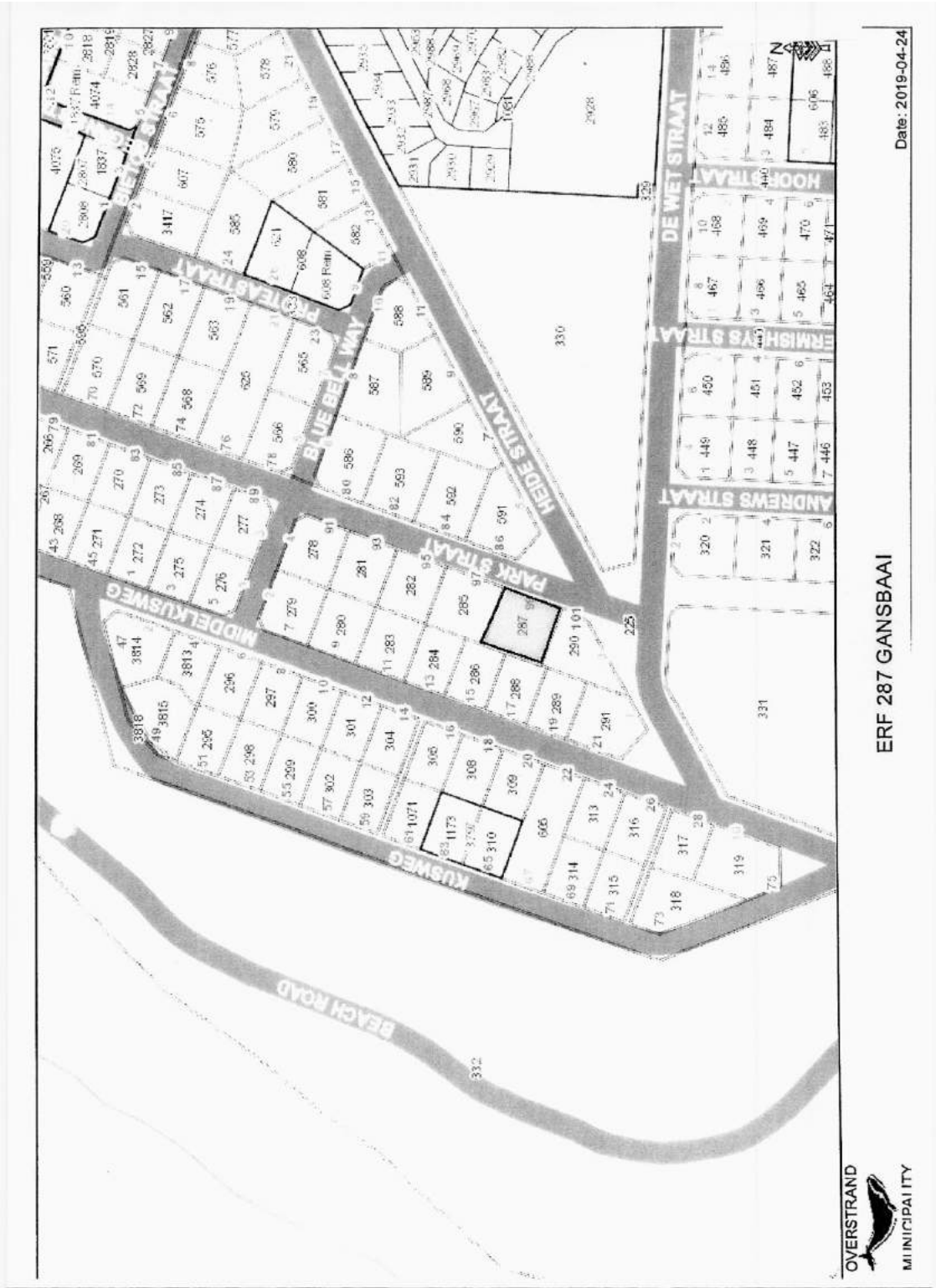
1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the removal of restrictive title conditions B.(a) and (b) as contained in Title Deed T61721/2013 applicable to Erf 287, Gansbaai, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the removal of restrictive title conditions stipulated above;
 - (b) that the conditions in the Services Report and Telkom (attached as Annexures F and G), be complied with;
 - (c) that building plans be submitted indicating the primary and second dwelling 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 owner/applicant from compliance with any other relevant legislation, and

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

- (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, 2015 with regard to the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ No new municipal services are needed.
- ❖ The second dwelling is in line with policy plans that promotes densification.
- ❖ The second dwelling is in line with the provisions of the Scheme Regulations.
- ❖ The restrictive conditions prohibit development of the property to its full potential.
- ❖ No negative impact on the character of the area.
- ❖ No objections were received, therefore the impact on neighbours' rights and privacy will be minimal.



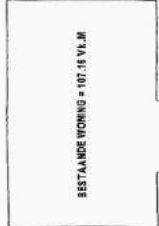
ERF 287 GANSBAAI

Date: 2019-04-24

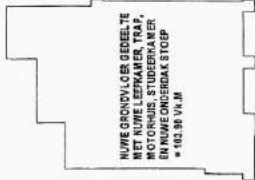


Oppervlakte

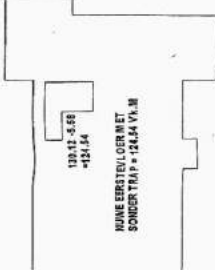
BESTAANDE BAKKAMER & BESTAANDE SLAAPKAMER VERGROTINGS = 10,15 VL.M



BESTAANDE WONING = 107,18 VL.M



NUWE GRONDVOER, GEDEELTE MET NUWE SLEKAMER, TRAP, NIEUW TOEGANG TOT TUIN EN NUWE ONDERDAK STOEP = 103,90 VL.M



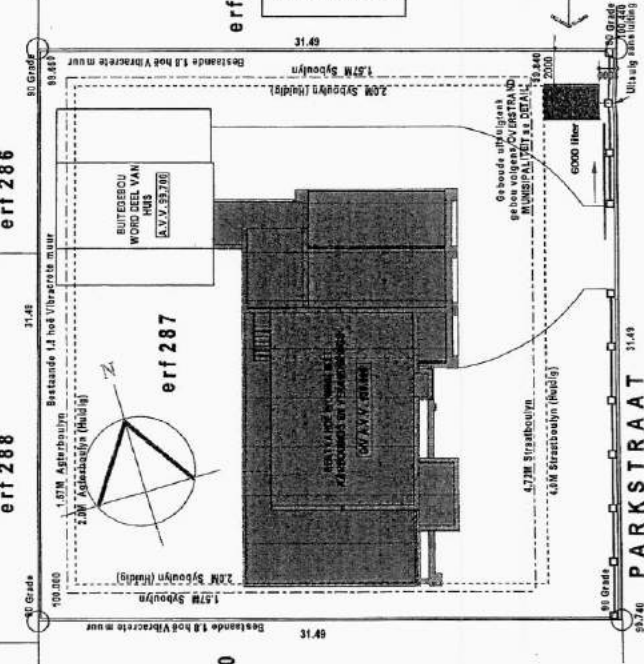
NUWE ERFTUIGER MET SONDER TRAP = 124,54 VL.M



NUWE HOUTDEK MET BUITETRAP = 65,31 VL.M

NUWE OPPERVLAKTE = 10,15 + 103,90 + 124,54 + 55,22 = 293,85 VL.M
 BESTAANDE BUITEGEBOU MET AFDAK = 82,67 VL.M
 BESTAANDE ERF : 31,49 x 31,49 = 991,16 VL.M
 NUWE DIEKINGS OPPERVLAKTE VAN WONING = 238,79 VL.M
 NUWE DIEKINGSPERSENTASIE OP ERF = 32,45

Boulyne is 4m straat, 2m agter en 2m syboullyn.



erf 290

erf 287

erf 288

erf 286

erf 285

NOTA:
 REENWATER VAN DAKKE EN PLAVEISEL GAAN OPGEVANG WORD IN JO-JO TENKE EN GEBRUIK WORD VIR TUNBESPROEING ENS.

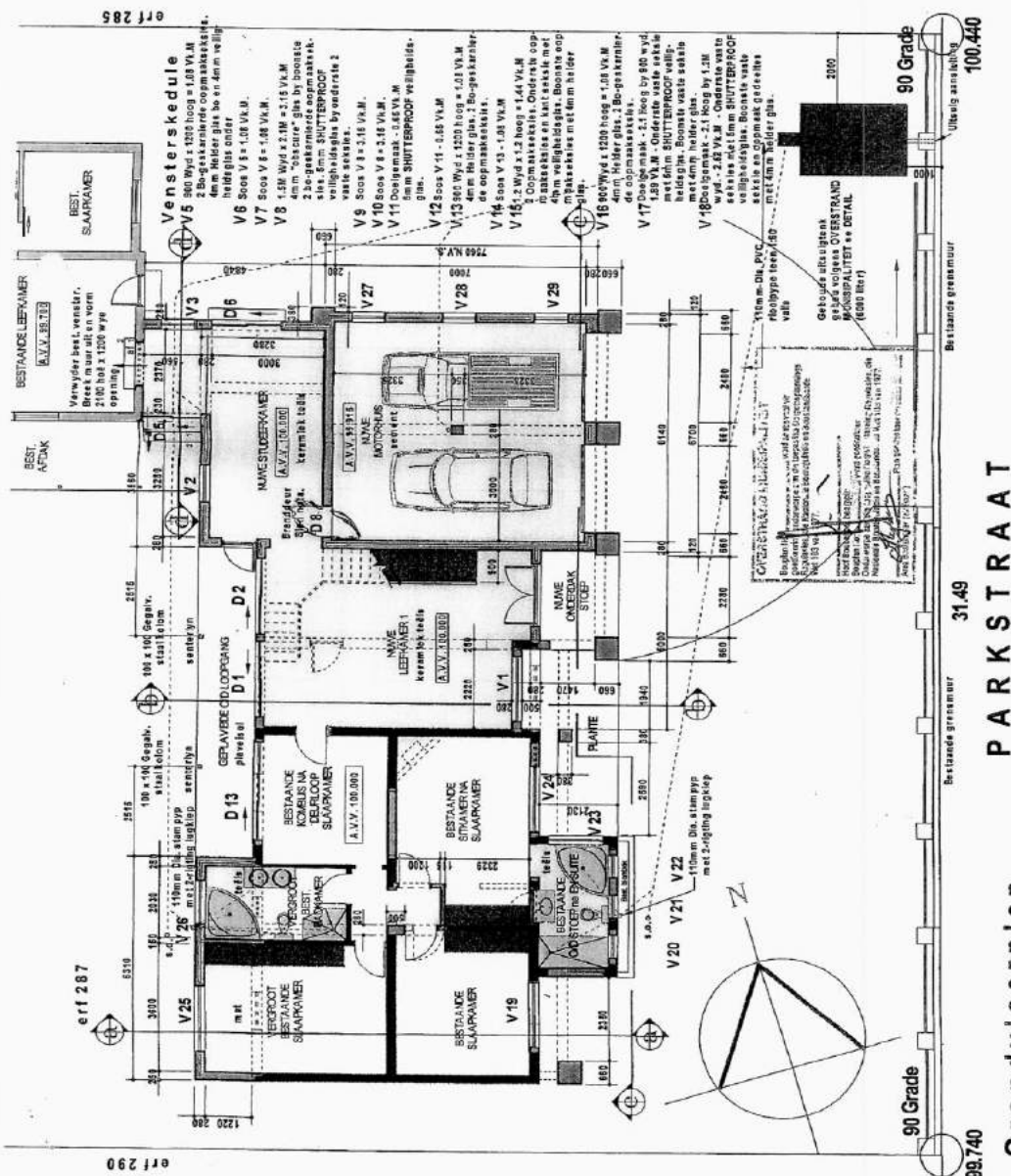
OPTEENRECHTING
 Erf 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 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.

ALLE WATERS EN LUKKE MOET DEUR BOER OP...
 MET VLA BROSMAAS...
 GESKRYWE WATERSGETY...
 VMM PLAN...
 DOOR...
 WERKAS 1500mm...
 SOLEDE 8000...
 NIEUW...
 LORE...
 BETON...
 4...
 DR...
 MES...
 MA...
 18...
 A...
 M...
 H...
 B...
 N...
PROJEK
 Voorgestelde aanbouings en veranderinge aan huis van Mnr & Mnr. Ackermann op erf 287 te Parkstraat GANSBAAI

TITEL
 Wettekskeming: Terreinplan en Aansig

<p>Hoofstadstraat 69 Paarl Tel.: 021 8725216 Fax: 021 8440805 E-pos: info@engproj.co.za www.engproj.co.za</p>	GEBREKKE DAKKE HES TERREINNO. NR.	WVS. NR. 1.100 1.100 1402.1D7
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Vensterskiedule			
V1	1,5 x 1,5 = 2,24 VL.M. 5mm SHUTTERPROOF glas ont- kerf. Begastenerde oopmak- saks.	V2	900 Wyd x 1200 Hoog = 1,08 VL.M. 4mm Helder glas. 2 Bo-gastener- de oopmaktakstakts.
V3	Bees V1	V3	Bees V1
V4	2,5 Wd x 1,3 Hoog = 2,88 VL.M. 4 Oopmaktakts met 1,5mm oop- maktakts en middelste oop- maktakts met 1,5mm oop- maktakts met 1,5mm helder glas.	V4	2,5 Wd x 1,3 Hoog = 2,88 VL.M. 4 Oopmaktakts met 1,5mm oop- maktakts en middelste oop- maktakts met 1,5mm oop- maktakts met 1,5mm helder glas.
ALLE WINDVUKE MET FLEURBOUW MET 1,5MM OOPMAKTAKTS EN 4MM HEDERGLAS. BOONSTE COP- GEWONE WIKS GENEYDREKING WINDFLAK. VOORWAARDEDE BITHOUWENETWIK. 100% WINDDIEFTOEGANG. WIND- WYKAS 100% ALLE FOUSSKES OOP- SOLEK OOP. NOORVLOERLING ROMMELSKRY (ZEBUK LUKE BOPWENING)			
SETTINGSEL-BEDONKONDE EN VLES MEISEL VLEES VOLUME. DEEL SENSITOP 4 DEEL SENSITOP DELE BROWNE AGREGAAT, DRUKSTERIE 20 MPa D'20 JNE.			
MESELSAARHE STRUKTURIE BANE. MAK-KASIFER VOLUME. DEEL SENSITOP 16 DEEL OOPMAKTAKTS EN VLES. ADRUMARE-SUASIFER VOLUME- DEEL SENSITOP 4 DEEL SENSITOP MESELSAARHE STRUKTURIE BANE. MESELSAARHE STRUKTURIE BANE. MESELSAARHE STRUKTURIE BANE.			
PROJEK			
Voorproside aarbeidige en varen- deringe non huts van Nir & Mav. Achiarmm op erf 287 in Parkstraat GANBAAI			
TITEL			
Warkstakelag: Grondvloer plan			
Projektskiedule 99 100% WINDDIEFTOEGANG 4MM HEDERGLAS 2 BO-GASTENERDE OOPMAKTAKTS 1,5MM OOPMAKTAKTS		SCHAAL 1:100	WYKAS NR. 1402.1D1
OETSEEN H.S.	DINA 4204	TERSKEDING NR. 1402.1D1	



99.740

Bestaande grensmuur

31,49

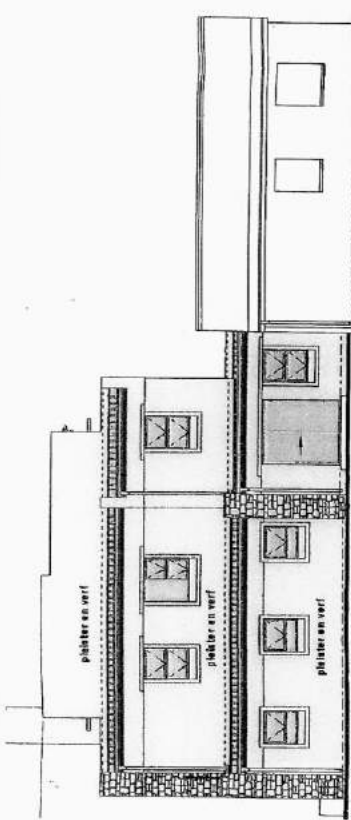
PARK STRAAT

Grondvloerplan
skaal 1:100

90 Grade

100.440

Bestaande grensmuur



Noord-oos Aansig

skaal 1:100

Bewerings van die Part 10400XA op die aanbouings

VENSTER NO.	AANTAL	LENGTE	HOOGTE	AREA
V1	1	1800	1600	324
V2	1	900	1200	108
V3	1	2400	108	259
V4	1	900	1200	108
V5	1	900	1200	108
V6	1	900	1200	108
V7	1	1500	108	162
V8	1	1500	2100	315
V9	1	1500	2100	315
V10	1	485	2100	1020
V11	1	485	2100	1020
V12	1	900	1200	108
V13	1	900	1200	108
V14	1	1200	144	173
V15	1	900	1200	108
V16	1	900	1200	108
V17	1	900	2100	189
V18	1	1200	2100	252
TOTAAL VENSTER GLAS AREA =				31.3 V.K.M
NETTO DEURE MET GLAS AREA				AREA
D1	1	2100	2100	441
D2	1	2100	2100	441
D3	1	2100	2100	441
D4	1	1800	2100	378
D5	1	1800	2100	378
D6	1	1800	2100	378
D7	1	813	2032	165
TOTAAL DEUR GLAS AREA =				29.37 V.K.M
TOTAAL GLAS AREA =				60.67 V.K.M

NETTO GRONDVLOER AREA	AREA
BESKRYWING	355
NAME LEERKAMER 1	221
NAME STUDEKAMER	
NETTO EERSTE VLOER AREA	71.6
NAME LEERKAMER 2	10.9
NAME SLAAPKAMER	13.4
NAME BANNKAMER	8.0
NAME GANG	3.3
TOTAAL NETTO VLOER AREA	= 162.8 V.K.M
CHECK FOR COMPLIANCE WITH SANS 10400XA	
NET FLOOR AREA:	162.8 m²
GLAZING AREA:	60.67 m²
Calculation (glazing area / net floor area) x 100 = % [$\leq 15\%$]	
Glazing Area	60.67
Net Floor Area	162.8
	= 37.37%
Do not comply with max 15% as per SANS 10400XA	
Where the total area of the glazing elements of a storey is greater than 15% of the net floor area of the storey the requirements contained in SANS 204 shall be complied with.	
Conclusion	
DO NOT COMPLY	
Check against SANS 204 requirements	

SANS 204 - LIMAATSONE 4

VIR SANS 204:

- 1) WORD BEGLASING BEDEK MET "LOW E" FILM.
- 2) WORD HALWIE 600 X 600 VOORAFV. BETON PLAVEISEL BLOKKE GEBRUIK OM OORHANGE BY VENSTERS EN SKUIFDEURE TE VORMI. (D.J. OOK VIR DE KOR). DIT IS 350mm OORHANGE.
- 3) PLATDRAKKE KRY SISALATION 410 RSA ISOLASIE SOWEL AS 135mm AEROLITE GLASVESELWOL ISOLASIE.
- 4) 60mm STRUCTABORD OM PERIMETER VAN HUIS SE FONDAASIE MURE (nie nodig by motormuis)

QTY Lights	Watt Lamps	Total
20	13 W	260 W
35	6 W	210 W
10	32 W	320 W
TOTAAL		790 W
TOTAAL WATT / TOTAAL AREA		
790 W / 162.8 V.K.M	=	4.85 W/V.K.M
Conclusion: ALLOWED 5 W/m²		
CURRENT 4.85 W/m²		
COMPLY < 5 W/m²		
HOLIDAY HOME		
Assumptions:		
Assume lights are on from 17:00 - 22:00 for 84 days/year, that is 6h/day.		
12 Weeks x 7 Days/week	x	5 hours/day
= 420 h.a		
Total Lamps/Lights:	790 W	OR 0.790 kW
Total Lamps kW	Hours a year	TOTAL
0.790 kW	420 h.a	331.8 kWh.a
Conclusion: ALLOWED 814 W/m²		
CURRENT 331.8 W/m²		
COMPLY, Current < Allowed		

OVEREENKOMSTIGHEDE WET 1977

BEVOEGDE OORSAKERS: ...

PROJEK: ...

TITEL: ...


1402.1D6

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS & CONSENT USE: ERF 287, GANSBAAI (3024/2019)**

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

Conditions:

1. that only the existing water connection and sewer conservancy tank to Erf 287 shall be used to service Erf 287;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
5. that any additional and / or extended vehicle entrances will be for the developer's account;
6. that stormwater be allowed to discharge through Erf 287, Gansbaai, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021**

(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)

**14. ERF 2580, 3 CLYDE STREET, PERLEMOENBAAI, GANSBAAI,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE:
MESSRS ME PLANNERS ON BEHALF OF A KENDZIORSKI**

2580 GGB (3385/2019)

**SW van der Merwe
8 December 2020**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 29 November 2019 from Messrs ME Planners, on behalf of the owner of Erf 2580, Perlemoenbaai, Gansbaai for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) to encroach the northern street- and eastern lateral building lines from 4m and 2m to 0,023m from the respective property boundaries, in order to legalize the existing braai lapa.

RESOLVED :

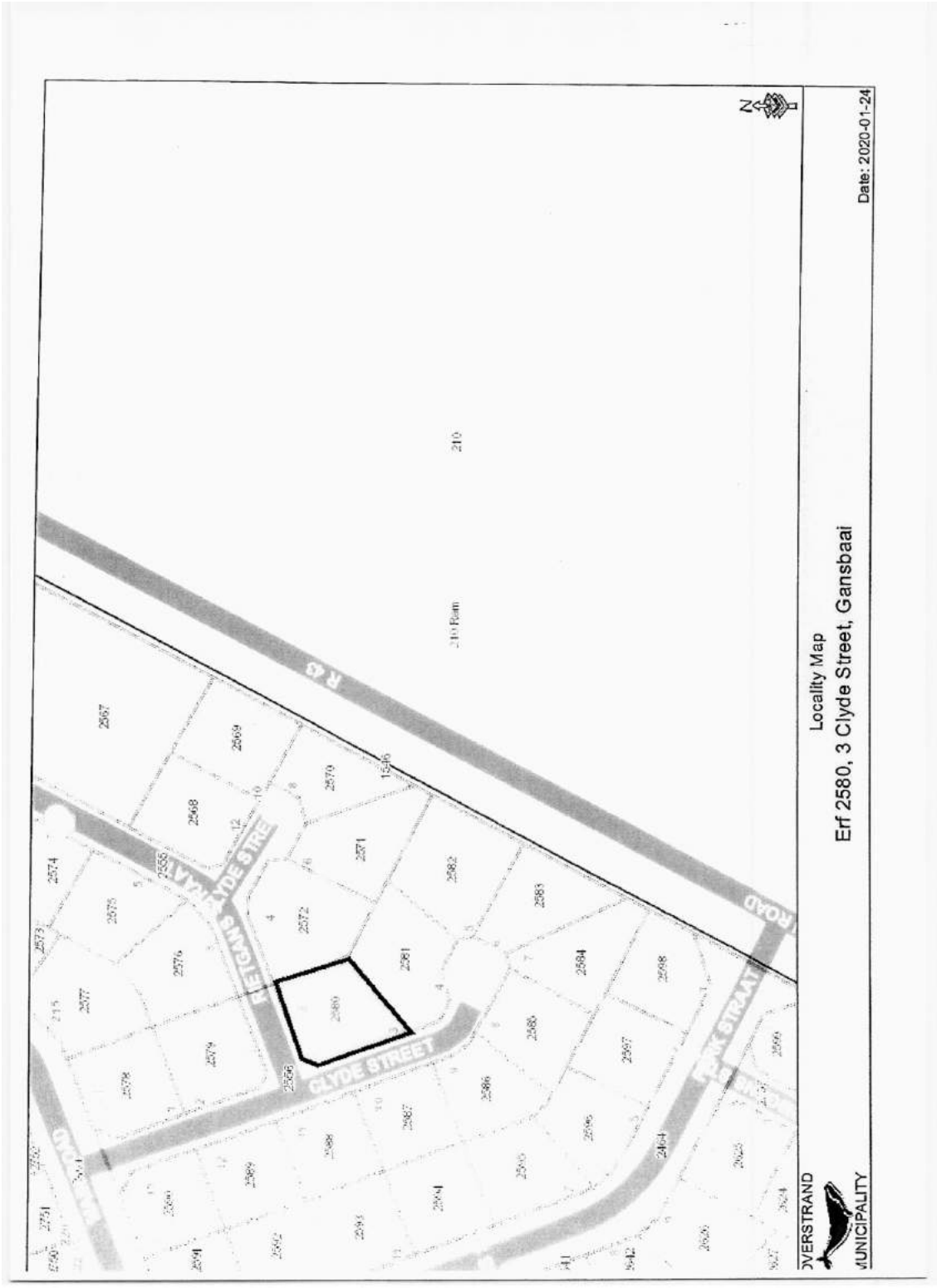
1. that the comment be noted;
2. that in terms of Section 16(2)(b) of the By-Law, the application for a building line departure to encroach the northern street building line from 4m to 0,23m and the eastern lateral building line from 2m to 0,23m to accommodate the existing braai lapa, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approvals are for the development as indicated on Drawing No *Ken – DK – 19/09* dated *20 November 2019*, that was submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that all the conditions in the Services Report, be complied with;
 - (d) that the approvals do 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.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

3. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regards to the approval in paragraph 2 above.

REASONS FOR RECOMMENDATION

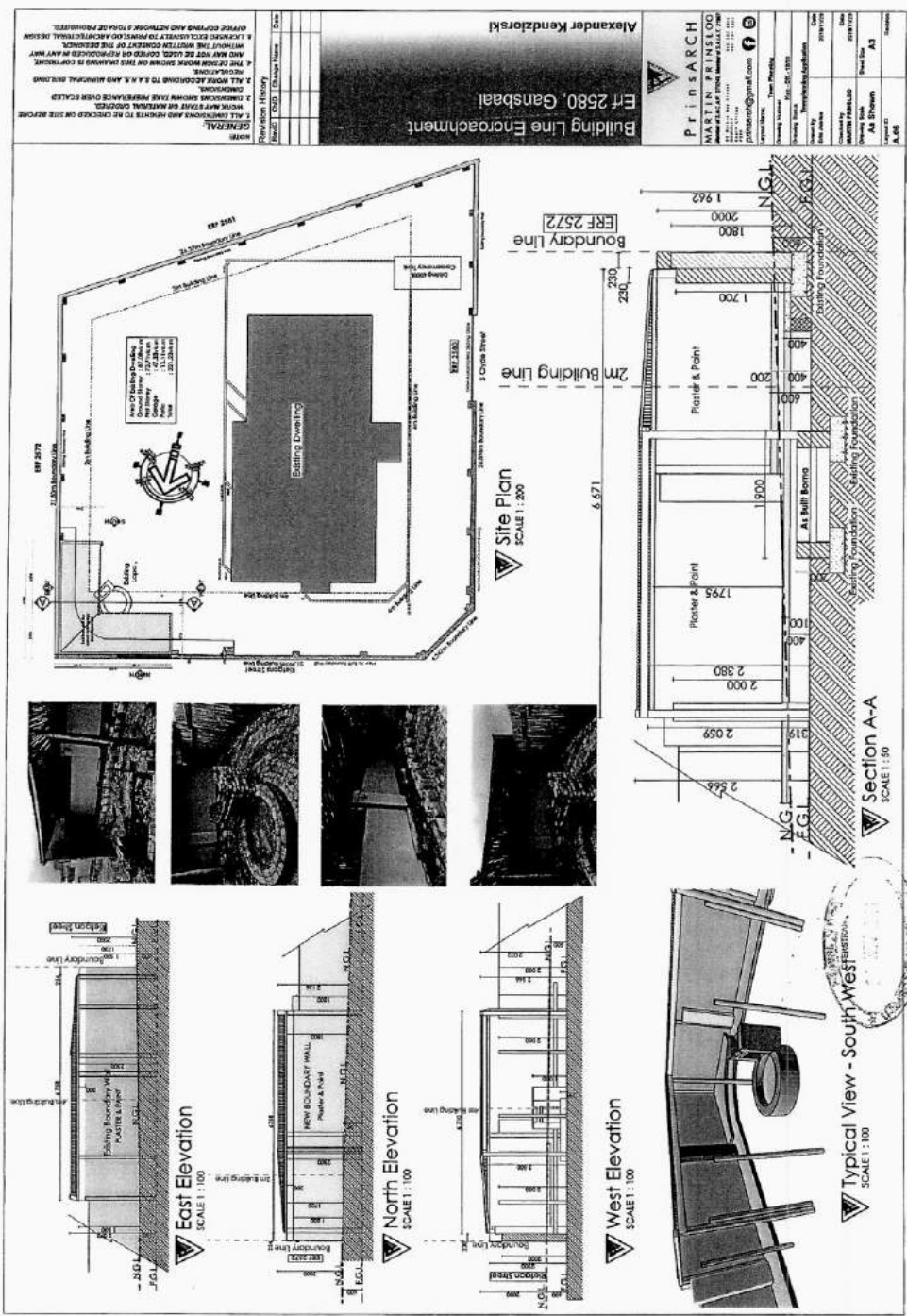
- ❖ The proposal is in line with the character of the area.
- ❖ The proposal will not adversely impact vested rights of adjoining property owners.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The proposal is compliant with the spatial policies contained in the SDF.
- ❖ The proposal is consistent with the spatial principles as set out in SPLUMA and LUPA.



Locality Map
 Erf 2580, 3 Clyde Street, Gansbaai

Date: 2020-01-24





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 2580, GANSBAAI (3385/2019)**

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 2580, Gansbaai, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021**

(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)

- 15. ERF 1879, 72 SCHNEIDER STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA: PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS: MESSRS QUANTECH ARCHITECTURAL CONSULTANT ON BEHALF DR WR KOEN**

1879 GFK (3500/2019)

SW van der Merwe

(028) 313 8900

Hermanus Administration

23 December 2020

Executive Summary

An application has been received on 12 November 2019 from Messrs Quantech Architectural Consultant on behalf of DR WR Koen of Erf 1879, Franskraal for the removal of restrictive title condition C.(3)(b) in title deed T35657/2013 in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to accommodate two first floor flats.

RESOLVED :

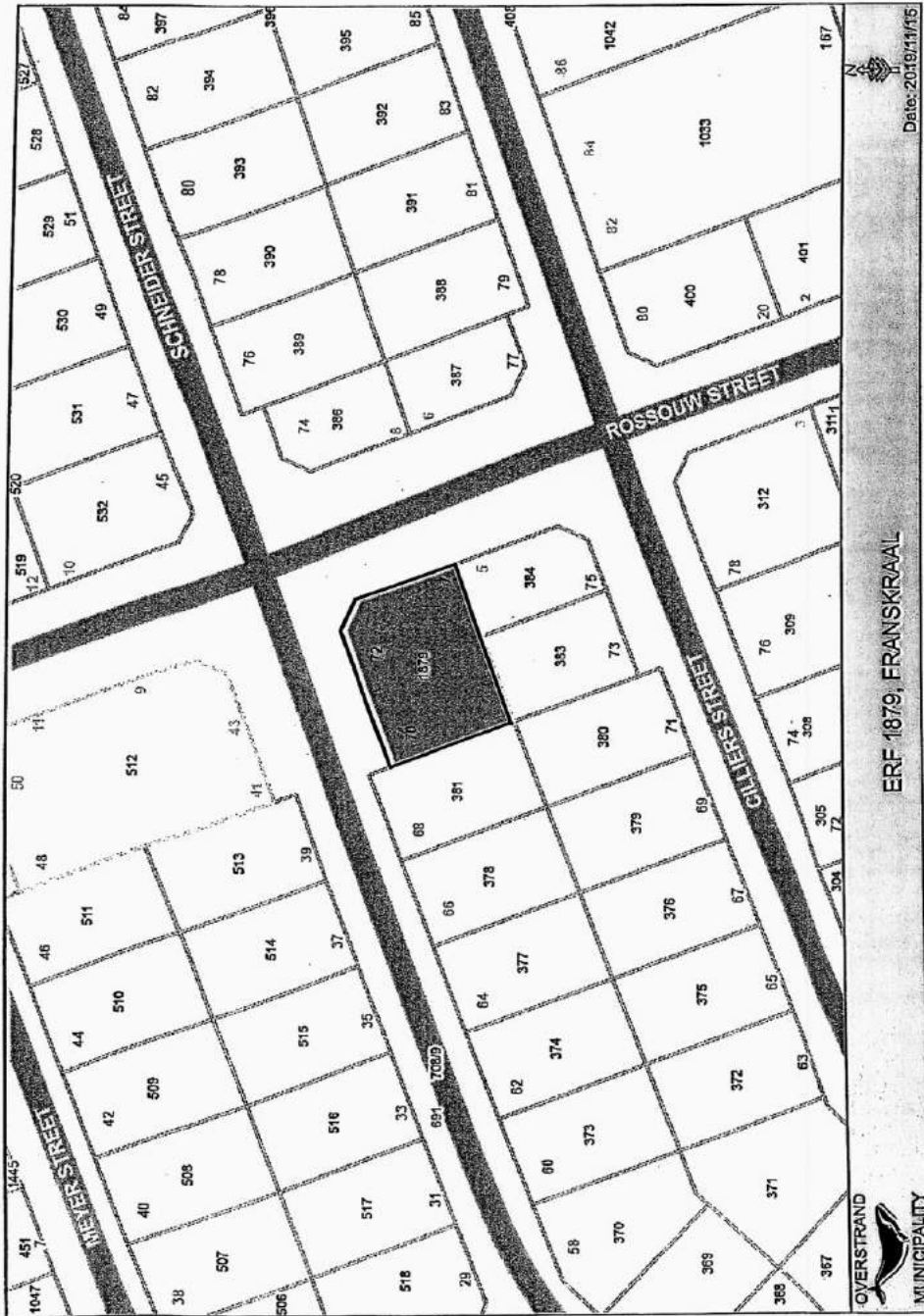
1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the removal of restrictive title deed condition C.(3)(b) in Title Deed T35657/2013 applicable to Erf 1879, Franskraal, be approved, in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that all the conditions in the Services Report, be complied with, and
 - (e) that the requirements of waste management services pertaining to refuse storage be adhered to.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021**

(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ The application is in line with the SDF.
- ❖ The development will add value and much needed residential accommodation to the area.
- ❖ The development will not detract from the character of the area or vested rights of adjoining properties.



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NOTES & SPECIFICATIONS
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWINGS.
 3. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. ALL UTILITIES TO BE LOCATED AND DEPTH NOTED PRIOR TO CONSTRUCTION.
 7. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 8. ALL MATERIALS AND WORKMANSHIP TO BE SUBJECT TO INSPECTION AND APPROVAL BY THE AUTHOR.
 9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 10. ALL MATERIALS TO BE STORED PROPERLY ON THE SITE.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/15/2010
2	ISSUED FOR PERMIT	10/15/2010
3	ISSUED FOR PERMIT	10/15/2010
4	ISSUED FOR PERMIT	10/15/2010
5	ISSUED FOR PERMIT	10/15/2010
6	ISSUED FOR PERMIT	10/15/2010
7	ISSUED FOR PERMIT	10/15/2010
8	ISSUED FOR PERMIT	10/15/2010
9	ISSUED FOR PERMIT	10/15/2010
10	ISSUED FOR PERMIT	10/15/2010

W. KOEN
(Owner)

QUANTECH
 ARCHITECTS
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 733-1111
 WWW.QUANTECHARCHITECTS.COM

COUNCIL JURISDICTION
 DISTRICT: 11
 SUBDISTRICT: 11-01
 CITY: DENVER
 COUNTY: DENVER
 STATE: COLORADO

SECTION C
 1:100 SECTION C
 SECTION C THROUGH THE EAST ELEVATION

EAST ELEVATION
 EAST ELEVATION

WEST ELEVATION
 WEST ELEVATION

SOUTH ELEVATION
 SOUTH ELEVATION

FULLBOFF DETAIL (NTS)
 FULLBOFF DETAIL (NTS)

1:100 SECTION A
 1:100 SECTION A
 SECTION A THROUGH THE WEST ELEVATION

1:200 ROOF PLAN
 1:200 ROOF PLAN
 ROOF PLAN

FIRST FLOOR PLAN
 1:100 SECTION B
 1:100 SECTION B
 SECTION B THROUGH THE SOUTH ELEVATION

Waterproofing by specialist

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COVERAGE CALCULATIONS

TOTAL SITE AREA = 916 m²
 GROUND FLOOR = 399 m²
 FIRST FLOOR = 284 m²
 TOTAL AREA = 683 m²
 COVERAGE = 56.3 %

PARKING CALCULATIONS

EXISTING BAYS 400 / 25 = 16 Bays
 PROPOSED BAYS (1.75+0.25) x 2 = 4 Bays
 PERMISSIBLE = 20 BAYS

TOTAL PARKING BAYS ON SITE = 24 BAYS

FLOOR FACTOR

GROUND FLOOR = 399.0 m²
 FIRST FLOOR = 286.4 m²
 = 685.4 m²

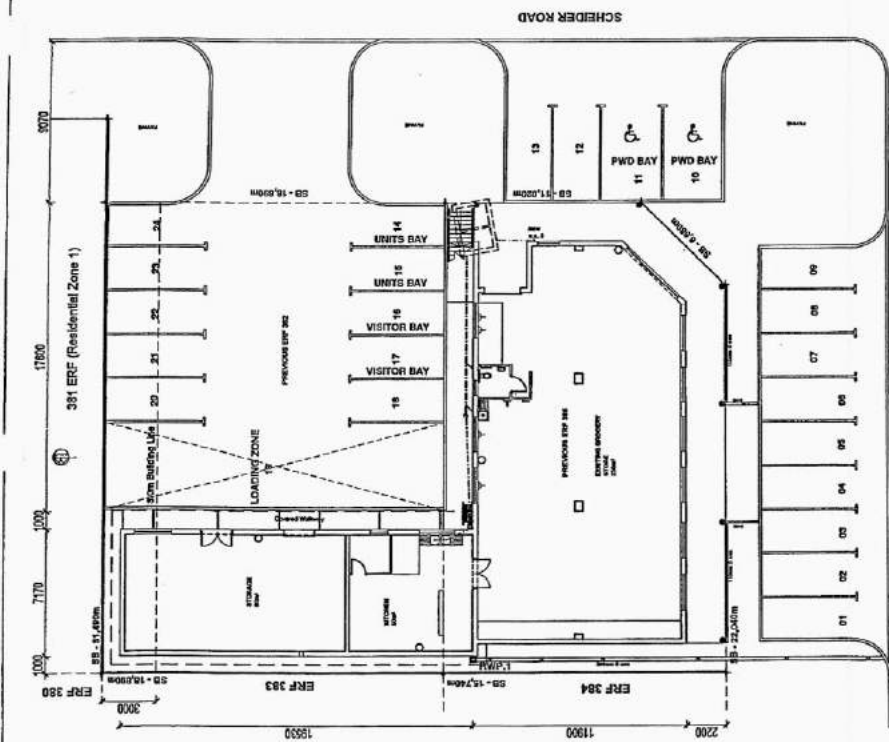
PROPOSED FLOOR FACTOR = 0.73

- AREA FACTOR PER BAY 1 per 25 m²
- AREA UNDER PERMISSIBLE = 17 m²
- AREA FLATS PER BAY 1.75 per Units
- AREA FOR VISITORS BAY 0.25 per Units

QUANTECH
 ARCHITECTURAL CONSULTANTS
 1007 F. SCHNEIDER AVENUE, 10TH FLOOR
 TORONTO, ONTARIO M5S 1A5
 TEL: (416) 593-0074
 FAX: (416) 593-0074
 WWW: QUANTECH.COM
 QUANTECH ARCHITECTURAL CONSULTANTS IS AN EQUAL OPPORTUNITY EMPLOYER.
 Proposed drawings to be used as a guide only. QUANTECH ARCHITECTURAL CONSULTANTS is not responsible for any errors or omissions in these drawings or for any consequences arising therefrom.

REV. NO.	DATE	DESCRIPTION
A	20/05/2010	As per Town Planning Requirements
B	18/11/2010	As per Town Planning Requirements

SITE & GROUND FLOOR PLAN	
DATE: 18/11/2010	SCALE: AS SHOWN
DRAWN BY: [Name]	CHECKED BY: [Name]
DATE: 18/11/2010	SCALE: AS SHOWN



SITE & GROUND FLOOR PLAN
 SCALE 1 : 200

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NOTES & SPECIFICATIONS

GENERAL

All building work and drainage to be in strict accordance with S.A.S. 10400 requirements.

WALLS

Plaster and Paint to match existing.

WINDOWS

Nearest angled aluminium frames with a top hung opening sash.

FLOOR FINISHING

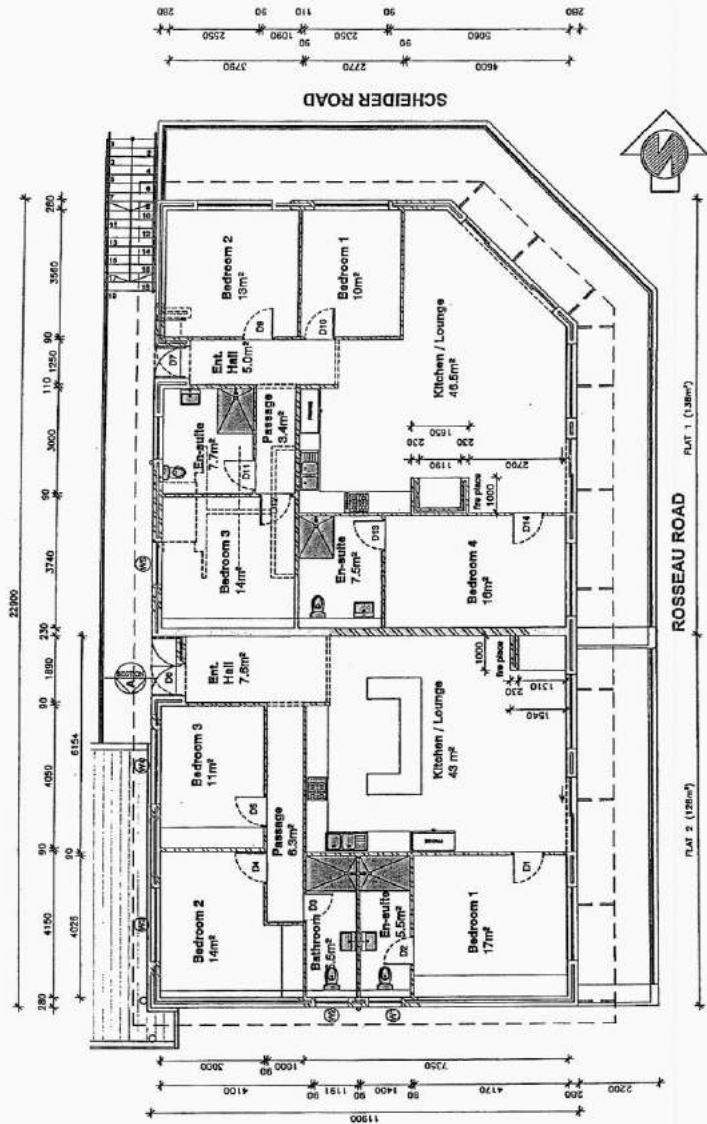
All floor areas are to be tiled.

REV. NO.	DATE	DESCRIPTION
A	21/05/2012	As per Town Planning Requirements
B	19/11/2015	As per Town Planning Requirements

Drawn by: **QUANTECH**
 ARCHITECTURAL CONSULTANTS
 107, ROSEAU AVENUE, STANLINGTON
 TEL: (021) 629 2214
 FAX: (021) 629 2214
 E-MAIL: info@quantech.co.za
 27, JEFFREYS HOP, No. 1, 2018 B.B.K.A.P.
 ROSEAU AVENUE, STANLINGTON
 Tel: (021) 629 2214
 Fax: (021) 629 2214
 E-mail: info@quantech.co.za

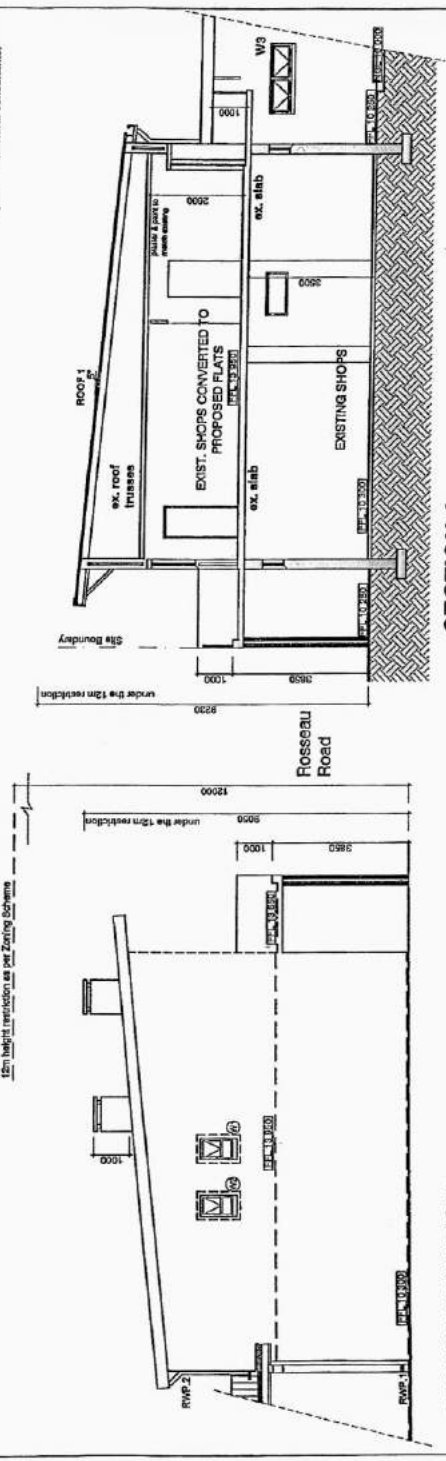
FIRST FLOOR PLAN

Scale	1:100
Date	19/11/2015
Sheet No.	101
Project No.	101



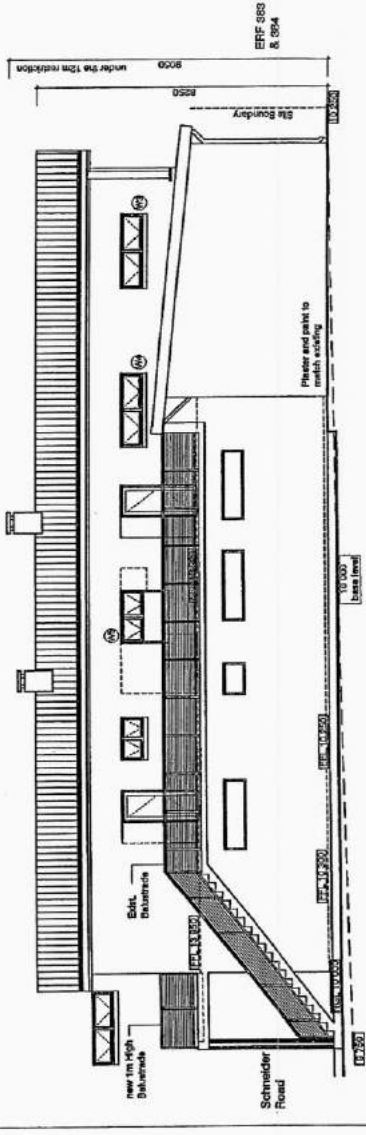
FIRST FLOOR PLAN
 SCALE 1 : 100

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SECTION A

SOUTH ELEVATION



WEST ELEVATION

REV. NO.	DATE	DESCRIPTION
A.	21/10/2019	As per Town Planning requirements
B.	16/11/2019	As per Town Planning requirements

Date plotted - 16/11/2019

QUANTECH
 ARCHITECTS
 QUANTECH ARCHITECTS
 100/100 ROSSEAU AVENUE, KEMURU, KEMURU
 TEL: 021 708 2974
 FAX: 021 708 2974
 Email: info@quantech.co.nz
 www.quantech.co.nz

ELEVATION 2	
Scale	1:100
Date	16/11/2019
Drawn by	AK
Checked by	AK
Project No.	1227

ERF 583 & 584

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS: ERF 1879, FRANSKRAAL**

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

Conditions:

1. that the existing water connection and sewer conservancy tank to Erf 1879 shall be used to service Erf 1879;
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 on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
5. that any additional and / or extended vehicle entrances will be for the developer's account;
6. that stormwater be allowed to discharge through Erf 1879, Franskraal, unobstructed.

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

03/11/2020
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021**

(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)

- 16. ERF 744, 9 LINCOLN STREET, FRANSKRAAL: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE: MESSRS ME PLANNERS ON BEHALF OF KL & M COMBRINCK**

744 GFK (2957/2019)

SW van der Merwe

(028) 313 8900

Hermanus Administration

9 December 2020

Executive Summary

An application was received on 11 September 2019 from Messrs ME Planners on behalf of KL & M Combrinck the owner of Erf 744, Franskraal for the following:

- ❖ removal of restrictive title deed Condition 3.5 (c) and (d) as contained in Title Deed T40780/2018 applicable to Erf 744, Franskraal in terms of Section 16(2)(f) of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) to, and
- ❖ departure in terms of Section 16(2)(b) of the By-law to encroach the south western lateral and rear building line from 2m to 1m in order to accommodate an existing wendy house.

RESOLVED :

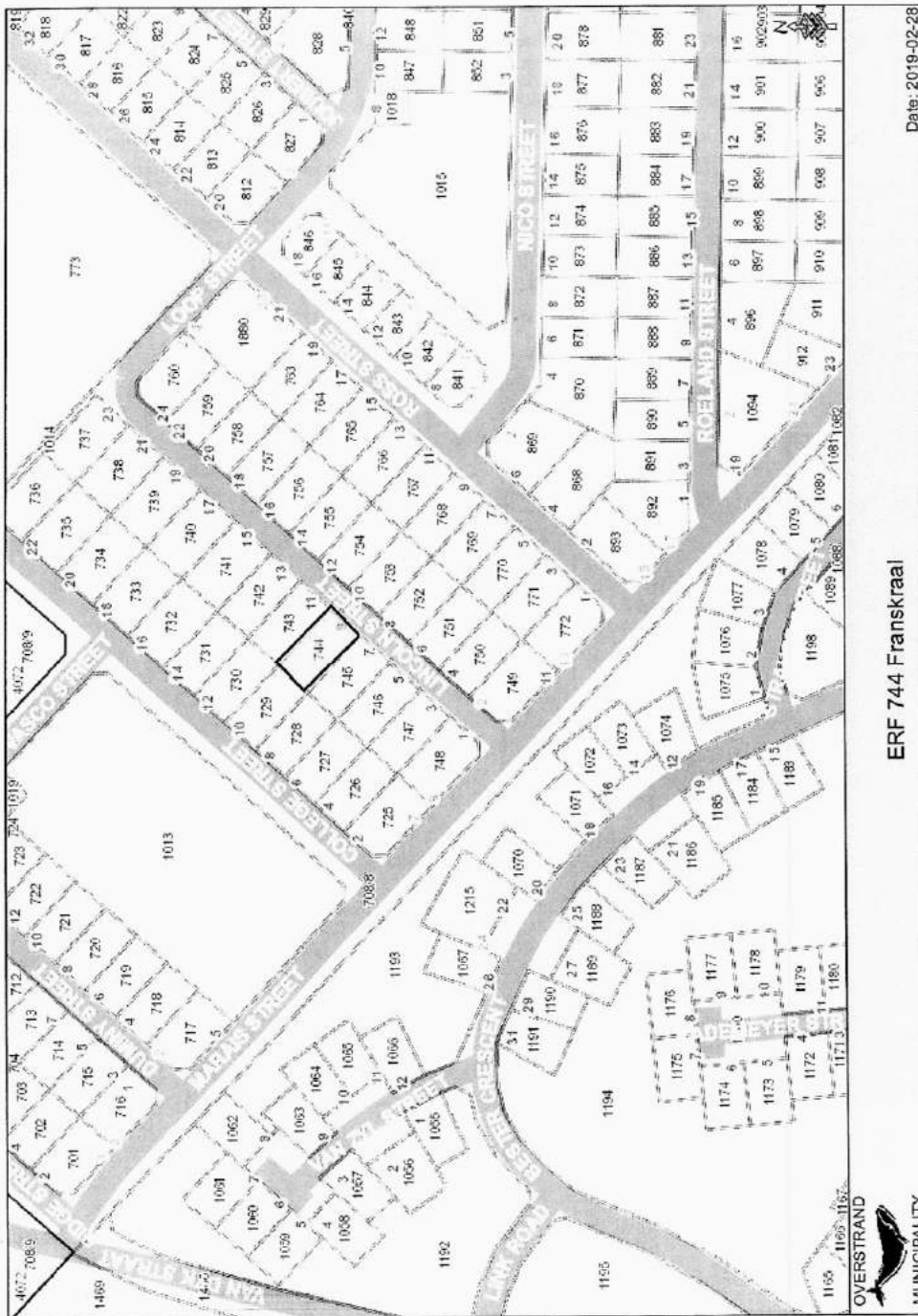
1. that in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) the application for the removal of restrictive title conditions 3.5(c) and (d) as contained in Title Deed T40780/2018 applicable to Erf 744, Franskraal, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that in terms of Section 16(2)(b) of the By-Law, the application for departure to encroach the south western lateral building line and rear building from 2m to 1m to accommodate the existing wendy house, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the approvals provided in paragraphs 1. and 2. are subject to the following conditions:
 - (a) that the approvals are for the development as indicated on *Drawing No. 1916 dated June 2019* that was submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

- (c) that all the conditions in the Services Report and Telkom, be complied with;
 - (d) that the approvals do not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
4. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditional approvals.

REASONS FOR RECOMMENDATION

- ❖ The development is in keeping with the character of the area.
- ❖ The development will not unacceptably detract from vested rights of adjoining properties.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The relevant legislation was considered with the removal of the restrictive conditions in the title deed.
- ❖ 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.

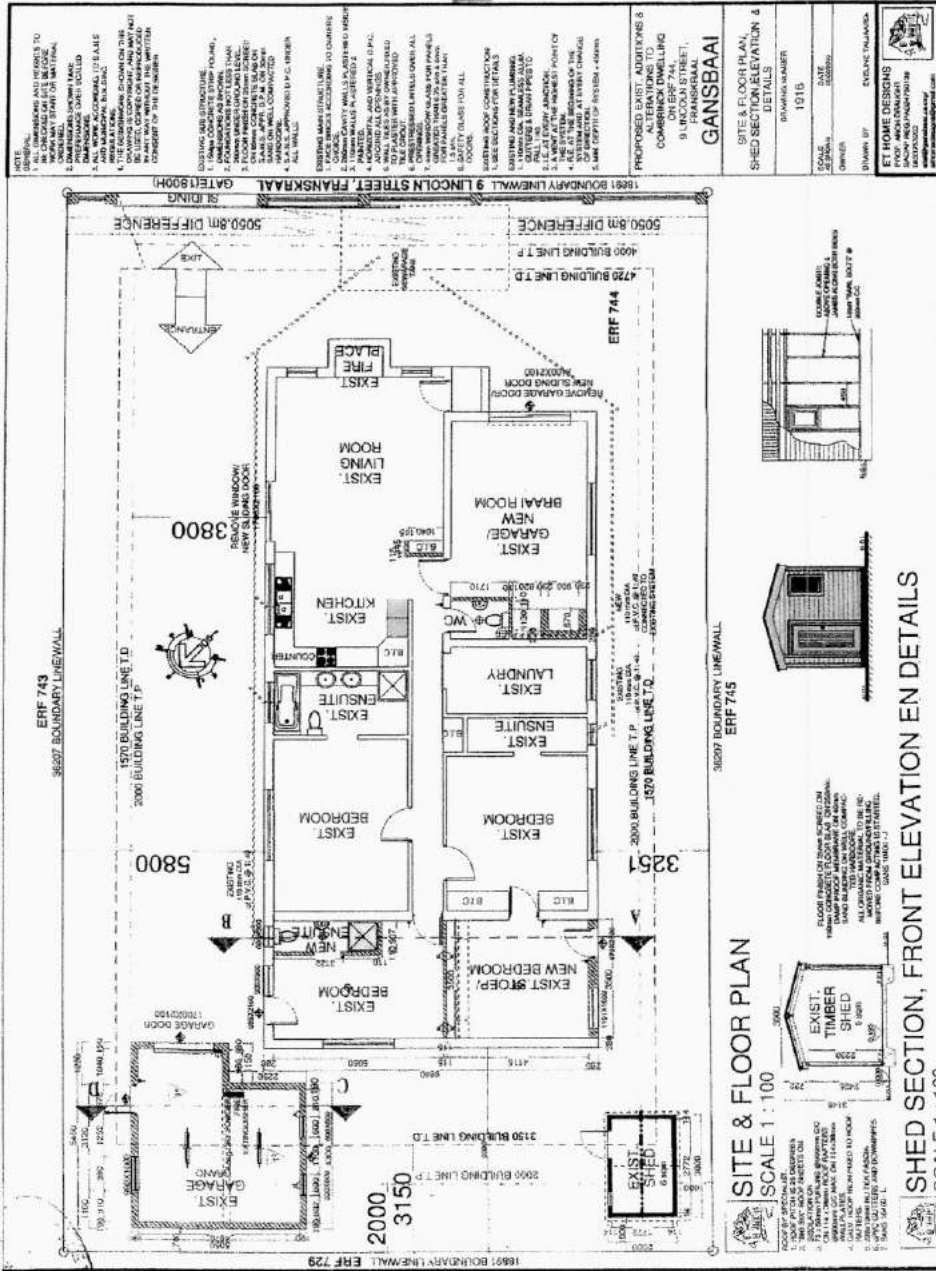


ERF 744 Franskraal



OVERSTRAND MUNICIPALITY

Date: 2019-02-28



NOTES:
 1. ALL DIMENSIONS AND REFERENCE TO WALLS ARE TO FACE UNLESS STATED OTHERWISE.
 2. DIMENSIONS TO FACE UNLESS STATED OTHERWISE.
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 8. DIMENSIONS TO FACE UNLESS STATED OTHERWISE.
 9. DIMENSIONS TO FACE UNLESS STATED OTHERWISE.
 10. DIMENSIONS TO FACE UNLESS STATED OTHERWISE.

1. ALL WALLS TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
 2. ALL ROOFING TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
 3. ALL FLOORING TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
 4. ALL ELECTRICAL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS.
 5. ALL PLUMBING WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS.
 6. ALL MECHANICAL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS.
 7. ALL PAINTING TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL PAINTING REGULATIONS.
 8. ALL FINISHES TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL FINISHES REGULATIONS.
 9. ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL WORK REGULATIONS.
 10. ALL MATERIALS TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL MATERIALS REGULATIONS.

PROPOSED EXIST. ADDITIONS & CONSTRUCTION DWELLING ON ERF 744, 9 LINCOLN STREET, FRANSKRAIL.
GANSBAAI

DATE: 2018
 DRAWING NUMBER: 1918
 SHEET: 4 OF 4
 SITE & FLOOR PLAN, DETAILS
 SHED SECTION ELEVATION 4
 DRAWN BY: EVLENE TILAKA
 CHECKED BY: EVLENE TILAKA
 APPROVED BY: EVLENE TILAKA
 CONTACT: 083 308 2000
 www.gansbaai.co.za

SITE & FLOOR PLAN
 SCALE 1:100

SHED SECTION, FRONT ELEVATION EN DETAILS
 SCALE 1:100

EXIST. TIMBER SHED
 SCALE 1:100

EXIST. SHED
 SCALE 1:100

EXIST. SHED
 SCALE 1:100

SECTION A - B
SCALE 1 : 100

EXISTING ROOF
EXIST. BEDROOM
NEW BEDROOM
EXIST. STODEN
NEW BEDROOM
EXISTING FOUNDATION

NOTE: ALL WORK ACCORDING TO S.A. 1 & 2. ALL WORK TO BE COMPLETED BY THE CONTRACTOR. ALL WORK TO BE ACCORDING TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS.

SECTION C - D
SCALE 1 : 100

BRICKWORK WALL
CONCRETE FOOTING
PLASTER

NOTE: ALL WORK ACCORDING TO S.A. 1 & 2. ALL WORK TO BE COMPLETED BY THE CONTRACTOR. ALL WORK TO BE ACCORDING TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS. ALL WORK TO BE ACCORDING TO THE APPROVED PERMITS AND REGULATIONS.

SECTION A - B
SCALE 1 : 100

ENERGY DEMANDS	- 300W
ALLOWED WORK	- 100W
SPOTLIGHT	- 100W
REFLECTOR LIGHTS	3 X 75W = 225W
EXTERIOR LIGHTS	3 X 15W = 45W
TOTAL	540W

DEMAND
540W/230V = 2.35KW

DC CONSUMPTION ACCORDING TO SANS 10142

ENERGY DEMAND
N.T.S

REQUIRED WATER FLOW:
FROM WATER FITTERS
SHOWER: 15lit/min
W.C.: 15lit/min
SINK: 15lit/min
DREAM TO COMPLY

SECTION C - D
SCALE 1 : 100

SITE LOCATION
N.T.S

ALL ELECTRICAL WORK NEEDS TO COMPLY TO SANS 10142

ELECTRICAL KEY
N.T.S

NO CONSTRUCTION OR CONCRETE FOOTING TO BE APPROVED BY THE ENGINEER UNLESS THE REQUIREMENTS ARE MET.

PROPOSED NEW ADDITIONS & ALTERATIONS TO EXISTING WORK
9 LINDOLN STREET
OH BAY 744
GANSBAAI

SECTIONS A - B & C - D
SECTION OF GARAGE WALL
ENERGY DEMAND
ELECT. RET A

DATE: 18/08/2014
SCALE: 1:100
DRAWING NUMBER: 1808 - 2 01 a

DESIGNED BY: [Signature]
DRAWN BY: [Signature]

PROJECT NAME: [Signature]
CLIENT: [Signature]

NOTE:
1. ALL DIMENSIONS AND INDICATORS TO BE SHOWN ON THE DRAWINGS. ALL DIMENSIONS TO BE SHOWN ON THE DRAWINGS. ALL DIMENSIONS TO BE SHOWN ON THE DRAWINGS. ALL DIMENSIONS TO BE SHOWN ON THE DRAWINGS. ALL DIMENSIONS TO BE SHOWN ON THE DRAWINGS.

READ IN CONJUNCTION WITH
1808 - 1 & 4 OF 4

NOTE:
 1. ALL DIMENSIONS AND HEIGHTS TO FACE UNLESS OTHERWISE NOTED.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE BUILDING CODE.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE ELECTRICAL CODE.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE MECHANICAL CODE.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE PLUMBING CODE.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE GAS CODE.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FIRE CODE.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE ENERGY CODE.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE ENVIRONMENTAL CODE.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE HEALTH AND SAFETY CODE.
 11. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE OCCUPANCY LOADS CODE.
 12. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE SOUND AND VIBRATION CODE.
 13. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE TRANSPORTATION CODE.
 14. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE UTILITIES CODE.
 15. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE WIND LOADS CODE.
 16. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE YIELDING POINT DESIGN CODE.

PROPOSED NEW ADDITIONS & ALTERATIONS TO EXISTING BUILDING
 9 LINCOLN STREET,
 PUNAHOU,
 HAWAII
GANSBAAI

ELEVATIONS

DATE: 01/15/2014
 TIME: 3:04
 SCALE: 1/8" = 1'-0"
 DRAWN BY: J. GANSBAAI
 CHECKED BY: J. GANSBAAI
 PROJECT NO.: 14-001

PT. THOMAS DESIGNS
 1000 KALANIANA'OLE BLVD., SUITE 100
 HONOLULU, HAWAII 96813-2005
 TEL: (808) 943-8888
 FAX: (808) 943-8889
 WWW.PTTHOMASDESIGNS.COM

REAR IN CONJUNCTION WITH 10M - 13.1 & 10.4

SOUTH WEST ELEVATION
 SCALE 1 : 100

NORTH WEST ELEVATION
 SCALE 1 : 100

SOUTH EAST ELEVATION
 SCALE 1 : 100

NORTH EAST ELEVATION
 SCALE 1 : 100

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIOND & DEPARTURE: ERF 744, FRANSKRAAL (2957/2019)**

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

Conditions:

1. that only the existing water connection and sewer conservancy tank to Erf 744 shall be used to service Erf 744;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Erf 744, Franskraal, unobstructed;
6. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

Municipal Planning Tribunal

1. **ERF 787, 15 COVE STREET, DE KELDERS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: MESSRS WRAP PROJECT OFFICE ON BEHALF OF HIPPOMANIA (PTY) LTD**

787 GDK

P Roux

9 December 2020

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 3 June 2020 from Messrs WRAP Project Office on behalf of Hippomania (Pty) Ltd in terms of Section 16(2)(f) of the Overstrand By-Law on Municipal Land Use Planning, 2015 applicable to Erf 787, De Kelders for the removal of restrictive title deed conditions with reference to Clause E: E.A, E.A.(a), E.A.(b), E.A.(c), E.A.(d), E.B and E.B.(e) as contained in Title Deed T11906/2020.

RESOLVED:

1. that the comments received be noted;
2. that the application received from Messrs WRAP Project Office on behalf of Hippomania (Pty) Ltd applicable to Erf 787, De Kelders for the removal of restrictive title deed conditions with reference to Clauses E: E.A, E.A.(a), E.A.(b), E.A.(c) and E.A.(d) of Title Deed T11906/2020 in terms of Section 16(2)(f) of the aforementioned By-Law, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application received from Messrs WRAP Project Office on behalf of Hippomania (Pty) Ltd applicable to Erf 787, De Kelders for the removal of restrictive title deed condition with reference to Clauses E: E.B and E.B.(e) (which relate to the subdivision of the property) of Title Deed T11906/2020 in terms of Section 16(2)(f) of the aforementioned By-Law, **not be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the decisions in paragraph 2. be subject to the following conditions:
 - (a) that building plans be submitted to the Building Branch for approval, and that all conditions of the Building- and the Fire Department, be complied with at that stage;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

- (b) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;
 - (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (d) that all the conditions in the Services Report be complied with.
5. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

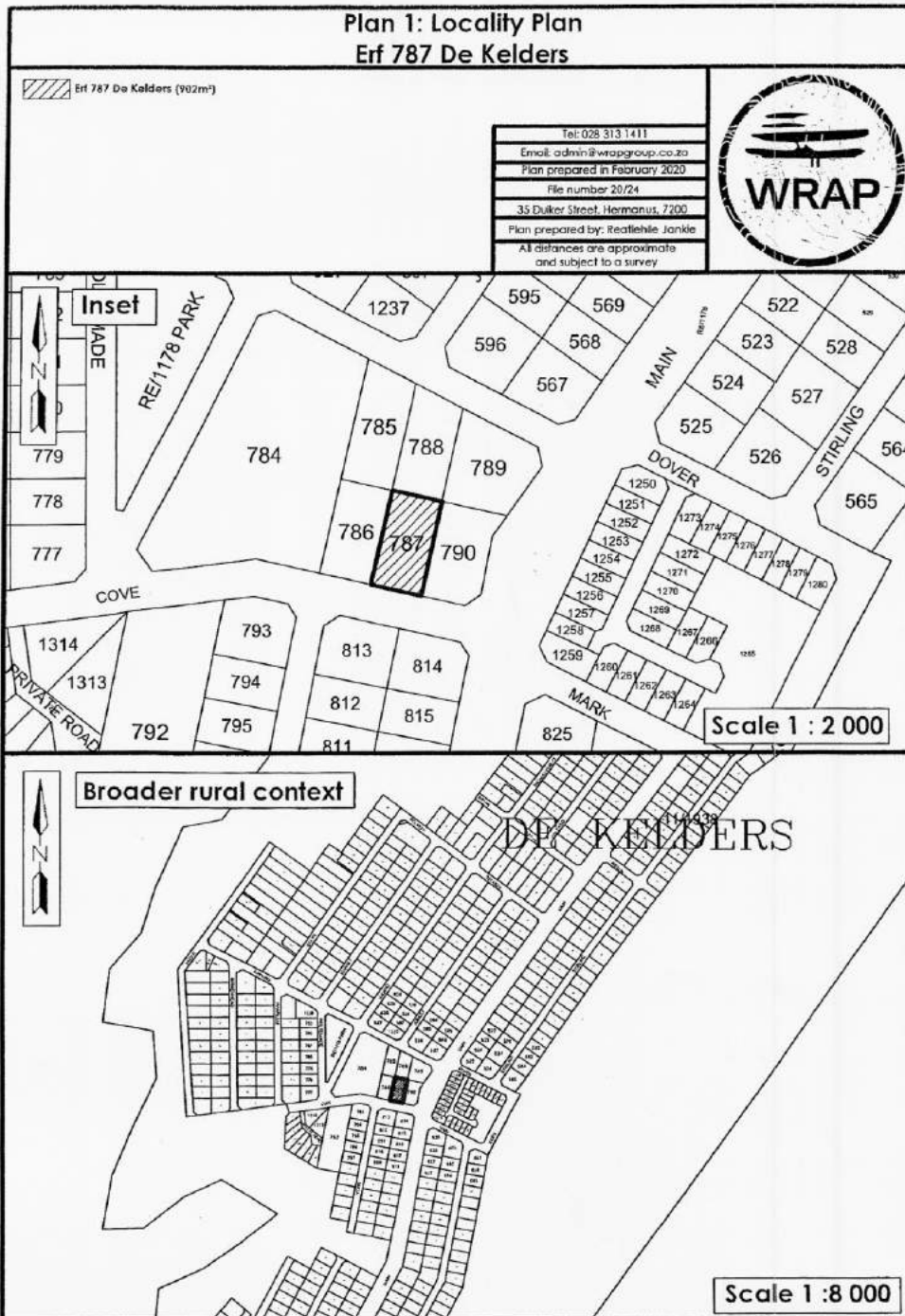
REASONS FOR THE RESOLUTION:

Reasons for approval

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ There are other properties in the commercial node which are developed with mixed use land uses and which are developed onto boundaries, and the removal of these restrictions would therefore not impact on the character of the area.
- ❖ The Overstrand Zoning Scheme Regulations have sufficient control measures when it comes to land use, coverage and building line controls.
- ❖ The removal of the restrictions will be beneficial to the De Kelders Community.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ Given the development pattern and spatial planning policies there is a finite of available commercial erven and it is in the best interest of the community and Municipality that the available commercial erven are developed efficiently and in line with the SDF which promotes mixed use development with higher densities and intensity.
- ❖ The proposal is considered in line with the Municipality's SDF.

Reasons for non-approval

- ❖ The application does not include the motivation for the subdivision of the property, and therefore the benefit of removing the restrictive condition cannot be measured, nor the value of the restriction.





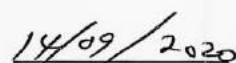
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED: ERF 787,
DE KELDERS**

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

Conditions:

1. That, should Erf 787 be developed, Erf 787 must be provided with a municipal water meter as per detail and requirements stipulated;
2. That, should Erf 787 be developed, Erf 787 be provided with adequate sewer conservancy tanks;
3. 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;
4. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
5. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
6. that any additional and / or extended vehicle entrances will be for the developer's account;
7. that stormwater be allowed to discharge through Erf 787, De Kelders, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

2. **ERF 708, 9 FRONT STREET, DE KELDERS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, SUBDIVISION AND EXEMPTION OF SUBDIVISION (SERVITUDE RIGHT-OF-WAY) : MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF R STEYN & Y BITTMANN-STEYN**

708 GDK

P Roux

(028) 313 8900

Hermanus Administration

15 December 2020

EXECUTIVE SUMMARY

An application has been received on 1 June 2020 from Messrs Plan Active Town- and Regional Planners on behalf of R Steyn and Y Bittmann-Steyn applicable to Erf 708, De Kelders for the following:

- ❖ removal of restrictive title deed condition D.(e) as contained in Title Deed T60347/2018 applicable to Erf 708, De Kelders in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law); and
- ❖ application for subdivision in terms of Section 16(2)(d) of the By-Law in order to subdivide the property into two (2) portions, namely Portion A ($\pm 735\text{m}^2$ in extent) and a Remainder ($\pm 664\text{m}^2$ in extent).

RESOLVED:

1. that the objector be notified of the decision and that the objection submitted is not compliant in terms of Section 52 of the Overstrand Municipality By-Law on Land Use Planning, 2015 and that the objection is therefore dismissed;
2. that the application received from Messrs Plan Active Town- and Regional Planners on behalf of R Steyn and Y Bittmann-Steyn applicable to Erf 708, De Kelders for the following:
 - removal of restrictive title deed condition D.(e) as contained in Title Deed T60347/2018 applicable to Erf 708, De Kelders in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), and
 - application for subdivision in terms of Section 16(2)(d) of the By-Law in order to subdivide the property into two (2) portions, namely Portion A ($\pm 735\text{m}^2$ in extent) and a Remainder ($\pm 664\text{m}^2$ in extent),

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

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(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

subject to the following conditions:

- (a) that the approval is only for the subdivision as indicated on *Subdivision Plan No. dekeld708.drw* as submitted with the application;
 - (b) that the conditions in the Services Report be complied with;
 - (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. 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, 2015 with regard to the above conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed subdivision is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ 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.



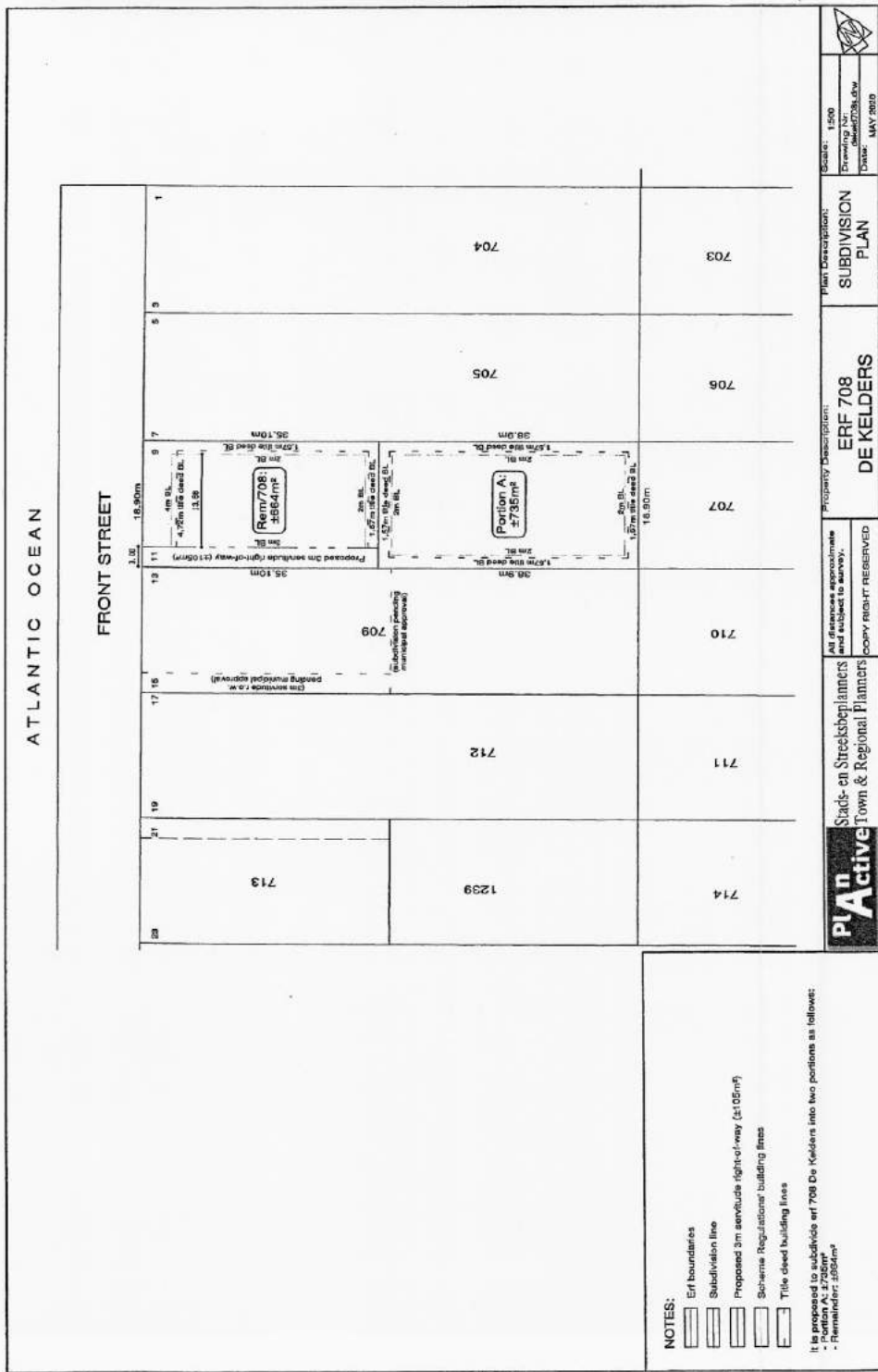
PLAN Active
Stads- en Streeksbeplanners
Town & Regional Planners

All distances approximate
and subject to survey.
COPY RIGHT RESERVED

Property Description:
**ERF 708
DE KELDERS**

Plan Description:
LOCALITY MAP

Scale: NTS
Drawing No: dskd708ldw
Date: MAY 2020



NOTES:

- Erf boundaries
- Subdivision line
- Proposed 3m service right-of-way (310m²)
- Scheme Regulations' building lines
- Title deed building lines

It is proposed to subdivide erf 708 De Kelders into two portions as follows:
 - Portion A: 735m²
 - Remainder: 864m²

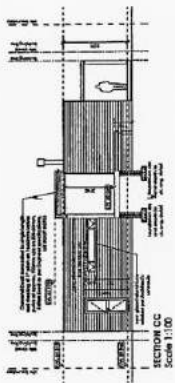
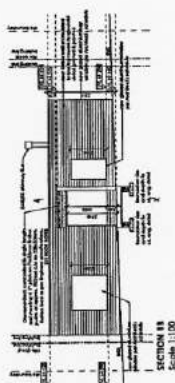
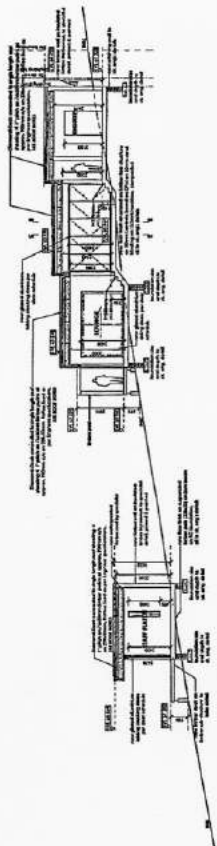
PLAN Active Stads- en Streeksbeplanners
 Town & Regional Planners

Property Description: ERF 708 DE KELDERS

PLAT Description: SUBDIVISION PLAN

Scale: 1:500
 Drawing No: 20100508.dwg
 Date: MAY 2010

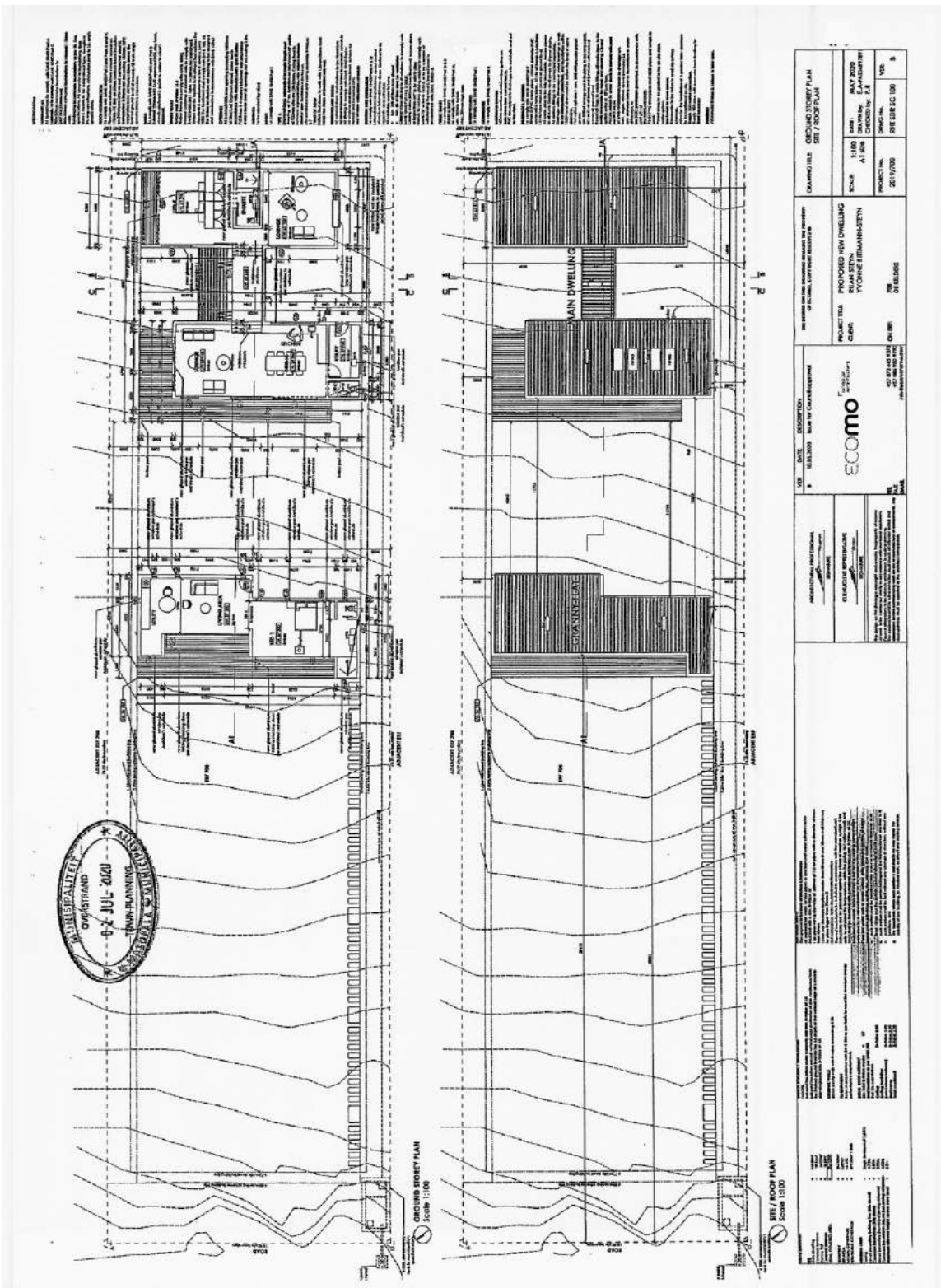
All distances approximate and subject to survey.
 COPY RIGHT RESERVED



NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS (NBR) AND THE NATIONAL ELECTRICAL REGULATIONS (NER).
2. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL WATER SUPPLY REGULATIONS (NWR) AND THE NATIONAL SANITATION REGULATIONS (NSR).
3. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL FIRE REGULATIONS (NFR) AND THE NATIONAL SAFETY REGULATIONS (NSR).
4. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS (NER) AND THE NATIONAL POLLUTION REGULATIONS (NPR).
5. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL HEALTH REGULATIONS (NHR) AND THE NATIONAL WASTE REGULATIONS (NWR).
6. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL ENERGY REGULATIONS (NER) AND THE NATIONAL CLIMATE REGULATIONS (NCR).
7. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL TRANSPORT REGULATIONS (NTR) AND THE NATIONAL INFRASTRUCTURE REGULATIONS (NIR).
8. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL COMMUNICATIONS REGULATIONS (NCR) AND THE NATIONAL MEDIA REGULATIONS (NMR).
9. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL CULTURAL REGULATIONS (NCR) AND THE NATIONAL HERITAGE REGULATIONS (NHR).
10. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL EDUCATION REGULATIONS (NER) AND THE NATIONAL TRAINING REGULATIONS (NTR).
11. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL RESEARCH REGULATIONS (NRR) AND THE NATIONAL INNOVATION REGULATIONS (NIR).
12. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL SCIENCE REGULATIONS (NSR) AND THE NATIONAL TECHNOLOGY REGULATIONS (NTR).
13. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL ARTS REGULATIONS (NAR) AND THE NATIONAL CREATIVITY REGULATIONS (NCR).
14. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL SPORTS REGULATIONS (NSR) AND THE NATIONAL RECREATION REGULATIONS (NRR).
15. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL TOURISM REGULATIONS (NTR) AND THE NATIONAL VISITOR REGULATIONS (NVR).
16. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL BUSINESS REGULATIONS (NBR) AND THE NATIONAL INDUSTRY REGULATIONS (NIR).
17. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL FINANCIAL REGULATIONS (NFR) AND THE NATIONAL INVESTMENT REGULATIONS (NIR).
18. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL LABOR REGULATIONS (NLR) AND THE NATIONAL EMPLOYMENT REGULATIONS (NER).
19. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL SOCIAL REGULATIONS (NSR) AND THE NATIONAL COMMUNITY REGULATIONS (NCR).
20. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL POLITICAL REGULATIONS (NPR) AND THE NATIONAL GOVERNANCE REGULATIONS (NGR).

PROJECT TITLE: PROPOSED NEW DWELLING CLIENT: MR & MRS M. M. M. M. PROJECT NO: 2017/001 DATE: 02 JUL 2020	DRAWING NO: SECTION C SCALE: 1:100 PROJECT NO: 2017/001 DATE: 02 JUL 2020
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PROJECT TITLE: PROPOSED NEW DWELLING CLIENT: MR & MRS M. M. M. M. PROJECT NO: 2017/001 DATE: 02 JUL 2020	DRAWING NO: SECTION C SCALE: 1:100 PROJECT NO: 2017/001 DATE: 02 JUL 2020



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED &
SUBDIVISION / EXEMPTION: ERF 708, DE KELDERS**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

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

Note:

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

2. that, should the owner require water, Portion A/Remainder of Erf 708 be provided with a municipal water meter as per detail and requirements stipulated;
3. that Portion A of Erf 708 and Remainder of Erf 708 must each be provided with individual and separate water connections which must comply with the standards of the Department: Operational Services, as well as sewer conservancy tanks;
4. that application for municipal connections of Portion A and Remainder of Erf 708 must be made at least prior to requirements. A job card will be opened, and the owner will be responsible for all costs;
5. 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;
6. 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;
7. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
8. that any additional and / or extended vehicle entrances will be for the developer's account;
9. that stormwater be allowed to discharge through Erf 708, De Kelders, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

**3. ERF 13, 22 HOOP STREET, GANSBAAI, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING, CONSENT USE AND DEPARTURE:
MESSRS ME PLANNERS ON BEHALF OF MC FRANKEN**

13 GGB (2622/2018)

SW van der Merwe

(028) 313 8900

Hermanus Administration

15 December 2020

EXECUTIVE SUMMARY

An application has been received on 19 June 2020 from Messrs ME Planners on behalf of MC Franken in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 13, Gansbaai for the following:

- rezoning from Residential Zone 1 (SR1) to Business Zone 3: Local Business (B3) and consent use in terms of Sections 16(2)(a) & (o) of the By-Law in order to accommodate a restaurant, place of entertainment and two (2) residential rooms on the property, and
- departure in terms of Section 16(2)(b) of the By-Law to encroach the southern lateral building line from 3m to 2,79m and the rear building line from 4,5m to 1,153m to accommodate the existing dwelling and outbuilding as well as a departure from the applicable on-site parking ratio in order to provide four (4) on-site parking bays per 100m² GLA instead of six (6).

RESOLVED:

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the rezoning of Erf 13, Gansbaai from Residential Zone I: Single Residential (SR1) to Business Zone 3: Local Business (B3), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(o) of the By-Law for a consent use to accommodate a restaurant and place of entertainment and two residential rooms (owners accommodation), **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the By-Law for a departure in order to encroach the southern lateral building line from 3m to 2,79m as well as the encroachment of the rear building line from 4,5m to 1,153m to accommodate the existing building and outbuilding, **be approved** in terms of the provisions of Section 61 of the By-Law;

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(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

4. that the application for departure in terms of Section 16(2)(b) of the By-Law to relax the parking ratio applicable to the restaurant from six (6) bays to four (4) bays per 100m² GLA, **be approved** in terms of the provisions of Section 61 of the By-Law,
5. that the approvals in paragraphs 1. to 4. above be subject to the following conditions:
 - (a) that a bar / tavern may not be conducted from the premises;
 - (b) that the parking layout be implemented in accordance with the approval in 4. above;
 - (c) that the requirements of Engineering Services be adhered to;
 - (d) that building plans be submitted to the Building Department for approval within thirty (30) days of the decision date, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (e) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (f) that the display of signage be subject to compliance with the Municipal By-Law on Signage;
 - (g) that this approval do not permit the provision of gambling facilities;
 - (h) that the applicant shall appoint a suitably qualified noise specialist and implement the applicable mitigation measures at his cost, should any justified complains regarding noise and disturbance being received;
 - (i) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (j) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (k) that, concerning the place of entertainment, live entertainment events be restricted to four (4) events per quarter, not exceeding 4 hours at a time and not outside the hours of 10:00 to 22:00, subject to adherence of applicable noise regulations.

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6. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ The application has followed due procedure.
- ❖ The development is consistent with the applicable strategic policy documents.
- ❖ The development is consistent with the planning principles.
- ❖ The development does not detract from the character of the surrounding area.
- ❖ The development does not unacceptably detract from the vested rights of adjoining property owners

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, CONSENT USE & DEPARTURE: ERF 13,
GANSBAAI**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 23 957.00 x -0.36000=	-R 8 624.52
Sewerage	R 16 153.00 x -0.36000=	-R 5 815.08
Roads	R 7 243.00 x 3.51282=	R 25 443.36
Stormwater	R 8 357.00 x 1.189333=	R 9 939.26
Solid Waste	R 1 448.00 x 1.23000=	<u>R 1 781.04</u>
TOTAL (inclusive of VAT)	=	<u>R 22 724.06</u>

Note:

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

2. that the existing water connection to- and sewer conservancy tank on Erf 13 shall be used to service Erf 13;
3. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
4. that any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services;
5. 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;
6. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
7. that any additional and / or extended vehicle entrances will be for the developer's account;
8. that stormwater be allowed to discharge through Erf 13, Gansbaai, unobstructed.

p.p. R. Hendriks

DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

04/09/2020

DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021**

(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)

4. **ERF 852, 23 ANGELIER STREET, GANSBAAI (BLOMPARK),
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING,
CONSENT USE AND DEPARTURE: MESSRS ME PLANNERS ON BEHALF
OF LD MARTHINUS**

852 GGB (3449/2019)

SW van der Merwe

(028) 313 8900

Hermanus Administration

26 October 2020

EXECUTIVE SUMMARY

An application was received on 16 March 2020 from Messrs ME Planners on behalf of LD Marthinus in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 852, Gansbaai (Blompark) for the following:

- rezoning in terms of Section 16(2)(a) of the By-Law from Residential Zone 1 to Business Zone 3: Local Business in order to conduct a takeaway restaurant;
- consent use in terms of Section 16(2)(o) of the By-Law to accommodate a ground floor flat and a proposed bottle store, and
- departure in terms of Section 16(2)(b) in order to accommodate the encroachment of the southern lateral building line from 3m to 2m, the eastern rear building line from 4,5m to 0m in order to accommodate an existing outbuilding and dwelling.

RESOLVED:

1. that the application for rezoning in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 852, Gansbaai (Blompark) from Residential Zone 1 to Business Zone 3 : Local Business in order to conduct a takeaway restaurant, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for consent use in terms of Section 16(2)(o) of the By-Law applicable to Erf 852, Gansbaai (Blompark) to accommodate a ground floor flat and a proposed bottle store, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the By-Law applicable to Erf 852, Gansbaai (Blompark) in order to accommodate the encroachment of the southern lateral building line from 3m to 2m and the eastern rear building line from 4,5m to 0m, **be approved** in terms of the provisions of Section 61 of the By-Law;

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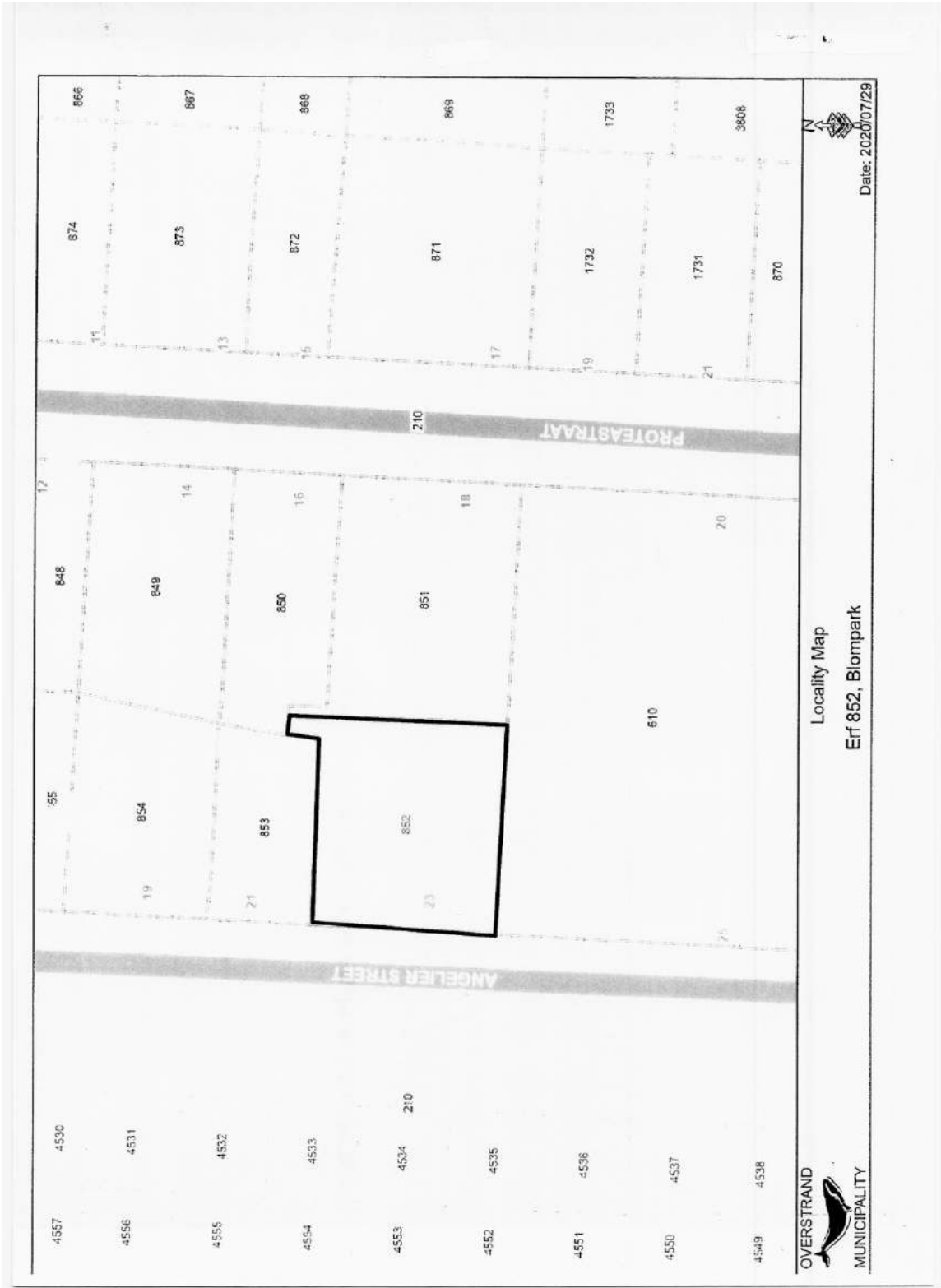
4. that the approvals in paragraph 1. to 3. above be subject to the following conditions:
 - (a) that on-site parking provision be made available in accordance with the approved parking layout;
 - (b) that building plans be submitted within sixty (60) days of the final approval of the application and that all conditions of the Building and Fire Department be complied with at that stage;
 - (c) that applicable rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (d) that all the conditions of Telkom and Engineering Services be complied with;
 - (e) that the display of signage be subject to compliance with the Municipal By-Law on Signage;
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (g) that the applicant complies with all Health and Safety Regulations and requirements of the Liquor Board and licence; and
 - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
5. 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, 2015 with regard to the above conditions of approval.

REASONS FOR THE RESOLUTION:

- The proposal comprises a mixed-use development which is in line with the planning vision of the area.
- The proposal is situated within a commercial node.
- The proposal will be accommodated within existing buildings on the property.
- No objections were received from adjacent property owners.
- The application has followed due process.
- The proposal is compliant with the spatial policies of the SDF.

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- The proposal is consistent with the spatial principles as set out in SPLUMA and LUPA.

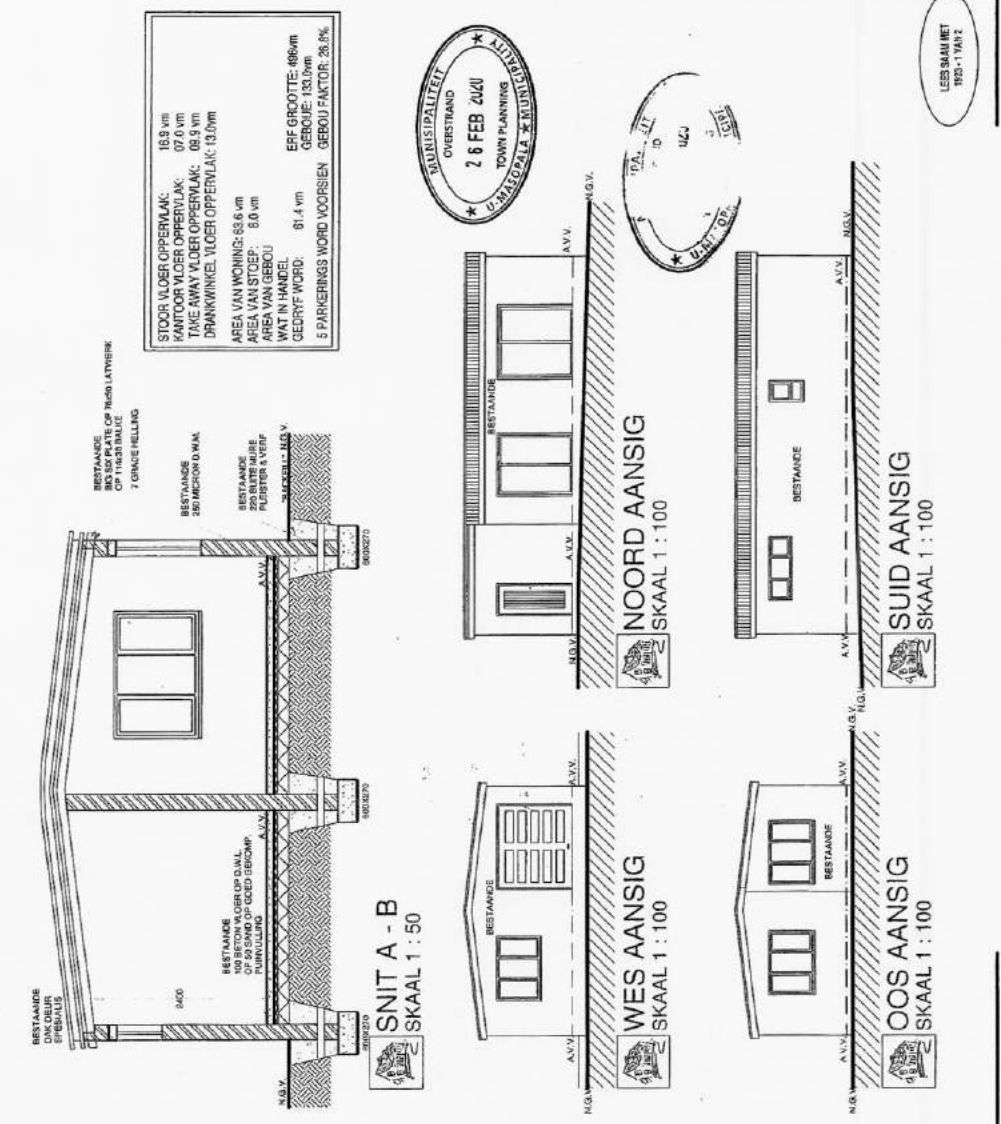


Locality Map
Erf 852, Blompark

Date: 2020/07/29

NOTAS:

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VOORGESTELDE TERREIN PLAN
VIR MARTHINUS WOHNING
OP ERF 123456789
28 AANDEURINGSWEG
BLOMPARK
GANSBAAI

SNIT & AANSIGTE

TEKENING NUMMER
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REMARKS

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ET HOME DESIGNS

ET HOME DESIGNS
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1923-1 VAN 2

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, CONSENT USE & DEPARTURE: ERF
852, BLOMPARK**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 23 957.00 x -0.4680=	-R11 211.88
Sewerage	R 16 153.00 x -0.4680=	-R 7 559.60
Roads	R 7 243.00 x 2.75121=	R 19 927.01
Stormwater	R 8 357.00 x 0.66133=	R 5 526.73
Solid Waste	R 1 448.00 x 0.24 =	<u>R 347.52</u>
TOTAL (inclusive of VAT)	=	<u>R 7 029.78</u>

Note:

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

2. that the existing water connection to Erf 852 shall be used to service Erf 852;
3. that, should sewer services be required to the development, a new sewer connection be applied for to service erf 852 as per detail and requirements stipulated;
4. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
5. 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;
6. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
7. that any additional and / or extended vehicle entrances will be for the developer's account;
8. that stormwater be allowed to discharge through Erf 852, Blompark, unobstructed.

p.p. D. Hendriks

DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

19/03/2020

DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

5. ERF 418, 30 FLOWER STREET, WESTCLIFF, HERMANUS: APPLICATION FOR REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION, REZONING, CONSENT USE AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF THE DOMEIN TRUST

418 HWC (3544)

**H van der Stoep
9 November 2020**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application was received on 13 December 2019 from Messrs Plan Active Town- and Regional Planners on behalf of the Domein Trust, applicable to Erf 418, Hermanus for the following:

- the removal in terms of Section 16.(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), of restrictive title deed condition C.1 as contained in Title Deed T22246/2019 in order to conduct an overnight accommodation establishment, consisting of eleven (11) bedrooms for patients who utilise nearby medical facilities;
- rezoning in terms of Section 16(2)(a) of the By-Law of the property from Residential Zone 1: Single Residential to General Residential Zone 1: Town Housing in order to accommodate the above establishment;
- consent use in terms of Section 16(2)(o) of the By-Law, in order to accommodate residential buildings on the property, and
- departure in terms of Section 16(2)(b) of the By-Law to respectively relax the northern- and western lateral building lines from 3m to 2m in order to accommodate the proposed development on the property.

RESOLVED:

1. that the application applicable to Erf 418, Hermanus for the removal in terms of Section 16.(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), of restrictive title deed condition C.1. as contained in Title Deed T22246/2019 applicable to Erf 418, Hermanus in order to conduct an overnight accommodation establishment, consisting of eleven (11) bedrooms for patients who utilise nearby medical facilities, **be approved** in terms of Section 61 of the By-Law;
2. that the application for the rezoning in terms of Section 16(2)(a) of the By-Law of the property from Residential Zone 1: Single Residential to General Residential Zone 1: Town Housing in order to accommodate the above establishment, **be approved** in terms of Section 61 of the By-Law;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

3. that the application for consent use in terms of Section 16(2)(o) of the By-Law in order to accommodate residential buildings on the property, **be approved** in terms of Section 61 of the By-Law;
4. that the application for departure in terms of Section 16(2)(b) of the By-Law to respectively relax the northern- and western lateral building lines from 3m to 2m in order to accommodate the proposed development on the property, **be approved** in terms of Section 61 of the By-Law;
5. that the above approvals be subject to the following conditions:
 - (a) that the utilisation of the property be restricted to the accommodation of patients that receive medical treatment at the nearby medical facilities only - it may not be used for short term accommodation for tourists;
 - (b) that the accommodation establishment be restricted to eleven (11) rooms;
 - (c) that the single residential parameters be retained on the property;
 - (d) that the development of the property be restricted to Site Development Plan No. her418sdp.drw dated 11/2019;
 - (e) that the owner/manager resides on the premises and be responsible for the proper management of the accommodation establishment;
 - (f) that a maximum of one (1) permanently demarcated parking bay per bedroom and two (2) for the owner/manager be provided within the erf boundaries;
 - (g) that the accommodation establishment complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (h) that the accommodation establishment be managed in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
 - (i) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality and be obtained prior to conducting the accommodation establishment;
 - (j) no medical treatment may be given to the patients at the overnight facility, except for emergencies;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
23 March 2021
(Also the agenda for the Mayoral Committee Meeting : 31 March 2021)**

- (k) that no self-catering be allowed in the guestrooms;
 - (l) that a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the premises;
 - (m) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (n) that building plans be submitted to the Building Department for approval and that all requirements of the Building Department and Fire Services at the time be complied with;
 - (o) that the conditions of Engineering Services and Telkom be complied with;
 - (p) that all other development parameters as prescribed in the Zoning Scheme be complied with; and
 - (q) that the approvals do not absolve the landowner/s from compliance with any other applicable legislation;
6. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 regarding the above conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ It is desirable from a town planning perspective.
- ❖ The establishment will be to the benefit of the broader community.
- ❖ It will not impact on the rights of surrounding property owners or the existing built environment.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF A RESTRICTIVE TITLE DEED
CONDITION, REZONING, CONSENT USE & DEPARTURE: ERF 418,
WESTCLIFF**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 23 957.00 x 0.6	=R 14 374.20
Sewerage	R 16 153.00 x 0.6	=R 9 691.80
Roads	R 7 243.00 x 1.0	=R 7 243.00
Stormwater	R 8 357.00 x 0.74	=R 6 184.18
Solid Waste	R 1 448.00 x 1.0	=R 1 448.00
TOTAL (inclusive of VAT)		=R 38 941.18

Note:

- 1.3 **The above figures are estimates**
1.4 **The above figures do not include 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 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;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that stormwater be allowed to discharge through Erf 418, Westcliff, unobstructed;
7. that any additional and / or extended vehicle entrances will be for the owner's account;
8. that no on-street parking be allowed.

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

04/09/2020
DATE