

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

**5.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: MARCH 2021 – APRIL
2021**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

23 April 2021

(028) 3138900

1. Executive Summary

To report on applications disposed of by the Authorised Official and Municipal Planning Tribunal in terms of the Spatial Land Use Management Act (SPLUMA) during the period from 24 March 2021 – 23 April 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

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9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

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

RECOMMENDATION:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period 24 March 2021 – 23 April 2021:

1.	Erf 425, Mfundo Street, Zwelihle	29 March 2021
2.	Erf 2969, 16 Disa Street, Onrustrivier	29 March 2021
3.	Erf 3416, 34 Erica Street, Onrustrivier	29 March 2021
4.	Erf 398, 10 Smuts Avenue, Westcliff, Hermanus	29 March 2021
5.	Portion 94 of Farm Hemel-en-Aarde No 587	29 March 2021
6.	Erf 1309, 5 Perlemoen Close, Vermont	7 April 2021
7.	Farm 905 Hemel-en-Aarde Valley	7 April 2021
8.	Portion 6 of the farm Afdaksrivier No 575	9 April 2021
9.	Portion 121 of the farm Baardscheerdersbos No 213	15 April 2021
10.	Remainder Erf 215, Zwelihle	21 April 2021
11.	Erf 243, Meerenbosch	22 April 2021
12.	Erf 1142, Wilsby Street, Hawston	22 April 2021
13.	Erven 942 and 943, Abner Street, Stanford	22 April 2021

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

1.	Erf 4177, 2 Lagoon Drive, Onrustrivier	1 April 2021
2.	Erf 4468, 4 Chanteclair Close, Onrustrivier	1 April 2021
3.	Erf 195, 28 Canterbury Street, Westcliff, Hermanus	1 April 2021
4.	Erf 3941, 266 Eighth Street, Voëlklip, Hermanus	1 April 2021

RESPONSIBLE OFFICIAL : R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION : 10 JUNE 2021

TARGET DATE TO INFORM APPLICANT : N/A

TARGET DATE TO INFORM OBJECTOR : N/A

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CONSIDERED IN TERMS OF DELEGATED AUTHORITY: MARCH 2021 – APRIL
2021**

15/3/11

R Kuchar

23 April 2021

Senior Manager : Town & Spatial Planning

(028) 3138900

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
18 MAY 2021, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

10 JUNE 2021

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

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Spatial Land Use Management Act (SPLUMA) Approvals

1. ERF 425, MFUNDO STREET, ZWELIHLE, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP ON BEHALF OF MC BHALA

425 HZW (3506/2019)

H van der Stoep

19 January 2021

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 30 October 2019 from Messrs Wrap Project Office on behalf of MC Bhala on Erf 425, Zwelihle for the following:

- ❖ Departure in terms of Section 16(2)(c) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to allow for the operation of a bottle store for a temporary period of three (3) years;
- ❖ Departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to relax the following:
 - south-western street building line from 2m to 0m to accommodate the bottle store;
 - southern street building line from 2m to 1m to accommodate the existing dwelling; and
 - northern building line from 1m to 0m to accommodate the existing toilet.

RESOLVED :

1. that the application in terms of Section 16(2)(c) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 425, Zwelihle for a departure in order to allow for the operation of a bottle store for a temporary period of three (3) years, **be approved** in terms of the provisions of Section 61 of the By-Law,
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 425, Zwelihle for the following departures:

to relax the south-western street building line from 2m to 0m to accommodate the bottle store;

to relax the southern street building line from 2m to 1m to accommodate the existing dwelling; and

to relax the northern building line from 1m to 0m to accommodate the

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existing toilet

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

3. that the approvals in Points 1. and 2. above be subject to the following conditions:
 - (a) that this approval is only for the development as indicated on plan numbers Plan 3 : SDP and Plan 4 : Elevation, dated October 2019, as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department be complied with at that stage;
 - (c) that all illegal structures be demolished within three (3) months after the building plan is approved;
 - (d) that the owner must at all times be in possession of a valid liquor license;
 - (e) that trading hours be restricted as follows:
Monday – Saturday: 10:00 – 20:00
Sunday: 10:00 – 13:00
 - (f) that the property be maintained and kept in a tidy state at all times
 - (g) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (h) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (i) that all the conditions in the Services Report, be complied with.
4. that the applicant be notified of its right of appeal in terms Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regards to the above conditions of approval.

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RECOMMENDATION TO COUNCIL

that the deviation of the Business Corridors, Zwelihle be recommended for a temporary approval.

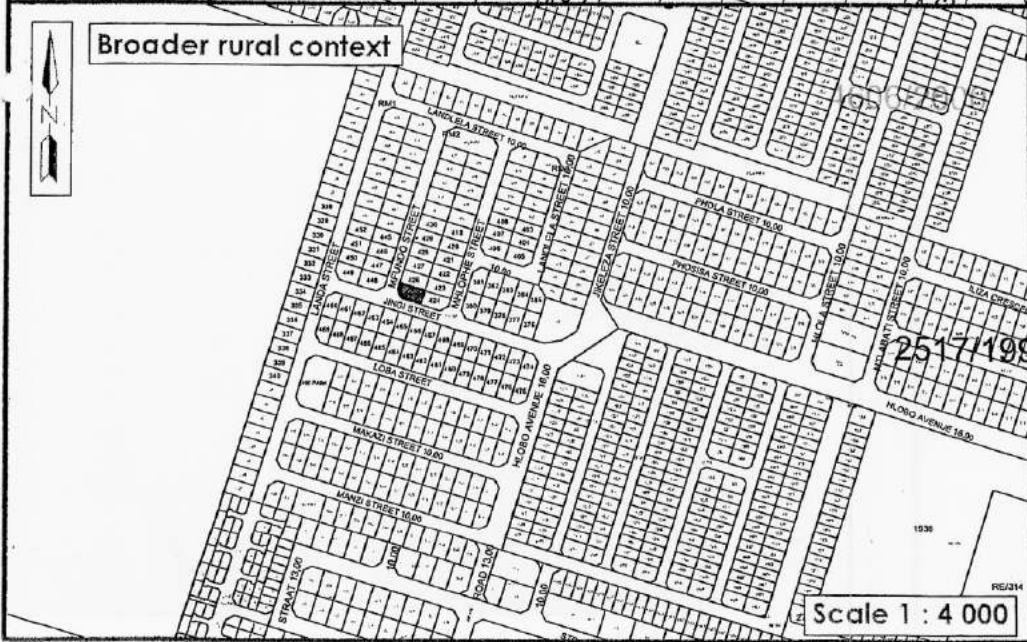
REASONS FOR RECOMMENDATION

- ❖ The existing structures have approved building plans.
- ❖ The surrounding owners did not object.
- ❖ The change use from a tavern to a bottle store will have less impact on the surrounding area.
- ❖ The approval is temporary to enable the applicant to relocate to a more suitable property.



Plan 1: Locality Plan Erf 425 Zwelihle

 Erf 425 Zwelihle (207m²)

Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Plan prepared in October 2019
File number: 19/074
35 Dulker Street, Hermanus, 7200
Plan prepared by: Reathlehle Jankie
All distances are approximate and subject to a survey

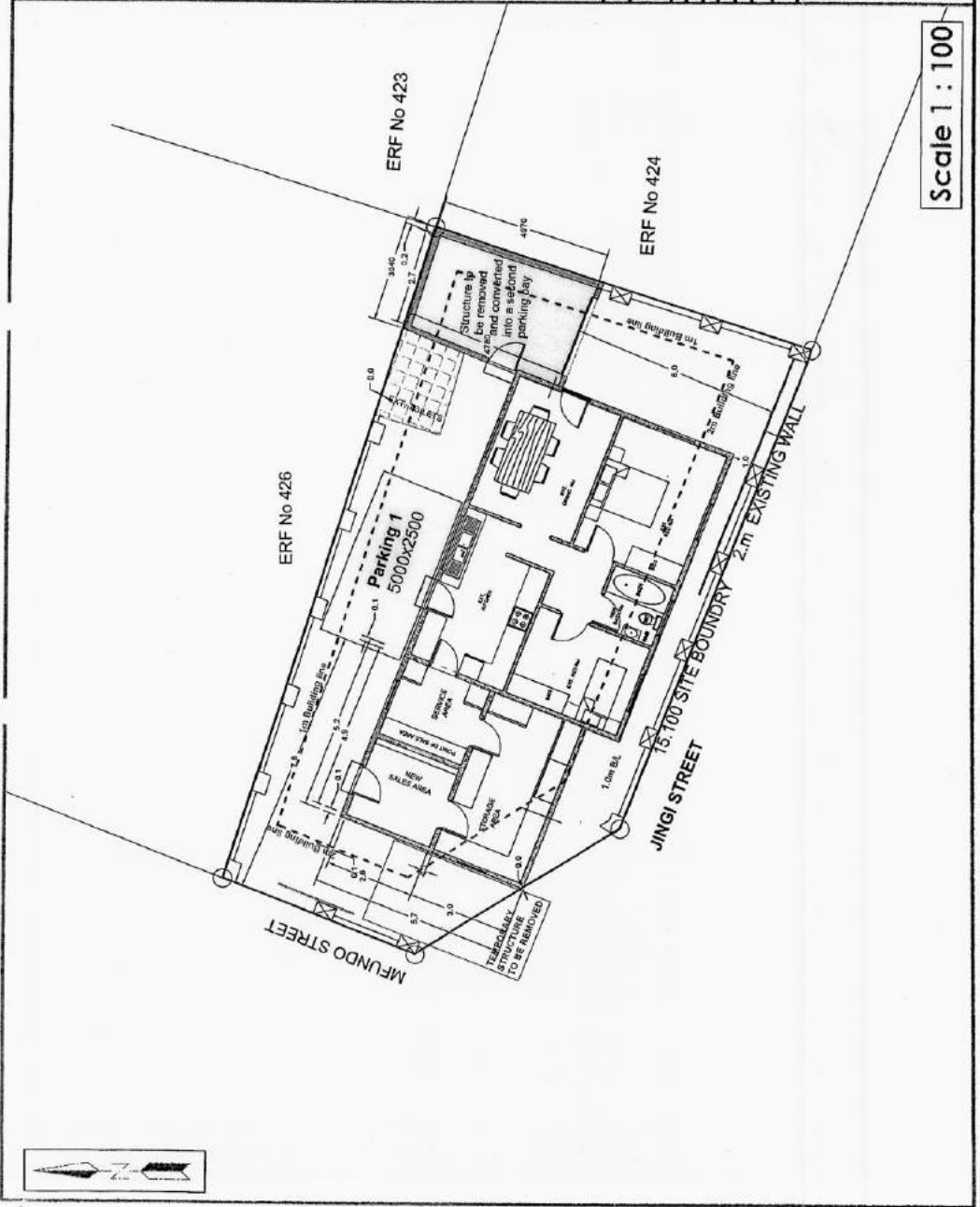


**Plan 3: SDP
Erf 425 Zwellihle**

-  Erf 425 Zwellihle
-  Parking area
-  Proposed bottle store

The coverage of all buildings including this ones to be removed is 54%.

Based on plans by CHIF Design & Draft
 All illegal structures to be demolished and building rubble disposed of according to municipal guidelines.
 Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Date: 19/07/2019
 File number: 19/07/4
 33 DuBois Street, Alberton, 2001
 Not prepared by: Bechtel, Jansz & Partners
 All structures to be demolished and rubble to be removed and subject to a survey.

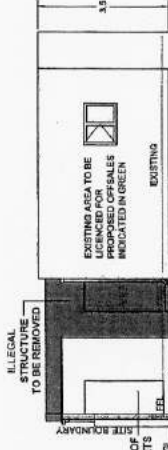
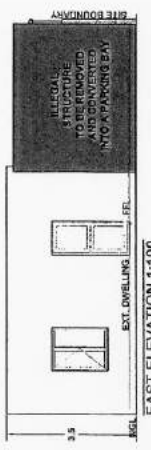
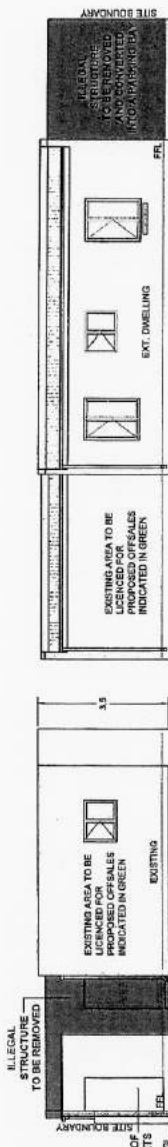


Scale 1 : 100

Plan 4: Elevations
Erf 425 Zwellinle

Illegal structure to be removed and converted into a parking bay
 Proposed bottle store

Based on plans by CIF Design & Draft.
 All illegal structures to be demolished and baling rubble disposed of according to Municipal guidelines.
 Tel: 028 313 1411
 Email: loom@wvrap.co.za
 Plan approved in October 2017
 File number: 17024
 35 Duker Street, Hermanus, 7200
 Plan prepared by: Recliville Joubert
 All distances are approximate and subject to a survey



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 425, ZWELIHLE**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 425, Zwelihle, unobstructed;
7. that no on-street parking be allowed.

p.p. AB Chobha
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

14-08-2020
DATE

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2. ERF 2969, 16 DISA STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE: MESSRS STUDIO ZET DESIGNS ON BEHALF OF JP MEYER

2969 HON

H Olivier

(028) 313 8900

Hermanus Administration

9 March 2021

Executive Summary

An application was received on 25 September 2020 from Messrs Studio Zet Designs on behalf of JP Meyer on Erf 2969, Onrustrivier in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for the following departures:

- To relax the street building line from 4m to 1,5m to accommodate a proposed new pergola entrance way,
- To relax the lateral building line from 2m to 0m to accommodate a proposed new double garage.

RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 2969, Onrustrivier for the following departures :

- to relax the street building line from 4m to 1,5m to accommodate a proposed new pergola entrance way,
- to relax the lateral building line from 2m to 0m to accommodate a proposed new double garage;

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

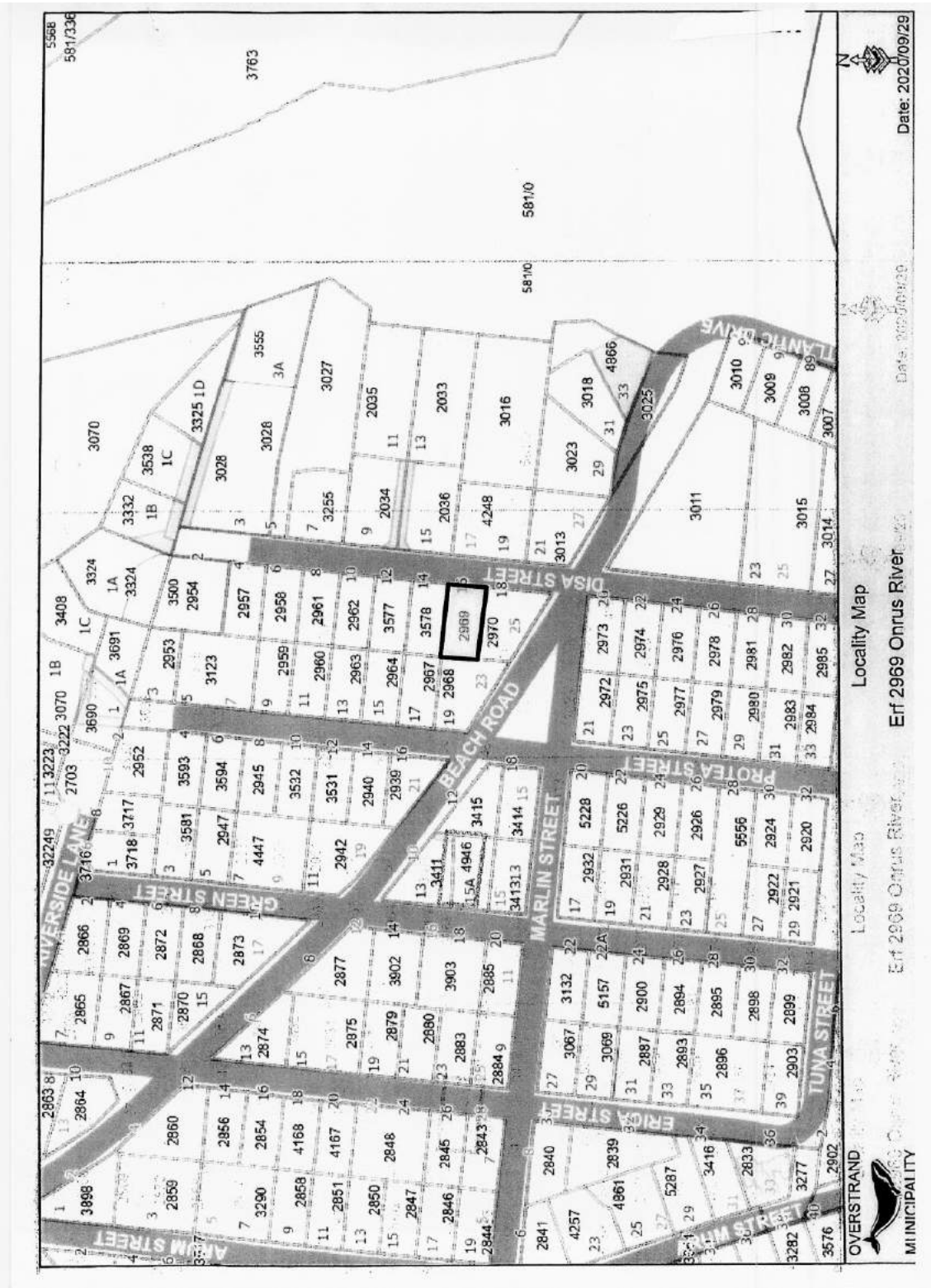
- (a) that this approval only relates to a building line relaxation as indicated on plan numbers 100 and 101 dated 3 November 2020;
- (b) that building plans be submitted to the Building Department, and that all conditions set by the Building- and Fire Departments at that stage, be complied with;
- (c) that any conditions imposed by Eskom be complied with;
- (d) that all the conditions in the Services Report, be complied with;

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

REASONS FOR RECOMMENDATION

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



Locality Map

Overstrand Municipality

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

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Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Erif 2009 Onrus River

Date: 2020/09/29

Data provided



OVERSTRAND MUNICIPALITY

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 2969, 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 2969, Onrus River, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.

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

02/02/2021
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
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3. ERF 3416, 34 ERICA STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF JE MEYER

3416 HON (3581/2020)

H Olivier

(028) 313 8900

Hermanus Administration

5 February 2021

Executive Summary

An application was received on 22 January 2020 from Messrs InterActive Town & Regional Planning on behalf of JE Meyer on Erf 3416, Onrustrivier for a departure application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 in order to relax the southern lateral building line from 2m to 1,4m to accommodate the enclosure of a covered stoep to utilize as part of a bedroom.

RESOLVED :

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 on Erf 3416, Onrustrivier in order to relax the southern lateral building line from 2m to 1,4m to accommodate the enclosure of a covered stoep to utilize as part of a bedroom, **be approved** in terms of the provisions of Section 61 subject to the following conditions:
 - (a) that this approval only relates to a building relaxation as indicated on plans submitted with the application;
 - (b) 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;
 - (c) that all the conditions in the Services Report, be complied with, and
 - (d) that all the conditions imposed by Eskom, be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above mentioned approval.

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REASONS FOR RECOMMENDATION

- ❖ All municipal departments support the application.
- ❖ The existing structures will not impact the privacy of surrounding property owners.
- ❖ The application will not impact on the character of the area.
- ❖ No objections were received from neighbours.

b. Location:

For the Locality Plans refer to Annexure F.

Regional Context:

Within the regional context, the application area is located within Onrusrivier residential suburb. Onrusrivier is located approximately 5km west of the Hermanus CBD.

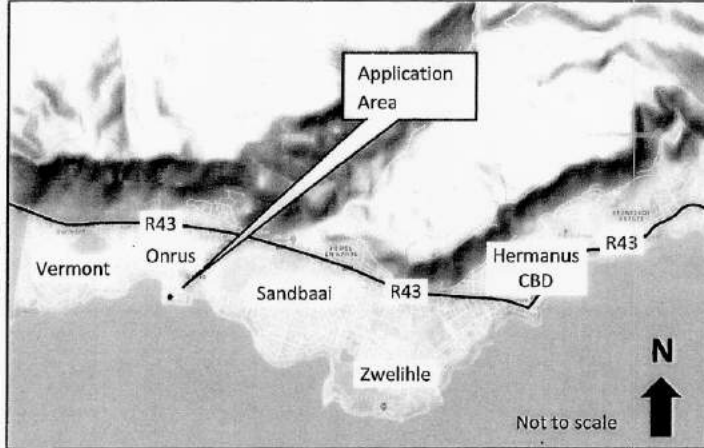
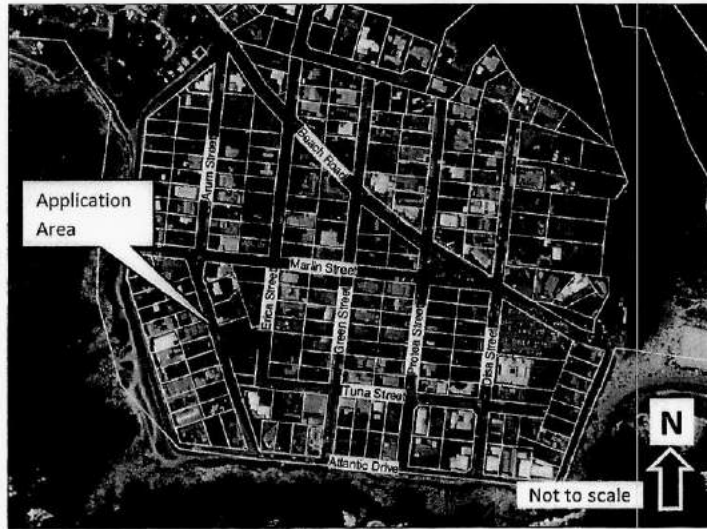


Figure 3: Locality Plan – Regional Context

Local Context:

Within the local context the application area consists of a residential erf within Onrusrivier that forms part of the larger Hermanus West area. The application area is located at number 34 Erica Street.



EF 3416 HON

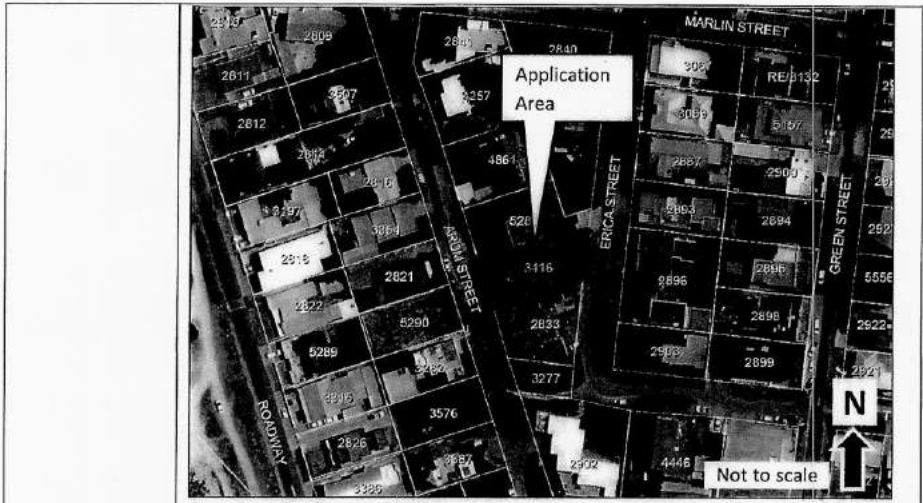


Figure 4: Locality Plan – Local Context

c. Land Use:

Refer to the Land Use Plan attached as Annexure H.

The application area accommodates a dwelling house on the property. The surrounding land-uses are residential and vacant. No change in land use is proposed. The application proposal is consistent with the land use of the area.

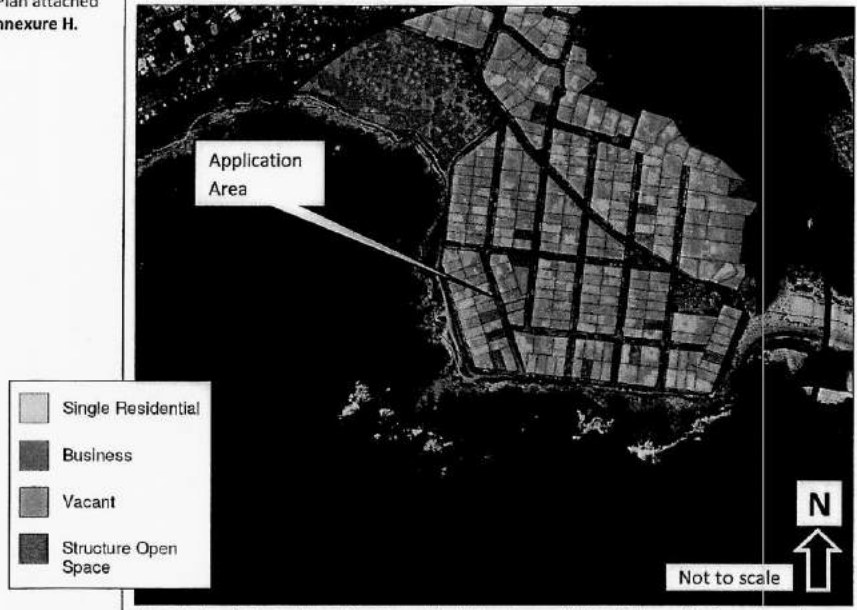
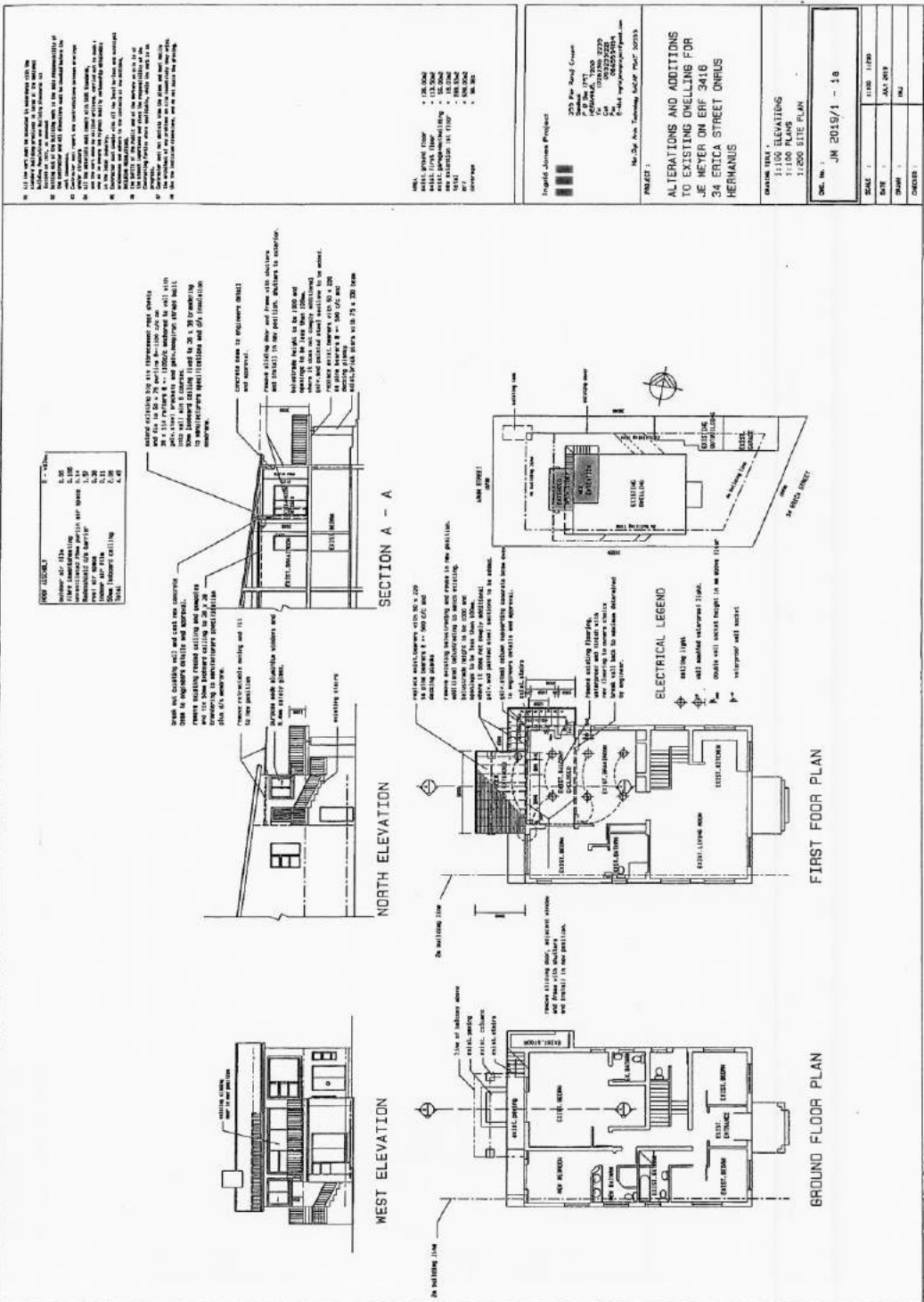


Figure 5: Google Image illustrating the residential land-use activities of the application area and surrounding properties



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 3416, 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 3416, 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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4. ERF 398, 10 SMUTS AVENUE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF ARVESCO 142 (PTY) TLD

398 HWC

H Boshoff

(028) 313 8900

Hermanus Administration

2 March 2021

Executive Summary

An application was received on 7 August 2020 from Messrs Interactive Town & Regional Planners on behalf of Arvesco 142 (Pty) Ltd for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 applicable to Erf 398, Hermanus in order to relax the northern lateral building line of the property from 2m to 0,75m and 0,9m respectively to accommodate an outbuilding bathroom and a storage shed.

RESOLVED :

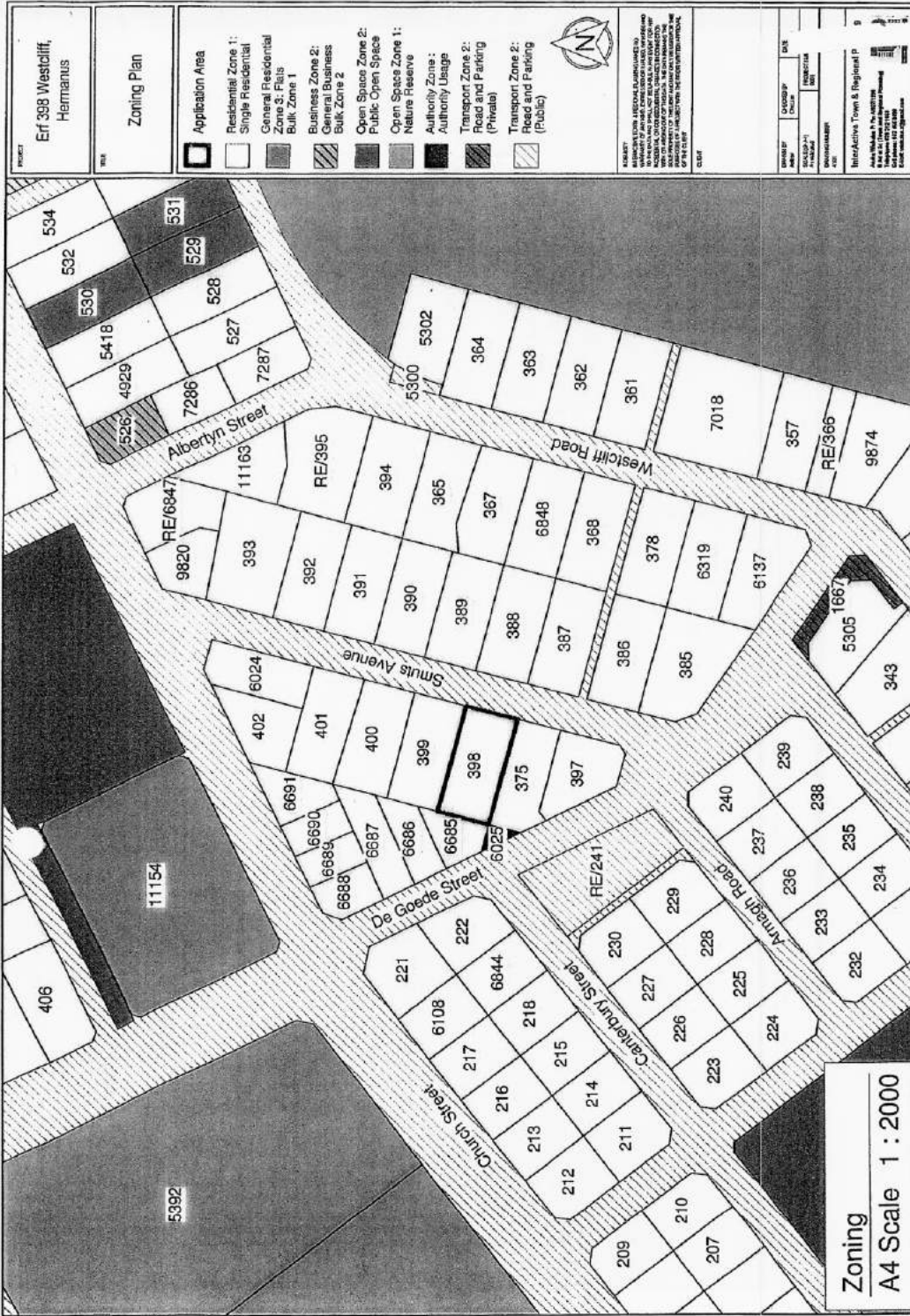
1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law), applicable to Erf 398, Hermanus in order to relax the northern lateral building line from 2m to 0,79m and 0,9m respectively to accommodate the outbuilding bathroom and storage shed, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the above approval is for the development with the dimensions indicated on Plan Number DWG No 2016 REV 00 dated 30 JUNE 2020 that was submitted with the application;
 - (b) that building plans be submitted to the Building Department for evaluation and approval, and that all conditions of the Building- and Fire Department at that stage, be complied with;
 - (c) that the structures comply with the provisions of SANS 10400-A 2016, SANS-T:2020 and the By-Law Relating to Community Fire Safety, Table 2 SANS-T:2020 – Safety Distances;
 - (d) that the structures may not be used for habitable purposes;
 - (e) that the relevant conditions of Engineering Services and Telkom, be complied with;

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- (f) that all other applicable development parameters as prescribed in the relevant Zoning Scheme, be complied with, and
 - (g) that this approval does not absolve the applicant from compliance with any other relevant legislation;
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 regarding the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ The structures do not impact negatively on the rights of surrounding landowners or the character of the surrounding built environment.
- ❖ No objections were received.
- ❖ The application is regarded as being desirable from a town planning point of view.



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION AND SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPROPRIATE AGENCIES.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. ALL EXISTING UTILITIES SHALL BE PROTECTED AND NOT TO BE MOVED OR DELETED UNLESS SPECIFICALLY NOTED OTHERWISE.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES.
8. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.
10. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING CURBS AND SIDEWALKS.
12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

DESIGNER: TELLE

PROJECT NO.: 2024-001

DATE: 10/20/2024

SCALE: AS SHOWN

PROJECT LOCATION: 12345 MAIN STREET, ANYTOWN, VA

OWNER: JOHN DOE, 56789 GOLF COURSE DRIVE, ANYTOWN, VA

ARCHITECT: J. TELLE, 10101 MARKET STREET, ANYTOWN, VA

GENERAL CONTRACTOR: ABC CONSTRUCTION, 12345 MAIN STREET, ANYTOWN, VA

PROJECT DESCRIPTION: NEW 10,000 SQ. FT. COMMERCIAL BUILDING WITH 20 CAR GARAGE.

PROJECT NO.: 2024-001

DATE: 10/20/2024

SCALE: AS SHOWN

PROJECT LOCATION: 12345 MAIN STREET, ANYTOWN, VA

OWNER: JOHN DOE, 56789 GOLF COURSE DRIVE, ANYTOWN, VA

ARCHITECT: J. TELLE, 10101 MARKET STREET, ANYTOWN, VA

GENERAL CONTRACTOR: ABC CONSTRUCTION, 12345 MAIN STREET, ANYTOWN, VA

PROJECT DESCRIPTION: NEW 10,000 SQ. FT. COMMERCIAL BUILDING WITH 20 CAR GARAGE.

FLOOR PLAN: 10,000 SQ. FT. COMMERCIAL BUILDING WITH 20 CAR GARAGE.

ROOMS: OFFICE, STORAGE, MEETING, RECEPTION, CONFERENCE, BREAK ROOM, RESTROOMS, GARAGE.

ADJACENT PROPERTIES: 12345 MAIN STREET, 56789 GOLF COURSE DRIVE.

STREETS: MAIN STREET, GOLF COURSE DRIVE.

UTILITIES: WATER, SEWER, GAS, ELECTRIC, TELEPHONE.

NOTES: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

DESIGNER: TELLE

PROJECT NO.: 2024-001

DATE: 10/20/2024

SCALE: AS SHOWN

PROJECT LOCATION: 12345 MAIN STREET, ANYTOWN, VA

OWNER: JOHN DOE, 56789 GOLF COURSE DRIVE, ANYTOWN, VA

ARCHITECT: J. TELLE, 10101 MARKET STREET, ANYTOWN, VA

GENERAL CONTRACTOR: ABC CONSTRUCTION, 12345 MAIN STREET, ANYTOWN, VA

PROJECT DESCRIPTION: NEW 10,000 SQ. FT. COMMERCIAL BUILDING WITH 20 CAR GARAGE.

ELEVATION: FRONT FACADE.

ELEVATION: SIDE PROFILE.

ELEVATION: REAR FACADE.

ELEVATION: SIDE PROFILE (OPPOSITE SIDE).

AERIAL PHOTOGRAPH: PROJECT SITE.

NOTES: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

DESIGNER: TELLE

PROJECT NO.: 2024-001

DATE: 10/20/2024

SCALE: AS SHOWN

PROJECT LOCATION: 12345 MAIN STREET, ANYTOWN, VA

OWNER: JOHN DOE, 56789 GOLF COURSE DRIVE, ANYTOWN, VA

ARCHITECT: J. TELLE, 10101 MARKET STREET, ANYTOWN, VA

GENERAL CONTRACTOR: ABC CONSTRUCTION, 12345 MAIN STREET, ANYTOWN, VA

PROJECT DESCRIPTION: NEW 10,000 SQ. FT. COMMERCIAL BUILDING WITH 20 CAR GARAGE.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 398, WESTCLIFF**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 398, Westcliff, unobstructed;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

5. PORTION 94 OF FARM HEMEL-EN-AARDE NO. 587, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE AND CONSENT USE: MESSRS HIGHWAVE CONSULTANTS ON BEHALF OF HAYGROVE HEAVEN (PTY) LTD

RCAL 94/587

H Olivier

(028) 313 8900

Hermanus Administration

5 February 2021

Executive Summary

An application was received on 3 March 2020 from Messrs Highwave Consultants on behalf of Haygrove Heaven (Pty) Ltd on Portion 94 of farm Hemel-en-Aarde No. 587 for the following:

- ❖ Application in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a consent use in order to erect a transmission tower on the above property, and
- ❖ Application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure to exceed the applicable 8m height restriction in order to accommodate the proposed 15m high transmission tower.

RESOLVED :

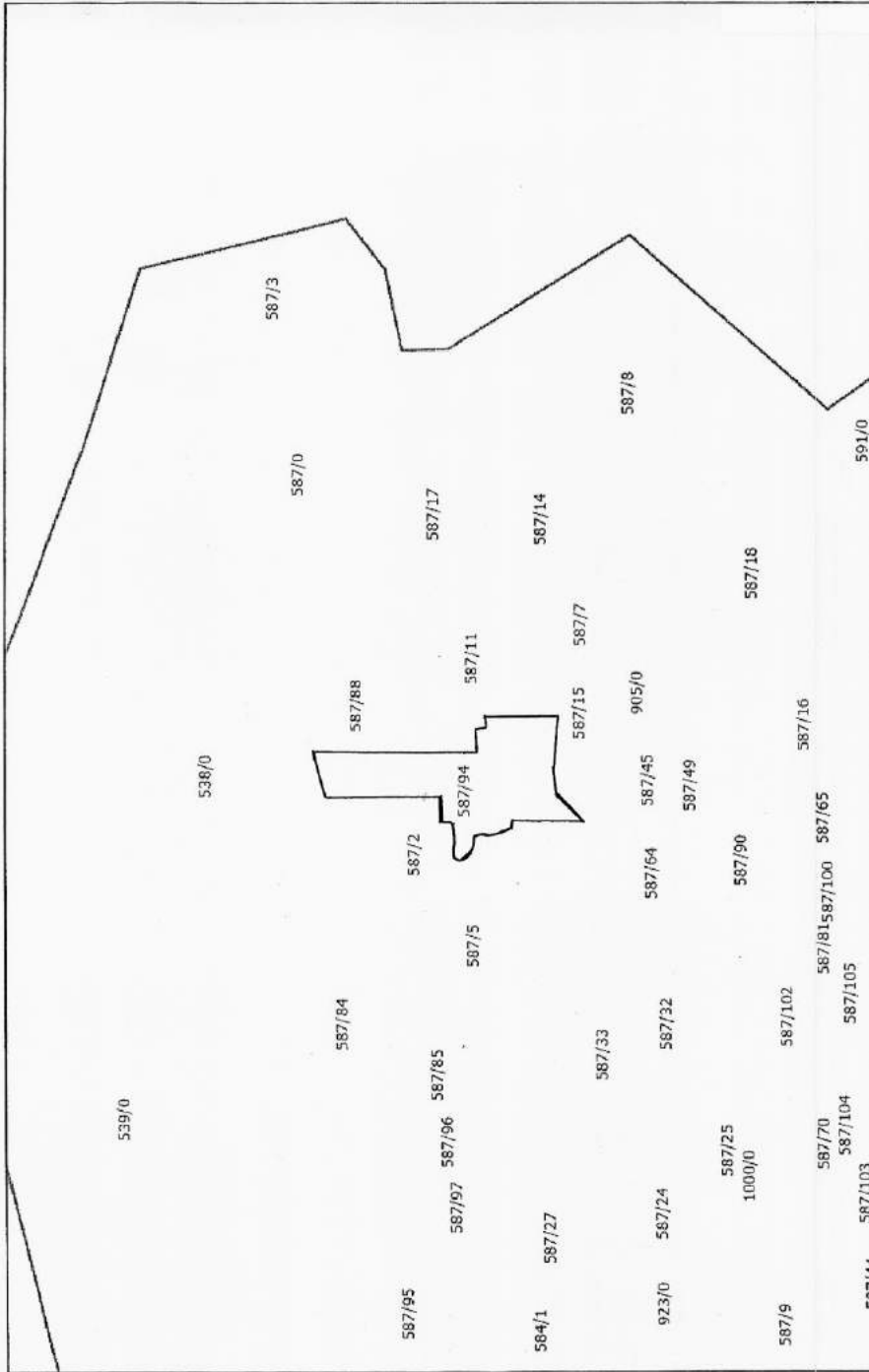
1. that the application in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) on Portion 94 of Farm Hemel-en-Aarde No 587 for a consent use in order to erect a transmission tower on the property, **be approved** in terms of the provisions of Section 61;
2. that the application in terms of Section 16(2)(b) of the By-Law on Portion 94 of Farm Hemel-en-Aarde No 587 in order to relax the 8m height restriction in order to construct a 15m high transmission tower, **be approved** in terms of the provisions of Section 61;
3. that the approvals in 1 and 2 above be subject to the following conditions:
 - (a) that this approval only relates to the structures indicated on the final plans submitted on 3 February 2021;
 - (b) 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;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

- (c) that all the conditions imposed by Eskom, be complied with;
 - (d) that all the conditions in the Services Report, be complied with;
 - (e) that all conditions imposed by Telkom, be complied with;
 - (f) that the conditions by Cape Nature, be complied with;
 - (g) that all the conditions by BGCMA, be complied with, and
 - (h) that should the transmission tower becomes defunct, the structures be removed to an approved land fill site.
4. 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 regards to the above mentioned approval.

REASONS FOR RECOMMENDATION

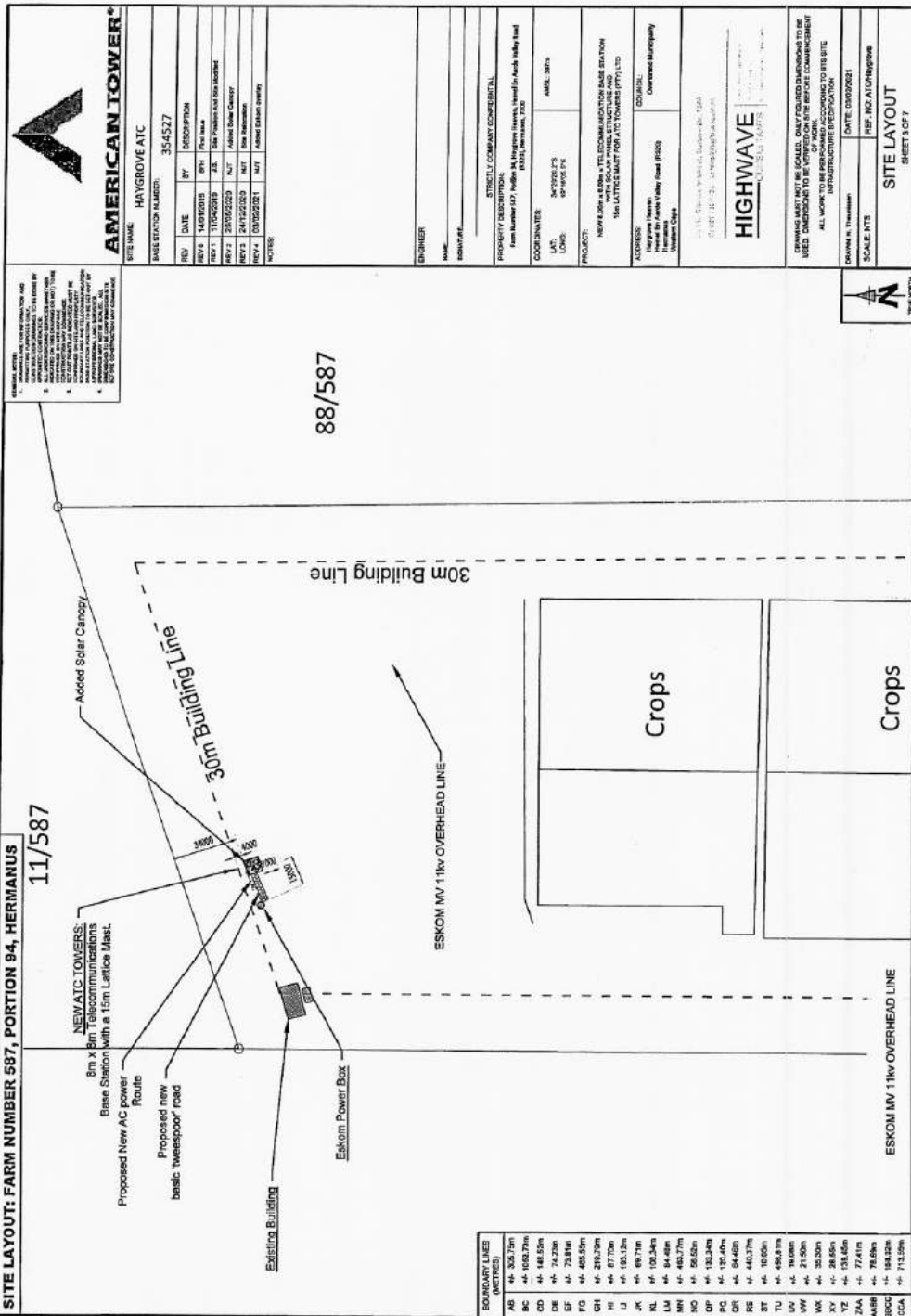
- ❖ All municipal departments support the application.
- ❖ No surrounding property owners objected to the application.
- ❖ The application will not impact on the character of the area.
- ❖ The lattice tower will have a limited visual impact due to the location of the mountain to its north.
- ❖ The improvement of the communication network is of very high importance for the Hemel-en-Aarde Valley community, due to safety and security concerns, which will now be improved.



OVERSTRAND MUNICIPALITY

Ptn 94 of Farm 587, Hemel en Aarde

Date: 2020/06/01



SITE LAYOUT: FARM NUMBER 587, PORTION 94, HERMANUS
11/587

1. THE CLIENTS AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE APPLICABLE REGULATIONS AND STANDARDS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
4. THE CLIENTS AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

AMERICAN TOWER
HAYGROVE ATC
BASE STATION NAME: 354527

REV	DATE	BY	DESCRIPTION
REV 1	14/03/2018	BN	Plan Issue
REV 2	15/06/2018	BS	Site Position and Site Marked
REV 3	28/05/2020	NZ	Added Base Canopy
REV 4	24/12/2020	MT	Site Submission
REV 4	03/05/2021	MT	Added Entry Gateway

NOTES:

ENGINEER: _____
NAME: _____
SERVISE: _____

STRICTLY CONFIDENTIAL

PROPERTY DESCRIPTION: Farm Number 587, Portion 94, Hermanus, Haygrove A.T.C. Tower Site

COORDINATES: 34°39'22.72" S, 18°49'55.87" E, AMEL 387%

PROJECT: NEW A.T.C. TOWERS TELECOMMUNICATIONS BASE STATION WITH SOLAR PANEL STRUCTURE AND 15M LATTICE MAST FOR ATC TOWERS (PT) LTD

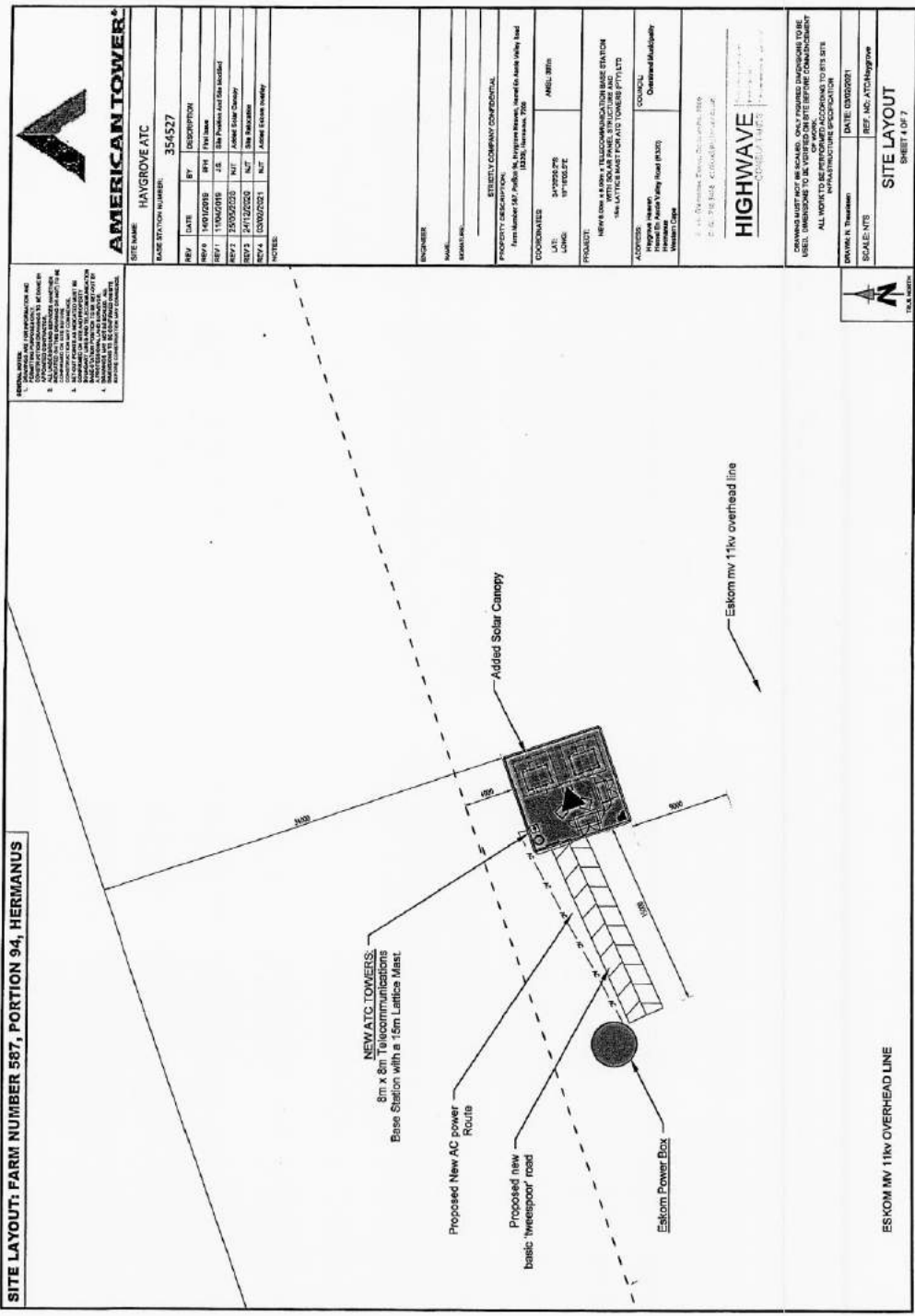
ADDRESS: Haygrove A.T.C. Tower Site, Portion 94, Farm Number 587, Hermanus, Western Cape

COUNCIL: Overberg Municipality

DATE: 03/05/2021

SCALE: 1:500
DATE: 03/05/2021
REF. NO. ATC/Region
SITE LAYOUT
SHEET 1 OF 7

BOUNDARY LINE	COORDINATES (METERS)
AB	44-305.70m
BC	44-100.27m
CD	44-148.52m
DE	44-74.20m
EF	44-73.81m
FG	44-405.55m
GH	44-219.20m
HI	44-87.70m
IJ	44-193.12m
JK	44-89.77m
KL	44-100.26m
LM	44-84.48m
MN	44-493.27m
NO	44-56.62m
OP	44-193.24m
PQ	44-100.40m
QR	44-84.48m
RS	44-493.27m
ST	44-56.62m
TU	44-89.77m
VW	44-219.20m
WX	44-87.70m
XY	44-193.12m
YZ	44-84.48m
ZAA	44-74.20m
AAAB	44-74.20m
BBCC	44-193.26m
CCAA	44-713.59m



SITE LAYOUT: FARM NUMBER 587, PORTION 94, HERMANUS

1. THE DRAWING IS THE PROPERTY OF THE ENGINEER AND MUST BE KEPT IN HIS POSSESSION AT ALL TIMES.
 2. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.
 3. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 5. THE DRAWING IS VALID FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUANCE.

AMERICAN TOWER

SITE NAME: HAYGROVE ATC
 BASE STATION NUMBER: 354527

REV	DATE	BY	DESCRIPTION
REV 6	14/01/2018	BY: [Signature]	Final Design
REV 7	17/04/2018	BY: [Signature]	Final Design and EIR included
REV 2	26/09/2013	BY: [Signature]	Final Design
REV 3	24/11/2010	BY: [Signature]	Final Design
REV 4	03/02/2011	BY: [Signature]	Final Design

NOTES:

ENGINEER: [Name]
 DRAWING NO: [Number]

PROPERTY DESCRIPTION:
 Farm Number 587, Portion 94, Hermanus, Western Cape, South Africa

COORDINATES:
 LAT: 34°28'00.00" S
 LONG: 18°40'00.00" E
 ANGLE: 307.875

PRODUCT:
 New 8m x 8m Telecommunications Base Station with Solar Panel Structure and 10m Lattice Mast for ATC Towers PTT LTD

ADDRESS:
 Haygrove Towers, Haygrove Road, Hermanus, Western Cape

COUNCIL:
 Overstrand Municipality

DATE: 03/02/2011
 REF. NO: ATC/Haygrove

SCALE: NTS
 SHEET 4 OF 7

ESKOM MV 11KV OVERHEAD LINE

HIGHWAVE

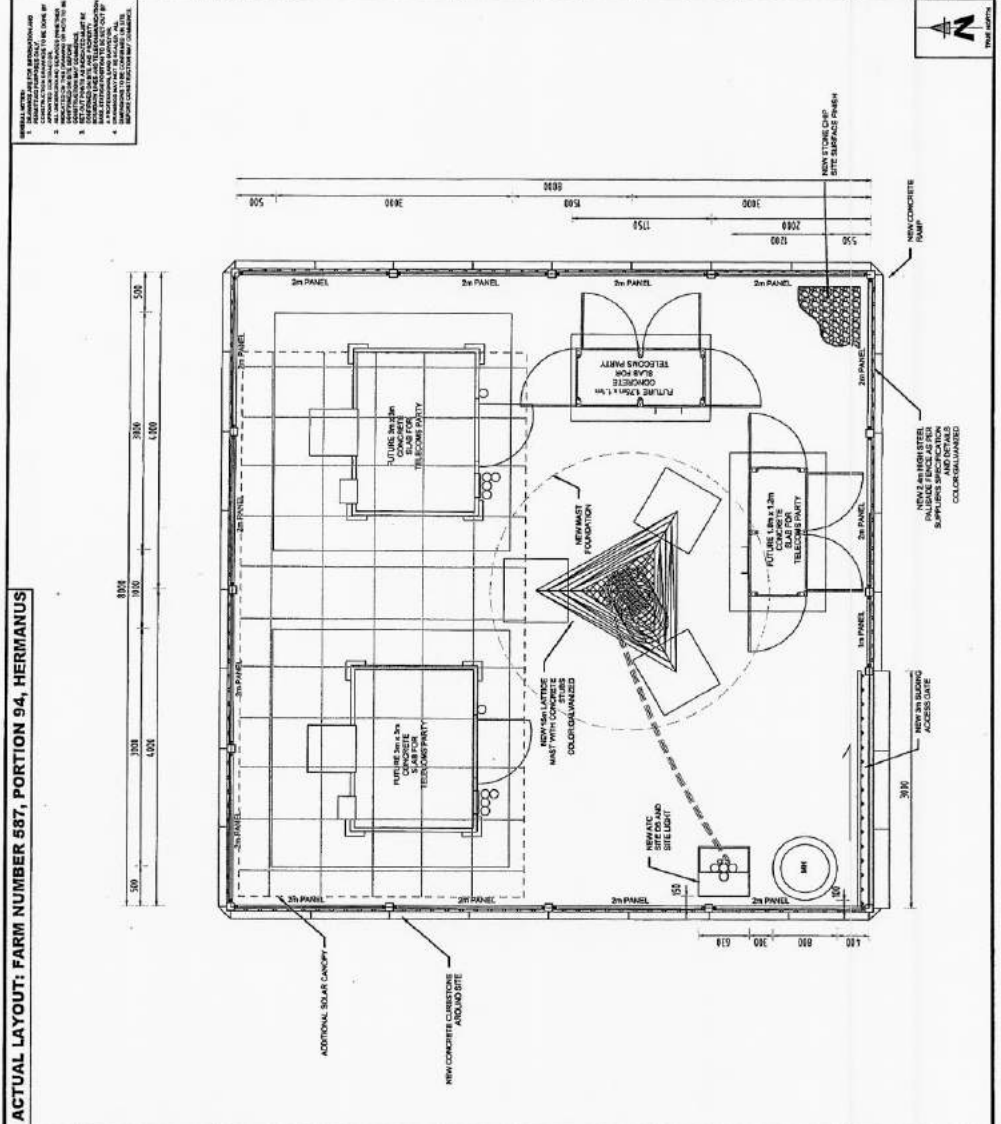
DRAWINGS MUST BE SIGNED. ONLY REGISTERED ENGINEERS TO BE USED. PERMISSION TO BE WORKED ON BEFORE COMMENCEMENT OF WORK. ALL INFORMATION IS SUBJECT TO THE MANUFACTURER'S SPECIFICATION.

ACTUAL LAYOUT: FARM NUMBER 587, PORTION 94, HERMANUS

AMERICAN TOWER
 SITE NAME: HAYSGROVE ATC
 DRAWING NUMBER: 354527

REP.	DATE	BY	DESCRIPTION
REV 5	18/07/2019	JPH	Floor Slabs
REV 4	18/04/2019	JAL	Site Profile and Site Layout
REV 3	25/03/2020	JPH	Adjust Slab Levels
REV 2	20/03/2020	JPH	Site Profile
REV 1	02/03/2021	JPH	Final Project Drawing

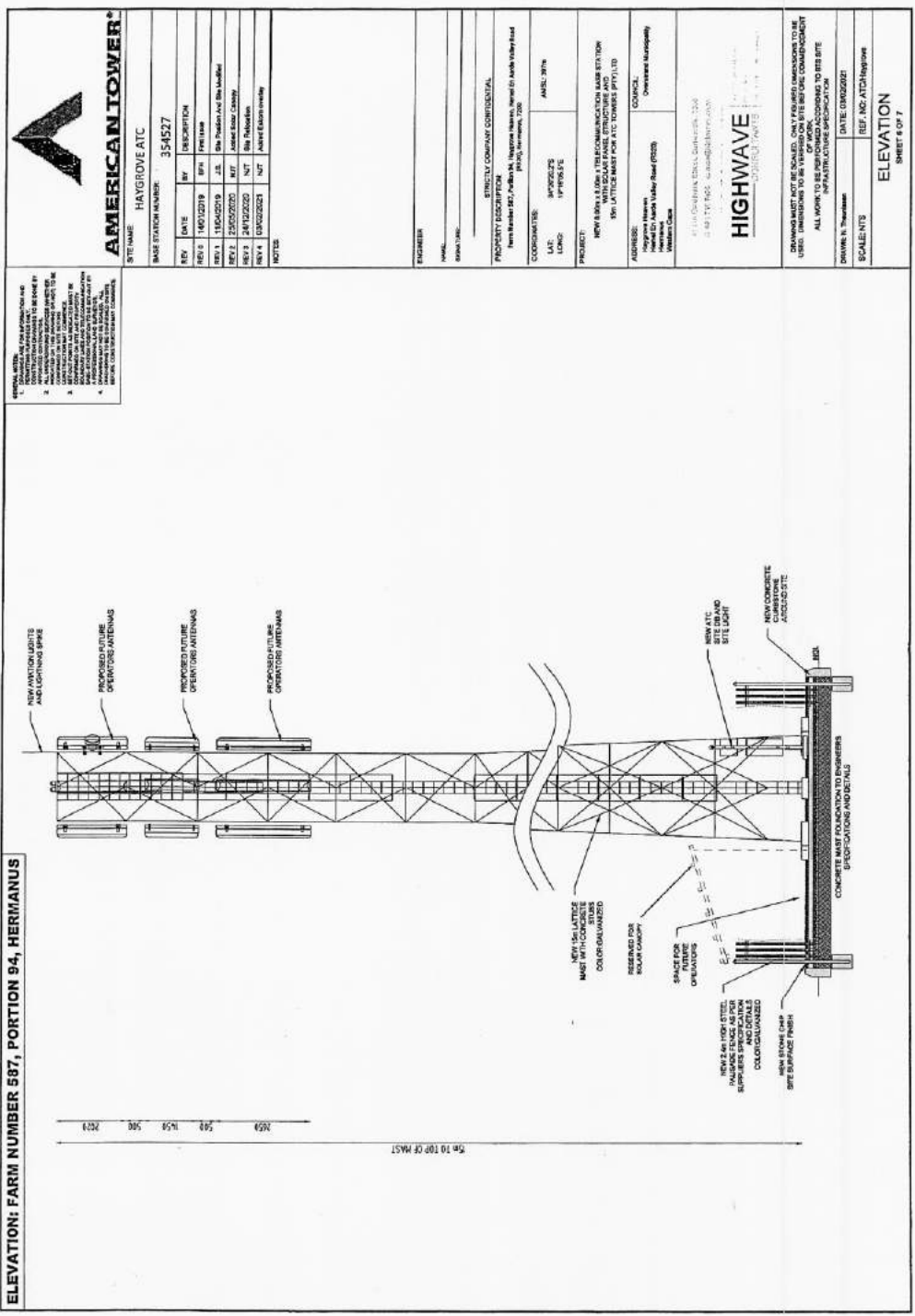
DATE: 02/03/2021
 PROJECT: FARM 587 ATC
 ADDRESS: 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD
 ENGINEER: HERMANUS
 PROJECT: FARM 587 ATC
 ADDRESS: 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD



HIGHWAVE
 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD
 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD
 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD
 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD

ENGINEER: HERMANUS
 PROJECT: FARM 587 ATC
 ADDRESS: 154 LATOUE MAIST FOR ATC TOWERS (PT) LTD

DATE: 02/03/2021
 REF. NO.: ATCH94090
 SCALE: 1:1000
 SHEET 6 OF 7



ELEVATION: FARM NUMBER 587, PORTION 94, HERMANUS

REVISIONS:

1. CORRECTED FOR INFORMATION AND OMISSIONS TO BE PROVIDED BY CLIENT TO BE SUBMITTED TO THE ENGINEER FOR APPROVAL.
2. REVISED TO SHOW PROPOSED ANTENNAS TO BE PROVIDED BY CLIENT.
3. REVISED TO SHOW PROPOSED ANTENNAS TO BE PROVIDED BY CLIENT.
4. REVISED TO SHOW PROPOSED ANTENNAS TO BE PROVIDED BY CLIENT.

STATION NAME	HAYGROVE ATC		
BASE STATION NUMBER	354527		
REV	BY	DATE	DESCRIPTION
REV 0		18/01/2019	J.S. Site Plan and Site Layout
REV 1		18/04/2019	J.S. Site Plan and Site Layout
REV 2		22/05/2020	M.T. Jailed Solar Canopy
REV 3		24/11/2020	N.T. Site Relocation
REV 4		03/02/2023	N.T. Jailed Station Upgrade
NOTES			

AMERICAN TOWER

STRICTLY COMPANY CONFIDENTIAL

PROJECT LOCATION: Farm Number 587, Portion 94, Hermanus, owned in whole by the client.

COORDINATES: 34°52'23.28" S, 18°52'57.0" E

PROJECT: NEW 587 & 608 - TELECOMMUNICATIONS BASE STATION WITH SOLAR PANEL STRUCTURE AND 150 PATTENBERG PHOTOVOLTAIC (PV) LTD

ADDRESS: 150 PATTENBERG PHOTOVOLTAIC (PV) LTD, 150 PATTENBERG PHOTOVOLTAIC (PV) LTD, Hermanus, Western Cape

COUNCIL: Overstrand Municipality

DATE: 03/02/2023

SCALE: 1:100

DRAWN BY: [Name]

DATE: 03/02/2023

SCALE: 1:100

DATE: 03/02/2023

SCALE: 1:100

CONSTRUCTION SPECIFICATIONS TO BE PROVIDED BY CLIENT TO BE SUBMITTED TO THE ENGINEER FOR APPROVAL.

ALL WORK TO BE DONE IN ACCORDANCE WITH THE INFRASTRUCTURE SPECIFICATION.

DATE: 03/02/2023

SCALE: 1:100

DATE: 03/02/2023

SCALE: 1:100

ELEVATION SHEET 6 OF 7

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & CONSENT USE: PTN 94 OF FARM
587, HEMEL & AARDE**

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

Conditions:

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, Bocma etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Manager: Water Infrastructure & Quality Control, Overstrand Municipality (Tel: 028 313 5046) ;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma;
6. that, as no municipal sewerage removal services are rendered in the area, the owner is responsible for removal of all sewerage generated on the property, and disposal thereof at a licenced municipal sewerage treatment facility;
7. that alternatively, sewer treatment facilities that are approved by the Department of Water Affairs may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;
8. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;

9. that access can be obtain from the entrance located on the eastern side of the property, situated on the Hemel and Aarde Road. The Provincial Engineer must however provide comment in this regard.

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

08-10-2023
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

6. ERF 1309, 5 PERLEMOEN CLOSE, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS MINNAAR WERKMAN ARCHITECTS ON BEHALF OF MA VILJOEN

1309 HVM

H Olivier

(028) 313 8900

Hermanus Administration

9 February 2021

Executive Summary

An application has been received on 13 August 2020 from Messrs Minnaar Werkman Architects on behalf of MA Viljoen on Erf 1309, 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 relax the northern lateral building line from 2m to 0,9m to accommodate an external staircase leading to the upper floor kitchen and to accommodate a steel and *latte* structure to visually block the geyser and heat pump.

RESOLVED :

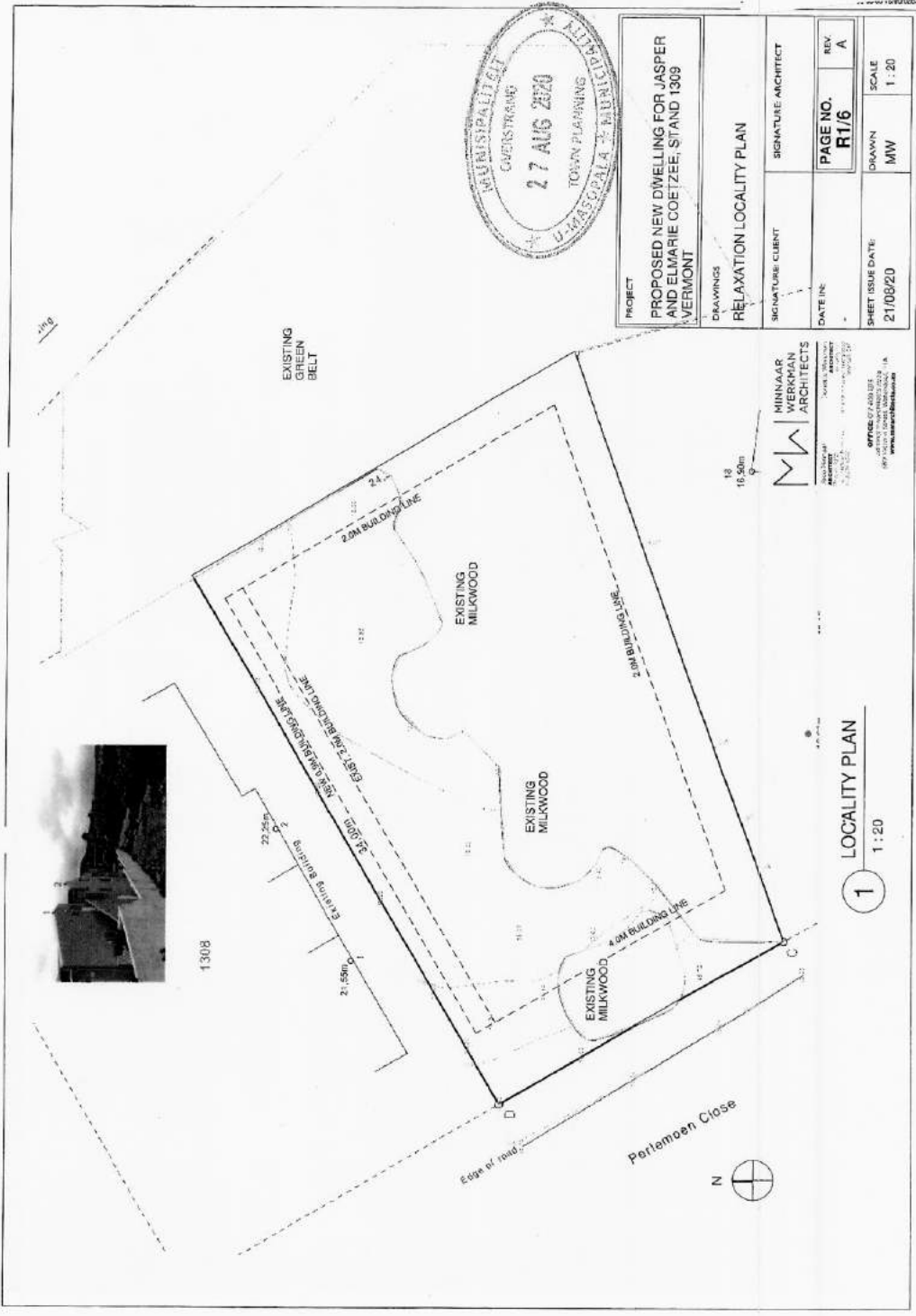
1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 1309, Vermont for a departure in order to relax the northern lateral building line from 2m to 0,9m to accommodate an external staircase leading to the upper floor kitchen and to accommodate a steel and *latte* structure to visually block the geyser and heat pump, **be approved** in terms of the provisions of Section 61, subject to the following conditions:
 - (a) that this approval only relates to a building line relaxation as indicated on plan numbers R1/6, R2/6, R3/6, R4/6, R5/6 and R6/6 dated 21 August 2020, 8 November 2020 and 20 November 2020;
 - (b) 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;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with;
 - (e) that all the conditions in the Services Report, be complied with;
 - (f) that all conditions imposed by Telkom, be complied with, and

**AGENDA of the
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- (g) that all conditions imposed by Eskom, be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above-mentioned approval.

REASONS FOR RECOMMENDATION

- ❖ Most municipal departments support the application.
- ❖ The property is covered by milkwood trees for approximately 50% of its area and also have a relatively steep slope, which must be considered to be mitigating factors in considering this encroachment.
- ❖ This small encroachment would ensure that less environmentally sensitive milkwood trees needs to be removed.
- ❖ The proposed staircase will not impact the privacy on Erf 1308, Vermont and the staircase, geyser, heat pump and steel structure with latte will not be visually imposing.
- ❖ The application will not have a negative impact on the character of the area.
- ❖ No objections were received from surrounding property owners.
- ❖ The application is desirable.



13018



PROJECT
PROPOSED NEW DWELLING FOR JASPER AND ELMARIE COETZEE, STAND 1309 VERMONT

DRAWINGS
RELAXATION LOCALITY PLAN

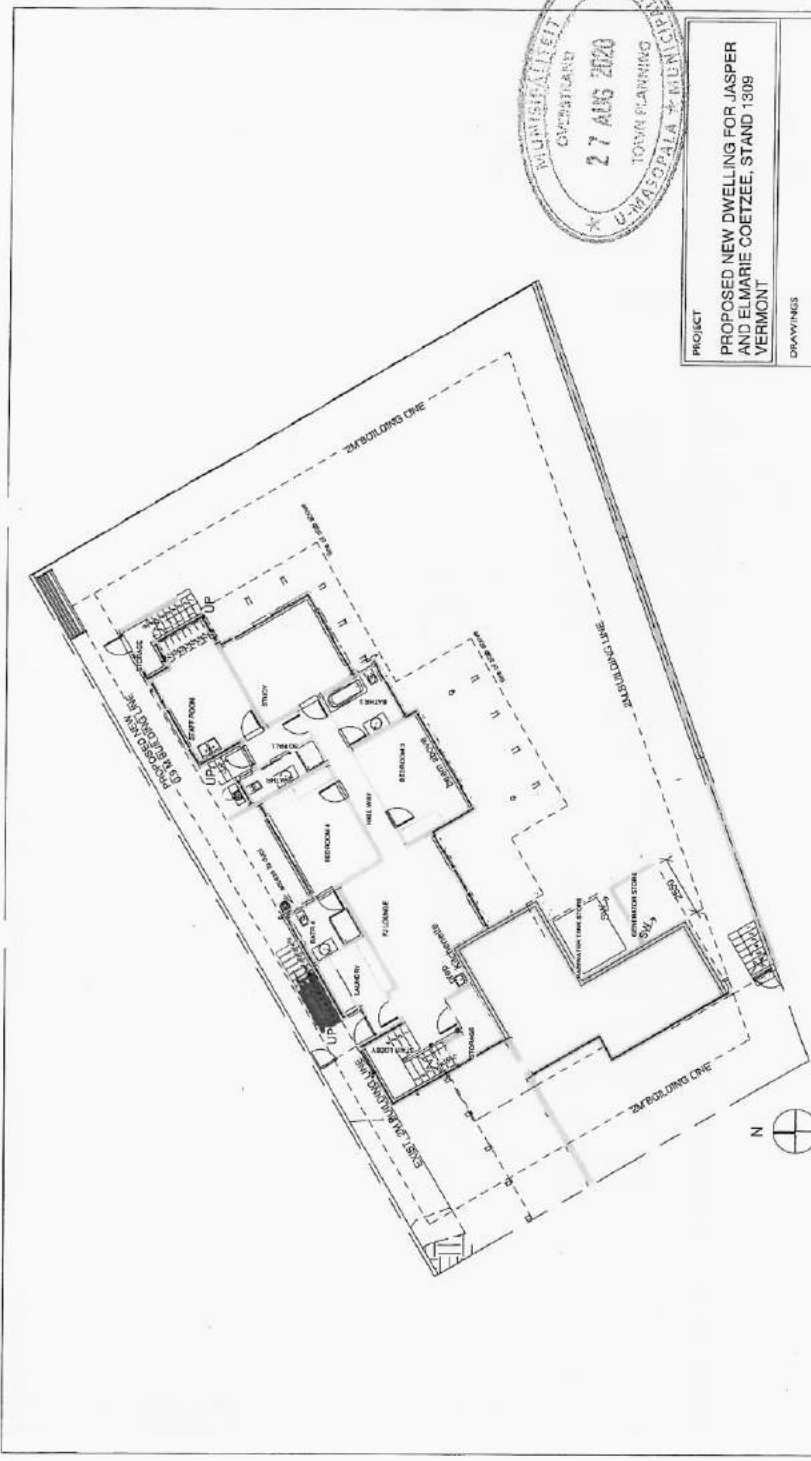
SIGNATURE: CLIENT
 SIGNATURE: ARCHITECT

DATE IN: _____
 REV. **A**

PAGE NO. **R1/6**
 SCALE 1:20
 DRAWN MW
 SHEET ISSUE DATE: 21/08/20

MINNAAR WERKMAN ARCHITECTS
 ARCHITECTS
 OFFICE: 67 403 0318
 100 JOHANNESBURG ROAD, JOHANNESBURG, SA
 www.minnaarwerkman.co.za

1 LOCALITY PLAN
 1:20



PROJECT
 PROPOSED NEW DWELLING FOR JASPER
 AND ELMARIE COETZEE, STAND 1309
 VERMONT

DRAWINGS
 RELAXATION LOWER GROUND FLOOR PLAN

SIGNATURE CLIENT
 SIGNATURE ARCHITECT

DATE IN: _____
 DATE OUT: _____

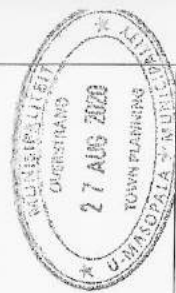
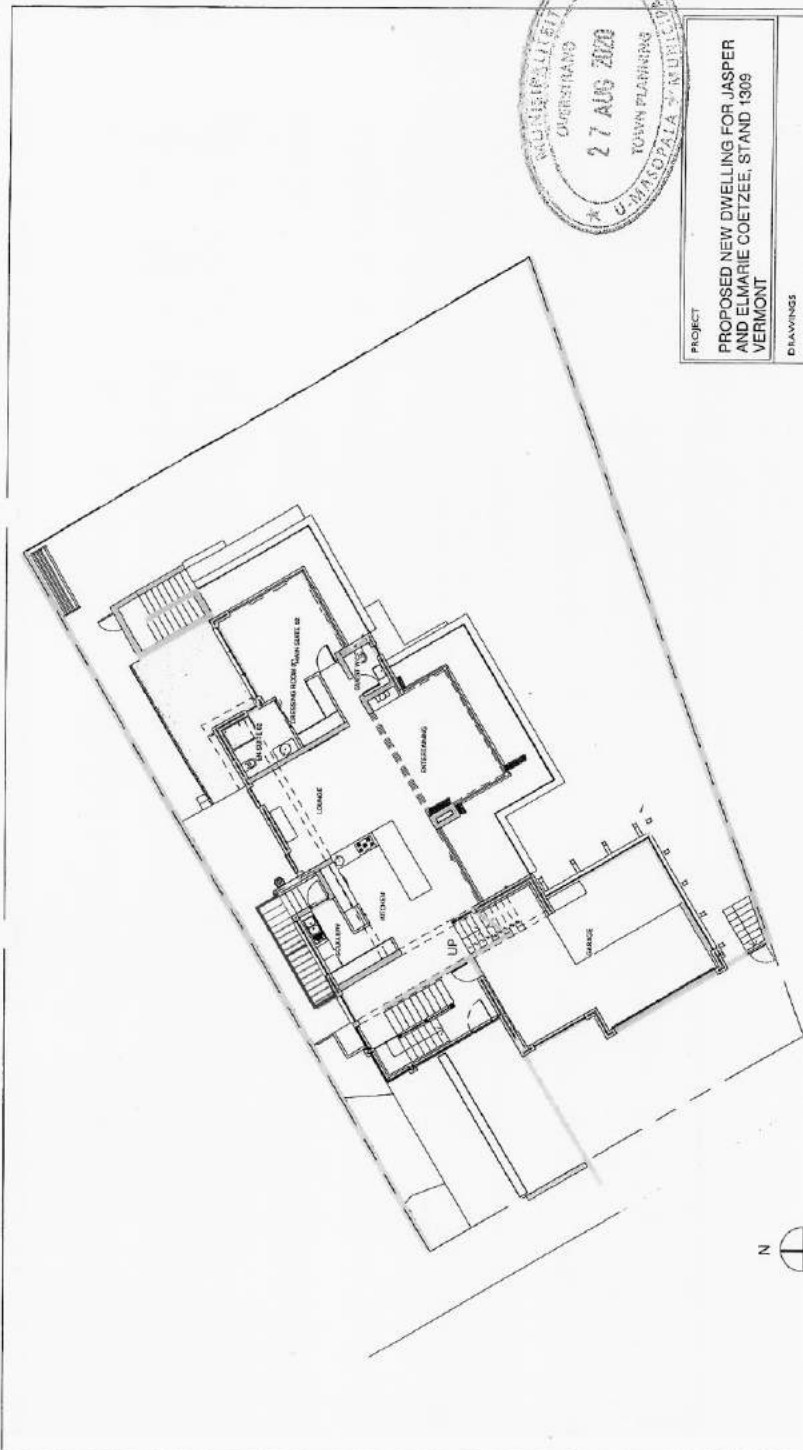
PAGE NO. **R3/6** REV. **A**

SHEET ISSUE DATE: 08/11/20
 DRAWN: MW
 SCALE: 1:150

M MINNAAR
 WERRMAN
 ARCHITECTS
 100 STATE ST. SUITE 200
 VERMONT, VT 05401
 TEL: 802-249-1111
 WWW.MINNAARWERRMAN.COM

1 LOWER GROUND FLOOR PLAN
 1:150

WE 022390 12060032

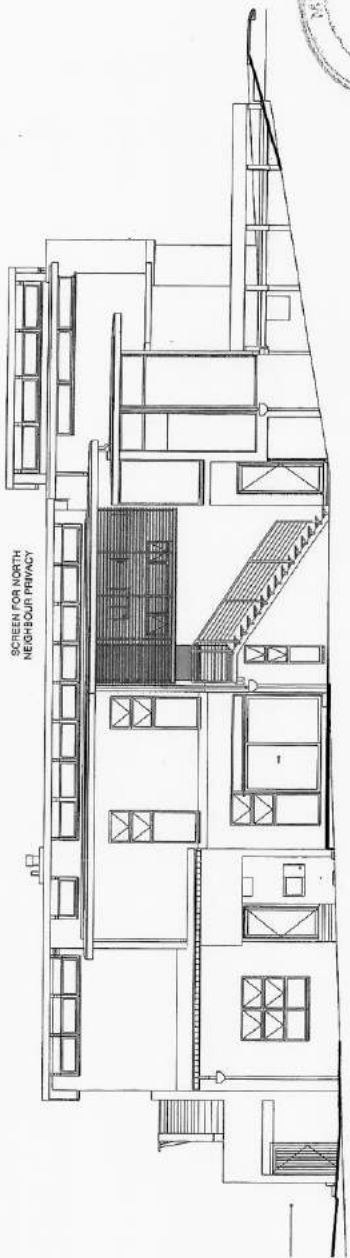


PROJECT	
PROPOSED NEW DWELLING FOR JASPER AND ELMARIE COETZEE, STAND 1309 VERMONT	
DRAWINGS	RELAXATION UPPER GROUND FLOOR PLAN
SIGNATURE CLIENT	SIGNATURE ARCHITECT
DATE IN:	PAGE NO. R4/6
	REV: A
SHEET ISSUE DATE 08/11/20	DRAWN MW
	SCALE 1 : 150

1 UPPER GROUND FLOOR PLAN
1 : 150

MINNAAR WERKMAN ARCHITECTS
 ARCHITECTS
 4111 1000 1000
 4111 1000 1000
 OFFICE: 1000 1000
 1000 1000 1000 1000
 www.minnaarwerkman.com

SCREEN FOR NORTH
NEIGHBOUR PRIVACY



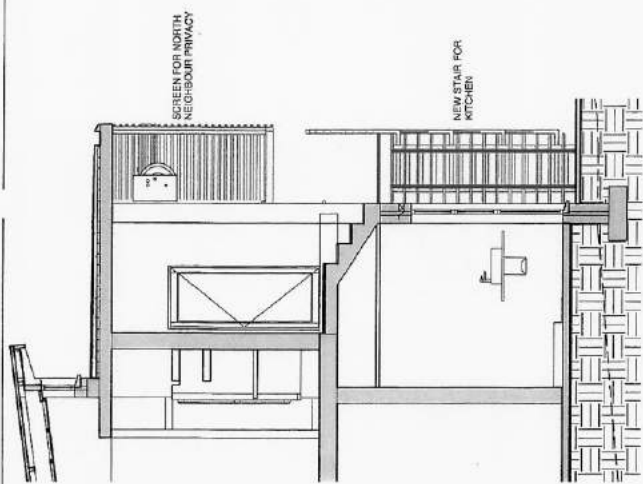
1 NORTH ELEV
1 : 100



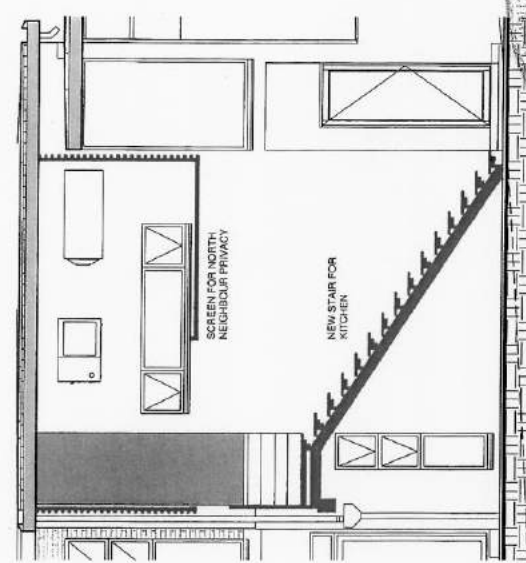
PROJECT	
PROPOSED NEW DWELLING FOR JASPER AND ELMARIE COETZEE, STAND 1309 VERMONT	
DRAWINGS	
RELAXATION NORTH ELEVATION	
SIGNATURE CLIENT	SIGNATURE ARCHITECT
DATE IN	PAGE NO. R5/6
	REV A
SHEET ISSUE DATE: 08/11/20	DRAWN MW
	SCALE 1 : 100

MINNAAR WERKMAN ARCHITECTS
 2000 W. 10th Street, Suite 100
 Minneapolis, MN 55427
 612.338.1111
 www.minnaarwerkman.com

WY 802885 12/26/2020



1 SECTION 1-1
1:50



2 SECTION 2-2
1:50



PROJECT
TOWN PLANNING
PROPOSED NEW DWELLING FOR HASTER
AND ELMARIE COETZEE STAND-1309
VERMONT

DRAWINGS
RELAXATION STAIR DETAIL

SIGNATURE CLIENT
SIGNATURE ARCHITECT

DATE IN: REV A
PAGE NO. RB/6

SHEET ISSUE DATE: 20/11/20
DRAWN: MW
SCALE: 1:50



MINNAAR
WERKMAN
ARCHITECTS

1000 UNIVERSITY AVENUE, SUITE 100
SHELTON, VERMONT 05777
TEL: 802.883.1111
WWW.MINNAARWERKMAN.COM

NV 65-16-60 12820020

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 1309, VERMONT**

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

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of *SANS 10400 – P:2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 1309, Vermont, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.

pp. R. Coole
DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

29/11/2020
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

**7. FARM NO. 905, HEMEL EN AARDE VALLEY, DIVISION OF CALEDON:
APPLICATION FOR CONSENT USE, DEPARTURE AND RIGHT OF WAY
SERVITUDE: MESSRS PLAN ACTIVE ON BEHALF OF HERMANUS
ABERDEEN 44 (PTY) LTD**

RCAL Farm No. 905

H van der Stoep

(028) 313 8900

Hermanus Administration

22 March 2021

Executive Summary

An application has been received on 4 August 2020 from Messrs PlanActive on behalf of Hermanus Aberdeen 44 (Pty) Ltd on Farm No. 905, Hermanus for the following:

- Consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for an Agricultural Industry to accommodate a winery, wine tasting facility and wine sales.
- Departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to relax the 30m eastern lateral building line as follows to:
 - ±8m and ±14m respectively to accommodate the existing winery;
 - ±20m to accommodate an existing garage; and
 - ±23m to accommodate a portion of the existing manor house.
- Subdivision in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to create a new right of way servitude area in favour of Portion 50 of Farm 587 (Coch-Y-Bondhu).
- Application in terms of Act 21 of 1940 for proposed development adjacent to a road under the jurisdiction of the District Roads Engineer.
- Application in terms of the Agricultural Land Act, Act 70 of 1970 for the creation of a right of way servitude.

RESOLVED :

1. that a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) in order to relax the eastern lateral building line from 30m to 23m to accommodate a residential dwelling, from 30m to 20m to accommodate a garage and from 30m to 8m and 14 to accommodate a winery, **be approved** in terms of the provisions of Section 61;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

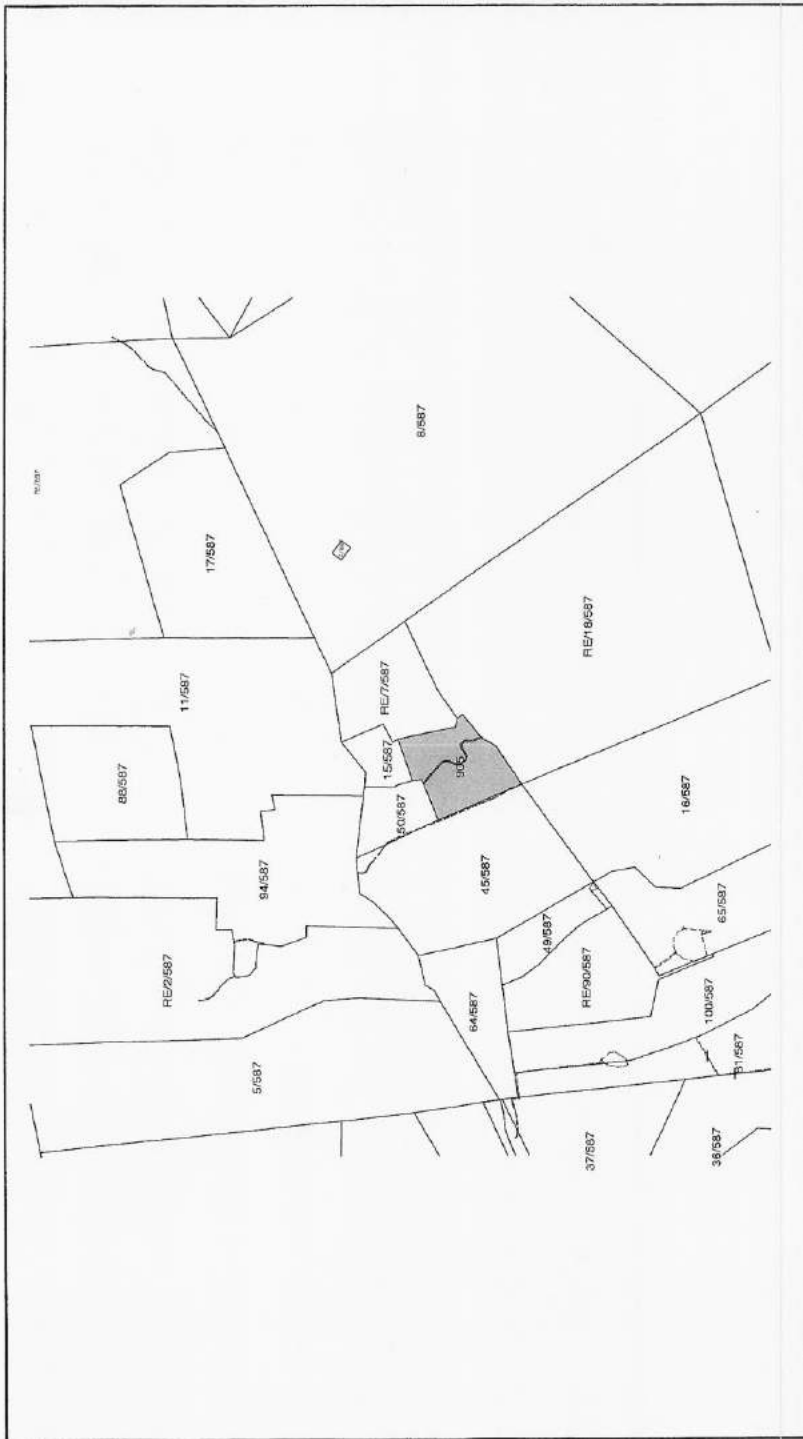
2. that consent uses in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for an existing winery, wine tasting and wine sales, **be approved** in terms of the provisions of Section 61;
3. that the subdivision in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to create an access right of way, **be approved** in terms of the provisions of Section 61;
4. that the application in terms of Act 21 of 1940 for proposed development adjacent to a road under the jurisdiction of the District Roads Engineer, **be approved** in terms of the provisions of Section 61;
5. that the application in terms of the Agricultural Land Act, Act 70 of 1970 for the creation of a right of way servitude, **be approved** in terms of the provisions of Section 61; subject to the following conditions:
6. that the approvals in 1 to 5 above be subject to the following conditions:
 - (a) that this approval for consent uses are restricted to an agricultural industry (winery) of 391m² and tourism facility (tasting facility) of 33m²;
 - (b) that a site development plan be submitted for approval as per the Overstrand Zoning Scheme within thirty (30) days of the approval;
 - (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;
 - (f) that all the conditions in the Services Report, be complied with;
 - (g) that all conditions of the Department of Transport be adhered to;
 - (h) that all conditions of Breede Gouritz Management Catchment Agency be adhered to, and
 - (i) that the agreement be registered at the Surveyor General and against the respective Title Deeds at the Registrar of Deeds.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

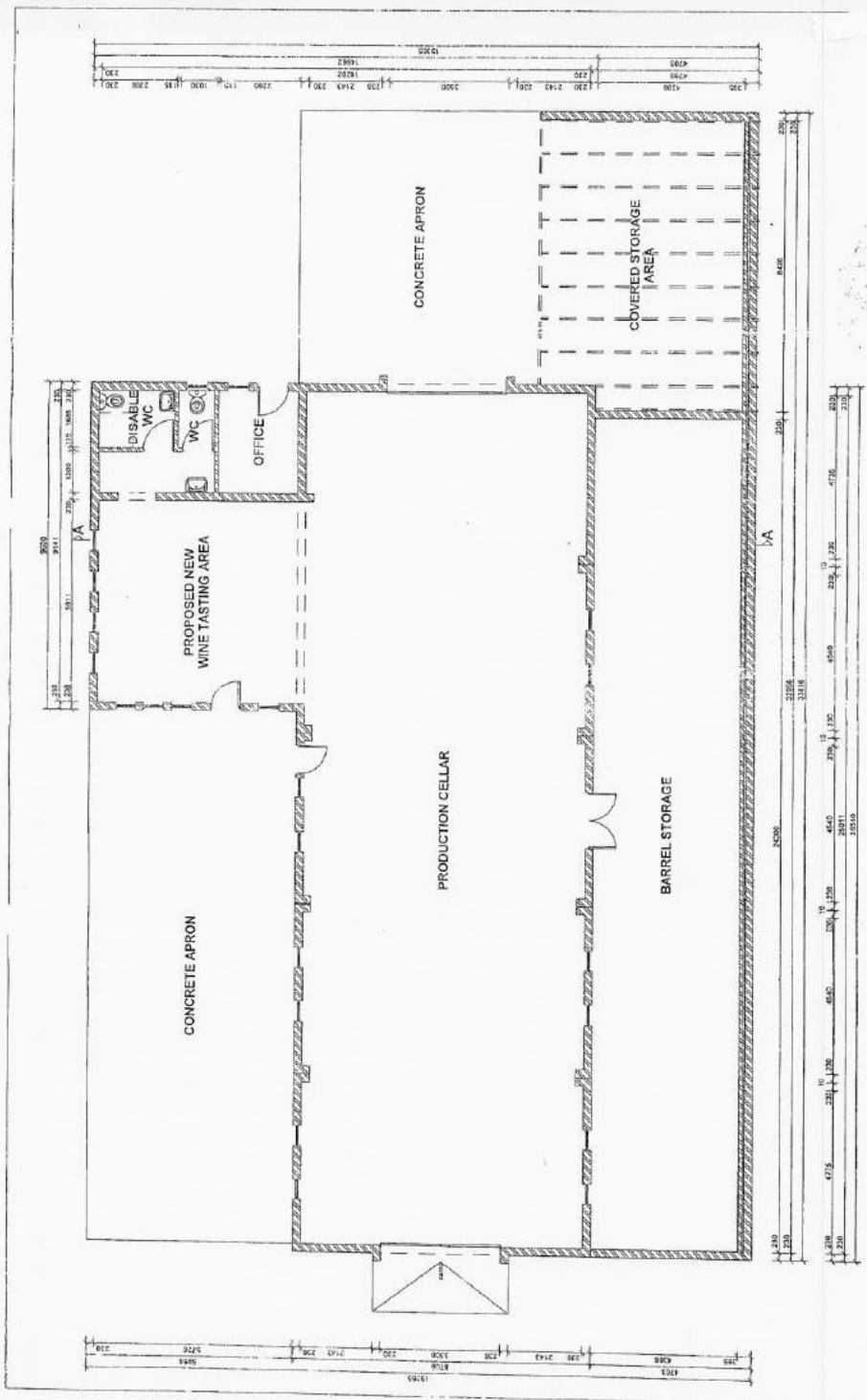
7. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regards to the above conditions of approval

REASONS FOR RECOMMENDATION

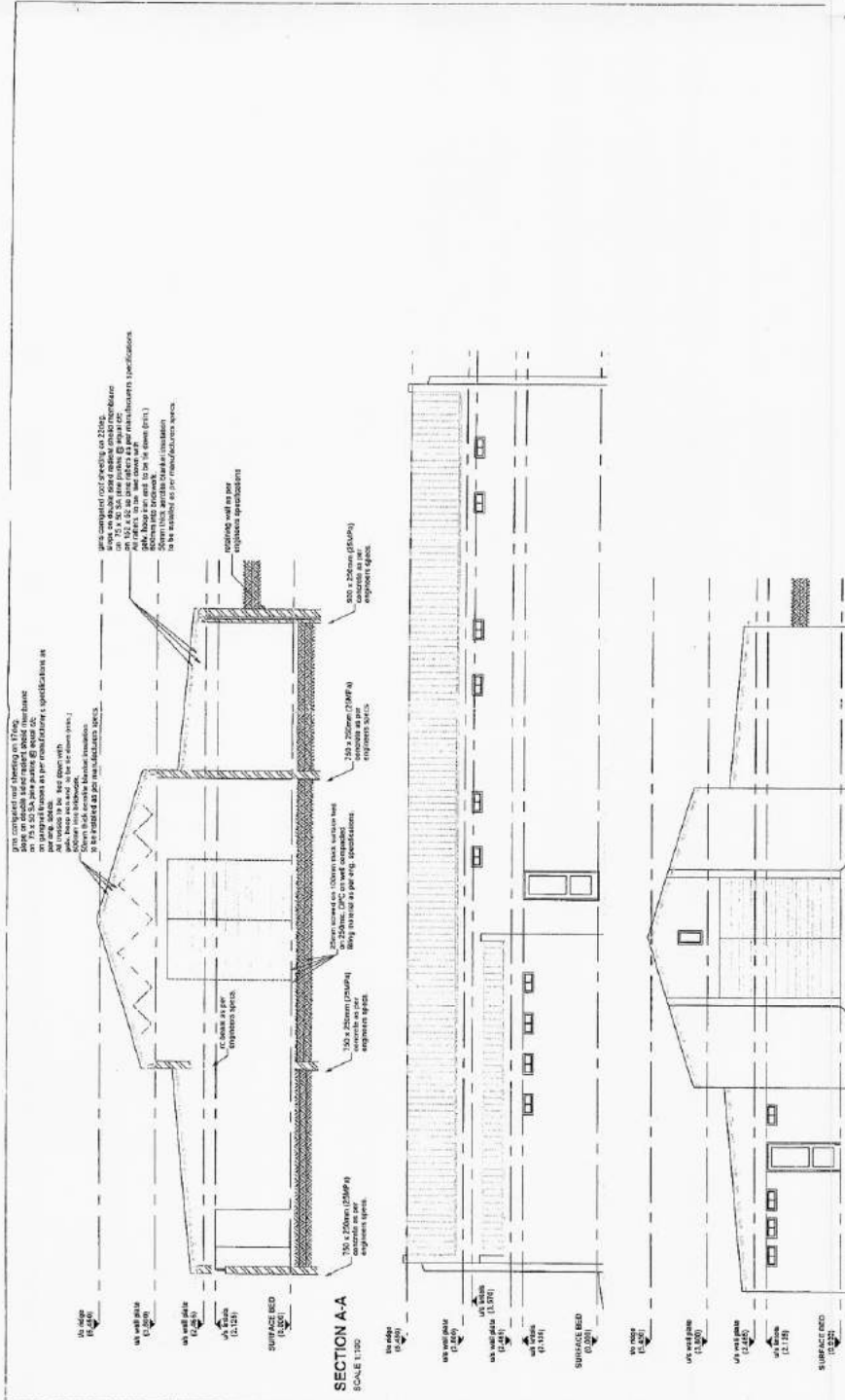
- The land use in in line with the forward planning document.
- The application will not influence any environmental and or biodiversity on the farm.
- Tourist facility is prevalent in the area and is not to the detriment of the character of the area.



	Stads- en Streeksbeplanners Town & Regional Planners		All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: THE FARM NO.905	Plan Description: LOCALITY MAP	Scale: NTS Drawing Nr.: Farm905L.dwg Date: 07/2020	



FARM 905 RESTLESS RIVER	PROJECT: ALTERATIONS AND ADDITIONS FOR FARM 905, RESTLESS RIVER HEMEL AND AARDE		DRAWING TITLE: PROPOSED NEW WINE CELLAR LAYOUT	
	DATE: APRIL 2019	DRAWN BY: WJJB	CHECKED BY: WJJB	SCALE: AS SHOWN
DRAWING NO: VS-SER 001		SHEET NO. OF SHEETS: 01 OF 01		



PROJECT FARM 905 RESTLESS RIVER	DRAWING TITLE ALTERATIONS AND ADDITIONS FOR FARM 905 - RESTLESS RIVER HEMEL AND AARDE	DATE APRIL 2019	DRAWN W.M.B	ARCH. TELL. NO.
		DRAWING NO. VISSER 001	REV	SCALE AS SHOWN

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE, DEPARTURE & RIGHT OF WAY
SERVITUDE: FARM NO. 905, HEMEL & AARDE VALLEY, DIVISION OF
CALEDON**

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

Conditions:

1. that the developer arrange with ESCOM for the provision of electricity and that he complies with all conditions as may be set by ESCOM;
2. that no water from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, Bocma etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Manager: Water Infrastructure & Quality Control, Overstrand Municipality (Tel: 028 313 8972 ; e-mail - probinson@overstrand.gov.za);
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma;
6. that, the proposed development on Farm 905 be provided with adequate sewer conservancy tanks, which must comply with the standards of the Department: Operational Services (Hermanus), and to which the sewer services on the development must connect to;
7. that, as no municipal sewerage removal services are rendered in the area, the owner is responsible for removal of all sewerage generated on the property, and disposal thereof at a licenced municipal sewerage treatment facility;

8. that alternatively, sewer treatment facilities that are approved by the Department of Water Affairs may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;
9. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;
10. that servitudes for municipal services be registered at the developer's cost in respect of all existing municipal services concerned crossing private property;

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

03/12/2020
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

8. **PORTION 6 OF FARM AFDAKSRIVIER NO 575, FLAGSHIP BUSINESS PARK, HAWSTON, OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF ARCHITECTURAL DESIGN GUIDELINES: MESSRS URBAN DYNAMICS SOUTH CAPE ON BEHALF OF AFDAKSRIVIER EIENDOMS ONTWIKKELINGS (PTY) LTD**

**RCAL 6/575
HAWSTON
BUSINESS PARK
H Olivier
8 March 2021**

(028) 313 8900

Hermanus Administration

Executive Summary

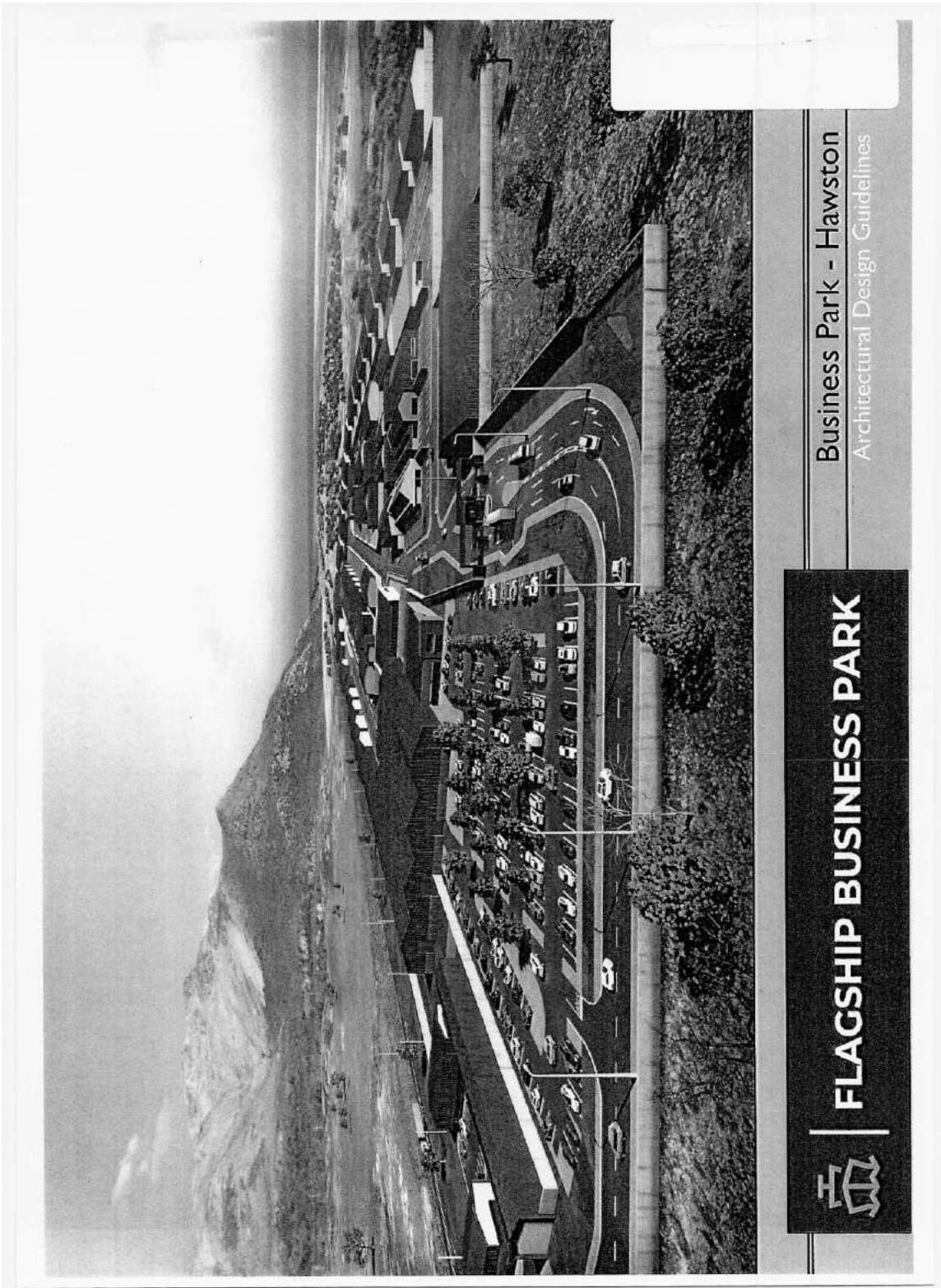
An application was received on 28 September 2020 from Messrs Urban Dynamics on behalf of the property owner in terms of Section 16(2)(f) of the Overstrand By-Law on Municipal Land Use Planning, 2015 to amend the Architectural Design Guidelines for Flagship Business Park.

RESOLVED :

1. that the application in terms of Section 47 of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) of an application in terms of Section 16(2)(j) to amend the Architectural Guidelines of Flagship Business Park, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that a copy of the amended Architectural Guidelines be submitted to the Municipality for record purposes.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due procedure.
- ❖ No objections were received from the Building Department, Local Heritage Committee or the Engineering Department.
- ❖ All municipal departments support the application.
- ❖ It is in line with policy documents and the Zoning Scheme.



Business Park - Hawston
Architectural Design Guidelines

 | **FLAGSHIP BUSINESS PARK**



01131

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FLAGSHIP BUSINESS PARK

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01

DEFINITIONS

"Carport" means a building or structure, covered or uncovered, and includes a shade port, with two open sides, primarily used for the storage of motor vehicles.

"Design Guidelines" means this design guideline document including the annexures

"Erf" means any erf forming part of the Business Park and "Erven" shall mean the plural thereof

"Height" of a building means no point of any building shall exceed the maximum height prescribed in the development rules, measured from the base level to the top of the roof directly above that point in meters.

"Landscaping" means the placement of plants, water features, paving, street furniture and other soft and hard elements, for the purposes of enhancing aesthetic appeal, environmental management, amenity and the value of the property.

"Local Authority" means Overstrand Municipality

"Loading Bay" means an area which is clearly demarcated for loading and off-loading of goods from commercial vehicles, and which has vehicular access to a public street to the satisfaction of council.

"Member" means a registered owner of an Erf

"Property Owners Association" means the Flagship Business Park Property Owners' Association, of which membership is compulsory for all property owners for which it is established.

"Road Reserve" means a designated area of land that includes a public street or private road (including the road and associated verge), where the land may or may not be defined by cadastral boundaries.

"Setback" means a line on property delimiting the area measured from the centre line of a road, within which no building or other structure, including a boundary fence, may be constructed.

"Zoning scheme" mean the law for the zoning of land which has been approved in terms of Planning Law, consisting of zoning scheme regulations and a register, with or without a map

"Business Park" means the business park known as Flagship Business Park

"Builders Yard" means a land unit which is used for the storage of material and equipment which:

- (i) Is required or normally used for construction work;
- (ii) Was obtained from demolitions of structures or excavations of ground;
- (iii) Is Necessary for, or is normally used land development, such as storage of material used for building roads, for installing essential services, or for any other construction work (e.g. sand or bricks), whether for public or private purposes; and it includes the administrative component of such undertaking but does not include any accommodation, other than a caretaker's accommodation.

"Building Line" means an imaginary line on a land unit, which defines a distance from a specified cadastral line, within which the erection of buildings and structures are prohibited, except with the necessary Council approval.



03/21

01

DEFINITIONS

"Gross Leasable Area" means the area of a building designed for, or capable of, occupancy and control by owners or tenants, measured from the centre line of the joint partitions to the inside finished surface of the outside walls, and shall exclude the following:

- (i) All exclusions from the definition of floor space;
- (ii) Toilets;
- (iii) Lift shafts, service ducts, vertical penetrations of floors;
- (iv) Lift motor rooms and rooms for other mechanical equipment required for the proper functioning of the building; and
- (v) Interior parking and loading bays.

"GLA Register" means register recording the GLA utilised by each stand, with total GLA of all stands not exceeding the maximum allowed limit.

"Warehouse" means a building primarily used for the storage of goods for distribution to retailers, and includes a property used for a business of predominantly wholesale nature or where a service trade is conducted, but does not include a business of a predominantly retail nature.

"Service trade" means an enterprise which is:

- i. Primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
- ii. Not likely to be a source of disturbance to surrounding properties;
- iii. Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- iv. Includes a builder's yard and allied trades, fitment centre for tyres, shocks or exhausts, and similar types of uses; but
- v. Does not include an abattoir, brick-making site, sewage works, service station or motor repair garage.

"Shops" means a property or part of a property used for the retail sale of goods, items and services to the public, including a retail concern where goods which are sold are manufactured and repaired; provided that the floor space relating to such manufacture or repair shall not exceed 50% of the floor space of the shop; 'shop' does not include an industry, service trade, motor repair garage, service station, restaurant, adult entertainment business or sale of alcoholic beverages, and if such uses are included on the property they shall be regarded as separate uses subject to such separate development rules as may be determined by Council.

02

INTRODUCTION



The purpose of this document is to provide design guidelines that will result in an attractive, cohesive and recognisable built form for development in the Flagship Business Park. The guidelines will assist developers, architects, administration and the local authority by:

- Indicate development parameters/restrictions;
- Establishing a set of principles and guidelines to measure and evaluate building plans;
- Promoting certain aesthetic characteristics for the development;
- Generally guiding and protecting the integrity and homogeneity of style, form and finish of the development;
- Augmenting the Planning By-Law of the Overstrand Municipality, by providing additional design guidelines that reflect good site design principles.

It is the objective that, by working within the range of guidelines, sufficient scope is provided to suit individual requirements, whilst a sense of harmony and continuity is maintained within the Flagship Business Park.

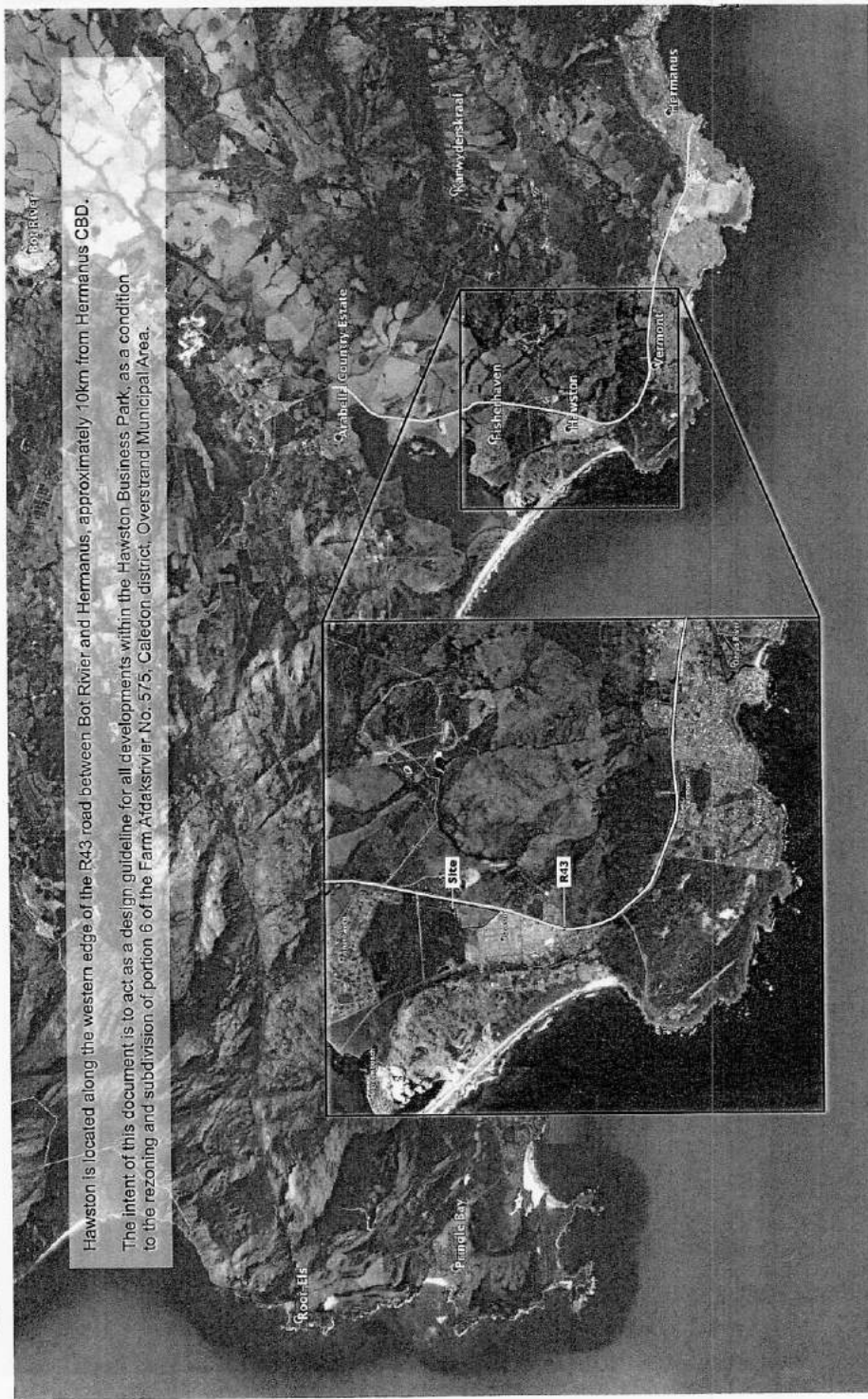
02

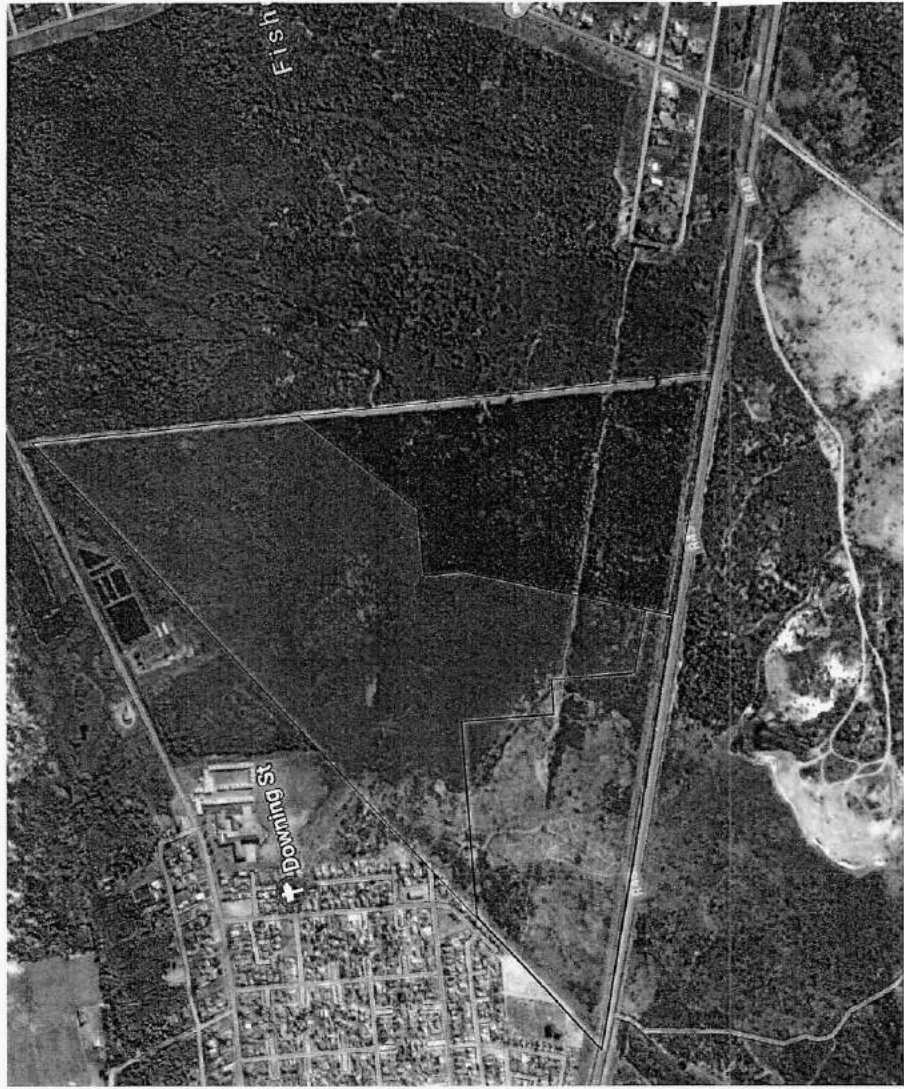
2.1 LOCALITY



05/31

Hawston is located along the western edge of the R43 road between Bot Rivier and Hermanus, approximately 10km from Hermanus CBD. The intent of this document is to act as a design guideline for all developments within the Hawston Business Park, as a condition to the rezoning and subdivision of portion 6 of the Farm Afdaksvriviër No. 575, Caledon district, Overstrand Municipal Area.





03
SITE
3.1 DEVELOPMENT CONTEXT

- Proposed Development
- Future Development
- 25Ha Conservation Area



08/31

03 SITE

3.3 ZONING RESTRICTIONS

With reference to the approved layout plan (as per section 3 above), the following uses are permissible:

Zoning Information		
Land use	Zoning	Area (hectare)
Business	Business III	0.90ha
Business	Business II	14.04ha
Total		15.00ha

Business Zone 2

- The development includes 68 x Business Zone 2 erven.
- **Approved Primary Permissible Land Uses:** Warehousing (Including Service Trades)
- **Excluded Primary Land Uses** (can only be allowed if approved by means of a formal land use application in terms of the relevant Municipal Planning By-Law): Conference facility, guest house, hotel, place of assembly, place of instruction, rooftop base station,
- **Consent uses** (can only be allowed if approved by means of a formal land use application in terms of the relevant Municipal Planning By-Law): adult entertainment business, bottle store, crematorium, dwelling unit, flats (on ground floor), funeral parlour, informal trading, institution, motor repair garage, place of entertainment, recreational facilities, residential building, second dwelling unit, service station, transmission tower, transport use, utility services.
- The approved permissible land uses are defined in the Overstrand Municipality's Zoning Scheme (2013/0r as amended), as follows:

Warehouse means a building primarily used for the storage of goods for distribution to retailers, and includes a property used for a business of predominantly wholesale nature or where a service trade is conducted, but does not include a business of a predominantly retail nature.

Service trade means an enterprise which is:

- Primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
- Not likely to be a source of disturbance to surrounding properties;
- Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and
- Includes a builder's yard and allied trades, firm centre for tyres, shocks or exhausts, and similar types of uses; but
- Does not include an abattoir, brick-making site, sewage works, service station or motor repair garage.

Business Zone 3

- The development includes 2 x Business Zone 3 erven.
- **Approved Primary Permissible Land Uses:** Shops, flats (above ground floor), offices
- **Consent Uses** (requiring further approval): Bottle store, business premises, clinic, conference facility, flats (on ground floor), town housing, guest house, hotel, informal trading, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, restaurant, rooftop base station, sale of alcoholic beverages, service station, service trade, transmission tower.
- The approved permissible land uses are defined in the Overstrand Municipality's Zoning Scheme (2013/0r as amended) as follows:
- **Shops** means a property or part of a property used for the retail sale of goods, items and services to the public, including a retail concern where goods which are sold are manufactured and repaired; provided that the floor space relating to such manufacture or repair shall not exceed 50% of the floor space of the shop; 'shop' does not include an industry, service trade, motor repair garage, service station, restaurant, adult entertainment business or sale of alcoholic beverages, and if such uses are included on the property they shall be regarded as separate uses subject to such separate development rules as may be determined by Council.

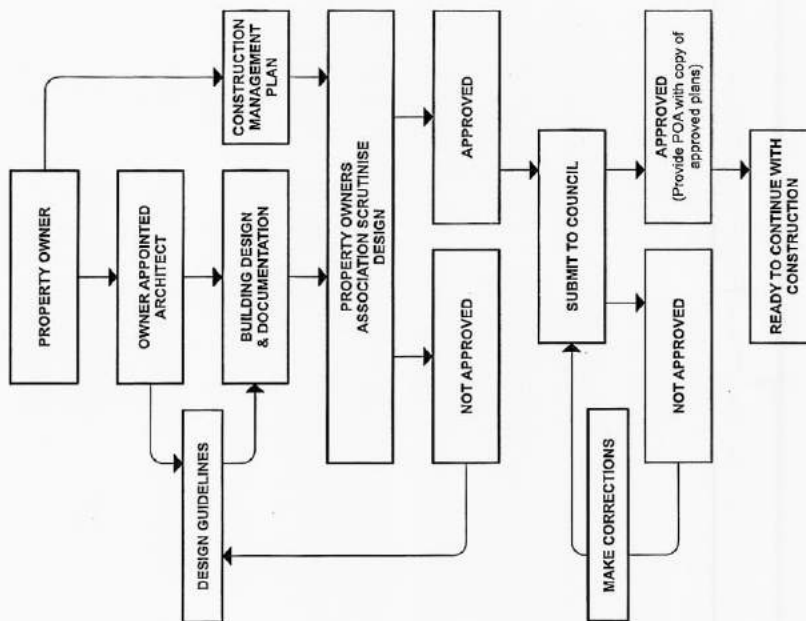
04

PLAN APPROVAL PROCESS

A Property Owners Association will be established with compulsory membership for all property owners within the development, and this body assumes responsibility for the provision, maintenance, management, etc of all internal facilities, services and internal matters.

The plan approval process will follow the following steps as per the diagram:

1. A prospective buyer consults with the development's sales representative in regards to sales and development rights and details of the available stands.
2. A prospective buyer or owner of a property can appoint a registered architect to compile a sketch design.
3. A sketch design is compiled using the Design Guidelines as a basis.
4. All designs are to be submitted to the Property Owners Association for approval, in conjunction with a Construction Management Plan, before submitting to the local municipality. The property owner is liable for the Property Owners Association scrutiny fee.
5. The designs will be evaluated by the panel and scrutinised against the design guidelines for adherence to the design framework. Should approval not be granted, the design and or documentation must be revised taking the Design Guidelines and comments received into consideration.
6. Submit the drawings with Property Owners Association approval stamp to council. The property owner is liable for the council scrutiny fee.
7. On receiving approval the Property Owners Association must be provided with a digital copy of the approved plans.
8. The tender and construction process can commence with proper Health and Safety and Insurances in place. Access for construction team to be arranged with complex security.



05

PLANNING & DESIGN FRAMEWORK



10/31

5.1 Internal Street Zone

The street and building setback zone is to form a public zone that allows for parking, vehicular and pedestrian movement and landscaping. This area is to be free from fences and any built barriers, allowing visibility between all building fronts.

The road reserve and Erf portions up to the building front edges are to be designed as part of the public realm. Landscape elements are to be used to link and define the individual properties between the driveways and parking areas.

For stands located along the R43, buildings are to be set back from one of the side boundaries by at least 4.5m, creating breaks in the continuous built edge. A truck loading bay of 10x4.5m can be located at either the front or the rear of the stands but must be fit completely within stand and must not obstruct any vehicular movement.

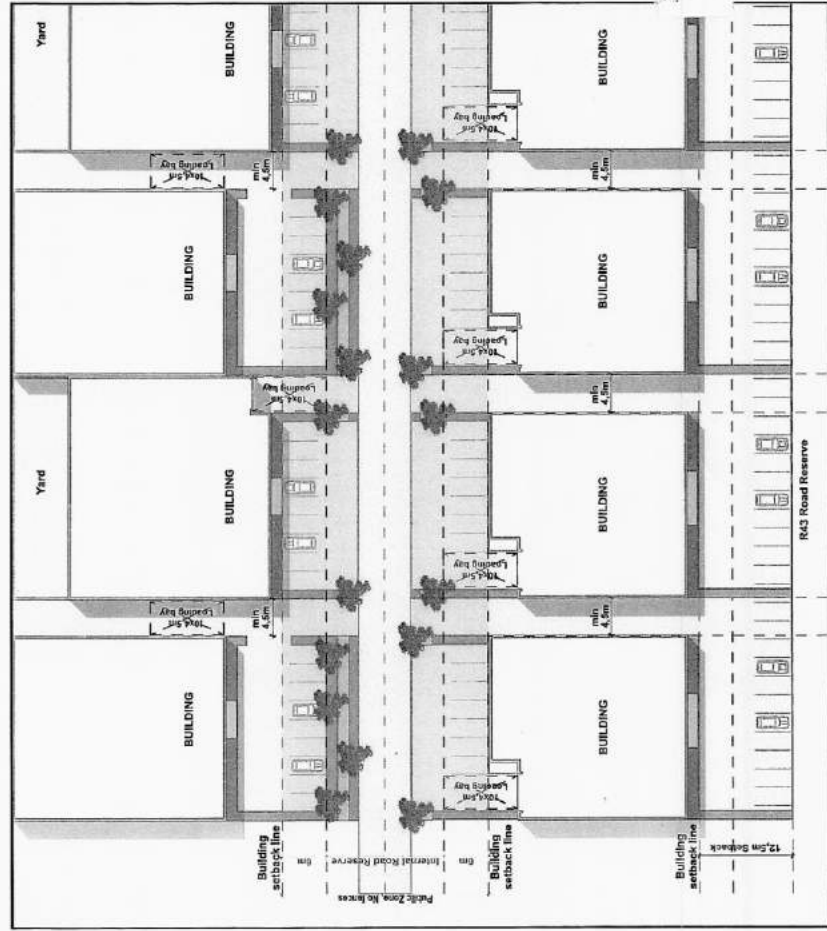
On-site parking on premises is adequate, safe and visually attractive.

Owners are to ensure that on-site parking on premises is adequate as per zoning scheme, safe and visually attractive.

Parking is located at the front of the properties, with landscaping and pedestrian walkways within the road reserve.

Car parking behind well-landscaped buffer strips may be positioned between parking and roads to increase the openness of the site when viewed from the public realm.

Access to the individual developments should be designed to enable vehicle to exit the site in a forward direction.



05

PLANNING & DESIGN FRAMEWORK



11/31

5.2 Building Lines

The zoning scheme prescribes building lines as per the red lines indicated on the adjacent diagram, and listed herewith as:

Business Zone II

Street - 0m

Side 1 - 4.5m on one side to the discretion of the owner, only for erven along the R43.

Side 2 - 0m on opposite

Rear - 0m

Note: A 3m building line will be applied next to Residential Zones and the Community Zone, and specific building lines will be applied next to the R43 and entrance road, as specified and approved by the Western Cape Department of Transport & Public Works and the Overstrand Engineering Department.

Business Zone III

Street - 0m, 5m for fuel pumps

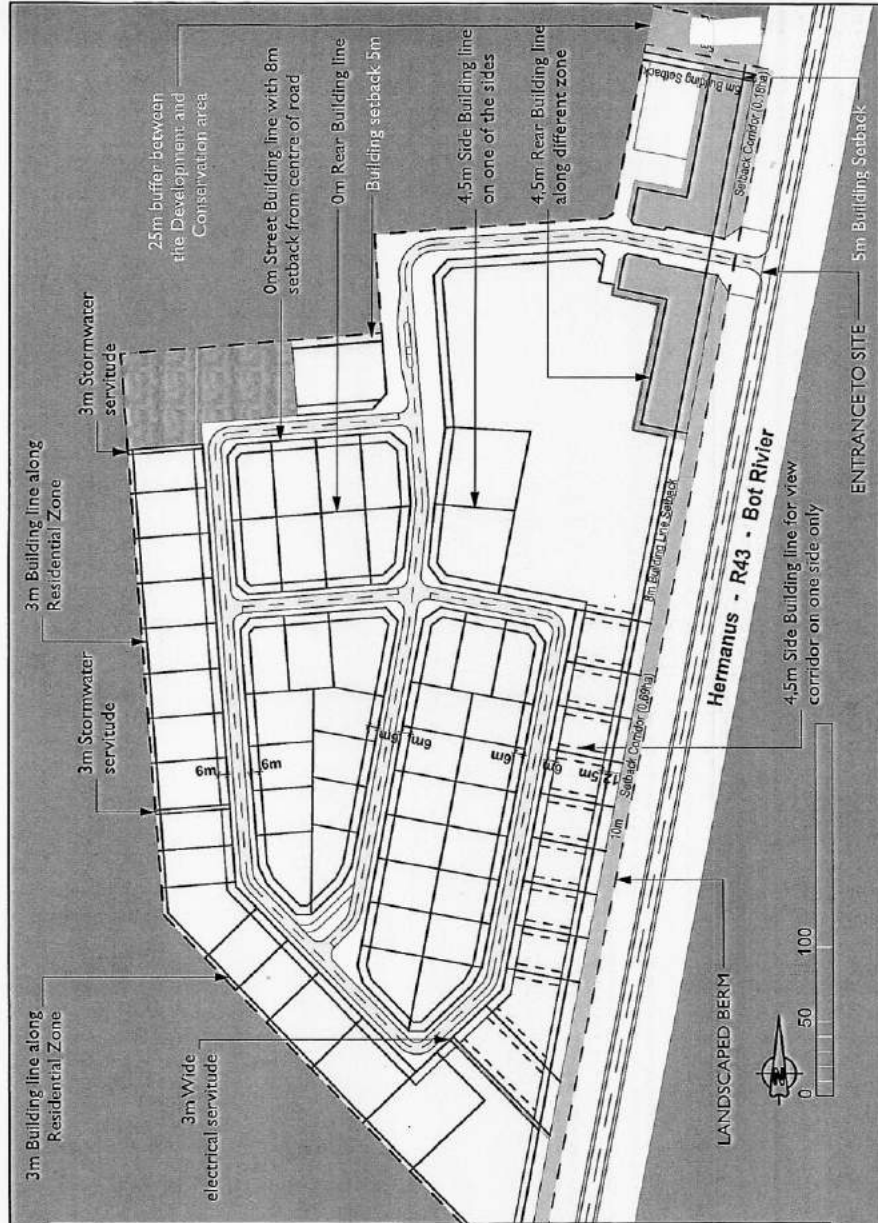
Sides - 0m

Rear - 0m

Note: A 3m side building line applies and a 4.5m rear building line applies where different zonings are bordered. The Design Guidelines prescribes a front build-to line of 6m from the front boundary to allow for a single lane parking. These are indicated by the blue lines on adjacent diagram.

NOTE:

Building portions erected on the boundaries are to have no windows, doors or other openings in the walls.





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Note: The development potential of each erf is limited to the GLA purchased. All parameters provided below is the maximum development potential which is subject to the GLA purchased. Any development will have to comply with the following parameters, and if not defined, the existing approved zoning scheme will apply.

05

PLANNING & DESIGN FRAMEWORK

5.3 Coverage, Floor Space & Gross Leasable Area

Business III: 4,250m² GLA – Relating to approximately 0.96ha available zoned as Business III

Business II: 71,502m² GLA – Relating to approximately 14.04ha available zoned as Business II

Permissible Coverage: 75% as per zoning scheme

Gross Leasable Area (GLA): As a factor of Floor Space depending on design and limited to a maximum of 75% of the property size

There is a minimum 0.4 GLA factor for each site

Floor Space: 0.75 as a factor of property size

Height restriction: Height is set at 8m from the base level to the top of the structure as defined in the latest zoning scheme

Parking: Parking requirements are as per the latest Zoning Scheme

Warehousing / Storage: 1 parking per 200m² GLA

Shops: 4 parking per 100m² GLA

Refuse: Refuse rooms to be provided on each site as per the requirements of the Overstrand Land Use Scheme (2020)



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05 PLANNING & DESIGN FRAMEWORK

5.4 Zoning Approved Uses

- Distribution centre
- Wholesale business (sell to businesses not primarily to public)
- Storage (self-storage)

Service trade means an enterprise which is:

1. Primarily involved in the rendering of a service for the local community such as the repair of household and electrical appliances or the supply of household services; and
2. Not likely to be a source of disturbance to surrounding properties;
3. Not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions; and

Typical examples of uses (not limited to)

- Appliance repairs, servicing & maintenance
- Plumbers / electricians
- Cabinetry
- Carpet cleaning & upholstery
- Furniture repairs and maintenance
- Garden services
- Steelworks (limited to small scale works)
- Carpentry
- Machinery repairs (limited to repairs and reconditioning only)
- Pest control
- Pool cleaning and maintenance services
- Security services

Business III - Local Business:

Primary uses : Shops, flats (above ground floor), offices

Business II - General Business:

Includes functions seen under Warehouse and Service Trade.

Warehouse means a building primarily used for the storage of goods for distribution to retailers, and includes a property used for a business of predominantly wholesale nature or where a service trade is conducted, but does not include a business of a predominantly retail nature.

4. Includes a builder's yard and allied trades, fitment centre for tyres, shocks or exhausts, and similar types of uses; but
- Builders yard
 - Gutters
 - Aluminium doors, windows, etc.
 - Flooring
 - Paint
 - Tyre & exhaust shops
- Does not include an abattoir, brick-making site, sewage works, service station or motor repair garage.



05

PLANNING & DESIGN FRAMEWORK

5.5 GLA Register

The GLA limit is set for the total development and will be divided between stands as per agreement between the developer and the purchaser, with the total GLA of all developed stands not exceeding the maximum allowed limit. Each GB2 erf has a minimum GLA factor of 0,4

A record of the GLA used is to be tracked by use of a GLA register, added to the council submission drawings of each building plan submission.

GLA Limits:
Business 2 - 71 502m²
Business 3 - 4 250m²

Sample or GLA Register provided - Next page

FLAGSHIP BUSINESS PARK
Schedule of Gross Leasable Area:

Property number: Erf

Proposed GLA: m²

Appointed Architect:

- Company
- Architect
- SACAP #
- Signature Date:

GLA Schedule (to be completed by Home Owners Association):

	GB2	GB3
Total Permissible GLA	71 502 m ²	4 250 m ²
GLA developed/utilised to date	? m ²	? m ²
Total Available GLA	? m ²	? m ²
Proposed GLA for Erf	? m ²	? m ²
Total GLA remaining	? m ²	? m ²

Home Owners Association:

- Authorised Person
- HOA position
- Signature Date:

Note: To be completed and submitted as part of each building plan submission to Overstrand Municipality:

Cumulative Schedule of GLA:

General Business GB3			
Erf Number	Erf Size (0,4)	Minimum GLA (0,4)	Floating GLA utilised (over and above 0,4)
3462	4799	1919,6	0
3463	4876	1950,4	0
Total	9675	3870	0
Total Float Utilised			3870
Total Float Remaining			380

General Business GB2			
Erf Number	Erf Size	Minimum GLA (0,4)	Floating GLA utilised (over and above 0,4)
3461	3981	1432,4	0
3464	2951	1100,4	0
3465	2878	1151,2	0
3466	2885	1074	0
3467	1739	705,8	0
3468	1350	600	0
3469	1350	600	0
3470	1500	600	0
3471	1500	600	0
3472	1500	600	0
3473	1500	600	0
3474	1500	600	0
3475	2608	1043,2	0
3476	2459	985,6	0
3477	7105	2842	0
3478	3095	1238	0
3479	2526	1010,4	0
3480	2130	852	0
3481	1487	594,8	0
3482	1486	594,4	0
3483	2042	816,8	0
3484	1250	500	0
3485	1225	490	0
3486	1725	690	0
3487	1500	600	0
3488	1500	600	0
3489	1500	600	0
3490	1500	600	0
3491	1500	600	0
3492	1500	600	0
3493	1300	520	0
3494	3015	1205	0
3495	1481	592,4	0
3496	1506	602,4	0

Total	140921	56240,4	0
Total Float Utilised		56210,4	
Total Float Remaining		3130,0	

05

PLANNING & DESIGN FRAMEWORK



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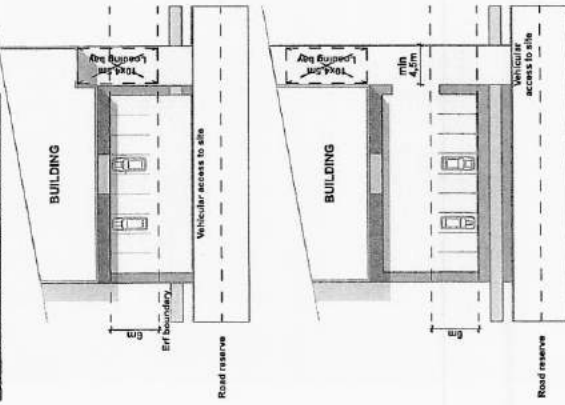
5.6 Parking

Parking ratio as per zoning scheme and disabled parking requirements.

General internal stands

- Parking is to be provided in front / street side of buildings within 6m building setback.
- 1m space is to be provided between parked cars and erf boundary for turning space.
- Parking can be accessed directly of the road, or via a driveway.

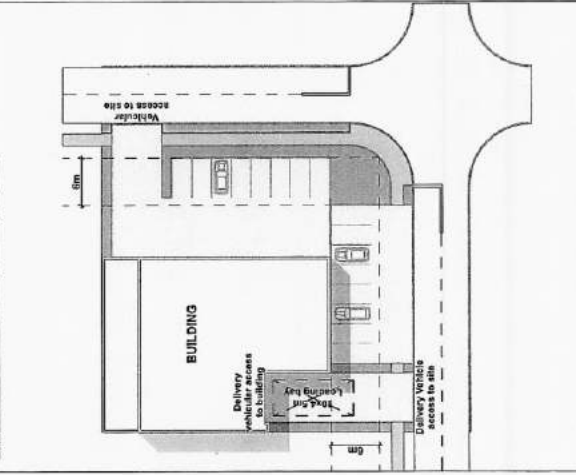
Typical central stand parking layout



Internal corner stands

- Parking is to be provided in front / street side of buildings within 6m building setback.
- 1m space is to be provided between parked cars and erf boundary for turning space.
- Parking can be accessed directly of the road, or via a driveway.

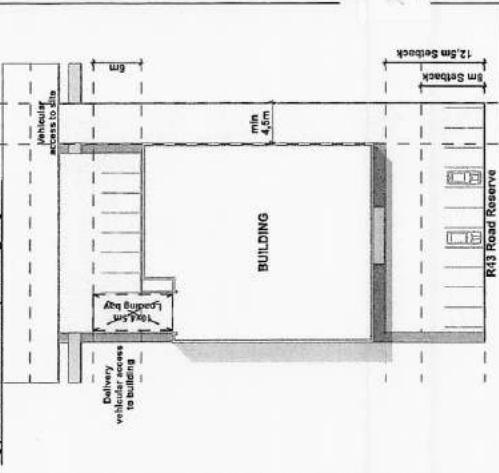
Typical corner stand parking layout



Stands along the R43

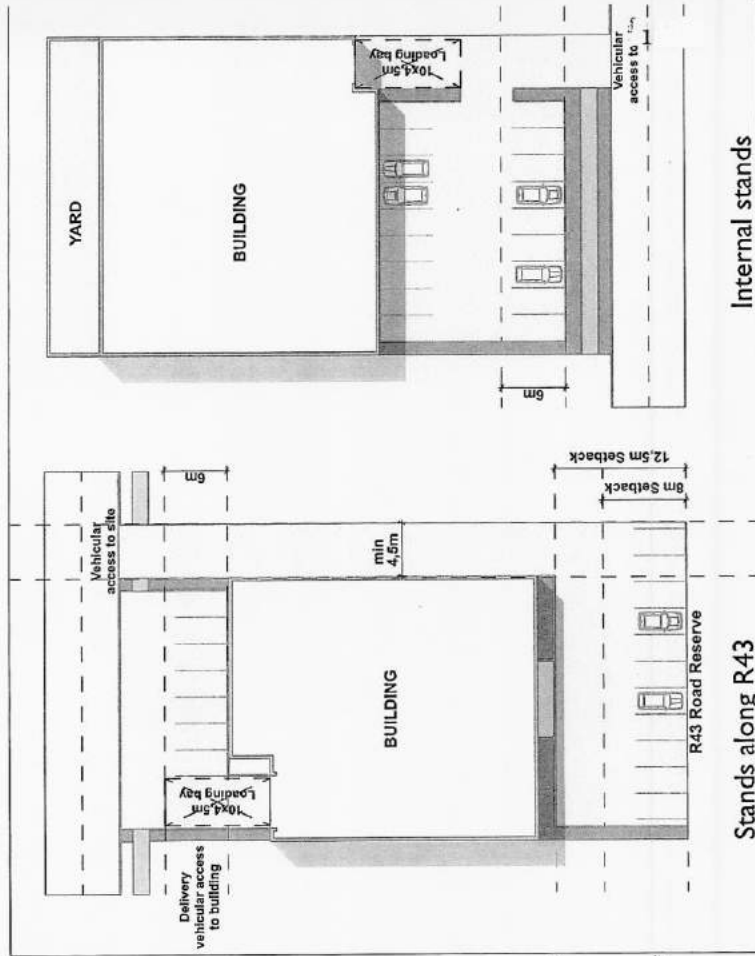
- Parking is to be provided in front / street side of buildings within the 6m building setback area.
 - Parking can be accessed directly of the road, or via a driveway.
 - Parking is to be provided at rear / R43 side of buildings within the 12.5m setback area.
- This area is to be extensively landscaped with a minimum of one indigenous tree per 2 parking bays, as per Department of Environmental Affairs & Development Planning condition: G.11.4

Typical R43 stand parking layout





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05 PLANNING & DESIGN FRAMEWORK

5.7 Driveways & Backyards

The provision of rear yards is left at the discretion of the building owners/developers as the 0m building allows for the complete use of rear site for building.

For stands along the R43, an open driveway with a minimum width of 4,5m will be allowed on either side of the building for delivery vehicular access to yard at the rear and a 10x4,5m loading bay.

Any canopy overhangs provided over the loading bays are to accommodate a minimum 4,3m clearance for trucks and delivery vehicles.

No truck turning circles are allowed for in the complex but the ring road layout provide for ample manoeuvring space for trucks up to 22m interlinks.

Building setbacks allow for a driveway space of minimum 18m for corner stands and 21m for intermediate stands, with additional space if the warehouse component is set back further.

Driveways and turning-in kerb radiuses should allow for trucks to manoeuvre in with ease.

A general use lay-by space is allocated along Erf 54. Erf 32 has to provide on-site truck manoeuvring space for its own delivery trucks.

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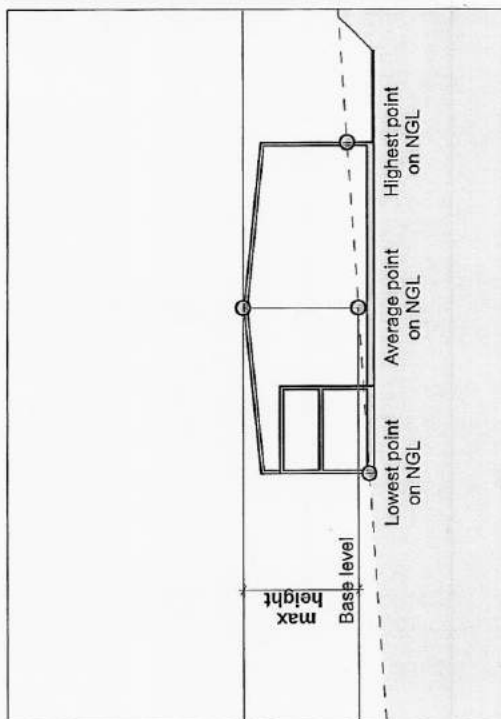
PLANNING & DESIGN FRAMEWORK

5.8 Building Height

Height restriction is set at 8m, measured from the average between the lowest and highest natural ground line, to the highest point of the building.

The building's highest point is not allowed to protrude higher than this line. Buildings are allowed to be "sunken" into site to allow for a higher effective height.

Mezzanine levels are included in the GLA calculations as per Overstrand Zoning Scheme stipulations.



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PLANNING & DESIGN FRAMEWORK

5.9 Boundaries, Fences & Signage

No fences are allowed within the front building setback area or in front of buildings. Private parking is defined by landscape barriers, private driveways and signage.

Planted barriers can consist of parking level planted areas or planter boxes raised to seating height.

Side and rear fences also function as firewalls and should provide fire rating as per NBR and continue to the full height of the building.

The building sides are to be built to one erf edges with a 4,5m setback on along one edge.

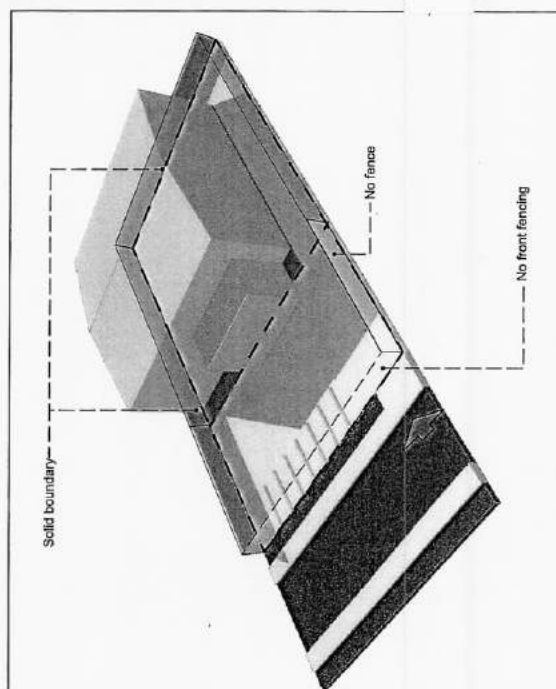
Boundary walls should be of solid kind. Facebrick or plastered and painted brick wall, as per approved external finishes.

Specific exclusions:

- Barbed wire
- Diamond-mesh fencing
- Precast concrete panel fence

Signage

All signage must be accordance with Overstrand signage regulations and by-laws and is subject to council application and approval.



05 PLANNING & DESIGN FRAMEWORK

5.10 Consolidated Stands

Subject to approval from Overstrand Municipality:

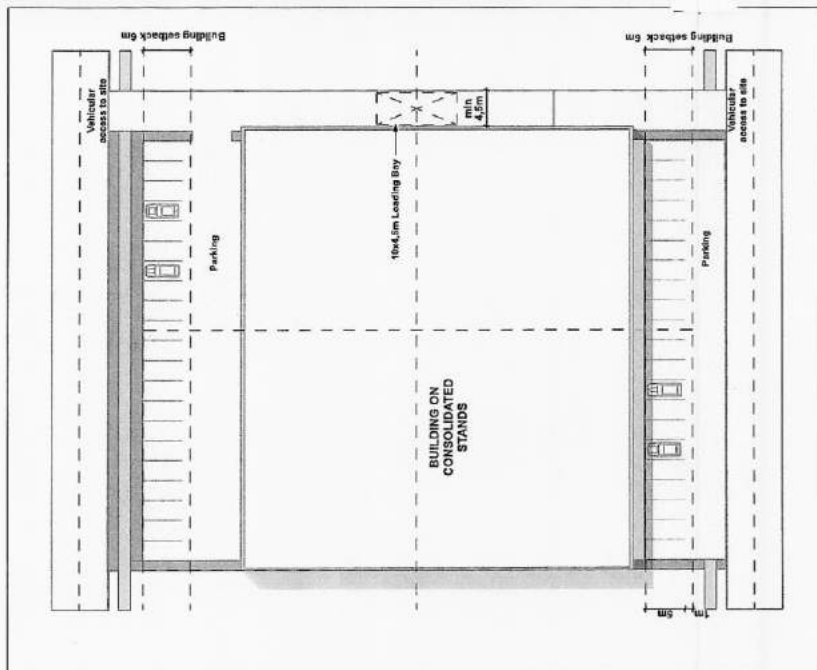
Members can purchase multiple adjacent stands for the consolidation and construction of large volume units as long as planning and design frameworks are complied with as per individual stands.

For perimeter stands all previous framework principles apply.

Should a member choose to consolidate stands in the central blocks, facing two roads, a front and a rear parking area will be provided and the building to conform to the building setbacks as stipulated in Item 5.2.



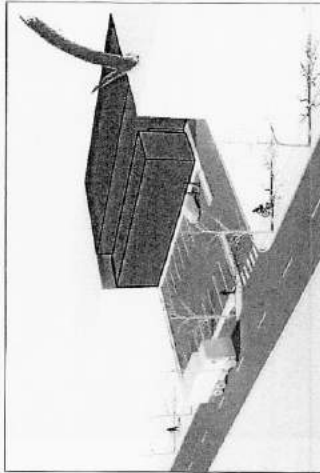
20/32



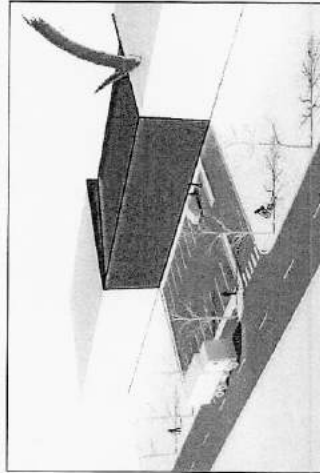
05 PLANNING & DESIGN FRAMEWORK

5.11 Building Form 1

Buildings are to be simple in form and colour and must be visually appropriate to the existing architectural vernacular.

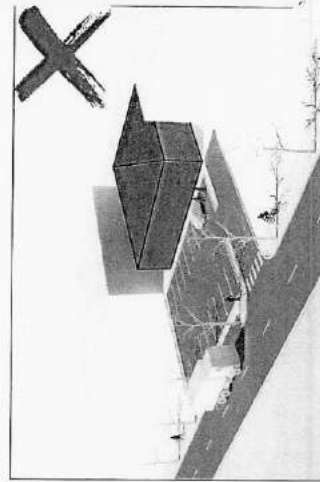


Office component expressed as separate building component



Building expressed as single mass component.

This design conforms fully with the build-to line but the facade must be articulated to engage with the street and parking activity. The building form, material choice and styling must also express the Modern Cape Vernacular architectural styling.



Free standing, low scale building component.

This design does not conform to the build-to line for 75% of the building frontage.

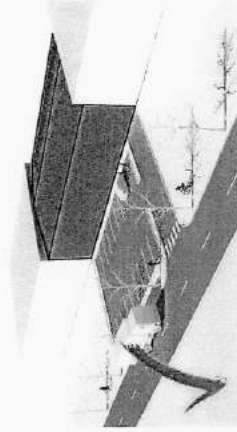


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05 PLANNING & DESIGN FRAMEWORK

5.12 Building Form 2

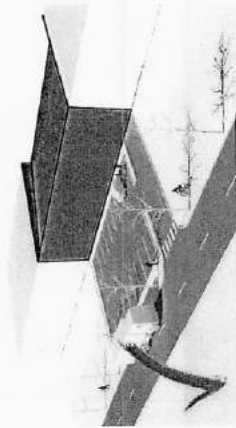
Buildings are to be simple in form and colour and must be visually appropriate to the existing architectural vernacular.



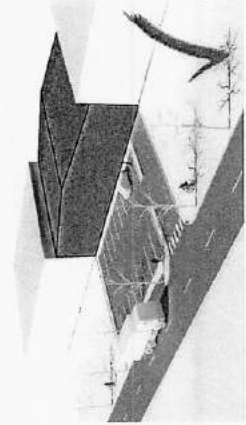
Type 3
Ridge roof sloping towards the front and back with box gutter at the back.



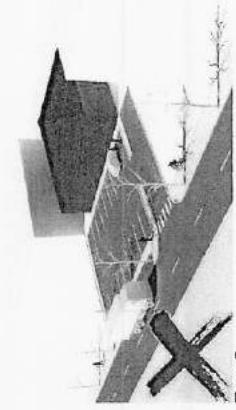
Type 4.
Saw tooth roof



Type 1.
Mono pitch roof which can slope towards the back or the front.



Type 2
Ridge roof sloping towards the sides with box gutter at boundary.



Type 5.
Hipped roof

05

PLANNING & DESIGN FRAMEWORK



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5.13 Architectural Style: Modern Cape Vernacular

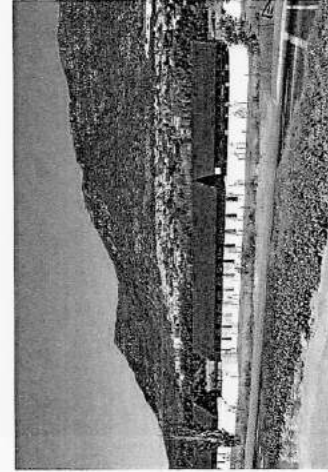
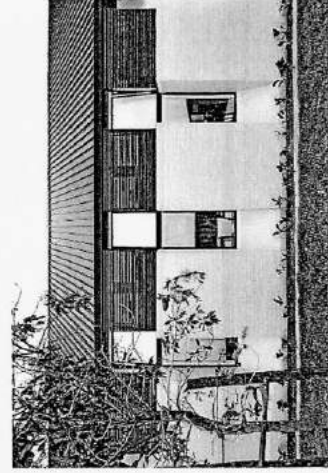
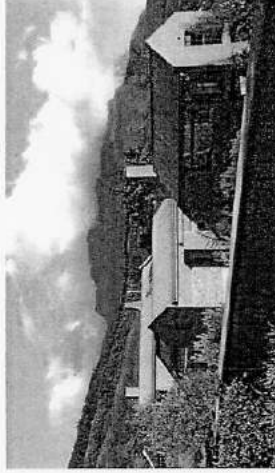
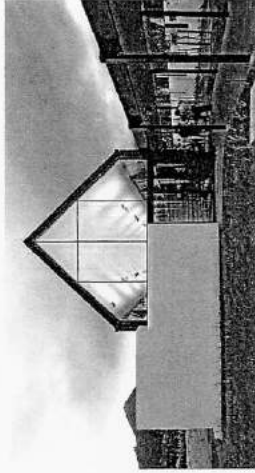
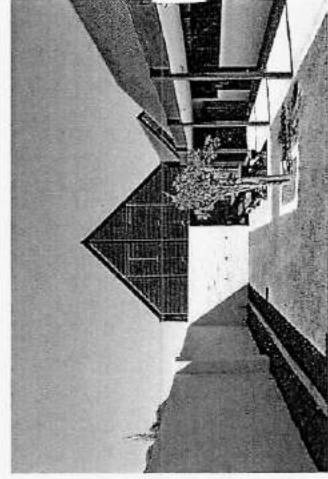
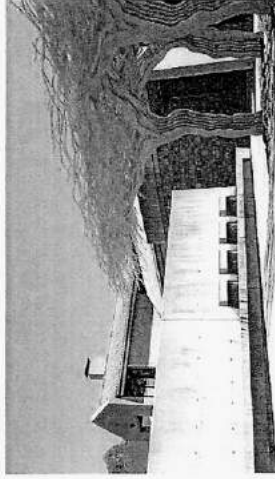
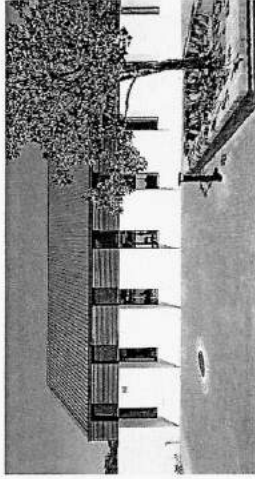
Aesthetic concept and visual appropriateness

The most appropriate manner in which the buildings can be designed is to be authentic in relation to the period, the place and its function.

The intention is to construct an industrial and business park that is contemporary in its style, responsive to its environment, using local materials, and true to its function, legible as industrial and commercial buildings.

All buildings within the development conform to the Modern Cape Vernacular style as described herewith.

Buildings are to be simple in form with limited material and colour selection. For contemporary cape industrial style we use wine estate as samples.

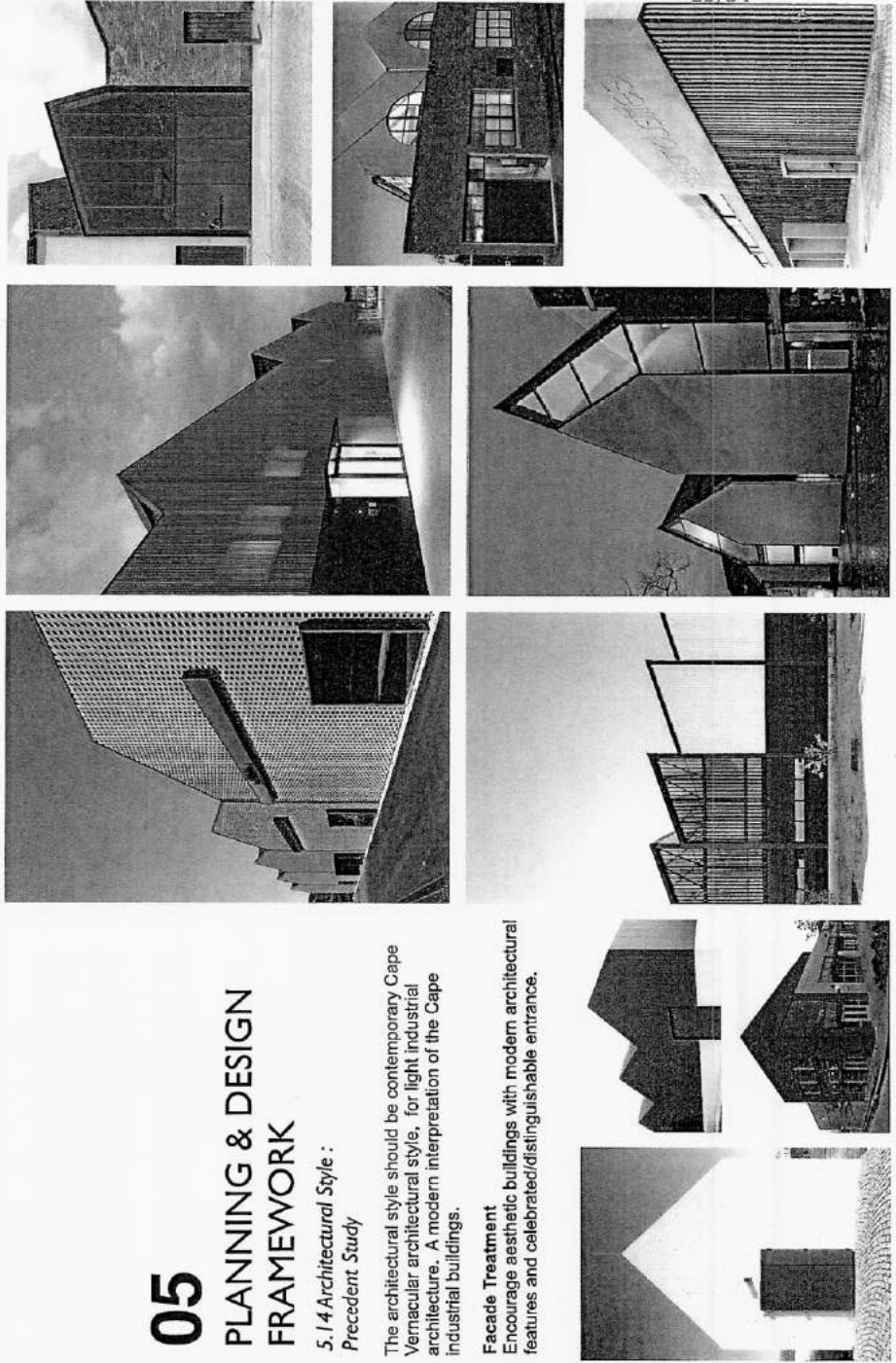


05 PLANNING & DESIGN FRAMEWORK

5.1.4 Architectural Style : Precedent Study

The architectural style should be contemporary Cape Vernacular architectural style, for light industrial architecture. A modern interpretation of the Cape industrial buildings.

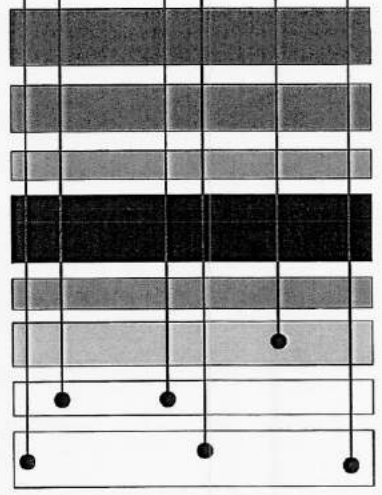
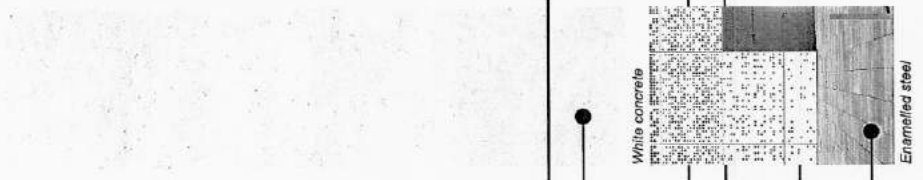
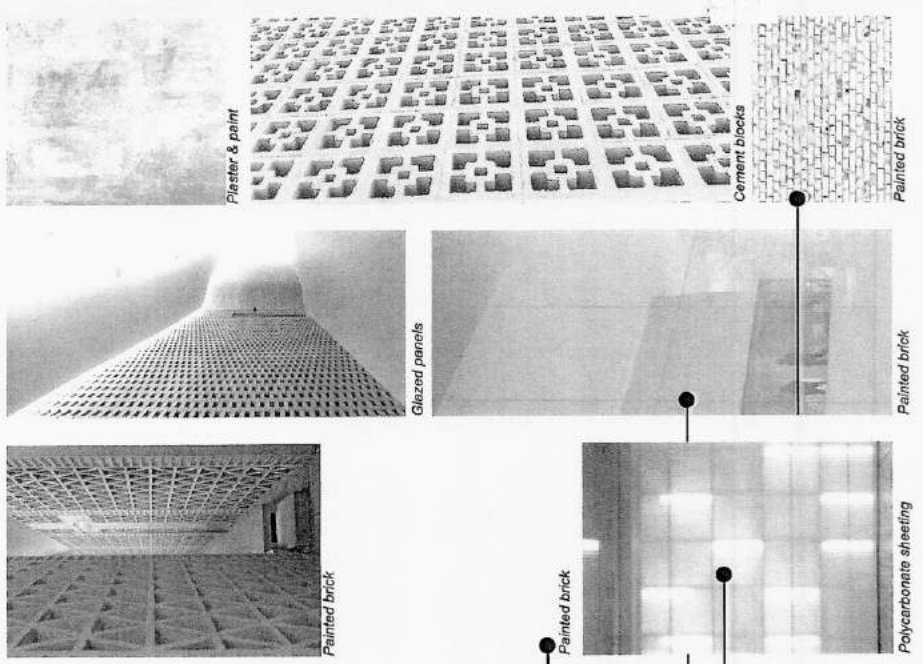
Facade Treatment
Encourage aesthetic buildings with modern architectural features and celebrated/distinguishable entrance.



05 PLANNING & DESIGN FRAMEWORK

5.15 Colours, Materials & Finishes - I

The prescribed colour palette for the complex is: **White, Greys, Black, Ochre and Red.** Materials with natural pigments and textures in these colours are encouraged. Herewith a selection of appropriate materials with the dominant colour in the range of **White and Grey.**





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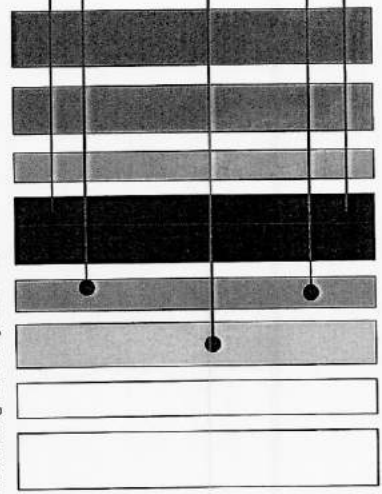
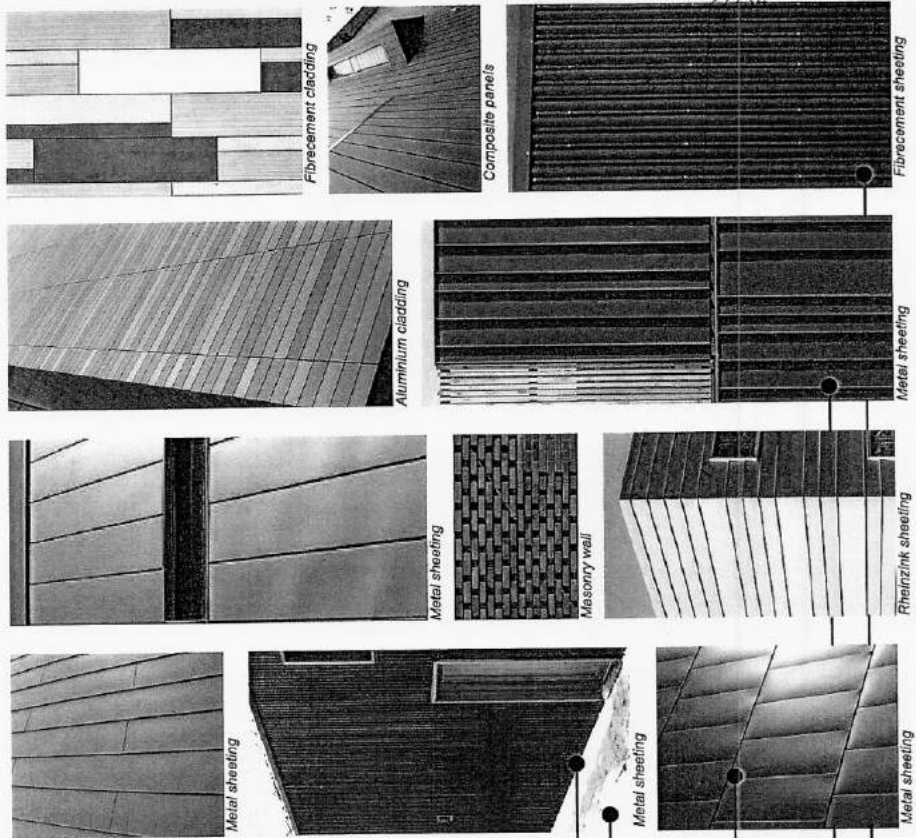
05 PLANNING & DESIGN FRAMEWORK

5.16 Colours, Materials & Finishes - 2

The prescribed colour palette for the complex is: **White, Greys, Black, Ochre and Red.**

Materials with natural pigments and textures in these colours are encouraged.

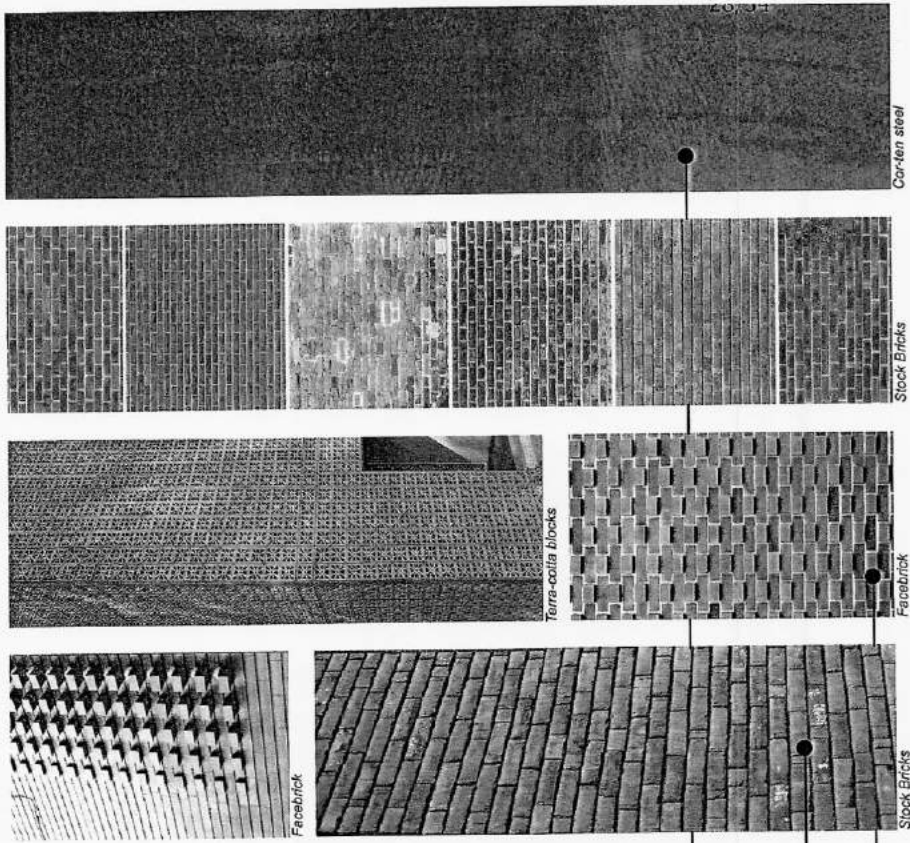
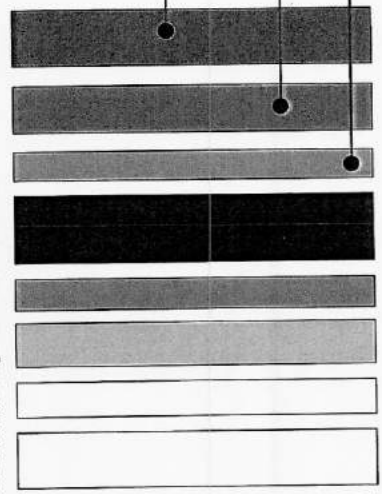
Herewith a selection of appropriate materials with the dominant colour in the range of **Grey and Black.**



05 PLANNING & DESIGN FRAMEWORK

5.17 Colours, Materials & Finishes - 3

The prescribed colour palette for the complex is: **White, Greys, Black, Ochre and Red.** Materials with natural pigments and textures in these colours are encouraged. Herewith a selection of appropriate materials with the dominant colour in the range of **Ochre and Red.**



05 PLANNING & DESIGN FRAMEWORK

5.18 Materials & Finishes: Walls

WALL CONSTRUCTION

Walls can be of clay brick masonry, cement block, concrete construction or metal sheeting in approved colours.

The prescribed colour palette to be taken into consideration

White, Greys, Black, Ochre and Red

WALL FINISHES

Walls – Clay Brick Masonry

Facebrick walls are allowed with facebricks according to approved chart. Walls can be plastered and painted or bag-washed according to approved colour chart.

Walls - Cement Block

No unfinished cement block work is allowed. Blockwork is to be either plastered and painted or can be finished with a finished with a cement based bag finish. Colour to approved colour chart.

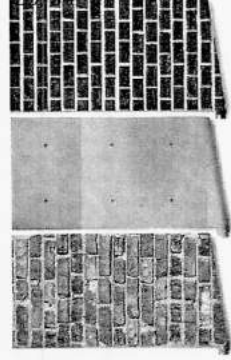
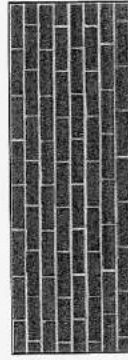
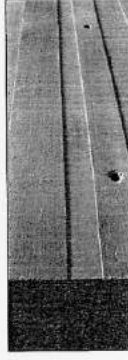
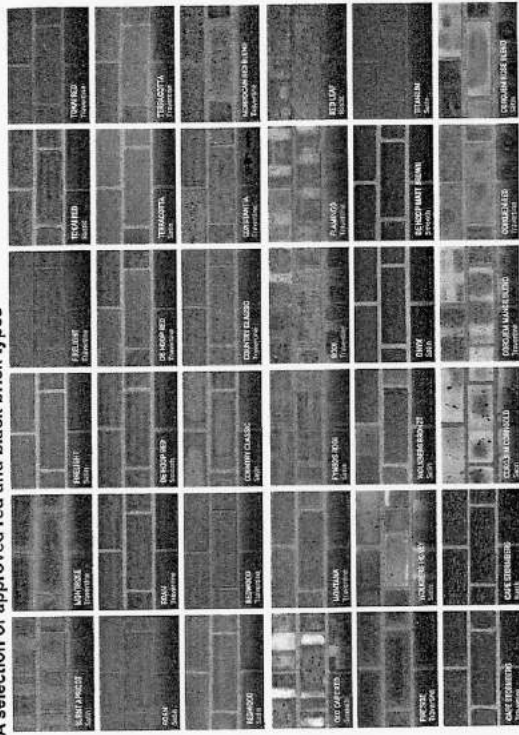
Walls - Concrete

Concrete walls can be left in raw state if finish is to approved standard and aesthetic appearance.



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A selection of approved red and black brick types



05 PLANNING & DESIGN FRAMEWORK

5.19 Materials & Finishes: Sheeting & Cladding

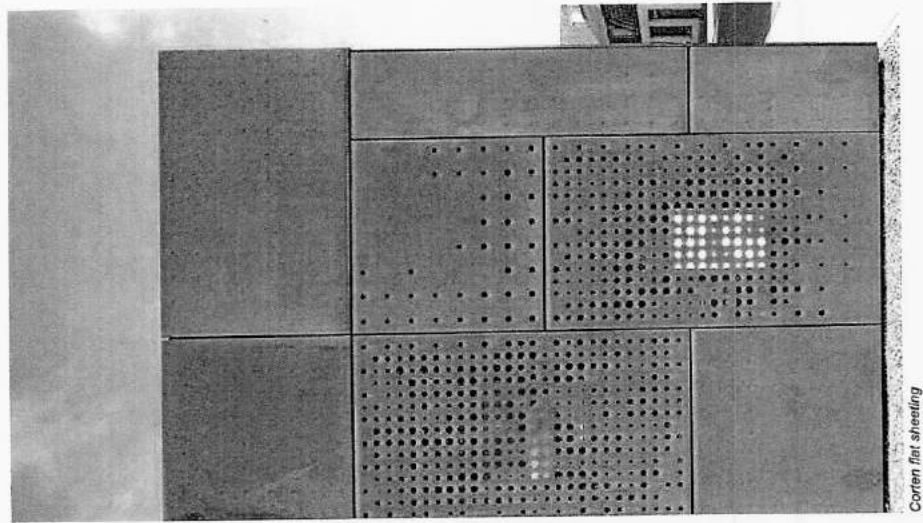
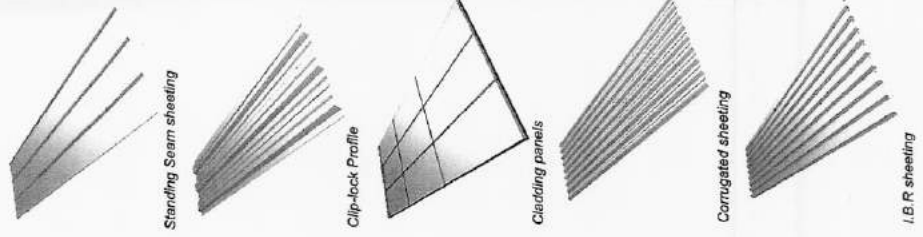
Walls & Roofs – Sheeting

Sheeting to be of chromadek finish or polycarbonate colours as per approved colour samples.

Accent colours other than colour chart is permitted for design or branding purposes, but is to be a maximum 5% of individual building facades.

Sheeting Colours

Approved Chromadek colours or similar for accent sheeting applications





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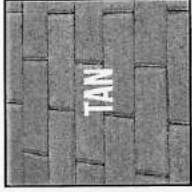
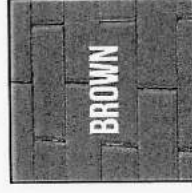
05 PLANNING & DESIGN FRAMEWORK

5.20 Materials & Finishes: Paving

Driveways, Parking and Walkways
Exposed aggregate paver colour selection

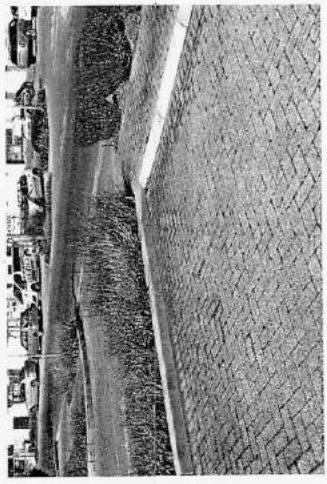


Accent lines and Parking Lines
Smooth faced paver colour selection



Driveway and parking paving

Exposed aggregate cement paving is to be used for driveways, parking bays and walkways, alternated with polished aggregate and other smooth surface pavers as accent elements such as parking indicators or edgings.





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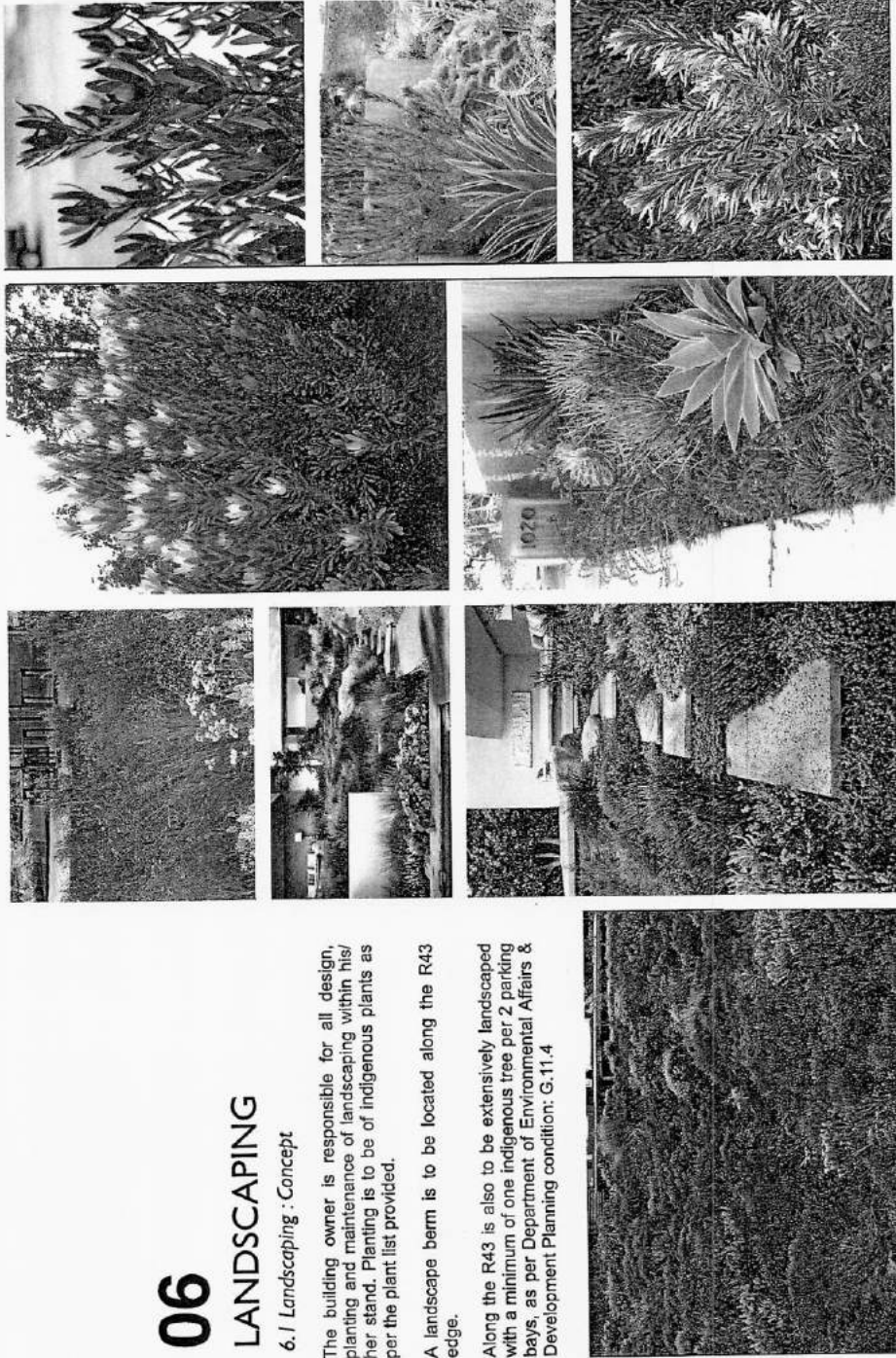
06 LANDSCAPING

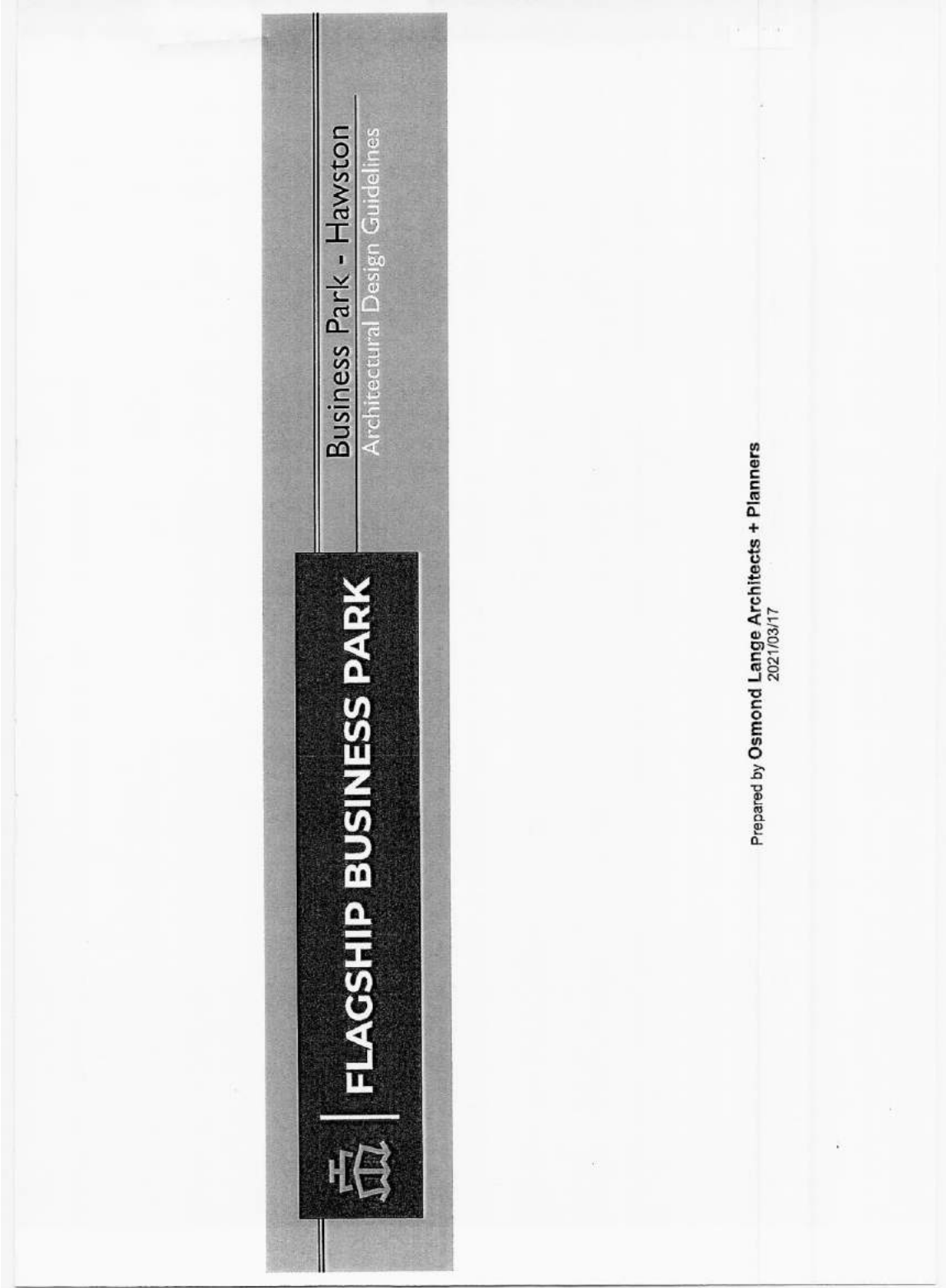
6.1 Landscaping : Concept

The building owner is responsible for all design, planting and maintenance of landscaping within his/her stand. Planting is to be of indigenous plants as per the plant list provided.

A landscape berm is to be located along the R43 edge.

Along the R43 is also to be extensively landscaped with a minimum of one indigenous tree per 2 parking bays, as per Department of Environmental Affairs & Development Planning condition: G.11.4





Business Park - Hawston
Architectural Design Guidelines

 | **FLAGSHIP BUSINESS PARK**

Prepared by **Osmond Lange Architects + Planners**
2021/03/17

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

9. PORTION 121 OF THE FARM BAARDSKEERDESBOS NO. 213, DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSENT USE: LI FADDEL

GRCAL 121/213 GRBRE

**SW van der Merwe
18 March 2021**

(028) 313 8900

Hermanus Administration

Executive Summary

An application was received on 19 February 2020 from LI Faddel, the owner of Portion 121 of the Farm Baardskeerdersbos No. 213, Division Bredasdorp, for consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) to accommodate and extend the existing additional dwelling unit.

RESOLVED :

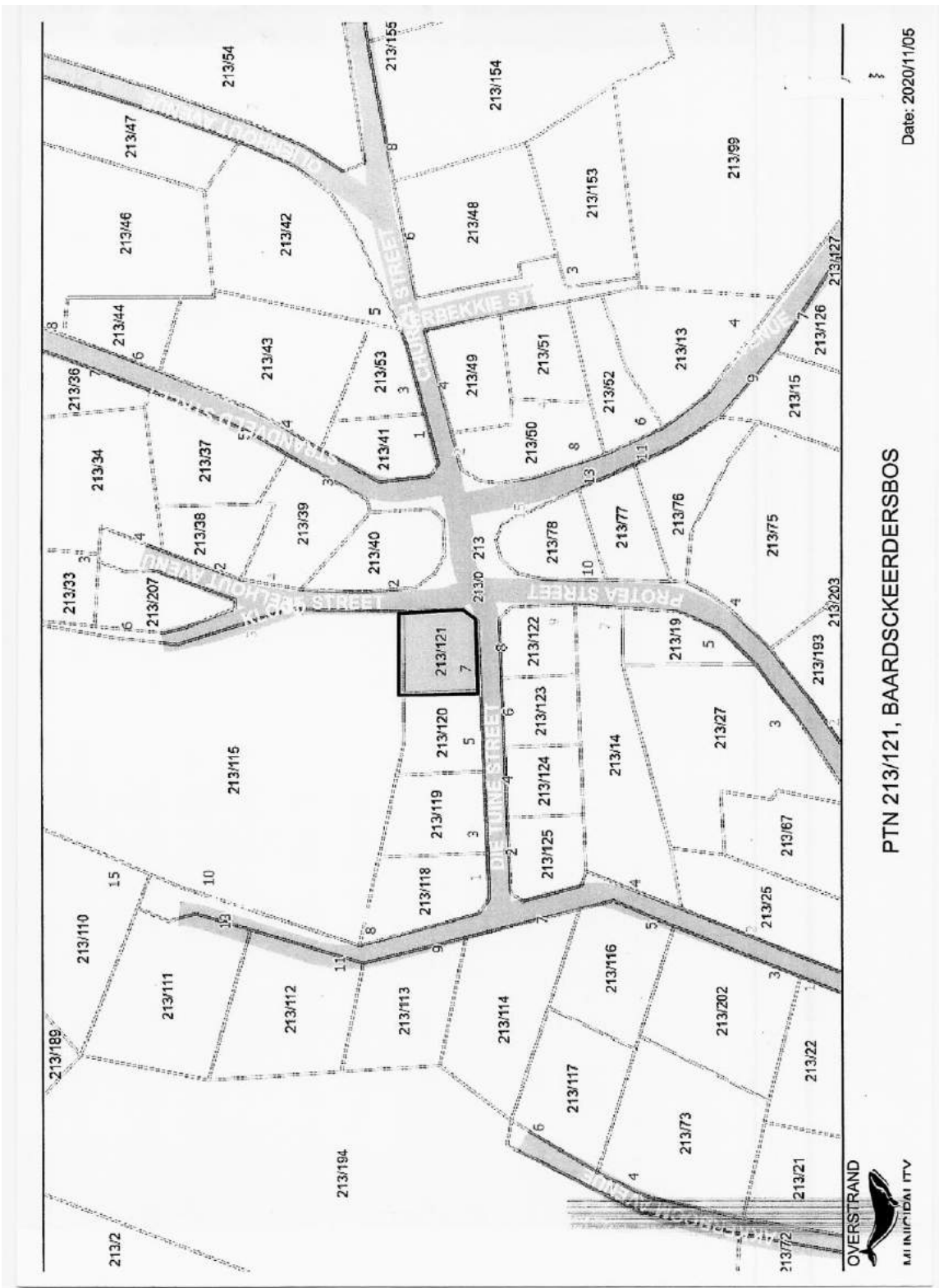
1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Portion 121 of the Farm Baardskeerdersbos No. 213, Division Bredasdorp for consent use to accommodate and extend the existing additional dwelling unit, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that a detailed Site Development Plan (SDP) indicating the location, description and areas of all existing and proposed buildings or structures, be submitted for approval by the Authorised Official, prior to the submission of building plans;
 - (b) that a building plan be submitted to the Building Control Department for approval and that all requirements of the Building Control and Fire Department be adhered to at that stage;
 - (c) that all the conditions in the Services Report, be complied with;
 - (d) that all the conditions imposed by Eskom and Telkom, be adhered to
 - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

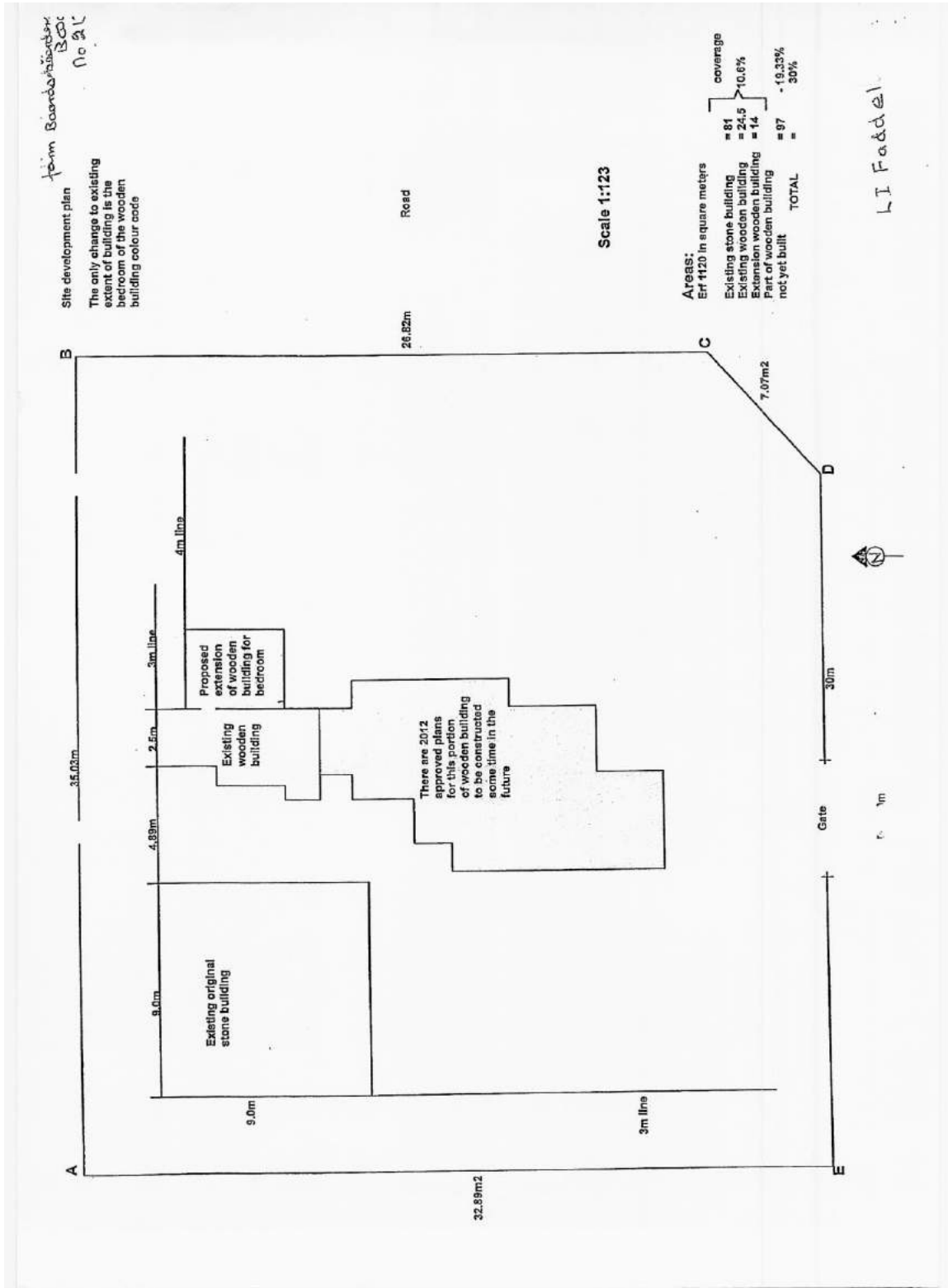
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

REASONS FOR THE APPROVAL

- ❖ The development is in line with the aims Overstrand SDF.
- ❖ All services can be provided on the property to the satisfaction of the Municipality.
- ❖ Proposed consent uses do not have a negative impact on the character of the area or vested rights of adjoining properties.
- ❖ The proposal is consistent with the planning principles.
- ❖ The proposal adheres to the spatial planning policies for the area.



PTN 213/121, BAARDSCKEERDEBOS



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: PTN 121 OF THE FARM
BAARDESCHERDERSBOS NO.213, DIVISION BREDASDORP**

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

Conditions:

1. that the existing water connection and sewerage conservancy tank to Portion 121 of Farm 213 shall be used to service Portion 121 of Farm 213;
2. 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;
3. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through Ptn 121 of Farm No. 213, Baardscheerdersbos, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

10. REMAINDER ERF 215, LANGE STREET, ZWELIHLE: OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USES: MESSRS WRAP ON BEHALF OF THE OVERSTRAND MUNICIPALITY

215 HZW (215/2020)

H van der Stoep

(028) 313 8900

Hermanus Administration

13 April 2021

Executive Summary

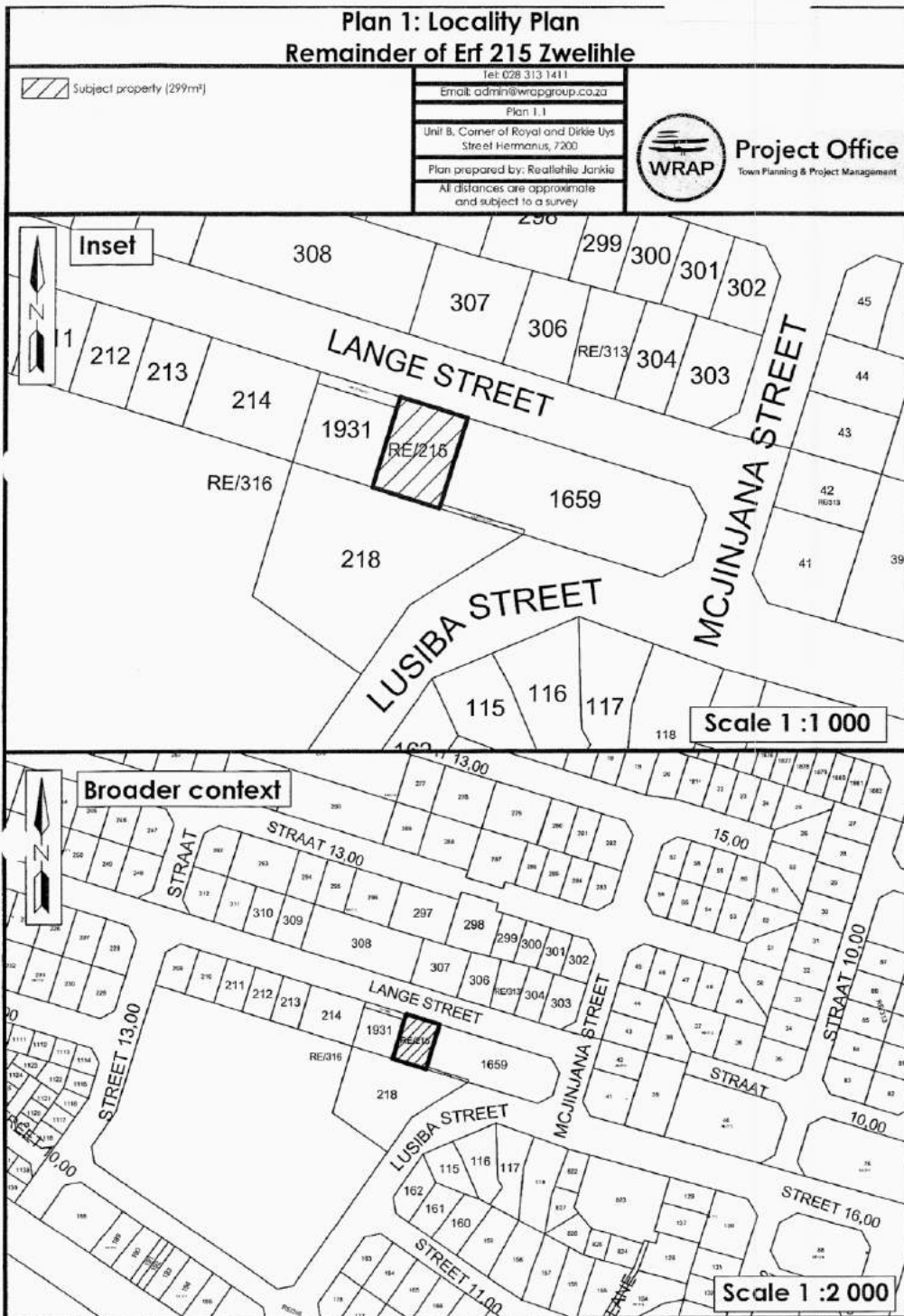
An application was received on 8 September 2020 from Messrs WRAP on behalf of the Overstrand Municipality applicable to Remainder Erf 215, Zwelihle for consent uses in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 By-Law for a place of instruction and recreation facilities to allow for a playground for sport instruction and recreation for the children of the day care centre on the adjacent Erf 1931, Zwelihle (Zwelihle Welfare Society).

RESOLVED :

1. that the application for consent uses in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Remainder Erf 215, Zwelihle, Hermanus for a place of instruction and recreation facilities to allow for a playground for sport instruction and recreation for the children of the day care centre on the adjacent Erf 1931, Zwelihle (Zwelihle Welfare Society), **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (b) 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 regarding the above conditions of approval.

REASONS FOR RECOMMENDATION

- ❖ The application has followed due process.
- ❖ None of the internal departments or neighbours have any objections.
- ❖ The proposal will not negatively impact on the character of the area.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE: REMAINDER OF ERF 215, ZWELIHLE**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Remainder of Erf 215, Zwelihle, unobstructed;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

**11. ERF 243, MEERENBOSCH, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR AMENDMENT OF THE CONDITIONS OF AN EXISTING
APPROVAL AND AMENDMENT OF THE SITE DEVELOPMENT PLAN:
MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF
OF MEERENSEE RESORT LTD**

243 HMB

H Olivier

(028) 313 8900

Hermanus Administration

12 April 2021

Executive Summary

An application was received on 11 June 2020 from Messrs Plan Active Town and Regional Planners on behalf of Meerensee Resort Ltd on Erf 243, Meerensbosch for an application in terms of Section 48 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:

- ❖ Amendment of the conditions of approvals in respect of an existing approval dated 2 October 2012 in terms of Section 16(2)(h) of the By-Law to amend conditions 1.(a), 1.(d) and 1.(h) which deal with the relevant Private Open Space and Site Development Plan (SDP), and
- ❖ Amendment of the SDP in terms of Section 16(2)(i) of the By-Law in order to accommodate the creation of an additional Private Open Space.

RESOLVED :

1. that the application in terms of Section 47 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the amendment of conditions of approval in respect of an existing approval dated 2 October 2012 in terms of Section 16(2)(h) of the By-Law, being amended as follows:

“1.(a) that a new subdivision plan be submitted in line with the Site Development Plan (SDP Meerensbosch dated March 2020) also showing the setback line 6,5m above sea level, which setback must be determined by a qualified land surveyor.”

“1.(d) that the Private Open Space indicated as Portion A as indicated on the SDP Meerensbosch dated March 2020 be transferred to the Middelville Master Home Owners Association.”

“1.(h) that all newly created Private Open Spaces and Private Roads, excluding Private Open Space, Portion A (as indicated on the SDP Meerensbosch dated March 2020) and the private road created over the existing servitude road (see SDP Meerensbosch 2020), be transferred into

**AGENDA of the
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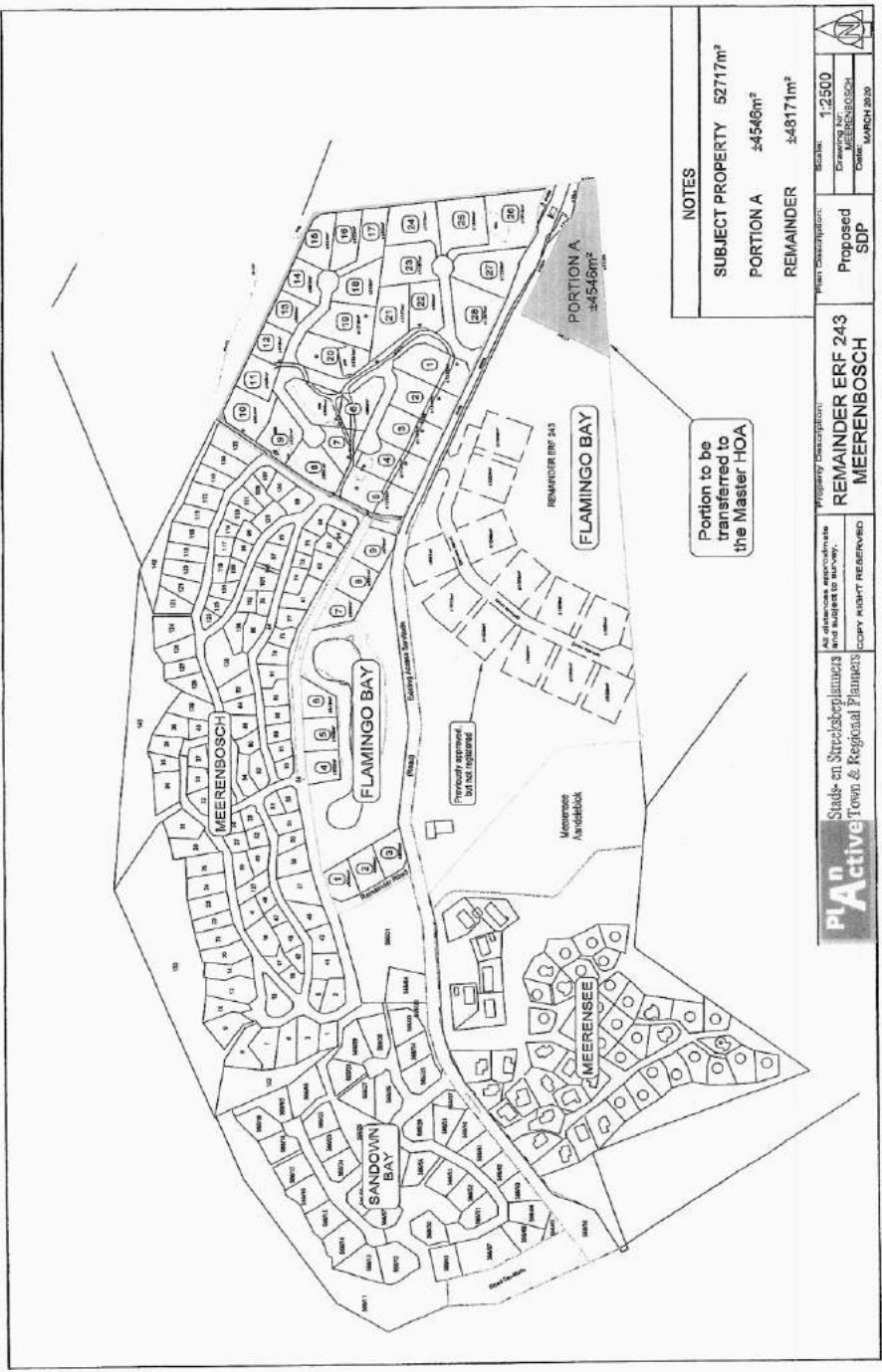
the name of the new Home Owners Association (Middelbosch)."

be approved in terms of the provisions of Section 61;

2. that the amendment of the Site Development Plan in terms of Section 16(2)(i) of the By-Law in order to accommodate the creation of an additional private open space, **be approved** in terms of the provisions of Section 61;
3. that the approvals in 1 and 2 above be subject to the following conditions:
 - (a) that all the conditions in the Services Report, be complied with;
 - (b) that the sand track from the servitude road in the development to the refuse storage area be upgraded to a gravel road, to the satisfaction of the Manager: Waste Management Branch;
 - (c) that all the other conditions in the original approval dated 2 October 2012, be complied with;
 - (d) that this is not an approval in terms of any other legislation.
4. 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 decision.

REASONS FOR RECOMMENDATION

- ❖ The application is only to accommodate an existing situation.
- ❖ The application will ensure that the existing refuse storage area can be transferred into the name of the MHOA, which will manage and maintain this area.
- ❖ No new services are required.
- ❖ No objections were received.
- ❖ No additional impact on the character of the area or surrounding neighbours.
- ❖ The application is desirable.



NOTES

SUBJECT PROPERTY 52717m²
 PORTION A 34546m²
 REMAINDER 348171m²

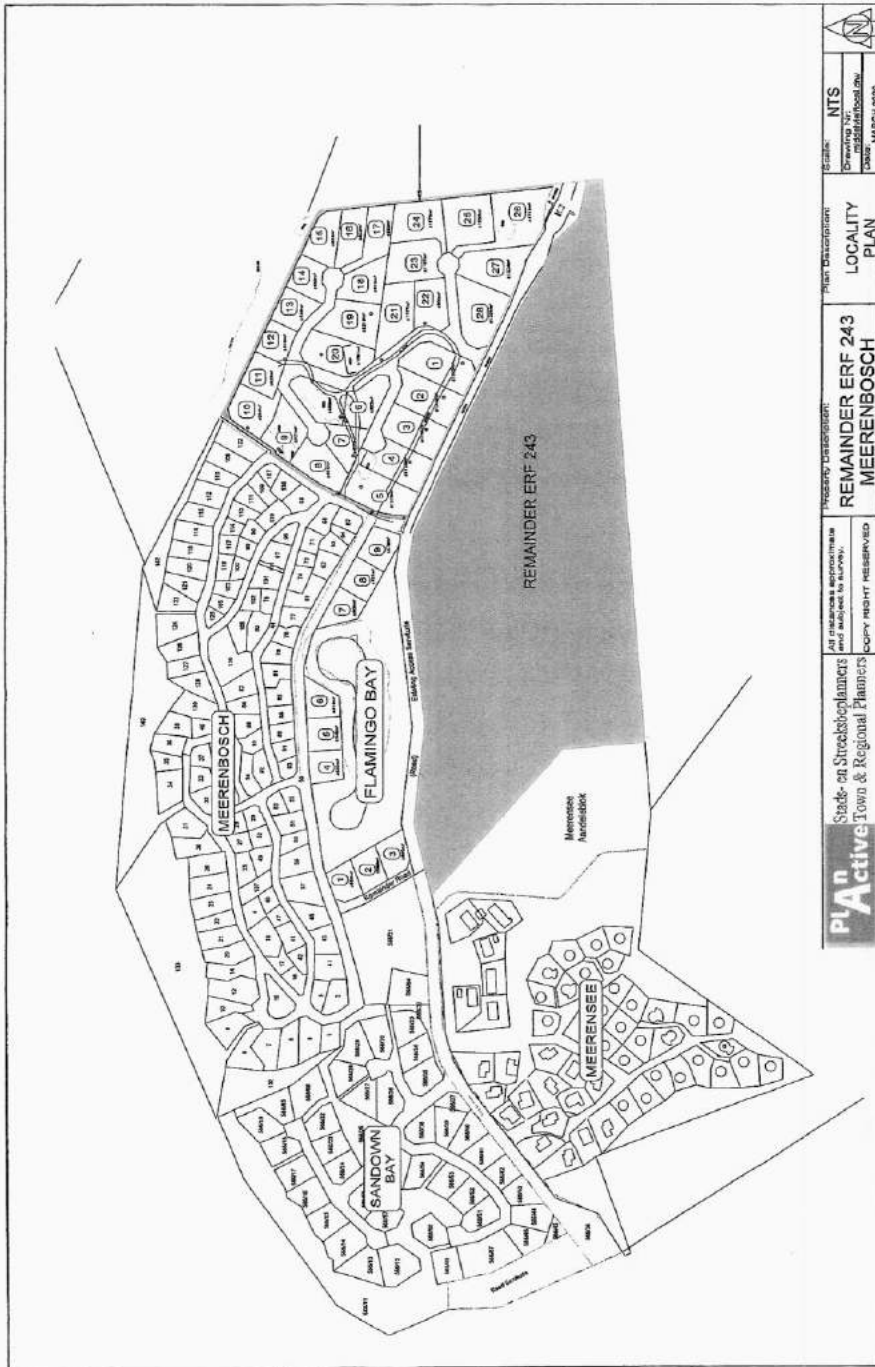
Portion to be transferred to the Master HOA

Scale: 1:2500
 Drawing No: MEERENSBOSCH
 Date: MARCH 2020

Property Description:
**REMAINDER ERF 243
 MEERENSBOSCH**

Scale on Streets/Planners and subject to survey.
 Copy Right Reserved

PIA n Active State on Streets/Planners and subject to survey.
 Copy Right Reserved



PLAN Active	Stads- en Streetsplanners Town & Regional Planners	All plans are approximate and subject to survey. COPY RIGHT RESERVED	Planning Description: REMAINDER ERF 243 MEERENBOSCH	Plan Description: LOCALITY PLAN	Scale: NTS Drawing No. M243/LOCAL/01 Date: MARCH 2020

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR AMENDMENT OF SITE DEVELOPMENT PLAN AND
AMENDMENT OF CONDITIONS OF AN EXISTING APPROVAL: REMAINDER
ERF 243, MEERENBOSCH**

Stormwater (SW) : According to the master plan by the developer
Electricity : According to the master plan
Water : According to GLS Report
Sewer : According to GLS Report
Roads and traffic : According to TIS

Conditions:

1. that all the conditions contained in the previous approval, dated 2 October 2012, are still applicable and must be adhered to.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

12. ERF 1142, SCHOOL STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA: PROPOSED SUBDIVISION AND DEPARTURE: MESSRS GEOMATICS ON BEHALF OF HERMANUS CHILD AND FAMILY WELFARE SOCIETY

1142 HHW

H Olivier

(028) 313 8900

Hermanus Administration

15 April 2020

Executive Summary

Applications was received on 22 February 2021 from Messrs Geomatics on behalf of the landowner on Erf 1142, Hawston for the following:

- ❖ subdivision in terms of Section 16(2)(d) of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 of Erf 1142, Hawston into two (2) portions, namely Portion A ($\pm 1382\text{m}^2$) and a Remainder ($\pm 1000\text{m}^2$).
- ❖ departure in terms of Section 16(2)(b) of the above-mentioned By-Law to relax the rear building line applicable to the Remainder from 5m to 1,5m.

RESOLVED :

1. that the subdivision in terms of Section 16(2)(d) of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 (By-Law) of Erf 1142, Hawston into two (2) portions, namely Portion A ($\pm 1387\text{m}^2$), and Remainder ($\pm 1000\text{m}^2$), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the departure in terms of Section 16(2)(b) of the By-Law on Erf 1142, Hawston to relax the rear building line applicable to the Remainder from 5m to 1,5m to accommodate the existing crèche, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the approvals in points 1 and 2 above be subject to the following conditions:
 - (a) that this approval is only for the subdivision as indicated on Plan Number H11425 dated Nov.2020, submitted with the application;
 - (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;

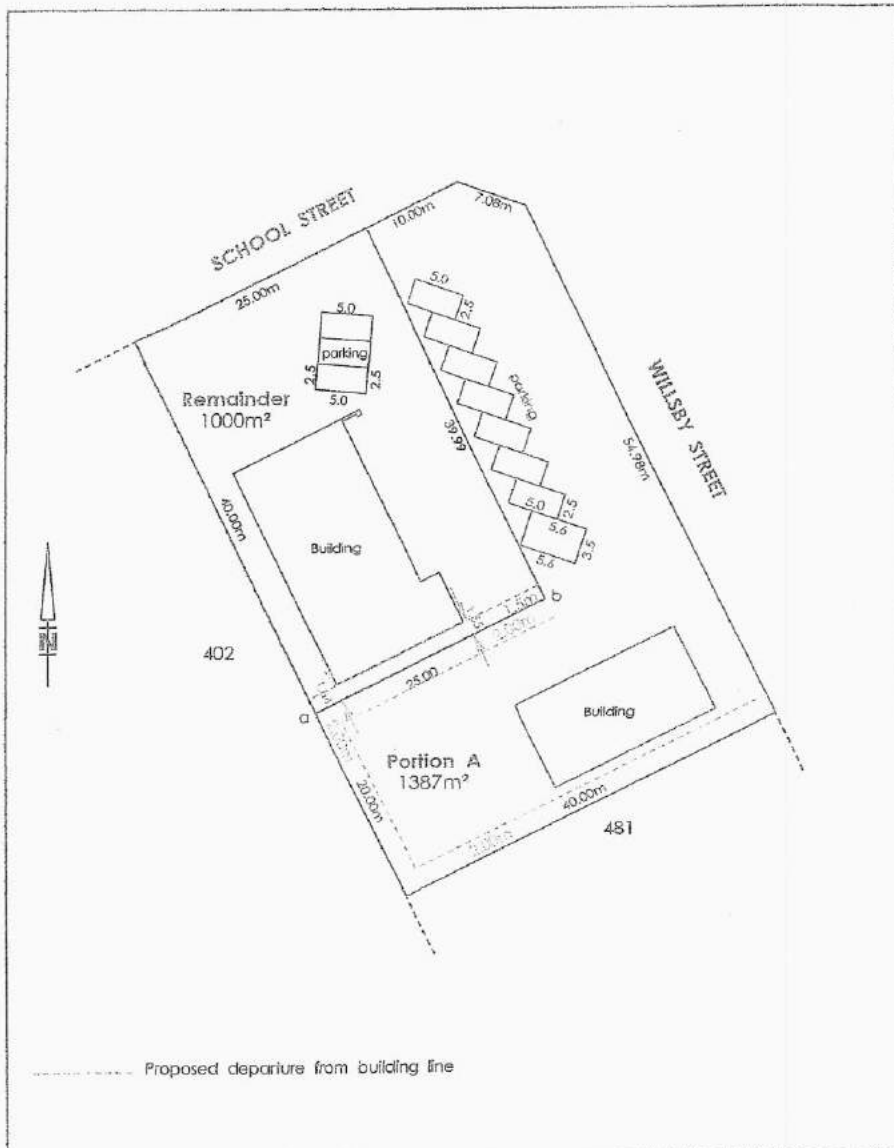
**AGENDA of the
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- (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that all the conditions in the Services Report, be complied with.
4. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amended By-Law on Land Use Planning, 2020 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 subdivision is in line with Policy Plans.
- ❖ The size of the two (2) new erven will still be functional for community purposes.
- ❖ All relevant state and municipal departments support the application.
- ❖ No negative impact on the character of the area.
- ❖ No objections were received.





Project PROPOSED SUBDIVISION ERF 1142 HAWSTON	Client HERMANUS CHILD & FAMILY	Constants Y X 0.00 0.00	
	Architect	Height Datum	System
	Notes	Project No	Drawing No HW11425
		Scale 1:500 Date Nov 2020	


geomatics africa
LAND SURVEYING ENGINEERS
 PO Box 2245, Hermanus, 7200
 0 Coffie Rd, Hermanus, 7200
 Email: info@geomatics.co.za
 Tel: 022-3121725 Fax: 022-3121227

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION & DEPARTURE: ERF 1142, HAWSTON**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

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

Note:

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

3. that only the 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 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 any additional and / or extended vehicle entrances will be for the owner's account;
7. that stormwater be allowed to discharge through the proposed Erven, Hawston, unobstructed;
8. that no on-street parking be allowed.


DENNIS HENDRIKS

SENIOR MANAGER: ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

13. ERVEN 942 & 943, 69 & 71 DREYER STREET, STANFORD: APPLICATION FOR AMENDMENT OF APPROVAL CONDITIONS: MESSRS WRAP PROJECT OFFICE ON BEHALF OF HENQUE 3030 CC

942 & 943 SSN (3248)

P Roux

(028) 313 8900

Hermanus Administration

8 April 2021

Executive Summary

An application was received on 1 February 2021 in terms of Section 16 (2)(h) of the Overstrand Municipality Amendment By-Law Land Use Planning 2020 (By-Law), for the amendment of approval conditions as listed in the approval letter dated 14 August 2020.

RESOLVED :

1. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-law on Land Use Planning, 2020 (By-law) for the amendment of approval conditions as listed in the approval letter dated 14 August 2020, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following condition:
 - (a) that the decision taken by the MPT on 4 August 2020 remains unchanged and that the approval is only for the amendment of the approval conditions as listed below:

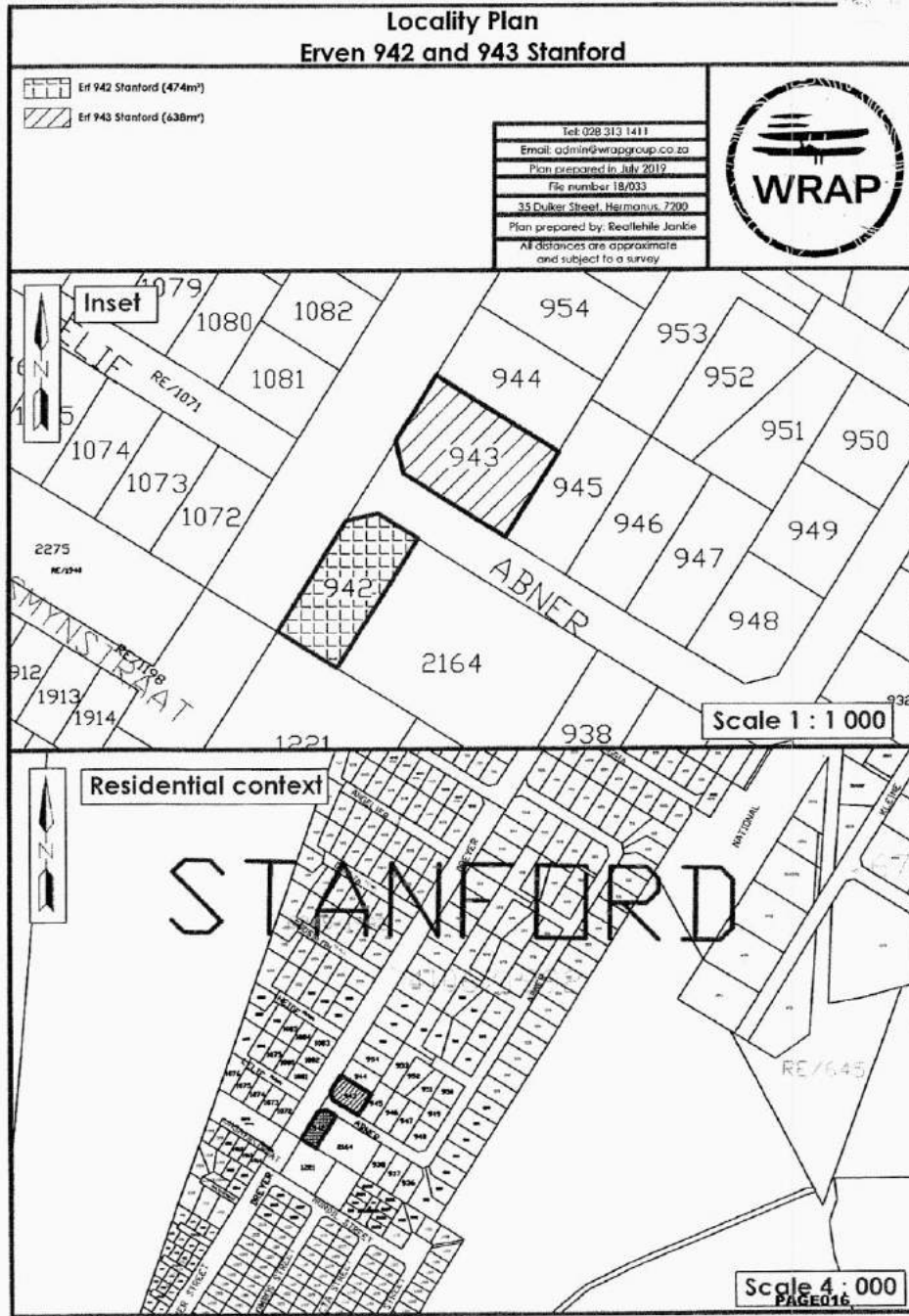
“3.5.(b) that an updated Site Development Plan be submitted for approval by the Senior Manager: Town and Spatial Planning and Senior Manager: Engineering Services within ~~thirty (30) days~~ **ten (10) years** of the decision date;”

“3.5.(g) that a building plan be submitted to the Building Control Department for approval within a period of ~~sixty (60) days~~ **ten (10) years** from the decision date and that all requirements of the Building Control and Fire Department be adhered to at that stage;”
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.

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REASONS FOR RECOMMENDATION

- Due to the current economic climate it is crucial to promote economic development in demarcated areas and to foster the development rights as opposed to forgo the rights due to unattainable timeframes.
- The conditions imposed will remain unchanged and the property owner will still be required to submit an updated Site Development Plan for approval by the Senior Manager: Town and Spatial Planning and Senior Manager: Engineering Services, together with building plans prior to the development of the property.
- The adjusted timeframes will allow for ample time to acquire investors to develop the properties.
- The adjusted timeframes will not impact the merits of the decision taken by the MPT (3 August 2020) and the Council (25 November 2020).



4.3

ERVEN 942 AND 943, 69 & 71 DREYER STREET, STANFORD: APPLICATION FOR REZONING, CONSENT USE, DEPARTURE AND DEVIATION FROM THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2006 AND GROWTH MANAGEMENT STRATEGY, 2010: MESSRS WRAP CONSULTANCY ON BEHALF OF HENQUE 3030 CC

942 & 943 SSN (3248)

P Roux

(028) 313 8900

Hermanus Administration

14 May 2020

EXECUTIVE SUMMARY

An application was received on 27 September 2019 from Messrs WRAP Consultancy on behalf of Henque 3030 CC on Erven 942 and 943, Stanford in terms of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) for the following:

➤ Rezoning

Application in terms of Section 16(2)(a) to rezone Erven 942 and 943, Stanford from Residential Zone 1: Single Residential to Business Zone 3: Local Business.

➤ Consent Use

Application in terms of Section 16(2)(o) for a Consent Use to establish a bottle store on Erf 943, Stanford.

➤ Departure

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

- ❖ to deviate from the on site parking provisions, with a notary tie agreement between Erven 942 and 943, Stanford.
- ❖ to relax the north-eastern lateral building line on Erf 943 from 3m to 2,5m and 1m respectively and also to relax the south-eastern lateral building line from 3m to 1m to accommodate the proposed bottle store on the property.

➤ Deviation

A deviation from the Overstrand Municipal Spatial Development Framework 2006 and Growth Management Strategy, 2010 to permit a commercial land use in terms of Section 10(1) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015.

RESOLVED:

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) in order to rezone Erven 942 and 943, Stanford from Residential Zone 1: Single Residential to Business Zone 3: Local Business, **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 establish a bottle store on Erf 943, Stanford, **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 to deviate from the on site parking provisions, with a notary tie agreement between Erven 942 and 943, Stanford, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(b) of the By-Law to relax the north-eastern lateral building line from 3m to 2,5m and 1m respectively, and also to relax the south-eastern lateral building line from 3m to 1m to accommodate the proposed bottle store on the property, **be partially approved**;
5. that the approvals in paragraphs 1., 2., 3. and 4. be subject to the following conditions:
 - (a) that the bottle store be recessed 2m away from the south-eastern lateral building line instead of the requested 1m;
 - (b) that an updated Site Development Plan be submitted for approval by the Senior Manager: Town and Spatial Planning and Senior Manager: Engineering Services within **thirty (30) days** of the decision date;
 - (c) that Erven 942 and 943, Stanford be notarial tied prior to the submission of building plans;
 - (d) that the bottle store be restricted to the area indicated on the updated Site Development Plan as required in 5.(b);
 - (e) that should the bottle store in future cease to exist the exercise of the applicable primary rights are subject to the submission and approval of a Site Development Plan, demonstrating compliance with the applicable Zoning Scheme;
 - (f) that the operation of a liquor shop be subject to a valid liquor license, limited to off-site consumption only;

MINUTES : MUNICIPAL PLANNING TRIBUNAL MEETING 3 AUGUST 2020

- (g) that a building plan be submitted to the Building Control Department for approval within a period of **sixty (60) days** from the decision date and that all requirements of the Building Control and Fire Department be adhered to at that stage;
 - (h) that no advertising sign shall be displayed without the written approval of the Municipality, and such sign must be in line with the Overstrand Signage By-Law;
 - (i) that the operation of a liquor store be subject to a valid Certificate of Acceptability (COA) to be issued by the Municipal Health Services, Overberg District Municipality;
 - (j) that the hours of operation and trading shall be restricted to 08:00 to 21:00 from Mondays to Saturdays and does not include Sundays or public holidays;
 - (k) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically be adjusted in terms of the annual budget;
 - (l) that all the conditions of Telkom be complied with;
 - (m) that all conditions of Waste Management and Engineering Services be complied with.
 - (n) that this decision does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (o) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
6. 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.

RECOMMENDATION TO COUNCIL:

that the application to deviate from the Overstrand Spatial Development Framework, 2006 as well as the Growth Management Strategy, 2010 in order to permit a commercial land use in terms of Section 10(1) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, **be approved** in terms of the provisions of Section 22(2) of the Spatial Planning Land Use Management Act.

REASONS FOR THE APPROVAL:

- ❖ The subject properties are situated within a commercial node which was approved by Council. Commercial nodes and corridors are ideally located in areas where business uses have a lessor impact on the character and functioning of the residential suburb. Therefore, when considering the proposed location of the bottle store in the Stanford area the ideal location will be in the commercial zone/node.
- ❖ Majority of the parking can be located on Erf 942, pedestrians will only have to cross Abner Street from the parking area on Erf 942. Abner Street is not a main arterial and mainly serves residential erven, it is therefore envisaged that the pedestrian traffic will not have a negative impact on the vehicular traffic.
- ❖ The proposed relaxation of the 3m south-eastern lateral building line up to 1m from the boundary is not considered desirable due to the following:
 - The inherent character of the residential area is a 2m building line.
 - The property owner of Erf 945, Stanford will have a 17,75m wall façade facing their property with two (2) windows also facing onto their property.
 - Erf 943 is still vacant and the applicant can redesign the proposed layout in order to be more respectable to the adjacent property owners' privacy and more compliant with the inherent character.
- ❖ No objections were received from the relevant departments or the adjacent property owners.

RESPONSIBLE OFFICIAL :**P ROUX****The meeting adjourned at 10:40**

9.
ERVEN 942 AND 943, 69 & 71 DREYER STREET, STANFORD: APPLICATION FOR DEVIATION FROM THE OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2006 AND GROWTH MANAGEMENT STRATEGY, 2010: MESSRS WRAP CONSULTANCY ON BEHALF OF HENQUE 3030 CC

942 & 943 SSN (3248)

R Kuchar Senior Manager : Town & Spatial Planning

14 October 2020

(028) 313 8900

EXECUTIVE SUMMARY

An application has been received on 27 September 2019 from Messrs WRAP Consultancy on behalf of Henque 3030 CC on Erven 942 and 943, Stanford for the deviation in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Growth Management Strategy, 2010 (GMS) and Spatial Development Framework, 2006 (SDF) in order to change the reservation from residential land use to commercial land use.

RECOMMENDATION TO THE COUNCIL:

that the application in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as well as the provisions of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Municipality Spatial Development Framework, 2006 and the Overstrand Municipality Growth Management Strategy, 2010 in order to change the reservation on Erven 942 and 943, Stanford from residential land use to commercial land use, **be approved.**

RESPONSIBLE OFFICIAL:	P ROUX
TARGET DATE FOR IMPLEMENTATION:	9 DECEMBER 2020
TARGET DATE TO INFORM APPLICANT:	9 DECEMBER 2020
TARGET DATE TO INFORM OBJECTOR:	N/A

The meeting adjourned at 10:26

DATE

D COETZEE – EXECUTIVE MAYOR

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

Municipal Planning Tribunal

1. **ERF 4177, 2 LAGOON DRIVE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF THE CONDITIONS OF AN EXISTING APPROVAL AND AMENDMENT OF THE SITE DEVELOPMENT PLAN: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF LA & RM VAN DYK**

4177 HON (3498/2019)

H Olivier

(028) 313 8900

Hermanus Administration

9 December 2020

Executive Summary

An application was received on 8 November 2019 from Messrs Plan Active Town and Regional Planners on behalf on LA and RM van Dyk on Erf 4177, Onrustrivier for an application in terms of Section 48 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:

- ❖ Amendmend of the conditions of approvals in respect of an existing approval in terms of Section 16(2)(h) of the By-Law, which restricts the subject property to be used for an art gallery and residential component only to now also use the property for office use and the residential component, and
- ❖ Amendment of the Site Development Plan in terms of Section 16(2)(i) of the By-Law in order to accommodate additional land uses.

The application will enable the applicant to allow for additional land uses on the property other than an art gallery and residential component.

RESOLVED:

1. that the application in terms of Section 47 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:

amendmend of the conditions of approvals in respect of an existing approval in terms of Section 16(2)(h) of the By-Law that restricts the subject property to be used for an art gallery and residential component only to enable the property also to be used for office purposes on ground floor level, and amendment of the Site Development Plan in terms of Section 16(2)(i) of the By-Law in order to accommodate additional land uses.

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be approved in terms of Section 61 and subject to the following conditions:

- (a) that the area of the building of 149m² (GLA) on ground floor level be limited for land uses for art gallery purposes and professional/clerical purposes (estate agency, doctor's surgery, etc.) only;
 - (b) that the parking area off Lagoon Drive be amended to only provide for two (2) reserved parking bays to the satisfaction of the Engineering and Operational Branches;
 - (c) that a revised Site Development Plan be submitted stipulating the limited land uses in 1(a) above and showing the amended parking layout for the parking area off Lagoon Drive as stipulated in condition 1(b) above, to the satisfaction of the Senior Manager: Town- and Spatial Planning;
 - (d) that all the conditions in the Services Report be complied with; and
 - (e) that signage be limited next to Lagoon Drive to only signage above the front door entrance facing Lagoon Drive, and such signage and any signage to be placed next to Van Blommestein Street must be applied for and comply with the Signage By-Law.
2. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

REASONS FOR RESOLUTION:

- ❖ Office purposes allow for example security company offices, banks, port office, etc. which could have a much greater impact on the surrounding area due to influx of people and operating hours. By limiting the uses to art gallery and professional/clerical purposes (estate agency, doctors surgery, etc.) the impact on the residential area next to Lagoon Drive can be limited.
- ❖ The recommended alteration of the existing parking off Lagoon Drive would help limit the traffic impact and improve the traffic safety in Lagoon Drive.
- ❖ The proposed new land uses will not have a greater impact on traffic and parking requirements, and with the minor mitigation measures the traffic safety concern in Lagoon Drive can be addressed.
- ❖ The area utilised for business purposes (149m² GLA) will not be increased.
- ❖ The new proposed land uses would not have a greater impact on the residential character of Lagoon Drive, and with some mitigation measures, visual impact can be limited.
- ❖ The objections do not prove the application to be undesirable.

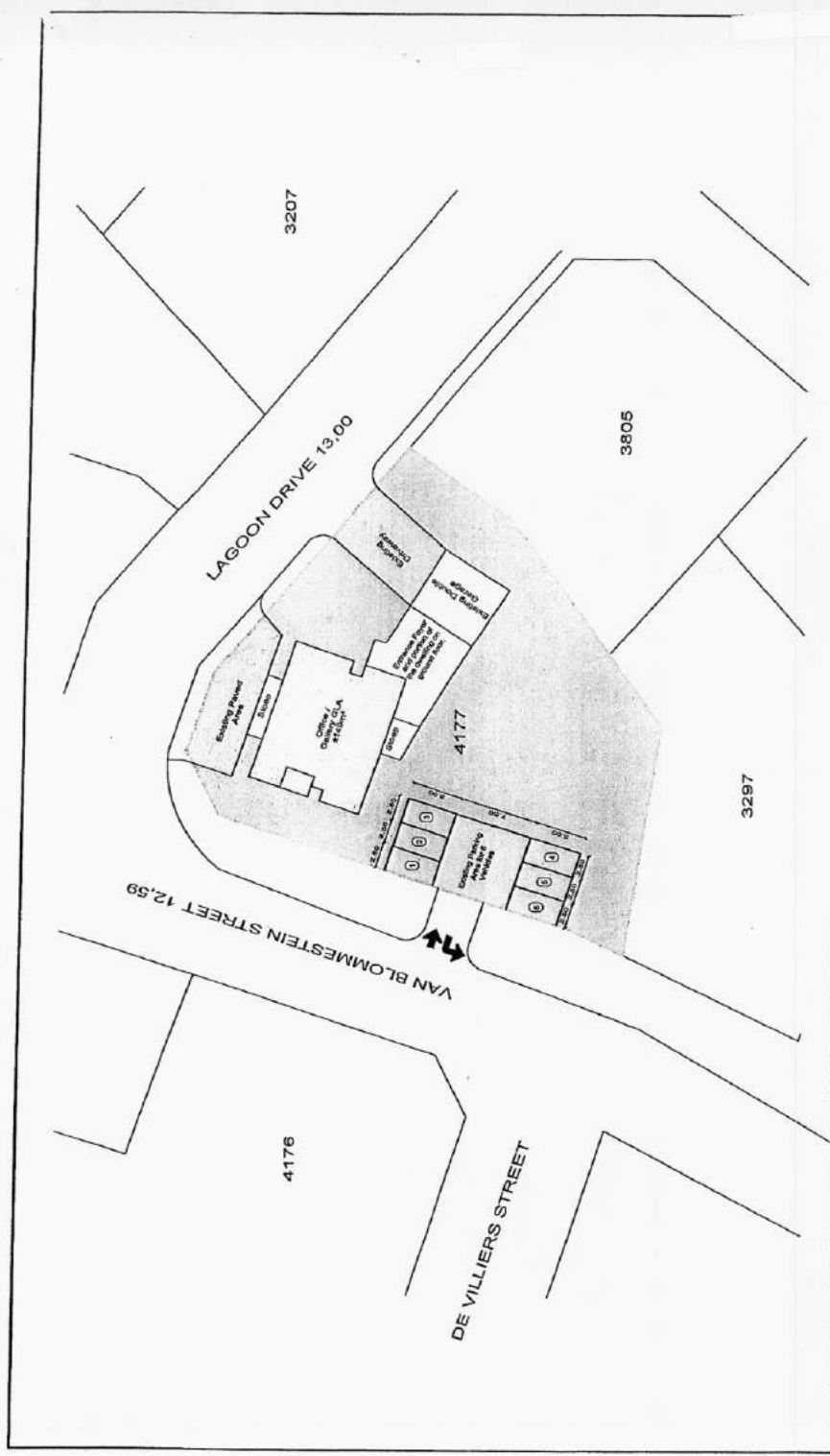
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18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

- ❖ The proposal is in line with the Planning Principles in that the property can be used more efficiently and will have more spatial resilience.



— THE SITE

	Stads- en Streetsbeplanners Town & Regional Planners	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: ERF 4177 ONRUSTRIVIER	Plan Description: LOCALITY MAP	Scale: NTS Drawing Nr: erf4177.dwg Date: 08/01/2013	



 PA Active Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: ERF 4177 ONRUSTRIMMER	Plan Description: SITE PLAN	Scale: 1:500 Drawing Nr: ent4177.dwg Date: 10/2019
		North Arrow		

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR AMENDMENT OF CONDITIONS OF AN EXISTING
APPROVAL AMENDMENT OF THE SITE DEVELOPMENT PLAN: ERF 4177,
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 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 Department: Operational Services;
5. that any additional and / or extended vehicle entrances will be for the developer'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 4177, Onrus River, unobstructed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES


DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

2. ERF 4468, 4 CHANTECLAIRE CLOSE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: PROPOSED SUBDIVISION: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF RI SPARKHAM

4468 HON (3426/2019)

H Olivier

(028) 313 8900

Hermanus Administration

17 November 2020

EXECUTIVE SUMMARY

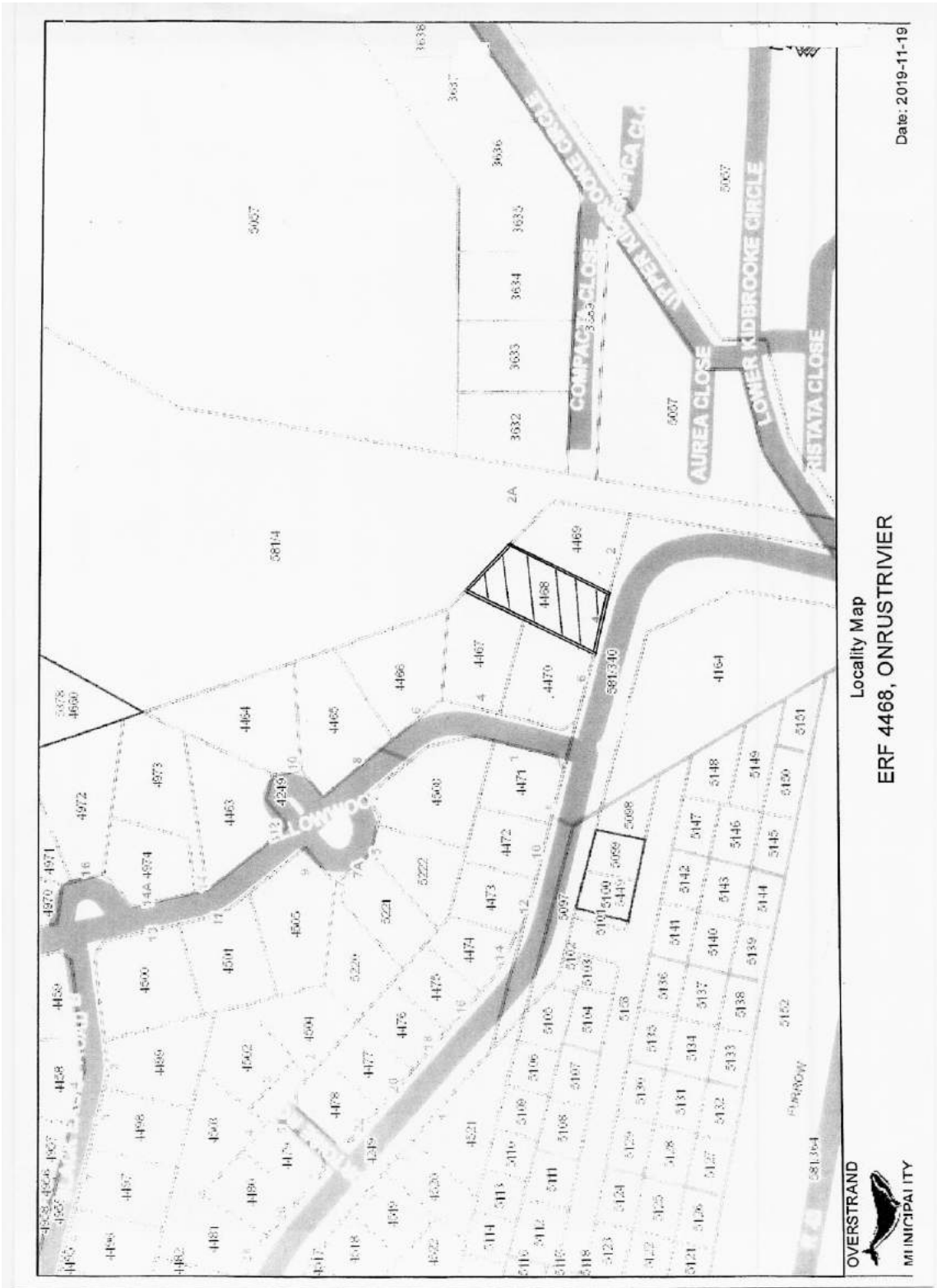
An application was received on 18 October 2019 from Messrs Interactive Town & Regional Planning on behalf of RI Sparkham on Erf 4468, Onrustrivier in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to subdivide Erf 4468, Onrustrivier into two (2) portions, namely 731m² and 730m² in extent respectively.

RESOLVED:

1. that the subdivision in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) of Erf 4468, Onrustrivier into two (2) portions, namely 730m² and 731m² respectively **not be approved**; and
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 conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ The proposal is not in line with the GMS, 2010 as it falls in a Mountain Management Zone and Mountain Interface controls where densification should not be approved in such zone to protect environmentally sensitive mountain side.
- ❖ The sizes of the two (2) new proposed erven, namely 730m² and 731m² respectively are not in line with the minimum size of 1100m² and average size of 1500m² in the Mountain Interface, and would therefore create smaller erven with more buildings with less space between buildings.
- ❖ Erven with a size of 730m² and 731m² is not in line with the character of residential erven in the Mountain Interface, as directly surrounding erven is 1 279m² (Erf 4470), 1353m² (Erf 4467), and 1215m² (Erf 4469) in extent, and more than 40% smaller than directly surrounding erven.



Locality Map
ERF 4468, ONRUSTRIMER

Date: 2019-11-19

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION: ERF 4468, ONRUS RIVER (3426/2019)**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 23 957.00 x 1	=	R 23 957.00
Sewerage	R 16 153.00 x 1	=	R 16 153.00
Roads	R 7 243.00 x 1	=	R 7 243.00
Stormwater	R 8 357.00 x 1	=	R 8 357.00
Solid Waste	R 1 448.00 x 1	=	<u>R 1 448.00</u>
TOTAL (inclusive of VAT)		=	R 57 158.00

Note:

- 1.3 **The above figures are estimates**
- 1.4 **The above figures do not include evaluation/investigation levies and connection fees**
2. that each property must be services with individual and separate water and sewer connections which must comply with the standards of the Department: Operational Services;

3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through the proposed Erven, Onrus River, unobstructed;
7. that no on-street parking be allowed.

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

06/10/2020
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

**3. ERF 195, 28 CANTERBURY STREET, WESTCLIFF, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF
RESTRICTIVE TITLE DEED CONDITIONS: E & R DE WET**

195 HWC (3408)

S van der Merwe

(028) 313 8900

Hermanus Administration

25 November 2020

EXECUTIVE SUMMARY

An application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) was received on 21 February 2020 from Messrs Pine Pienaar Professional Town Planner on behalf of E and R de Wet for the removal of restrictive title deed conditions A.(a), (b), (c) and (d) as contained in Title Deed No. 40504/2017 applicable to Erf 195, Hermanus in order to accommodate a second dwelling unit on the property, as well as to be in line with the applicable primary rights and development rules as contained in the Overstrand Zoning Scheme Regulations.

The restrictive conditions read as follows:

“A. *SUBJECT to the following conditions contained in said Deed of Transfer No 10699/1942, imposed by the Administrator of the Cape Province in approving of the Township being in favour of the registered owner of any erf in the Township and subject to amendment and alteration by the Administrator under the provisions of Section 18(3) of Ordinance No 33 of 1934;*

- (a) *That this erf be used for residential purposes only;*
- (b) *That only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf;*
- (c) *That not more than half the area of this erf be built upon;*
- (d) *That no building shall be erected nearer than 4,72 meters of any street line which forms a boundary of this erf. No building shall be situated within 2,36 meters of the lateral boundary common to any adjoining 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 deed conditions A.(b) and A.(d) as contained in Title Deed T40504/2017 applicable to Erf 195, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

2. that the application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions A.(a) and A.(c) as contained in title Deed T40504/2017 applicable to Erf 195, Hermanus, **not be approved** in terms of the provisions of Section 61 of the By-Law;
3. that, in terms of Section 16(2)(f) of the By-Law, condition A.(a) as contained in Title Deed T40504/2017 applicable to Erf 195, Hermanus, **be amended** to read as follows:

“A.(a) That this erf be used for residential purposes only and that only one of the two allowable dwelling units on this erf may be rented out for short-term/self-catering accommodation purposes.”
4. that the decisions in 1 and 3 above be subject to the following conditions:
 - (a) that building plans, together with the endorsed Title Deed, be submitted to the Building Department within sixty (60) days from the final approval of the application and that all requirements of the Building- and Fire Department at that stage be complied with - all buildings on the property must be in compliance with SANS10400 and the National Building Regulations;
 - (b) that the approved staff quarters at the rear of the property be changed to an outbuilding that is non-habitable;
 - (c) that the conditions of Telkom and Engineering Services be complied with;
 - (d) that the three (3) parking bays indicated on the site plan submitted with the application must be provided with a hard surface and must be properly demarcated;
 - (e) that this approval does not absolve the landowner from compliance with any other relevant legislation; and
 - (f) that all other applicable development parameters as prescribed in the relevant Zoning Scheme, be complied with.
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 regarding the decisions in 2 and 3 above, as well as the conditions in 4 above.

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

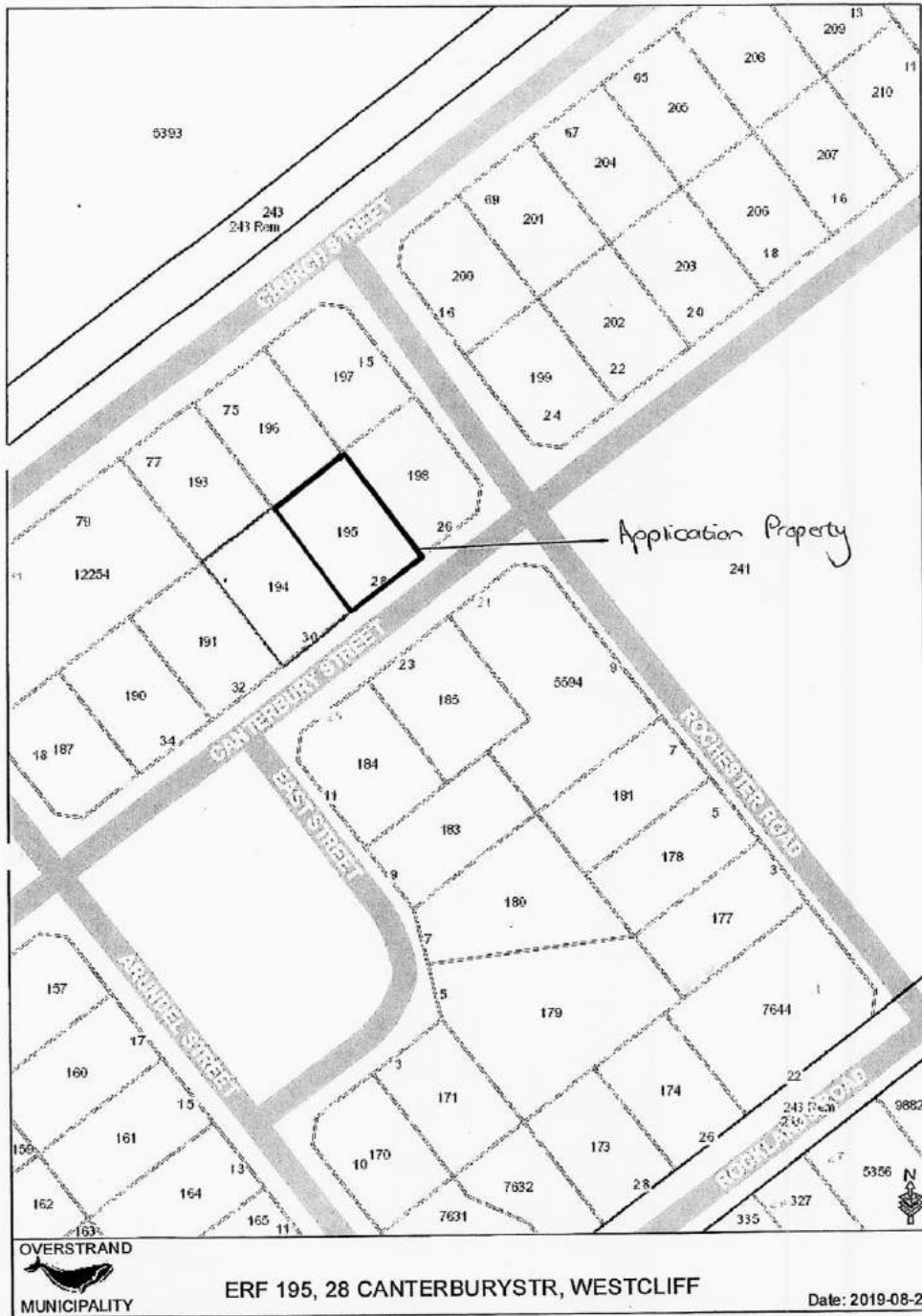
REASONS FOR THE RESOLUTION:

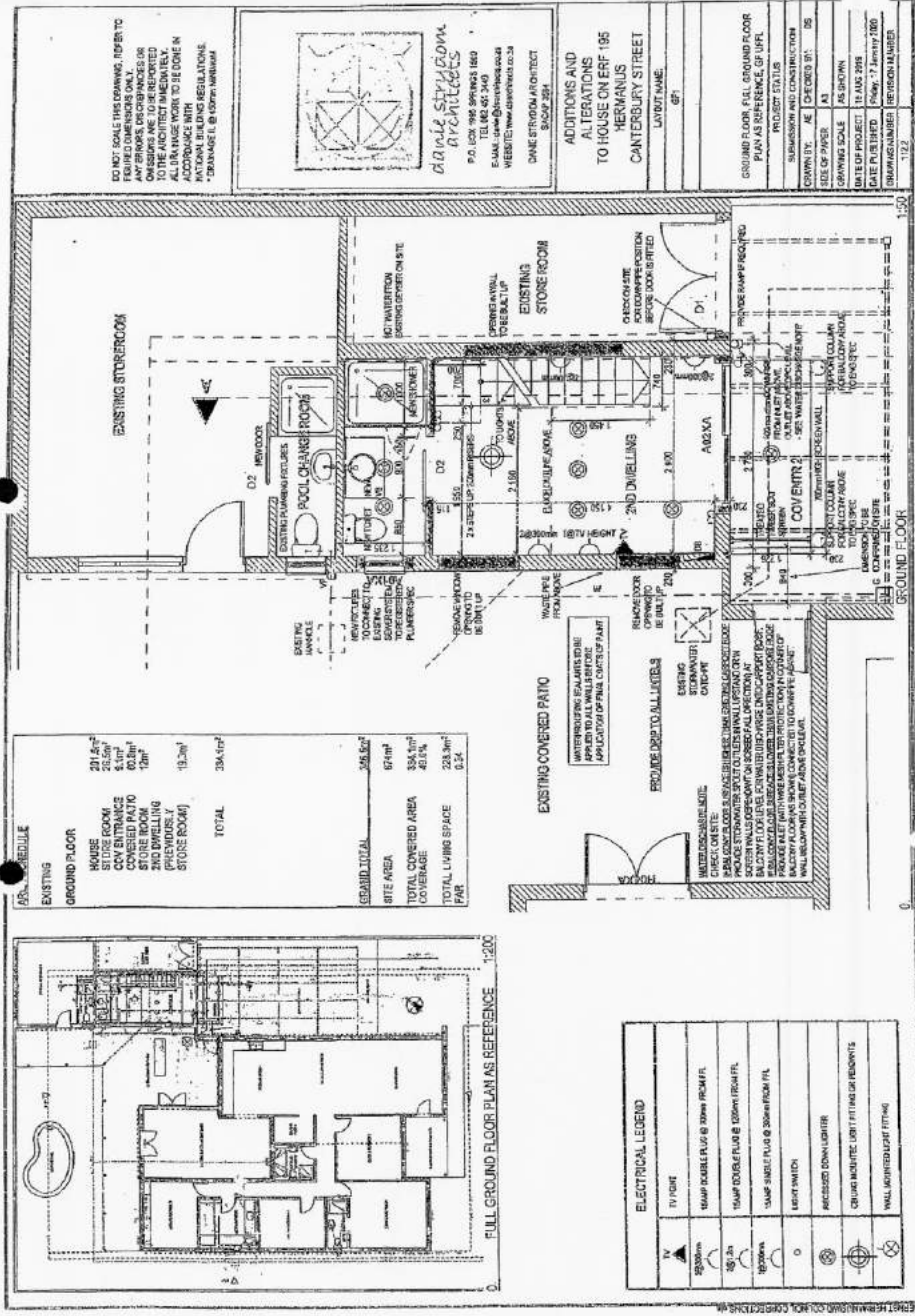
REASONS FOR THE APPROVAL OF THE REMOVAL OF CONDITIONS A.(B)
AND A.(D)

- ❖ The application has followed due procedure and no objections were received from the public.
- ❖ The removal of the conditions will have a beneficial financial impact for the landowners since it will be able to rent out the second dwelling on a long-term basis or a short-term basis to tourists that will subsequently have a positive impact on the value of the property.
- ❖ The removal of condition A.(d) will ensure that the title deed building lines will not be infringed upon anymore.
- ❖ It is not regarded as being undesirable from a town planning point of view.

REASONS FOR THE REFUSAL OF THE REMOVAL OF CONDITIONS A.(A)
AND A.(C) AND AMENDMENT OF CONDITION A.(A)

- ❖ Should condition A.(a) be removed completely it would allow the landowners to have a day care centre, guest rooms and home occupation as additional use rights in terms of the Zoning Scheme. The application lacks clear proposals regarding the additional rights to be obtained as set out in the Zoning Scheme which makes it unfeasible to evaluate the overall impacts thereof. As a result of the afore-said condition A.(a) must be amended in the manner as set out in paragraph 3. of the above decision to enable the landowners to utilize the second dwelling unit for short term accommodation purposes.
- ❖ No application to exceed the 50% coverage forms part of the application and therefore there is no reason for condition A.(c) to be removed.





DO NOT SCALE THIS DRAWING. REFER TO DIMENSIONS ON DRAWING FOR ALL DIMENSIONS. DIMENSIONS ON DRAWING TAKE PRECEDENCE OVER DIMENSIONS ON THIS SHEET. ALL DIMENSIONS TO BE DONE IN CONFORMANCE WITH THE NATIONAL BUILDING REGULATIONS. DIMENSIONS TO BE DONE IN CONFORMANCE WITH THE NATIONAL BUILDING REGULATIONS.

DAVID STEVENS ARCHITECTS
 PO BOX 1000 WOODBURN
 TEL: 06 465 4545
 FAX: 06 465 4545
 WWW.DAVIDSTEVENSARCHITECTS.COM

DATE: 11 AUG 2018
 PROJECT: 11 AUG 2018
 DRAWING NUMBER: 11 AUG 2018

ADDITIONS AND ALTERATIONS TO HOUSE ON ERF 195 HERMANUS CANTERSBURY STREET
 LAYOUT NAME: GFT

PROJECT STATUS	AS BUILT
DESIGNER	DAVID STEVENS ARCHITECTS
DATE OF PROJECT	11 AUG 2018
DATE PUBLISHED	11 AUG 2018
DRAWING NUMBER	11 AUG 2018

EXISTING GROUND FLOOR

HOUSE ROOM	21.42m ²
COVERED PATIO	4.37m ²
STORE ROOM	62.81m ²
2ND DWELLING	13.2m ²
POOL CHANGE ROOM	35.52m ²
TOTAL	137.32m²

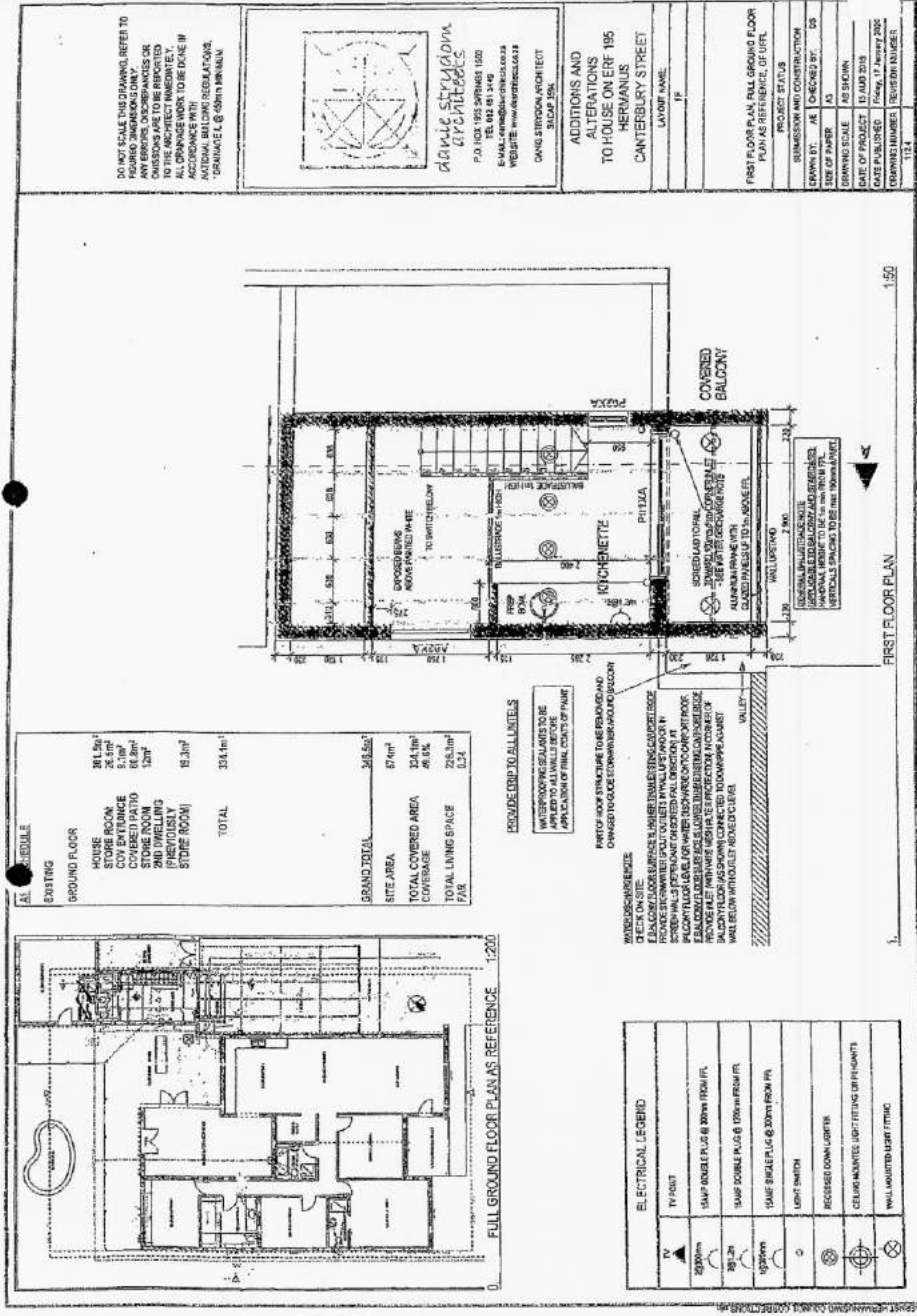
GRAND TOTAL

SITE AREA	356.52m ²
TOTAL COVERED AREA	87.4m ²
COVERAGE	24.5%
TOTAL LIVING SPACE	223.3m ²
FAR	0.14

ELECTRICAL LEGEND

TV POINT	TV POINT
SWAMP DOUBLE PLUG @ 200mm FROM FL	SWAMP DOUBLE PLUG @ 200mm FROM FL
SWAMP DOUBLE PLUG @ 1500mm FROM FL	SWAMP DOUBLE PLUG @ 1500mm FROM FL
SWAMP SINGLE PLUG @ 300mm FROM FL	SWAMP SINGLE PLUG @ 300mm FROM FL
LIGHT SWITCH	○
RECESSED DOWN LIGHT	○
CIRCULAR LIGHT @ 100mm FROM FL	○
WALL MOUNTED LIGHT FITTING	○

FULL GROUND FLOOR PLAN AS REFERENCE 1:200



DO NOT SCALE THIS DRAWING. REFER TO DIMENSIONS FOR ALL DIMENSIONS. ANY ERRORS OR OMISSIONS ARE TO BE REPORTED TO THE ARCHITECT IMMEDIATELY. DIMENSIONS ARE TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS. DRAWING L & 40th MANNA.

DAVID STRONG ARCHITECT
 3104 P. 195
 P.O. BOX 195 SPRING 1920
 TEL: 03 431 2140
 E-MAIL: david@strongarchitects.co.nz
 WEBSITE: www.strongarchitects.co.nz

ADDITIONS AND ALTERATIONS TO HOUSE ON ERF 195 HERBYRILLUS CANTERBURY STREET

PROJECT NO. 1018
 DRAWN BY: [] CHECKED BY: DS
 DATE OF DRAWING: 15/05/2018
 DATE OF PROJECT: 15/05/2018
 DRAWING NUMBER: 1018/01/01/01

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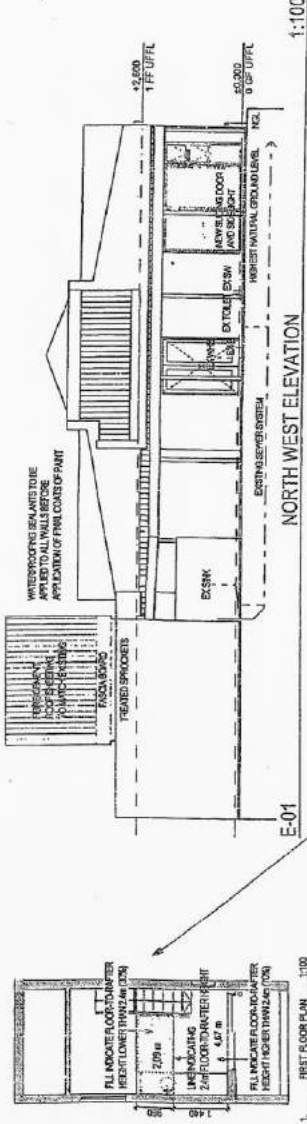
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CONSTRUCTION DIMENSIONS OR DIMENSIONS SHOWN ON THIS DRAWING SHALL TAKE PRECEDENCE TO THE ARCHITECT'S INTENT.
ALL DAMAGE WORK TO BE DONE IN ACCORDANCE WITH NATIONAL BUILDING REGULATIONS.
-BRUNNICK P. © 2011 BRUNNICK



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P.O. BOX 1965 SPRINGS 180
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DAME STUDIO ARCHITECT
SINCP 3564

ADDITIONS AND ALTERATIONS TO HOUSE ON ERF 195 HERMANUS CANTERBURY STREET

LAYOUT NAME:	SECTION
PROJECT STATUS:	SECTION A-A, FIRST FLOOR PLAN, NORTH WEST ELEVATION
DRAWN BY:	AE CHECKED BY: DS
SIZE OF PAPER:	A3
DRAWING SCALE:	AS SHOWN
DATE OF PROJECT:	19 AUG 2010
DATE PUBLISHED:	19 AUG 2010
DRAWING NUMBER:	170
REVISION NUMBER:	



NOTE: REPLY REINFORCEMENT SHEET MUST BE PROVIDED TO ALL STRUCTURAL ENGINEERS AT THE TIME OF THE SUBMISSION OF THIS DRAWING. ALL REINFORCEMENT SHALL BE PROVIDED BY THE STRUCTURAL ENGINEER. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS.

GENERAL NOTE: ALL REINFORCEMENT SHALL BE PROVIDED BY THE STRUCTURAL ENGINEER. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS. PROVIDE REINFORCEMENT TO ALL STRUCTURAL ENGINEERS.

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SECTION A-A
1:50

Climatic Zone	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4
ID	HFA-1 (A)	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A
WINDOW										
Orientation	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST	NORTH WEST
Area	600	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400
TOTAL GLAZED AREA	1,26	5,04	3,05	3,05	3,05	3,05	3,05	3,05	3,05	3,05
Types	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM
U Value	7.90	7.90	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
AGGREGATE U VALUE	8.95	8.82	17.07	17.07	17.07	17.07	17.07	17.07	17.07	17.07
P Value	2.215	2.215	2.118	2.118	2.118	2.118	2.118	2.118	2.118	2.118
H Value	0	0	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
G Effect: P/H	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05
E Factor	0.55	0.55	0.55	0.55	0.55	0.55	0.55	0.55	0.55	0.55
SHGC Value	0.61	0.61	0.77	0.77	0.77	0.77	0.77	0.77	0.77	0.77
AGGREGATE SHGC	0.57	0.57	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.64
NET FLOOR AREA	181.73	181.73	181.73	181.73	181.73	181.73	181.73	181.73	181.73	181.73

Climatic Zone	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4
ID	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A
WINDOW										
Orientation	SOUTH EAST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST
Area	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
TOTAL GLAZED AREA	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Types	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM
U Value	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90
AGGREGATE U VALUE	13.04	13.04	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22
P Value	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
H Value	0	0	0	0	0	0	0	0	0	0
G Effect: P/H	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74
E Factor	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
SHGC Value	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59
AGGREGATE SHGC	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59

Climatic Zone	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4	Climatic Zone 4
ID	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A	H10A
WINDOW										
Orientation	SOUTH EAST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST	SOUTH WEST
Area	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
TOTAL GLAZED AREA	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Types	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM	TESTED SYSTEM
U Value	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90	7.90
AGGREGATE U VALUE	13.04	13.04	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22
P Value	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
H Value	0	0	0	0	0	0	0	0	0	0
G Effect: P/H	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74	0.74
E Factor	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
SHGC Value	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59
AGGREGATE SHGC	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59

DO NOT SCALE THIS DRAWING. REFER TO THE ARCHITECT'S SPECIFICATIONS FOR ANY ERRORS, OMISSIONS OR DISCREPANCIES. ALL DIMENSIONS ARE TO BE CHECKED IN THE FIELD. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.



**Danie Strydom
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5004-2594

ADDITIONS AND ALTERATIONS TO HOUSE ON ERF-195 HERMANUS CANTERBURY STREET
LAYOUT NAME: SECTION 1
HOUSE GLAZING SCHEDULE
PROJECT STATUS
SUBMISSION AND CONSTRUCTION
DRAWN BY: AE CHECKED BY: DS
DATE OF PAPER: 15
DRAWING SCALE: 75 SHOWN
DATE OF PROJECT: 15 AUG 2018
DATE PUBLISHED: Friday, 17 June 2018
DRAWING NUMBER: 1127
REVISION NUMBER

GLAZING

SHGC: 0.59
U VALUE: 7.90
AGGREGATE U VALUE: 13.04
AGGREGATE SHGC: 0.59

SHGC: 0.59
U VALUE: 7.90
AGGREGATE U VALUE: 13.04
AGGREGATE SHGC: 0.59

SHGC: 0.59
U VALUE: 7.90
AGGREGATE U VALUE: 13.04
AGGREGATE SHGC: 0.59

WINDOW AND DOOR NOTES:
- ALL WINDOW AND DOOR DIMENSIONS TO BE CHECKED AND VERIFIED ON SITE BEFORE MANUFACTURE.
- APPROXIMATE TO COMPLY WITH CLAUSE 10.2 OF THE NBS AND SANS 614 AND 218.
- APPROXIMATE TO COMPLY WITH REQUIREMENTS OF ALL APPLICABLE REGULATIONS.
- APPROXIMATE TO COMPLY WITH REQUIREMENTS OF ALL APPLICABLE REGULATIONS.

2ND DWELLING BUILDING ORIENTATION:
CLIMATIC ZONE: TRUE NORTH +0% & +PW
PREFERRED: SOUTH EAST
ACTUAL ORIENTATION: SOUTH EAST

COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REMOVAL OF TITLE DEED RESTRICTIONS: ERF 195,
WESTCLIFF

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 195, Westcliff, unobstructed;
7. that no on-street parking be allowed.

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

12/11/2020
DATE

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

**4. ERF 3941, 266 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND
MUNICIPAL AREA: PROPOSED DEPARTURE: LF BIDEN**

3941 HVK (3238)

P Roux

(028) 313 8900

Hermanus Administration

7 February 2021

EXECUTIVE SUMMARY

An application was received on 26 June 2019 from LF Biden for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 applicable to Erf 3941, Hermanus in order to:

- ❖ relax the western lateral building lines from 2m to 1,325m and 0,20m respectively to accommodate alterations on the ground and first floor;
- ❖ relax the rear building line from 2m to 0m in order to accommodate the proposed improvements on the building, and
- ❖ exceed the permissible height restriction applicable to boundary walls/fencing from 2,1m to 2,235m at the highest point.

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) applicable to Erf 3941, Hermanus a departure to relax the rear building line from 2m to 0m in order to accommodate the proposed improvements on the building,

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)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 3941, Hermanus for the following departures:

- ❖ to relax the western lateral building lines from 2m to 1,325m and 0,20m respectively to accommodate alterations on the ground floor and first floor, and
- ❖ to exceed the permissible height restriction applicable to boundary walls/fencing from 2,1m to 2,235m at the highest point;

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

- (a) that this approval only relates to the relaxation of the building lines as indicated on Site Plan 2019, Drawing No.: MB-H-100 Rev-C;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021
(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)**

- (b) that building plans be submitted to the Building Department for approval;
 - (c) that all the conditions of Telkom be complied with;
 - (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.
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 regards to the above conditions of approval

REASONS FOR THE RESOLUTION:

REASONS FOR APPROVAL

- The conversion of the existing pergola to a covered terrace will have a minimal impact on the street scape and adjacent property owners in terms of visual impact.
- The covered terrace on the first floor does not propose any windows and/or openings facing directly onto the adjacent property (Erf 3940, Hermanus).
- The boundary wall at its highest point exceeding 2,1m in height will not have an impact on the street scape.
- The proposal will not have a detrimental impact on the character of the surrounding area.
- 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.

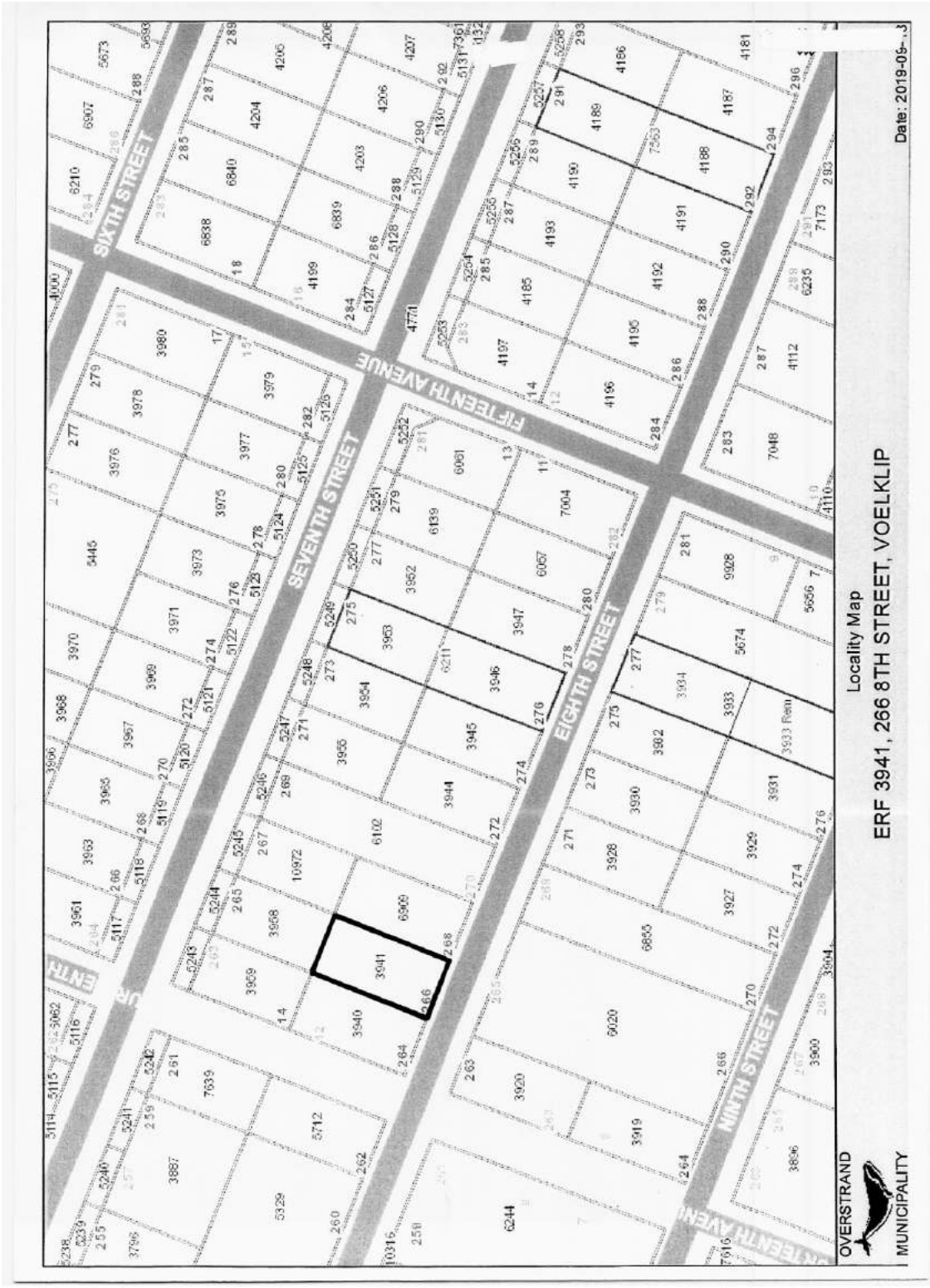
REASONS FOR NON-APPROVAL

- The proposed encroachment of the roof on the northern side of the property is tied to the usage and validity of the existing structure (bedroom, en-suite and laundry);
- The conversion of the carport into a garage and then into a bedroom, en-suite and laundry was never formally approved and was historically only indicated as existing structures;

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 May 2021**

(Also the agenda for the Mayoral Committee Meeting : 26 May 2021)

- Formal application needs to be done in order to legalise the existing encroachments prior to the consideration of the proposed encroachment of the rear building line;
- Comment from the Building Department indicates that the alterations made to the carport were never formally approved.



OVERSTRAND
MUNICIPALITY

Locality Map
ERF 3941, 266 8TH STREET, VOELKLIP

Date: 2019-09-13

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 3941, VOELKLIP (3238/2019)**

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 the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 - P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 3941, Voelklip, unobstructed;
7. that no on-street parking be allowed.

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

14/11/2019
DATE