

**PORTFOLIO COMMITTEE :  
INFRASTRUCTURE & PLANNING**

**Chairperson :**

**Cllr E Gillion**

**Committee Members :**

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

**PORTEFEULJEKOMITEE :  
INFRASTRUKTUUR & BEPLANNING**

**Voorsitter :**

**Rdl E Gillion**

**Komiteelede :**

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

**INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE**  
**INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE**

**20 October 2020**

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Portfolio Committee : Infrastructure & Planning  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**1.  
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2020 -  
SEPTEMBER 2020**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

25 September 2020

(028) 3138900

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**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 26 August 2020 – 25 September 2020.

**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 26 August 2020 – 25 September 2020:

- |     |  |                   |
|-----|--|-------------------|
| 1.  | Erf 2001, 41 & 42 Tenth Street, Voëklip, Hermanus                        | 1 September 2020  |
| 2.  | Erf 10564, 183 Ninth Street, Voëklip, Hermanus                           | 1 September 2020  |
| 3.  | Portion 2 of Farm 725, Division Caledon                                  | 7 September 2020  |
| 4.  | Erf 5354, 212 Tenth Street, Voëklip, Hermanus                            | 7 September 2020  |
| 5.  | Erven 2870 and 2871, Portion of Erf 2834, Sandbaai Commonage             | 15 September 2020 |
| 6.  | Erf 1556, 78 Louis Richardt Street, Sandbaai                             | 15 September 2020 |
| 7.  | Erven 416 and 1700, 10 du Toit Street and 20 Longmarket Street, Stanford | 22 September 2020 |
| 8.  | Erf 1832, 36 Fifth Street, Voëklip, Hermanus                             | 22 September 2020 |
| 9.  | Erf 12191, 297 Eighth Street, Voëklip, Hermanus                          | 22 September 2020 |
| 10. | Erven 4072 and 6038, 319 & 317 Tenth Street, Voëklip, Hermanus           | 22 September 2020 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA for August 2020:

- |    |  |                |
|----|--|----------------|
| 1. | Erf 6804, Violtjie Lane, Mount Pleasant, Hermanus                  | 27 August 2020 |
| 2. | Remainder of Remainder Erf 6883, 21 Fir Close, Eastcliff, Hermanus | 27 August 2020 |
| 3. | Erf 12257, 4 Sea Road, Eastcliff, Hermanus                         | 27 August 2020 |

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2020**

**TARGET DATE TO INFORM APPLICANT :**

**N/A**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

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**1.  
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS  
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: AUGUST 2020 -  
SEPTEMBER 2020**

15/3/11

R Kuchar

Senior Manager : Town & Spatial Planning

25 September 2020

(028) 3138900

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**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON  
20 OCTOBER 2020, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

**RESPONSIBLE OFFICIAL :**

**R VAN ANTWERP**

**TARGET DATE FOR IMPLEMENTATION :**

**11 NOVEMBER 2020**

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Spatial Land Use Management Act (SPLUMA) Approvals

1. **ERF 2001, 41 & 42 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF THE PLAN OF SUBDIVISION, DEPARTURE AND AMENDMENT OF CONDITIONS OF APPROVAL: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF "DIE K EN D TRUST"**

**2001 HVK (3574/2020)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**10 August 2020**

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**Executive Summary**

An application was received on 14 January 2020 in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-law) from Messrs PlanActive Town- and Regional Planners on behalf of "Die K & D Trust" on Erf 2001, Hermanus, for the following:

- ❖ application in terms of Section 16(2)(h) of the By-law for the amendment of the existing conditions of approval of subdivision;
- ❖ application in terms of Section 16(2)(k) of the By-law in order to realign the approved subdivision line to create two (2) portions namely: Portion A ( $\pm 612\text{m}^2$  in extent) and Portion B ( $\pm 578\text{m}^2$  in extent), and
- ❖ application in terms of Section 16(2)(b) of the By-law in order to relax the following building lines:
  - the northern lateral building line from 2m to 0m for Portion B, to accommodate the existing single garage after subdivision;
  - the southern lateral building line from 2m to 0m for Portion A, to accommodate the existing single garage after subdivision, and
  - the eastern lateral building line from 2m to 0m for Portion A, to accommodate the existing single garage after subdivision.

**RESOLVED :**

1. that the application received in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 2001, Hermanus, for the following:
- ❖ application in terms of Section 16(2)(h) of the By-Law for the amendment of the existing conditions of approval of subdivision;
  - ❖ application in terms of Section 16(2)(k) of the By-Law in order to realign the approved subdivision line to create two (2) portions namely, Portion A ( $\pm 612\text{m}^2$  in extent) and Portion B ( $\pm 578\text{m}^2$  in extent), and
  - ❖ application in terms of Section 16(2)(b) of the By-Law in order to relax the following building lines:

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- the northern lateral building line from 2m to 0m for Portion B, to accommodate the existing single garage after subdivision;
- the southern lateral building line from 2m to 0m for Portion A, to accommodate the existing single garage after subdivision, and
- the eastern lateral building line from 2m to 0m for Portion A, to accommodate the existing single garage after subdivision.

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

- (a) that the amendment of the approval dated 20 March 2019 be amended as follow:

*“that the application in terms of Section (16)(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the subdivision of Erf 2001, Hermanus into two (2) portions, namely Portion A ( $\pm 612m^2$  in extent) and Portion B ( $\pm 578m^2$  in extent), **be approved** in terms of the provisions of Section 61 of the By-Law;”*

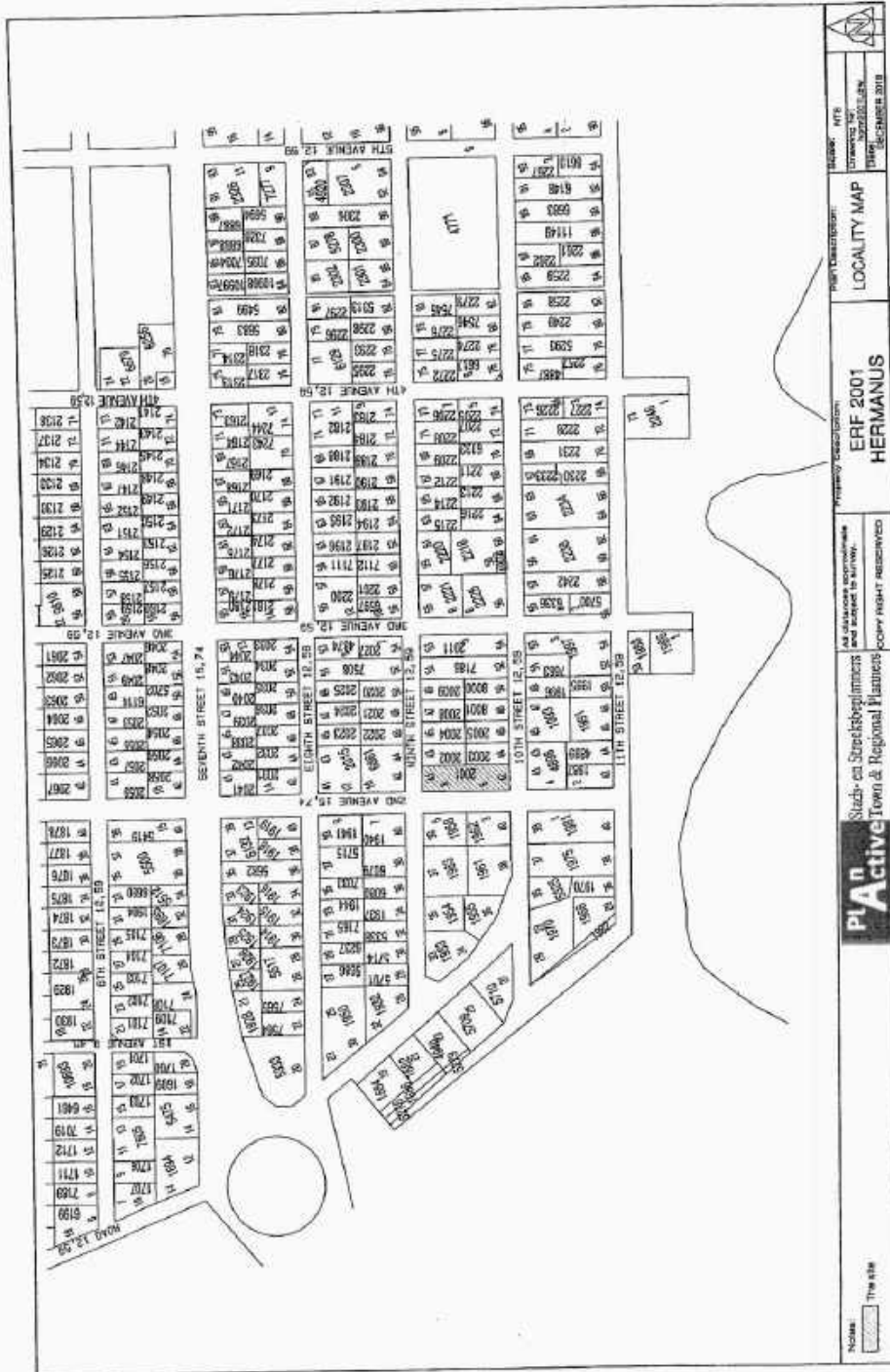
- (b) that this approval is for the subdivision and building line encroachments as indicated on Plan No herm2001s2-rev1 dated December 2019 that was submitted with the application;
- (c) that the partial demolition works be done in the manner as indicated on the Subdivisional Plan;
- (d) that a permit for the partial demolition works be obtained from the Building Control Department prior to any demolition works may be commenced with;
- (e) that the single garage on Portion A be demolished if no building plan is submitted, which indicates a dwelling on Portion A of Erf 2001, within twenty four (24) months;
- (f) that the conditions compiled by Fire Services and Engineering Services, be complied with, and
- (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above conditions of approval.

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**REASONS FOR RECOMMENDATION**

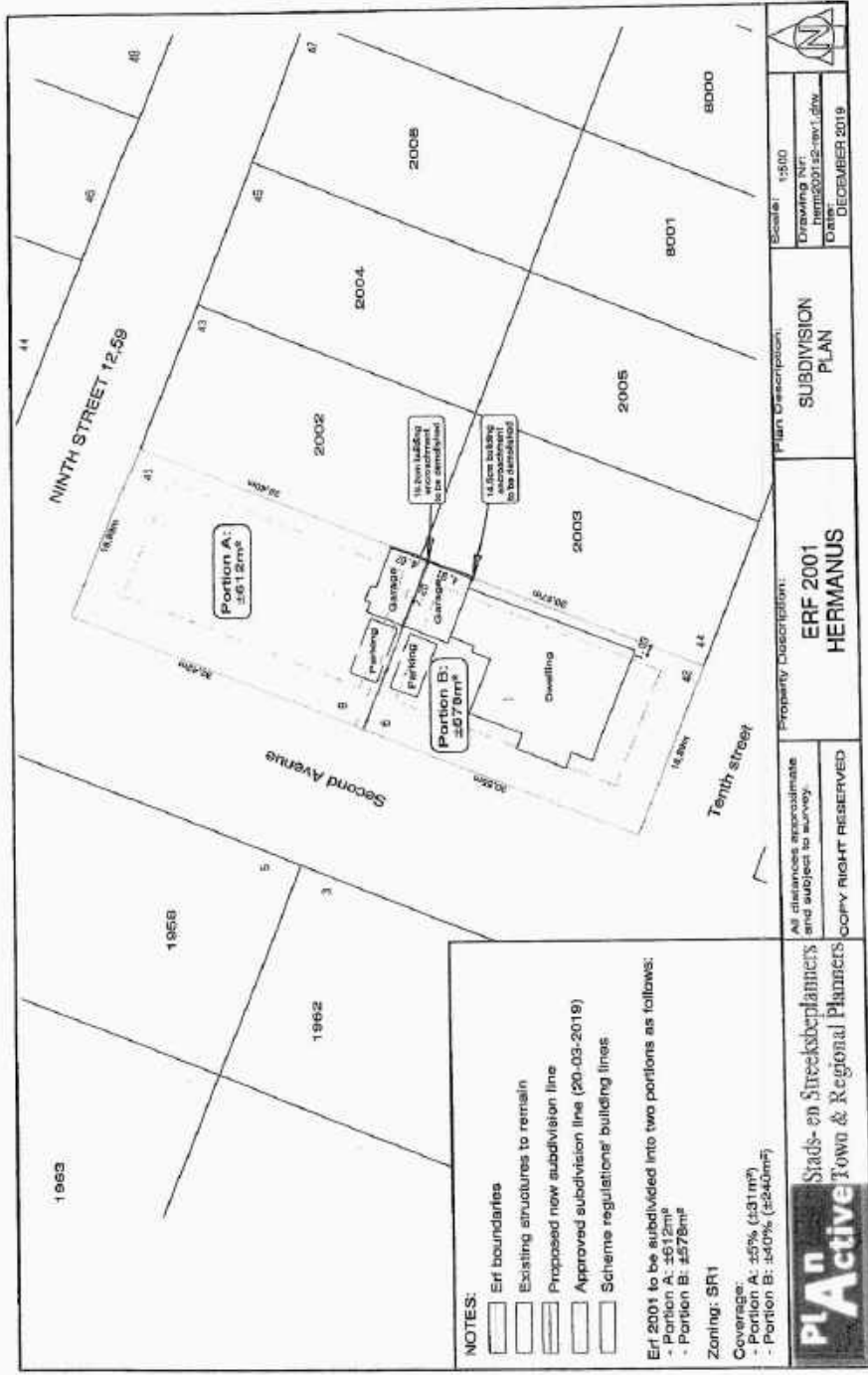
- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed amendment of the previous approval conditions is compatible with the character of the surrounding area, and is desirable.
- ❖ No objections were received from the public.
- ❖ It is in line with policy documents.
- ❖ The primary use for a single residential property is a dwelling and subservient outbuildings, therefore it is required that the property owner submits a building plan indicating how Portion A will be developed.



Project Description: **ERF 2001 HERMANUS**  
 High Classification: **LOCALITY MAP**  
 Author: **M. J. VAN DER MERWE**  
 Drawn: **2001**  
 Date: **2001**  
 Scale: **1:1000**  
 Project No: **2001**  
 Date: **2001**

All data are approximate and subject to survey.  
 Copy right reserved.

PIA<sup>n</sup> Study on Streetscape Improvements and Active Town & Regional Planning  
 The City of Hermanus



**PLA<sup>n</sup>Active**  
 Stads- en Streeksbeplanners  
 Town & Regional Planners

**NOTES:**

- Erf boundaries
- Existing structures to remain
- Proposed new subdivision line
- Approved subdivision line (20-03-2019)
- Scheme regulations' building lines

Erf 2001 to be subdivided into two portions as follows:  
 - Portion A: ±5612m<sup>2</sup>  
 - Portion B: ±578m<sup>2</sup>

Zoning: SR1

Coverage:  
 - Portion A: ±55% (±31m<sup>2</sup>)  
 - Portion B: ±40% (±240m<sup>2</sup>)

|   |  |  |   |  |
|---|--|--|---|--|
| All distances approximate and subject to survey.<br>COPY RIGHT RESERVED |  | Property Description:<br><b>ERF 2001<br/>                 HERMANUS</b> | Plan Description:<br><b>SUBDIVISION<br/>                 PLAN</b> | Scale: 1:500<br>Drawing Nr:<br>04m200152-ter1.dwg<br>DECEMBER 2019 |
|---|--|--|---|--|

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR AMENDMENT OF THE PLAN OF SUBDIVISION,  
DEPARTURE & AMENDMENT OF CONDITIONS OF APPROVAL: ERF 2001,  
VOELKLIP**

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

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (2019/2020) is as follows:

**Freehold erven:**

|                                 |                 |          |                    |
|---------------------------------|-----------------|----------|--------------------|
| Water                           | R 22 925.00 x 1 | =        | R 22 925.00        |
| Sewerage                        | R 15 457.00 x 1 | =        | R 15 457.00        |
| Roads                           | R 6 931.00 x 1  | =        | R 6 931.00         |
| Stormwater                      | R 7 997.00 x 1  | =        | R 7 997.00         |
| Solid Waste                     | R 1 386.00 x 1  | =        | R 1 386.00         |
| Electricity                     | R 32 139.45 x 1 | =        | <u>R 32 139.45</u> |
| <b>TOTAL (inclusive of VAT)</b> |                 | <b>=</b> | <b>R 86 835.45</b> |

Note:

- 1.3 The above figures are estimates**  
**1.4 The above figures do not include connection fees**
2. that the existing water connection and new sewer septic tank to Portion B of Erf 2001 shall be used to service the proposed Portion B of Erf 2001;

3. that any part of the existing water- and sewer services on Portion A of Erf 2001 that crosses the common boundary of Portion A of Erf 2001 and Portion B of Erf 2001 be disconnected and sealed off;
4. that Portion B of Erf 2001 must be serviced with individual and separate water connections which must comply with the standards of the Department: Operational Services, as well as a sewer conservancy tank;
5. that new suction points for sewer septic tanks, which must comply with the standards of the Department: Operations must be provided for Portion B of Erf 2001 at the street boundary with Second Ave;
6. that only a standard 60 Amp single phase electricity connection will be available per erf;
7. 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*;
8. 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;
9. that any additional and / or extended vehicle entrances will be for the owner's account;
10. that stormwater be allowed to discharge through the proposed Erven, Voelklip, unobstructed;
11. that no on-street parking be allowed.

*p.p. D. Hendriks*  
\_\_\_\_\_  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*10/03/2020*  
\_\_\_\_\_  
DATE

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Portfolio Committee : Infrastructure & Planning  
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**2. ERF 10564, 183 NINTH STREET, VOËLKLIP, HERMANUS: APPLICATION FOR CONSENT USE: MESSRS PLAN ACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF JL NEL**

**10564 HVK (3545/2019)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**22 August 2020**

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**Executive Summary**

An application was received on 9 December 2019 from Messrs PlanActive Town and Regional Planners on behalf of JL Nel in terms of Section 16(2)(o) of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) for a consent use in order to utilize the property as a three (3) bedroom guesthouse.

**RESOLVED :**

1. that the application on Erf 10564, Voëlklip, Hermanus in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) for consent use in order to utilise the existing dwelling as a three (3) bedroom guesthouse, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that a maximum of three (3) bedrooms be let to guests/tourists;
  - (b) that the owner/manager shall reside on the premises and be responsible for the proper management of the guest house;
  - (c) that the guestrooms may not be converted to or used as separate dwelling units/self-catering units;
  - (d) that no kitchen facilities and/or prep bowls be allowed in the guestrooms;
  - (e) that no facilities (bar/restaurant or any other) be provided for non-residents of the accommodation establishment and that these facilities only be used by bona-fide guests of the establishment;
  - (f) that the selling or serving of liquor on the property will be subject to the owner obtaining the necessary Liquor Licence;
  - (g) that a minimum of one (1) permanently demarcated parking bay per guestroom, two (2) for the owner/manager be provided within the erf boundaries in accordance with the parking layout;

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- (h) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (i) that the accommodation facility complies with Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
  - (j) that only a single non-illuminated sign that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (k) that the guesthouse be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area;
  - (l) that a Certificate of Acceptability from the Health Department of the Overberg District Council and Fire Prevention Certificate be obtained from the Municipal Fire Department;
  - (m) that the conditions of Fire Services and Engineering Services, be complied with;
  - (n) that the property may not be utilised for the purposes of conducting a home occupation;
  - (o) that no disturbance from loud music or any other sources be permitted after 22:00;
  - (p) that no cooking facilities may be provided;
  - (q) that this approval does not absolve the landowner from compliance with any other relevant legislation, and
  - (r) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its appeal rights in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditional approval.

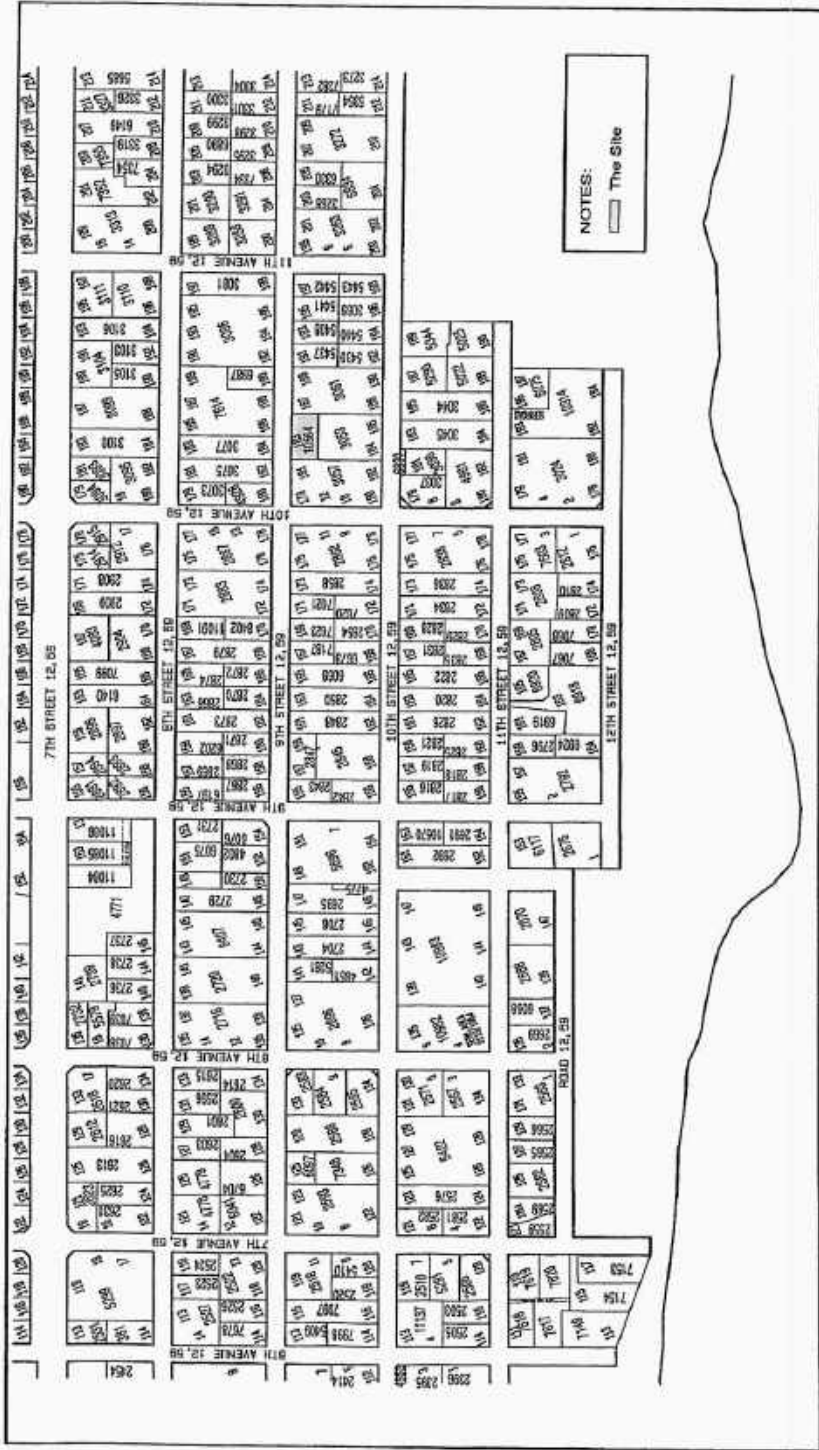
**REASONS FOR RECOMMENDATION**

- ❖ The application has followed due procedure.
- ❖ No internal objections were received.

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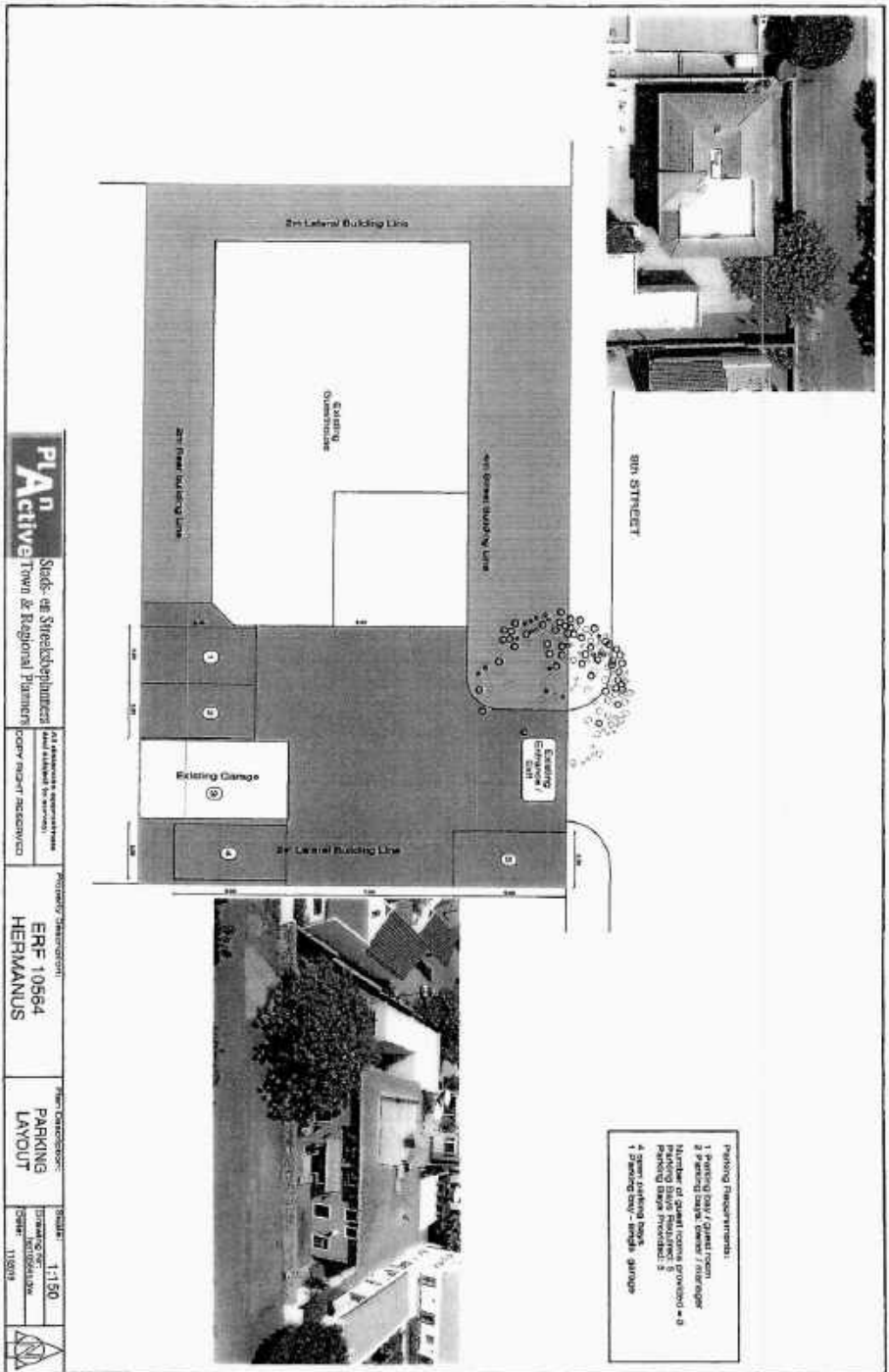
- ❖ Ample and practical parking for the guesthouse can be provided on the property.
- ❖ The established use and management of the property does not have a negative effect on the character of the area.
- ❖ The accommodation establishment will be beneficial for optimization of the erf.
- ❖ It will promote the tourism industry, thus in line with the forward planning documentation of the Municipality.
- ❖ Is not regarded as being undesirable from a town planning point of view.



NOTES:  
 [Thick black border] The Site

|  |  |   |  |  |
|--|--|---|--|--|
|  | Stads- en Sireeksbeplanners<br>Town & Regional Planners                    | Property Description:<br><b>ERF 10564<br/>         HERMANUS</b> | Plan Description:<br><b>LOCALITY MAP</b> | Scale:<br>nts<br>Drawing No:<br>JHR10564-01W<br>Date:<br>12/2019 |
|  | All distances approximate<br>and subject to survey.<br>COPY RIGHT RESERVED |   |  |  |





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE: ERF 10564, VOELKLIP (3545/2019)**

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 10564, Voelklip, unobstructed;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

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**3. PORTION 2 OF THE FARM 725, DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE, DEPARTURE AND AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN: W DE BRUYN ON BEHALF OF MISTY MOUNTAINS ESTATES (PTY) LTD**

**2/725 RCAL (2913/2019)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**10 August 2020**

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**Executive Summary**

An application was received on 11 December 2018 from WJJ de Bruyn on behalf of Misty Mountains Estates (Pty) Ltd on Portion 2 of the Farm 725 Misty, Division Caledon in terms of Sections 16(2)(b), (l) and (o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:

- ❖ application for consent use in order to accommodate a farm stall on the property;
- ❖ application for departure to encroach the common building line adjacent to Remainder of the Farm Riverside and the R43 from 30m to 4m and 13,15m respectively, and
- ❖ application for the amendment of the approved Site Development Plan.

**RESOLVED :**

1. that the comment be noted;
2. that the application in terms of Section 16(2)(b), (l) and (o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Portion 2 of the Farm 725, Division Caledon for the following:
  - consent use in order to accommodate a farm stall on the property;
  - departure to encroach the common building line adjacent to Remainder of the Farm Riverside and the R43 from 30m to 4m and 13,15m respectively, and
  - amendment of the approved Site Development Plan.

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

- (a) that the Site Development Plan be amended as indicated on drawings dated *01/08/2019 and 23/10/2018*;

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- (b) that consent use is only provided for as indicated on the Site Development Plan, drawings dated *01/08/2019 and 23/10/2018*;
  - (c) that the building plans be submitted to the Building Department for any changes to the building or new building and that all conditions of the Building- and the Fire Department be complied with at that stage;
  - (d) that the farm stall must be single storey and the footprint be limited to a maximum of 130m<sup>2</sup> in size.
  - (e) that should it be necessary to provide any additional ablution facilities due to the additional people visiting the site, it be provided to the satisfaction of the District Health Department;
  - (f) that all the conditions of Eskom, Department of Transport and Public Works and Breede-Gouritz Catchment Management Agency, be complied with;
  - (g) that all the conditions in the Services Report, Fire Services and Waste Management, be complied with;
  - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
  - (i) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

**REASONS FOR RECOMMENDATION**

- ❖ There is good accessibility and sufficient parking provisions.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be required.
- ❖ No external state departments objected to the application.
- ❖ The application is in line with SPLUMA principles.
- ❖ No impact on the environment.
- ❖ No objections were received from surrounding property owners.
- ❖ It is in line with the aims of the Overstrand SDF to promote tourism.
- ❖ The uses depicted in the design proposal are that of a rural/agricultural character, which contributes towards the character of the area. Further, the proposed uses will be accommodated in existing structures.

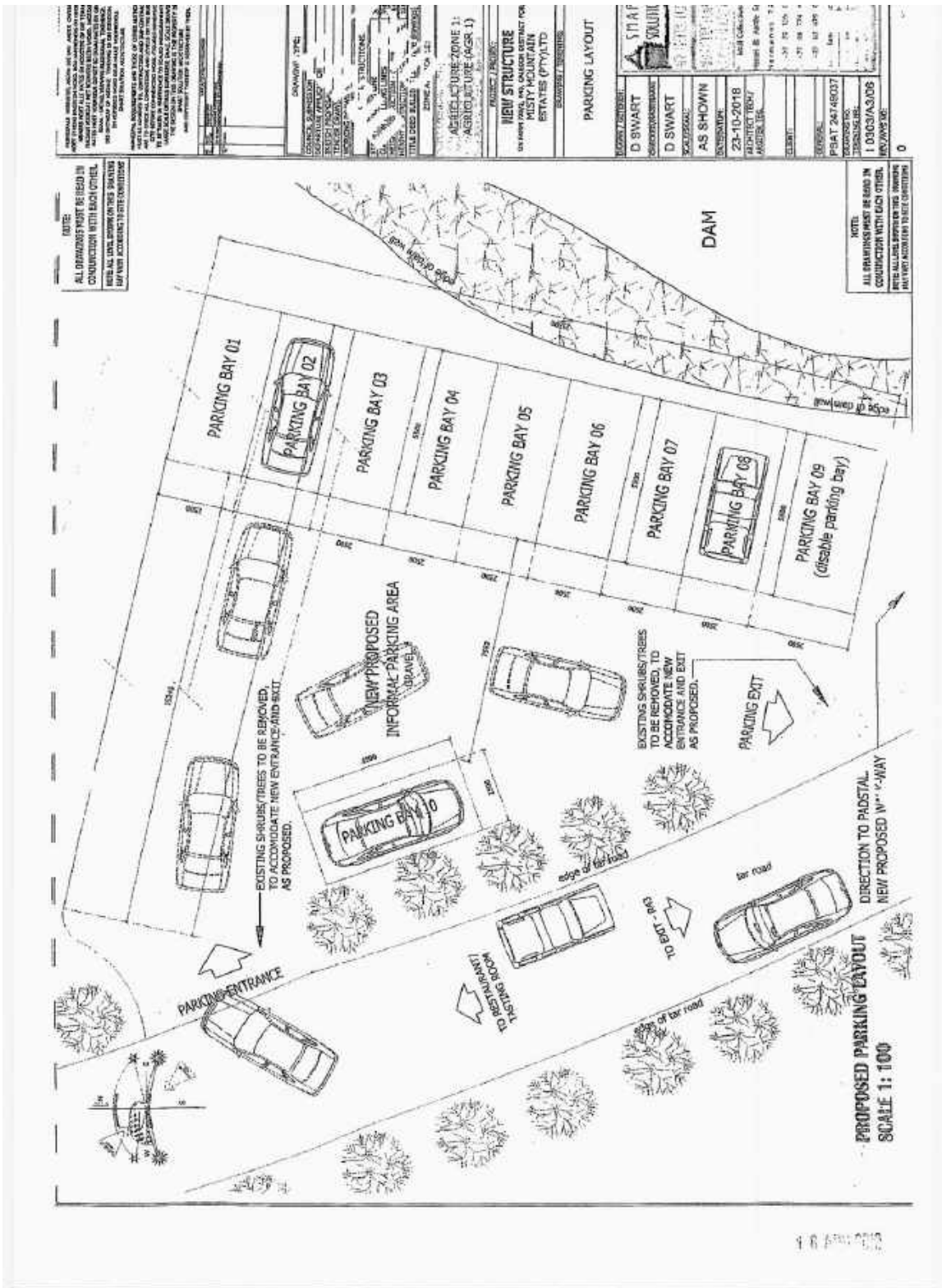
**AGENDA of the  
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- ❖ The subject property consists of natural beauty which attracts tourist to the area.















**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR AMENDMENT OF THE SITE DEVELOPMENT PLAN &  
CONDITIONS OF APPROVAL: PORTION 2 OF FARM 725, MISTY  
MOUNTAIN ESTATE, DIVISION OF CALEDON (2913/2019)**

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

**Conditions:**

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water service from Overstrand Municipality is available and the developer is responsible for the provision of any water supply and/or services to the development;
3. that the developer will be responsible to obtain the necessary approval, licence and permit from the applicable authorities (water affairs, health, BOCMA etc.) for the use of any other water resources and the extraction thereof;
4. that the quality of potable water comply with SANS0241 standards and that relevant proof be submitted to the Manager : Water Infrastructure & Quality, Overstrand Municipality (Tel: 028 313 5046, email: probinson@overstrand.gov.za);
5. that no sewerage service from Overstrand Municipality is available and no municipal sewerage services will rendered to the development;
6. that the owner will be responsible for the removal of sewerage from the proposed development, and the safe disposal thereof at a licensed municipal sewerage treatment facility;
7. that the proposed development must be provided with adequate sewer conservancy tanks, which must comply with the relevant legislation;
8. That any commercial food preparation (eg. restaurant/ guesthouse etc.) must be provided with a grease trap, which must comply with the standards and specifications of the Overstrand Operational Services Department.

9. that, alternatively, the developer will be responsible to obtain the necessary approval, licences and permits from the applicable authorities (water affairs, health, etc.) for the use of any other method of sewage disposal;
10. that the owner is responsible for the removal of all refuse generated on the property and the disposal thereof at a registered municipal waste transfer station or –waste disposal facility;
11. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and the Department of Water Affairs for approval;
12. that the developer complies to all the conditions set by Department Of Water & Environmental Affairs;
13. that on-site parking facilities are provided as per Planning Schedule and to the satisfaction of the Department: Operational Services;
14. that the developer will arrange with Provincial Administration to obtain approval for any new access from the Provincial road.

  
DENNIS HENDRIKS

SENIOR MANAGER: ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**4. ERF 5354, 212 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS  
MALHERBE RUST ARCHITECTS ON BEHALF OF CH DE VILLIERS**

**5354 HVK (3611/2020)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**22 August 2020**

---

**Executive Summary**

An application was received on 13 February 2020 from Messrs Malherbe Rust Architects on behalf of CH De Villiers on Erf 5354, Hermanus for a departure applicable to the property to relax the building line from 2m to 1,485m in order to change the existing garage into 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 (By-Law) on Erf 5354, Voëlkliip, Hermanus to relax the building line from 2m to 1,485m in order to change the existing garage into 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 plan Erf 5354 DWG No 201 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 of Fire Services and Engineering Services, be complied with;
  - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
  - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above mentioned approval.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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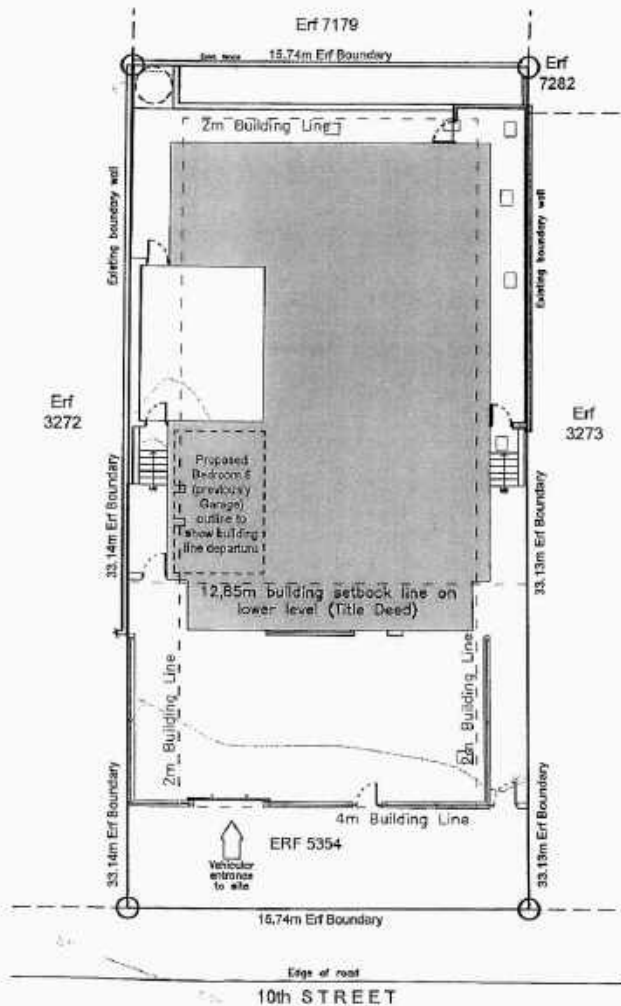
**REASONS FOR RECOMMENDATION**



- ❖ All Municipal Departments support the application.
- ❖ The alterations will not impact the privacy of surrounding property owners.
- ❖ New alterations and will not impede on any significant views of the surrounding property owners.
- ❖ The existing dwelling is already constructed 1,485m from the lateral boundary and the change of use is only internally.
- ❖ No restrictive condition is contained in the Title Deed which prohibits the proposed change of use.
- ❖ The use of the dwelling will remain for residential purposes.
- ❖ No additional services will be required.



| Rev. | Date       | Description          |
|------|------------|----------------------|
| A    | 10.02.2020 | Land Use Application |

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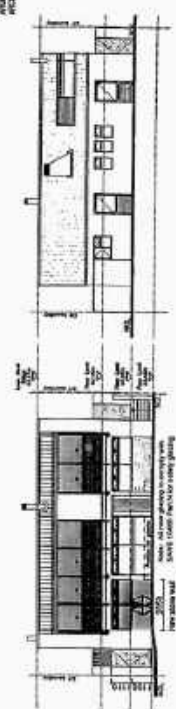


 P.P.  
 CH De Villiers  
 (Registered Owner)  
 NUMBER: 12345678  
 NAME: CH De Villiers  
 ARCHITECT:  
  
 Servaas W. de Kock  
 (SACAP Reg: PWA021313)

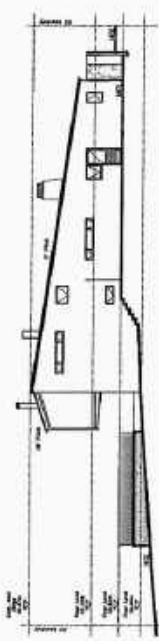
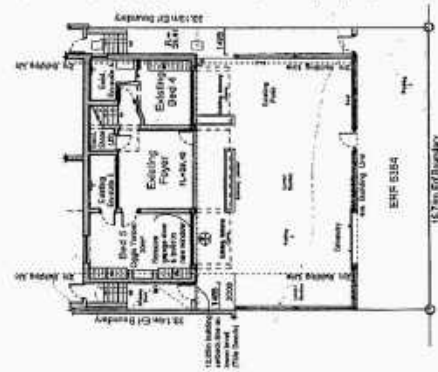
|   |                         |             |                  |
|---|-------------------------|-------------|------------------|
| PROJECT/PROJECT: Erf 5354, 212 10th St, Voortrekker | PROJECT No: 1622        | DWG No: 101 | SCALE: 1:200(A4) |
| WORKING/DRAWING: Land Use Application               | DRAWN & CHECK: NV & SDK | REVISION: A | DATE: 10.02.2020 |
| Site Plan   |                         |             |                  |

  
**Malherbe Rust Architects**  
 P. 011 461 0900  
 www.malherberust.com  
 011 461 0900/1327

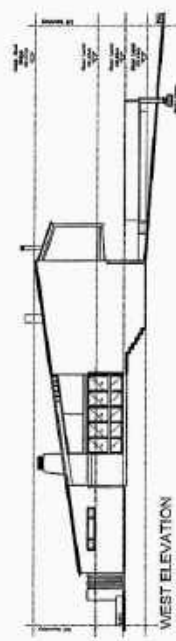

  
 ARCHT: 
  
 DATE: 03/08
   
 CH De Villiers
   
 (Registered Owner)
   
 BONNUS W. de Kock
   
 (Burger Reg: 741420/1312)



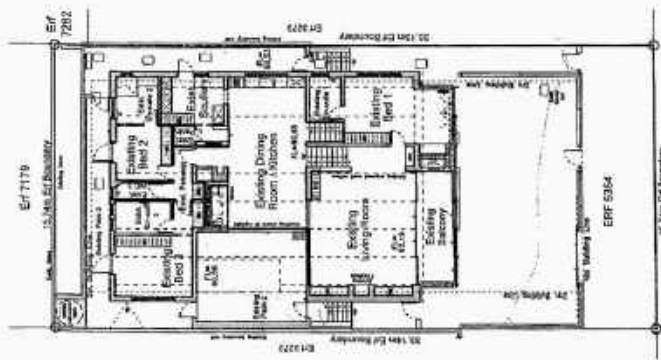
**NORTH ELEVATION**  
scale 1:200 (A3)



**EAST ELEVATION**  
scale 1:200 (A3)



**WEST ELEVATION**  
scale 1:200 (A3)



**LOWER LEVEL FLOOR PLAN**  
scale 1:200 (A3)

**UPPER LEVEL FLOOR PLAN**  
scale 1:200 (A3)



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 DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY.

DRAWING NO: 1001/01/01  
 DATE: 10.02.2020  
 SCALE: 1:200 (A3)

PROJECT: 49 5264 100 05 VILLIERS  
 HOUSE DE VILLIERS  
 ARCHITECT: BONNUS W. DE KOCK  
 CLIENT: CH DE VILLIERS

DRAWING NO: 1001/01/01  
 DATE: 10.02.2020  
 SCALE: 1:200 (A3)

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 5354, VOELKLIP (3611/2020)**

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 5354, Voelklip, unobstructed;
7. that no on-street parking be allowed.

*p.a. M. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*23/06/2020*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**5. ERVEN 2870 AND 2871 (PORTIONS OF ERF 2834), SANDBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF PINAROUX INTERNATIONAL HOLDCO (PTY) LTD**

**2834 HSB (Erven 2870 & 2871)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**22 July 2020**

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**Executive Summary**

An application was received on 1 June 2020 from Messrs Interactive Town & Regional Planning on behalf of Pinaroux International Holdco (Pty) Ltd on Erven 2870 and 2871 (Portion of Erf 2834), Sandbaai for a departure application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to relax the following:

- a. to relax the building line of Erf 2870, boundary B-C from 4m to 1,76m to allow for a pergola;
- b. to relax the building line of Erf 2870, boundary C-D from 4m to 1,67m to allow for pergolas;
- c. to relax the building line of Erf 2870, boundary D-E from 4m to 3,30m to allow for a pergola;
- d. to relax the building line of Erf 2870, boundary E-F from 4m to 1,42m to allow for a pergola;
- e. to relax the building line of Erf 2870, boundary F-G from 4m to 1,36m to allow for pergolas;
- f. to relax the building line of Erf 2870, boundary G-H from 4m to 1,41m to allow for pergolas;
- g. to relax the building line of Erf 2870, boundary H-I from 4m to 1,33m to allow for pergolas;
- h. to relax the building line of Erf 2870, boundary I-J from 4m to 0,93m to allow for pergolas;
- i. to relax the building line of Erf 2870, boundary J-K from 4m to 0,92m to allow for pergolas;
- j. to relax the building line of Erf 2870, boundary E-F from 4m to 0,89m to allow for a pergola;
- k. to relax the building line of Erf 2871, boundary P-Q from 4m to 0,93m to allow for pergolas;
- l. to relax the building line of Erf 2871, boundary S-T from 4m to 0,92m to allow for pergolas;
- m. to relax the building line of Erf 2871, boundary T-U from 4m to 0,78m to allow for pergolas;
- n. to relax the building line of Erf 2871, boundary U-V from 4m to 0,80m to allow for pergolas;

**AGENDA of the  
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- o. to relax the building line of Erf 2871, boundary V-W from 4m to 0,99m to allow for pergolas;
- p. to relax the building line of Erf 2871, boundary X-Y from 4m to 0,86m to allow for a pergola, and
- q. to relax the building line of Erf 2871, boundary Y-Z from 4m to 1,33m to allow for pergolas.

**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 Erven 2870 and 2871 (Portions of Erf 2834), Sandbaai, in order to relax the following:
  - ❖ to relax the building line of Erf 2870, boundary B-C from 4m to 1,76m to allow for a pergola;
  - ❖ to relax the building line of Erf 2870, boundary C-D from 4m to 1,67m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary D-E from 4m to 3,30m to allow for a pergola;
  - ❖ to relax the building line of Erf 2870, boundary E-F from 4m to 1,42m to allow for a pergola;
  - ❖ to relax the building line of Erf 2870, boundary F-G from 4m to 1,36m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary G-H from 4m to 1,41m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary H-I from 4m to 1,33m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary I-J from 4m to 0,93m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary J-K from 4m to 0,92m to allow for pergolas;
  - ❖ to relax the building line of Erf 2870, boundary E-F from 4m to 0,89m to allow for a pergola;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
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- ❖ to relax the building line of Erf 2871, boundary P-Q from 4m to 0,93m to allow for pergolas;
- ❖ to relax the building line of Erf 2871, boundary S-T from 4m to 0,92m to allow for pergolas;
- ❖ to relax the building line of Erf 2871, boundary T-U from 4m to 0,78m to allow for pergolas;
- ❖ to relax the building line of Erf 2871, boundary U-V from 4m to 0,80m to allow for pergolas;
- ❖ to relax the building line of Erf 2871, boundary V-W from 4m to 0,99m to allow for pergolas;
- ❖ to relax the building line of Erf 2871, boundary X-Y from 4m to 0,86m to allow for a pergola, and
- ❖ to relax the building line of Erf 2871, boundary Y-Z from 4m to 1,33m to allow for pergolas.

as indicated on the Site Development Plans, **be approved** in terms of the provisions of Section 61, subject to the following conditions:

- (a) that this approval only relates to building line relaxations as indicated on undated plans 3005, 3000, 11110, 11120 and 3015, and the two (2) site development plans for Erven 2870 and 2871 in the planning report, and
  - (b) that building plans be submitted to the Building Department, and that all conditions set by the Building- and Fire Department at that stage, be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above mentioned approval.

**REASONS FOR RECOMMENDATION**

- ❖ There are no surrounding properties affected by the application as the area to the west of the two (2) properties are vacant and also part of the future development of the former Sandbaai commonage.

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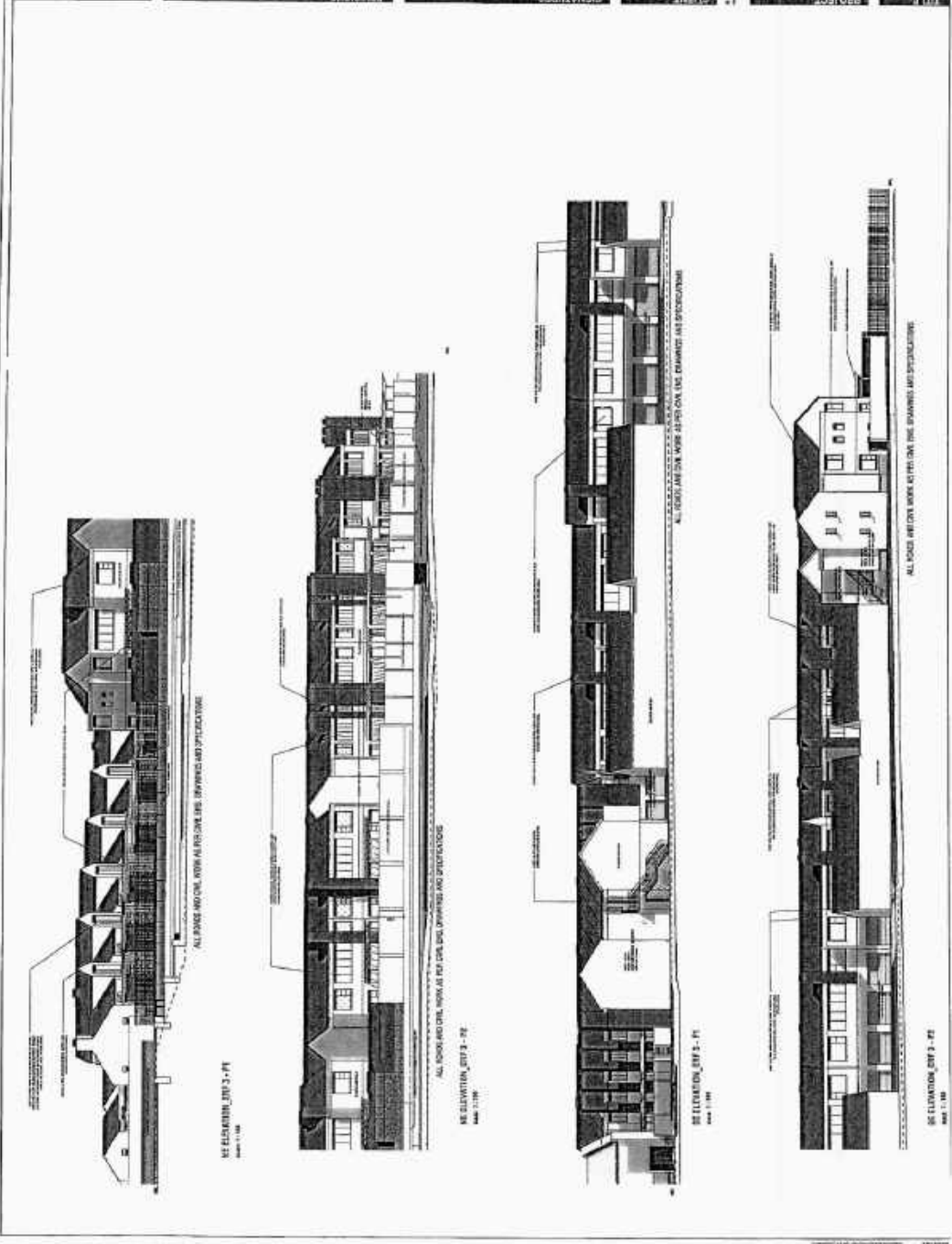
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- ❖ The pergolas are low non-imposing minor structures that will hardly be visible over the boundary wall that will be constructed around the development.
- ❖ The pergolas will create partially sheltered functional recreational areas for units, improving the quality of life of residents.
- ❖ The structures are low and hardly visible from the external street, and will not impact traffic or the street facade.
- ❖ The pergolas would improve the easthetics of the double storey apartment block, providing more human scale.
- ❖ The application will not have a negative impact on the character of the area, and is desirable.





DeZANUT ARCHITECTURE  
 + Partners  
 SANDBAAN ARCHITECTURAL PARTNERSHIP  
 1000 10th Ave NW, Suite 1000  
 Seattle, WA 98108  
 Tel: 206.461.1000  
 Fax: 206.461.1001  
 www.dezanut.com











**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**6. ERF 1556, 78 LOUIS TRICHARD STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA: REMOVAL OF RESTRICTIVE TITLE DEED CONDITION: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF M DAVIDOWITZ**

**1556 HSB (3320)  
H van der Stoep  
26 August 2020**

**(028) 313 8900**

**Hermanus Administration**

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**Executive Summary**

An application in terms of Section 16(2)(f) of the Overstrand By-law on Municipal Land Use Planning, 2015 (By-Law) was received on 5 September 2019 from Messrs Interactive Town & Regional Planning on behalf of M Davidowitz for the removal of restrictive title deed condition C.2(c) as contained in Title Deed T22800/94 applicable to Erf 1556, Sandbaai in order to accommodate a second dwelling unit on the property.

**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 condition C.2(c) as contained in Title Deed T22800/94 applicable to Erf 1556, Sandbaai in order to accommodate a second dwelling unit on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that building plans be submitted to the Building Department for approval and that all conditions of the Building- and the Fire Department be complied with at that stage;
  - (b) that the conditions of Telkom and Engineering Services, be complied with;
  - (c) that this approval does not absolve the landowner from compliance with any other relevant legislation, and
  - (d) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

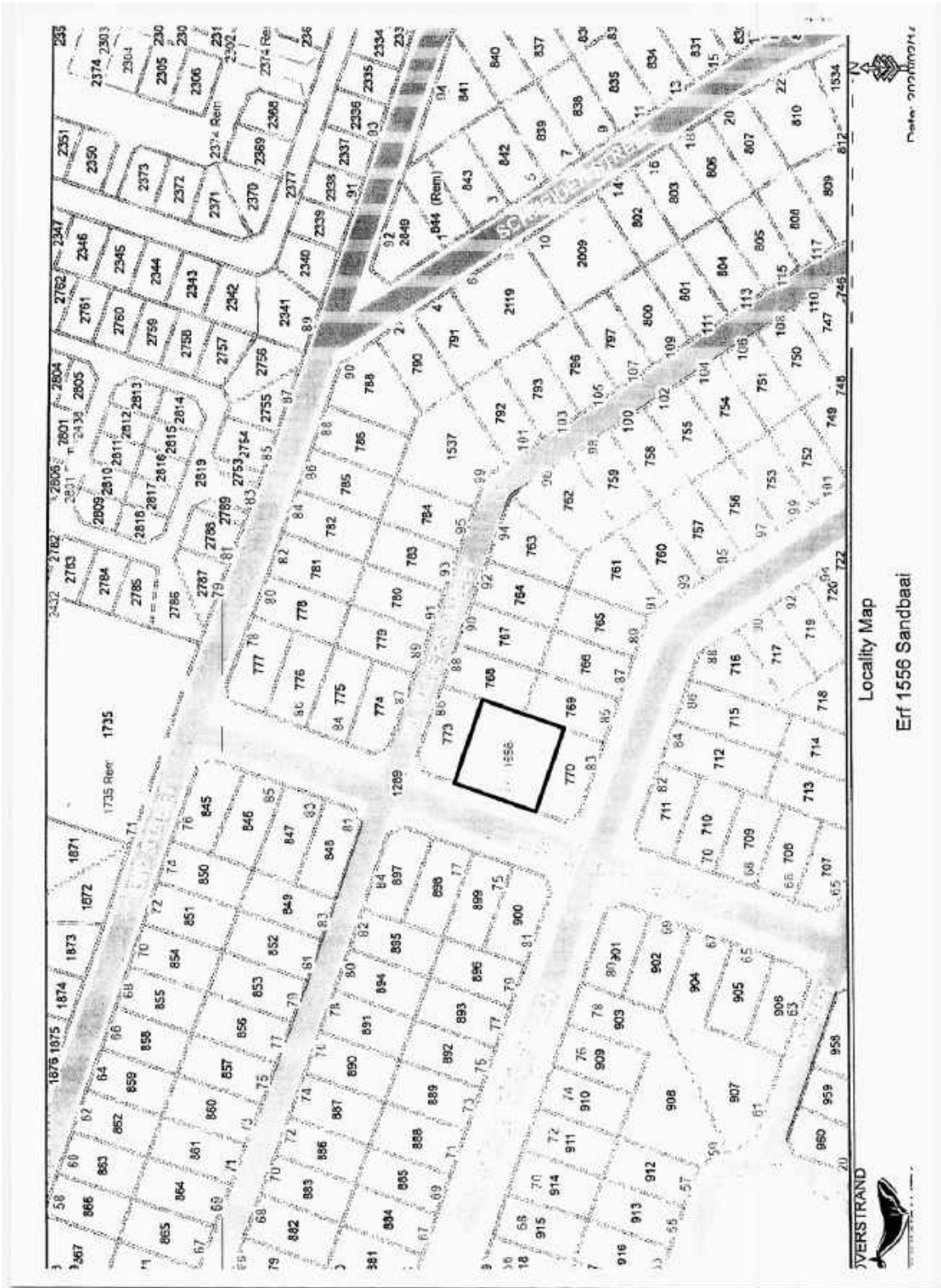
**REASONS FOR RECOMMENDATION**

- ❖ The application has followed due procedure.

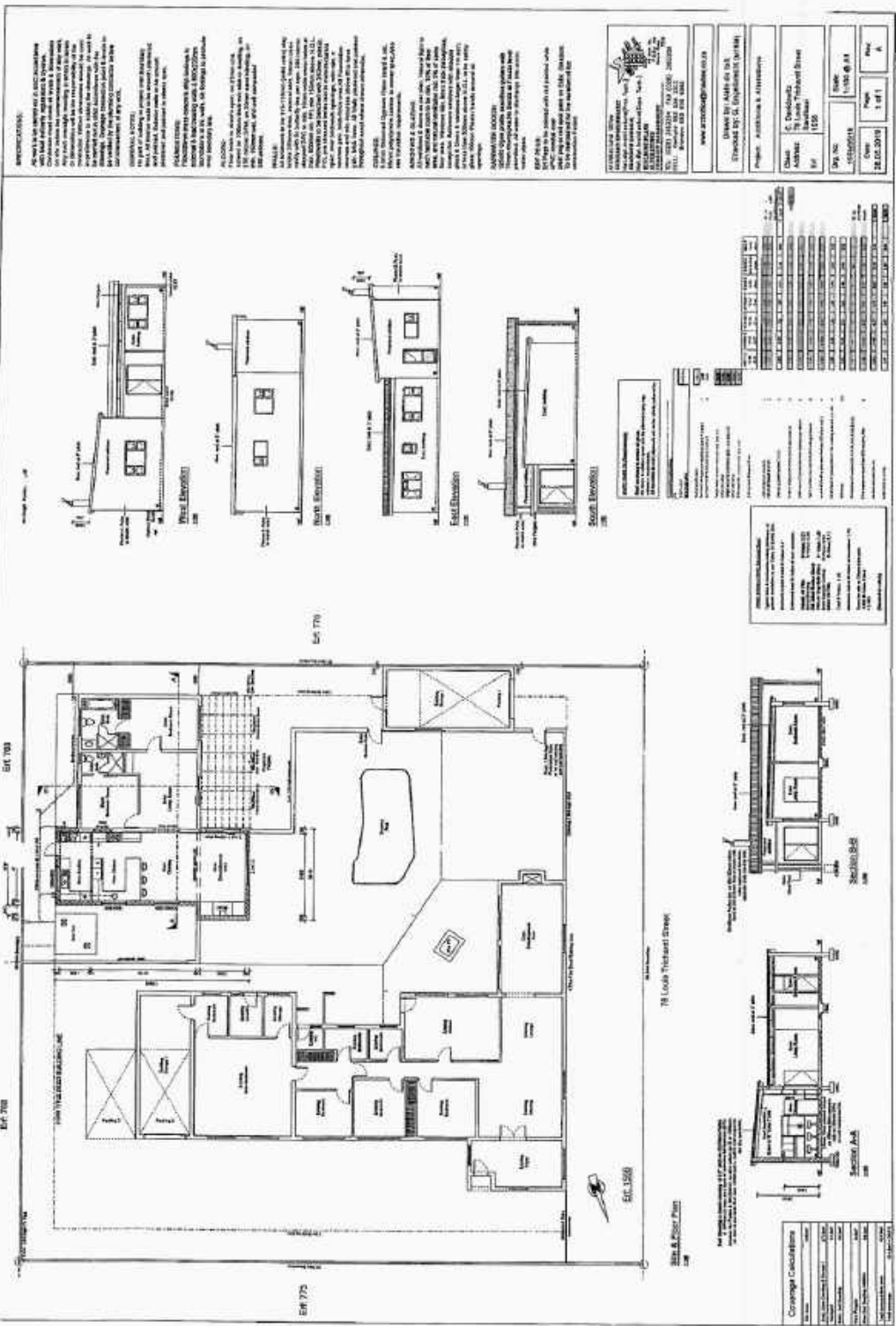
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
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- ❖ No objections were received from the public.
- ❖ It is in line with policy documents.
- ❖ The second dwelling unit will be beneficial for optimization of the erf.
- ❖ The second dwelling unit will not impact on the character of the area.
- ❖ Is not regarded as being undesirable from a town planning point of view.



Locality Map  
Erf 1556 Sandbaai



**NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES SPECIFICATIONS FOR CONSTRUCTION AND THE CALIFORNIA BUILDING CODE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES DEPARTMENT OF BUILDING SAFETY AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

**GENERAL NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES SPECIFICATIONS FOR CONSTRUCTION AND THE CALIFORNIA BUILDING CODE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES DEPARTMENT OF BUILDING SAFETY AND THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

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**NOTES:**

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**NOTES:**

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**NOTES:**

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3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS.

**PROJECT INFORMATION**

Client: City of Los Angeles  
 Project: 78 South Treatment Street  
 Date: 1/15/2019

**DESIGNER INFORMATION**

Architect: C. Davidson  
 Address: 78 South Treatment Street  
 City: Los Angeles, CA 90012

**DATE**

28.02.2019

**PAGE**

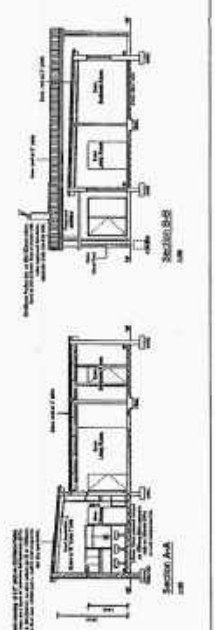
1 of 1

**SCALE**

AS SHOWN

**Coverage Calculations**

| Room    | Area (sq ft) | Volume (cu ft) |
|---------|--------------|----------------|
| Room 1  | 100          | 1000           |
| Room 2  | 200          | 2000           |
| Room 3  | 300          | 3000           |
| Room 4  | 400          | 4000           |
| Room 5  | 500          | 5000           |
| Room 6  | 600          | 6000           |
| Room 7  | 700          | 7000           |
| Room 8  | 800          | 8000           |
| Room 9  | 900          | 9000           |
| Room 10 | 1000         | 10000          |
| Room 11 | 1100         | 11000          |
| Room 12 | 1200         | 12000          |
| Room 13 | 1300         | 13000          |
| Room 14 | 1400         | 14000          |
| Room 15 | 1500         | 15000          |
| Room 16 | 1600         | 16000          |
| Room 17 | 1700         | 17000          |
| Room 18 | 1800         | 18000          |
| Room 19 | 1900         | 19000          |
| Room 20 | 2000         | 20000          |
| Room 21 | 2100         | 21000          |
| Room 22 | 2200         | 22000          |
| Room 23 | 2300         | 23000          |
| Room 24 | 2400         | 24000          |
| Room 25 | 2500         | 25000          |
| Room 26 | 2600         | 26000          |
| Room 27 | 2700         | 27000          |
| Room 28 | 2800         | 28000          |
| Room 29 | 2900         | 29000          |
| Room 30 | 3000         | 30000          |
| Room 31 | 3100         | 31000          |
| Room 32 | 3200         | 32000          |
| Room 33 | 3300         | 33000          |
| Room 34 | 3400         | 34000          |
| Room 35 | 3500         | 35000          |
| Room 36 | 3600         | 36000          |
| Room 37 | 3700         | 37000          |
| Room 38 | 3800         | 38000          |
| Room 39 | 3900         | 39000          |
| Room 40 | 4000         | 40000          |
| Room 41 | 4100         | 41000          |
| Room 42 | 4200         | 42000          |
| Room 43 | 4300         | 43000          |
| Room 44 | 4400         | 44000          |
| Room 45 | 4500         | 45000          |
| Room 46 | 4600         | 46000          |
| Room 47 | 4700         | 47000          |
| Room 48 | 4800         | 48000          |
| Room 49 | 4900         | 49000          |
| Room 50 | 5000         | 50000          |



78 South Treatment Street

78 South Treatment Street

78 South Treatment Street

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION:  
ERF 1556, SANDBAAI (3320/2019)**

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 1556, Sandbaai, unobstructed;
7. that no on-street parking be allowed.

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

*14/03/2020*  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**7. ERF 416, 10 DU TOIT STREET AND ERF 1700, 20 LONGMARKET STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: MESSRS GEOMATICS AFRICA ON BEHALF OF P BRUCE & ER WARD**

**416 & 1700 SSS (3554/2019)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**2 September 2020**

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**EXECUTIVE SUMMARY**

Applications were received on 14 December 2019 from Messrs Geomatics Africa on behalf of P Bruce & ER Ward in terms of Sections 16(2)(d) and (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the subdivision of Erf 1700, Stanford into two (2) portions, namely, Portion A ( $\pm 464\text{m}^2$  in extent) and a Remainder ( $\pm 1023\text{m}^2$  in extent) and the subsequent consolidation of Portion A with Erf 416, Stanford.

**RESOLVED :**

1. that the applications in terms of Section 16(2)(d) and (e) of the Overstrand Municipal Land Use Planning By-Law, 2015 (By-Law) for the subdivision of Erf 1700 into two (2) portions, namely Portion A ( $\pm 464\text{m}^2$  in extent) and a Remainder ( $\pm 1023\text{m}^2$  in extent) and the subsequent consolidation of Portion A with Erf 416 to create a consolidated property measuring  $\pm 953\text{m}^2$  in extent, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval for the subdivision and consolidation only has reference to *Drawing No: ST416* dated November 2019, as submitted with the application;
  - (b) that the conditions imposed by Telkom, be complied with;
  - (c) that the conditions compiled in the Services Report, be complied with;
  - (d) that it is the owner's/applicant's responsibility to register the approved subdivision within five (5) years from the date of approval;
  - (e) that the applicable development parameters in terms of the Zoning Scheme Regulations be adhered to, and
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation.

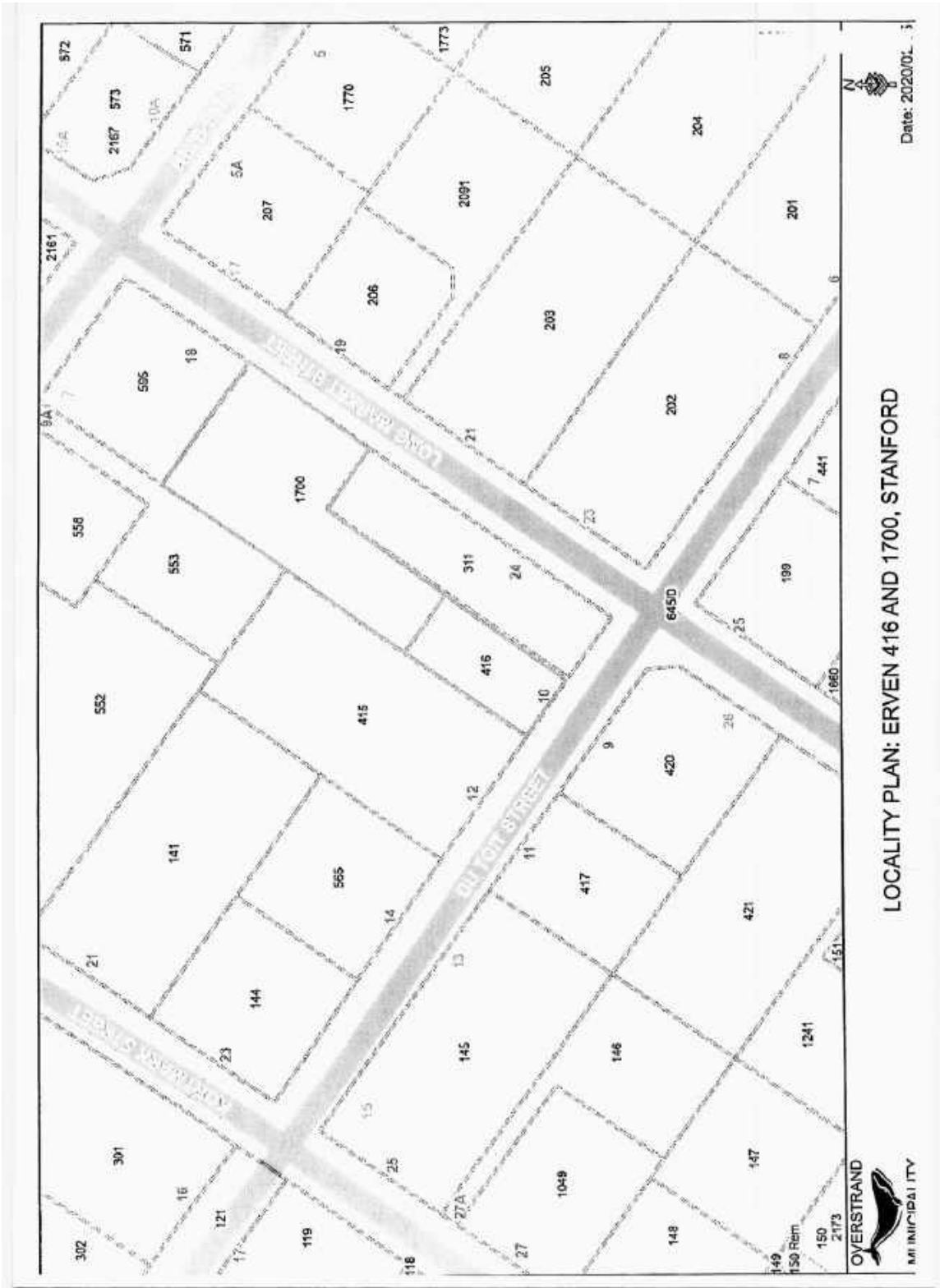
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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

**REASONS FOR RECOMMENDATION**

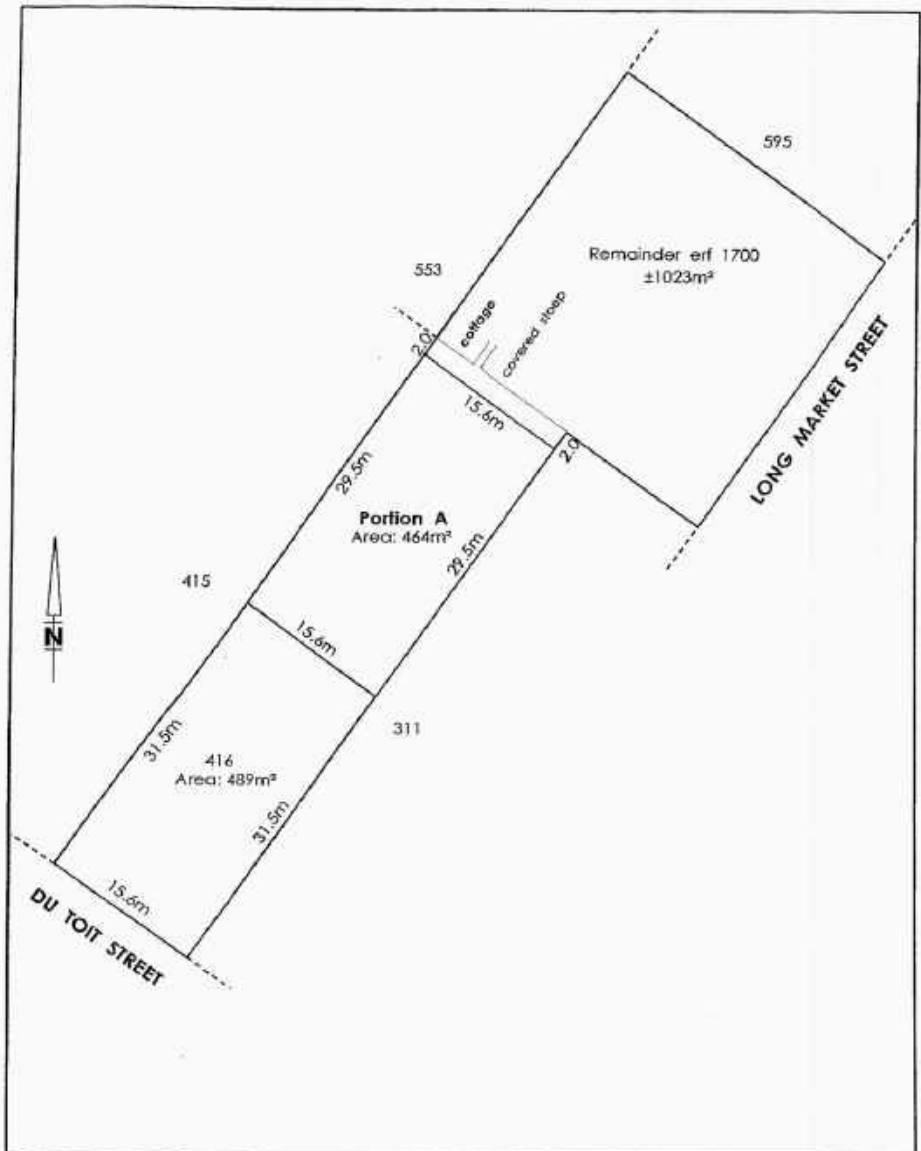
- ❖ The application complies with the planning principles as set out in SPLUMA and LUPA.
- ❖ The application complies with the Zoning Scheme Regulations and other policies.
- ❖ No objections were received from internal departments or adjoining property owners.
- ❖ The character of the area will not be affected.




LOCALITY PLAN: ERVEN 416 AND 1700, STANFORD



Date: 2020/01/31



|  |   |                              |            |  |
|--|---|------------------------------|------------|--|
| <b>Project</b><br><b>PROPOSED SUBDIVISION AND CONSOLIDATION OF ERVEN 1700 AND 416 STANFORD</b> | Client  | Constants Y X<br>0.00 0.00   |            |  |
|  | Architect   | Height Datum                 | System     |  |
|  | <b>Notes</b><br>Portion A to be consolidated with Erf 416 Stanford. | Project No                   | Drawing No |  |
|  |   |                              | ST416      |  |
|  |   | Scale 1:500<br>Date Nov 2019 |            |  |



**geomatics africa**  
LAND SURVEYING CONSULTANTS

PO Box 2245, Henmans, 7200  
3 College Rd, Henmans, 7200  
Email: info@geomatics.co.za  
Tel: 028-2131936 Fax: 028-2131957

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION & CONSOLIDATION: ERF 416 & ERF  
1700, STANFORD (3554/2019)**

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

**Conditions:**

1. that only the existing water and sewerage connections to Erf 1700 shall be used to service the Remainder of Erf 1700, as well as the existing water- and sewer connection to Erf 416 be used to service the proposed consolidated Portion A of Erf 1700 and Erf 416;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010; Drainage;
4. that any additional and / or extended vehicle entrances will be for the developer's account;
5. that stormwater be allowed to discharge through the proposed Erven, Stanford, unobstructed;
6. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**8. ERF 1832, 36 FIFTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF THE WILLOU TRUST**

**1832 HVK (3564)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**26 August 2020**

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**Executive Summary**

An application for departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law), applicable to Erf 1832, Hermanus was received on 24 December 2020 from Messrs Interactive Town and Regional Planning on behalf of the Willou Trust in order to relax the southern street building line of the property from 4m to 3m to accommodate a pergola.

**RESOLVED :**

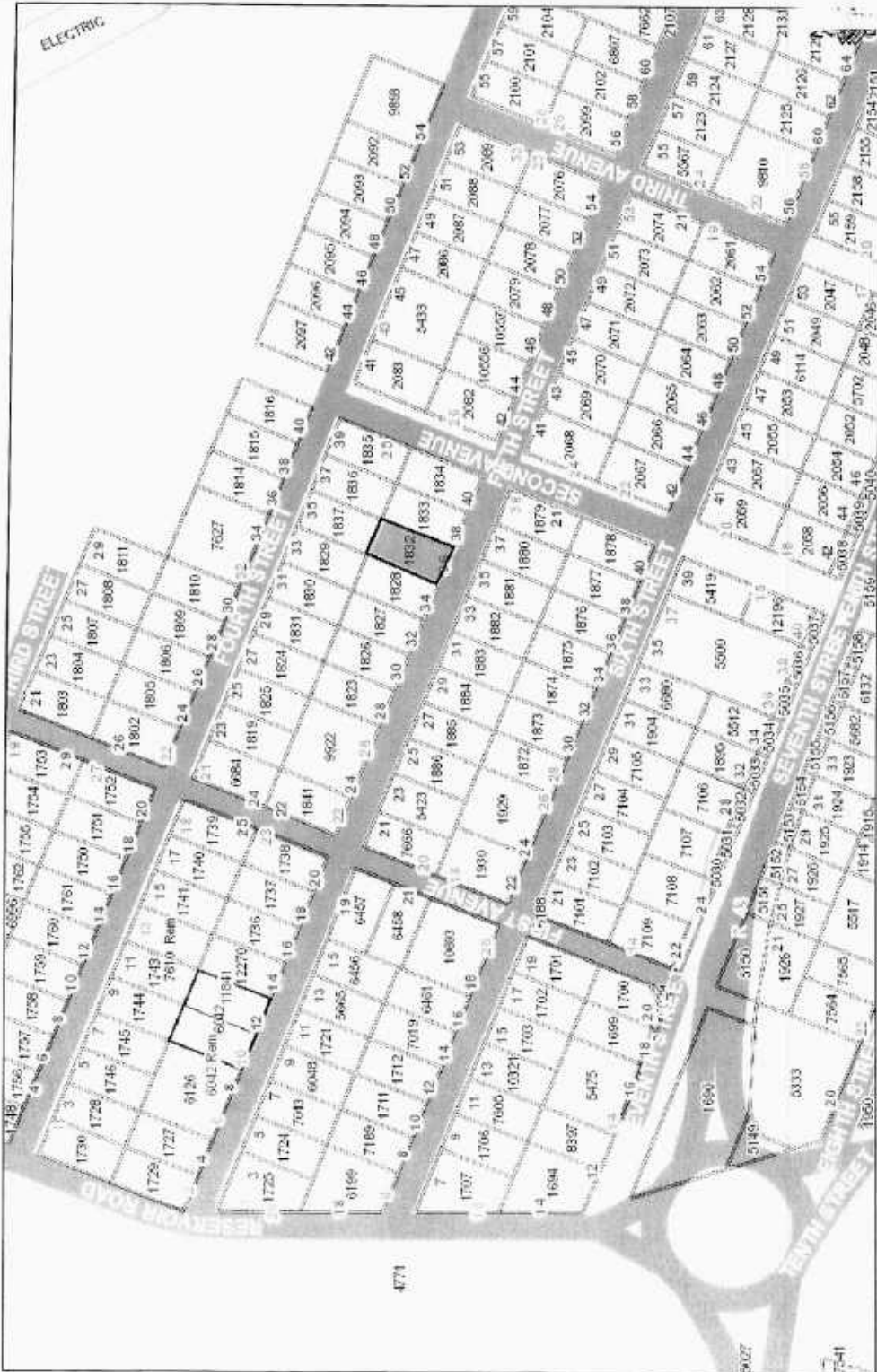
1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Erf 1832, Hermanus in order to relax the southern street building line of the property from 4m to 3m to accommodate the existing pergola, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that building plans be submitted to the Building Department for evaluation and approval within thirty (30) days from the date of the final approval in paragraph 1. above, and that all conditions of the Building- and Fire Department at that stage, be complied with;
  - (b) that the conditions of Fire Services as well as the conditions of Engineering Services, be complied with;
  - (c) that all other applicable development parameters as prescribed in the relevant Zoning Scheme, be complied with, and
  - (d) 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 with regard to the above conditions of approval.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**REASONS FOR RECOMMENDATION**

- ❖ The application has followed due procedure.
- ❖ None of the internal departments have any objection.
- ❖ The structure does not impact negatively on the rights of surrounding landowners.
- ❖ The structure is neatly built and compliments the dwelling unit on the property as well as the character of the surrounding built environment.
- ❖ The application is desirable from a town planning point of view.



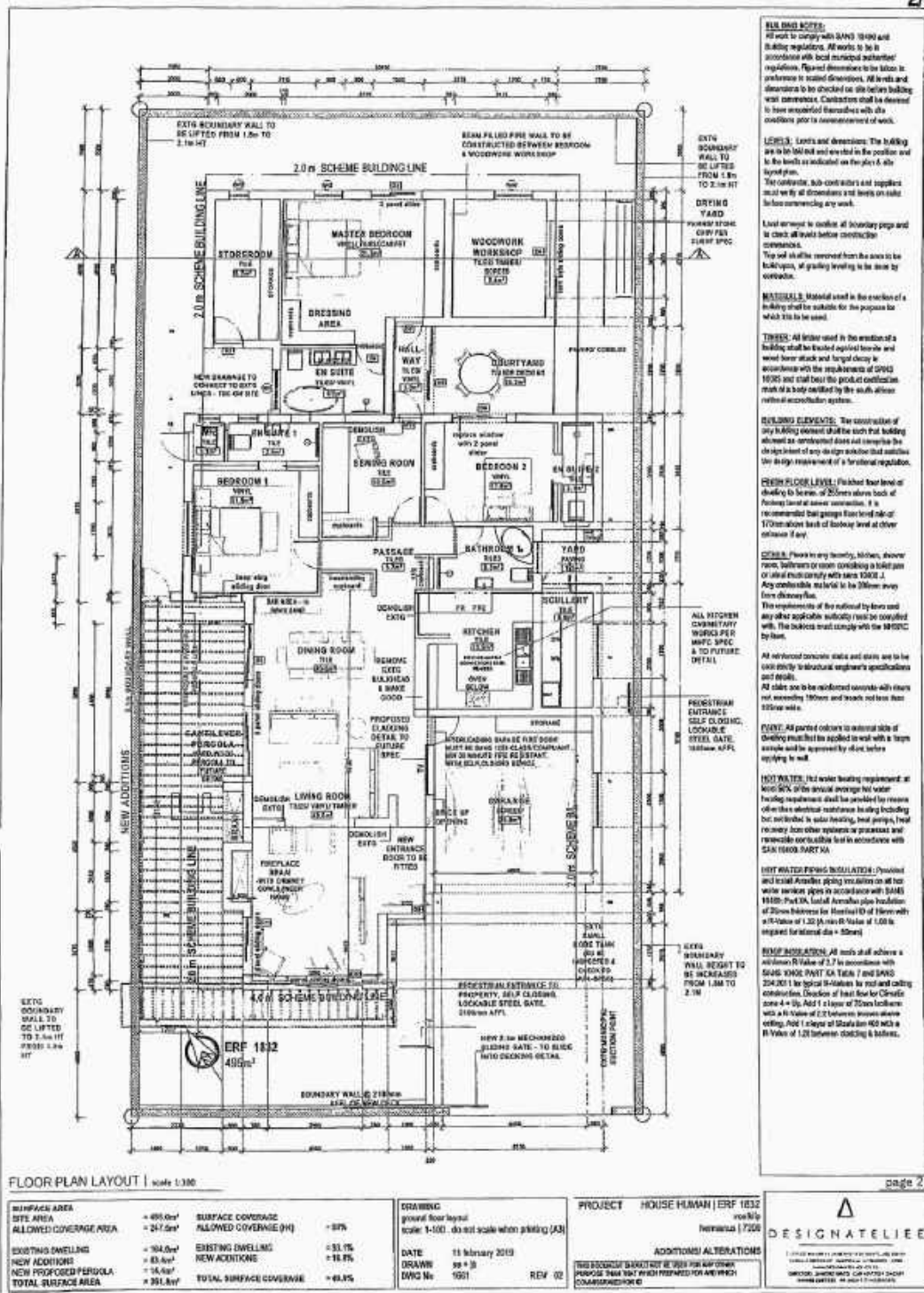
4774

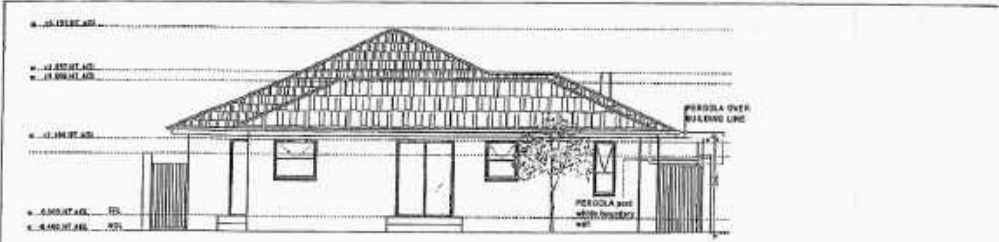


ERF 1832 VOELKLIP

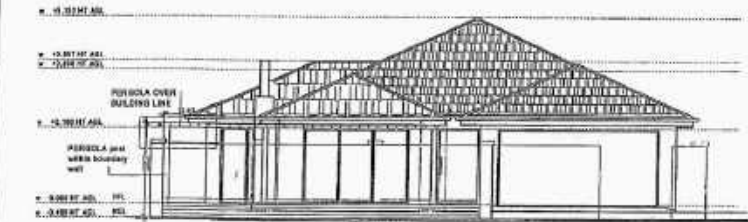
Date: 2019-03







NORTH ELEVATION | scale 1:100



North Elevation | scale 1:100



WEST ELEVATION | scale 1:100



EAST ELEVATION | scale 1:100

PRODUCED BY AN AUTODESK STUDENT VERSION

**BUILDING NOTES:**  
 All work to comply with DANE 10400 and building regulations. All work to be in accordance with local municipal subdivision regulations. Elevation dimensions to be taken as reference to section elevations. All levels and elevations to be checked on site before building work commences. Contractors shall be obtained to have completed drawings with site conditions prior to commencement of work.  
**LEVELS:** Levels and elevations: The building set is to be set out and worked to the position and to the levels as indicated on the plan & site layout plan. The contractor, sub-contractors and suppliers must verify all elevations and levels on site before commencing any work.  
**FOUNDATION:** The construction of any building element shall be such that building element is:  
 Land surveyor to confirm all boundary pegs and to check all levels before construction commences. Top soil shall be removed from the area to be built upon. All grading leveling to be done by contractor.  
**MATERIALS:** Material used in the erection of a building shall be suitable for the purpose for which it is to be used.  
**TIMBER:** All timber used in the erection of a building shall be:  
 - treated against termites and wood borers attack and  
 - large decay in accordance with the requirements of DANE 10905 and shall bear the product identification mark of a body certified by the earth science national surveillance system.  
**PERGOLA ELEMENTS:** The construction of any building element shall be such that building element is:  
 constructed does not comprise the design intent of any design outside the building requirement of a structural regulation.  
**FIRST FLOOR LEVEL:** Finished floor level of dwelling to be: of 250mm above track of balcony level at sewer connection. It is recommended that garage floor level also be 150mm above track of balcony level at sewer entrance.  
**FINISH:** Finish in any laundry, kitchen, shower room, bathroom or room containing a toilet pan or sink must comply with class 10403.1. Any combustible material to be 200mm away from chimney flue. The requirements of the national by-laws and any other applicable authority must be complied with. The builder must comply with the NBSRC by-laws.  
**CONCRETE:** All reinforced concrete slabs and stairs are to be cast singly in structural engineer's specifications and details. All stairs are to be reinforced concrete with slabs not exceeding 100mm and treads not less than 150mm wide.  
**PAINT:** All painted surfaces to external side of dwelling must first be applied to wall with a 1mm sample and be approved by client before applying to wall.  
**HOT WATER:** Hot water heating installation: at least 50% of the annual average hot water heating replacement shall be provided by means other than electrical resistance heating including but not limited to solar heating, heat pumps, heat recovery from shower systems or geosources and renewable resources but not  
 accordance with DANE 10400 PART 33.  
**WET AREA FLOORING:** Paved and install kerolan slip resistant on all hot water service pipes in accordance with DANE 10400 Part 33A, section 4. Any other slip resistance of 20mm thickness for thermal ID of 15mm with a R Value of 1.32 (A slip R Value of 1.0) is required for items (a) - (b) (a).  
**ROOF INSULATION:** All roofs shall achieve a minimum R Value of 3.1 in accordance with DANE 10400 PART 3A Tables 1 and 2 and SANS 204:2014 for typical R Values for roof and ceiling construction. Direction of heat flow for Climate zone 4 = Up. Add 1 layer of 75mm battens with a R Value of 2.2 between battens above purling. Add 1 layer of Styrofoam 400 with a R Value of 1.20 between cladding & battens.  
 PAGE 3

|                       |                       |                        |         |
|-----------------------|-----------------------|------------------------|---------|
| SURFACE AREA          |                       | SURFACE COVERAGE       |         |
| SITE AREA             | = 435.0m <sup>2</sup> | ALLOWED COVERAGE (A)   | = 52%   |
| ALLOWED COVERAGE AREA | = 227.5m <sup>2</sup> |                        |         |
| EXISTING DWELLING     | = 198.0m <sup>2</sup> | EXISTING DWELLING      | = 33.1% |
| NEW ADDITIONS         | = 83.4m <sup>2</sup>  | NEW ADDITIONS          | = 16.8% |
| NEW PROPOSED PERGOLA  | = 14.4m <sup>2</sup>  |                        |         |
| TOTAL SURFACE AREA    | = 281.8m <sup>2</sup> | TOTAL SURFACE COVERAGE | = 63.9% |

|         |                                       |
|---------|---------------------------------------|
| DRAWING | House Human JERF 1832                 |
| scale:  | 1:100, do not scale when printing (A) |
| DATE    | 11 February 2019                      |
| DRAWN   | sa + jr                               |
| DWG No  | 1441                                  |
| REV     | 02                                    |

|         |                                       |
|---------|---------------------------------------|
| PROJECT | HOUSE HUMAN JERF 1832                 |
| scale:  | 1:100, do not scale when printing (A) |
| DATE    | 11 February 2019                      |
| DRAWN   | sa + jr                               |
| DWG No  | 1441                                  |
| REV     | 02                                    |

DESIGNATELIEE

151 SOUTH WINDMILL ROAD, SUITE 101, WISCONSIN, WI 53090  
 TEL: 262.441.1111 FAX: 262.441.1112  
 WWW.DESIGNATELIEE.COM

THIS DOCUMENT SHALL NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF DESIGNATELIEE



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 1832, VOELKLIP (3564/2019)**

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 1832, Voelklip, unobstructed;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**9. ERF 12191, 297 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS FOR SITE DESIGN ON BEHALF OF AJM VAN ZYL**

**12191 HVK (3576/2020)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**3 September 2020**

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**Executive Summary**

An application was received on 4 December 2019 from Messrs For Site Design on behalf of AJM van Zyl applicable to Erf 12191, Hermanus for a departure in order to relax the western lateral building line from 2m to 0m to accommodate a brick braai and covered patio.

**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 12191, Hermanus to relax the building line from 2m to 0m in order to accommodate a proposed covered patio and brick braai, **not be approved** in terms of the provisions of Section 61:
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 mentioned approval.

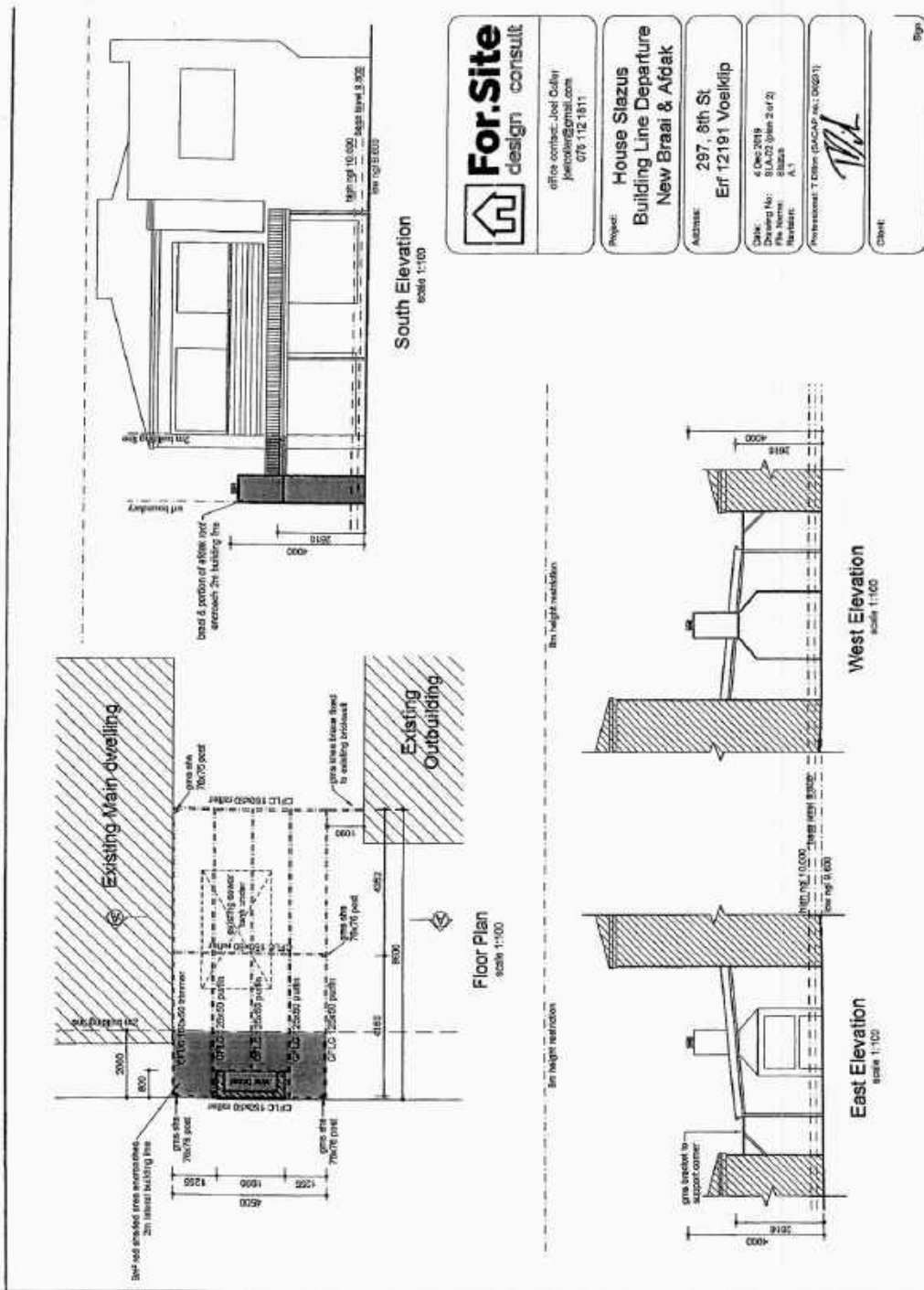
**REASONS FOR RECOMMENDATION**

Reasons for non-approval of the brick built braai:

- ❖ The creation of outdoor entertainment areas on property boundaries are not desirable and is likely to adversely impact upon vested rights of current and future property owners by means of noise and disturbance.
- ❖ The Scheme Regulations provide for a general encroachment of 0,5m pertaining to chimney breasts.
- ❖ The proposal is in close proximity to the second dwelling on the adjoining property, whilst the outdoor entertainment area of this property also faces towards the application property.
- ❖ The applicant did not provide any exceptional arguments as to the proposed location on the property boundary.







**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 12191, VOELKLIP**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 - P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erf 12191, Voelklip, unobstructed;
7. that no on-street parking be allowed.

*p.p. M. Hendriks*  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

*23/08/2020*  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**10. ERVEN 4072 AND 6038, 319 & 317 TENTH STREET, VOËLKLIP, HERMANUS: APPLICATION FOR SUBDIVISION, CONSOLIDATION AND DEPARTURE: MESSRS WRAP CONSULTANCY ON BEHALF OF SA CARTER AND E DE KOCK**

**4072 & 6038 HEC (3584)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**3 September 2020**

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**Executive Summary**

An application was received on 27 January 2020 in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) from Messrs WRAP Consultancy on behalf of SA Carter and E De Kock for the following:

- subdivision in terms of Section 16(2)(d) to subdivide Erf 4072, Hermanus into two (2) portions, namely Portion A ( $\pm 40,2\text{m}^2$  in extent) and a Remainder ( $\pm 690,8\text{m}^2$  in extent);
- consolidation in terms of Section 16(2)(e) to consolidate Erf 6038, Hermanus with the newly created Portion A to create a consolidated property of  $\pm 2383,2\text{m}^2$  in extent;
- departure in terms of Section 16(2)(b) to relax the western street building line from 4m to 0m to accommodate an existing pergola and garage;
- departure in terms of Section 16(2)(b) to relax the south-western lateral building line from 2m to 0m to accommodate an existing pergola and garage, and
- departure in terms of Section 16(2)(b) to relax the south-western building line from 2m to 0m to accommodate the existing outbuilding/dwelling on the Remainder of Erf 4072.

**RESOLVED :**

1. that the applications received from Messrs WRAP Consultants on behalf of SA Carter and E De Kock in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:
  - subdivision in terms of Section 16(2)(d) to subdivide Erf 4072, Hermanus into two (2) portions, namely Portion A ( $\pm 40,2\text{m}^2$  in extent) and a Remainder ( $\pm 690,8\text{m}^2$  in extent);
  - consolidation in terms of Section 16(2)(e) to consolidate Erf 6038, Hermanus with the newly created Portion A to create a consolidated property of  $\pm 2383,2\text{m}^2$  in extent;
  - departure in terms of Section 16(2)(b) to relax the western street building line from 4m to 0m to accommodate an existing pergola and garage;

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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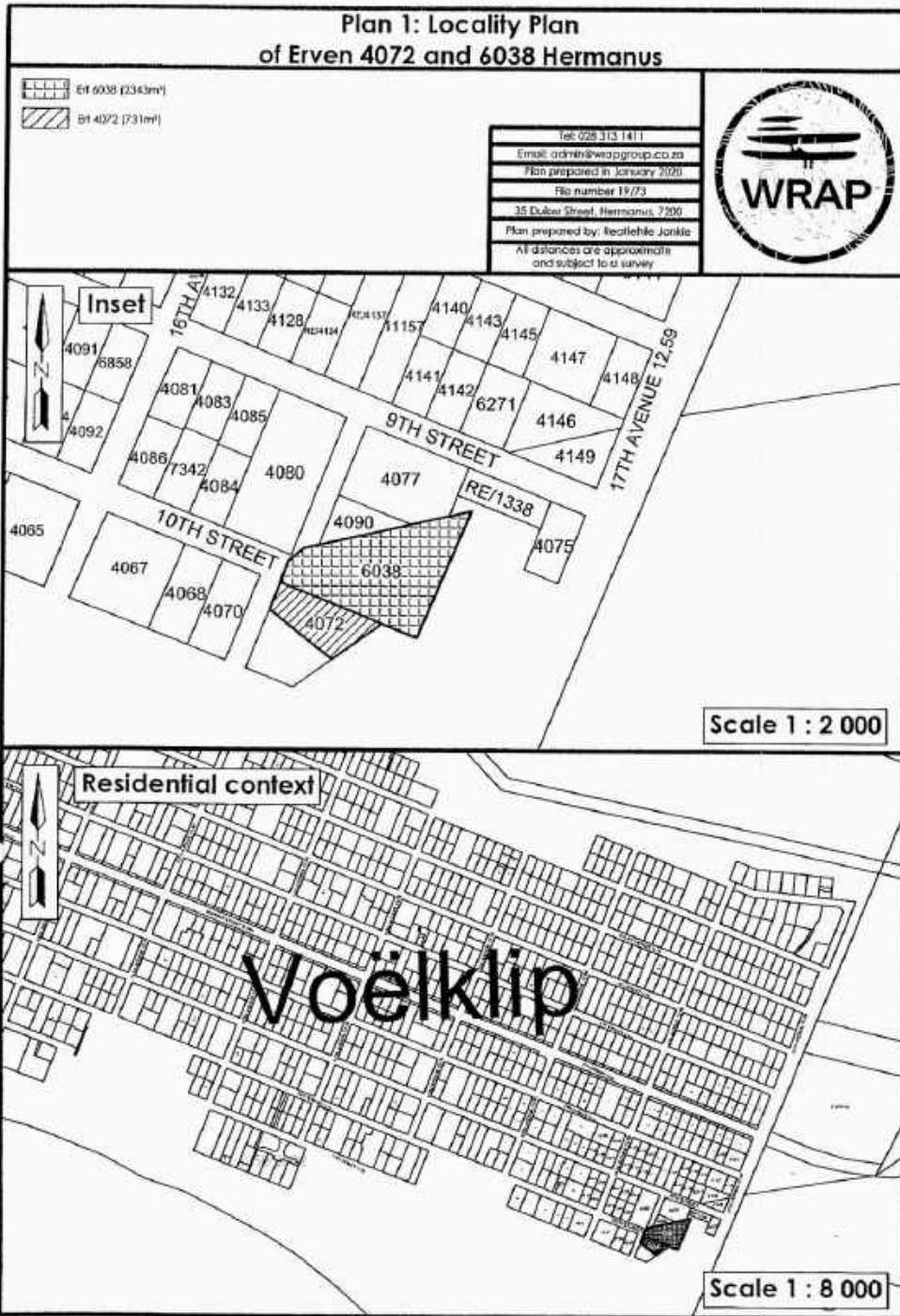
- departure in terms of Section 16(2)(b) to relax the south western lateral building line from 2m to 0m to accommodate an existing pergola and garage, and
- departure in terms of Section 16(2)(b) to relax the south western building line from 2m to 0m to accommodate the existing outbuilding/dwelling on the Remainder of Erf 4072.

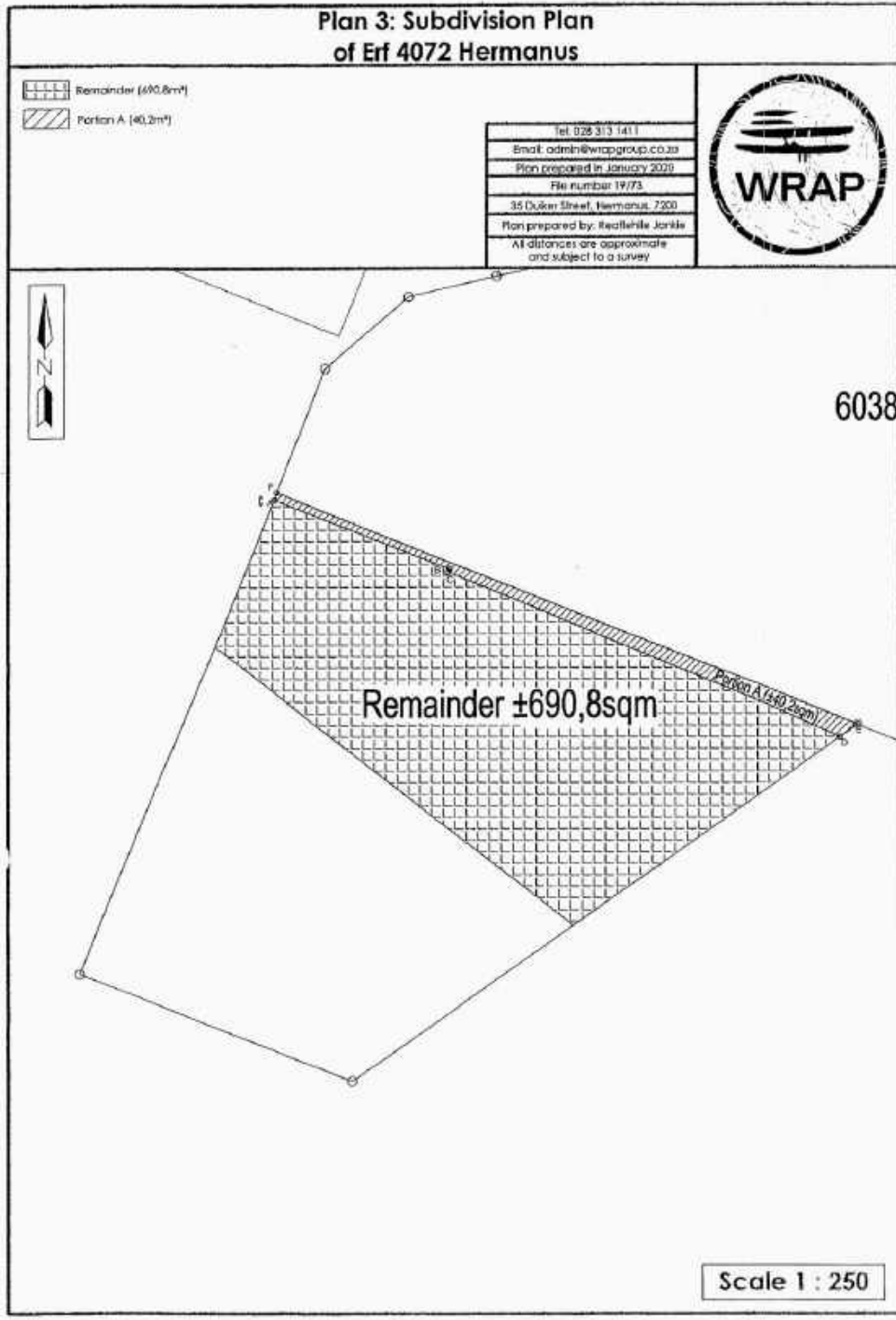
**be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:

- (a) that the approval is only for the subdivision as indicated on the Subdivision- and Consolidation Plan No. 19/73;
  - (b) that the conditions in the Services Report, be complied with;
  - (c) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
  - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.



**REASONS FOR RECOMMENDATION**

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The proposed consolidation and subdivision is in line with the applicable municipal and provincial planning policy.
- ❖ It will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area, and is desirable.

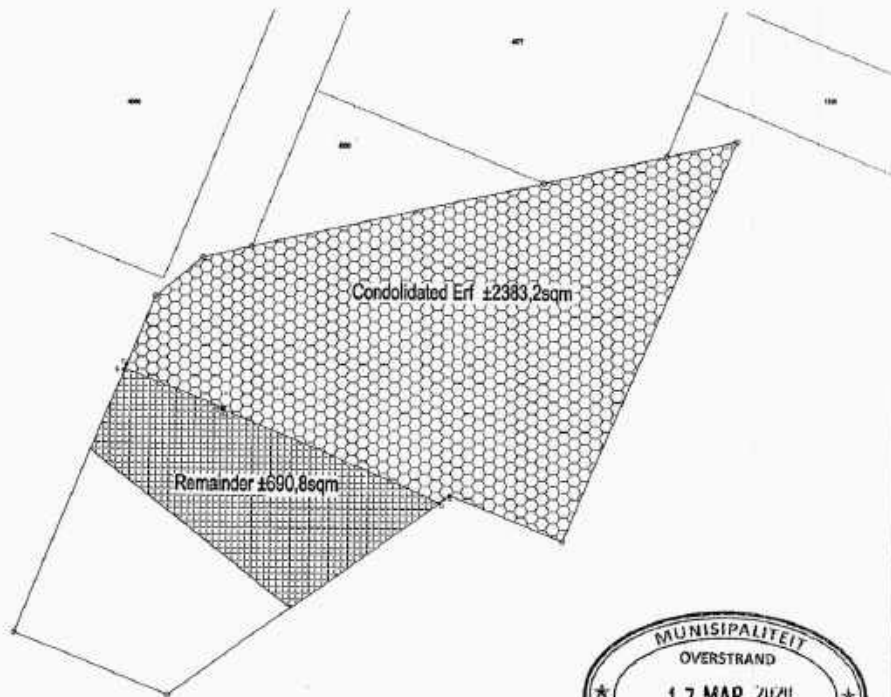




### Plan 4: Consolidation Plan of Portion A with Erf 6038 Hermanus

-  Remainder (690,8m<sup>2</sup>)
-  Consolidated Erf (2383,2m<sup>2</sup>)

Tel: 028 513 1411  
Email: admin@wrapgroup.co.za  
Plan prepared in March 2020  
File number 1973  
35 Duker Street, Hermanus, 7200  
Plan prepared by: RealEstate Jankie  
All distances are approximate  
and subject to a survey.

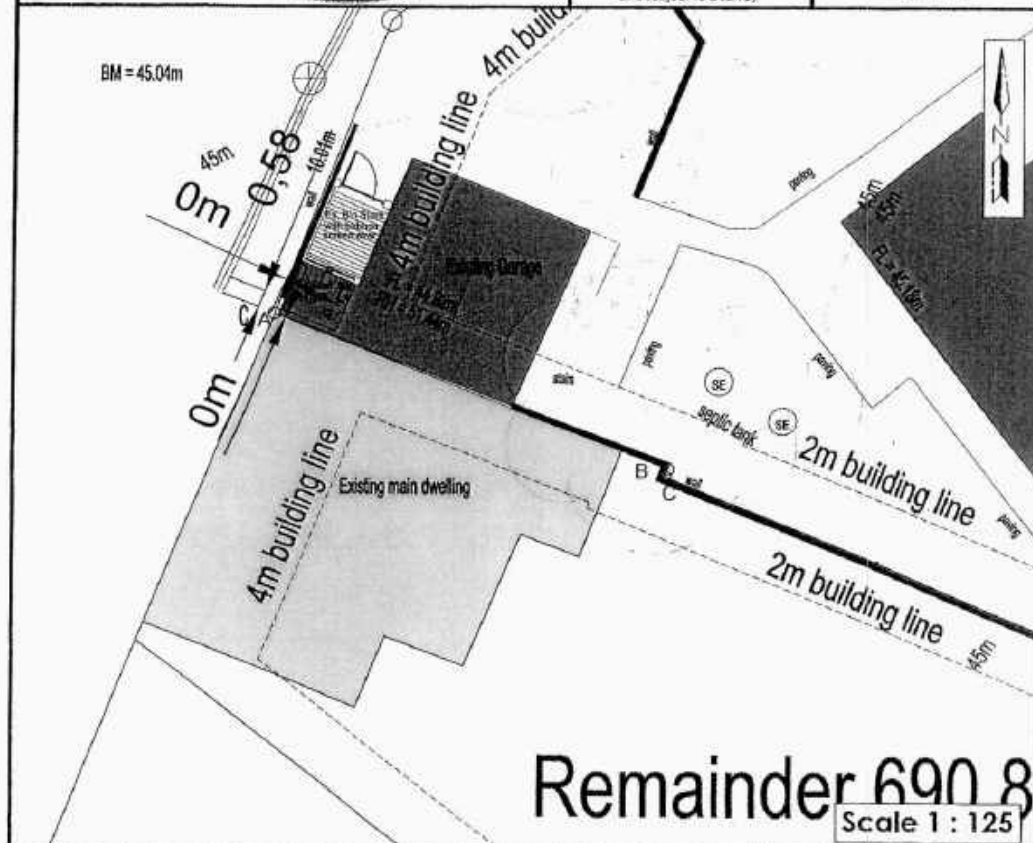


Scale 1 : 500

**Plan 5: Building Line Departure Plan  
of the Consolidated Erf and the Remainder**



Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Plan prepared in January 2020  
File number 19/73  
35 Dulker Street, Hermanus, 7200  
Plan prepared by: Reathlela Janke  
All distances are approximate  
and subject to a survey



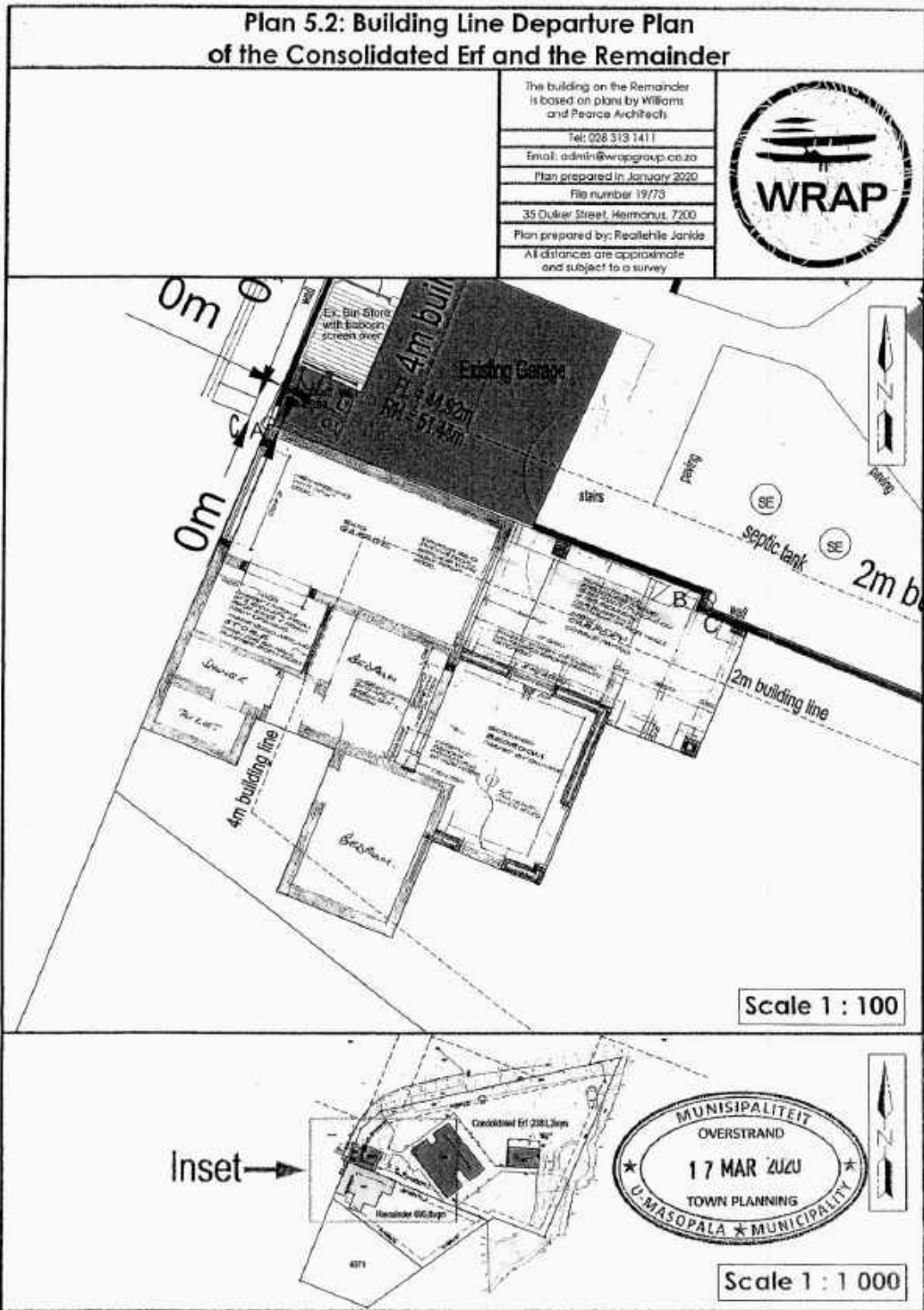
**Remainder 690 8**  
Scale 1 : 125

Inset →



Scale 1 : 1 000





**Plan 5.3: Building Line Departure  
Plan of the Consolidated Erf  
and the Remainder**

The building on the Remainder  
is based on plans by Nicolette  
Lloyd

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

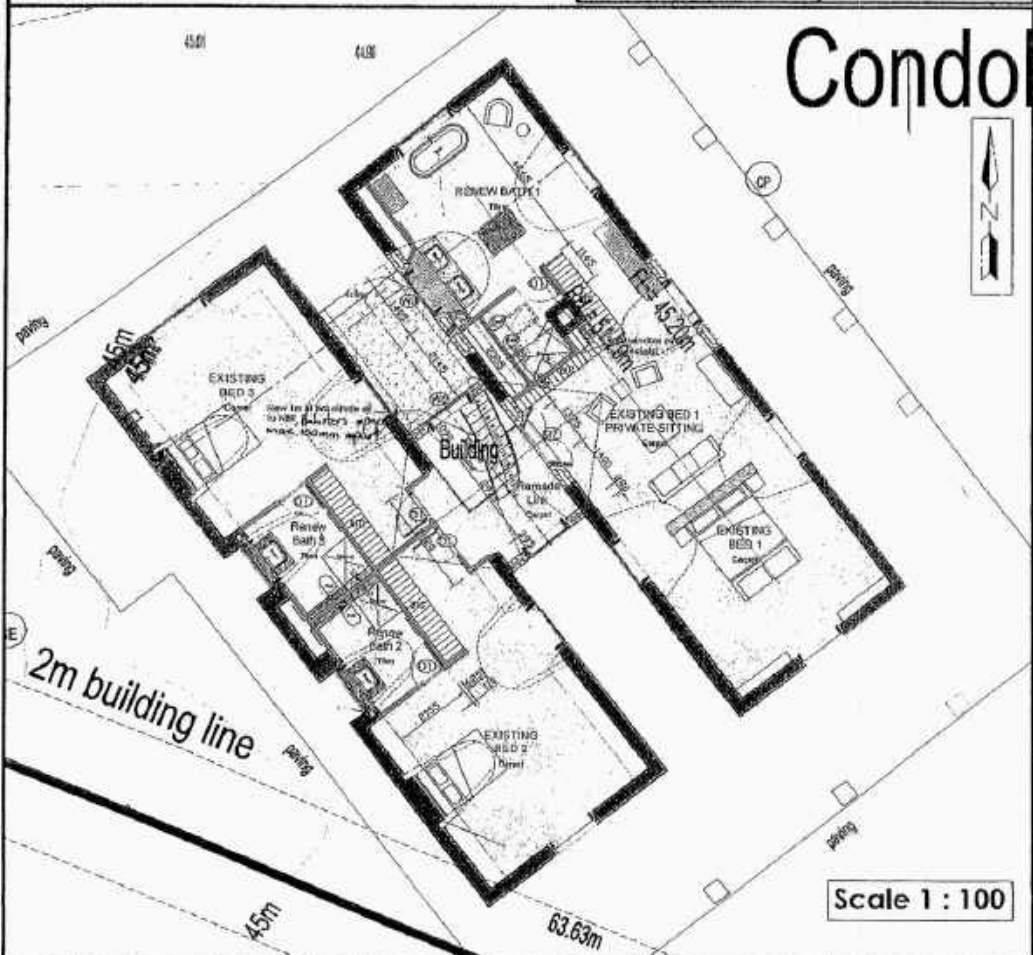
Plan prepared in January 2020

File number 19/73

35 Duker Street, Hermanus, 7200

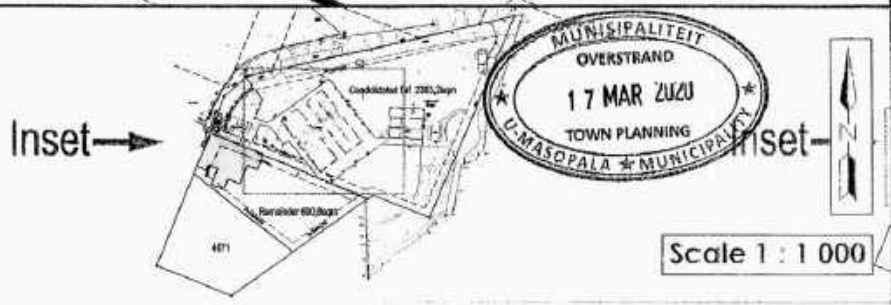
Plan prepared by: ReatleHle Janke

All distances are approximate  
and subject to a survey



Condo

Scale 1 : 100



Scale 1 : 1 000

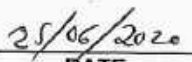
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION, CONSOLIDATION & DEPARTURE: ERVEN  
4072 & 6038, VOELKLIP**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that stormwater be allowed to discharge through Erven 4072 & 6038, Voelklip, unobstructed;
7. that no on-street parking be allowed.

  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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Municipal Planning Tribunal

1. **ERF 6804, VIOOLTJIE LANE, MOUNT PLEASANT, HERMANUS OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION AND CLOSURE OF PUBLIC PLACE: OVERSTRAND MUNICIPALITY**

**6804 HMP (3507/2019)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**13 July 2020**

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**Executive Summary**

An application was received on 18 November 2019 from the Municipal Manager on behalf of Overstrand Municipality on Erf 6804, Mount Pleasant, Hermanus for the following:

- ❖ Closure of a Public Place in terms of Section 16(2)(n) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to accommodate the closure of a public place (Viooltjie Lane);
- ❖ Subdivision in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to subdivide the existing lane portion from the existing road portion; and
- ❖ Rezoning in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 to rezone the public place to Authority Zone.

**RESOLVED:**

1. that the application in terms of Section 16(2)(n) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 (By-Law) on Erf 6804, Mount Pleasant, Hermanus for the closure of a Public Place place (portion of Viooltjie Lane), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(d) of the By-Law for the subdivision of Erf 6804, Mount Pleasant, Hermanus into a Remainder and a Portion (Viooltjie Lane) measuring 102m<sup>2</sup>, **be approved** in terms of the provisions of Section 61 of the By-Law;

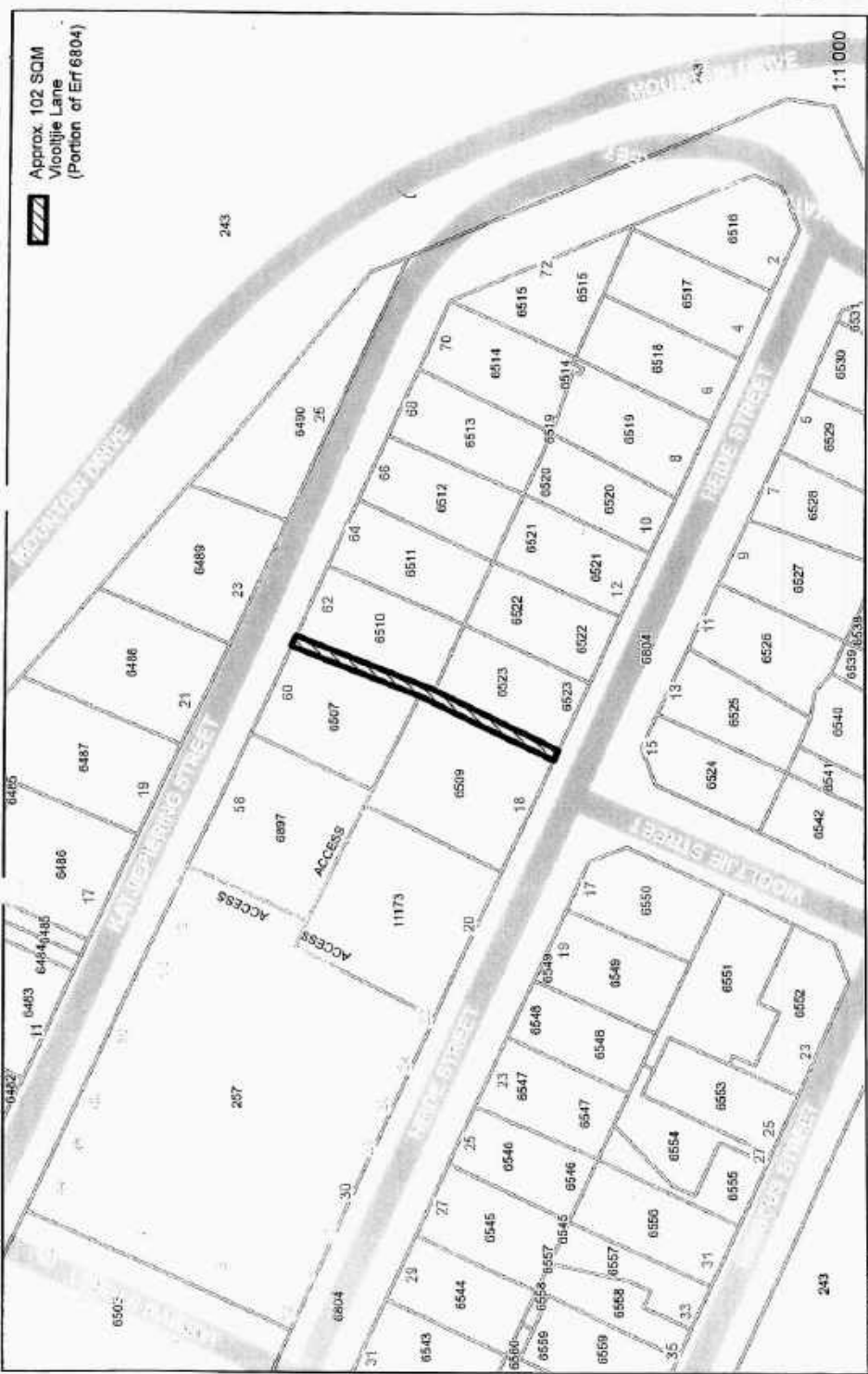
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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3. that the application in terms of Section 16(2)(a) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2015 for the rezoning of a portion of Erf 6804, Mount Pleasant, Hermanus from Transportation Zone II : Road and Parking to Authority Zone, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in Points 1., 2. and 3. be subject to the following conditions:
  - (a) that all prescriptions of the Municipality Zoning Scheme Regulations be adhered to;
  - (b) that this decision does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (c) that all conditions in the Services Report be complied with; and
  - (d) that all the conditions of Telkom 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 with regard to the above decision.

**REASONS FOR THE APPROVAL:**

- ❖ The application will address a community request that the lane be closed, which will address the concerns regarding criminal activities in the lane.
- ❖ The portion could in future again be used as a pedestrian lane.
- ❖ No objections were received from municipal departments, state departments and/or parastatals against the application.
- ❖ The development will be in line with the character of the surrounding area.
- ❖ No engineering services will be impacted.
- ❖ No objections were received from the public.
- ❖ The application is desirable.



Date: 2019/04/05

Site Development Plan

OVERSTRAND MUNICIPALITY

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING, SUBDIVISION & CLOSURE OF PUBLIC  
PLACE: ERF 6804, MOUNT PLEASANT (3507/2019)**

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

**Conditions:**

1. No comments from Engineering Services.

  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

  
**DATE**

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**2. REMAINDER OF REMAINDER ERF 6883, 21 FIR CLOSE, EASTCLIFF, HERMANUS: APPLICATION FOR DEPARTURE AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF SM & FM INGLES**

**6883 HEC (3312/2019)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**27 July 2020**

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**Executive Summary**

An application has been received on 15 August 2019 from Messrs PlanActive Town- and Regional Planning on behalf of SM & FM Ingles in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) applicable to Remainder Erf 6883, Hermanus for the following:

- ❖ application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions, in order to legalize existing structures, which encroach the building lines of the property; and
- ❖ application for departure in terms of Section 16(2)(b) of the By-Law in order to accommodate the existing structures on the property.

**RESOLVED:**

1. that the comments received are noted;
2. that the application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for the removal of restrictive title conditions C.(g) and (f) and D. (d) and (e) as contained in Deed of Transfer T22996/2019 applicable to Remainder Erf 6883, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure in terms of Section 16(2)(b) of the By-Law applicable to Remainder Erf 6883, Hermanus in order to accommodate the existing structures on the property, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in 2. and 3. above be subject to the following conditions:
  - (a) that this approval only relates to the relaxation of the building lines as indicated on Site Plan, plan description: "H6883/2019", drawn by: CHAMCAD;

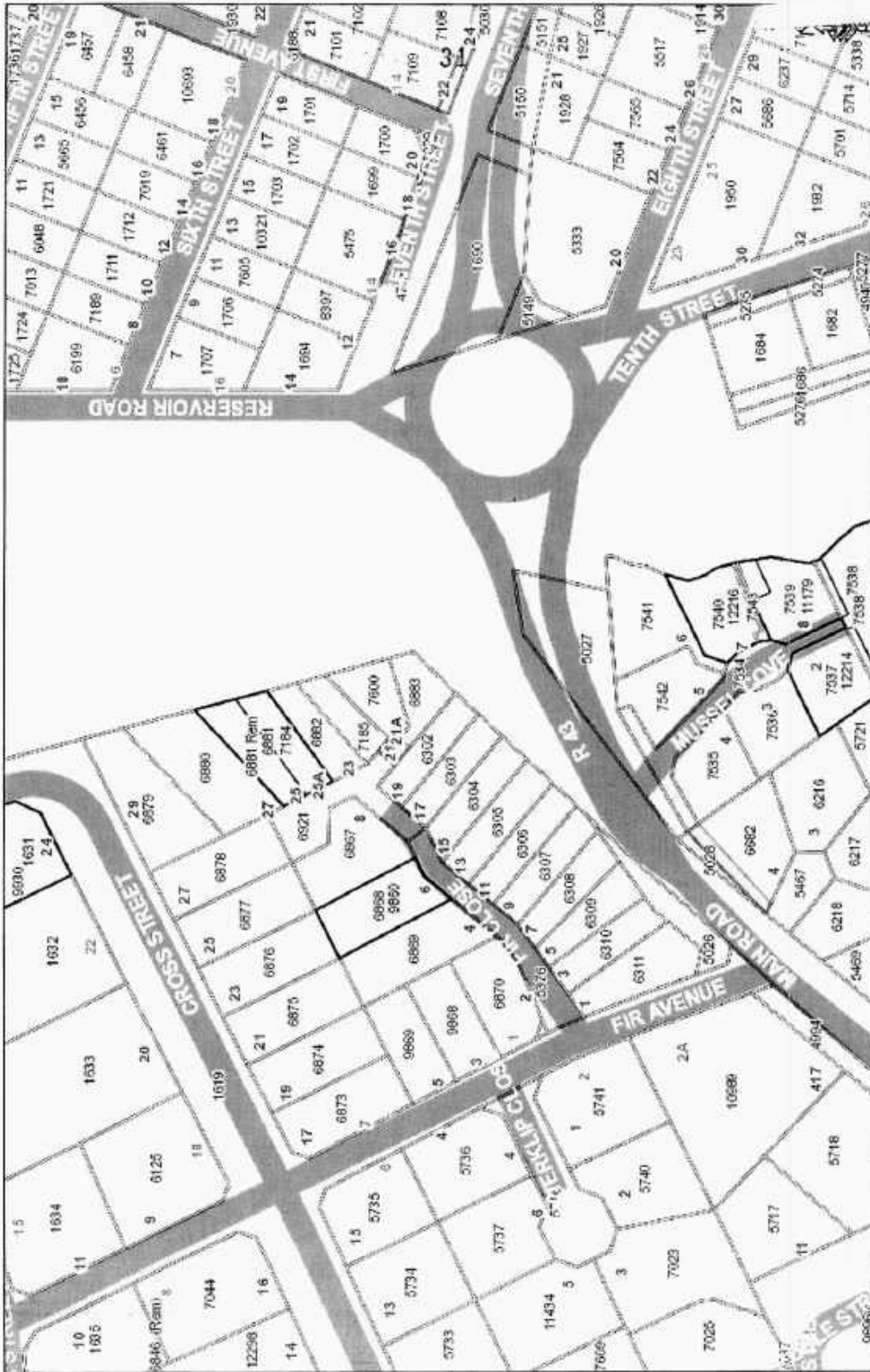
**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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- (b) that the removal of the title deed restrictions only relates to Title Deed T22996/2019, [pages 2-4, paragraph C.(g) and (f) and pages 2-3, paragraph D.(d) and (e)];
  - (c) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire and Building Departments be complied with at that stage;
  - (d) prior to the submission of building plans consent is required from the adjacent property owners for additional work on the subject property;
  - (e) boundary walls encroaching right of way servitude to be removed and indicated as such on the building plan submission;
  - (f) that all the conditions of the Engineering Services be complied with;
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
  - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
5. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval

**REASONS FOR THE APPROVAL:**

- No HOA (Home Owner Association) was established for the General Residential Zone 1 erven along Fir Close, therefore when building plans are submitted the adjacent property owners must provide consent.
- The main characteristic of the General Residential Zone 1 erven along Fir Close are still maintained by the existing dwelling and structures on Remainder Erf 6883. The proposed encroachments are therefore considered non-invasive.
- The proposal will not have a detrimental impact on the character of the surrounding area.
- The objections and concerns have been addressed in this report and in the conditions of approval.
- 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.



Locality Map  
Erf 6883, Eastcliff

Date: 2020-01-27

**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE 2015 INTERNATIONAL ENERGY CODE FOR RESIDENTIAL BUILDINGS (IECC).
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
6. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 IRC.
7. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE 2015 IRC.
8. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 NATIONAL ELECTRICAL CODE (NEC).
9. ALL PLUMBING WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 INTERNATIONAL PLUMBING CODE (IPC).
10. ALL MECHANICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 INTERNATIONAL MECHANICAL CODE (IMC).
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
12. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
13. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITY.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
15. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 IRC.
16. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE 2015 IRC.
17. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 NATIONAL ELECTRICAL CODE (NEC).
18. ALL PLUMBING WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 INTERNATIONAL PLUMBING CODE (IPC).
19. ALL MECHANICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2015 INTERNATIONAL MECHANICAL CODE (IMC).

**CONSTRUCTION SCHEDULE**

| ACTIVITY                             | START DATE | END DATE   | PERCENTAGE COMPLETE |
|--------------------------------------|------------|------------|---------------------|
| FOUNDATION                           | 08/01/2024 | 08/15/2024 | 100%                |
| FRAMING                              | 08/15/2024 | 09/01/2024 | 100%                |
| ROOFING                              | 09/01/2024 | 09/15/2024 | 100%                |
| MECHANICAL/ELECTRICAL/PLUMBING (MEP) | 09/15/2024 | 10/01/2024 | 100%                |
| FINISHES                             | 10/01/2024 | 10/15/2024 | 100%                |
| TOTAL                                | 08/01/2024 | 10/15/2024 | 100%                |

**PROJECT INFORMATION**

PROJECT: **BRINDLE STONES LAYOUT**

CLIENT: **CHARLOUX & LEGRAND DU PREZ**

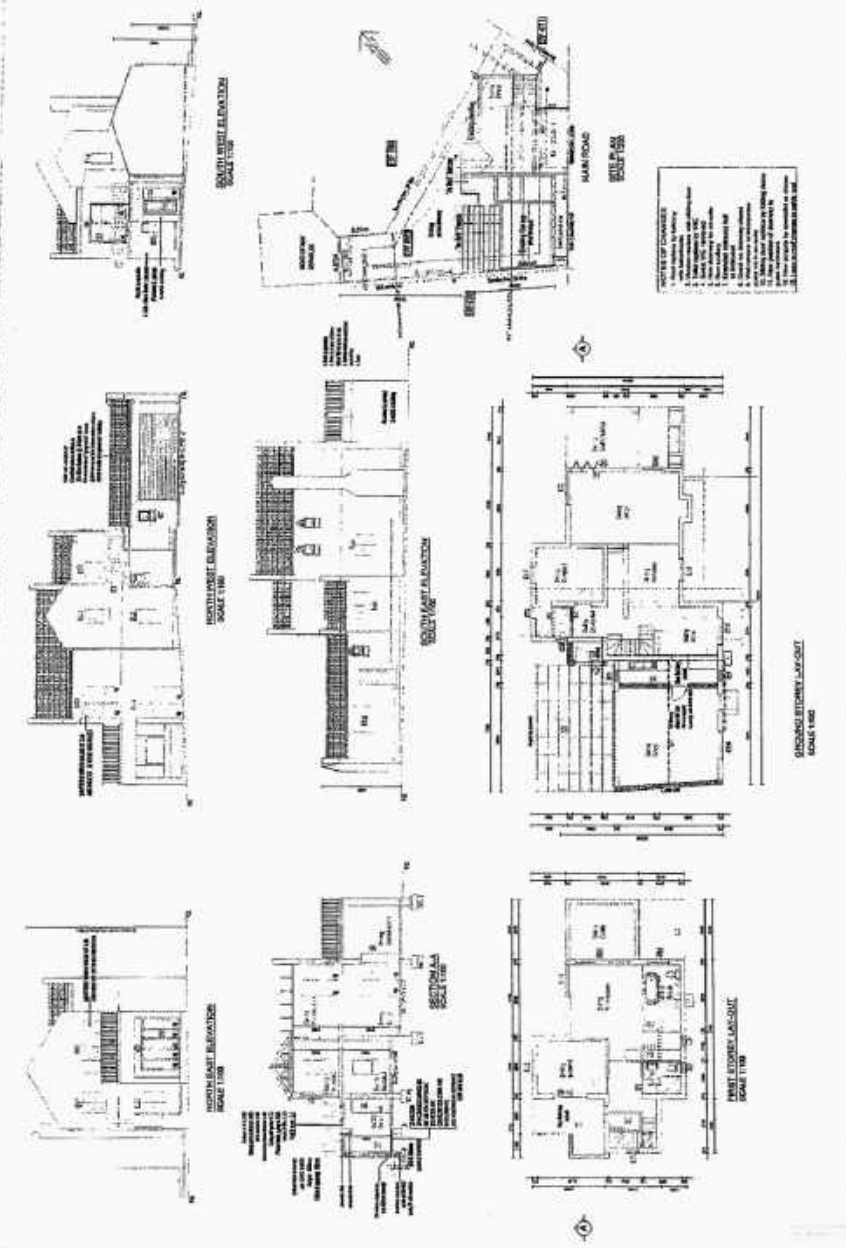
ARCHITECT: **DAVID J. BROWN ARCHITECTS**

DATE: **08/01/2024**

SCALE: **AS SHOWN**

**PROPERTY INFORMATION**

| PROPERTY       | VALUE                                    |
|----------------|--|
| LOT AREA       | 10,000 SQ. FT.                           |
| LOT SIZE       | 25.00' x 400.00'                         |
| SETBACKS       | FRONT: 10.00', REAR: 10.00', SIDE: 5.00' |
| ZONING         | R-1                                      |
| PERMITTED USES | RESIDENTIAL SINGLE-FAMILY                |



**BRINDLE STONES LAYOUT**

| ROOM                 | AREA (SQ. FT.) | FINISHES | NOTES                     |
|----------------------|----------------|----------|---------------------------|
| Living Room          | 1,200          | Hardwood | Open to second floor      |
| Kitchen              | 800            | Hardwood | Open to living room       |
| Dining Room          | 1,000          | Hardwood | Open to living room       |
| Breakfast Room       | 400            | Hardwood | Open to dining room       |
| Living Room (2nd)    | 1,200          | Hardwood | Open to living room (1st) |
| Kitchen (2nd)        | 800            | Hardwood | Open to living room (2nd) |
| Dining Room (2nd)    | 1,000          | Hardwood | Open to living room (2nd) |
| Breakfast Room (2nd) | 400            | Hardwood | Open to dining room (2nd) |
| Bedroom (1st)        | 1,200          | Carpet   | Open to living room (1st) |
| Bedroom (2nd)        | 1,200          | Carpet   | Open to living room (2nd) |
| Bedroom (3rd)        | 1,200          | Carpet   | Open to living room (3rd) |
| Bedroom (4th)        | 1,200          | Carpet   | Open to living room (4th) |
| Bathroom (1st)       | 400            | Tile     | Open to living room (1st) |
| Bathroom (2nd)       | 400            | Tile     | Open to living room (2nd) |
| Bathroom (3rd)       | 400            | Tile     | Open to living room (3rd) |
| Bathroom (4th)       | 400            | Tile     | Open to living room (4th) |
| Hallway              | 200            | Hardwood | Open to living room (1st) |
| Hallway (2nd)        | 200            | Hardwood | Open to living room (2nd) |
| Hallway (3rd)        | 200            | Hardwood | Open to living room (3rd) |
| Hallway (4th)        | 200            | Hardwood | Open to living room (4th) |
| Staircase            | 200            | Hardwood | Open to living room (1st) |
| Staircase (2nd)      | 200            | Hardwood | Open to living room (2nd) |
| Staircase (3rd)      | 200            | Hardwood | Open to living room (3rd) |
| Staircase (4th)      | 200            | Hardwood | Open to living room (4th) |
| Garage               | 1,000          | Concrete | Open to living room (1st) |
| Garage (2nd)         | 1,000          | Concrete | Open to living room (2nd) |
| Garage (3rd)         | 1,000          | Concrete | Open to living room (3rd) |
| Garage (4th)         | 1,000          | Concrete | Open to living room (4th) |

**CLIENT:** CHARLOUX & LEGRAND DU PREZ

**ADDRESS:** 1234 MAIN ROAD, ANYTOWN, CA 90001

**PHONE:** (555) 123-4567

**EMAIL:** info@charloux.com

**DATE:** 08/01/2024

**SCALE:** AS SHOWN

**BRINDLE STONES LAYOUT**

**SCALE: 1/8" = 1'-0"**

**DATE: 08/01/2024**

**ARCHITECT: DAVID J. BROWN ARCHITECTS**

**PROJECT: BRINDLE STONES LAYOUT**

**CLIENT: CHARLOUX & LEGRAND DU PREZ**

**ADDRESS: 1234 MAIN ROAD, ANYTOWN, CA 90001**

**PHONE: (555) 123-4567**

**EMAIL: info@charloux.com**



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE & REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS: ERF 6883, EASTCLIFF (3312/2019)**

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 6883, Eastcliff, unobstructed;
7. that no on-street parking be allowed.

  
DENNIS HENDRIKS  
SENIOR MANAGER:  
ENGINEERING SERVICES

  
DATE

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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**3. ERF 12257, 4 SEA ROAD, EASTCLIFF, HERMANUS: APPLICATION FOR SUBDIVISION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF ERF 2825 HERMANUS (PTY) LTD**

**12257 HEC (2896/2018)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**14 July 2020**

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**Executive Summary**

An application was received on 19 December 2018 in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) from Messrs PlanActive Town- and Regional Planners on behalf of Erf 2825 Hermanus (Pty) Ltd in order to subdivide Erf 12257, Hermanus into two (2) portions, namely: Portion A ( $\pm 1701\text{m}^2$  in extent) and a Remainder ( $\pm 5740\text{m}^2$  in extent).

**RESOLVED:**

1. that the comments be noted.
2. that the application in terms of Section 16(2)(d) of the Overstrand Municipal Land Use Planning By-Law, 2015 (By-Law) for the subdivision of Erf 12257, Hermanus into two (2) portions, namely: Portion A ( $\pm 1701\text{m}^2$  in extent) and a Remainder ( $\pm 5740\text{m}^2$  in extent), **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval is only for the subdivision as indicated on the Subdivisional Plan (Nr her12257.drw) as submitted with the application;
  - (b) that a 4m street building line be applicable from the western boundary of both portions;
  - (c) that the access right of way servitude be developed in line with the recommendation of the approval of 2013 and that the access servitude be demarcated in a similar manner to that of the demarcation of the Public Open Space and not prohibit pedestrians to cross it;
  - (d) that all damage done to the open space area (Erf 1253) during construction of the right of way, be rectified to the property owner/developer's account;
  - (e) that, prior to the commencing of building work, the right of way servitude is adequately compacted and surfaced in order to limit dust and unsightliness;

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Portfolio Committee : Infrastructure & Planning  
20 October 2020  
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- (f) that a servitude be registered against the Title Deed of the property at the costs of the applicant which must specifically indicate that the applicant must attend to the maintenance of the servitude area;
  - (g) that building plans and the demarcation of the access servitude be presented and approved by the following Departments: Town and Spatial Planning, Building Department, Engineering Services and Operational Department, prior to any further earth work;
  - (h) that a Surveyor Diagram (indicating natural ground level, existing ground level, contour lines and access servitudes) be submitted with the building plan application;
  - (i) that the conditions in the Services Report be complied with;
  - (j) that the comments from Overberg District Municipality and DEA&DP: Coastal Management be noted;
  - (k) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
  - (l) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. 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.

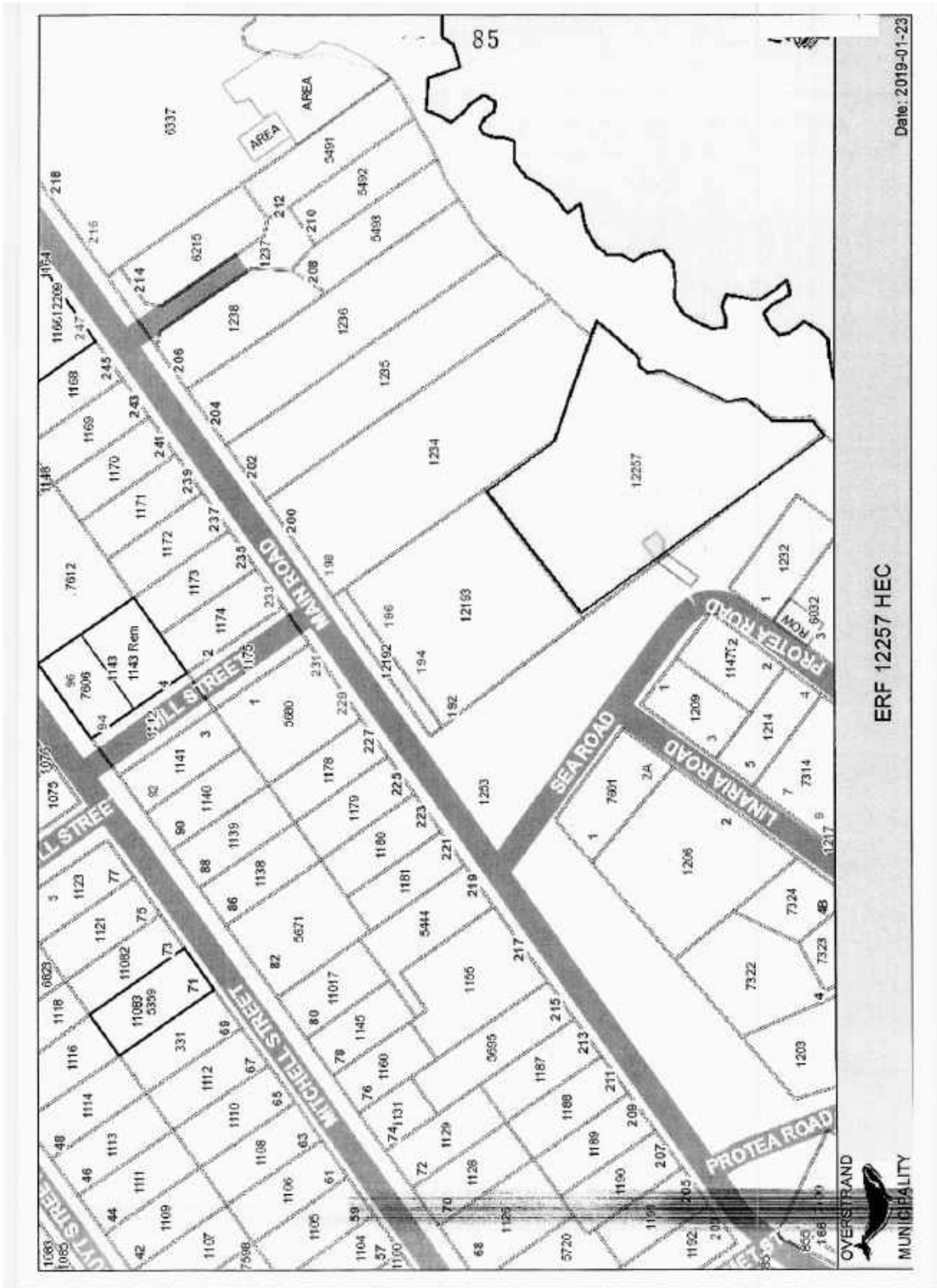
**REASONS FOR THE APPROVAL:**

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The National Environmental Management: Integrated Coastal Management Act 24 of 2008 does not provide the Overstrand Municipality with the authority to implement a right of way servitude across private property. Further, there is no By-Law adopted by the Municipality as required in terms of the Act.
- ❖ Requests made in the comments are noted and addressed by the applicant.
- ❖ The access servitude to the Remainder of Erf 12257 will be demarcated in a similar manner to that of the demarcation of the Public Open Space and not prohibit pedestrians.
- ❖ Safe and easy access to the coastline is achieved from the eastern side of Poole's Bay and therefore it is not required in terms of this land use application's decision to provide additional access across the Remainder of Erf 12257.

**AGENDA of the  
Portfolio Committee : Infrastructure & Planning  
20 October 2020  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

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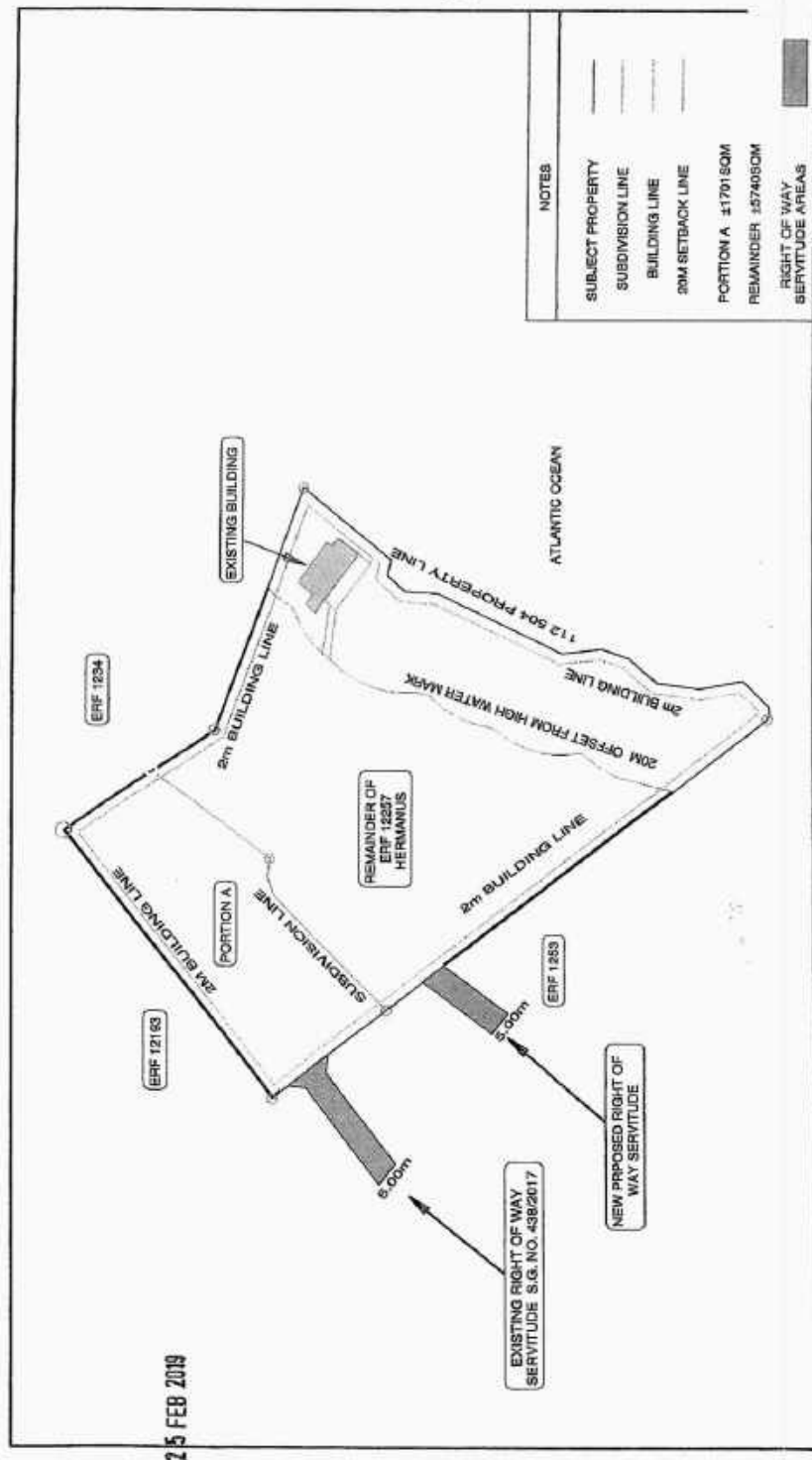
- ❖ The proposed subdivision is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ It will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The proposed application fits in with the character of the surrounding area, and is desirable.



Date: 2019-01-23

ERF 12257 HEC





NOTES

- SUBJECT PROPERTY
- SUBDIVISION LINE
- BUILDING LINE
- 20M SETBACK LINE
- PORTION A ±1791 SQM
- REMAINDER ±5740 SQM
- RIGHT OF WAY SERVITUDE AREAS

Scale: 1:1000  
 Drawing No: Her12257.dwg  
 Date: DECEMBER 2018

Plan Description:  
**SUBDIVISION PLAN**

Property Description:  
**ERF 12257 HERMANUS**

All distances approximate and subject to survey.  
 COPY RIGHT RESERVED

**PIA<sup>n</sup> Active**  
 Stads- en Streeksbeplanners  
 Town & Regional Planners

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**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION & RIGHT OF WAY SERVITUDE: ERF 12257,  
HERMANUS (2896/2019)**

|                   |   |                                    |
|-------------------|---|------------------------------------|
| Stormwater (SW)   | : | Refer to Condition 13              |
| Electricity       | : | Refer to Condition 8               |
| Water             | : | Refer to Conditions 2, 3 & 4       |
| Sewer             | : | See Conditions 5, 6 & 7            |
| Roads and traffic | : | Refer to Conditions 9, 10, 11 & 12 |

**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 (2019/2020) is as follows:

**Freehold erven:**

|                                 |                 |   |                    |
|---------------------------------|-----------------|---|--------------------|
| Water                           | R 22 925.00 x 1 | = | R 22 925.00        |
| Sewerage                        | R 15 457.00 x 1 | = | R 15 457.00        |
| Roads                           | R 6 931.00 x 1  | = | R 6 931.00         |
| Stormwater                      | R 7 997.00 x 1  | = | R 7 997.00         |
| Solid Waste                     | R 1 386.00 x 1  | = | R 1 386.00         |
| Electricity                     | R 32 139.45 x 1 | = | <u>R 32 139.45</u> |
| <b>TOTAL (inclusive of VAT)</b> |                 | = | <b>R 86 835.45</b> |

**Note:**

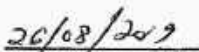
- 1.3 **The above figures are estimates**
- 1.4 **The above figures do not include evaluation/investigation levies and connection fees**
2. that the existing water connection to Portion A of Erf 12257 shall be used to service Portion A of Erf 12257;

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3. Any part of the existing water supply on Erf 12257 that crosses the common boundary of Portion A of Erf 12257 and Remainder of Erf 12257 must be disconnected and sealed off;
4. That the Remainder of Erf 12257 must be serviced with an individual and separate water connection to the municipal system, which comply with the standards of the Department: Operational Services (Hermanus);
5. that both Portion A and the Remainder of Erf 12257 must be serviced with a sewer conservancy tank, which must comply with the standards of the Department: Operational Services (Hermanus), and to which the services on both Portion A and the Remainder of Erf 12257 must connect to;
6. that both Portion A and the Remainder of Erf 12257 must be provided with a new separate sewer connection points which must comply with the standards of the Department: Operational Services(Hermanus);
7. 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;
8. that the available electricity capacity on the property is 150 Amp 3-phase and the division of the capacity between the two new erven must be communicated to the Electrical Department for future reference;
9. 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;
10. that any additional and / or extended vehicle entrances will be for the owner's account;
11. that, both the existing and the proposed vehicular access to the proposed erven be provided with road infrastructure to allow access to the proposed erven. Such infrastructure must comply with the specifications of the Department: Operational Services (Hermanus).
12. that no on-street parking be allowed.
13. that stormwater be allowed to discharge through the proposed Erven, Hermanus, unobstructed

  
DENNIS HENDRIKS

  
DATE

SENIOR MANAGER: ENGINEERING SERVICES