



**MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL
(MPT)**

MINUTES

**DATE:
VENUE:
TIME:**

**15 DECEMBER 2021
PREEKSTOEL / VIRTUAL
10:00**

OVERSTRAND

MUNICIPAL PLANNING TRIBUNAL

MINUTES OF A MEETING OF THE MUNICIPAL PLANNING TRIBUNAL, HELD AT PREEKSTOEL / VIRTUALLY ON 15 DECEMBER 2021 AT 10:00

PRESENT:

MEMBERS:

Ms H Janser, Directorate Development
Management

Mr S Müller, Director : Infrastructure & Planning

Mr H Blignaut, Deputy Director : Engineering
Services

Ms R Louw, Senior Manager : Strategic Services

Mr R Kuchar, Senior Manager : Town & Spatial
Planning

OFFICIALS:

Ms H van der Stoep, Senior Town Planner

Mr P Roux, Town Planner

Ms S Swart, Council Support Services

APOLOGIES:

Mr S Madikane, Director : LED

Mr S van der Merwe, Senior Town Planner



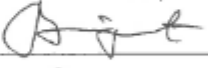





MUNICIPAL PLANNING TRIBUNAL

ATTENDANCE REGISTER

Date: **15 DECEMBER 2021**

I, the undersigned, hereby declare:

- that I will make known details of any personal or other interest in respect of matters on the agenda and whether I have been approached by any party prior to the meeting
- that I have read all the information on the agenda

NAME	DEPARTMENT / SECTION MUNICIPALITY	SIGNATURE
H JANSER	CHAIRPERSON DIR: DEV MANAGEMENT	
S MÜLLER	VICE-CHAIRPERSON OVERSTRAND MUNICIPALITY	
S MADIKANE	MPT MEMBER OVERSTRAND MUNICIPALITY	Apology
H BLIGNAUT	MPT MEMBER OVERSTRAND MUNICIPALITY	
R LOUW	MPT MEMBER OVERSTRAND MUNICIPALITY	
R KUCHAR	AUTHORISED OFFICIAL OVERSTRAND MUNICIPALITY	
S VAN DER MERWE	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	Apology
H VAN DER STOEP	SENIOR TOWN PLANNER OVERSTRAND MUNICIPALITY	
P ROUX	TOWN PLANNER OVERSTRAND MUNICIPALITY	
H OLIVIER	TOWN PLANNER OVERSTRAND MUNICIPALITY	
S SWART	COUNCIL SUPPORT OVERSTRAND MUNICIPALITY	

1. OPENING

The Chairperson, Ms H Janser, opened the meeting and welcomed those present.

2. APPLICATIONS FOR LEAVE OF ABSENCE

Mr S Madikane
Mr S van der Merwe

RESOLVED:

that the above-mentioned applications for leave of absence, **be granted.**

3. CONFIRMATION OF MINUTES**3.1 Minutes of a Municipal Planning Tribunal Meeting held on 7 December 2021****RESOLVED:**

that the Minutes of the Municipal Planning Tribunal Meeting held on **7 December 2021, be confirmed.**

4. ITEMS FOR CONSIDERATION**4.1**

ERVEN 7286 AND 7287, 2 ALBERTYN STREET AND 1 MARINE DRIVE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, CONSOLIDATION, CONSENT USE AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF CAPEFAM GUESTHOUSE CC

7286 & 7287 HWC

(H Boshoff)

S van der Merwe

22 November 2021

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 7 December 2020 (amended) from Messrs PlanActive Town and Regional Planners on behalf of Capefam Guesthouse CC applicable to Erven 7286 and 7287, Hermanus for the following:

- (a) application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the rezoning of Erven 7286 and 7287, Hermanus from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats, Bulk Zone 2 (GR4);
- (b) application in terms of Section 16(2)(e) of the By-Law for the consolidation of Erven 7286 and 7287, Hermanus;
- (c) application in terms of Section 16(2)(o) of the By-Law for consent use to develop a boutique hotel on the consolidated property in (b) above that consists of 16 (sixteen) en-suite hotel rooms, a breakfast buffet, two (2) spa treatment rooms, a bar for resident guests, a conference room and associated uses, as well as an outdoor recreational area with two (2) swimming pools;
- (d) application for departure in terms of Section 16(2)(b) of the By-Law to deviate from the minimum erf size of 3000m² applicable for densification to allow for the boutique hotel development on the consolidated erf with a size of 1282m²;
- (e) application for departure in terms of Section 16(2)(b) of the By-Law for the following:

(departures applicable to the new development on the consolidated property (the property) in (b) above)

- (i) relaxation of the northern lateral building line of the property from 4,5m to 3m to:

- at ground floor level, accommodate a portion of the covered parking area;
 - at first floor level, accommodate portions of two balconies, and two en-suite hotel rooms; and
 - at second floor level, accommodate portions of two balconies;
- (ii) relax of the eastern lateral building line of the property from 4,5m to 3,03m, 2.75m and 0m to:
- at ground floor level, accommodate a portion of the covered parking area, a portion of the staff toilet facilities, a portion of the bar area, a portion of a lounge, and an existing approved laundry of which the roof is to be converted into a roof garden;
 - at first floor level, accommodate portions of three (3) balconies, portions of three (3) en-suite hotelrooms, and two (2) spa treatment rooms for guests; and
 - at second floor level, accommodate three (3) balconies, portions of three (3) en-suite hotel rooms and a terrace; and the
- (iii) relaxation of the western street building line of the property from 4m to 3,28m and 3m to:
- at ground floor level, accommodate a portion of a pedestrian entrance, a reception, an internal staircase, a refuse yard, and a portion of a covered parking area;
 - at first floor level, accommodate a portion of the administrative office, staircase, conference room, linen storage room, a hotel room and a balcony; and
 - at second floor level, accommodate a portion of a terrace, the internal staircase, two (2) balconies and an en-suite hotel room;
- (departures applicable to the existing guesthouse development on the property that is to be incorporated with the new boutique hotel development on the consolidated property)
- (iv) relaxation of the eastern lateral building line from 4,5m to 2m to:
- at ground floor level, accommodate a portion of the dining patio/ pergola, dining room, en-suite guest room, and covered patio of the existing guesthouse;
 - at first floor level, accommodate a portion of a terrace, en-suite guestroom, and balcony of the existing guesthouse; and
 - at second floor level, accommodate an en-suite guestroom, and a covered deck of the existing guesthouse.

RESOLVED:

1. that the application in terms of Sections 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the rezoning of Erven 7286 and 7287, Hermanus from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats, Bulk Zone 2 (GR4), **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(e) of the By-Law for the consolidation of Erven 7286 and 7287, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(o) of the By-Law for consent use to develop a boutique hotel on the consolidated property in 2. above that consists of 16 (sixteen) hotel rooms, a breakfast buffet, spa treatment rooms, a bar for resident guests, a conference room and associated uses, as well as an outdoor recreational area with two (2) swimming pools, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application for departure in terms of Section 16(2)(b) of the By-Law to deviate from the minimum erf size of 3000m² applicable for densification to allow for the boutique hotel development on the consolidated erf with a size of 1282m², **be approved** in terms of the provisions of Section 61 of the By-Law;
5. that the application for departure in terms of Section 16(2)(b) of the By-Law to allow for a rooftop garden on the existing laundry at ground floor area, **be approved** in terms of the provisions of Section 61 of the By-Law; and
6. that the application for departure in terms of Section 16(2)(b) of the By-Law for the following:

(departures applicable to the new development on the consolidated property (the property) in 2. above)

- (i) relaxation of the northern lateral building line of the property from 4,5m to 3m to:
 - at ground floor level, accommodate a portion of the covered parking area;
 - at first floor level, accommodate portions of two (2) balconies, and two (2) en-suite hotel rooms; and
 - at second floor level, accommodate portions of two (2) balconies;
- (ii) relax of the eastern lateral building line of the property from 4,5m to 3,03m, 2,75m and 0m to:

- at ground floor level, accommodate a portion of the covered parking area, a portion of the staff toilet facilities, a portion of the bar area, a portion of a lounge, and an existing approved laundry;
- at first floor level, accommodate portions of three (3) balconies, portions of three (3) en-suite hotel rooms, and two (2) spa treatment rooms for guests; and
- at second floor level, accommodate three (3) balconies, portions of three (3) en-suite hotel rooms and a terrace; and the

(iii) relaxation of the western street building line of the property from 4m to 3,28m and 3m to:

- at ground floor level, accommodate a portion of a pedestrian entrance, a reception, an internal staircase, a refuse yard, and a portion of the covered parking area;
- at first floor level, accommodate a portion of an administrative office, an internal staircase, a conference room, a linen storage room, a hotel room and a balcony; and
- at second floor level, accommodate a portion of a terrace, an internal staircase, two (2) balconies and a hotel room;

(departures applicable to the existing guesthouse development on the property that is to be incorporated with the new boutique development on the consolidated property)

(iv) relaxation of the eastern lateral building line from 4,5m to 2m to:

- at ground floor level, accommodate a portion of the dining patio/ pergola, dining room, an en-suite hotel room and a covered patio of the existing building (previous approved guesthouse);
- at first floor level, accommodate a portion of a terrace, an en-suite hotel room, and a balcony; and
- at second floor level, accommodate an en-suite hotel room, and a covered deck;

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

7. that the above approvals be subject to the following conditions:

- (a) that the development of the consolidated property be restricted to a boutique hotel together with the ancillary uses as indicated on the layout plans that were submitted with the application;
- (b) that the hotel rooms on the consolidated property be restricted to sixteen (16) hotel rooms;

- (c) that none of the hotel rooms may be utilised as self-catering units;
- (d) that no sectional title/own title of the hotel rooms be allowed;
- (e) that no kitchenettes or cooking facilities be allowed in the guestrooms – kettles or alike and bar type fridges are allowed;
- (f) that the necessary liquor license be obtained from the Liquor Authority for on-site consumption;
- (g) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
- (h) that the proposed designated waste storage area complies with the refuse room standards as per Chapter 17.4.1 of the Overstrand Land Use Scheme;
- (i) that the rooftop garden may solely be used as a roof garden that is linked to the two (2) spa treatment rooms and not as a gathering or entertainment area - the landowners must therefore ensure that it may not be used as a gathering or entertainment area by means of a proper notice and that the garden is only tied to the two (2) spa-treatment rooms;
- (j) that should it be found that the roof garden turns into a nuisance or impact on the privacy of surrounding property owners, it must be removed, and access thereto must be completely closed up;
- (k) that the management/owners of the establishment implement noise control measures within the establishment, as well as the outside area to reduce noise levels of any kind to the minimum;
- (l) that the establishment be conducted in such a manner that it is not found to be detrimental to the peacefulness and amenity of the surrounding area and no activities constituting a public nuisance shall be carried out on the property;
- (m) that a balustrade be affixed at the eastern side of the terrace at second storey level on the 4,5m lateral building line;
- (n) that the consolidation in 2. above must be registered prior to the submission of building plans;

- (o) that the building design (building plans) first be submitted to the Overstrand Heritage Committee for scrutiny prior to the approval thereof.
 - (p) that any conditions imposed by the Fire and Building Departments when considering the building plans, be complied with;
 - (q) that the development complies with the provisions of SANS 10400-A2016, SANS-T:2020 and the By-Law Relating to Community Fire Safety: Guesthouse / Bed & Breakfast Accommodation SANS-T-4.59;
 - (r) that the parking bays be properly demarcated and provided with a hard surface to the satisfaction of the Municipality and provision be made for the run-off of rain/stormwater;
 - (s) that the hotel establishment comply with all applicable Health and Safety Legislation and that this approval will be subject to regular inspections by the Fire Control Co-ordinator and the Health Inspector;
 - (t) that no on-street parking be allowed whatsoever;
 - (u) that no advertising on the property shall be displayed without the approval of the Municipality (Building Department);
 - (v) that the conditions of Engineering Services be complied with;
 - (w) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (x) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
 - (y) that the applicant/landowners provide proof of compliance with the above conditions (g), (n), (q), (s), and (v) prior to operating the establishment; and
 - (z) that auxiliary services only be available for use by guests of the boutique hotel.
8. that the applicant, as well as the objectors be notified of their respective appeal rights in terms of Section 78 of the By-Law with regard to the above decisions.

REASONS FOR THE RESOLUTION:Rezoning, consolidation, consent use, and departures (rooftop garden and deviation from the 3000m² minimum allowable erf size for development

- ❖ The applicant's motivation and response to the objection is supported.
- ❖ No objections from internal departments were received.
- ❖ The establishment will promote the tourism industry in the area, which is in line with the forward planning documents of the Municipality.
- ❖ The property (consolidated) falls within an area with numerous tourist establishments, as well as recently approved tourist establishments, and the proposal is therefore in line with the land use character of the area.
- ❖ Only one (1) objection was received of which the points of objection were adequately addressed by the applicant.
- ❖ The establishment will create much wanted job opportunities.
- ❖ The proposed development is regarded as desirable from a town planning point of view.

Departure (building lines)

- ❖ The encroachments are not regarded as undesirable from a town planning perspective because the encroachments are not regarded as excessive.
- ❖ It will ensure that a practical parking area can be developed for guests of the establishment.
- ❖ The impact thereof on surrounding property owners is minimal.
- ❖ It does not impact negatively on the built environment or character of the area.
- ❖ It will not result in a bulky development of the property since the proposed coverage is 44% in lieu of the allowable 80% coverage, as well as the proposed floor factor of 0,98 in lieu of the allowable floor factor of 1,5.
- ❖ It will not impact on the street scapes.

RESPONSIBLE OFFICIAL :**S VAN DER MERWE**

4.2**PORTION 164 OF THE FARM BAARDSCHEERDERS BOSCH NO. 213, DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : MESSRS PLANACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF JJ NEL AND AL RABIE****Ptn 164/213 GRBRE****SW van der Merwe****(028) 313 8900****Hermanus Administration****5 December 2021**

EXECUTIVE SUMMARY

An application has been received on 16 August 2021 from Messrs PlanActive Town & Regional Planners on JJ Nel and AL Rabie, the owners of Portion 164 of the Farm Baardscheerders Bosch No. 213, Division Caledon for consent use in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for tourist facilities, intensive horticulture, agricultural industry, farm store, nursery and tourist accommodation.

RESOLVED:

1. that the objections / comments be noted;
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Portion 164 of the Farm Baardskeerdersbos No. 213, Division Bredasdorp for consent use for tourist facilities, intensive horticulture, agricultural industry, farm store, nursery and tourism accommodation (self-catering unit), **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that a detailed Site Development Plan (SDP), in accordance with the provisions of the Scheme Regulations, be submitted for approval to the Authorized Official, prior to the submission of building plans;
 - (b) that on-site parking be provided in accordance with the SDP as per paragraph (a) above;
 - (c) that the building plans be submitted to the Building Control Department prior to commencement of the development;
 - (d) that the use of the building indicated as F on the SDP be limited to either a self-catering unit or a spa;

- (e) that details of the proposed grey water system be submitted for municipal approval and that any conditions or requirements regarding the maintenance and operation thereof be adhered to;
 - (f) that all the conditions in the Services Report be complied with;
 - (g) that all the conditions of Eskom, Open Serve and Department of Transport and Public Works be complied with;
 - (h) that commercial rates and service tariffs as determined by the annual budget be made applicable, which rates and tariffs are automatically adjusted in terms of the annual budget;
 - (i) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (j) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
3. 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, 2016 with regard to the above conditions of approval.

REASONS FOR THE RESOLUTION:

- ❖ The proposal is consistent with the SDF and Baarskeedersbos Precinct Plan.
- ❖ The proposal is at a scale that will not detract from the rural character of the area.
- ❖ The proposal promotes tourism and economic development.
- ❖ The proposal will provide much needed employment opportunities.
- ❖ The proposal is not considered to unacceptably detract from the character of Baardskeedersbos.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.

RESPONSIBLE OFFICIAL :**S VAN DER MERWE**

4.3

ERF 47, 36 VAN BLOEMENSTEIN STREET, BIRKENHEAD : APPLICATION FOR AMENDMENT OF RESTRICTIVE TITLE CONDITIONS, CONSENT USE AND DEPARTURE : MESSRS WARREN PETTERSON PLANNING ON BEHALF OF WJ VERMEULEN

47 GBH (3504/2019)

SW van der Merwe

30 November 2021

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

To consider an application received on 18 November 2019 from Messrs Warren Petterson Planning on behalf of WJ Vermeulen applicable to Erf 47, Birkenhead in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law) for the following:

- ❖ amendment of restrictive title deed conditions B(a) and B(b) contained in Title Deed T19974/1997 in terms of Section 16(2)(f) of the By-Law in order to accommodate a transmission tower;
- ❖ application for consent use in terms of Sections 16(o) of the By-Law to construct a transmission tower, and
- ❖ application for departure in terms of Section 16(2)(b) of the By-Law from a height of 10,5m to 25m to accommodate a transmission tower.

RESOLVED:

1. that the comment be noted;
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for a consent use to permit a 25m high transmission tower (lattice mast) and associated equipment compound as well as departure in terms of Section 16(2)(b) of the By-Law to encroach the 10,5m height restriction to 25m on Erf 47, Birkenhead, **not be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(f) of the By-Law for amendment of restrictive title conditions B(a) and B(b) contained in Title Deed T19974/1997 applicable to Erf 47, Birkenhead, **not be approved** in terms of the provisions of Section 61 of the By-Law, and
4. 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 conditional approval.

REASONS FOR THE RESOLUTION:

- ❖ The applicant failed to prove the need and desirability of the proposed development.

RESPONSIBLE OFFICIAL :

S VAN DER MERWE

4.4

ERF 1619, 9 CAESAR ROAD, PRINGLE BAY: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE: WRAP ON BEHALF OF SERFIE SERFONTEIN TRUST

1619 KPRB (3908/2021)

H van der Stoep

2 November 2021

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 15 December 2020 from WRAP on behalf of Serfie Serfontein Trust on Erf 1619, Pringle Bay for the following:

- ❖ **Removal of Restrictive Title Conditions** in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with reference to Clauses B.6.(a), B.6.(b), B.6.(b)(i) and B.6.(b)(ii) of Title Deed T123280/97 to permit the proposed application.

The restrictive title deed conditions read as follows:

“B. SUBJECT FURTHER to the following conditions contained in the Deed of Transfer No. T.46848/1981 imposed by the Administrator when approving the establishment of Pringle Bay Township Extension No. 3 in terms of Ordinance 33 of 1934, namely:-

- 6.(a) *This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the Scheme subject to the conditions and restrictions stipulated in the scheme.*
- (b) *No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5m to the street line which forms a boundary of this erf, nor within 3m of the rear of 1.5m of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority -*
 - (i) *an outbuilding used solely for the housing of motor vehicles and not exceeding 3m in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12m measured from the rear boundary of the erf, provided that in*

the case of a corner erf the distance of 12m shall be measured from the point furthest from the street abutting the erf.

- (ii) *an outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.*

- ❖ **Departure** in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to relax the southwestern lateral building line from 2m to 0,02m to accommodate a portion of the existing dwelling.

RESOLVED:

1. that the application in terms of Section 16.(2)(f) of the Overstrand Amendment Municipal By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed Clauses B.6.(a), B.6.(b), B.6.(b)(i) and B.6.(b)(ii) of Title Deed T123280/97 applicable to Erf 1619 Pringle Bay, **be approved** in terms of the provisions of Section 61, subject to the following conditions:
 - (a) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (c) that all the conditions in the Services Report be complied with.
2. that the application in terms of Section 16.(2)(b) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1619, Pringle Bay for a departure to relax the southwestern lateral building line from 2m to 0,02m to accommodate a portion of the existing dwelling, **not be approved**, in terms of Section 61 of the By-Law;
3. that the portion of the existing building that encroaches the building line, be demolished within 18 months from date of decision letter;
4. that a rider building plan for the existing dwelling, be submitted within six (6) months from the date of the decision letter to adhere to the building lines;
5. that the building be built according to the building plan referred to in point 4 above within twelve (12) months after the building plan has been approved; and

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

REASONS FOR THE RESOLUTION:**POINT 1**

- ❖ The Title Deed conditions applied to be removed are sufficiently guided by the Overstrand Land Use Scheme.
- ❖ The restrictive conditions impede the construction of energy and water saving devices necessary to address climate change.

POINT 2

- ❖ There is no clarity with regard to the location of the foundations and, whether it transgresses the objector's property, which will result in illegal occupation of the adjacent erf.
- ❖ The dwelling is a double storey located 0,02m from the erf boundary and has an impact on the privacy of the objector's erf. It is irrelevant whether the windows facing the objector's erf are located in enclosed balconies not regularly in use. The balconies are used and will have an impact on the objector's living space.
- ❖ The impact of the house on natural light and air movement does impact on the developability of the objector's erf.
- ❖ The transgression of the applicant's dwelling over the building lines, affects the design and development of Erf 1620.
- ❖ The Fire Department did not support the application due to non-compliance of fire regulations.

RESPONSIBLE OFFICIAL :**H VAN DER STOEP****The meeting adjourned at 11:20**