

## 4.2

**ERF 372, 31 PEAK ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR DEPARTURE: MRP ARCHITECTURAL SOLUTIONS ON BEHALF OF  
DA MELROSE****372 KPRB (4573/2024)****H van der Stoep  
18 May 2026****(028) 313 8900****Hermanus Administration****1. EXECUTIVE SUMMARY**

An application has been received on 1 February 2024 from MRP Architectural Solutions on behalf of DA Melrose on Erf 372, Pringle Bay in terms of Section 16.(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a departure to relax a portion of the boundary height from 2,1m to 2,6m to accommodate a proposed gas cage.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

**2. DECISION AUTHORITY**

Municipal Planning Tribunal

**3. BACKGROUND / SITE HISTORY**

The property measures 475m<sup>2</sup> in extent and located in Pringle Bay Central Business District (CBD). The property is zoned Business Zone 3: Local Business and is surrounded by residential and business erven.

**4. SUMMARY OF APPLICANT'S MOTIVATION**

**The motivation can be summarized as follows:**

DEPARTURE: LAND USE SCHEME

- The application for the relaxation of the boundary wall height from 2,1m to 2,6m to accommodate a gas cage.
- The shop is in front which offers quick service and availability for clients. The layout is designed so that the delivery and collection of gas bottles is at the front of the property.
- The workshop has its entrance on the side away from the public, this is ideal as the loading or off-loading of electrical or gas items can be done in the workshop without causing inconvenience to the clients.

SOCIO-ECONOMIC IMPACT

The new facility is going to be able to facilitate more apprentices in both the gas and electrical and solar industry. At the moment there are already apprentices doing their training, but now the company will be able to take more students and be able to have the space for better teaching facilities. These students will be local.

- With the larger premises, extra staff will also be employed.
- A gas supplier in the centre of town is a welcome necessity.
- The impact is minimal, and all safety precautions will be in place.

### ACCESS

Access will be obtained from Peak Road.

### SERVICES

No additional services will be required. The erf has access to Municipal services.

### POLICY DOCUMENTS

#### **Overstrand Municipality Spatial Development Framework, 2020**

Not addressed by applicant.

#### **Overstrand Growth Management Strategy, 2010**

Not addressed by applicant.

#### **Heritage Overlay**

Not addressed by applicant.

#### **Environmental Overlay**

Not addressed by applicant.

### CONSISTENCY WITH SPLUMA AND LUPA PRINCIPLES

- **Spatial Justice** - N/A
- **Spatial Sustainability** N/A
- **Spatial Efficiency** N/A
- **Spatial Resilience** N/A
- **Good Administration** N/A

## **5. ADMINISTRATIVE COMPLIANCE**

Methods of advertising		Date published	Closing date for comments
E-mails & site notice	<b>Yes</b>	14 March 2024	19 April 2024
Internal departments	<b>Yes</b>	14 March 2024	19 April 2024
Ward Councillor	<b>Yes</b>	14 March 2024	19 April 2024
Total comments	<b>TWO (2)</b>		
Total letters of support	<b>NONE</b>		

Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?	<b>Yes</b>
Was the application processed correctly (if no, elaborate below):	<b>Yes</b>
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)	<b>Yes</b>

#### 6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Engineering Services	02/05/2024	See Annexure F.
Fire Department	19/03/2024	No objection subject to compliance with the provisions of SANS 10400-T, 10400-A and the By-Law relating to fire safety.

#### 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, THE APPLICANT'S RESPONSE AND THE MUNICIPAL TOWN PLANNER'S RESPONSE THEREON

Notices were e-mailed to surrounding residents in the area and the Pringle Bay Ratepayers' Association. A notice board was also placed on-site by the consultant.

One (1) letter of objection was received from the Pringle Bay Ratepayers Association (PBRA) and one (1) comment from Mr A Beneke (via the Ward Councillor). The applicant was provided with an opportunity to respond to the objection/comment. See Annexures D and E respectively.

The objections, the applicant's reply and the Municipal Town Planners response thereon can be summarized as follows:

The objections are depicted in a summarized version under headings of similar nature.

#### **OBJECTION – Overstrand Municipality Land Use Scheme**

- *The extent of the gas supply activities?*
- *The proposed business is a consent use and is classified as a "risk industry".*
- *The applicant does not adequately address why the departure above the 2,1m on the street building line. Such a high wall is not street friendly.*
- *Depending on whether the gas is filled, will determine whether it can be classified as a shop or a business.*
- *The training as mentioned in the motivation could be intrepid as a place of instruction which also require a consent use.*
- *The loading and off-loading of electrical or gas items is indicative of a service trade and also requires a consent use.*

APPLICANT'S RESPONSE

- This is gas storage only; all the cylinders have been filled prior to delivery.
- The owner of Erf 372 is the same owner as the existing storage facility directly opposite on Erf 369, Pass Street. The existing facility will be moving to the new premises at Erf 372, Peak Road.
- The height of the screen wall is given as 2,66m. This allows for a 200mm concrete floor of the gas storage as per the SANS requirements for floors. The departure has been applied for both a visual and safety aspect. It will hide the unsightly gas bottles, the roof of the cage and to contain any accidents that may happen. The balance of the street boundary has *Clear View* fencing.
- The owner is registered with the Department Labour as an Installation Electrician. The electrical and gas "students" are employed by the company and receive practical training whilst studying online. The students' studies are paid by the company.
- It would be thought that the PBRA would encourage the youth of Pringle Bay to be successful and would be supportive.
- This is a business; items have to be delivered and collected.

TOWN PLANNER'S RESPONSE

The application is for a boundary height from 2,1m to 2,6m and not for the land uses as per the objector's interpretation of the application.

The concerns are noted.

- There will be no filling of gas. As per the applicant's comment on the objection, already filled gas bottles will be sold on the premises.
- The activity falls under the category of Business 3: Local Business, which relates to the selling of retail, services, etc. to the public. The scale of the activity is of such a nature that it deemed not to be classified as a risk industry which relates to poisonous gas, major hazardous installations etc.
- The wall height of 2,6m is due to the SANS regulations and By -Law on fire safety. The applicant must have a concrete floor of 200mm and in this case has a roofed gas cage. These requirements are the reason for the wall height.
- The gas is not filled on the property.
- The training mentioned is deemed internships and thus does not qualify as a Place of Instruction.
- The definition of a shop makes provision 50% of the building that may be used for manufacture or repaired of the service rendered. The loading or off-loading of the gas items does not qualify to be seen as a service trade in terms of the Overstrand Land Use Scheme.

 **OBJECTION – Use of the property**

***The objector is from the viewpoint that the use resorts under a business premises, a service trade and place of instruction, which is all consent uses and not a primary right. It references the use as a risk industry. The application should be withdrawn and resubmitted to officially address the consent uses to be applied for.***

APPLICANT'S RESPONSE

Business Zone 3: Local business, the development parameters have been met. There is a flat, shop front and the workshop is for repair of small household electrical items and gas geysers. There is no risk activity, no place of instruction and no in house training facility. There are no other electrical and gas supplier or repair workshops for electrical and gas appliances in the area.

TOWN PLANNER'S RESPONSE

The objector regresses into the interpretation of the Overstrand Land Use Scheme and its uses. Business Zone 3 has a primary right of a shop.

**The definition of a shop reads as follows:**

*"means a property or part of the property used for the retail sales of good, items and services to the public, including a retail concern where goods which are sold are manufactured and repaired, provided that the floor space relating to such manufacturing or repair shall not exceed 50% of the floor space of the shop; it excludes and industry, service trade, motor repair garage, service station, adult entertainment business or sale of alcoholic beverages, and if such uses are included on the property, the shall be regarded as separate uses subject to such separate development parameters as may be determined by the Municipality".*

The use of the property complies with the definition. Although the motivation makes mention of trainees, it is apprentices which are employed by the applicant and paid for by the applicant. The owner is registered with the Department Labour as an Installation Electrician. The electrical and gas "students" are employed by the company and receive practical training whilst studying online. The students' studies are paid for by the company and provide internships to obtain practical experience.

**OBJECTION - Parking requirements**

***Given the uncertainty of the type of activities, we fail to identify the particular parking requirements. The objector would want to see how the applicant is addressing the parking requirements against the background of the Pringle Bay CBD Parking Master Plan and supporting documentation.***

**OBJECTION - APPLICANT'S RESPONSE**

All the parking is on-site and therefore the CBD Masterplan is not applicable.

TOWN PLANNER'S RESPONSE

The applicant's response is agreed with.

**OBJECTION - Title Deed**

***The Title Deed has been neglected.***

***The Title Deed Condition D.(f) stipulates the following:***

***"No noxious trade or noxious business shall be carried on on this erf".***

*In terms of the definition “noxious trade” means the poisonous or potentially harmful trade, use or activity which, because of fumes, emissions, odours, vibrations, noise, waste products, nature of materials used, processes employed or other causes, is considered by the Municipality to be potential source of danger or health risk to the general public or persons in the surrounding area. Noxious industry has the same meaning.*

**Based on the above we are of opinion that the applicant must also apply for a removal, amendment or suspension of a restrictive condition of title deed conditions.**

#### APPLICANT’S RESPONSE

Noxious trade is not applicable.

#### TOWN PLANNER’S RESPONSE

The application is for deviation of a wall height, which is not restricted in terms of the title deed conditions.

The Title Deed Condition D.(f) does mention noxious trade and or activity. The condition was inserted in 1941.

#### **“No noxious trade or business shall be carried (out? = sic) on this erf”**

With the question being: what is meant by **condition (D)(e)** in the current day and age as compared to what it meant or might have meant in **1941** when the condition was inserted by the Hangklip Beach Estates Limited as the owner of the Remainder of the Township, for **its benefit** despite the apparent contradictory introductory sentence **(D) on page 3** of the DOT which states that the conditions were in favour of :

#### **“...the registered owner of any erf in the Township”.**

1. the drafter of the condition under discussion did not to elaborate or explain for posterity, what “...noxious...” et al was or meant in the distant past, i.e., more than 80 years ago when things, including said terms, were in all probability markedly different from today with its plethora of general rules and regulations and environmental and planning legislation and regulations, although not all bad I might add...
2. what “**noxious trade**” means or is defined as in the current Scheme Regulations:

*“noxious trade” means offensive, poisonous or potentially harmful trade, use or activity which, because of fumes, emissions, smell, vibration, noise, waste products, nature of materials used, processes employed, or other cause, is considered by the Council to be a potential source of danger, nuisance or offence to the general public or persons in the surrounding area and noxious industry has the same meaning.”*

Broken down into its constituent parts, the following is apparent:

“**offensive**” in the Meriam- Webster and other dictionaries means:

- a) Giving painful or unpleasant sensations;

- b) Causing displeasure or resentment;
- c) awful;
- d) dreadful
- e) nauseous;
- f) repugnant;
- g) disgusting;
- h) foul;
- i) Odious.
- j) sickening
- k) revolting

**“poisonous”**

- Having the properties or effects of poison such as poisonous gas.

**“harmful”**

- of a kind likely to be damaging or injurious.
- detrimental.
- As an example: DDT has been proven to be extremely harmful to the environment.

**“fumes”**

- a smoke, vapor or gas.
- an often-noxious suspension of particles in a gas such as air.
- used as a verb: “to give off in fumes”

**“emission”**

- substances discharged into the air by a smokestack or a motorcar engine.
- carbon emission into the air.
- Leak = synonym.

**“smell”**

- to emit the odour of ( something discharged into the air).
- to detect or become aware of as if by the sense of smell ( with your nose)
- as a synonym- “scent” to the characteristic smell given off by a substance... (for example gas).
- as in ‘stinking’ – having an unpleasant smell.

**“vibration” and “noise”**

- in the context of the matter under consideration these terms/concepts are irrelevant, but even if “noise” is considered relevant, the question is: what noise?

**“waste product”**

- useless material that is produced when making something else such as a “hazardous waste product”.

**“nature of materials used”**

- gas isn’t a material, it’s a substance.

**“processes employed”**

- a series of actions or operations conducing to an end especially a continuous operation or treatment in manufacture.

**“other cause”** – too wide and non-specific to warrant consideration.

**“nuisance”**

In SA law **“nuisance”** can be defined as any form of interference or encroachment on a person’s right to the use and enjoyment of their property, particularly immovable property, examples of which may include noise, pollution, or physical obstructions such as tree roots. It is, however, qualified that a “nuisance” must be reasonable, and the inconvenience must be material:

- It must be “more than fanciful, more than one of mere delicacy or fastidiousness; that it was inconvenience materially interfering with the ordinary comfort, physically of human existence, not merely according to elegant dainty modes and habits of living, but according to plain and sober and simple notions.’
- A nuisance must be a real and material intrusion on one’s rights and the complainant must show some reasonable tolerance for the ordinary use of the land and expect certain circumstances.

**“Nuisance”** used in the Scheme Regulations, does not distinguish between **“private nuisance”** and **“public nuisance”** and neither does the objector, although I assume the objector means the latter, but if one considers a possible definition of **“public nuisance”** then he will have some difficulty to establish it in the context of this application because **“public nuisance”** “can be defined as:

- “an act or omission or state of affairs that impedes, offends, endangers or inconveniences the public at large” and is the question: who, in the context of this matter constitutes the “public at large” and how and/or in what manner will the Applicants enterprise cause injury, damage or inconvenience to the health and safety of the general public – the Scheme definition states: “nuisance or offence to the general public or persons in the surrounding area” He gives no indication – on the contrary, he simply makes a bald unsubstantiated allegation in this regard.

Furthermore, a public nuisance must occur in a public space or place, in for example a street, parking areas, open spaces, and entrances to public places. In the matter at hand the only noise that will emanate from the premises will be pre-filled gas cylinders being off-loaded from trucks and placed in the storage cage and upon the exchange transaction, the removal of cylinders from the cage.

On the other hand, if he means “private nuisance” then the Law of Neighbours comes into play and will he have to institute private legal proceedings against the Applicant.

**From the above the definition of “noxious” can further be broken down into 3 main parts, namely:**

1. “...means offensive, poisonous or potentially harmful trade, use or activity...’  
and:
2. “...which because of fumes, emissions, smell, vibration, noise, waste products, nature of materials used, processes employed, or other cause...’  
and:
3. ‘...is considered by the Council to be a potential source of danger, nuisance or offence to the general public or persons in the surrounding area...”

Applied to the matter at hand, if part 1, is read in isolation, then the objector is probably correct that what the applicant intends doing should be refused, but the drafter qualified part 1 by making the contents, circumstances and occurrences of part 2 (as dissected above) a pre-requisite for part 1 to be valid, in other words by using the word “because”, the gas cylinders in the matter at hand, must release or emit or leak into the air, fumes and emissions, smells, etc. If they do not do this then the storage per se of pre-filled gas cylinders cannot give rise to an offensive or poisonous or harmful trade, use or activity, and will the Council not be able to consider the use or activity a potential source of danger, nuisance etc.

If this application for a relatively small scale pre-filled gas cylinder storage and exchange facility is refused on account of a precedent set by an obscure condition of title contained in the title deed of an insignificant erf in a small town, will it not mean that all users of LPG gas, namely restaurants, campers, home owners with gas hobs and gas heaters, etc, will also be impacted

As to the “smell” of LPG gas, it is treated with ethyl mercaptan, an additive to make it easier to smell and therefore detect a leak.

In accordance with the Scheme Regulations, the Applicant will not be conducting a “noxious trade “etc and will condition of title (D)(e) not be applicable.

The drafter of the condition chose not to explain what “noxious trade or noxious business” might have been in 1941, and the following in all probability constituted “noxious trade” etc. in the early part of the previous century;

- Fat melting.
- Fat extracting.
- Bone boiling.
- Bone grinding.
- Blood boiling.
- Blood drying.
- Glue making.
- Soup drying.
- Pig and poultry keeping.
- Leather tanning.
- Abattoirs.
- Horse slaughtering.
- Gut scraping
- Coal burning power stations (also in present day South Africa)
- LPG gas and the storage of cylinders was probably not contemplated when the condition under discussion was drafted in 1941.

The fire department would have had some kind of an issue with this application if it was deemed noxious but and simply require compliance with SANS 10400 T and A and the Community Fire Safety by-law,

**OBJECTION - “Notification of interested parties**

**Condition D states: “As being in favour of the registered owner of any erf in the township”.**

APPLICANT’S RESPONSE

All advertising was as per Overstrand Municipal requirements. It is not for the applicant to advise the official as suggested by the writer.

TOWN PLANNER’S RESPONSE

Notification was done in accordance with the Overstrand Municipal requirements since a removal of restrictive title deed conditions is not applicable.

🚩 **COMMENT** (A Beneke received via Ward Councillor Els)

***The height should be determined at 2,6m and not approximately 2,6m.***

TOWN PLANNER’S RESPONSE

Noted and will be determined at 2,6m.

**8. SUMMARY OF APPLICANT’S REPLY TO COMMENTS**

See Paragraph 7 above.

**9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner’s comment on objections/and response thereon)**

See Paragraph 7 above.

**Internal and External Departments**

The application was supported by all internal municipal departments.

**10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

**10.1 Background**

N/A

**10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

**Spatial Justice**

N/A

**Spatial Sustainability**

The erf is located in the Pringle Bay CBD and will not have any impact on the Environment and or agricultural land.

**Efficiency**

Municipal services will not be influenced.

**Spatial Resilience**

The structures will be approved in terms of National Building Regulations. The requirements of SANS will ensure resilience and energy efficiency of the structure. The principle also advocates that developments must be able to stand economic and environmental shocks.

**Good Administration**

Administrative procedure was followed as prescribed by the Municipality.

**10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)**

Same as Point 10.2 above.

**10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies**

The application is in line with the SDF 2020.

**10.5 (In)consistency with guidelines prepared by the Provincial Minister**

N/A

**10.6 Impact on Municipal Engineering Services**

Existing services provided by the Municipality will be used.

**10.7 Outcomes of investigations/applications i.t.o other legislation**

N/A

**10.8 Existing and proposed zoning comparisons and considerations.**

N/A

**11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

N/A

**12. THE DESIRABILITY OF THE PROPOSAL**

The objections have been addressed extensively under Paragraph 7; however, a few aspects need to be addressed in more detail.

Wall Height:

The present application is for the deviation of the stipulated height restriction of the wall height at 2,1m as per the Overstrand Land Use Scheme to 2,6m in height. The height of 2,6m will only be applicable to the gas cage and not the *Clear View* fencing around the erf.

In terms of the National Building Regulations SANS – gas cages require a 200m concrete floor. This requirement plus the allowable 2.1m wall height result in a 2.3m high boundary wall. In this particular instance, the gas cage is roofed and in order to accommodate the roofed gas cage, the height of the wall is 2.6m. The wall will ensure no visibility from street view and is in line with safety and security of the cage.

Land Use Activity:

The objector comments that a consent use is required, since the activity constitutes a business as per Overstrand Land Use Scheme. This aspect is not agreed with and is the opinion that the activity falls within the definition of a shop as per the Overstrand Land Use Scheme.

Risk and Noxious Activity:

The risk factor of a use is to be determined by the Municipality. The same applies to the comment on noxious trade or activity. The objector does indicate that should the activity include filling of gas bottles, it is deemed to be a business and not a shop. In investigating the comments from the PBRA in their interpretation of a risk and noxious trade or activity, this would imply that all the restaurants in Pringle Bay are either a risk or a noxious trade. One can take it even further and determine that all households making use of gas in their houses should be either a risk and or a noxious industry. This also relates to the comment that the loading and off-loading of gas items constitute a service industry. Restaurants and some households have gas bottles load and off load at their prospective premises, will that render them as a service trade?

However, sanity must prevail to ensure that in this day and age from a town planning perspective, it boils down to the scale of the activity. In terms of legislation, households and businesses may have a 9kg inside of a building and a 19kg outside a building, provided that they have to comply with SANS and other applicable legislation. The scale is of such a small nature that it is clearly to service the community of Pringle Bay, which does not constitute a depot, warehouse or filling of gas and therefore are interpreted as a shop.

LPG gas is non-toxic in nature and thus cannot be interpreted as a noxious industry in terms of the township establishment conditions from the 1940's, since it did not exist.

Place of Instruction:

The comment regarding a Place of Instruction as a consent use is due to the internship provided by the owner. It is clear that the objector did not read the definition of the Land Use Scheme regarding a Place of Instruction. The present application does not fall under the category of a Place of Instruction. The PBRA will thus deem all professional companies such as engineering firms, accounting firms, attorneys and banks as Places of Instruction. The people working in the shop are employees of the business and it is the right of the owner to employ whoever he wants to and not for the PBRA to determine who constitute an employee the capacity he or she is employed in. It is unclear why the PBRA object to an existing business that is relocating to a different erf. The owner has been operating the same business from Erf 369.

Parking:

The parking layout was circulated to the Engineering Services Department and complies with the Land Use parameters and is all located on-site. The Master Parking Plan is not in question, since all the parking is on site.

**CONCLUSION**

The proposed noxious trade and scale is determined by the SANS regulations and By-Law relating to fire safety. Therefore, the interpretation is that the prefilled gas bottles on site do not constitute an industrial activity, since the building and activities are limited in terms of its development parameters.

The application for the deviation of the wall height and not any other use as indicated by the PBRA and is recommended for approval.

**13. RECOMMENDATION**

1. that the objections/comments be noted;
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 372, Pringle Bay for a **departure** to relax the wall height from 2,1m to 2,6m to accommodate the roofed gas cage, **be approved**, in terms of the provisions of Section 61 of the By-Law; be subject to the following conditions:
  - (a) that the approval be **limited** to the wall height of 2,6m at the gas cage;
  - (b) that no filling of gas bottles be allowed on Erf 372;
  - (c) that the business **not** be utilized as a training facility for the general public;
  - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control – and the Fire Department be complied with at that stage;
  - (e) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;

- (f) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (g) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
  - (h) that all the conditions in the Services Report (attached as Annexure F), 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 Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

#### **14. REASONS FOR RECOMMENDATION**

- ❖ The business is existing in Pringle Bay and will only relocate to the application erf.
- ❖ No complaints have been received from the either the Pringle Bay Rate Payers Association and or residents of Pringle Bay against the existing business on Erf 369.
- ❖ The deviation of the wall height at the gas cage is due to Fire Regulations and Safety By-Law.
- ❖ Sufficient parking is provided on-site.
- ❖ The business is not deemed as noxious.

#### **15. ANNEXURES**

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objection & comment received
Annexure E:	Applicant's response to the objection received
Annexure F:	Services Report

#### **SIGNATURE**

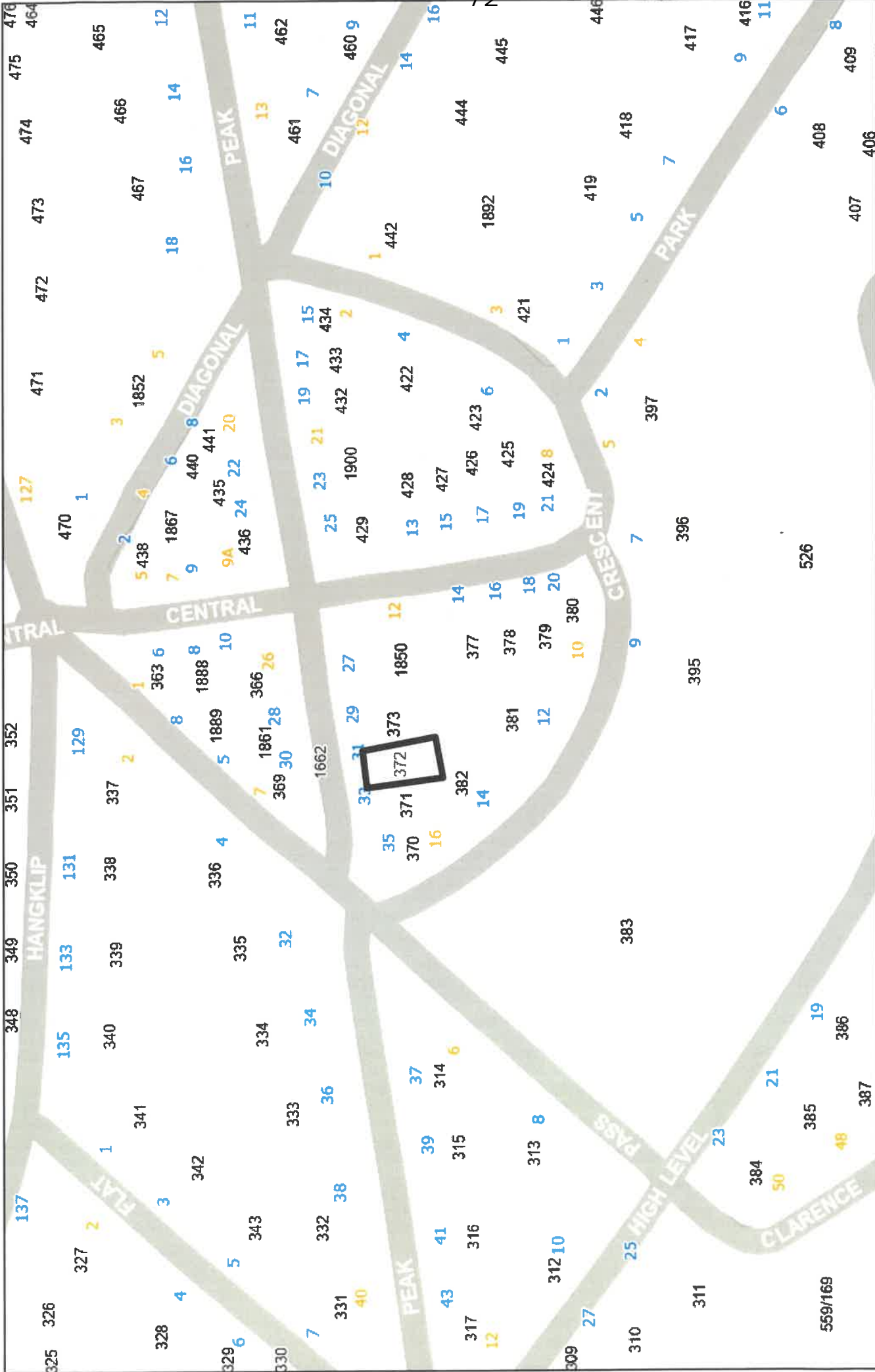
##### **REGISTERED PLANNER**

Name: **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Locality Map  
Erf 372 Pringle Bay



*M. R. P.*

*Architectural Solutions*

DESIGN – TOWN PLANNING – PROJECT MANAGEMENT  
17 Steyn Street, Napier 7270; Cell 083 701 8750  
[megum@netactive.co.za](mailto:megum@netactive.co.za)

**MOTIVATION; ERF 372 Pringle Bay.**

Owner: Darryl Melrose  
Address: Peak Road, Pringle Bay.  
Applicant: Megum Reyneke  
Address: 17 Steyn Street Napier 7270  
Contact Details: 083 701 8750: [megum@netactive.co.za](mailto:megum@netactive.co.za).

**ZONING:**

**Local Business zone 3**

**APPLICATION**

**Permanent Departure**

**To Allow the Proposed Gas Store to be erected on the street boundary with the boundary wall being 2.6m high.**

**To allow the 1.8m high vibracrete fence along the rear and the side boundaries**

**With clear view fencing along the balance of the front boundary**

**Background.**

At the moment the company has its premises at 369 Pass Road, a small property with a building which was previously a residential property. This property has a limited work area and is extremely small, so when the larger property came available across the road, Mr. Melrose purchased the ground and is in the process of developing the ground.

### **Development Proposal**

This property is 475sq.m, has no structures and is a flat piece of ground, ideal for the business. The layout is so designed that the delivery and collection of gas bottles is at the front of the property, so making it easily assessable.

The shop is also in the front which offers quick service and availability for clients.

The workshop has its entrance on the side away from the public, this is ideal as the loading or off loading of electrical or gas items can be done in the workshop without causing inconvenience to the clients.

The livable area upstairs to be used by the owners.

At the moment the property has no protection, so a vibracrete wall is to be erected along the sides and rear boundary. The front or street boundary will have the gas store on the one side and the clear view sliding gate and mesh work to complete the front boundary.

### **Socio Economic Impact**

At the existing premises, the business cannot take any more staff due to space constraints, the new premises however is going to be able to facilitate more apprentices in both the gas, electrical and solar industry. At the moment there are already apprentices doing their training, but now the company will be able to take more students and be able to have the space for better teaching facilities. These students will be local.

With the larger premises, extra staff will also be employed. These folk will all be locally based so not having far to travel as well as supporting the Pringle Bay community. The focus of this business is commitment to Pringle Bay in service and support.

### **Compatibility with Surrounding Business.**

This is an established business moving to larger premises. The area is the business hub of Pringle Bay and as Load Shedding is a major concern to everybody, having a gas supplier in the centre of town is a welcome necessity.

### **Impact on Engineering Services.**

When Pringle Bay was laid out, services were provisionally made available by the Overstrand Municipality.

Now that the properties are being utilized, the impact is in keeping with what was originally set aside by Overstrand Municipality, therefore the impact is nominal.

### **Impact on Health Safety and Wellbeing.**

The impact is minimal as all regulations are adhered to and every precaution is taken for the safety of all.

**Impact on Heritage.**

No impact on Heritage as this is a new development.

**Impact on Traffic.**

The impact on Traffic will increase because of the new business, but it is because the business has moved from Pass Road to Peak Road and the traffic in Pass Road will be less.

**Impact on Proposed Land Use.**

The existing property is just sand, no Fynbos, Trees, or animal habitat. The only impact is on the ground water which a water license has been applied for and this water will be diverted to the water channel adjacent to Peak Road.

**Desirability.**

This property is most desirable, being in the business area of Pringle Bay as well as being flat ground and that the owner can build what he requires for the future of the business.

**Conclusion.**

Having the gas store at the front of the property is the safest place, having the property enclosed with a wall is a required security issue.

This layout is to the advantage of all, and the approval will be the best for Pringle Bay, clients and staff.

*M. Reyneke*

Megum Reyneke.

PrSArchT.

30/01/2024





**PRINGLE BAY RATEPAYERS' ASSOCIATION**  
**PRINGLEBAAI BELASTINGBETALERSVERENIGING**

SARS Reg. 9101/138/16/3

NPO Reg. 214-205

www.pringlebayratepayers.co.za

P O Box 409, Pringle Bay, 7196 / Posbus 409, Pringlebaai, 7196

Chairman / Voorsitter: chairman@pringlebayratepayers.co.za / Tel: 084 222 1242

17 April 2024

The Municipal Manager  
OVERSTRAND MUNICIPALITY  
PO BOX 20  
HERMANUS  
7200

*TP. D. / heat  
(H. vd Stoep)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
17 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

PER EMAIL: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**SUBJECT: ERF 372, 15 PEAK ROAD: PROPOSED ALTERNATIVE PARKING PROVISION AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: COMMENTS**

**PREAMBLE**

I, the undersigned, ALBERT WILLEM VORSTER (Identity no. 611004 5027 084) in my capacity as representative of the PRINGLE BAY RATEPAYERS' ASSOCIATION (hereafter referred to as PBRA, being a separate legal entity having a constitution, in terms of which it has a right, inter alia, to sue and to be sued), on behalf of our members who have granted a mandate to the PBRA to, amongst others, comment on and provide input on land use applications referred to the PBRA, hereby wishes to submit comments on behalf of the PBRA regarding the subject application.

**1. ORGANISATION**

The Pringle Bay Ratepayers' Association (PBRA) was started in 1967 by the first property owners of Pringle Bay to represent the interests of ratepayers and residents. Today it is a registered Non-Profit, Public Benefit Organisation.

Our primary function is to liaise with the Overstrand Municipality, with whom we enjoy a close relationship and to support local environmental conservation. We represent the community on the local Ward Committee and other consultative bodies. We maintain close contact with local authorities and service providers, particularly on matters affecting ratepayers and residents.

The PBRA represents the ratepayers within the declared Urban Edge. This currently constitutes approximately 1,800 properties (erven) of which approximately 1,200 are developed (thus having a habitable structure erected on it either for residential or business purposes).

FILE NO. <i>ERF 372</i> ✓
<i>Pringle Bay</i>
SCAN NO. <i>KPRB 372</i>
COLLABORATOR NO. <i>2032577</i>



## 2. TWO ASPECTS NEED TO BE ADDRESSED

- 2.1. The first aspect in our opinion that needs to be addressed is the conformance to the Overstrand Municipal Land Use Scheme (2020) requirements.
- 2.2. The second aspect in our opinion that needs to be addressed is the conformance to the Title Deed Requirements related to the subject erf.

These aspects are discussed in the following paragraphs.

## 3. OVERSTRAND MUNICIPALITY LAND USE SCHEME, 2020

- 3.1. The applicant does not explain the extent of its gas supply activities.

Will gas cylinders be refilled on the premises? If that is the case, then the proposed business may, in terms of the Overstrand Municipal Land Use Scheme be classified as a "risk industry", that poses a "risk activity".

The business will in that case only be allowed if a consent use is applied for. This will require submission of a site development plan addressing the safety issues as per the requirements of the OVERSTRAND MUNICIPALITY LAND USE SCHEME, 2020: Clause 7.2.4.

We request that the applicant please clarify in no uncertain terms the *modus operandi* at the proposed development.

- 3.2. The application does not adequately explain why a departure above the limit of 2,1m to 2,6m on the street boundary line is applied for. We would submit that such a high wall is not "street-friendly" and that it should only be allowed for a good reason, which we fail to identify.
- 3.3. Furthermore, if the walls on the other three boundaries will be 1,8m, a 2,6 m wall would appear to be visually out of line and a possible eye-sore to the CBD neighborhood.
- 3.4. The construction of screening walls of 1,8m or more would be in accordance with the screening requirements of Schedule 2 of Bylaw: OVERSTRAND MUNICIPALITY LAND USE SCHEME 2020, in particular clause 7(2)(2)(i) and clause 16.7.1. There is this no reason to specifically apply for same.
- 3.5. Depending on the extent of the gas supply activities (i.e. either as a shop -merely offloading and storing for sale of cylinders already filled by a supplier or as a business - the applicant as a business filling the cylinders for sale from a bulk supply as is pointed out in 3.1 above) the proposed business may furthermore be either a "shop" or a "business premises".



If it is a "business premises", then it becomes consent use, for which the safety considerations as per the OM Land Use Scheme would, we submit, apply as per par 3.8 below.

- 3.6. The application also notes " ... *and be able to have the space for better teaching facilities. The students will be local. ...*". This is indicative of either **training and/or education activities** which could be interpreted as a **place of instruction**, and which also requires application for a consent use per the OM Land Use Scheme as per par 3.8 below.
- 3.7. The application also notes " ... *as the loading and off loading (sic) of electrical or gas items ...*" which is indicative of a **service trade** which also requires application for a consent use per the OM Land Use Scheme would as per par 3.8 below.

**3.8. APPLICABLE REFERENCES IN THE OVERSTRAND MUNICIPALITY LAND USE SCHEME, 2020: SCHEDULE 2**

*"7.2 BUSINESS ZONE 3: LOCAL BUSINESS (B3)*

*Use of the property*

*7.2.1 The following use restrictions apply to property in this zone:*

- a) Primary uses are: shops, dwelling unit (above ground floor) in accordance with 6.3.2 .....*
- b) Consent uses are: bottle store, **business premises** .... **place of instructions** .... **service trade** ..."*

**THE DEFINITIONS READ:**

- *"business premises" means a property from which business or services are conducted and includes a shop, .....and building for similar uses and the sale of any small and big items but excludes a place of assembly, a place of entertainment, an institution, a service station, a motor repair garage, an industry, an industrial hive, a noxious trade, a risk activity, an adult entertainment business or a bottle store";*
- *"risk industry" means an undertaking where material handled or the process carried out is liable to cause combustion with extreme rapidity and give rise to poisonous fumes or cause an explosion and includes major hazardous installations and activities involving dangerous and hazardous substances that are controlled in terms of national legislation;..."*
- *"place of instruction" means a place for education at pre-school, school or post- school levels (including a day care centre, a crèche, a farm school, a nursery school, a primary school, a secondary school, a college, a lecture hall, a university, a research institute, an environmental research or other*



*educational centre) and associated uses such as boarding hostels or a civic facility for the promotion of knowledge to the community such as a convent, a monastery, a public library, a public art gallery or museum or a place of instruction in sport or other physical discipline where the main objective is instruction (as opposed to participation by the public sector as competitors or spectators) but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre*

- *“service trade” means an enterprise which:*
  - i) *is primarily involved in the rendering of a service to the local community such as the repair of household and electrical appliances or the supply of household services;*
  - ii) *is not likely to be a source of disturbance to surrounding properties;*
  - iii) *is not likely, in the event of fire, to cause excessive combustion, resulting in noxious fumes or explosions;*
  - iv) *includes a builder’s yard and allied trades, fitment centre for tyres, shock absorbers or exhausts systems and similar types of uses;*
  - v) *excludes an abattoir, brick yard, sewage works and service station;*

**We therefore sincerely request that the application be withdrawn to be resubmitted to officially address the aspects highlighted above.**

### **3.9. PARKING REQUIREMENTS**

Given the uncertainty of the type of activities as we point out above, we furthermore fail to identify what the particular parking requirements related to the proposed development are. We submit that, given the recent issues related to the provision of parking in the business area of Pringle Bay, the PBRA would want to see how the applicant is addressing the parking requirements against the background of the Pringle Bay CBD Parking Master Plan and supporting documentation.

### **4. TITLE DEED CONDITIONS**

4.1. We submit that the applicant has neglected to address the restrictive Title Deed Conditions applicable to Erf 372.

4.2. The Title Deed, if consistent with the rest of the erven zoned as Business 3 in Pringle Bay Business area, among other states the following:

*“(D) As being in favour of the registered owner of any erf in the township:*

*(a) ....*

*(f) No noxious trade or noxious business shall be carried on on this erf*

*(g) ....”*



As per the Overstrand Municipality Land Use Scheme 2020, the definition of noxious trade or noxious industry (business) is as follows:

*“noxious trade” means poisonous or potentially harmful trade, use or activity which, because of fumes, emissions, odours, vibrations, noise, waste products, nature of materials used, processes employed or other causes, is considered by the Municipality to be a potential source of danger or health risk to the general public or persons in the surrounding area. “noxious industry” has the same meaning; “*

- 4.3. Based on the above-mentioned we are of the opinion that the applicant must also apply for a removal, amendment or suspension of a restrictive Title Deed Condition.

**We therefore sincerely request that the application be withdrawn to be resubmitted to officially address the aspects highlighted above.**

## 5. OBLIGATION TO GIVE NOTICE TO INTERESTED PARTIES PER LAND USE LEGISLATION

- 5.1. In the present case both the applicant and the OM Town Planning Department appear to accept that it is in order that notices were given on a selective basis and not to all such property owners who have praedial rights against erf 372.

- 5.2. The format in which the administrator approved the title deed conditions in the present case, does give praedial rights to all erf owners which form part of the same development. So much is spelled out in the leading case of *Malan v Ardconnel*. The Title Deed, if consistent with the rest of the erven zoned as Business 3 in Pringle Bay Business area, clearly states:

*“(D) As being in favour of the registered owner of any erf in the township:*

*(a) .....*

- 5.3. We wish to point out that it is a requirement that notice should have been given to all property owners forming part of, and who have acquired praedial property rights against the other property owners of the erven constituting the development within which erf 372 is situated.
- 5.4. It is our considered opinion that all erf owners with praedial rights should thus receive at least email notification (or in case of SAPO being operational, registered letters), calling for their comments when an updated application is issued for comment.
- 5.5. Failure by the applicant to follow the mandatory requirements of National and Provincial legislation, may render a decision by the MPT appealable. We wish to point out that the Overstrand Municipality must ensure compliance in this regard as is stated in their *“Notification to potentially affected property owners”* that nowadays normally accompany applications. We could not identify any statement



in the Application that all potential affected parties were indeed given notice. The onus of verification in this regard thus remains with the OM.

## 6. CONCLUSION

In summary we conclude as follows:

- 6.1. That the application appears to be incomplete in terms of the requirements of both the OM Land Use Scheme (2020) requirements (refer to our paragraph 3 above) as well as of the applicable Title Deed Requirements (refer to our paragraphs 4 and 5 above).
- 6.2. We therefor request that the application be withdrawn only to be resubmitted addressing the requirements as pointed out in paragraph 6.1 above.

We sincerely request that you will please be so kind to acknowledge receipt of our comments/objection and to take the necessary steps outlined above.

Kind regards

A handwritten signature in black ink, appearing to read "AW Vorster".

**AW Vorster**  
Obo: Pringle Bay Ratepayers' Association

**Loretta Gillion**

**From:** Theresa Els  
**Sent:** Monday, 08 April 2024 11:46  
**To:** Loretta Gillion  
**Subject:** Erf 372 & 434 Pringle Bay Departures  
**Attachments:** Annexures, Erf 372, Pringle Bay (departure).pdf; WARD 10 Annexures, Erf 434 Pringle Bay (departure, admin penalty).pdf

Good day,  
 Please find below comment from Amund Beneke, Ward 10 Committee Member  
 072 184 9621  
 Adres: Seaview Drive 52, Betty's Baai

- **Erf 372:**
  - Die hoogte van die muur kannie wees "approximately" nie. Sien advertensie. Dis 2.6m finish en klaar. "Approximately" kan ook wees 2.65m of 2.7m
  - Maar dis vir 'n heining. Geen probleem. Maak net die 2.6m vas.
- **Erf 434:**
  - Die normale vereiste is "voorsien parkeerplekke op terrein ooreenkomstig die goedgekeurde development controls i.e. coverage en FAR"
  - Die Ontwikkelaar het reeds oortree deur onregmatig parkeerplekke binne die padreserwe te bou
  - Hulle wil dit nou kondoneer deur die Stadsraad eintlik te "dwing" om die bestaande situasie te aanvaar met 'n "penalty betaling".
  - Dis wel binne die CBD van Pringle Baai. Daar word ook verwys na die Konsep Pringle Baai SDF (wat geen regstatus het nie).
  - Hierdie is 50/50 - as dit toegelaat word, word na mening 'n president geskep vir elkeen van die Besighede om formele parkering in die padreserwe te he.

Groete  
 Theresa Els  
 Cllr Ward 10

TP. N. Aheal  
 (H. ud Skoop)

OVERSTRAND MUNISIPALITEIT
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OVERSTRAND MUNICIPALITY

FILE NO. <u>372</u>
<u>Pringle Bay</u>
SCAN NO.
COLLABORATOR NO.
<u>2026724</u>

TP - A Theart  
(H vld Stoep)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
13 MAY 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**Loretta Gillion**

**From:** amund@vodamail.co.za  
**Sent:** Monday, 13 May 2024 10:51  
**To:** Loretta Gillion  
**Cc:** Theresa Els  
**Subject:** RE: ACKNOWLEDGEMENT - Erf 372 Pringle Bay (4573/2024)

Hallo Loretta;

You well?

Referring to the email below, please be advised that the "Objection" is formally withdrawn.

The intention wasn't to object to the Application / fence per se, but just to comment that the height must be 2.6m and not "approximately" as advertised. Please keep this in mind when taking a decision on the Application.

Trust this will suffice.


Regards / Groetnis

Amund

Amund Beneke Pr. PLN (A/680/1992) // MSAACPP // MPRE 1137487  
 M. Comm (Business Management // B. Art et Scien (Town-planning)  
 Director: Platinum Town and Regional Planners CC  
 Director: Platinum Town Properties (PTY) Ltd  
 Director: Platinum Town Project Management (PTY) Ltd

OVERSTRAND MUNISIPALITEIT
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13 MAY 2024
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*Exciting news: We have a new Office in the Overstrand Municipal Area to serve the Western Cape / Eastern Cape / Northern Cape Areas.*

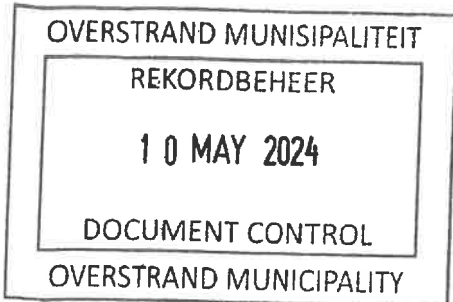
	<p><b>Overstrand Office</b></p> <p>52 Seaview Drive, Betty's Bay          Cell: 072 184 9621          Email: <a href="mailto:amundpaul@gmail.com">amundpaul@gmail.com</a>  <a href="mailto:amund@vodamail.co.za">amund@vodamail.co.za</a></p>	<p><b>Pretoria Office</b></p> <p>61 Woodlands Avenue, Pecanwood          Cell: 083 226 1316          Email: <a href="mailto:pieter@platinumtownplanners.co.za">pieter@platinumtownplanners.co.za</a>  <a href="mailto:dehaas@telkomsa.net">dehaas@telkomsa.net</a></p>
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**From:** Loretta Gillion <loretta@overstrand.gov.za>  
**Sent:** Tuesday, April 30, 2024 11:19 AM  
**To:** amund@vodamail.co.za  
**Cc:** Theresa Els <tels@overstrand.gov.za>  
**Subject:** ACKNOWLEDGEMENT - Erf 372 Pringle Bay (4573/2024)

FILE NO. Erf 372 - KPRB ✓
SCAN NO. KPRB 372
COLLABORATOR NO.
2045627

Dear Mr A Beneke  
(52 Seaview Drive, Betty's Bay – Erf 3120)

**ACKNOWLEDGEMENT**



*M. R. P.*  
*Architectural Solutions*

DESIGN – TOWN PLANNING – PROJECT MANAGEMENT  
17 Steyn Street, Napier 7270; Cell 083 701 8750  
[me@um@netactive.co.za](mailto:me@um@netactive.co.za)

TP - A. Theart  
(H vld Stoep)

The Municipal Manager,  
Overstrand Municipality,  
Hermanus

Email: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**RE: Reply to Comments / Objections, Erf 372, 31 Peak Road, Pringle Bay.**

Reply to: Ms. Theresa Els, Cllr Ward 10.

Confirmation that the height of the wall will be 2.6m.

Reply to: Pringle Bay Ratepayers Association (PBRA) – Mr. Vorster.

### **3.1 The extent of the gas supply activity.**

This is a gas storage facility only, all cylinders have been filled by the supplier prior to delivery. The owner of Erf 372 is the same owner as the existing gas storage facility directly opposite on Erf 369 Pass Street.

The existing storage facility will be moving to the new premises, Erf 372 Peak Road.

### **3.2 – 3.5 Height of the screen wall of the gas cage.**

The height of the screen wall is given as 2.6m. This is to allow for a 200mm concrete floor of the gas storage area as per the SANS requirements for floors. The existing storage on Erf 369 has a wall of 2.8m high on the street boundary, (Peak Road).

The departure has been applied for this wall, for both a visual and a safety aspect, it will hide the unsightly gas bottles, the roof of the cage, and to contain any accidents that may happen. The balance of the street boundary has "Clear View" fencing.

1

FILE NO.	Erf 372
	KPB
SCAN NO.	
COLLABORATOR NO.	2045028

TP  
09 MAY 2024

### 3.6 Teaching Facility, The Apprentices are local.

The Owner of E'nG Electrical and Gas is registered with Dept. Labour as an Installation Electrician. The Owner of E'nG is also a registered Gas Practitioner with the LPG Gas Association of South Africa. The Electrical and Gas 'Students' are employed by the company and receive practical training, as well as being able to study online to achieve their qualifications. The students' studies are paid for by the company.

Makes sense in today's economy. Living near to the place of employment gives the young people of the area a vision of the future, Earning and Learning and then success. What a privilege.

It would be thought that the PBRA would be encouraged that the youth of Pringle Bay are making strides to be successful, and would be supportive.

### 3.7 ...and the loading and off loading....

This is a business, items have to be delivered and collected and as the plan shows there will be no traffic problems as the vehicles will drive onto the property.

### 3.8 Business zone 3: local business (B3)

This same business that is going to operate from the new premises on Erf 372 has been operating from Erf 369 which is across the road on the corner of Peak and Pass Road. All the requirements as per the Land Use Scheme as well as the definition "Business Premises" have been met. There is a flat, shop front and the workshop is for the repair of small household electrical items and gas geysers.

There is NO RISK ACTIVITY, NO PLACE OF INSTRUCTION, and NO IN HOUSE TRAINING FACILITY.

When reading the plans, this can be seen.

The 'Service Trade' as noted by the PBRA is what this company does for the Pringle Bay community. There is no other supplier that delivers gas in Pringle Bay, or repair workshops of electrical and gas appliances in the area.

### 3.9 Parking Requirements

The parking requirements adheres to the Overstrand Municipal regulations pertaining to Business zone 3: Local Business (B3). All parking is on the property and therefore the Pringle Bay CBD Parking Master Plan is not applicable.

### 4.0 Title Deed Conditions

(f) Noxious Trade. This is not applicable.

**5.0 – 5.5 Obligation to give notice to interested parties per land use legislation.**

All advertising was as per Overstrand Municipal requirements. All applications were submitted and addressed by the Overstrand Municipal Official and these requirements were adhered to and all payments were made as per the invoices given. It is not for the Applicant to advise the Official as suggested by the writer.

**In Conclusion.**

In Point 1 of the Objection notice by the PBRA, it states that the PBRA was started In 1967 by the first property owners of Pringle Bay to represent the interests of Ratepayers and Residents.

After working through the 6 pages of negative objections, one has to wonder if this is only from the writer or if this is the representation of the full committee. Either way, these 6 pages do not represent the interests of the residents at all. This application is with the residents in mind, providing a service that is of utmost importance to the Community and offering employment for the local youth.

Overstrand Municipality would be in good standing to approve this application as Presented.

Thank you.

*Megum Reyneke.*

Megum Reyneke.  
PrSArchT.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE, ERF 372, PRINGLE BAY (4573/2024)**

Electricity	:	Eskom Area
Water	:	Refer to conditions
Sewer	:	Refer to conditions
Stormwater	:	Refer to conditions
Roads and traffic	:	Refer to conditions

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
3. that, 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: Kleinmond for written approval;
4. that any additional and / or extended vehicle entrances will be for the owner's account;
5. that no reservation of on-street parking be allowed.
6. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
7. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.

*p.p. R. Andrew*  
 DENNIS HENDRIKS  
 SENIOR MANAGER:  
 ENGINEERING SERVICES

*02/25/2024*  
 DATE