

**PORTFOLIO COMMITTEE :
INFRASTRUCTURE & PLANNING**

Chairperson :

**Executive Deputy Mayor,
Cllr R Smith**

Committee Members :

**Cllrs K Brice, D Botha
M Dyani & JJ Januarie**

**PORTEFEULJEKOMITEE :
INFRASTRUKTUUR & BEPLANNING**

Voorsitter :

**Uitvoerende Onderburgemeester
Rdl R Smith**

Komiteeëdele :

**Rdle K Brice, D Botha
M Dyani & JJ Januarie**

INFRASTRUCTURE & PLANNING PORTFOLIO COMMITTEE
INFRASTRUKTUUR & BEPLANNING PORTEFEULJEKOMITEE

17 JUNE 2015

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**AGENDA of the
Portfolio Committee : Infrastructure & Planning
17 June 2015
(Also the agenda for the Mayoral Committee Meeting : 24 June 2015)**

**1.
TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : APRIL 2015 – MAY 2015**

15/3/11

R van Antwerp
18 May 2015

(028) 313 8039

Hermanus Administration

1. Executive Summary

To report on applications disposed of by the Senior Manager : Town- & Spatial Planning during the period from 14 April 2015 – 18 May 2015.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town 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

This item serves to inform Council of matters that were disposed of by the Senior Manager : Town- & Spatial Planning.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

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10. Annexures

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

RECOMMENDATION:

that **cognisance be taken** of the town planning applications disposed of by the Senior Manager : Town- & Spatial Planning in terms of delegated authority for the period 14 April 2015 – 18 May 2015:

1.	Erf 3361, Kleinmond	15 April 2015
2.	Erven 3845 and 3855, Kleinmond	15 April 2015
3.	Erf 3778, Onrus River	15 April 2015
4.	Erf 4257, Onrus River	15 April 2015
5.	Erf 53, Sandbaai	15 April 2015
6.	Erf 195, Hermanus	17 April 2015
7.	Erf 2572, Onrus River	20 April 2015
8.	Erf 338, Hawston	20 April 2015
9.	Erf 1057, Vermont	20 April 2015
10.	Erf 1139, Hermanus	22 April 2015
11.	Erf 6996, Hermanus	12 May 2015
12.	Erf 2068, Hermanus	12 May 2015
13.	Erf 1180, Stanford	12 May 2015
14.	Erf 11094, Hermanus	12 May 2015
15.	Erf 2820, Gansbaai	13 May 2015
16.	Erf 4674, Kleinmond	13 May 2015
17.	Erf 73, Pringle Bay	13 May 2015
18.	Erf 6174, Kleinmond	13 May 2015
19.	Erf 7880, Kleinmond	13 May 2015
20.	Erf 4880, Kleinmond	14 May 2015
21.	Erf 4453, Hermanus	14 May 2015
22.	Erf 2606, Onrus River	18 May 2015

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

10 JUNE 2015

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

2a

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1.

**TOWN- & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY : APRIL 2015 – MAY 2015**

15/3/11

R van Antwerp

(028) 313 8039

Hermanus Administration

18 May 2015

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
17 JUNE 2015, WHICH COMMITTEE SUPPORTED THE RECOMMENDATION**

RESPONSIBLE OFFICIAL :

R VAN ANTWERP

TARGET DATE FOR IMPLEMENTATION :

10 JUNE 2015

TARGET DATE TO INFORM APPLICANT :

N/A

TARGET DATE TO INFORM OBJECTOR :

N/A

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1. ERF 3361, 55 BOB LAUBSER STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : QD BRUWER

3361 KKM (2765)

H van der Stoep

(028) 313 8900

Hermanus Administration

7 April 2015

Executive Summary

An application has been received on 26 November 2014 from QD Bruwer on Erf 3361, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the respective lateral- and rear building lines from 2m to 1,5m, in order to accommodate the usage change of the existing double garage into a library and second dwelling unit, on the property.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3361, Kleinmond, in order to relax the respective lateral- and rear building lines from 2m to 1,5m, in order to accommodate the usage change of the existing double garage into a library and second dwelling unit, on the property, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. B.716.K dated 26 November 2014, which was submitted with the application, and
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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2. ERVEN 3845 & 3855, FIRST AND SECOND AVENUES, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSOLIDATION : MESSRS PLAN ACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF THE PAUL MARAIS TRUST

3845 & 3855 KKM (2769)

H van der Stoep

(028) 313 8900

Hermanus Administration

13 April 2015

Executive Summary

An application has been received on 3 December 2014 from Messrs Plan Active Town- and Regional Planners on behalf of the property owner, The Paul Marais Trust, for the consolidation of Erven 3845 and 3855, Kleinmond.

RESOLVED :

1. that in terms of Section 2.3 of the Scheme Regulations made in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for the consolidation of Erven 3845 and 3855, Kleinmond, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the proposed SG Diagram, Erf 8614, Kleinmond, dated November 2014, as submitted with the application;
 - (b) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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3. ERF 3778, 23 SHERWOOD DRIVE, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : C DAVIDS

3778 HON (2759)

H Olivier

(028) 313 8900

Hermanus Administration

8 April 2015

Executive Summary

An application has been received on 12 November 2014 from Messrs Engelbrecht & Scorgie on behalf of the property owner on Erf 3778, Onrus River for a departure from the relevant Scheme Regulations in order to relax the northern lateral building line from 2m to 0m to accommodate a new proposed double garage, and also to relax the southern lateral building line from 2m to 0,85m to accommodate a use change of the existing garage to store/laundry purposes.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 3778, Onrus River, in order to relax the northern lateral building line from 2m to 0m to accommodate a new double garage and to relax the southern lateral building line from 2m to 0,85 to accommodate a use change of a garage to a store/laundry, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 56-10/14 dated 7 November 2014 submitted with the application;
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
 - (e) that the conditions of Telkom in their letter dated 23 March 2015 (see Annexure E), be complied with.

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4. ERF 4257, 23 ARUM STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ENGELBRECHT & SCORGIE ON BEHALF OF M PEACEY

4257 HON (2750)

H Olivier

(028) 313 8900

Hermanus Administration

13 April 2015

Executive Summary

An application has been received on 23 October 2014 from Messrs Engelbrecht & Scorgie on behalf of M Peacey, the property owner on Erf 4257, Onrus River, for a departure from the relevant Scheme Regulations to relax the northern lateral building line from 2m to 1,025m and the rear building line from 2m to 0,88m, to accommodate a use change of an existing office and prayer room to servant's quarters in the existing building footprint.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) an application for a departure from the relevant Scheme Regulations on Erf 4257, Onrus River, to relax the northern lateral building line from 2m to 1,025m and the rear building line from 2m to 0,88m to accommodate a use change of the existing office and prayer room to servant's quarters, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. PEA 1409-4257/SH1-A dated 18/09/2014, which was submitted with the application, and
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of their right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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5. ERF 53, 227 PIET RETIEF CRESCENT, SANDBAAI, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MESSRS ENGELBRECHT & SCORGIE ON BEHALF OF J BENWELL

53 HSB (2767)

H Olivier

(028) 313 8900

Hermanus Administration

13 April 2015

Executive Summary

An application has been received on 26 November 2014 from Messrs Engelbrecht & Scorgie on behalf of the property owner, J Benwell, on Erf 53, Sandbaai for a departure from the relevant Scheme Regulations to relax the western lateral building line from 2m to 0m to accommodate a new proposed tandem garage on the property.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) an application for a departure from the relevant Scheme Regulations on Remainder Erf 53, Sandbaai, to relax the western lateral building line from 2m to 0m to accommodate a tandem garage, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. BEN1411-530/SH1-D dated 19/11/2014, which was submitted with the application, and
 - (d) that a 30 minute fire resistant protection be provided for the garage roof structure in order to comply with National Building Regulations SANS 10400 T : 2011 – 4.12.11, to the satisfaction of the Fire Department;
 - (e) 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, and
 - (f) that Telkom's conditions in their letter dated 27 February 2015 (attached as Annexure F) be complied with.

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2. that the applicant be notified of their right of appeal in terms of the Local Government : Municipal Systems Act, 2000 (Section 62) with regard to the above conditions of approval.

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6. ERF 195, 28 CANTERBURY STREET, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : L & E BEYERS

195 HWC (2603)

H van der Stoep

(028) 313 8900

Hermanus Administration

16 April 2015

Executive Summary

An application has been received on 18 June 2014 from Mr. Karl Winter on behalf of Mr. L & E Beyers on Erf 195, Hermanus for a departure from the relevant Scheme Regulations in order to relax the relaxation of the lateral building line from 2,36m to 0m and the rear building line from 2,0m to 0m to legalize the existing maids room, storage room and pergola.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 195, Hermanus in order to relax the relaxation of the lateral building line from 2,36m to 0m and the rear building line from 2,0m to 0m to legalize the existing maids room, storage room and pergola, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan marked A dated 12 June 2014, which was submitted with the application;
 - (b) that the maids quarters may not be converted and/or used as a second dwelling and that this restriction be noted on the building plan;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage, and
 - (f) that the owner of Erf 198 be consulted in future on any proposed development on Erf 195.

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2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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7. ERF 2572, 43 VILJOEN STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : SC BURGER

2572 HON (2760)

H Olivier

(028) 313 8900

Hermanus Administration

16 April 2015

Executive Summary

An application has been received on 17 November 2015 from of the property owner, Dr SC Burger, on Erf 2572, Onrus River for a departure from the relevant Scheme Regulations in order to relax the 2m western lateral building line from 2m to 1m and 1,6m to legalize a pergola and also relax the rear building line from 2m to approximately 0,4m to legalize a wooden wendy house.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 2572, Onrus River, in order to relax the 2m western building line to 1m to legalize a pergola and also relax the rear building line from 2m to 0,4m to legalize a wooden wendy house, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines, which was submitted by the architect with the application;
 - (d) that a 2,1m wall be constructed on the boundary behind the wendy house to the satisfaction of the Fire Department, or alternatively the wendy house be moved away from the rear boundary wall to the satisfaction of the Fire Department;
 - (e) 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;
 - (f) that all the conditions by Telkom in their letter dated 26 February 2015 (attached as Annexure E) be complied with;
 - (g) that the wendy house may only be used for storage purposes, and

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- (h) that all the conditions in the Services Report (attached as Annexure D) be complied with.
- 2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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8. ERF 338, MARINE DRIVE, HAWSTON, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : B & I THESEN

338 HHW (2766)

H Olivier

(028) 313 8900

Hermanus Administration

16 April 2015

Executive Summary

An application has been received on 26 November 2014 from the property owners, B & I Thesen, on Erf 338, Hawston for a departure from the relevant Scheme Regulations in order to relax the 2m rear building line and the 2m northern lateral building from 0m to accommodate the existing double garage and store.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 338, Hawston, in order to relax the 2m northern lateral building line and 2m rear building line to legalize an existing double garage and store, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 2014-338 dated 27 July 2014, which was submitted with the application, and
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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9. ERF 1057, 33 KRINTANG CRESCENT, VERMONT, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : B SCORGIE ON BEHALF OF THE D SMIT TRUST

1057 HVM (2764)

H Olivier

(028) 313 8900

Hermanus Administration

16 April 2015

Executive Summary

An application has been received on 25 November 2014 from B Scorgie on behalf of the property owner, The D Smit Trust, on Erf 1057, Vermont for a departure from the relevant Scheme Regulations in order to relax the eastern lateral building line from 2m to 1,5m to legalize a window and door alterations in the existing dwelling, and legalize the extended braai room and pergola on first floor.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1057, Vermont, in order to relax the eastern lateral building line from 2m to 1,5m to accommodate window and door alterations in the existing dwelling, and legalize the extended braai room and pergola on first floor level, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan No. 55-10/14 dated 28 October 2014, which was submitted with the application;
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
 - (e) that all the conditions in the Services Report (attached as Annexure D) be complied with.

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2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**10. ERF 1139, 88 MITCHELL STREET, HERMANUS (EASTCLIFF),
 OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE :
 GF SHREEVE**

Erf 1139 HEC (2789)

P Roux

(028) 313 8900

Hermanus Administration

17 April 2015

Executive Summary

An application has been received on 12 January 2015 from GF Shreeveon Erf 1139, Hermanus (Eastcliff) for a departure from the relevant Scheme Regulations in order to relax the respective lateral- and rear building lines from 2m to 0m, in order to accommodate the proposed storage area, on the property.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 1139, Hermanus in order to relax the respective lateral- and rear building lines from 2m to 0m, in order to accommodate the proposed storage area, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines indicated on Plan No. PW-L/O.01 dated November 2013, which was submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (e) that all conditions compiled in the Services Report (attached as Annexure D) be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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11. ERF 6996, 11 THIRD AVENUE, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURE : G DE SMIDT

Erf 6996 HVK (2770)

P Roux

(028) 313 8900

Hermanus Administration

5 May 2015

Executive Summary

An application has been received on 4 December 2014 from G de Smidt on Erf 6996, Hermanus (Voëlklip) in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the relevant Scheme Regulations to relax the lateral- and rear- building lines from 2m to 0m respectively in order to accommodate the proposed garage.

RESOLVED :

1. that in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the Scheme Regulations on Erf 6996, Hermanus (Voëlklip) to relax the lateral- and rear building lines from 2m to 0m respectively in order to accommodate the proposed garage, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that the conditons compiled in the services report (attached as Annexure D) should be complied with;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that this approval is only for the relaxation of building lines indicated on the Site Development Plan No.2014/17/101 ref. KH/72K dated Aug 2014, as submitted with this application;
 - (e) that building plans be submitted to the Building Department for approval, and
 - (f) that an application must be lodged within 60 days from the date of this approval in order to legalise the existing servant's quaters.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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12. ERF 2068, 41 FIFTH STREET, HERMANUS (VOËLKLIP), OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE : CAJ FOURIE

2068 HVK (2747)

P Roux

(028) 313 8900

Hermanus Administration

28 April 2015

Executive Summary

An application has been received on 22 October 2014 from CAJ Fourie, on Erf 2068, Hermanus (Voëlklip) in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the relevant Scheme Regulations to relax the lateral building lines from 2m to 1m and 0m respectively in order to accommodate the proposed garage.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 2068, Hermanus (Voëlklip) in order to relax the lateral building lines from 2m to 1m and 0m respectively, in order to accommodate the existing garage, **be approved**, subject to the following conditions:
 - (a) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (b) that all the conditions in the Service Report (attached as Annexure D), be complied with;
 - (c) that all structures must comply with Fire Safety Regulations;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (e) that the building plans of all existing structures be submitted to the Building Department for approval.

2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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13. ERF 1180, 2 SANNIE BADENHORST STREET, STANFORD, OVERSTRAND MUNICIPAL AREA : PROPOSED SUBDIVISION : MESSRS PLANACTIVE ON BEHALF OF RJF PRINS & LM MOSSOP

1180 SSS (2742)

P Roux

(028) 313 8900

Hermanus Administration

23 April 2015

Executive Summary

An application has been received on 22 October 2014 from Messrs PlanActive Town- and Regional Planners on behalf of RJF Prins and LM Mossop in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) in order to subdivide Erf 1180, Stanford into two erven, namely Portion A approximately 1258m² and a Remainder approximately 2704m² in extent.

RESOLVED :

1. that in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application in order to subdivide Erf 1180, Stanford into two erven, namely Portion A approximately 1258m² and a Remainder approximately 2704m² in extent, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to the Subdivisional Plan, Drawing No. Stan1180(7).drw dated July 2014, as submitted with the application;
 - (b) that the registered SG diagrams be submitted to this office;
 - (c) that all other parameters as prescribed in the Zoning Scheme be adhered to;
 - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
 - (e) that building plans be submitted to the Building Department for any future developments, and
 - (f) that all the conditions in the Services Report (attached as Annexure D) and the comment of the Operational Department (attached as Annexure E) be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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14. ERF 11094, 62 MITCHELL STREET, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MG DELPORT

11094 HEC (2787)

P Roux

(028) 313 8900

Hermanus Administration

7 May 2015

Executive Summary

An application has been received on 6 January 2015 from MG Delpport, on Erf 11094, Hermanus (Eastcliff) in terms of Section 15 of the Land Use Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the relevant Scheme Regulations to relax the street building line from 4m to 2m to accommodate additions to the dwelling on the property.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a departure from the Scheme Regulations on Erf 11094, Hermanus (Eastcliff) in order to relax the street building line from 4m to 2m in order to accommodate additions to the dwelling on the property, **be approved**, subject to the following conditions:
 - (a) that this approval only has reference to plan no. HAJ/WTVAN-14-1, as submitted with the application;
 - (b) that if no Lease Agreement is reached between the owner and Property Administration, the transgressed wall must be demolished and constructed on the correct cadastral boundary;
 - (c) that building plans be submitted to the Building Department for approval;
 - (d) that all the conditions compiled in the Service Report (attached as Annexure D), be complied with;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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**15. ERF 2820, 6 DUINEGANS STREET, GANSBAAI (PERLEMOENBAAI) :
 PROPOSED DEPARTURE : W VAN DEN BERG**

2820 GGB (2809)

**SW van der Merwe
 5 May 2015**

(028) 313 8900

Hermanus Administration

Executive Summary

To consider an application for departure received on 28 January 2015 from the owner of Erf 2820, Perlemoenbaai, W van den Berg, in order to change the existing outbuilding to a dwelling unit, which structure encroach the 2m lateral building line with 0,43m.

RESOLVED :

1. that in terms of the provisions of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for departure in order to convert the existing outbuilding into a dwelling unit, which dwelling unit encroaches the 2m lateral building line with 0,43m, **be approved**, subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for the conversion of the outbuilding into a second dwelling unit within **30 days** from the final approval of the application;
 - (b) that the approval be subject to the approval of building plans and the compliance with any applicable conditions that may be incorporated in the building plan approval pertaining to fire safety;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above approval.

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**16. ERF 4674, UNIT 17, THREE SISTERS, SIXTH STREET, KLEINMOND :
 OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : HA DU
 PREEZ**

4674 KKM (2782)

**H van der Stoep
 6 May 2015**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 22 December 2014 from HA du Preez on Erf 4674, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the 3m rear building line to approximately 2,425m to erect a balcony on the property concerned.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 4674, Kleinmond in order to relax the 3m rear building line to approximately 2,425m to erect a balcony on the property concerned, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of the rear building line and existing structures indicated on Plan No. b4038 (04, 05 and 06) dated 2 December 2014, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage, and
 - (e) that all the conditions in the Services Report (attached as Annexure D), be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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17. ERF 73, 17 MARINE DRIVE, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : MS S CLOETE

KPRB 73 (2651)

H van der Stoep

(028) 313 8900

Hermanus Administration

28 April 2015

Executive Summary

An application has been received on 4 August 2014 from Ms S Cloete on behalf of Summermania Ten CC on Erf 73, Pringle Bay for an application for a consent use in order to continue operating a five bedroom guesthouse on the property concerned.

RESOLVED :

1. that in terms of Section 2.2 of the Section 9 Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a consent use on Erf 73, Pringle Bay to continue operating a five bedroom guesthouse on the property concerned, **be approved**, subject to the following conditions:
 - (a) that the facility be utilized as a **guesthouse only**;
 - (b) that a maximum of five bedrooms to be let, be permitted;
 - (c) that the owner/manager resides on the premises;
 - (d) that the guesthouse is utilized as such; no self-catering will be permitted;
 - (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 premises will be subject to the applicant obtaining the necessary liquor licence;
 - (g) that a minimum of one permanently demarcated parking bay per guest room (as indicated on the Site Plan submitted) and two for the owner/manager be provided within the erf boundaries, subject to the approval of the Senior Manager: Town- & Spatial Planning;
 - (h) that commercial rates and service tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;

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- (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 a single non-illuminated sign that complies with the Municipal By-Law on signage, may be displayed on the premises;
 - (k) that the owner and his successors in title must take all necessary and reasonable practical measures to prevent the occurrences of any private nuisance, which through an act or omission materially interferes with the comfort, peace and quiet of the surrounding area and should the owner or his successors in title failing to comply with such a condition, they will make themselves liable to civil and criminal action;
 - (l) that a R918 Certificate of Acceptability must be applied for at the Overberg District Municipality;
 - (m) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation,
 - (n) that should any building alterations be required building plans should be submitted to the Building Department for approval;
 - (o) that the requirements of National Building Regulations – SANS 10400T:2011 and the Overstrand Community Fire Safety By-Law PN 6454 of 2007 be complied with - particular attention paid to Section 4.58 of SANS 10400T:2011, and
 - (p) that all the conditions in the Services Report (attached as Annexure D), be complied with.
2. that the applicant be notified of his right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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18. ERF 6174, 4 HARBOUR ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED CONSENT USE : M KIESLING ON BEHALF OF IMMENHOF HOMESTEAD

6174 KKM (2679)

H van der Stoep

(028) 313 8900

Hermanus Administration

28 April 2015

Executive Summary

An application has been received on 3 September 2014 from M Kiesling on behalf of Immenhof Homestead on Erf 6174, Kleinmond for a consent use in order to erect a transmission tower on the property concerned.

RESOLVED :

1. that in terms of Section 2.2 of the Section 9 Zoning Scheme Regulations of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application for a consent use on Erf 6174, Kleinmond in order to erect a transmission tower on the property concerned, **be approved**, subject to the following conditions:
 - (a) that development be restricted to the Plan Numbers B4032 (01 to 03) dated 10 October 2014 as submitted with the application;
 - (b) that the consent use approval is only applicable for the life time period of the cellular communication structure and may not be used for any other purposes;
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that any additional requirements in terms of aviation legislation needs to be complied with, and
 - (f) that all the conditions in the Services Report (attached as Annexure D), be complied with.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**19. ERF 7880, 3 SCHONE KLEINMOND, TWELFTH AVENUE, KLEINMOND :
 OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : CP & MM
 CLOETE**

7880 KKM (2680)

H van der Stoep

(028) 313 8900

Hermanus Administration

28 April 2015

Executive Summary

An application has been received on 3 September 2014 from CP & MM Cloete on Erf 7880, Kleinmond for a departure from the relevant Scheme Regulations in order to relax the 3m rear boundary to approximately 2m to create a covered braai area, and to relax the 1m internal street boundary to 0m to accommodate a covered walkway.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 7880, Kleinmond in order to relax the 3m rear boundary to approximately 2m to create a covered braai area, and to relax the 1m internal street boundary to 0m to accommodate a covered walkway, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan D.994.K (1 to 3) dated 15 August 2014, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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20. ERF 4880, 102 MAIN ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA : PROPOSED AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN : MESSRS PLAN ACTIVE ON BEHALF OF MR G HATTINGH & THE GRAIL CENTRE TRUST

4880 KKM (2777)

H van der Stoep

(028) 313 8900

Hermanus Administration

6 May 2015

Executive Summary

An application has been received on 12 December 2014 from Messrs Plan Active on behalf of Mr G Hattingh and The Grail Centre Trust on Erf 4880, Kleinmond for the proposed amendment of the approved site development plan and conditions of approval.

RESOLVED :

1. that in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), the application on Erf 4880, Kleinmond for the proposed amendment of the approved Site Development Plan and conditions of approval, **be approved**, subject to the following conditions:
 - (a) that development be restricted to the Plan Number KLEINM8166.dwr dated December 2014 as submitted with the application;
 - (b) that no further extension of time for Erf 4880 (Unregistered Erven 8166 and 8167) to be able to register will be given;
 - (c) that should the erven be developed, an application be lodged to execute the existing zoning rights and the bulk service levy be made applicable in the year of developing the erven;
 - (d) that all conditions imposed in the Services Report (attached as Annexure D), be complied with;
 - (e) that all conditions imposed by the Western Cape Government : Transport and Public Works (attached as Annexure E), be complied with;
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

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2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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**21. ERF 4453, 8 MOUNTAIN DRIVE, NORTHCLIFF, HERMANUS :
 OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE : HG
 BRAUER ON BEHALF OF THE BRAUER FAMILY TRUST**

4453 HNC (2784)

**H van der Stoep
 12 May 2015**

(028) 313 8900

Hermanus Administration

Executive Summary

An application has been received on 23 December 2014 from HG Brauer on behalf of the Brauer Family Trust on Erf 4453, Hermanus for a departure from the relevant Scheme Regulations in order to relax the lateral building line from 2m to 0m to legalize the garages.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 4453, Hermanus in order to relax the lateral building line from 2m to 0m to legalize the garages, **be approved**, subject to the following conditions:
 - (a) that this approval is only for the relaxation of building lines and existing structures indicated on Plan No. 2014/11/46, which was submitted with the application;
 - (b) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (d) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building – and Fire Department be complied with at that stage.

2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.

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22. ERF 2606, 14 DEMPER STREET, ONRUS RIVER, OVERSTRAND MUNICIPAL AREA : PROPOSED DEPARTURE: J TEMPLE-CAMP

2606 HON (2796)

H Olivier

(028) 313 8900

Hermanus Administration

28 April 2015

Executive Summary

An application has been received on 12 November 2014 from the property owner on Erf 2606, Onrus River, J Temple-Camp, for a departure from the relevant Scheme Regulations for the relaxation of the 2m lateral building line to approximately 1,2m, to accommodate the use change of a portion of a tandem garage to a bedroom.

RESOLVED :

1. that in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) the application for a departure from the relevant Scheme Regulations on Erf 2606, Onrus River, for the relaxation of the 2m lateral building line to approximately 1,2m, to accommodate the use change of a portion of a tandem garage to a bedroom, **be approved**, subject to the following conditions:
 - (a) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (b) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (c) that this approval is only for the relaxation of building lines indicated on Plan Numbers. A.01.1, A.01.2, A.01.3 and A.01.4, as submitted with the application;
 - (d) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage, and
 - (e) that all openings in the wall encroaching the building lines are less than 5m² in total size, to the satisfaction of the Fire Department.
2. that the applicant be notified of their right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above decision.