

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

**1. ERF 2225, PEARLY BEACH HOLIDAY RESORT, PEARLY BEACH,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: A
STIPP & SS DU TOIT**

2225 GPB (4919/2025)

**SW van der Merwe
19 January 2026**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), has been received on 15 April 2025 from A Stipp and SS du Toit applicable to Erf 2225, Pearly Beach (Pearly Beach Holiday Resort) for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to relax the southern lateral building line from 1m to 0,2m to accommodate a single garage.

RESOLUTION

1. that the objections be noted;
2. that application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 2225, (Pearly Beach Resort), Pearly Beach to relax the southern lateral building line from 1,0m to 0,2 to accommodate a garage, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions
 - (a) that this approval is only for the departure as indicated on Drawing No. 32/AS/24 dated 26 June 2024 / Plot Date: 2026-01-19 as submitted with the application;
 - (b) that the proposed garage may only be utilised for the storage of motor vehicles and may not be converted to a braai or habitable room;
 - (c) 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;
 - (d) that the conditions in the Services Report be complied with;

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- (e) that the mitigation measures proposed by the applicant be complied with;
 - (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 Zoning Scheme be complied with;
3. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The proposed garage is not considered to have a significant impact upon vested rights of adjoining properties.
- ❖ The proposal is in keeping with the character of the area and resort guidelines that permits garages and carports on the lateral property boundary.
- ❖ The application followed the required administrative procedures.
- ❖ The proposed objections could be successfully mitigated with the approval conditions.

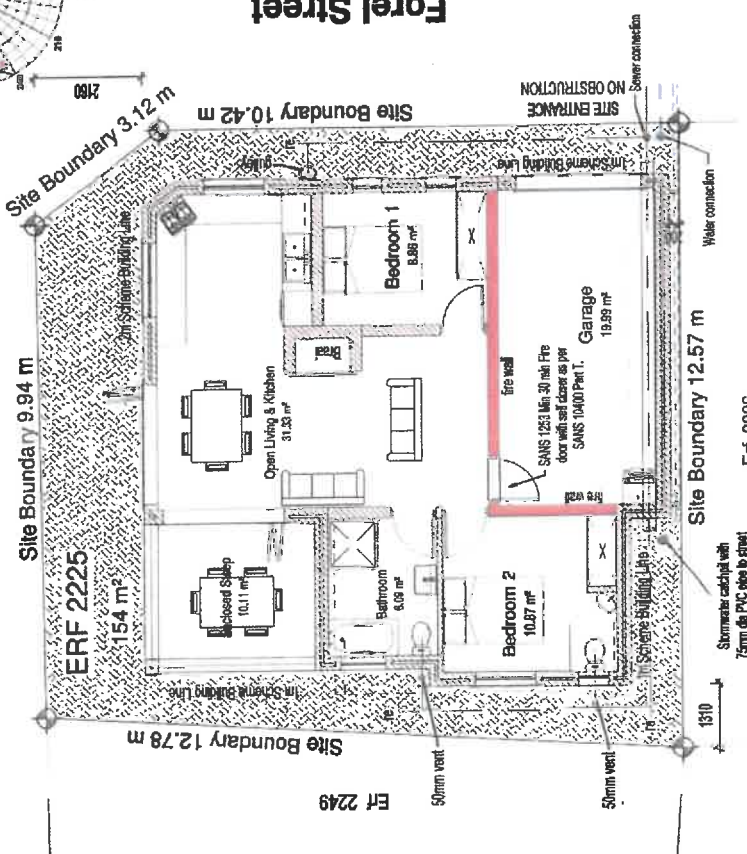
321/0



ERF 2225 GPB, 34 FOREL STREET, PEARLY BEACH



Bietou Street



SITE PLAN - GROUND FFL

1 : 100

LEGEND:

- New Brickwork
- New Timberwork
- New Steel Elements
- New Foundation/ Concrete work
- Existing building/structures
- Demolished work
- New Fire Protection Elements

NEIGHBOUR'S CONSENT:

Erf : 2226
Owner:
Date:

SCHEDULE OF RIGHTS

PROPERTY DESCRIPTION
Erf Number: 2225 Site Area: PEARLY BEACH RESORT
Erf size: 154m²

ZONING INFORMATION

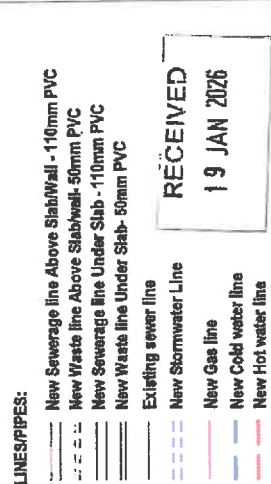
Town planning Scheme: OVERSTRAND
Use Zone: RESORT ZONE 2

DEVELOPMENT CONTROL MEASURES

New Ground Floor : 68.78m²
New Garage : 23.44m²
New Loft : 28.28m²
New Stoop : 10.78m²
TOTAL : 132.25m²
Coverage : 67.51%

LOFT LAYOUT

1 : 100



LINES/PIPES:

- New Sewerage line Above Slab/Wall - 110mm PVC
- New Waste line Above Slab/Wall - 50mm PVC
- New Sewerage line Under Slab - 110mm PVC
- New Waste line Under Slab - 50mm PVC
- Existing sewer line
- New Stormwater Line
- New Gas line
- New Cold water line
- New Hot water line

RECEIVED
19 JAN 2026

GENERAL

NGL	Natural Ground Level	RC	Reinforced Concrete
FGL	Finished Ground Level	FC	Fibre cement
FLL	Finish Floor Level		
IL	Invert level		

PLUMBING WORK

RE	Rooding Eye		
IE	Inspection Eye		
VP	Vent pipe		
WP	Waste pipe		
SP	Soil pipe		
IC	Inspection chamber		
CE	Cleaning Eye		

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- TO BE CONFIRMED WITH CLIENT:**
- Window/Door configurations
 - Type of timber floor covering
 - Interior door types and handles
 - Any special detail/feature indicated (cladding etc)
- TO BE CONFIRMED BY CLIENT:**
- Light & Plug fittings
 - Colour of Paint
 - Floor finishes
 - All tap fittings
 - Bedroom & Kitchen cupboard designs
 - Type of Balustrades
 - Height of Braai/Freplaces
 - Facebrick to be used

IMPORTANT NOTE:

- THE FOLLOWING MUST BE STRICTLY ADHERED TO AND INSTALLED BEFORE SIGN OFF OF DWELLING!
- ALL GLAZING ACCORDING FENESTRATION CALCULATIONS
 - ISOTHERM INSULATION IN ROOF VOID
 - SOLAR GEYSER/GAS GEYSER

PROPOSED NEW DWELLING ON ERF
2225, FOREL STREET, PEARLY BEACH
RESORT FOR A & SS STIFF & DU TOIT.

DESCRIPTION:

SITE PLAN & LOFT PLAN

SHEET FORMAT:

SHEET FORMAT:	A3	OCCUPATION:	H4
SCALE:	As indicated	DRAWING #:	32/AS/24
PAGE #:	1	PLOT DATE:	2026-01-19 8:18:11 PM
DRAWING DATE:	26 JUNE 2024	DRAWN:	Johan Gericke
DRAWN:	Johan Gericke	SIGNATURE:	<i>Johan Gericke</i>

GERICKE ARCHITECTURE

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**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE: ERF 2225, PEARLY BEACH (HOLIDAY
RESORT) (4919/2025)**

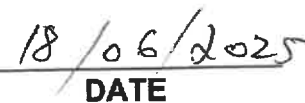
Stormwater (SW)	:	Refer to Conditions
Electricity	:	Refer to Conditions
Water	:	Refer to Conditions
Sewer	:	Refer to Conditions
Roads and traffic	:	Refer to Conditions

Conditions

1. that the existing water connection to- and sewer conservancy tank on Erf 2225 shall be used to service Erf 2225;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that, 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 Principal Technologist: Gansbaai for written approval;
5. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
6. that any additional and / or extended vehicle entrances will be for the developer's account;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**


DATE

**AGENDA of the
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21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

**2. PORTION 4 OF THE FARM OUDE BOSCH NO. 637, CALEDON DIVISION,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE:
MESSRS WARREN PETTERSON PLANNING ON BEHALF OF GRANTON
PROPERTIES TRUST**

Prt 4/637 (4945/2025)

P Roux

09 December 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 25 March 2025 from Messrs Warren Petterson Planning on Portion 4 of the Farm Oude Bosch No. 637, Division Caledon for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law, to allow for the construction of second additional dwelling unit on the property.

RESOLUTION

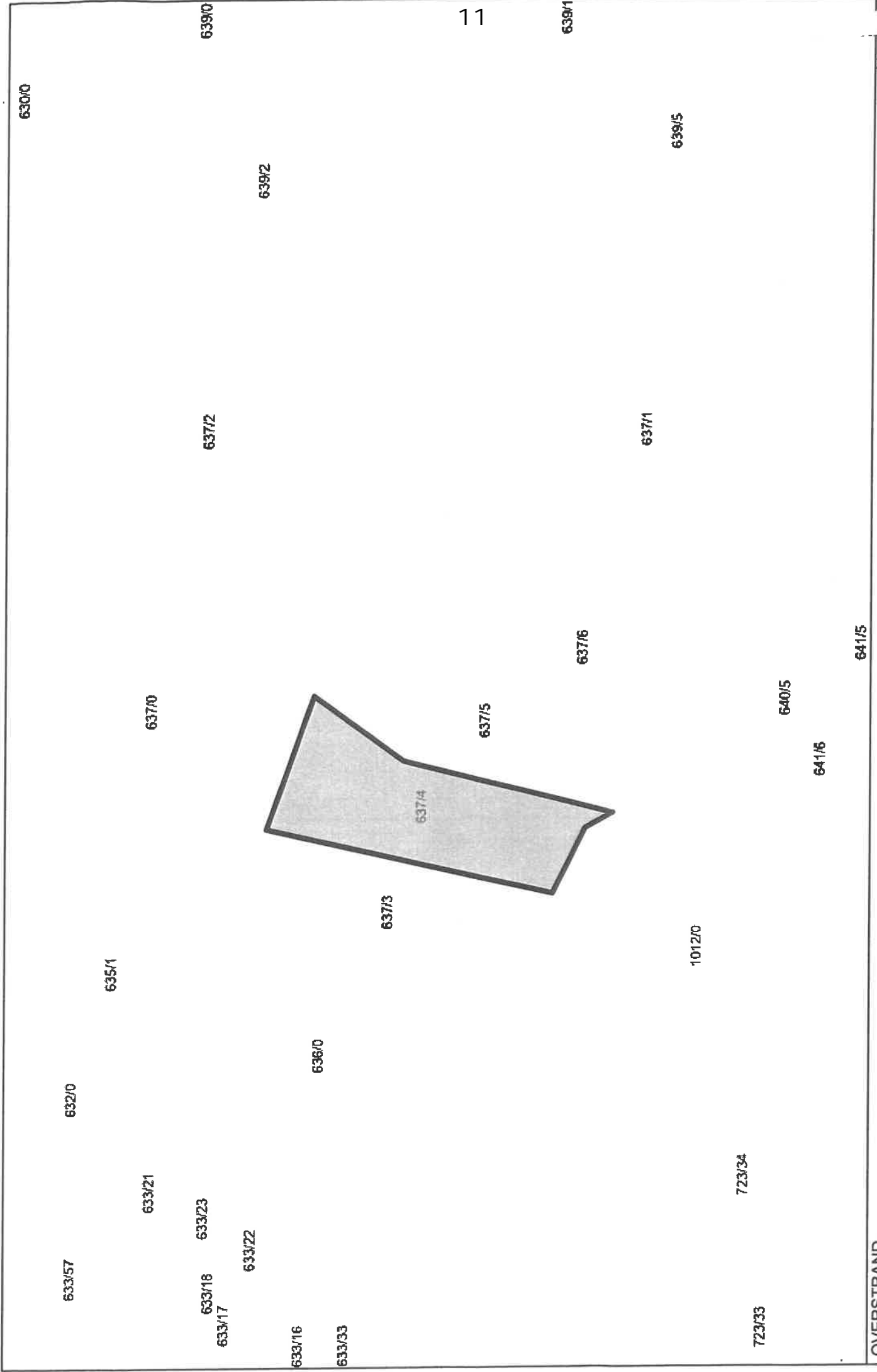
1. that the application for **consent use** in terms of Section 16(2)(o) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Portion 4 of the Farm No. 637, Division Caledon to accommodate one (1) additional dwelling unit on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is only for the development of one (1) additional dwelling unit as indicated on the proposed Site Development Plan drawing no *GH001 (revision 2)*, dated: *2024-05-27*, as submitted with the application;
 - (b) that a french drain system is not allowed and alternative systems needs to be shown on building plan as proposed by the Overstrand Environmental Management;
 - (c) that the waste collection and removal be done as per discussions with the Waste Department dated 13 August 2025 and that it is to be shown on building plan;
 - (d) that the building plans be submitted to the Building Department and comments from the Building Department and Fire department be complied with at that stage;

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- (e) that all the conditions in the Services Report be complied with;
 - (f) that the comments from the Overstrand Environmental Management, Department be complied with;
 - (g) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (h) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation; and
 - (i) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ There is good accessibility.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be required.
- ❖ No external state departments objected to the application.
- ❖ The application is in line with SPLUMA principles.
- ❖ Impact on the environment and potential flood risks are addressed by the position of the dwelling unit.
- ❖ The location of the additional dwelling unit was informed by site specific constraints.
- ❖ No objections were received from surrounding property owners.
- ❖ It is in line with the aims of the Overstrand SDF to promote tourism and diversification of rural land.



PORTION 4 OF THE FARM OUDE BOSCH NO. 637, CALEDON DIVISION



SITE NAME: FARM OUDEBOSCH

PROPERTY DESCRIPTION:
PORTION 4 OF THE FARM OUDEBOSCH NO. 637
CALEDON RD

ADDRESS:
R43, OUDE BOSCH PRIVATE NATURE RESERVE,
CALEDON FARMS

CO-ORDINATES:
Lat: -34.411658°
Long: 19.387934°



PROJECT: PROPOSED ADDITIONAL DWELLING

FLOOR AREA:
A) DWELLING FLOOR AREA: 250m²
B) GARAGE FLOOR AREA: 50m²
C) TOTAL FLOOR AREA: 300m²
D) 8000L CONSERVANCY TANK

DATE	DESCRIPTION	REVI
09-05-2024	1st Issue	1
05-05-2025	Indicate conservancy tank	
27-05-2025	Updated plans	

DRAWING NUMBER: GH001
DRAWING TITLE: LOCALITY MAP
DRAWN: DIRKO LOOTS
DATE: 2024-05-27



Locality Map

Aerial Map

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSENT USE, PORTION 4 OF THE FARM OUDE
BOSCH NO. 637 (4945/2025)**

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

Conditions:

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, BGCMA etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Senior Engineer: Water Infrastructure & Quality (Tel: 028 313 8972), Overstrand Municipality;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and Department of Water & Sanitation for approval;
5. that the developer complies to all the conditions set by Department Of Water & Sanitation and BGCMA;
6. that, as there is currently no municipal sewer network in the vicinity, Portion 4 Farm No. 637 must be provided with adequate sewer conservancy tanks, which must comply with the standards of the Division: Engineering Services (Hermanus), and to which the sewer services on the development must connect to;
7. that the Municipality does not have the capacity to service the proposed development with regards to removal of sewerage from the property. The owner is therefore responsible for removal of sewerage from the property, and thereof at a licensed municipal sewerage treatment facility;

8. that alternatively, sewer treatment facilities that are approved by the Department of Water & Sanitation may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;
9. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;
10. that stormwater discharged from higher lying properties and generated in the catchment area of Portion 4 Farm No. 637 be allowed to drain freely through the property;
11. that, as no municipal refuse removal services are rendered in the area, the owner is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or-waste disposal facility;
12. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Division: Engineering Services;
13. that access can be obtained via the existing access routes(s) to Portion 4 Farm No. 637, that any additional and / or extended vehicle entrances will be for the owner's account. The Provincial Engineer must however provide comment in this regard.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

13/08/2025
DATE

**AGENDA of the
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3. ERF 2142, 19 FOURTH AVENUE, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE ON BEHALF OF S & HM PIENAAR

2142 HVK (4370/2025)

P Roux

11 December 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 12 December 2024 from Messrs Engelbrecht & Scorgie Architectural Office on behalf of the property owner on Erf 2142, Hermanus (Voëlklip) for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to:
 - relax the western lateral building line from 2.0m to 0.0m, to accommodate the construction of an extra length single garage and the enclosure of the south-facing patio/stoep, by means of a stack-away door;
 - relax the northern street building line from 4.0m to 3.20m to accommodate the construction of an extra length single garage;
 - relax the southern rear building line from 2m to 0m, to accommodate the existing garage which has been converted into a store room, and
 - to deviate from the maximum permitted length of $\frac{1}{3}$ of the boundary of 9.0m for the building structures within the western lateral building line.

- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

RESOLUTION

1. that the comment be noted;

2. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 2142, Hermanus in order to:
 - ❖ relax the western lateral building line from 2.0m to 0.0m, to accommodate the construction of an extra length single garage and the enclosure of the south-facing patio/stoep, by means of a stack-away door;

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- ❖ relax the northern street building line from 4.0m to 3.20m to accommodate the construction of an extra length single garage;
- ❖ relax the southern rear building line from 2m to 0m, to accommodate the existing garage which has been converted into a store room; and
- ❖ to deviate from the maximum permitted length of $\frac{1}{3}$ of the boundary of 9.0m for the building structures within the western lateral building line,

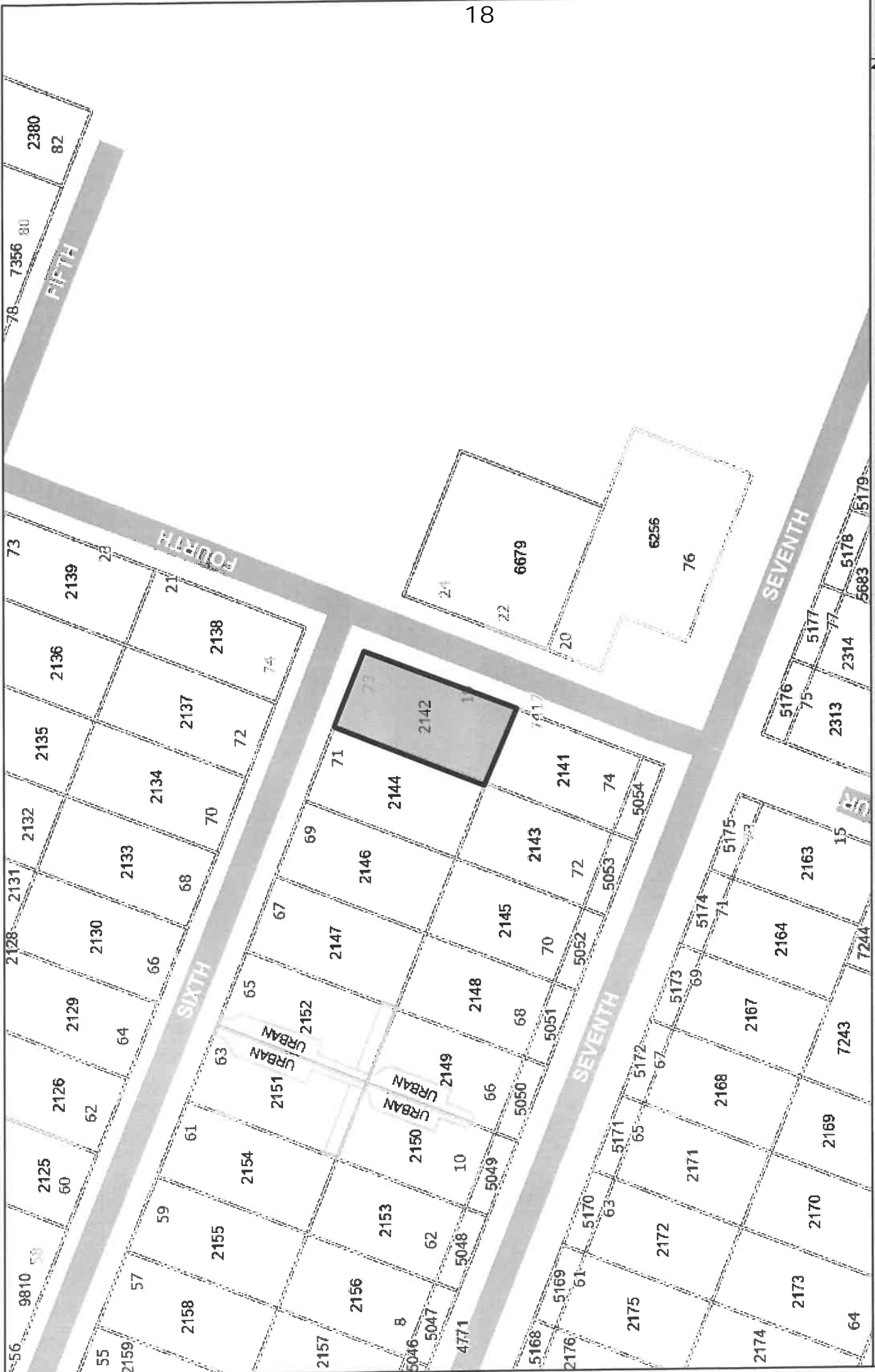
be approved in terms of the provisions of Section 61 of the By-Law;

3. that the **determination of an administrative penalty** in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 2142, Hermanus to accommodate the existing as built structures on the property, **not be exempt** from the payment of an administrative penalty;
4. that the recommendation under paragraphs 2. and 3. above is subject to the following conditions:
 - (a) that the approval is for the accommodation of the as-built structure and the proposed departures as indicated on drawing no *2142_dep-02-04* dated *12 November 2024*;
 - (b) that building plans in line with this recommendation be submitted to the Building Control Department and that all conditions of the Building- and Fire Department be complied with at that stage;
 - (c) that a storm water plan be submitted with the building plans;
 - (d) that an administrative penalty of **R10 037,37** be payable within sixty (60) days of the decision;
 - (e) that all the conditions in the Services Report be complied with;
 - (f) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (g) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with
5. that the applicant notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

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REASONS FOR RESOLUTION

- ❖ The building typology and design of the garage is in line with the character of the area.
- ❖ The existing garage will be used as a storeroom and not as a habitable structure, there are no amenities for occupation purposes.
- ❖ The property has site specific limitations due to the location of the existing dwelling.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



ERF 2142, 19 FOURTH AVENUE, VOELKLIP, HERMANUS



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 2142, VOELKLIP (4370/2023)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

14/04/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

4. ERF 8009, 74 FIFTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN- & REGIONAL PLANNERS ON BEHALF OF PJ HUNT

8009 HVK (4917/2025)

P Roux

05 December 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 20 February 2025 from Messrs Plan Active on behalf of the property owner on Erf 8009, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to:
 - relax the north-western lateral building line from 2m to 1.47m, to accommodate the existing covered veranda, balcony, pergola, braai and filling higher than 1.0m above the existing ground level;
 - relax the Fifth Street, street building line from 4m to 0m, to accommodate the existing braai and pergola and filling higher than 1m above the existing ground level;
 - relax the Fourth Avenue, street building line from 4m to 0m, to accommodate filling higher than 1.0m above the existing ground level;
 - relax the Fifth Street, street building line from 4m to 2.97m and 2.74m respectively and the Fourth Avenue Street building line from 4m to 2.97m, to accommodate the existing covered veranda and balcony, and
 - deviate from the maximum permissible coverage from 50% to 55.04% to accommodate the existing structures, and

- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

RESOLUTION

1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 8009, Hermanus in order to:

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- relax the north-western lateral building line from 2m to 1.47m, to accommodate the existing covered veranda, balcony, braai and filling higher than 1.0m above the existing ground level;
- relax the Fifth Street, street building line from 4m to 0m, to accommodate the existing braai and filling higher than 1m above the existing ground level;
- relax the Fourth Avenue, street building line from 4m to 0m, to accommodate filling higher than 1.0m above the existing ground level;
- relax the Fifth Street, street building line from 4m to 2.97m and 2.74m respectively and the Fourth Avenue Street building line from 4m to 2.97m, to accommodate the existing covered veranda and balcony, and
- deviate from the maximum permissible coverage from 50% to 55.04% to accommodate the existing structures,

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

2. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 8009, Hermanus in order to:
 - relax the north-western lateral building line from 2m to 1.47m, to accommodate the existing pergola, and
 - relax the Fifth Street, street building line from 4m to 0m, to accommodate the existing pergola,

not be approved in terms of the provisions of Section 61 of the By-Law;

3. that the **determination of an administrative penalty** in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 8009, Hermanus to accommodate the existing as built structures on the property, **not be exempt** from the payment of an administrative penalty;
4. that the recommendation under paragraphs 1. and 3. above is subject to the following conditions:
 - (a) that the approvals are for the accommodation of the as-built structure as per plan no *HER8009/2024*;
 - (b) that a western facing screen wall be developed on the balcony;
 - (c) that building plans in line with this recommendation be submitted to the Building Control Department and that all conditions of the Building- and Fire Department be complied with at that stage;

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- (d) that an administrative penalty of **R41 315,17** be payable within sixty (60) days of the decision;
 - (e) that all the conditions in the Services Report be complied with;
 - (f) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (g) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with
5. that the applicant notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ The balcony is in line with the character of the area.
- ❖ The filling of the ground level is screened by the boundary wall.
- ❖ The braai is situated away from the western boundary and acts as a screen wall.
- ❖ The property has a depth of less than 20m and therefore the building line on the Avenue is 3m.
- ❖ The screen wall imposed on the western side of the balcony will promote privacy of the adjacent property owner.
- ❖ The coverage proposed is a small increase when compared to the historical plans approved by the municipality.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 8009, VOELKLIP (4917/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

18/09/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

5. **ERF 100 AND REMAINDER ERF 241, 54 ROCKLANDS ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE, REZONING AND CONSOLIDATION: MESSRS. WRAP PROJECT OFFICE ON BEHALF OF M & K SMUTS AND OVERSTRAND MUNICIPALITY**

100 & RE 241 HWC (5009/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

05 February 2026

EXECUTIVE SUMMARY

An application has been received on 23 June 2025 from Messrs WRAP Project Office on behalf of M & K Smuts and Overstrand Municipality applicable to Erven 100 and Re-241, Westcliff, Hermanus in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **subdivision** of Remainder Erf 241, Hermanus in terms of Section 16(2)(d) of the By-Law into two (2) portions, namely Portion A ($\pm 142\text{m}^2$) and Remainder of Erf 241;
- ❖ **closure of public place** in terms of Section 16(2)(n) of the By-Law to accommodate the closure of the subdivided Portion A ($\pm 142\text{m}^2$);
- ❖ **rezoning** in terms of Section 16(2)(a) of the By-Law of subdivided Portion A from Transport Zone 2: Road and Parking to Residential Zone I: Single Residential (SR1), and
- ❖ **consolidation** in terms of Section 16(2)(e) of the By-Law of subdivided Portion A ($\pm 142\text{m}^2$) with Erf 100, Hermanus to create a single residential property of $\pm 1063\text{m}^2$ in extent.

RESOLUTION

1. that the application in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **subdivision** of Remainder Erf 241, Hermanus into two (2) portions, namely Portion A ($\pm 142\text{m}^2$) and Remainder Erf 241, **be approved**, in terms of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(n) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **closure of public place** to accommodate the closure of a public place (subdivided Portion A ($\pm 142\text{m}^2$), **be approved**, in terms of Section 61 of the By-Law;

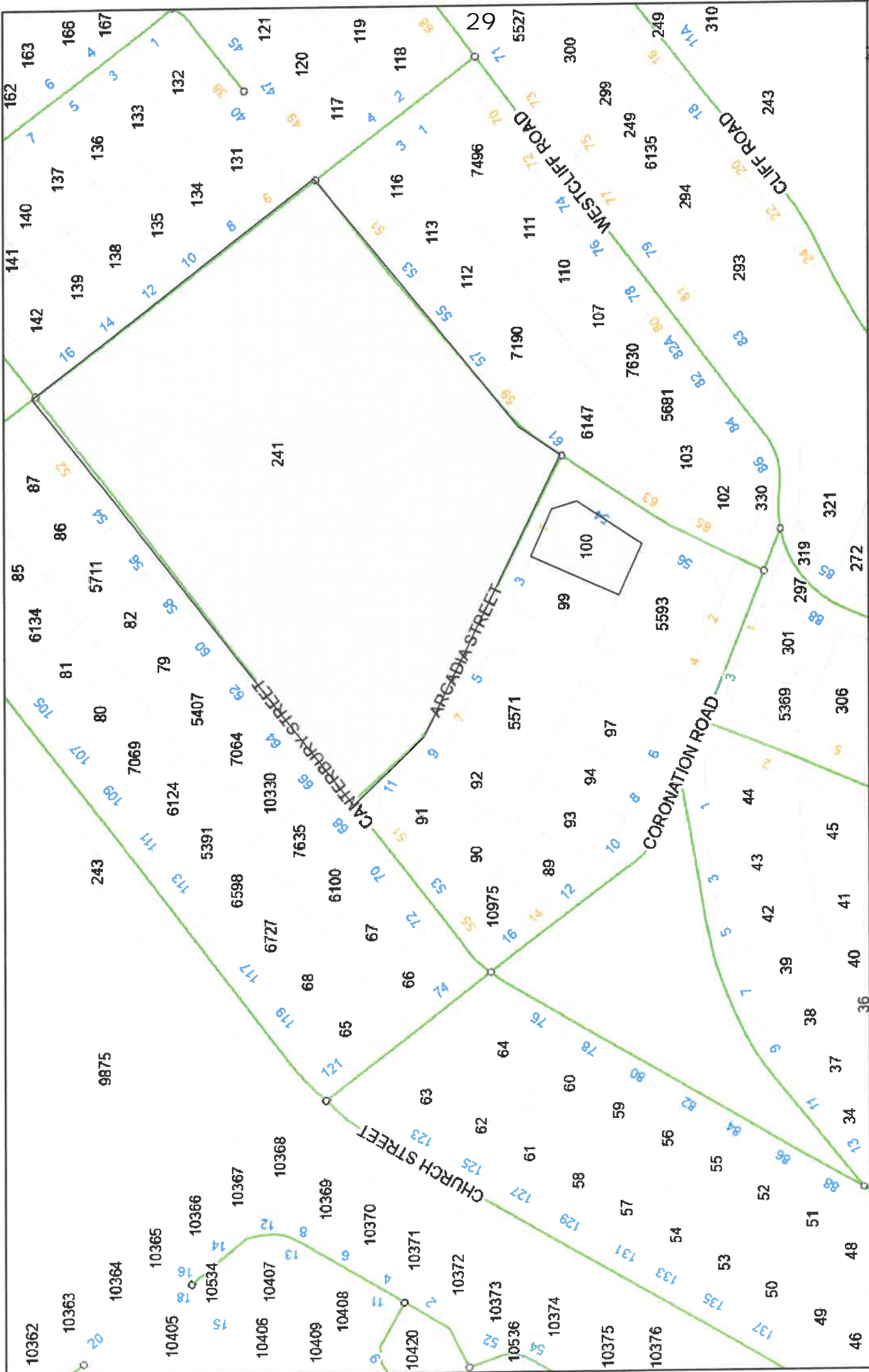
**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

3. that the application in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of subdivided Portion A from Transport Zone 2: Road and Parking to Residential Zone I: Single Residential (SR1), **be approved**, in terms of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **consolidation** of subdivided Portion A ($\pm 142\text{m}^2$) with Erf 100, Hermanus to create a single residential property of $\pm 1063\text{m}^2$ in extent, **be approved**, in terms of Section 61 of the By-Law;
5. that the approvals in Points 1. to 4. above be subject to the following conditions:
 - (a) that this approval is only for the development as indicated on the Subdivision Plan and the Consolidation Plan with plan number 24.202 (001) dated 20/05/2025, as submitted with the application;
 - (b) 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;
 - (c) that all the conditions in the Services Report and Telkom be complied with;
 - (d) that all conditions stipulated in Council's decision, dated 28 February 2024 be complied with;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
6. that the amended title deed be submitted to the office for record purposes; and
7. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the
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(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

REASONS FOR RESOLUTION

- ❖ The application has an in-principal approval from Council for the alienation of a Portion of Remainder Erf 241, Hermanus.
- ❖ That the proposal has gone through two (2) public participation processes.
- ❖ That the Engineering Department do not foresee any impact on the current or future services for the area in relation to the subject property.
- ❖ The application will not have a negative impact on the surrounding area.



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CLOSURE OF A PUBLIC OPEN SPACE, SUBDIVISION,
REZONING & CONSOLIDATION: ERF 100 & REMAINDER ERF 241, WESTCLIFF
(5009/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

20/10/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 23 April 2026)**

6. **ERF 4607, 10 STEENBOK STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MB PLAN TOWN PLANNING ON BEHALF OF R MARITZ AND A LABUSCHAGNE**

4607 HNC (4897/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

22 December 2025

EXECUTIVE SUMMARY

An application has been received on 10 January 2025 from MB Plan Town Planning on behalf of R Maritz and A Labuschagne for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16.(2)(f) of the Overstrand Municipal By-Law on Municipal Planning, 2020 for the removal of restrictive title deed conditions C.2 and C.4. as contained in Title Deed T54905/2023 of the property to accommodate the existing second dwelling as well as for existing and proposed title deed building line encroachments.

The restrictive title deed conditions read as follows:

“C. SUBJECT FURTHER to the following conditions created in Deed of Transfer T6910/1945 and imposed by the Administrator of the Cape Province with approving of Hermanus Township Extension No. 4, namely:

2. *That only one dwelling together with such outbuildings as are normally required to be used therewith, be erected on this erf.*
4. *That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than fifteen (15) feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within seven and a half (7½) feet of the lateral boundary common to any adjoining erf.”*

- ❖ **Departure** in terms of Section 16.(2)(b) of the Overstrand Municipal By-Law on Municipal Planning, 2020 for the following:

- relaxation of the northern street building line from 4m to 3.9m to accommodate the existing dwelling.
- relaxation of the northwestern street building line from 4m to 3.49m to accommodate the existing dwelling and existing awning.
- relaxation of the western street building line from 4m to 3.94m to accommodate the existing awning.

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- relaxation of the southern side building line from 2m to 0m to accommodate the existing wendy house.
 - relaxation of the western street building line from 4m to 0m to accommodate the proposed carport.
- ❖ **Determination of Administrative Penalty** in terms of Section 16(2)(q) of the Overstrand Municipal By-Law on Municipal Planning, 2020 for the determination of an administrative penalty for the illegal additions on the property.

RESOLUTION

1. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4607, Hermanus for the **removal of restrictive title deed conditions** C.2 and C.4. as contained in Title Deed T54905/2023 of the property to accommodate the existing second dwelling as well as for existing and proposed title deed building line encroachments, **be approved**, in terms of the provisions of Section 61 of the By-Law.
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4607, Hermanus for the following **departures**:
 - relaxation of the northern street building line form 4m to 3.9m to accommodate the existing dwelling;
 - relaxation of the northwestern street building line from 4m to 3.49m to accommodate the existing dwelling and existing awning;
 - relaxation of the western street building line from 4m to 3.94m to accommodate the existing awning;
 - relaxation of the southern side building line from 2m to 0m to accommodate the existing wendy house, and
 - relaxation of the western street building line from 4m to 0m to accommodate the proposed carport;

be approved, in terms of the provisions of Section 61 of the By-Law;
3. that the approvals in Points 1 - 2 above be subject to the following conditions:
 - (a) that the approval be limited to the building/structures as per Plan numbers A.01.1 and A.01.4-7 dated 5 December 2024, submitted with this application read in conjunction with the approval;

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- (b) 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;
 - (c) that the amended title deed be submitted for record purposes to the Municipality;
 - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (f) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
 - (g) that all the conditions in the Services Report be complied with.
4. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 4607, Hermanus for the illegal additions on the property as stipulated above, **be imposed**, and that an administration penalty fee of **R4 400,94** be payable within thirty (30) days of the decision.
5. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

REASONS FOR RESOLUTION

POINT 1

- ❖ The application is to legalize an existing structure over the title deed building lines.
- ❖ The removal will have no detrimental effect on the character of the area.
- ❖ The adjacent neighbours did consent to the application.

POINT 2

- ❖ The proposed development will have minimal impact on the character of the area.
- ❖ The land uses are in line with normal residential uses.
- ❖ The uses are for the owner's own use, thus limiting any privacy and noise pollution.
- ❖ None of the residents objected to the application.

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POINT 3

- ❖ The calculation was based only on the awning and reason being is that this is not indicated on the 2016 building plan. Thus, with the owner's inspection before purchasing the property as indicted by the Consultant, this should; have been known to him.

- ❖ ***The following transgressions were not part of the calculations of the administrative penalty due to the following reasons:***
 - *The Wendy house is an associated outbuilding on single residential erven that can be accommodated with a departure application. It should be noted that the Wendy house is only 2,4m² and insignificant in relation to the existing development. It is the same height as the 1,8m boundary wall and is barely visible from the street or the adjacent erf.*
 - *Residential dwelling has first been built in 1948 and since the first building plan, the dwelling or any structure did not transgress any building lines. However, with the topographical survey done by Geomatics, it became clear that none of the approved building plans indicated the buildings in the correct locality.*
 - *The second dwelling was approved as a staff quarter and does not transgress the building lines.*

Coverage calculation:
 807m² x 50% = 404m²
 Actual Coverage = 366m²
 45% = Permitted Coverage

SEASONS
 05 18/10/24 Submitted to Client for Approval



WONDERWARE DESIGNS

Steven van der Merwe 0745027897
 Thursday, December 5, 2024
 D2456 PArchDraught
 steven.van.der.merwe@gmail.com
 Job Title erf 4607 Northcliff
 Additions and Alterations
 Reg Maritz, 08
 10 Steenbok Northcliff
 Hermanus 7200
 regmaritz@hotmail.com

Drawing Name

Site 1

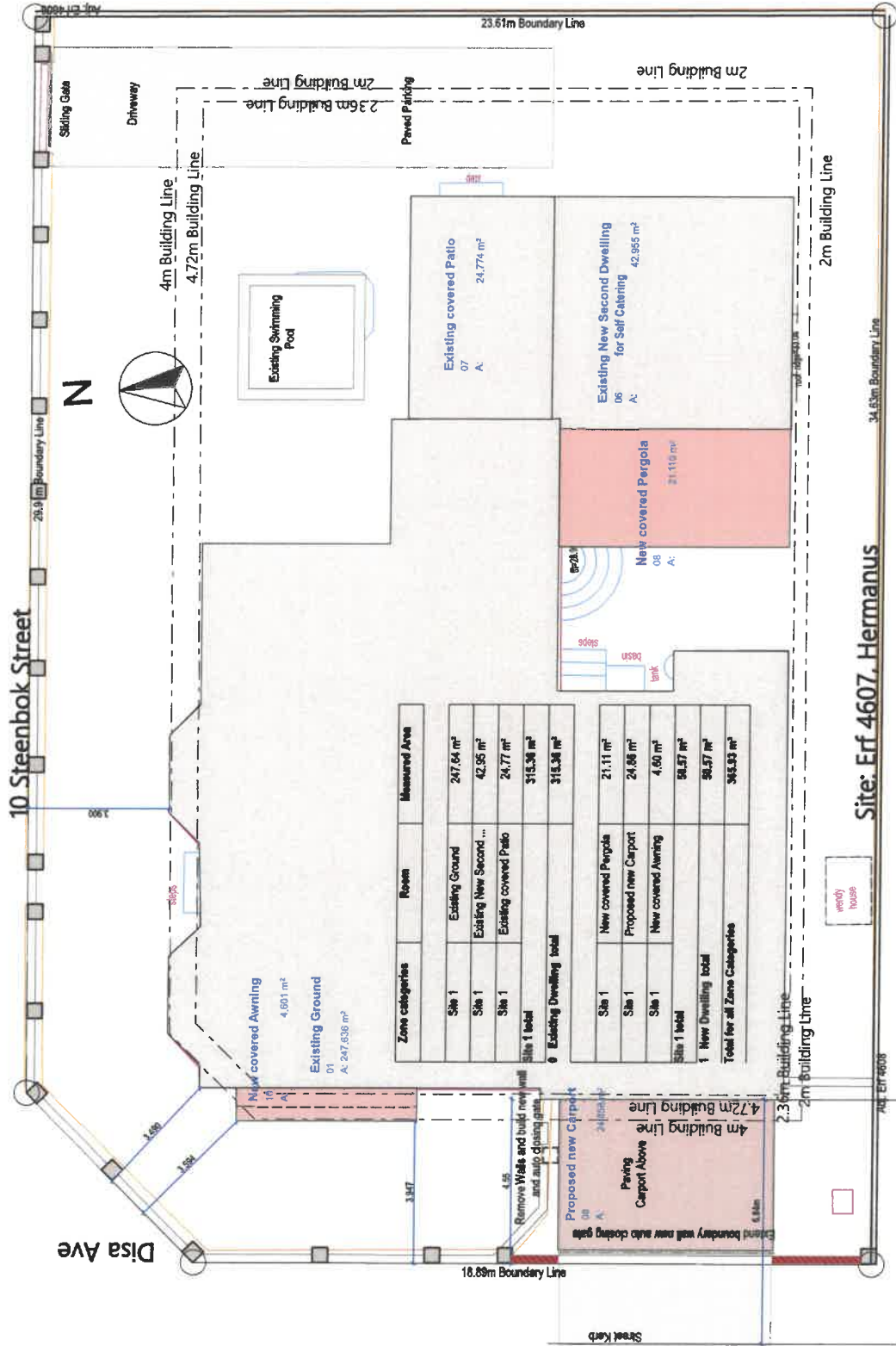
Drawing Status
 Submission Drawings Only

Drawn by
 Date
 Steven van der Merwe PArchDraught
 D2456 Thursday, December 5, 2024
 steven.van.der.merwe@gmail.com

Drawing Scale
 1:100

Layout ID
 Status
 A.01.1

Job
 Job bag.



Zone categories	Room	Measured Area
Site 1	Existing Ground	247.64 m ²
Site 1	Existing New Second ...	42.95 m ²
Site 1	Existing covered Patio	24.77 m ²
Site 1 total		315.36 m ²
0 Existing Dwelling total		315.36 m ²
Site 1	New covered Pergola	21.11 m ²
Site 1	Proposed new Carpet	24.88 m ²
Site 1	New covered Awning	4.60 m ²
Site 1 total		50.57 m ²
1 New Dwelling total		50.57 m ²
Total for all Zone Categories		365.93 m ²

Site: Erf 4607, Hermanus

Site 1

1:100

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS,
DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF
4607, NORTHCLIFF (4897/2024)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

14/02/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

7. ERF 6482, 17 NIVENIA ROAD, PROTEADORP, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: COMPROP DESIGNS ON BEHALF OF M ARENDSE

6482 KKM (4898/2025)

**H van der Stoep
30 January 2026**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 15 January 2025 from Comprop Designs on behalf of M Arendse on Erf 6482, Proteadorp, Kleinmond in terms of Section 16.(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a departure to relax the street building line from 2m to 1m and the lateral building line from 1m to 0m respectively, to accommodate a proposed new carport.

RESOLUTION

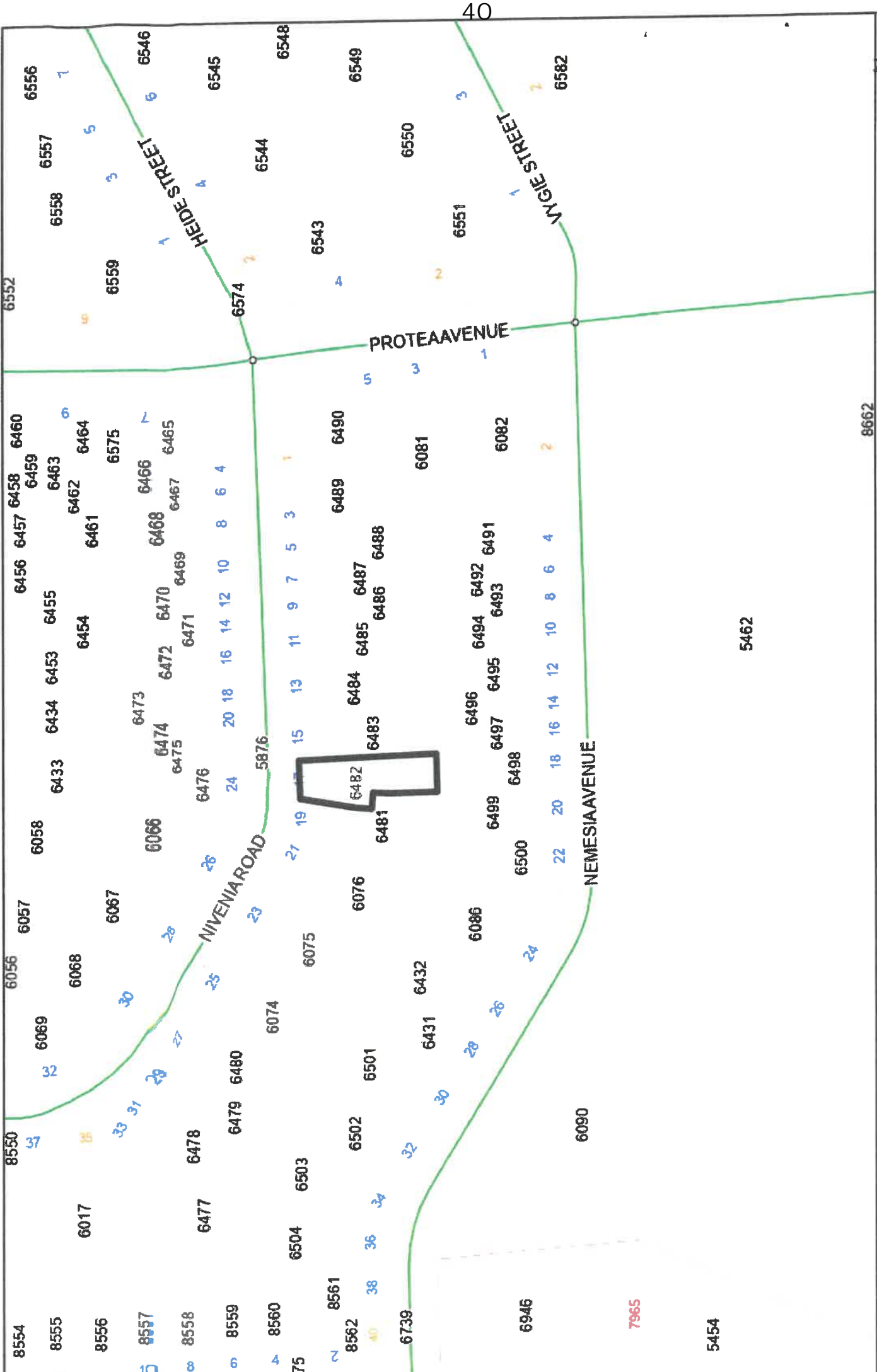
1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 6482, Kleinmond for a departure to relax the street building line from 2m to 1m and the lateral building line from 1m to 0m respectively, to accommodate a proposed new carport, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the development as indicated on plan number P240808 A dated 30 September 2024, as submitted with the application;
 - (b) that no further departures over the building lines be approved, except as stipulated by the Land Use Scheme;
 - (c) 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;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (f) that all the conditions in the Services Report be complied with.

**AGENDA of the
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21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ No objection from surrounding owners.
- ❖ The proposed development will be in line with the present character of the area.
- ❖ No change in character of the locality and property.
- ❖ Better utilization of the property.
- ❖ Safeguarding of property.
- ❖ The Land Use Scheme makes provision for carports over the street building line.



LEGEND

A1 - ROOF-FRAMING-COVERED STAIR-CANOPY
 Cabinet coated BSA longspan sheeting on 70x50mm BSA Pine Posts @ 100mm c/c on stellation (horizontally lapped at 100mm) between 100x20mm BSA Pine Timbers at 900mm c/c on 100x100mm BSA Pine Posts. 100x20mm BSA Pine Posts to be fixed to existing concrete slab with 2x35mm long anchor bolts. 100x20mm BSA Pine Posts to be fixed to existing concrete slab with 2x35mm long anchor bolts.

B1 - DOORS & WINDOWS
 Sliding metal gate

G1-B1-001
 Finish as per details spec on 20mm thick cement screed on 100x100mm BSA Pine Posts. 20mm thick cement screed on 100x100mm BSA Pine Posts. 20mm thick cement screed on 100x100mm BSA Pine Posts. 20mm thick cement screed on 100x100mm BSA Pine Posts.

GENERAL
 1. Construction to provide access to the boundary line.
 2. Street Boundary wall 1.8m high Vibro-core paroko

NOTES
 1. BANS 6444/VA & 6448/VA
 The information in the legend above is compiled in compliance with the BANC 10460/VA & BANS 204 -2022 regulations.
 2. Dimensions and Dispositions
 All dimensions to be checked on site by the contractor. When discrepancies are to be reported to the architectural consultant.
 ALL MATERIALS USED AND CONSTRUCTION WORK TO BE APPROVED BY THE ARCHITECTURAL CONSULTANT IN ACCORDANCE WITH THE REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS.

Area Calc. in m²	
Site	222.5
Exis. Foot-print	116.64
Add. Foot-print	25
Total	141.64
New Coverage	63.613%

Project Details:

PROPOSED ADDITIONS FOR OWNER	
Err No.	6428
Address:	8 Nivinia Ave. Kilmorind
Owner:	Mrs. M. Andrade
DESIGN:	Intellectual Property and copy right is owned by Jan W. Schapp

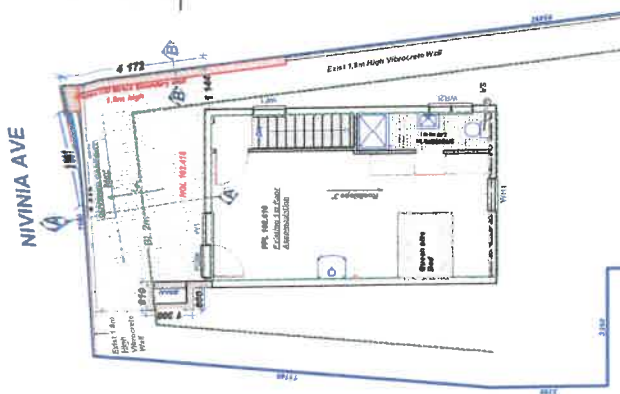
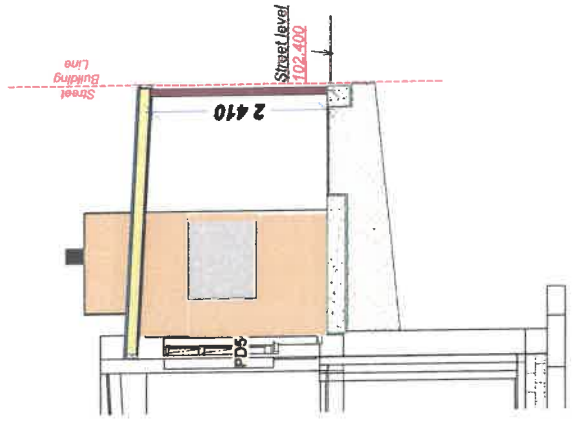
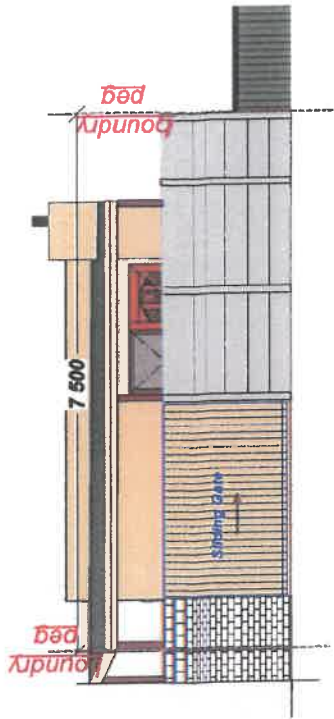
COMPROP designs
 Architectural Consultants & Planners

SACAP 19 no. 872639
 Call: 082 684 3281
 Email: compropdesign@gmail.com
 Web site: www.compropdesigns.co.za

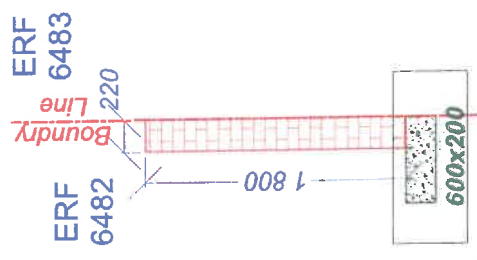
Scale:	Date:	Project no.	Drawn:
1:100	30-09-2024	P240808 A	J.W. Schapp
			1/1

Table View/Draw/Modify/Rev/Information/RSB
 Call: 082 684 3281
 Email: compropdesign@gmail.com
 Web site: www.compropdesigns.co.za

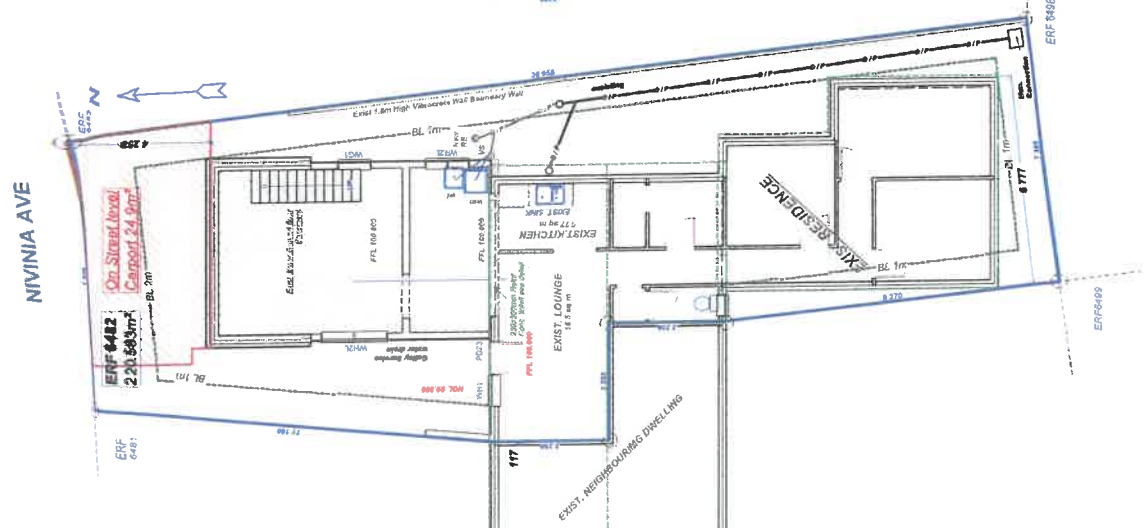
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SITE & UPPER Ground Floor
 scale 1:100



Section "BB" Boundary wall scale 1:25



SITE LAYOUT LOWER Ground Floor scale 1:100

These drawings are shown under the supervision of J.W. Schapp who is duly registered with the SACAP as a Professional Senior Architectural Technologist reg. no. 825387. These drawings shall remain the property of Comprop Designs and shall not be used for any other purpose without the written consent of Comprop Designs. All fees and disbursements due to Comprop Designs have been paid in full.

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE: ERF 6482, KLEINMOND (4898/2024)**

Electricity	:	Refer to conditions
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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Kleinmond for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed.
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

14/04/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

8. ERF 5204, 23 DORINGBOOM AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: J DOUGLAS ON BEHALF OF E PENGELLEY

5204 KKM (4927/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

2 February 2026

EXECUTIVE SUMMARY

An application has been received on 10 March 2025 from J Douglas on behalf of E Pengelley on Erf 5204, Kleinmond for a departure in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the western lateral building line from 2m to 1,5m to accommodate a proposed change of use of the existing single garage to a new study and laundry respectively.

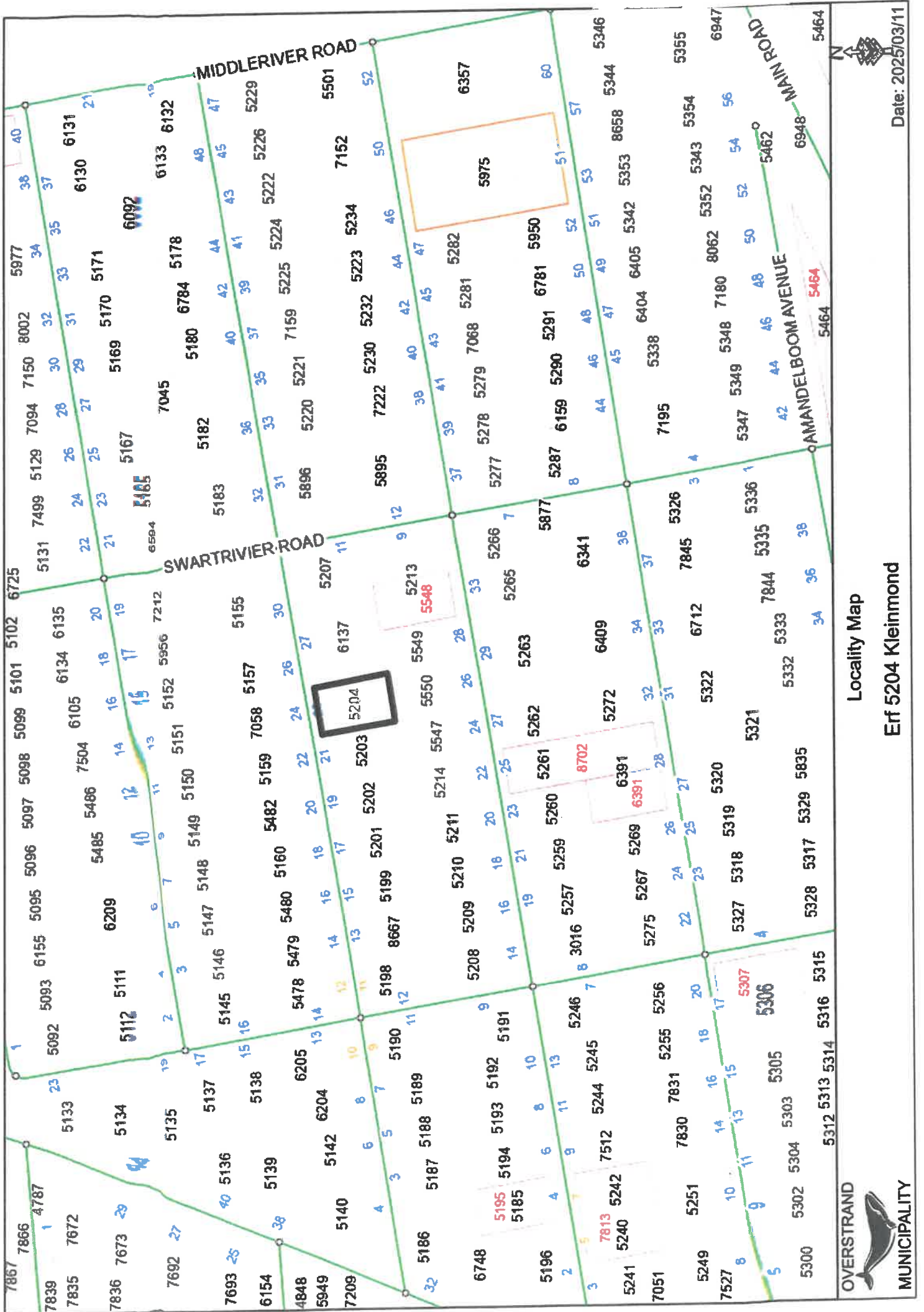
RESOLUTION

1. 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 5204, Kleinmond for a departure to relax the western lateral building line from 2m to 1,5m to accommodate a proposed change of use of the existing single garage to a new study and laundry respectively, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the development as indicated on the plan number 240701 dated 30 September 2024, as submitted with the application;
 - (b) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control 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 Land Use Scheme be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ No new municipal services will be affected.
- ❖ All relevant Municipal/State Departments support the application.
- ❖ The application will not have a negative impact on surrounding property owners or the character of the area.
- ❖ The proposal is in line with the Planning Principles as the existing building and business property will be utilized more efficiently.



**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

**9. ERF 4563, 53 DUIKER STREET, NORTHCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE
DEED CONDITIONS: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BA
MASSON**

4563 HNC (4930/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

6 January 2026

EXECUTIVE SUMMARY

An application has been received on 11 March 2025 from WRAP Project Office on behalf of BA Masson on Erf 4563 Hermanus in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions A.2. and A.4. as contained in the Title Deed T57380/1997 of the property to accommodate the proposed second dwelling.

The restrictive title deed conditions read as follows:

*“**SUBJECT** to the conditions referred to in Deed of Transfer No. T9752/45 and the following conditions mentioned therein:*

A. Imposed by the Administrator of the Cape Province by the approval of the establishment of Hermanus Township (Extension No. 4), namely:

“As being in favour of the registered owner of any erf in the Township and subject to amendment of alteration by the Administrator under the provisions of Section 18(3) of Ordinance No. 33/1934:-

- 2. That only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.*
- 4. That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than fifteen (15) feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within seven and a half (7½) feet of the lateral boundary common to any adjoining erf.”*

RESOLUTION

1. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4563, Hermanus for the removal of restrictive title deed conditions A.2. and A.4. as contained in the Title Deed T57380/1997 of the property to accommodate the proposed second dwelling, **be approved**, in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:

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(Also the agenda for the Mayoral Committee Meeting : ~~20~~ April 2026)**

- (a) that the approval be limited to the building/structures as per Plan ADRG NO. Erf 4563 dated 12 February 2025, submitted with this application read in conjunction with the approval;
 - (b) 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;
 - (c) that the amended title deed be submitted for record purposes to the Municipality;
 - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (f) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
 - (g) that all the conditions in the Services Report be complied with.
7. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

REASONS FOR RESOLUTION

- ❖ The application is to legalize an existing structure over the title deed building lines.
- ❖ The removal will have no detrimental effect on the character of the area.
- ❖ The proposed development will have minimal impact on the character of the area
- ❖ The land uses are in line with normal residential uses.
- ❖ None of the residents objected to the application.

1. Locality Plan Erf 4563 - Hermanus

Plan prepared by: Veronica Jansen

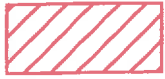
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



Subject property



MOSSEL AVEN

PAD 18,89

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Scale 1 : 1 000

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS:
ERF 4563, NORTHCLIFF (4930/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

22/05/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

**10.ERF 7380, 98 ANGELIER STREET, MOUNT PLEASANT, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE PENALTY: T WILLIAMS ON
BEHALF OF S.I. WILLIAMS**

7380 HMP (4967/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

12 January 2026

EXECUTIVE SUMMARY

An application was received on 23 April 2025 from T Williams on behalf of S.I. Williams applicable to Erf 7380, Mount Pleasant, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Departure** in terms of Section 16(2)(b) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:
 - To relax the southern lateral building line from 1m to 0m to accommodate the existing garage and storage room.
 - To relax the eastern street building line from 4m to 3,07m to accommodate the existing garage and storage room, and
 - Permission to exceed the 9m or one-third length restriction on the southern lateral boundary to accommodate the existing garage and storage room.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for unauthorised building additions as mentioned above.

RESOLUTION

1. 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 7380, Mount Pleasant for the following departures:
 - ❖ To relax the southern lateral building line from 1m to 0m to accommodate the existing garage and storage room;
 - ❖ To relax the eastern street building line from 4m to 3,07m to accommodate the existing garage and storage room;
 - ❖ Permission to exceed the 9m or one-third length restriction on the southern lateral boundary to accommodate the existing garage and storage room;

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

- (a) that the approval is only for the development indicated on Plan number 7380MP(2025*06)-01/A3-REV C, pages 1-5, dated 23 June 2025, as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
 - (c) that all the conditions in the Services Report and Telkom be complied with;
 - (d) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation.
2. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 7380, Mount Pleasant, Hermanus for the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R2 576.16** be payable within sixty (60) days of this decision;
 3. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

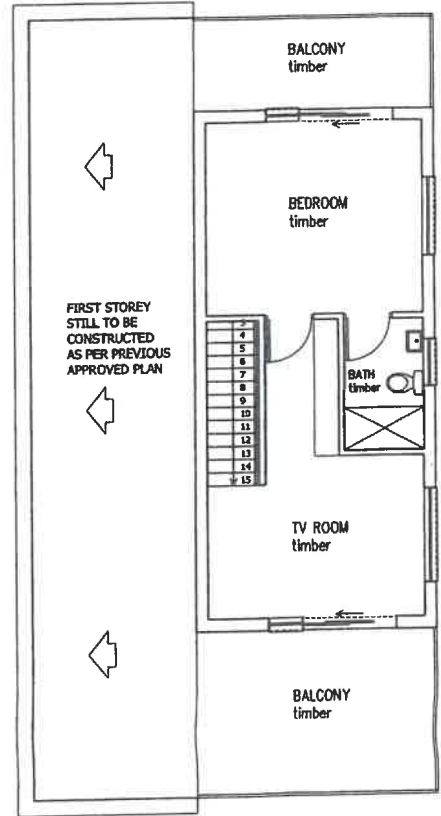
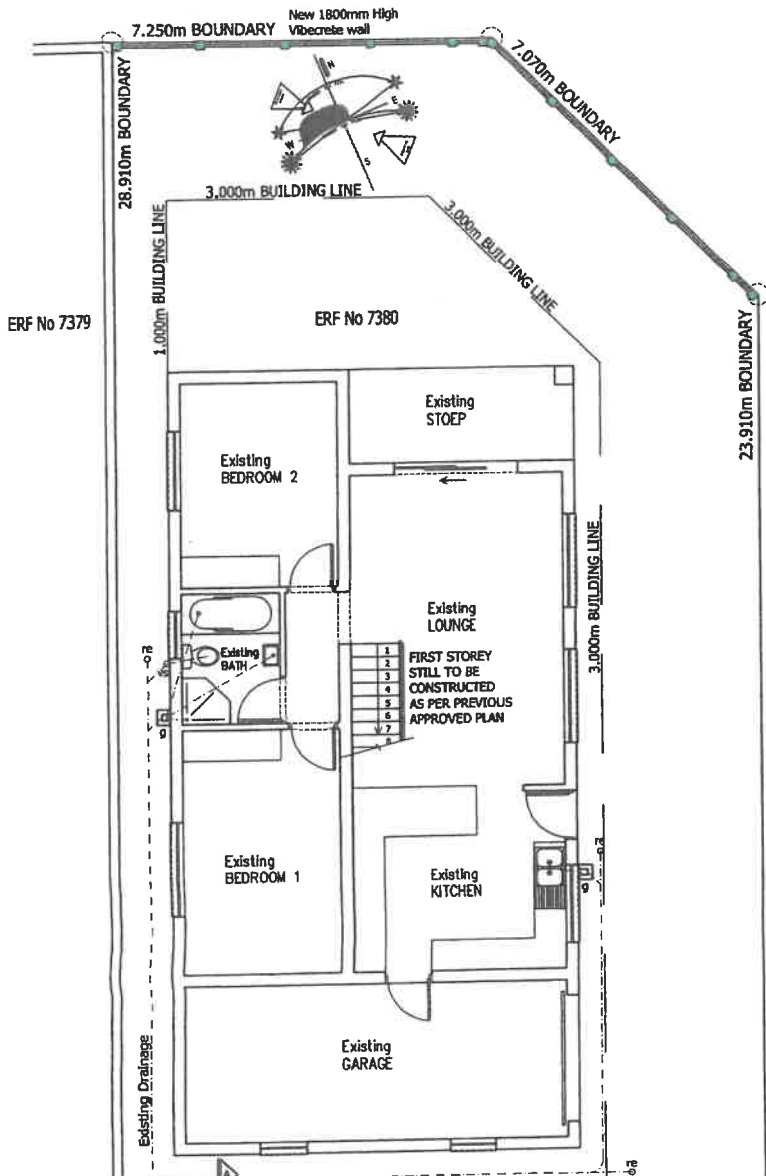
REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ The additions and proposal conform to the residential character of the surrounding area.
- ❖ There will be no impact on services.
- ❖ The proposal will have minimal impact on the surrounding property owners since no windows, doors or openings of the outbuilding (non-habitable) opens toward the abutting neighbour's property.
- ❖ The outbuilding is considered desirable due to the limited space available on site.
- ❖ None of the internal departments have objected to the proposed application.
- ❖ None of the external departments have objected to the proposed application.
- ❖ None of the neighbours have objected to the proposed application.

**AGENDA of the
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21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

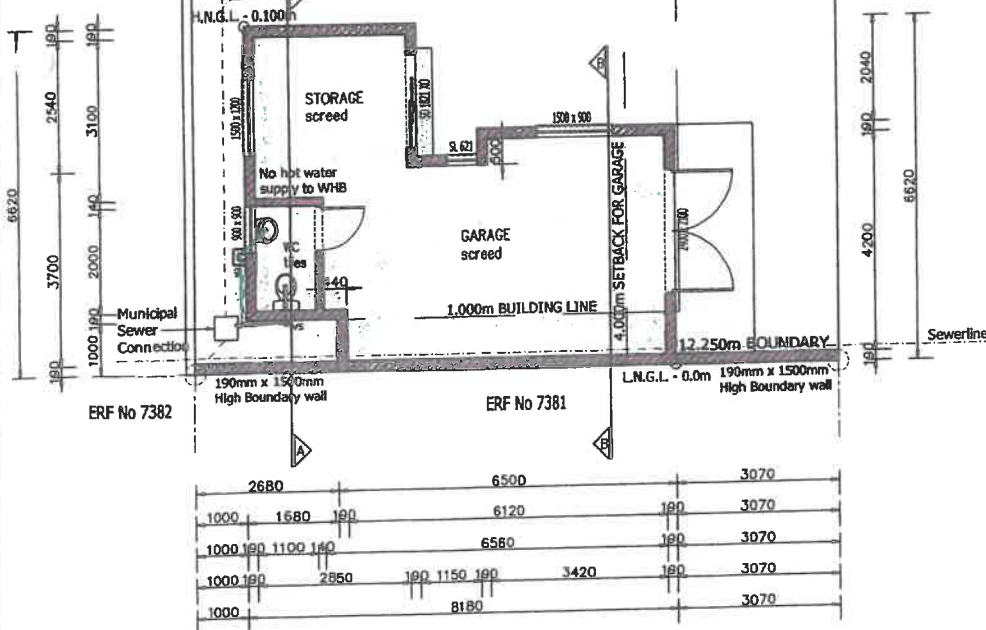
- ❖ The administrative penalty is levied at 1% of the Municipal Tariff for 2025/26 since the applicant did not provide builders quotes (after it was requested) and that the encroachment of 12m² would have been R12 880.80 if levied at 5% which would be an absurd penalty fee for an outbuilding.

98 ANGELIER STREET



First Storey Plan
Scale 1:100

SIZE OF AREA BEING ENCROACHED = 11.08m²



Site- & Ground Storey Plan
Scale 1:100

C. Geldenhuys
CRAG ARCHITECTURAL DESIGN
P.O. BOX 517
CALEDON
7230
C.GELDENHUYS - 082 835 8631
SACAP - PAD : 20718

PROJECT
NEW OUTBUILDING ON
ERF 7380
98 ANGELIER STREET
MOUNT PLEASANT
10 JUL 2025
CLIENT
S.I. WILLIAMS

DRAWING
SITE- & FLOOR PLANS
DRAWING
COUNCIL SUBMISSION
SCALE
1:100
DATE
23 June 2025
DRAWING NO.
7380/01/2025-01-01/AS-REV C

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 7380, MOUNT PLEASANT (4968/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

22/08/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

**11.ERF 4511, 1 ROBIN LANE, NORTHCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE
DEED CONDITIONS AND DEPARTURE: H & E VAN DER MERWE**

4511 HNC (5019/2025)

**H van der Stoep
1 December 2025**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 21 August 2025 from H & E Van Der Merwe for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16.(2)(f) of the Overstrand Municipal By-Law on Municipal Planning, 2020 for the removal of restrictive title deed conditions C.2. and C.4. as contained in Title Deed T953/2025 of the property to accommodate a proposed second dwelling unit and a portion of the proposed new double garage.

The restrictive title deed conditions read as follows:

“C. **SUBJECT FURTHER** to the following special conditions contained in the said Deed of Transfer No. T6898/1945 and imposed by the Administrator of the Cape Province at the time of approval of Hermanus Township (Extension No. 4):

“As being in favour of the registered owner of any erf in the Township and subject to amendment or alteration by the Administrator under the provisions of Section 18(3) of Ordinance No.33/1934:-

2. That only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.
4. That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than fifteen (15) feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within seven and a half (7½) feet of the lateral boundary common to any adjoining erf.”

- ❖ **Departure** in terms of Section 16 (2)(b) of the Overstrand Municipal By-Law on Municipal Planning, 2020 to relax the lateral building line from 2m to 0m to accommodate a portion of the proposed new double garage.

RESOLUTION

1. that the application in terms of Section 16.(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4511, Hermanus for the removal of restrictive title deed conditions

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 20 April 2026)**

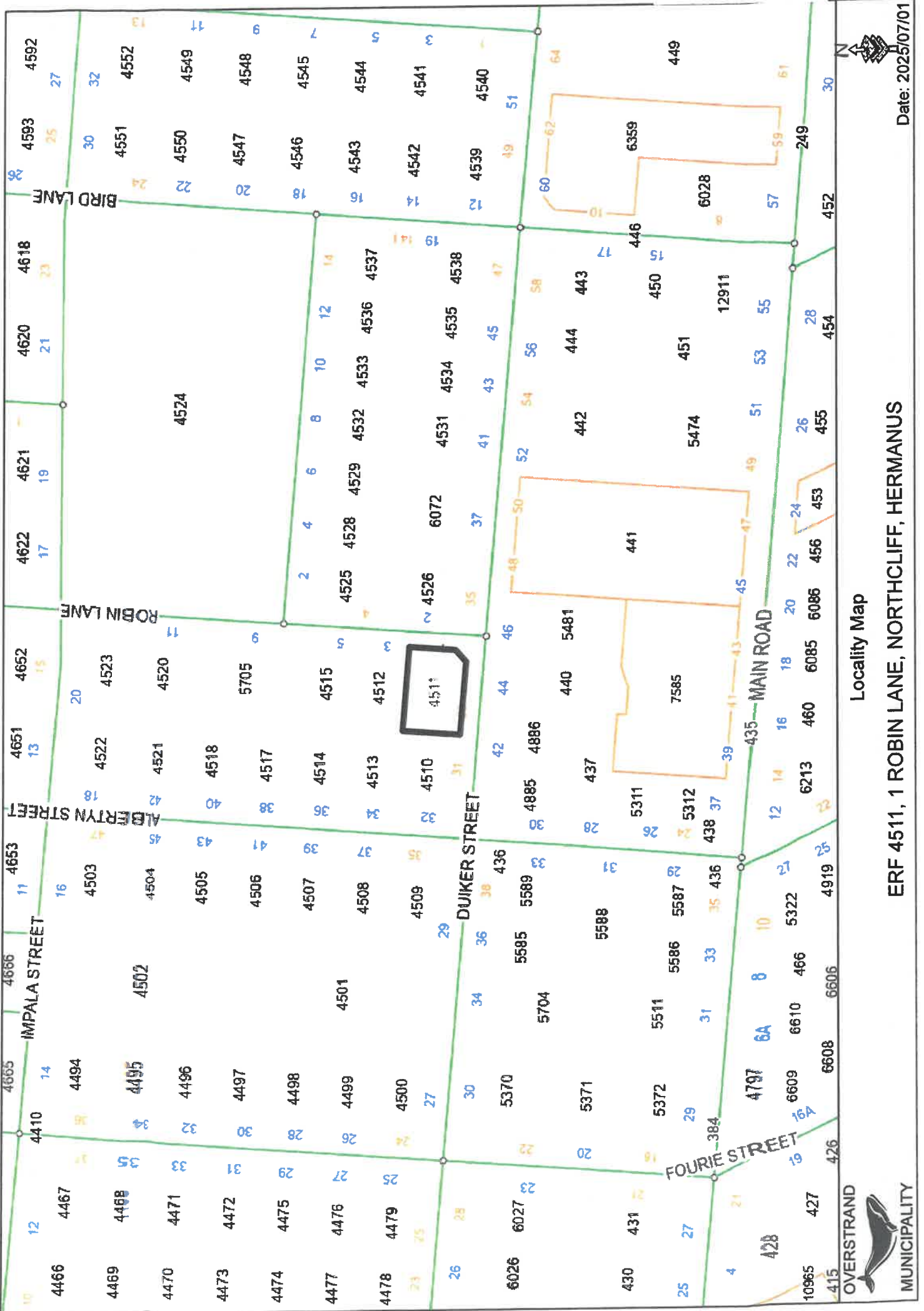
- C.2. and C.4. as contained in Title Deed T953/2025 of the property to accommodate a proposed second dwelling unit and a portion of the proposed new double garage, **be approved**, in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4511, Hermanus for a departure to relax the western lateral building line from 2m to 0m to accommodate a portion of the proposed new double garage, **be approved**, in terms of the provisions of Section 61 of the By-Law;
 3. that the approvals in Points 1. and 2. above be subject to the following conditions:
 - (a) that the approval be limited to the building/structures as per Plan VDM-2025A.1 and 2 (REV C1) dated 20 June 2025, submitted with this application;
 - (b) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control and the Fire Departments be complied with at that stage;
 - (c) that the amended title deed be submitted for record purposes to the Municipality;
 - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (f) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
 - (g) that all the conditions in the Services Report be complied with.
 3. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

REASONS FOR RESOLUTION

- ❖ The removal will have no detrimental effect on the character of the area.
- ❖ The proposed development will have minimal impact on the character of the area

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- ❖ None of the residents objected to the application.
- ❖ The proposed garage is located adjacent to the neighbour garage and will not impact views or privacy.
- ❖ The second dwelling is in line with the Land Use Scheme.



Locality Map

ERF 4511, 1 ROBIN LANE, NORTHCLIFF, HERMANUS



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS &
DEPARTURE: ERF 4511, NORTHCLIFF (5019/2025)**

Stormwater (SW) : Refer to conditions
Electricity : Refer to conditions
Water : Refer to conditions
Sewer : 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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

26/08/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

12.ERF 8099, 20 ROCK KESTREL CLOSE AND UNREGISTERED ERF 12938 (A PORTION OF ERF 11171), ROCK KRESTREL CLOSE, HEMEL-EN-AARDE ESTATE, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF LW MEYER

8099 & 12938 HMS (5055/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

12 January 2026

EXECUTIVE SUMMARY

An application has been received on 5 August 2025 from Plan Active Town & Regional Planners on behalf of LW Meyer in terms of Section 16.(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **consolidation** of Unregistered Erf 12938 (a portion of Erf 11171, Hemel en Aarde Estate) with Erf 8099, Hemel en Aarde Estate to create a consolidated property of $\pm 1861\text{m}^2$ in extent.

RESOLUTION

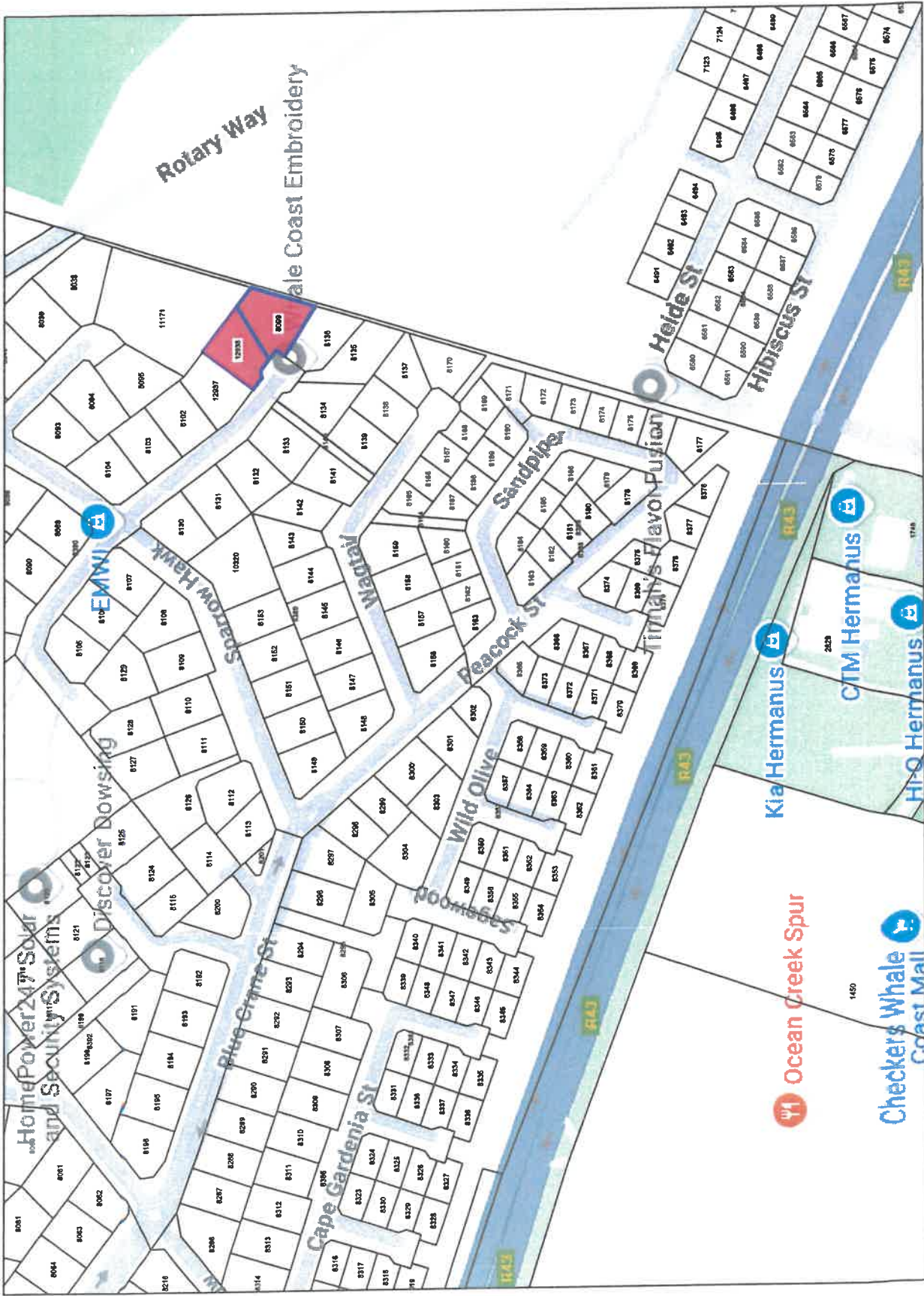
1. that the application in terms Section 16.(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **consolidation** of Unregistered Erf 12938 (a portion of Erf 11171, Hemel en Aarde Estate) with Erf 8099, Hemel en Aarde Estate to create a consolidated property of $\pm 1861\text{m}^2$ in extent, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is only for the consolidation as indicated on *Consolidation Plan No hermanus8099.dwg* dated 23 July 2025 as submitted with the application;
 - (b) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control and the Fire Departments be complied with at that stage;
 - (c) that the conditions in the Services Report be complied with;
 - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (e) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 29 April 2026)**

2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decision.

REASONS FOR RESOLUTION

- ❖ The development is not considered to unacceptably detract from the character of the area and vested rights of adjoining property owners.
- ❖ The application followed due process.
- ❖ The proposal is consistent with the SDF.
- ❖ That the proposal is in line with the character of the area due to the adjacent erf being 2719m² in extent.



Scale: NTS
 Drawing Nr: Hermanus8099.dwg
 Date: 23 Jul 2025

Plan Description: LOCALITY MAP

Property Description: ERVEN 12938 & 8099 HERMANUS

All distances approximate and subject to survey.
 COPYRIGHT RESERVED

PLAN Stads-en Streeksbeplanners
 Town & Regional Planners



NOTES:

Erf 8099 Hermanus = 995m²
 Erf 12938 Hermanus = 866m²
 Total m² of consolidated erven = 1861m²



Scale: **NTS**

Drawing Nr: Hermanus8099.dwg

Date: 23 Jul 2025

Plan Description:
**PROPOSED
 CONSOLIDATION**

Property Description:
**ERVEN 12938 & 8099
 HERMANUS**

All distances approximate
 and subject to survey.

COPY RIGHT RESERVED

Stads- en Streeksbeplanners
 Town & Regional Planners



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSOLIDATION: ERF 8099 & UNREGISTERED ERF
12938 (A PORTION OF ERF 11171), HEMEL EN AARDE ESTATE
(5055/2025)**

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

Conditions:

1. that the existing sewer connection(s) be used to service the proposed consolidated development;
2. that the water connections to the erven must be consolidated to one connection and that one water meter be allowed/ registered;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and / or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Engineering Services - Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owner's cost, if required.


 RICARDO ANDREW
 PRINCIPAL TECHNOLOGIST:
 DEVELOPMENT CONTROL

22/08/2025
 DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

13.ERF 8099, 47 15TH AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: J DOUGLAS ON BEHALF OF JSAL HOLDINGS PTY LTD

8099 KKM (4889/2024)

H van der Stoep

16 January 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 11 December 2024 from J Douglas on behalf of JSAL Holdings (Pty) Ltd on Erf 8099, Kleinmond in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 8099, Kleinmond as follows:

- ❖ Portion A ($\pm 596\text{m}^2$);
- ❖ Portion B ($\pm 596\text{m}^2$);
- ❖ Remainder ($\pm 631\text{m}^2$), and
- ❖ Create a right-of-way access servitude over the Remainder in favour of the newly created Portions A and B and also a right-of-way access servitude over Portion A in favour of Portion B.

RESOLUTION

1. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the subdivision of Erf 8099, Kleinmond as follows:

- ❖ Portion A ($\pm 596\text{m}^2$);
- ❖ Portion B ($\pm 596\text{m}^2$);
- ❖ Remainder ($\pm 631\text{m}^2$), and
- ❖ Create a right-of-way access servitude over the Remainder in favour of the newly created Portions A and B and also a right-of-way access servitude with a width of 5m over Portion A in favour of Portion B;

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

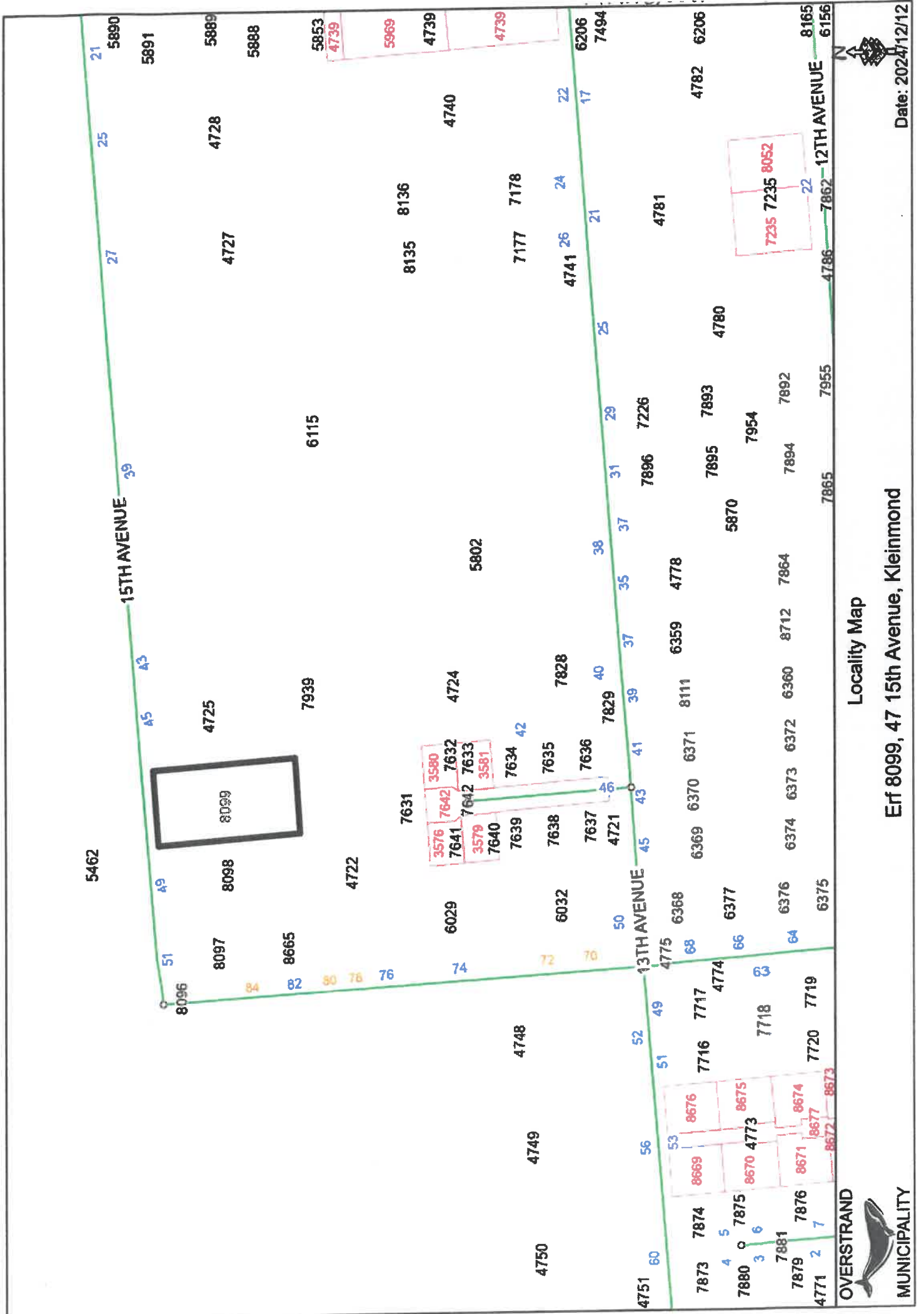
- (a) that this approval is only for the development as indicated on the plan dated 25 February 2025, as submitted with the application;
- (b) that building plans be submitted for all new buildings to the Building Control Department for approval, and that all conditions of the Building Control and Fire Departments be complied with at that stage;

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~29~~ April 2026)**

- (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 Land Use Scheme be complied with;
 - (e) that a right-of-way access servitude be created over the Remainder in favour of the newly created Portions A and B and also a right-of-way access servitude with a width of 5m over Portion A in favour of Portion B be registered against the respective Title Deeds;
 - (f) that proof of registration from the Surveyor General Office and the Registrar of Deeds be submitted to the Municipality before transfer of the first property, and
 - (g) that all the conditions in the Services Report be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ All relevant Municipal/State Departments support the application.
- ❖ The application will not have a negative impact on surrounding property owners or the character of the area.
- ❖ The proposal is in line with the Growth Management Strategy, 2010.



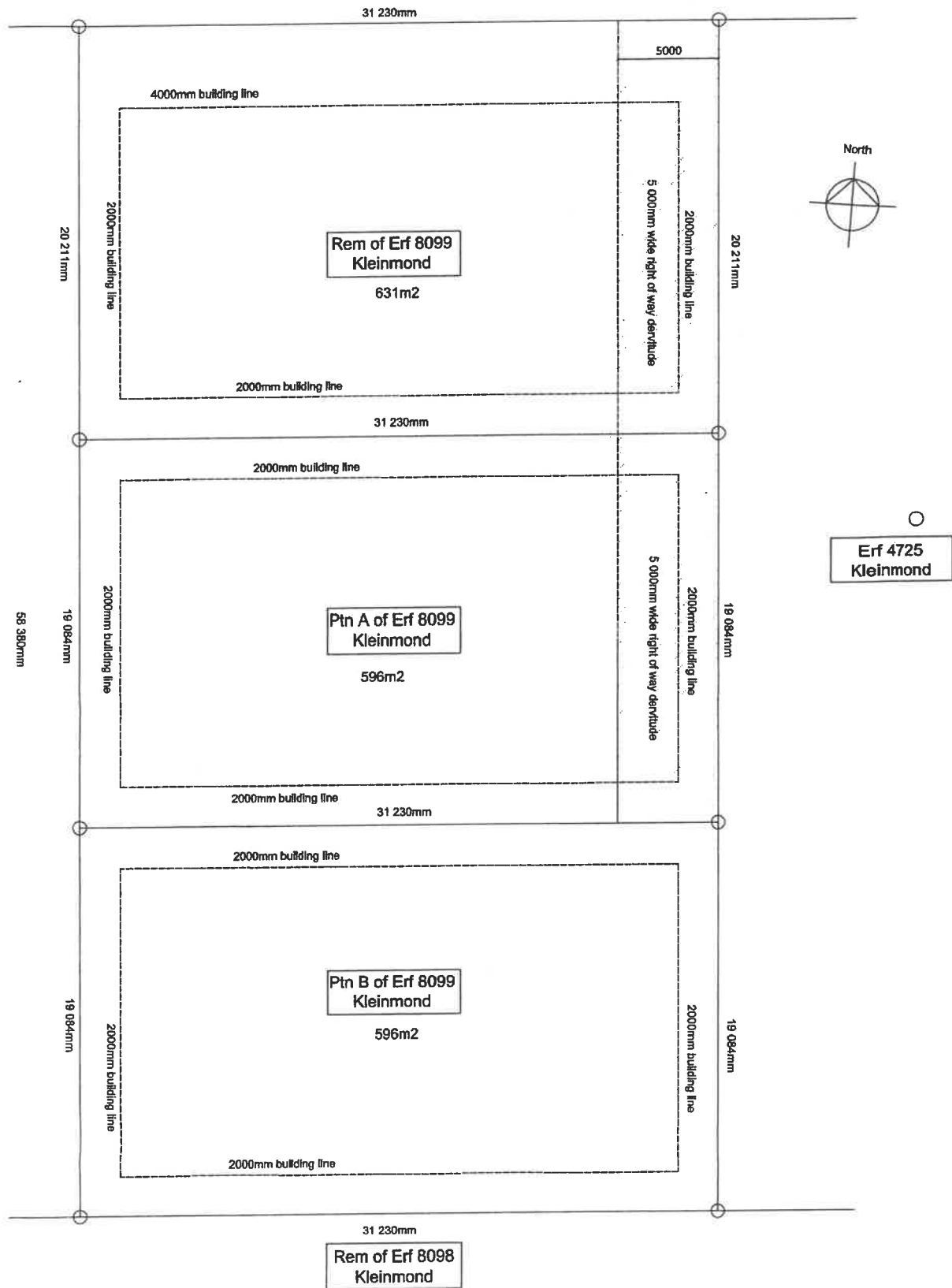
Locality Map

Erf 8099, 47 15th Avenue, Kleinmond

Date: 2024/12/12



47 15th Avenue



04 MAR 2025

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR SUBDIVISION: ERF 8099, KLEINMOND (4889/2024)**

Stormwater (SW)	:	Refer to Conditions
Electricity	:	Refer to Conditions
Water	:	Refer to Conditions
Sewer	:	Refer to Conditions
Roads and traffic	:	Refer to Conditions

Conditions:

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

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

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

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

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

The contribution according to the current policy (2024/2025) is as follows:

Freehold erven:

Water	R 27 598.00 x 2	=	R 55 196.00
Sewerage	R 19 725.00 x 2	=	R 39 450.00
Roads	R 8 845.00 x 2	=	R 17 690.00
Stormwater	R 10 205.00 x 2	=	R 20 410.00
Solid Waste	R 1 769.00 x 2	=	R 3 538.00
Electricity	R 39 247.00 x 2	=	<u>R 78 494.00</u>
TOTAL (inclusive of VAT)		=	R214 778.00

Please note that the above figures:

- a) are estimates
- b) do not include investigation and connection fees
- c) are subject to annual tariff adjustments

2. that the existing water connection to Erf 8099 shall be used to service the proposed Portion A , B or the Remainder of Erf 8099;

3. that any part of the existing water and sewer services on Erf 8099 that crosses the common boundary of Portion A, B and the Remainder of Erf 8099 shall be disconnected and sealed off;
4. that both the Remainder, Portion A & B of must be serviced with individual and separate water connections which must comply with the standards of the Division: Civil Engineering Services;
5. that the proposed Portion A and Remainder of Erf 8099 must each be serviced with individual and separate sewer conservancy tanks, which must comply with the standards of the Division: Civil Engineering Services, and to which the sewer services of the individual erven must connect to;
6. that a suction points of conservancy tanks need be allocated in 15th Avenue;
7. that the conservancy tanks will also need to be fitted with sludge booster pump/s to assist the tankers with the height difference and long distance to suction point/s;
8. that all 3 properties will be required to place their waste bin on the pavement of 15th Avenue on waste collection day as the collection team will not enter the servitude to collect waste;
9. that only a standard 60 Amp single phase electricity connection will be available per erf;
10. Electrical Meter kiosk will be installed at boundary on sidewalk, the cables for subdivisions to be installed by developer;
11. Electricity service connection charge is applicable apart from extra capacity charge;
12. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
13. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
14. that any additional and / or extended vehicle entrances will be for the owner's account;
15. that no reservation of on-street parking be allowed;
16. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;

- 17. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

22/04/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 23 April 2026)**

14. ERF 2909, 169 SEVENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF CJW BELEGGINGS (PTY) LTD

2909 (4952/2025)

P Roux

24 November 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 15 April 2025 from Messrs Plan Active Town and Regional Planners on behalf of the property owner on Erf 2909, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) in order to:
 - relax the eastern lateral building line from 2m to 0m, to accommodate the proposed roofed outdoor area; and
 - relax the permissible height restriction from 8,0m to 8,730m, to accommodate the existing skylights.

- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

RESOLUTION

1. that the objection be noted;

2. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 2909, Voëlkliip, Hermanus to relax the eastern lateral building line from 2m to 0m, to accommodate the proposed roofed outdoor area, **not be approved** in terms of the provisions of Section 61 of the By-Law;

3. that the application for the departure in terms of Section 16(2)(b) of the By-Law on Erf 2909, Voëlkliip, Hermanus to relax the permissible height restriction from 8,0m to 8,730m, to accommodate the existing skylights, **be approved** in terms of the provisions of Section 61 of the By-Law;

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

4. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 2909, Voëlklip, Hermanus to accommodate the existing uses on the property, **not be exempt** from the payment of an administrative penalty;
5. that the recommendation under paragraphs 3. and 4. above is subject to the following conditions:
 - (a) that the approvals are for the encroachment of the height restriction as indicated on Site Development Plan No 25-03-02 as submitted with the application;
 - (b) 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;
 - (c) that an administrative penalty of **R13 589.24** be payable within sixty (60) days of the decision;
 - (d) that all the conditions contained in the Services Report be complied with;
 - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
6. that the applicant notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

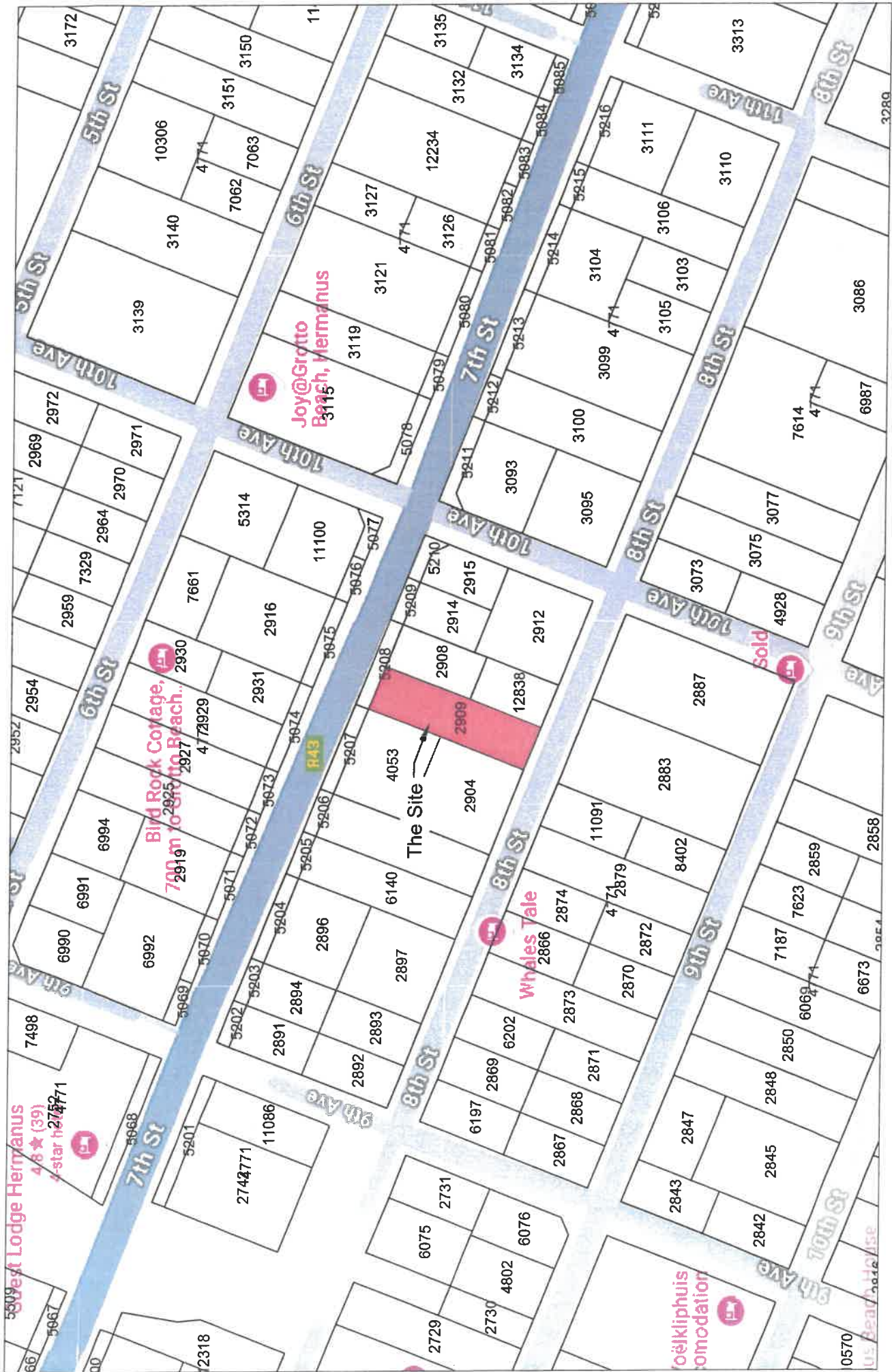
Reason for non-support as indicated in paragraph 2.

- ❖ The building plan approved on 04 February 2025 indicates that the pergola can be developed on the property without the need to encroach upon the building lines.
- ❖ The adjacent property (the objector) proved that the proposed structure will have a negative impact on the use of their property.
- ❖ The property can be optimally developed without the need to depart from the building lines.
- ❖ The departure of building lines is not considered a form of densification.

**AGENDA of the
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21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

Reason for support as indicated under paragraphs 3. and 4.

- ❖ It should however be noted that it is only the portion of the skylight which over the 8m height restriction and therefore it has a limited impact on the view lines of the adjoining property owners. In addition to this the skylight has a limited footprint and is therefore unnoticeable from the surrounding properties.
- ❖ The portion of the roof which encroaches the height restriction is situated to the rear of the dwelling and away from the main road, the opinion is held due to this distance the encroachment is not noticeable and will not have a negative impact on the character of the area.
- ❖ The dwelling was constructed in line with the approved building plans however due to the assessment from the professional land surveyor the base level was adjusted to be lower than what was indicated on the building plan. This is a technical error and done without malintent.



All distances approximate and subject to survey.

COPY RIGHT RESERVED

Plan Stads- en Streeksbeplanners
Town & Regional Planners

Property Description:
**ERF 2909
HERMANUS**

Plan Description:
LOCALITY MAP

Scale:
Drawing No: Hermanus2909.dwg
Date: 28 Mar 2025



NTS

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF VANCOUVER'S ZONING BYLAW AND THE BC BUILDING ACT AND REGULATIONS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VANCOUVER AND THE BC BUILDING DEPARTMENT.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VANCOUVER AND THE BC BUILDING DEPARTMENT.

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20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VANCOUVER AND THE BC BUILDING DEPARTMENT.



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Revision: [Number]

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Approved by: [Name]

Date: [Date]

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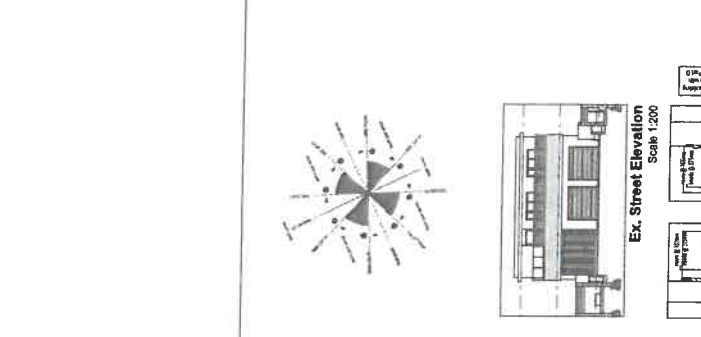
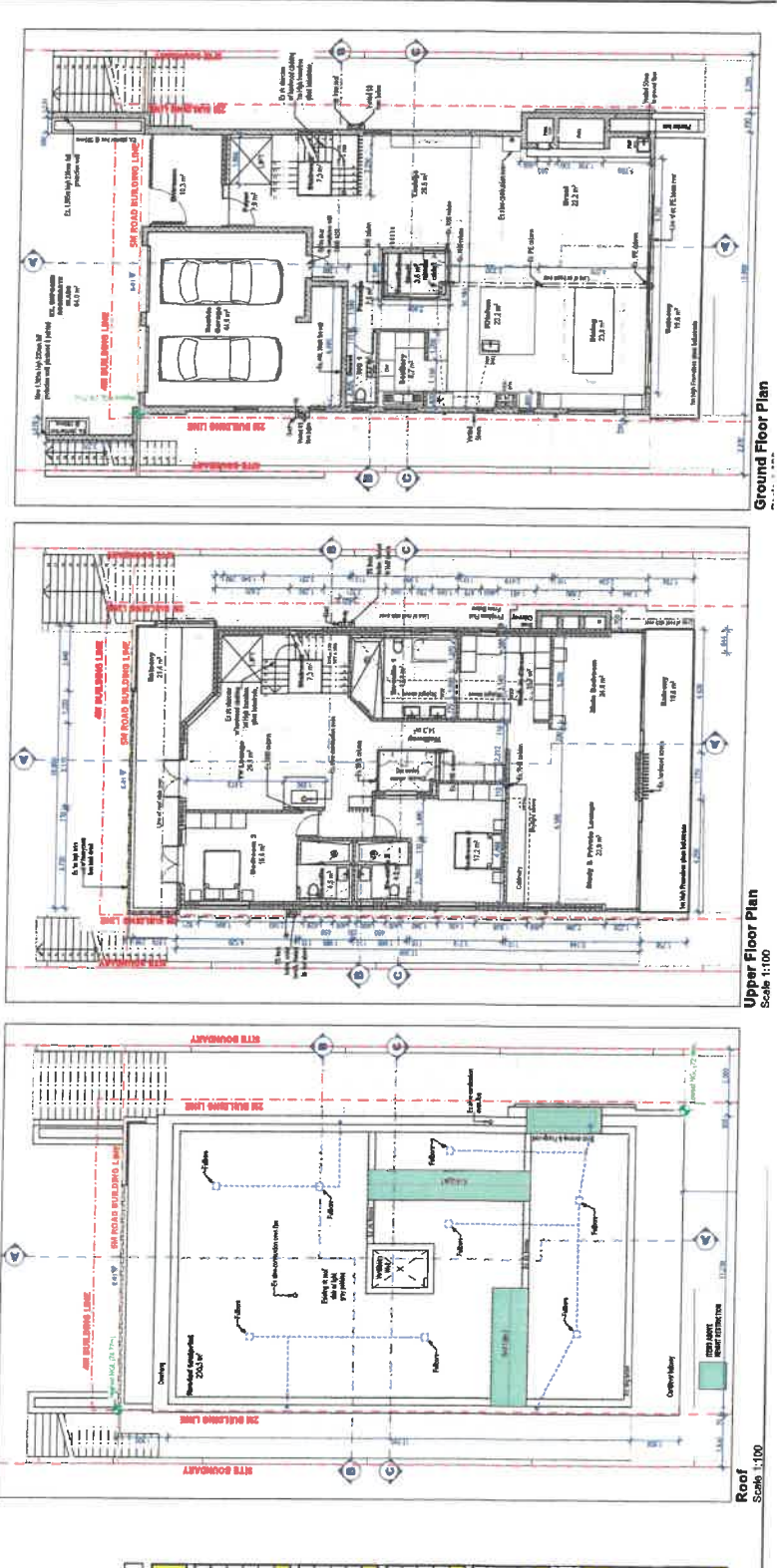
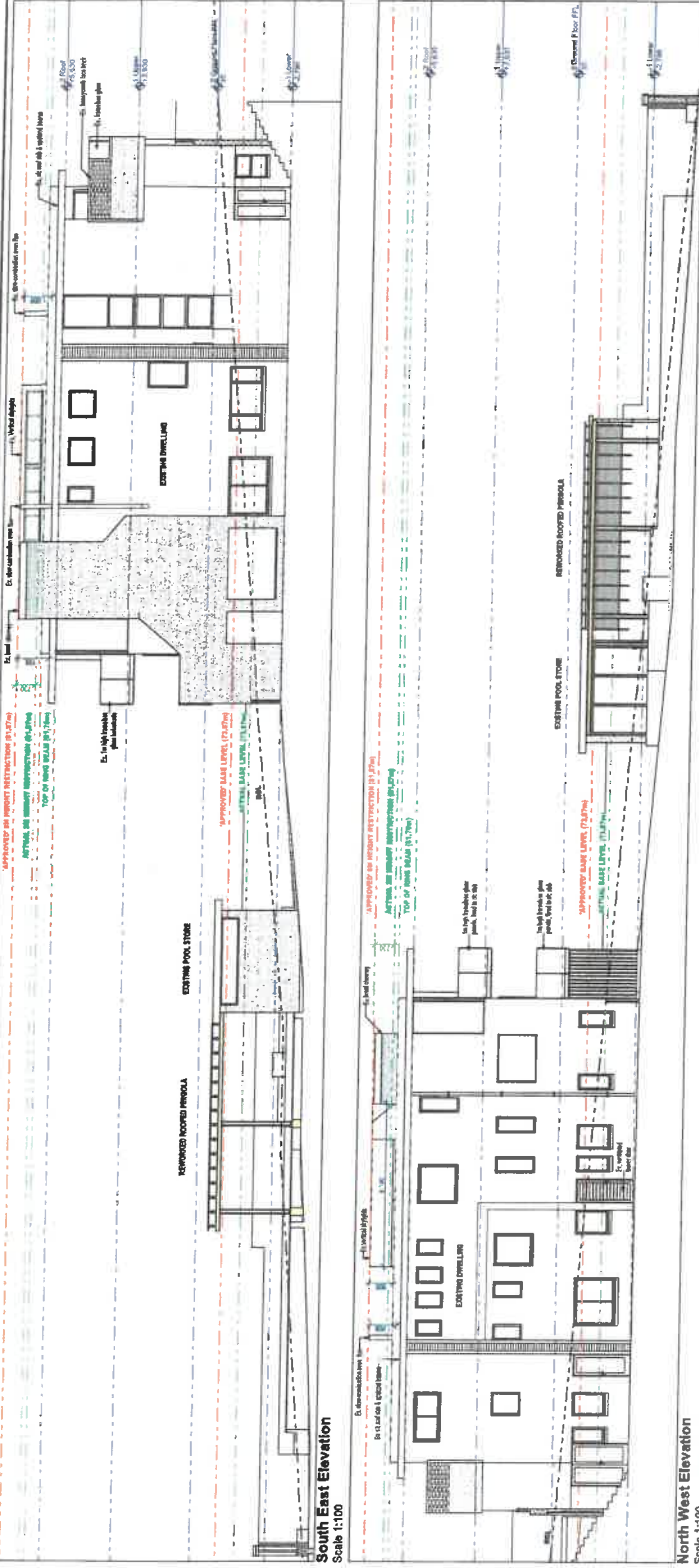
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Area Calculations

Zoning	Single Residential 1 - Conventional	Residing
Lower Floor (Roofed Area)	Existing Internal	204.95 m ²
	Existing External	22.80 m ²
	New Internal	0.00 m ²
	New External	0.00 m ²
Ground Floor (Roofed Area)	Existing Internal	195.19 m ²
	Existing External	28.80 m ²
	New Internal	0.00 m ²
	New External	0.00 m ²
First Floor (Roofed Area)	Existing Internal	178.70 m ²
	Existing External	41.00 m ²
	New Internal	0.00 m ²
	New External	0.00 m ²
Pool Area (Roofed Area)	Existing Internal	235.70 m ²
	Existing External	9.80 m ²
	New Internal	36.00 m ²
	New External	0.00 m ²
Ex. Pool	Total Area	24.8 m ²
	Roofed Area	5.18 m ²
Existing Floor space (Dwelling)	Total Area	721.80 m ²
	Roofed Area	698.80 m ²
Existing Floor space (Pool Dwelling)	Total Area	22.80 m ²
	Roofed Area	0.00 m ²
Net GFA Area	Total Area	917.00 m ²
	Roofed Area	281.00 m ²
Coverage	Total Area	50.00 %
	Roofed Area	31.84 %

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 2909, VOELKLIP (4952/2025)**

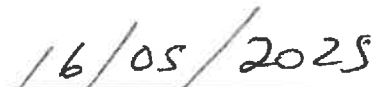
Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	Refer to conditions
Roads and traffic	:	Refer to conditions

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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**


DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~23~~ April 2026)**

**15. THE FARM NIEUWENDAM ANNEX 296, DIVISION BREDASDORP AND THE
REMAINDER OF PORTION 12 (EMDEN) (A PORTION OF PORTION 1) OF THE
FARM WOLVEN GAT NO. 297, DIVISION BREDASDORP, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: MESSRS TOWN &
COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF EMDEN FLORA BK**

Farm 296 & Ptn 12 of Farm 297 RBRED (5098/2025)

SW van der Merwe

(028) 313 8900

Hermanus Administration

19 February 2026

EXECUTIVE SUMMARY

An application was received on 03 October 2025 from Messrs Town & Country Creative Land Solutions on behalf of Emden Flora BK in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **consolidation** of Farm Nieuwendam Annex 296 with the Remainder of Portion 12 (Emden) (a Portion of Portion 1) of the Farm Wolven Gat No. 297 to create one consolidated property approximately 304,249ha in extent.

RESOLUTION

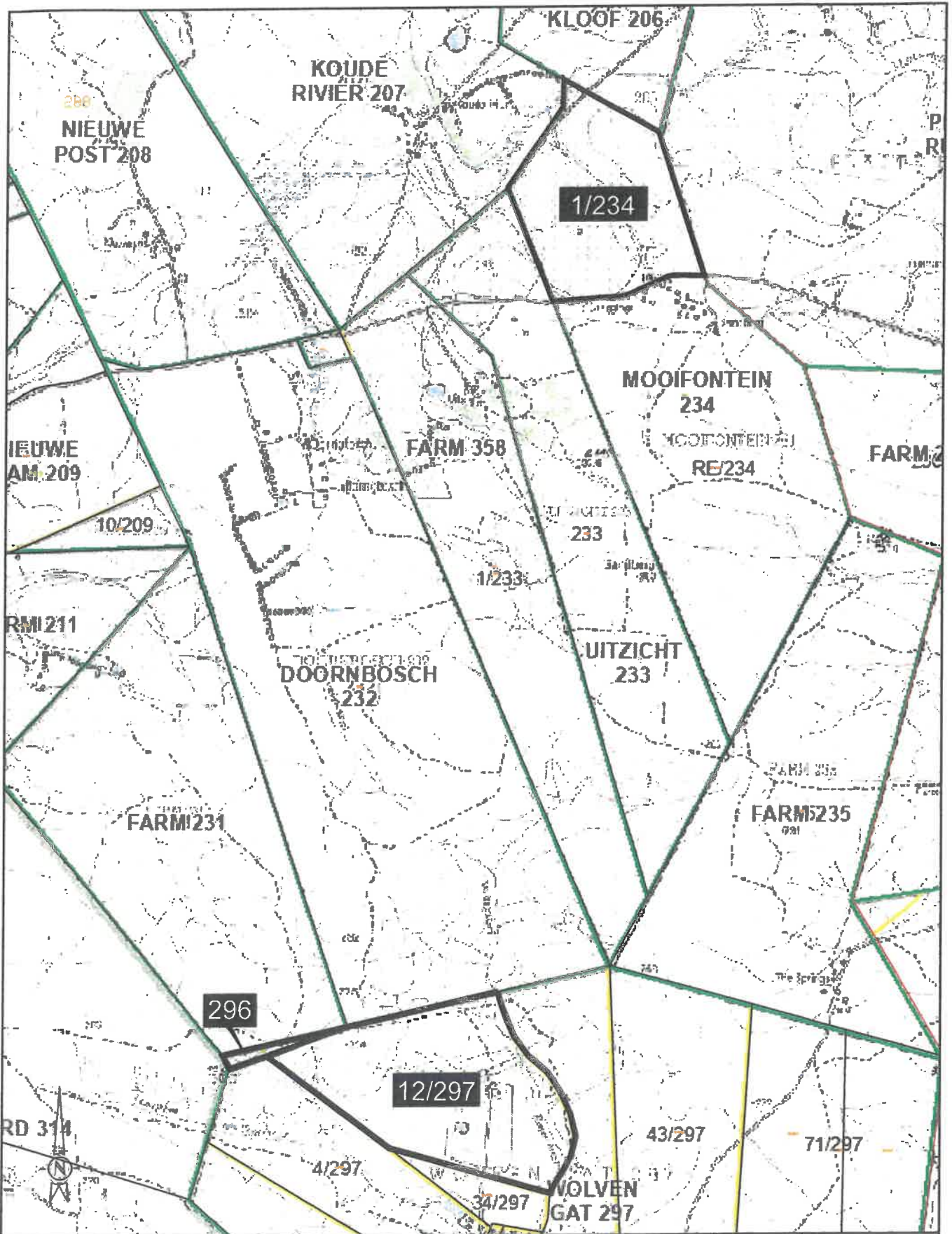
1. that the application for **consolidation** in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of Farm Nieuwendam Annex 296 with the Remainder of Portion 12 (Emden) (a Portion of Portion 1) of the Farm Wolven Gat No. 297 to create one property approximately 304,249ha in extent, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is only for the consolidation as indicated on the consolidation plan DWG No. BRE/3311 dated April 2025 as submitted with the application;
 - (b) that all the conditions in the Services Report be complied with;
 - (c) that all the conditions from Breede-Olifants Catchment Management Agency be complied with;
 - (c) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation;

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

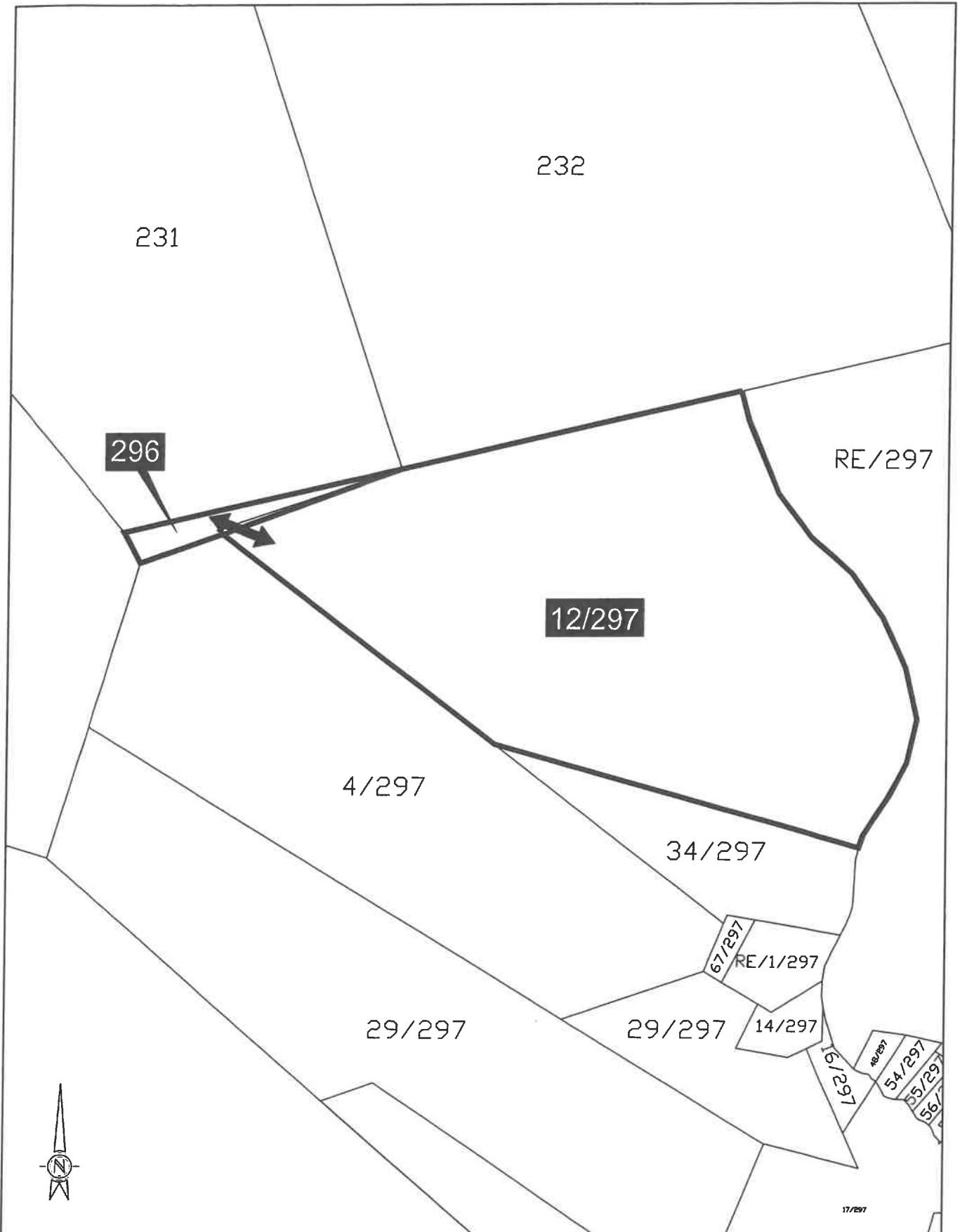
- ❖ The proposal is consistent with the SDF.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.
- ❖ The character of the area will not be adversely impacted.
- ❖ The proposal prevents fragmentation of agricultural land.
- ❖ No objections were received.



Town & Country Creative Land Solutions P.O. Box 1085 Bredasdorp 7280 Tel. 028 424 1545 Fax. 028 425 2085 E-mail: towncountry@vodamail.co.za	PROJECT LOCALITY PLAN:FARMS 234/1, 297/12 AND 296, BREDASDORP RD, OVERSTRAND MUNICIPALITY	DRAWN LT	CHECKED LT
		SCALE 1: 50 000	DATE APR 2025
		DWG No.	REVISION
		Notes:	



Land Surveys • Town Planners



Town & Country <i>Creative Land Solutions</i> Bredasdorp 7280 Tel. 083 481 3603 083 412 4698 Email: towncountry@vodamail.co.za	PROJECT CONSOLIDATION PLAN: FARM 296 AND PORTION 12 OF FARM 297 BREDASDORP RD, OVERSTRAND MUNICIPALITY	DRAWN LT	CHECKED LT
		SCALE 1: 50 000	DATE APR 2025
		DWG No. BRE/3311	REVISION
	Notes: ALL AREAS AND DISTANCES SUBJECT TO SURVEY		



Land Surveyors • Town Planners

COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR APPLICATION FOR CONSOLIDATION: ANNEX 296, DIVISION BREDASDORP AND THE REMAINDER OF PORTION 12 (A PORTION OF PORTION 1) OF THE FARM NO. 297, DIVISION BREDASDORP (5098/2025)

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

Conditions:

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, BGCMA etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Manager: Water Infrastructure & Quality (Tel: 028 313 8972), Overstrand Municipality;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and Department of Water & Sanitation for approval;
5. that the developer complies to all the conditions set by Department Of Water & Sanitation and BGCMA;
6. that, as there is currently no municipal sewer network in the vicinity, the development must be provided with adequate sewer conservancy tanks, which must comply with the standards of the Division: Engineering Services (Gansbaai), and to which the sewer services on the development must connect to;
7. that the Municipality does not have the capacity to service the proposed development with regards to removal of sewerage from the property. The owner is therefore responsible for removal of sewerage from the property, and thereof at a licensed municipal sewerage treatment facility;

8. that alternatively, sewer treatment facilities that are approved by the Department of Water & Sanitation may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;
9. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;
10. that stormwater discharged from higher lying properties and generated in the catchment area of the development be allowed to drain freely through the property;
11. that, as no municipal refuse removal services are rendered in the area, the owner is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or-waste disposal facility;
12. that on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Division: Engineering Services;
13. that access can be obtained via the existing access routes(s) to the development, that any additional and / or extended vehicle entrances will be for the owner's account. The Provincial Engineer must however provide comment in this regard.


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

16.ERF 1095, 38 DREYER STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNING ON BEHALF OF C & M PRETORIUS

1095 STAN (5060/2025)

P Roux

10 February 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 11 August 2025 from Messrs Interactive Town and Regional Planners on behalf of the owners of Erf 1095, Stanford in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law, to accommodate a day care centre on the property.

RESOLUTION

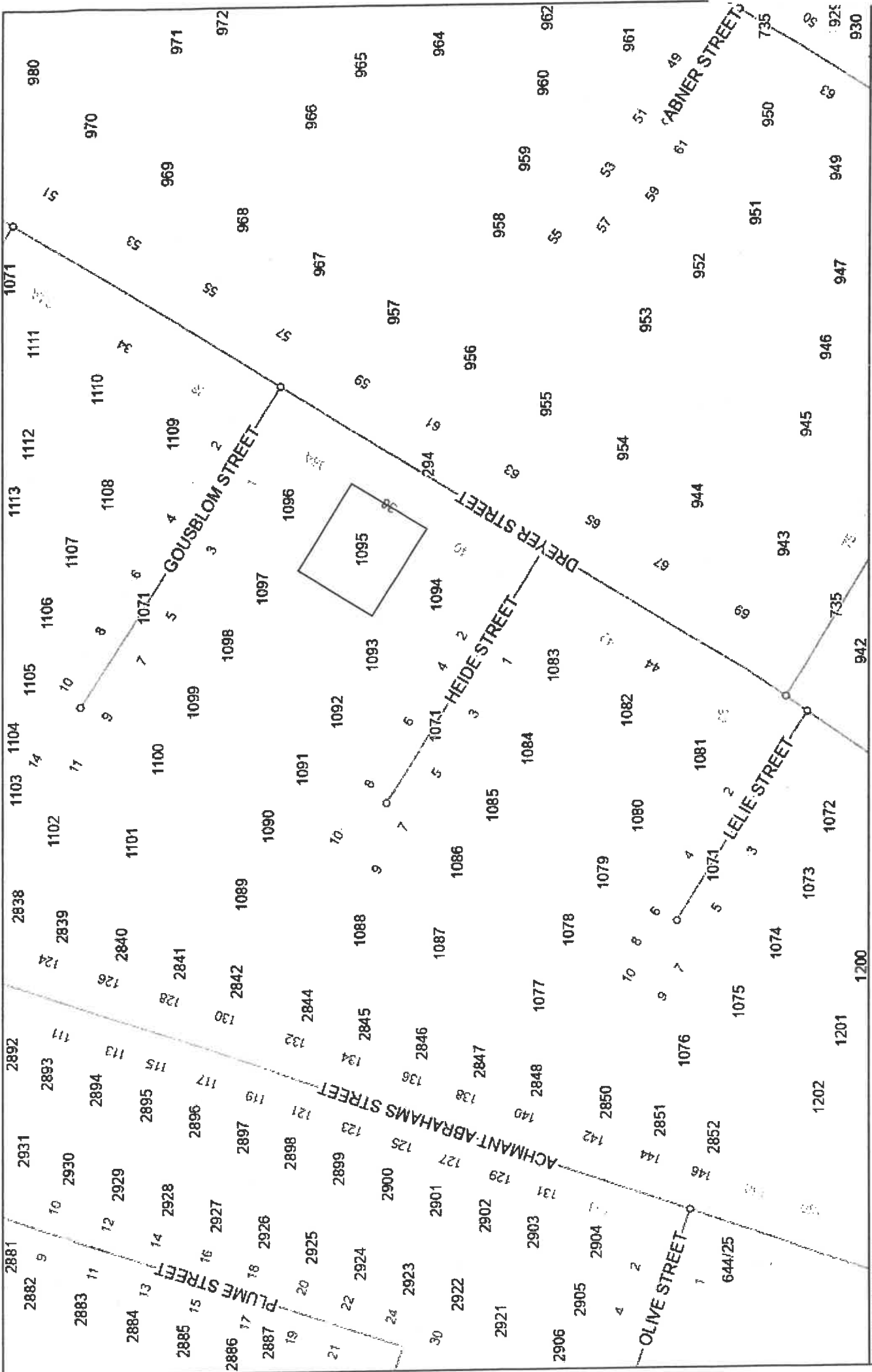
1. that the application for **consent use** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 1095, Stanford, to accommodate a day care centre on the property, **be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
 - (a) that the approval is only valid for **5 years** and limited to the use of a day care centre as per the site plan submitted;
 - (b) that should it be required that updated building plans be submitted to the Building Control Office and all comments from the Fire Department be complied with at that stage;
 - (c) that all the conditions as stipulated by the District Health Department be complied with;
 - (d) that all the conditions in the Services Report be complied with;
 - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~26~~ April 2026)**

2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ The proposed use will be a benefit to the community.
- ❖ The proposed location is ideally situated to allow for easy access by the community members.
- ❖ The outward appearance of the proposed structure is considered to be in line with the character of the area.
- ❖ The property is located on Dreyer Street which is the main road which connects Stanford's southern neighbourhood to the northern suburbs, the area is still primarily residential and therefore caution must be taken in consideration of the impact the proposed use will have on the traffic and residential character.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



Locality Map

ERF 1095, STANFORD

Date: 2025/08/12

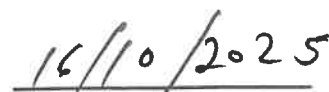
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE, ERF 1095, STANFORD (5060/2025)**

Electricity	:	Refer to conditions
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 only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Engineering Services - Stanford for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.


 RICARDO ANDREW
 PRINCIPAL TECHNOLOGIST:
 DEVELOPMENT CONTROL


 DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

17. ERF 857, 201 MAIN ROAD AND ERF 858, 199 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BG JANSEN VAN VUUREN

857 & 858 HEC (5109/2025)

P Roux

(028) 313 8900

Hermanus Administration

23 Feb 2025

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) was received on 10 October 2025 from Messrs WRAP Project Office on behalf of the property owner for the following:

- ❖ **Consolidation** in terms of Section 16(2)(e) of the By-Law to consolidate Erven 857 and 858, Eastcliff, Hermanus to create one erf approximately 1784m² in extent.

RESOLUTION

1. that the application for **consolidation** in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to consolidate Erven 857 (892m²) and 858 (892m²), Eastcliff, Hermanus to create one erf approximately 1784m² in extent, **be approved** in terms of the provisions of Section 61 of the By-Law;
 - (a) that the approval is only for the consolidation as indicated on drawing number 25.76 (001) as submitted with the application;
 - (b) that building plans be submitted for any new construction work and that the Building Department and Fire Department's comments be complied with at that stage;
 - (c) that the conditions in the Services Report be complied with;
 - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (e) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ No additional services required.
- ❖ From a visual and spatial perspective, the proposed consolidation will not alter the appearance of the property or its integration with the surrounding neighbourhood.
- ❖ No objections from internal departments.
- ❖ The land use of the subject property will remain unchanged.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.

Plan 1: Locality Plan

Erven 857 & 858 Hermanus

Plan prepared by: Thian Jansen

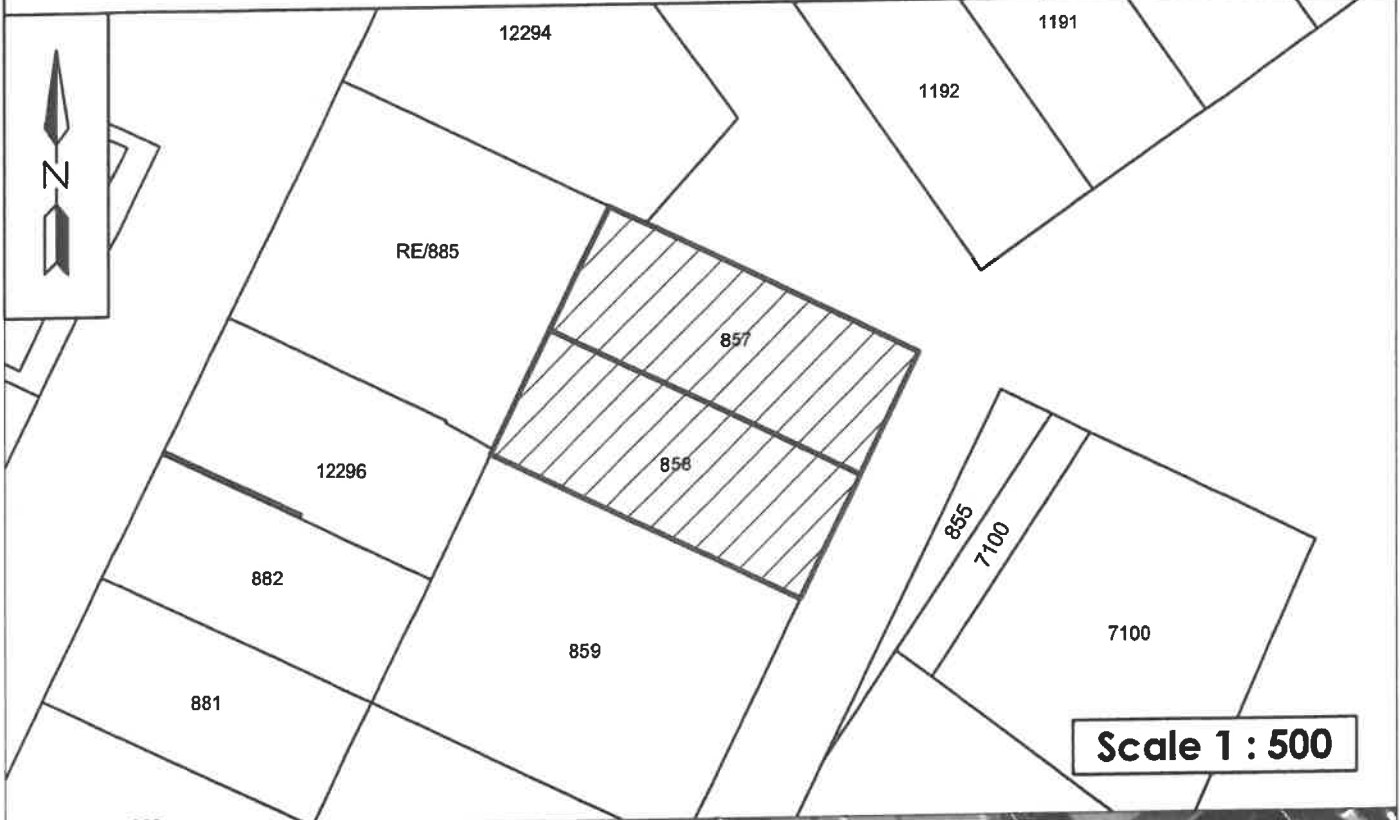
Tel: 028 313 1411

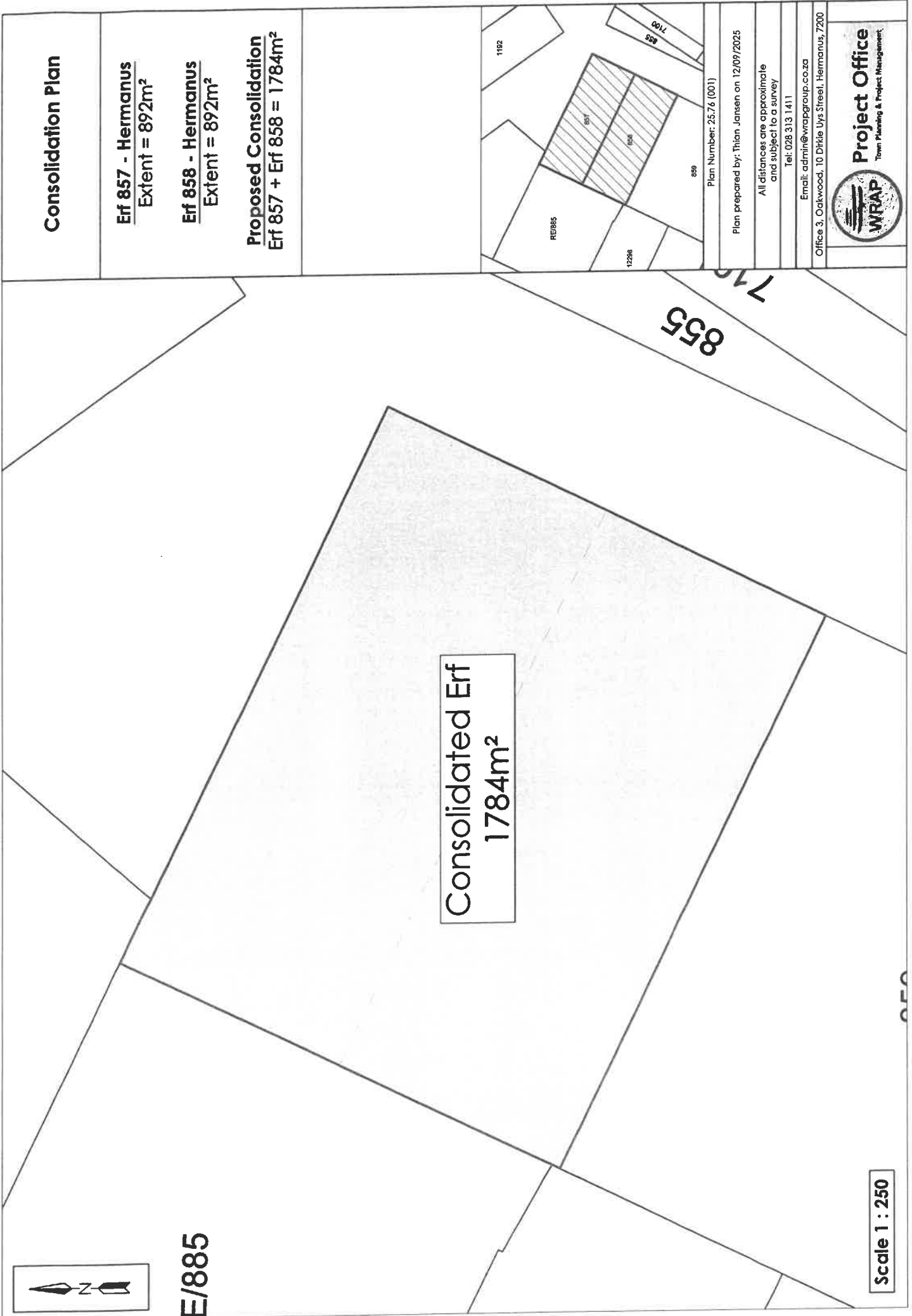
Email: admin@wrapgroup.co.za

Office 3, Oakwood, 10 Dirkie Uys Street, Hermanus, 7200



Project Office
Town Planning & Project Management





Consolidation Plan

Erf 857 - Hermanus
Extent = 892m²

Erf 858 - Hermanus
Extent = 892m²

Proposed Consolidation
Erf 857 + Erf 858 = 1784m²

Plan Number: 25.76 (001)

Plan prepared by: Thian Jansen on 12/09/2025

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Office 3, Oakwood, 10 Dittie Uys Street, Hermanus, 7200



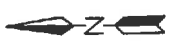
Project Office
Town Planning & Project Management

Scale 1 : 250

E/885

855

Consolidated Erf
1784m²



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSOLIDATION: ERF 827 & ERF 858, EASTCLIFF
(5109/2025)**

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

Conditions:

1. that the existing sewer connection(s) be used to service the proposed consolidated development;
2. that the water connections to the erven must be consolidated to one connection and that one water meter be allowed/ registered;
3. that the electricity connections to the erven must be consolidated to one connection and that one electricity meter be allowed/ registered.
4. that should additional electrical capacity be required, an investigation be conducted, regarding the capacity required and that available, at the owner's cost;
5. that electrical submetering for second/additional dwelling(s) remains the responsibility of the developer/owner;
6. 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*;
7. 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 Principal Technologist: Engineering Services-Hermanus for written approval;
8. that any additional and / or extended vehicle entrances will be for the owner's account;
9. that no reservation of on-street parking be allowed;

10. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
11. that stormwater reticulation and connection(s) to the municipal system be provided at the owner's cost, if required.



RICARDO ANDREW



DATE

PRINCIPAL TECHNOLOGIST:DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

18.ERF 981, 23 MUSSON STREET, EASTCLIFF, HERMANUS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF PJ & AMM VAN HEERDEN

981 HEC (5086/2025)

P Roux

24 February 2025

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 02 October 2025 from Messrs WRAP Project Office on behalf of the owners of Erf 981, Eastcliff, Hermanus for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions B. A. b) and d) as contained in Title Deed T71112/2024.
- ❖ **Departure** in terms of Section 16(b) of the By-Law in order to encroach the southern side building line from 2m to 0,15m to accommodate the change of use from the existing carport to an open garage.

RESOLUTION

1. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 981, Hermanus, for the **removal of restrictive title deed condition** B.A. b) and d) as contained in title deed T71112/2024 of the property to accommodate a second dwelling and to alter the existing carport into a garage on the property boundary, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(d) of the By-Law on Erf 981, Hermanus for **departure** to accommodate the relaxation of the south-western lateral building line from 2m to 0,15m to accommodate the proposed garage, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the recommendation under paragraphs 1. and 2. is subject to the following conditions:

**AGENDA of the
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(Also the agenda for the Mayoral Committee Meeting : ~~20~~ April 2026)**

- (a) that the approvals are for the development as indicated on Site Development Plan No 25/112 (001) dated as submitted with the application;
 - (b) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building and Fire Departments be complied with;
 - (c) that all the conditions contained in the Services Report be complied with;
 - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (e) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
4. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- The main characteristic of the suburb is still maintained by the proposed alteration on Erf 981. The proposed encroachments are therefore considered non-invasive.
- The proposal will not have a detrimental impact on the character of the surrounding area.
- No objections were received.
- The application has followed due process.
- The proposal is compliant with the spatial policies of the SDF.
- The proposal is consistent with the spatial principles as set out in SPLUMA and LUPA.

Plan 1: Locality Plan

Erf 981 Hermanus

Plan prepared by: Veronica Jansen

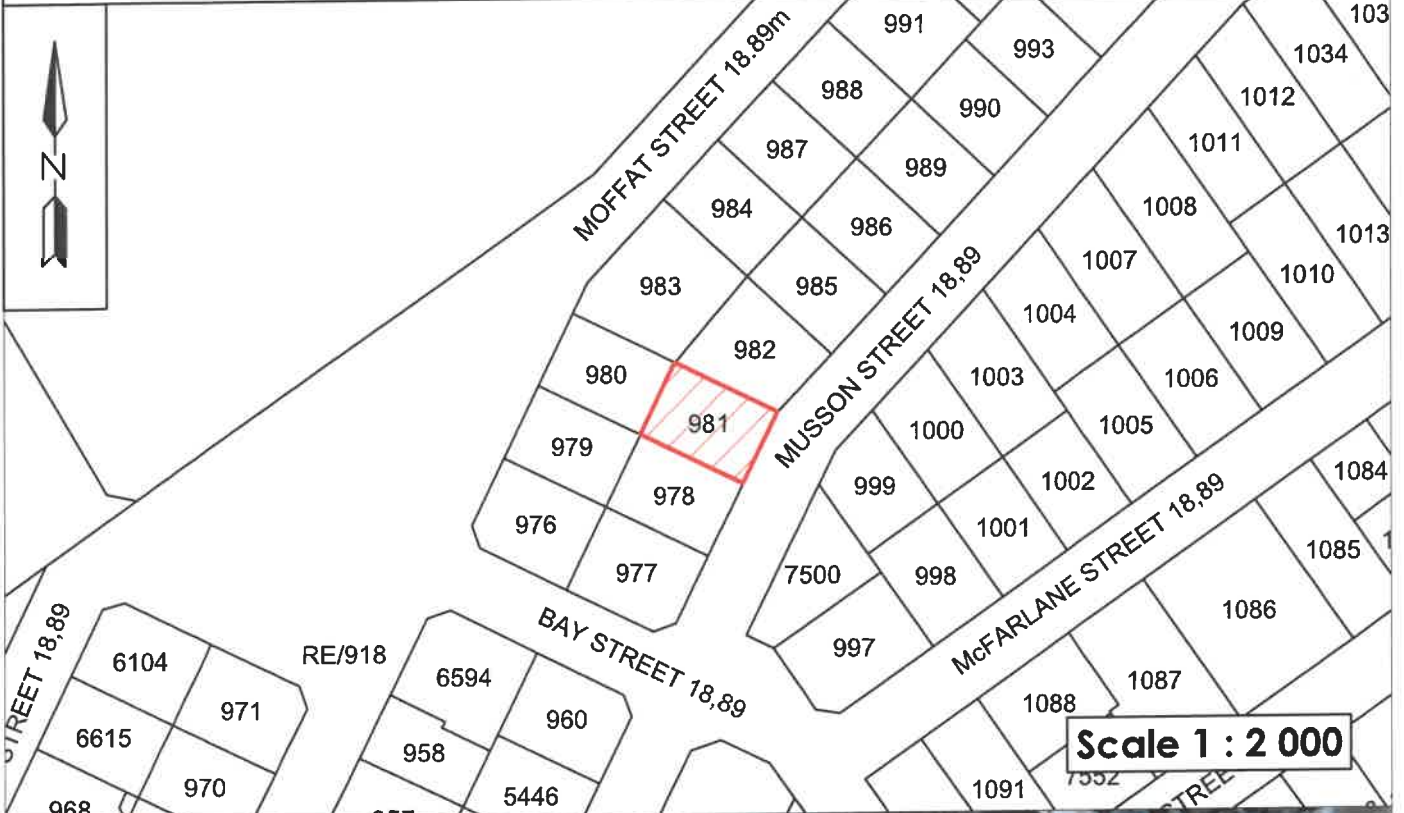
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Office 3, Oakwood, 10 Dirkie Uys Street, Hermanus, 7200



Project Office
Town Planning & Project Management



Plan 3 - Site Plan
Erf 981 Hermanus

Property Extent
689m²

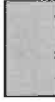
Coverage
295,28m² / 42,85%

Proposed changes of use

Carport to open garage



Servant's quarters to second dwelling



Parking requirements

Main Dwelling: 2 Bays
Second Dwelling: 1 Bay

Total Required: 3 Parking bays
Total Provided: 3 Parking bays



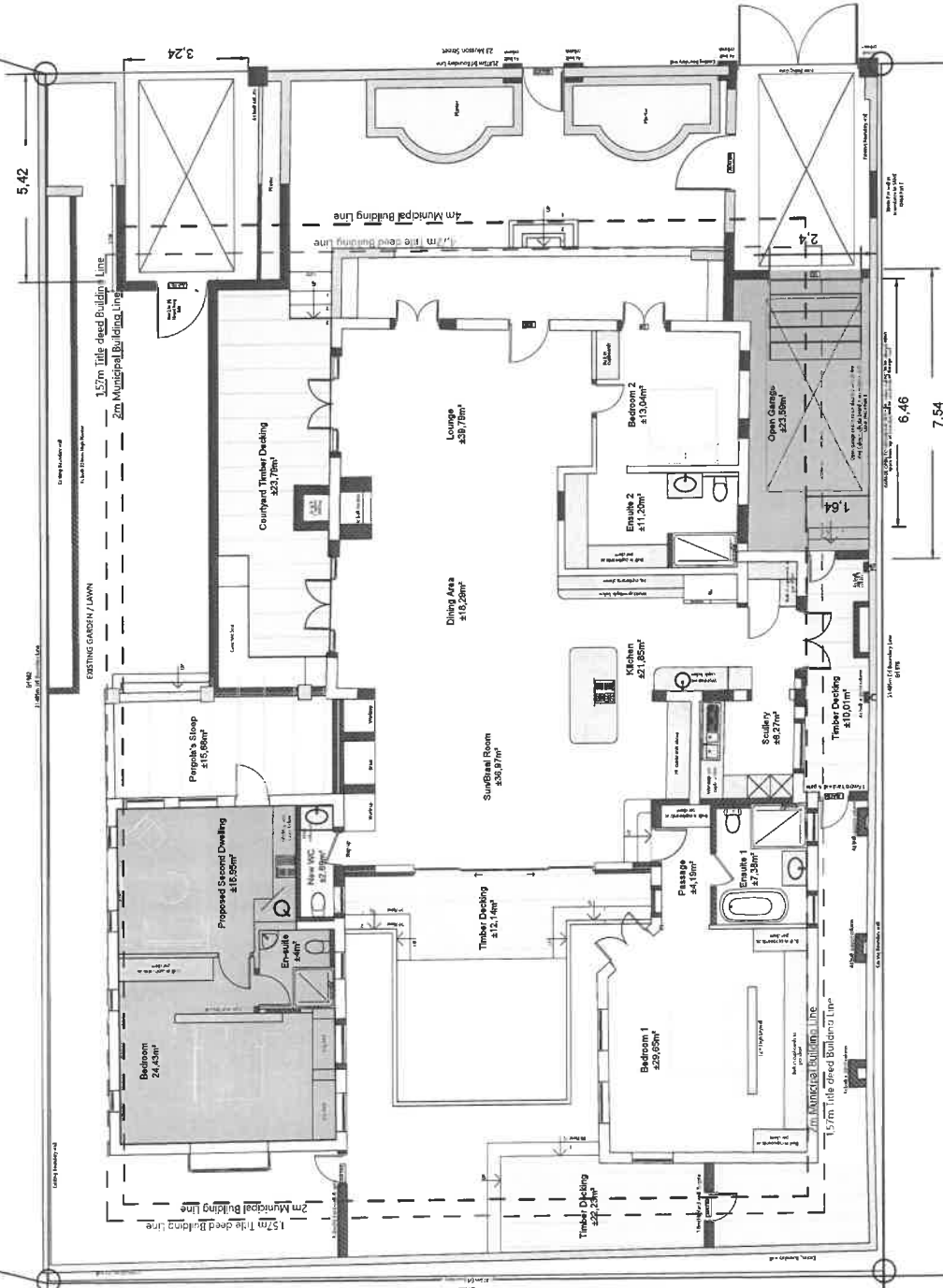
MUSSON STREET 18,89

Scale 1:125

982

978

086



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS AND DEPARTURE: ERF 981, EASTCLIFF (5086/2025)**

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

Conditions:

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


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

**19.ERF 35, 247 PIET RETIEF CRESCENT, SANDBAAI, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION
OF AN ADMINISTRATIVE PENALTY: MICHAEL ARCHITECTURE ON BEHALF
OF JNH AND K GERBER**

35 HSB (4961/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

26 February 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 14 April 2025 from Michael Architecture on behalf of JNH and K Gerber on Erf 35, Sandbaai for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the north-western lateral building line from 2m to 1.65m to accommodate the covered terrace on ground floor;
 - relax the north-western lateral building line from 2m to 1.5m to accommodate internal alterations of rooms of the dwelling on lower ground and ground floor;
 - relax the south-eastern lateral building line from 2m to 0.2m to accommodate the existing carport, and
 - relax the rear building line from 2m to 1.5m to accommodate the existing carport.

- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the existing additions on the property.

RESOLUTION

1. that the application for **departure** in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 35, Sandbaai in order to:
 - (a) relax the north-western lateral building line from 2m to 1.65m to accommodate the covered terrace on ground floor;
 - (b) relax the north-western lateral building line from 2m to 1.5m to accommodate internal alterations of rooms of the dwelling on lower ground and ground floor;

**AGENDA of the
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- (c) relax the south-eastern lateral building line from 2m to 0.2m to accommodate the existing carport, and
- (d) relax the rear building line from 2m to 1.5m to accommodate the existing carport,

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

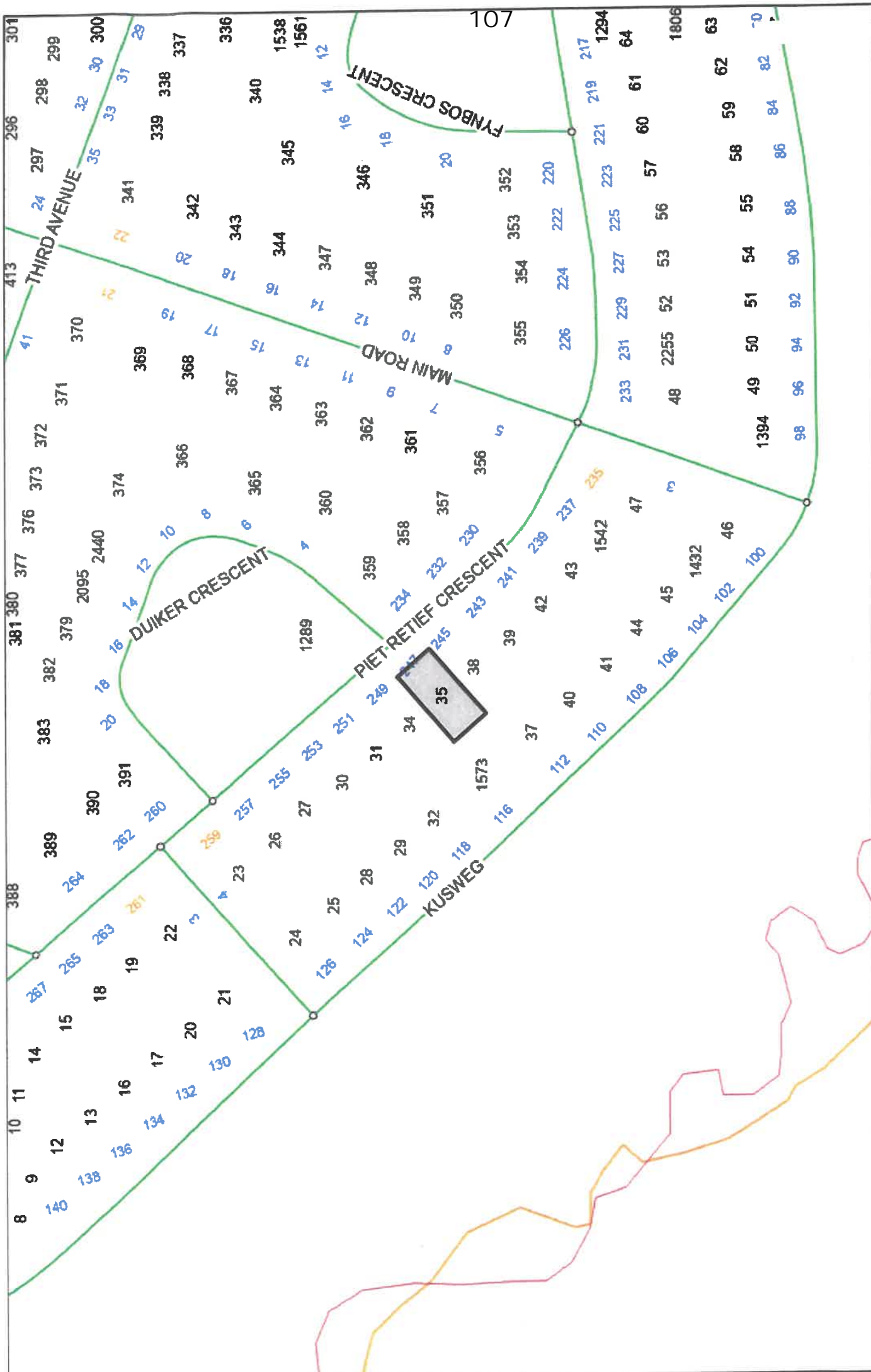
2. that the approval in Paragraph 1. above be subject to the following conditions:
 - (a) that a revised site plan be submitted to indicate compliance with the 4.72m street title deed building line or alternatively submit an application to accommodate the entrance steps;
 - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
 - (c) that all the conditions in the Services Report be complied with;
 - (d) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with, and
 - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation.
3. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 35, Sandbaai, for the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R7 271.21** be payable within sixty (60) days of this decision;
4. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

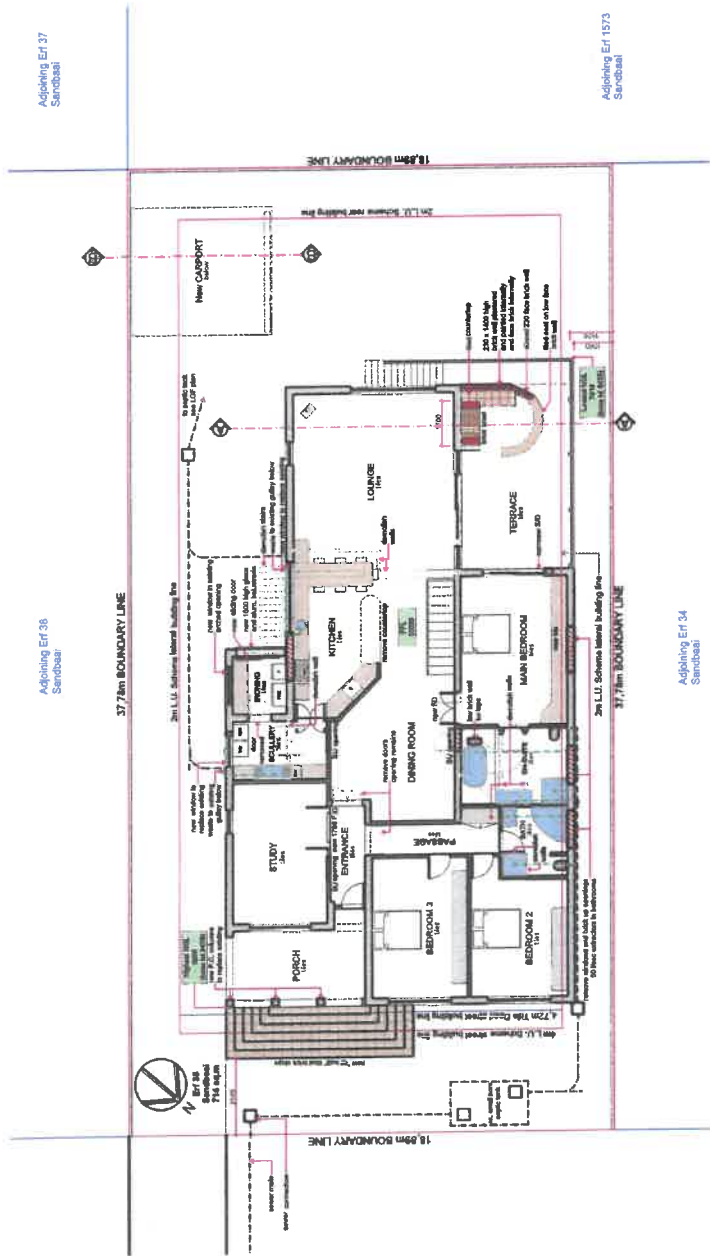
REASONS FOR RESOLUTION

- ❖ No application has been submitted to accommodate the entrance steps over the 4.72m street title deed building line.
- ❖ The application has followed due procedure.
- ❖ The additions and proposal conform to the residential character of the surrounding area.

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

- ❖ There will be no impact on services.
- ❖ The proposal will have minimal impact on the surrounding property owners.
- ❖ None of the internal departments have objected to the proposed application.
- ❖ None of the neighbours have objected to the proposed application.
- ❖ The administrative penalty levied (being 3%) is due to the deviation from the approved building plan.





Coverage
 Site area - 714 sq.m
 Permissible coverage 50% - 357 sq.m
 Existing coverage - 307.62 sq.m
 Additional coverage - 24.1 sq.m
 Proposed total coverage 331.72 sq.m - 46.46 %

New areas over building lines
 Braai terrace roof - gr. floor - 2,51 sq.m
 Shower - Lower gr. floor - 0,94 sq.m
 Carport - Lower gr. floor - 8,78 sq.m
Total 12,23 sq.m

SITE PLAN 1:200

DRAWING: Site Plan	
SCALE: 1:200	August 2025
DRAWING No A.08.1.1	PROJECT NO. JKG 35
	REVISION 1

PROJECT: Erf 35 247 Piet Retief Crescent, Sandbaai, Hermanus Proposed "as built" alterations and additions to dwelling
Architect/Technologist: MP van Rensburg <i>MP van Rensburg</i> SACAP REG NO. T1431 1 August 2025
CLIENT: James and Karin Gerber <i>MP van Rensburg</i> 1 August 2025



MICHAEL ARCHITECTURE
 Email: march3d@gmail.com
 Tel: 0836685273

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 35, SANDBAAI (4961/2025)**

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

Conditions:

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



 RICARDO ANDREW



 DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

**20.ERF 11461, 6 FERNKLOOF VILLAGE, EASTCLIFF, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION:
MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF
J FERGUSON UNDERWOOD**

11461 HEC (5007/2025)

P Roux

(028) 313 8900

Hermanus Administration

13 March 2026

EXECUTIVE SUMMARY

An application has been received on 25 June 2025 from Messrs PlanActive Town- and Regional Planners on behalf of the property owners on Erf 11461, Eastcliff, Hermanus in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **subdivision** of Erf 11461, Hermanus into 2 portions namely Portion A ($\pm 677\text{m}^2$), and a Remainder ($\pm 713\text{m}^2$).

RESOLUTION

1. that the application in terms Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **subdivision** of Erf 11461, Eastcliff, Hermanus into 2 portions namely Portion A ($\pm 677\text{m}^2$), and a Remainder ($\pm 713\text{m}^2$), **be approved** in terms of the provisions of Section 61, subject to the following conditions:
 - (a) that the approval is only for the subdivision as indicated on *Subdivision Hermanus 11461*, as submitted with the application;
 - (b) that building plans be submitted for any new work done and that the Building Department and Fire Department's comment be complied with at that stage;
 - (c) that the conditions in the Services Report be complied with;
 - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.

2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**AGENDA of the
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21 April 2026
(Also the agenda for the Mayoral Committee Meeting : ~~28~~ April 2026)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the departments have any objection.
- ❖ The proposed subdivision in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ The subdivision is to reinstate the subdivision after the property was consolidated.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.



All distances approximate
and subject to survey.

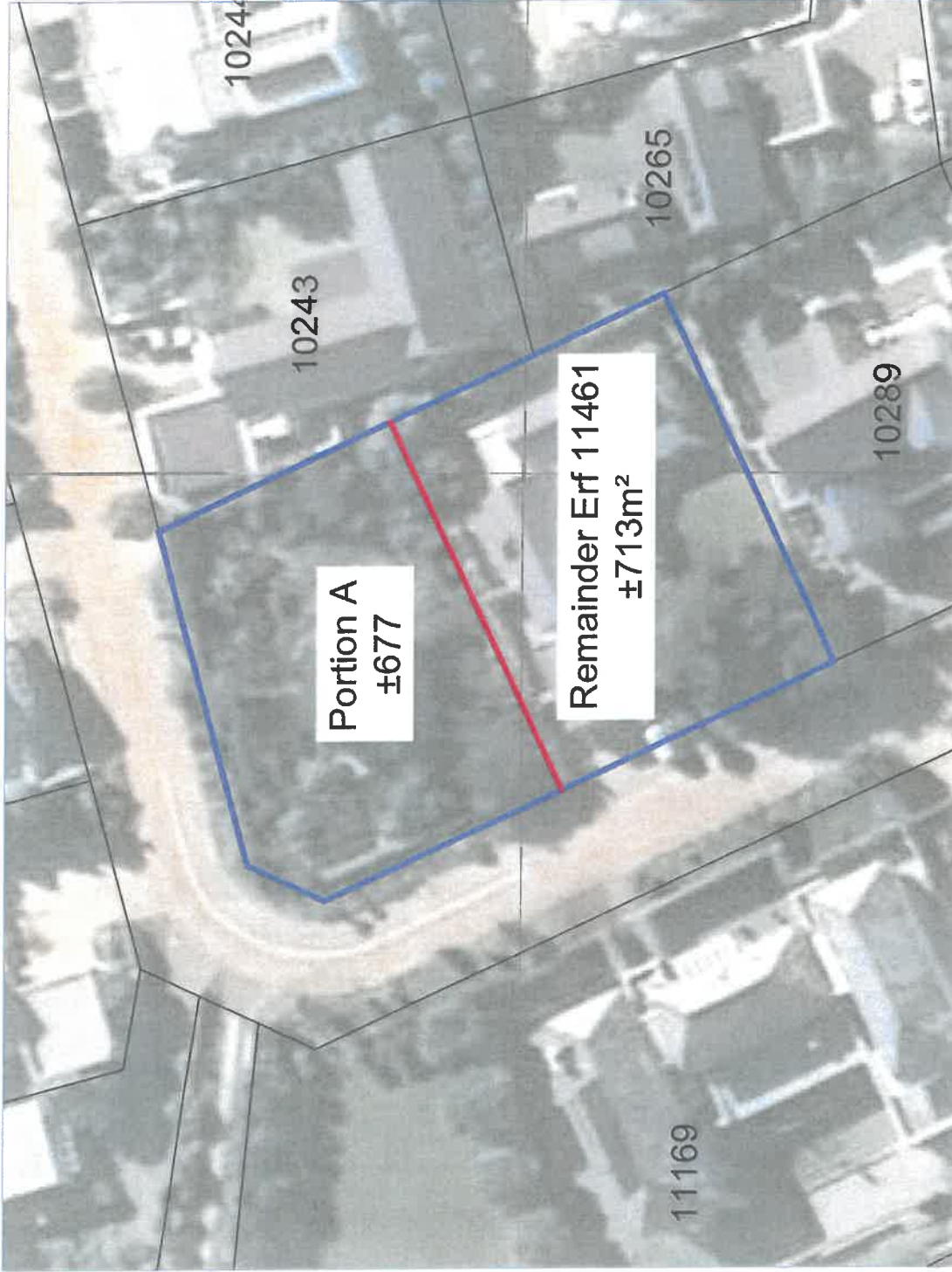
COPY RIGHT RESERVED

Property Description:
**ERF 11461
HERMANUS**

Plan Description:
**LOCALITY
MAP**

Scale: **NTS**
Drawing Nr: **Hermanus 11461.dwg**
Date: **12 Jun 2025**





Scale: 1:500

Drawing Nr: Hermanus 11461.dwg

Date: 12 Jun 2025

Plan Description:

**SUBDIVISION
PLAN**

Property Description:

**ERF 11461
HERMANUS**

All distances approximate
and subject to survey.

COPY RIGHT RESERVED

**Stads- en Streeksbeplanners
Town & Regional Planners**



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR SUBDIVISION: ERF 11461, EASTCLIFF (5007/2025)**

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

Conditions:

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

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

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

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

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

The contribution according to the current policy (2025/2026) is as follows:

Freehold erven:

Water	R 27 598.00 x 1	=	R 27 598.00
Sewerage	R 19 725.00 x 1	=	R 19 725.00
Roads	R 8 845.00 x 1	=	R 8 845.00
Stormwater	R 10 205.00 x 1	=	R 10 205.00
Solid Waste	R 1 769.00 x 1	=	R 1 769.00
Electricity	R 41 600.00 x 1	=	<u>R 41 600.00</u>
TOTAL (inclusive of VAT)		=	R109 742.00

Please note that the above figures:

- a) are estimates
- b) do not include investigation and connection fees
- c) are subject to annual tariff adjustments

2. that the existing water connection to Erf 11461 shall be used to service the proposed Portion A or the Remainder of Erf 11461;

3. that any part of the existing water and sewer services on Erf 11461 that crosses the common boundary of Portion A and the Remainder of Erf 11461 shall be disconnected and sealed off;
4. that both the Remainder and Portion A of must be serviced with individual and separate water connections which must comply with the standards of the Division: Civil Engineering Services;
5. that the proposed Portion A and Remainder of Erf 11461 must each be serviced with individual and separate sewer conservancy tanks, which must comply with the standards of the Division: Civil Engineering Services, and to which the sewer services of the individual erven must connect to;
6. that only a standard 60 Amp single phase electricity connection will be available per erf;
7. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
8. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
9. that any additional and / or extended vehicle entrances will be for the owner's account;
10. that no reservation of on-street parking be allowed;
11. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
12. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

07/08/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
21 April 2026
(Also the agenda for the Mayoral Committee Meeting : 28 April 2026)**

MUNICIPAL PLANNING TRIBUNAL

**1. REMAINDER OF ERF 4771, VOËLKLIP, HERMANUS: APPLICATION FOR
CONSENT USE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF
OVERSTRAND MUNICIPALITY AND CAPE TOWN FISH MARKET**

4771 HVK (5037/2025)

S van der Merwe

(028) 313 8900

Hermanus Administration

09 February 2026

EXECUTIVE SUMMARY

The application has been received on 15 July 2025 on Erf 4771, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law, in order to accommodate a tourist facility (restaurant) on the property.

RESOLUTION

1. that the objections be noted;
2. that the application for **consent use** in terms of Section 16(2)(o) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 4771, Hermanus, in order to accommodate a tourist facility (restaurant) on the property, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval is for the development as indicated on the Site Development Plan named *25*94 (001)* and building plan named *CTFM-4.1, 4.2, 5.1 and 5.2* as submitted with the application;
 - (b) that use of the portion be limited to the development of a restaurant;
 - (c) that developer takes all reasonable precautions not to disturb the southern sand dune and that it clearly be marked as a no-go area during the construction phase of the restaurant;
 - (d) that the developer utilise water saving measures to minimise water use/loss;

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- (e) that the recommended noise reduction measures are implemented as per the Noise Impact Assessment and that the restaurant complies fully with the Western Cape Noise Control Regulations;
 - (f) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
 - (g) that all the conditions in the Services Report be adhered to;
 - (h) that the selling of liquor on the property will be subject to the owner obtaining the necessary Liquor License (if not already obtained);
 - (i) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (j) that only signage that complies with the Municipal By-Law on Signage (and the Signage Policy applicable) may be displayed on the premises;
 - (k) that all other development parameters as prescribed in the relevant Zoning Scheme, and
 - (l) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
3. that the applicant and objectors be notified of their appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ The location proposed is a node of interest and the proposed restaurant will be clustered together with a similar use in close proximity.
- ❖ The design of the restaurant is informed by the historical context of the site and the site-specific constraints.
- ❖ Studies have been done to ensure services are available and that the impact of the proposal does not have a negative impact on the existing services this includes water, sewerage, electricity and parking.
- ❖ Comments received is noted which highlights the concerns of the objectors, the concerns were taken into consideration.
- ❖ To utilise the proposed restaurant site more effectively will not exclude certain income groups of the community but will allow opportunities and a place of interest to visit. The proposed restaurant will not in any way affect the picnic and braai areas of Grotto Beach therefore anyone who seeks to bring their

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own meals can still enjoy Grotto Beach. In comparison the two picnic and braai areas are currently approximately 7000m² in extent compared to the proposed development of 500m² - and to reinstate the two picnic areas will remain unchanged.

- ❖ The Fernkloof Nature Reserve will in no manner be affected by the proposal.
- ❖ The development is supported by OHAC, in terms of the HPOZ and Overstrand Environmental Services indicated that the restaurant is in compliance with the EMOZ which include mitigation measures relating to storm surges.
- ❖ The restaurant will be open to all residents of Hermanus and not restricted to an exclusive income group.
- ❖ The site is currently vacant and underutilised by the public who prefer to utilise the picnic area behind Dutchies and the seashore or Dutchies restaurant itself. The proposal will therefore make efficient use of the location and promote tourism.
- ❖ Erf 4771 will not be subdivided with the approval of the consent use and will remain as a whole; parking can therefore be provided on the existing parking open to the public.
- ❖ The proposal is consistent with the principals of Spatial Justice, Spatial Sustainability, Efficiency, Spatial Resilience and Good Administration.
- ❖ The land use application was done in agreement with the private parties involved in the Court order. The application promoted transparency and opportunity for further community involvement.

Plan 1. Locality Plan

Lease Area on Remainder of Erf 4771 - Hermanus

Plan prepared by: Thain Jansen
Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



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**2. ERF 2702, PARK LANE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR CONSENT USE AND PERMISSION REQUIRED IN TERMS
OF THE LAND USE SCHEME: URBAN DYNAMICS SOUTH CAPE TOWN AND
REGIONAL PLANNERS ON BEHALF OF OVERSTRAND MUNICIPALITY**

2702 HON (5068/2025)

H Olivier

(028) 313 8900

Hermanus Administration

3 February 2026

EXECUTIVE SUMMARY

An application was received on 21 August 2025 from Urban Dynamis South Cape Town and Regional Planners on behalf of Overstrand Municipality on Erf 2702, Onrustrivier in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Consent Use** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for Utility Services to accommodate the proposed improvements and upgrades to the existing Onrus Main Sewer Pump Station and ancillary infrastructure.
- ❖ **Permission Required in terms of the Land Use Scheme** in terms of Section 16(2)(g) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to approve the proposed site development plan.

RESOLUTION

1. that the objections be noted.
2. that the application in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 2702, Onrustrivier for a consent use for Utility Services to accommodate the proposed improvements and upgrades to the existing Onrus Main Sewer Pump Station and ancillary infrastructure, **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 2702, Onrustrivier for permission required in terms of the Land Use Scheme for the proposed Site Development Plan, **be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in 2 and 3 above be subject to the following conditions:

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- (a) that development be in line with the undated Site Development Plan 2B dated 15 August 2025, the floor plan and elevation plans and the undated site layout plan 23211-C-000-03, submitted with this application;
 - (b) that building plans be submitted to the Building Department for all new building work on the property for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
 - (c) that all other development parameters as prescribed in the relevant Land Scheme be complied with;
 - (d) that all the conditions in the Services Report be complied with;
 - (e) that the conditions imposed by the Western Cape Government: DEADP (Environmental) – EIA ROD - be complied;
 - (f) that the conditions imposed by BOCMA be complied with;
 - (g) that the conditions by the Municipal Environmental Branch be complied with, and
 - (h) that a detailed landscape plan be submitted for approval by the Divisional Manager: Town and Spatial Planning.
5. that the following comments be noted.
- Cape Nature and
 - Telkom.
6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above decision.

REASONS FOR RESOLUTION

- ❖ The application is supported by all relevant Municipal Departments and State or other institutions.
- ❖ The design of the storage tank and pump station was to ensure the flood line is addressed, that heavy vehicles do not drive over the slab as it cannot carry such weight, and the paving is to ensure stormwater is properly drained from the site and vehicles can easily manoeuvre in this area.

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- ❖ The objections about the possible impact on surrounding property owners were addressed by the applicant, and the visual impact and operational impact (noise, smells, traffic) can sufficiently be controlled due to the higher standard and capacity of the infrastructure, proper landscaping and proper site management.
- ❖ At this stage, the site is not visually pleasing, and the new paving and landscaping will improve the aesthetics of the site.
- ❖ The upgrading of existing services infrastructure will help the area reach its potential (densification, etc.) as indicated in the Municipal SDF, 2020.
- ❖ The application is in line with the Planning Principles as improving the capacity of the infrastructure to support the growing catchment area, will reduce risk of infrastructure failure and potential pollution, and the upgraded sewer infrastructure will promote and enhance services efficiencies in the area.
- ❖ The application is desirable as the perceived negative impact of the new infrastructure is outweighed by the service it will provide to the larger community and by creating a healthier and safer environment.
- ❖ The application is desirable and is supported.

ONRUSTRIVIEI ERF 2702

LOCAL CONTEXT

- SUBJECT PROPERTY
- CADASTRAL BOUNDARIES

PLEASE NOTE:
All boundary line positions, distances and property areas
to be verified by a Professional Land Surveyor.

REF:

COMPILED BY: F. BR

IDENTITY:
This plan was prepared for use in accordance with the provisions of the
Survey Act, 1981 and the Survey Regulations, 1981. It is not to be used
for any other purpose without the written consent of the Surveyor.
The Surveyor is not responsible for any errors or omissions in this plan.

DATE: August 2025

SCALE: See Linework

PLAN NO: 1

FILE NAME:

CLIENT

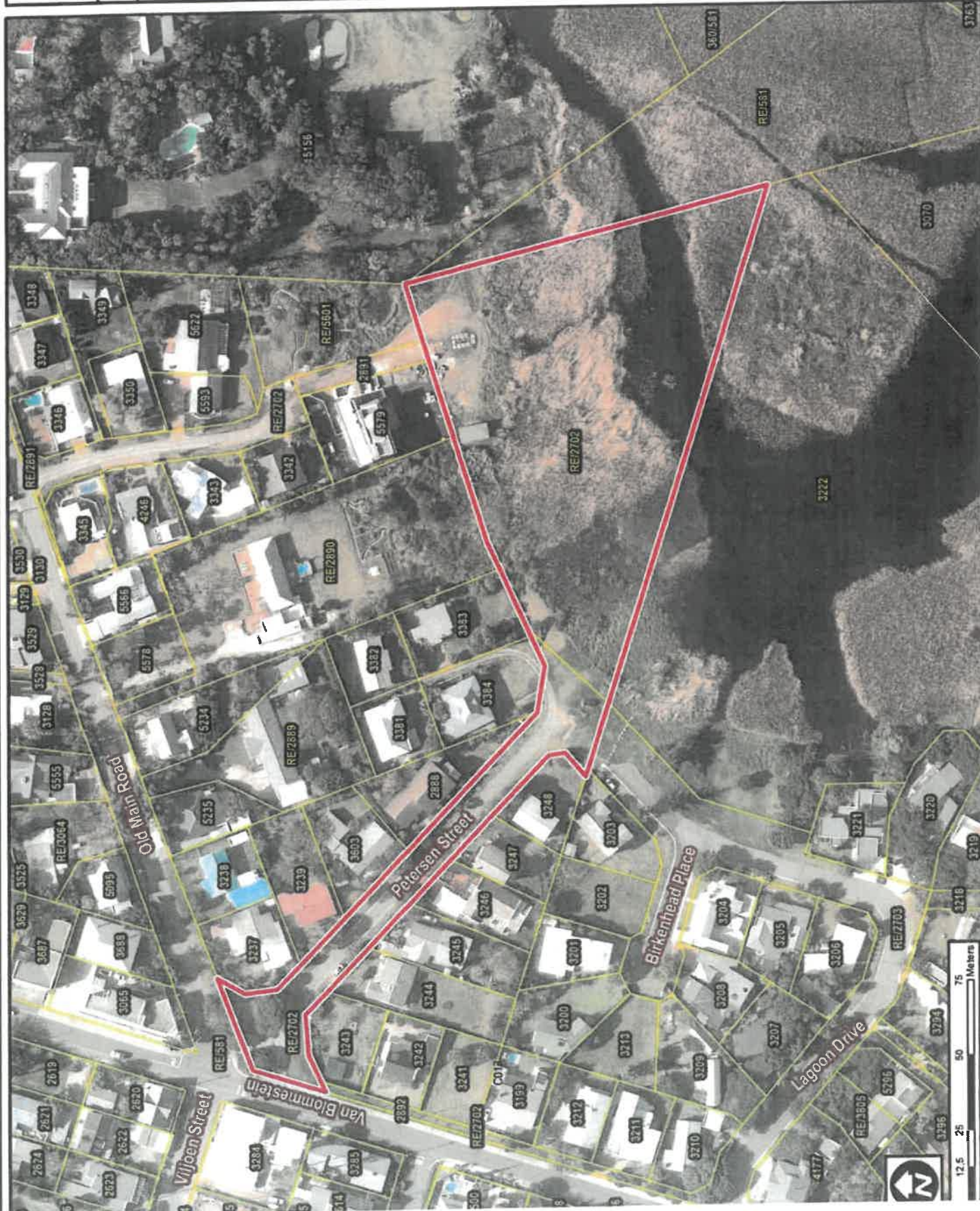
URBAN DYNAMICS SOUTH CAPE
CORPORATION (Pty) Ltd

SOUTH GATREFERS PARK GROUND FLOOR UNIT 2,
CARL CRONHE DRIVE, MILLVILLE 7800

TEL: (021) 948 1949

Website: www.ud.co.za

Urban Dynamics South Cape (PTY) LTD Reg. No: 198700819707



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSENT USE & PERMISSION REQUIRED I.T.O. LAND
USE SCHEME : ERF 2702, ONRUS (5068/2025)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that 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 Principal Technologist: Hermanus 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.


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL