

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

**7.
TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS
CONSIDERED IN TERMS OF DELEGATED AUTHORITY: APRIL - MAY 2026**

**R. Kuchar
19 May 2026**

Divisional Manager: Town & Spatial Planning

(028) 313 8900

1. Executive Summary

To report on applications disposed of by the Authorised Official and Municipal Planning Tribunal in terms of the Spatial Land Use Management Act (SPLUMA) for April – May 2026.

2. Service Delivery and Budget Implementation Plan - IGNITE

Planning & Development
Town and Spatial Planning

3. Compliance with Strategic Priorities

The encouragement of structured community participation in the matters of the municipality
Promotion of tourism, economic and social development

4. Delegated Authority

Executive Mayor

5. Legal Requirements

Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)

6. Background/Discussion/Evaluation/Conclusion

Background

This item serves to inform Council of matters that were disposed of by the Authorised Official in terms of SPLUMA and the Municipal Planning Tribunal.

7. Financial Implications

None

8. Staff Implications

None

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9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A : Town Planning Report

RECOMMENDATION:

that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for April – May 2026:

- | | | |
|----|---|---------------|
| 1. | Remainder of Erf 6882, 23 Fir Close, Erf 7185, 23A Fir Close and Erf 7600, 21A Fir Close, Eastcliff, Hermanus | 23 April 2026 |
| 2. | Erf 7680, 13 Fourie Street, Westcliff, Hermanus | 27 April 2026 |
| 3. | Erf 2699, 12 Trewwa Street, Perlemoenbaai, Gansbaai | 27 April 2026 |
| 4. | Portion 6 of the Farm No. 586, Hemel en Aarde Valley | 5 May 2026 |
| 5. | Erf 6308, 7 Fir Close, Eastcliff, Hermanus | 8 May 2026 |
| 6. | Erf 273, 57 Cliff Street, De Kelders | 14 May 2026 |

that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 30 April 2026:

- | | | |
|----|---|---------------|
| 1. | Erf 1336, 21 Ingang Street, De Kelders | 30 April 2026 |
| 2. | Erf 639, 9 Law Street, Pearly Beach | 30 April 2026 |
| 3. | Erf 5474, 51 Main Road, Northcliff, Hermanus | 30 April 2026 |
| 4. | Erf 6135, 18 Cliff Road and Portion of Remainder Erf 249, Westcliff, Hermanus | 30 April 2026 |

RESPONSIBLE OFFICIAL :

L TAYLOR

TARGET DATE FOR IMPLEMENTATION :

14 JULY 2026

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- 1. REMAINDER OF ERF 6882, 23 FIR CLOSE, ERF 7185, 23A FIR CLOSE AND ERF 7600, 21A FIR CLOSE, EASTCLIFF, HERMANUS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING, EXEMPTION OF SUBDIVISION, EXEMPTION OF CONSOLIDATION, CONSOLIDATION AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF JC & M GEY VAN PITTIUS AND GH & R SWANEPOEL**

6882, 7185 & 7600 HEC (4958/2025)

P Roux

(028) 313 8900

Hermanus Administration

07 April 2026

EXECUTIVE SUMMARY

An application has been received on 09 April 2025 from Messrs WRAP Project Office on behalf of the property owners in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for following:

❖ **Removal of restrictive title deed conditions**

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C.(g), D.(d), D.(e) and F. as contained in the Title Deed T12521/2020 of Remainder of Erf 6882, Hermanus to accommodate the proposed and existing additions to the dwelling.

❖ **Removal of restrictive title deed conditions**

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C.(g), D.(d), D.(e) and F. as contained in the title deed T83010/2024 of Erf 7185, Hermanus to accommodate the proposed dwelling.

❖ **Removal of restrictive title deed conditions**

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C.(g), D.(d) and D.(e) as contained in the Title Deed T82987/2024 of Erf 7600, Hermanus to accommodate the proposed dwelling.

❖ **Rezoning**

Application in terms of Section 16(2)(a) of the By-Law for the rezoning of Remainder of Erf 6882, Erf 7185 and Erf 7600, Hermanus from General Residential Zone 1: Town Housing to Residential Zone 1: Single Residential Zone.

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❖ **Exemption of the subdivision**

Application in terms of Section 26 of the By-Law to subdivide Erf 7185, Hermanus to create Portion A ($\pm 2\text{m}^2$) and the Remainder ($\pm 384\text{m}^2$).

❖ **Exemption of the consolidation**

Application in terms of Section 26 of the By-Law to consolidate Portion A ($\pm 2\text{m}^2$) and the Remainder of Erf 6882, Hermanus.

❖ **Consolidation**

Application in terms of Section 16(2)(e) of the By-Law to consolidate the remaining extent of Erf 7185 and Erf 7600, Hermanus to create one property $\pm 839\text{m}^2$ in extent.

❖ **Departure**

Application in terms of Section 16(2)(b) of the By-Law on consolidated Portion A and Remainder of Erf 6882, Hermanus in order to:

- relax the southern lateral building line from 2m to 1.16m, 1.12m and 0m to accommodate the existing dwelling and garage on the ground floor;
- relax the southern lateral building line from 2m to 0.46m to accommodate the proposed braai on the ground floor;
- relax the northern lateral building line from 2m to 1.85m and 1.26m to accommodate the existing dwelling on the ground floor;
- relax the southern lateral building line from 2m to 1,12m to accommodate the existing dwelling on the first floor;
- relax the southern lateral building line from 2m to 1.18m and 0.5m to accommodate the proposed timber deck and chimney on the first floor, and
- relax the northern lateral building line from 2m to 1.85m to accommodate the existing dwelling.

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), for the **removal of restrictive title deed conditions C.(g), D.(d), D.(e) and F.** as contained in the Title Deed T12521/2020 of Remainder of Erf 6882, Hermanus to accommodate the proposed and existing additions to the dwelling, **be approved** in terms of the provisions of Section 61 of the By-Law;

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2. that the application in terms of Section 16(2)(f) of the By-Law for the **removal of restrictive title deed conditions C.(g), D.(d), D.(e) and F.** as contained in the Title deed T83010/2024 of Erf 7185, Hermanus to accommodate the proposed dwelling, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(f) of the By-Law for the **removal of restrictive title deed conditions C.(g), D.(d) and D.(e)** as contained in the Title Deed T82987/2024 of Erf 7600, Hermanus to accommodate the proposed dwelling, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(a) of the By-Law for the **rezoning** of Remainder of Erf 6882, Erf 7185 and Erf 7600, Hermanus from General Residential Zone 1: Town Housing to Residential Zone 1: Single Residential Zone, **be approved** in terms of Section 61 of the By-Law;
5. that the application in terms of Section 26 of the By-Law for the **exemption of subdivision** to subdivide Erf 7185, Hermanus to create Portion A ($\pm 2\text{m}^2$) and the Remainder ($\pm 384\text{m}^2$), **be approved** in terms of Section 61 of the By-Law;
6. that the application in terms of Section 26 of the By-Law for the **exemption of consolidation** to consolidate Portion A ($\pm 2\text{m}^2$) and the Remainder of Erf 6882, Hermanus, **be approved** in terms of Section 61 of the By-Law;
7. that the application in terms of Section 16(2)(e) of the By-Law for the **consolidation** of the Remaining extent of Erf 7185 and Erf 7600, Hermanus to create one property $\pm 839\text{m}^2$ in extent, **be approved** in terms of Section 61 of the By-Law;
8. that the application in terms of Section 16(2)(b) of the By-Law for **departure** on the consolidated Portion A and Remainder of Erf 6882, Hermanus in order to:
 - relax the southern lateral building line from 2m to 1.16m, 1.12m and 0m to accommodate the existing dwelling and garage on the ground floor;
 - relax the southern lateral building line from 2m to 0.46m to accommodate the proposed braai on the ground floor;
 - relax the northern lateral building line from 2m to 1.85m and 1.26m to accommodate the existing dwelling on the ground floor;
 - relax the southern lateral building line from 2m to 1,12m to accommodate the existing dwelling on the first floor;

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- relax the southern lateral building line from 2m to 1.18m and 0.5m to accommodate the proposed timber deck and chimney on the first floor, and
- relax the northern lateral building line from 2m to 1.85m to accommodate the existing dwelling,

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

9. that the approvals in paragraphs 1. to 8.be subject to the following conditions:
 - (a) that the consolidation and subdivision of the erven is limited to the plans numbered 6, 7 and 8 as submitted with the application;
 - (b) that the approval of the departure is limited to the plans numbered 4.1 and 4.2 as submitted with the application;
 - (c) that the approval of the rezoning is limited to the plan number 3 as submitted with the application;
 - (d) that building plans be submitted for any new work done and that the Building Department and Fire Department's comments be complied with at that stage;
 - (e) that owners of the consolidated property (Erf 7185 and 7600), relocate the sewer mainline, at their own expense or as agreed upon by Engineering Services and that proof of the relocation be submitted prior to the issuing of the Section 30(2) Certificate;
 - (f) that the conditions in the Services Report, be complied with;
 - (g) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
 - (h) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
10. 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 land use will remain residential in nature. No additional density is introduced, and the development will not result in urban sprawl or negatively impact the biophysical environment.

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- ❖ Given the narrow and constrained nature of the existing erven, consolidation is considered desirable as it unlocks development potential while maintaining a low-density residential character that is compatible with the surrounding area.
- ❖ The encroachments are minor in nature, do not detract from the character of the area, do not adversely affect neighbouring properties, and are largely consistent with the established building pattern within the original town housing development.
- ❖ Although the property is located in a town housing scheme it is limited to the architectural design and colour to those already in existence. However, this condition is not maintained which has caused deviation to take place. In addition to this there is no operational HOA to ensure that the design is maintained in accordance with the title deed.
- ❖ The subject properties are the last properties in the town housing scheme and borders other residential erven. The change of the zoning and the removal of the condition will therefore ensure that a remainder (main core) of the erven in the town housing scheme is retained.
- ❖ No objections from internal departments.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.

1. Locality Plan

Erven RE/6882, 7185 & 7600 - Hermanus

Plan prepared by: Thian Jansen

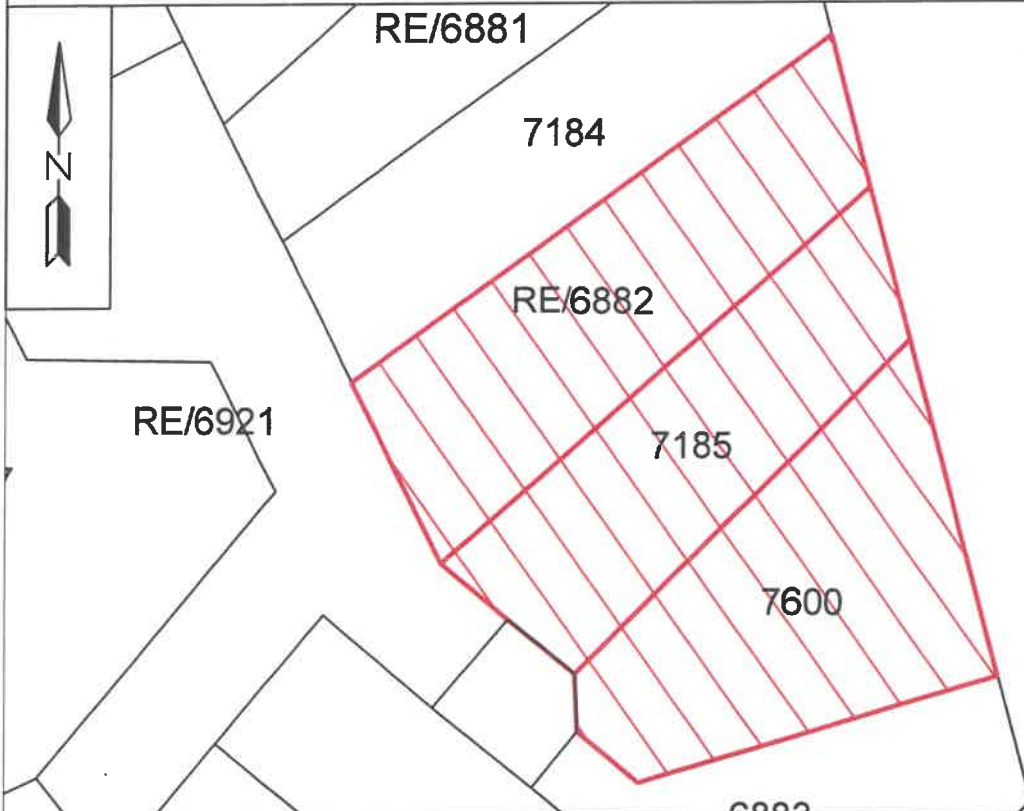
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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







Project Office
Town Planning & Project Management

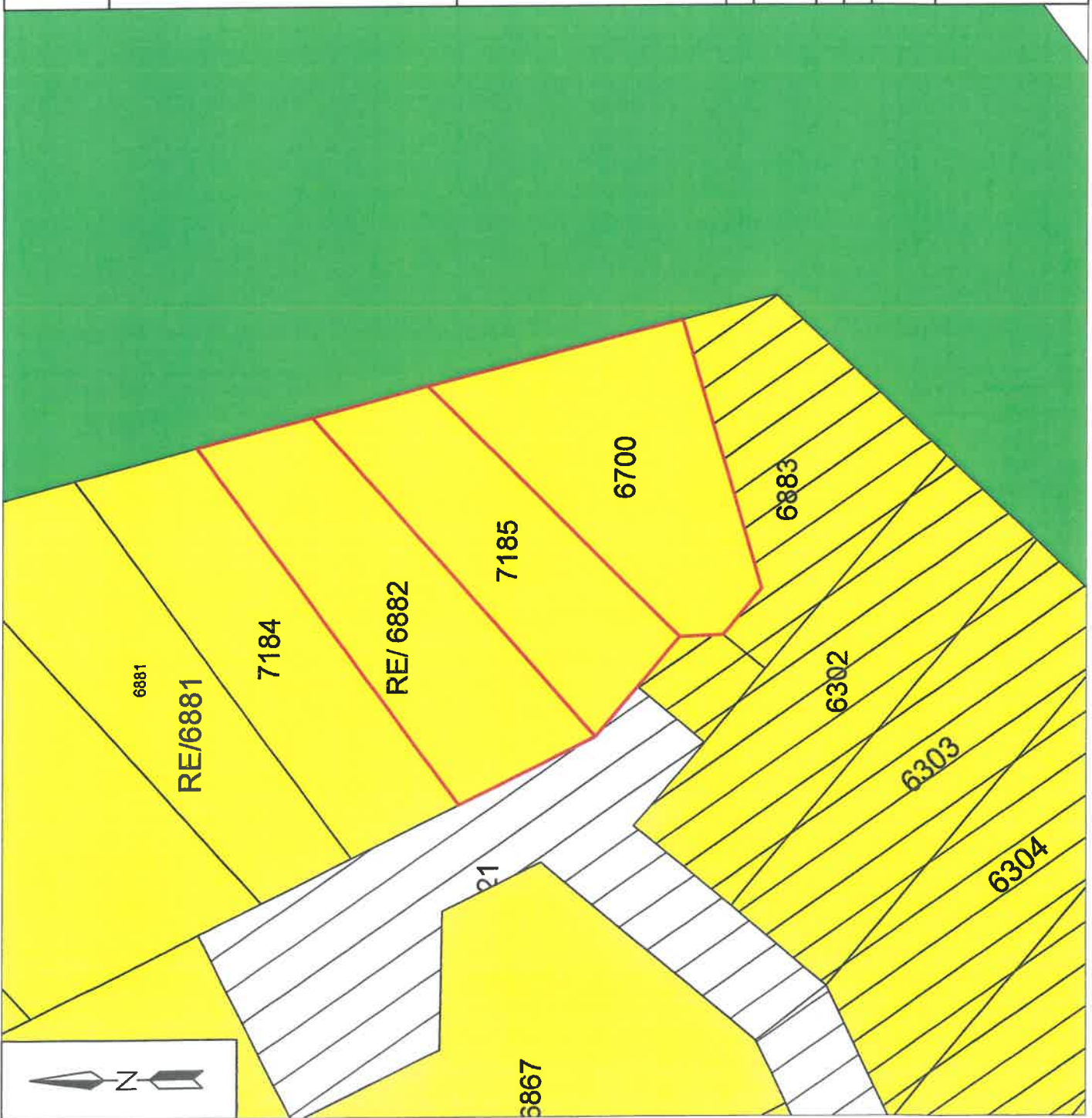


Scale 1 : 500



3. Proposed Zoning Plan Erven RE/6882, 7185 & 7600 - Hermanus

-  Transport Zone 2: Road and Parking
-  Residential Zone 1: Single Residential
-  General Residential Zone 1:
Town Housing
-  Open Space Zone 1: Nature Reserve



Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REMOVAL OF TITLE DEED RESTRICTIONS,
REZONING, EXEMPTION OF THE SUBDIVISION, EXEMPTION OF THE
CONSOLIDATION, CONSOLIDATION & DEPARTURE: ERF 6882, ERF
7185 & ERF 7600, EASTCLIFF (4958/2025)**

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 for each consolidated erf and that one water meter be allowed/ registered for each consolidated erf;
3. that only the existing electricity connections 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;
4. that the electricity connections to the erven must be consolidated to one connection for each consolidated and that one electricity meter be allowed/ registered for each consolidated;
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 office of 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
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

26/06/2025
DATE

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2. ERF 7680, 13 FOURIE STREET, HERMANUS (WESTCLIFF): APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SUBDIVISION AND REZONING: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF FRANKEN FAMILIE TRUST

7680 HWC (5065/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

09 April 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 18 August 2025 from Messrs InterActive Town- and Regional Planners on behalf of the property owners on Erf 7680, Hermanus (the property), namely:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition I.C.1 as contained in the Title Deed T41774/2004 to accommodate the subdivision of the property and a veterinary practice one of the subdivided portions.
- ❖ **Subdivision** in terms of Section 16(2)(d) of the By-Law to subdivide Erf 7680, Hermanus into two portions namely, Portion A ($\pm 1275\text{m}^2$) and Portion B ($\pm 954\text{m}^2$).
- ❖ **Rezoning** in terms of Section 16(2)(b) of the By-Law to rezone both subdivided Portions A & B from Residential Zone 1: Single Residential to Business Zone 3: Local Business.

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), for the **removal of restrictive title deed condition I.C.2.** as contained in title deed T41774/2004 applicable to Erf 7680, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for **subdivision** in terms of Section 16(2)(d) of the By-Law to subdivide Erf 7680, Hermanus into two portions namely, Portion A ($\pm 1275\text{m}^2$) and Portion B ($\pm 954\text{m}^2$), **be approved** in terms of the provisions of Section 61 of the By-Law;

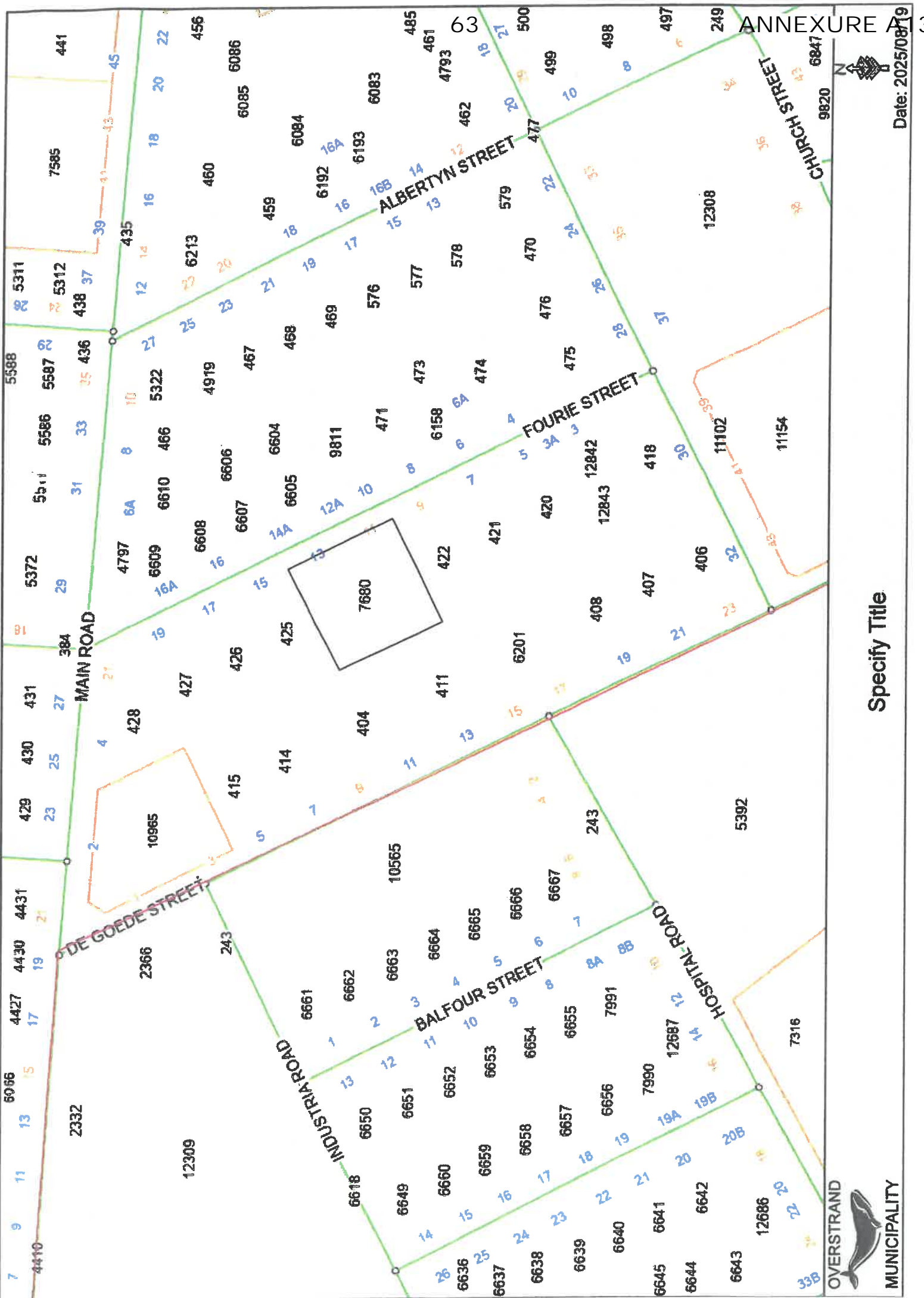
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3. that the application for **rezoning** in terms of Section 16(2)(b) of the By-Law applicable to Erf 6861, Hermanus (both subdivide Portions A & B) from Residential Zone 1: Single Residential to Business Zone 3: Local business, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in paragraphs 1., 2. and 3. above be subject to the following conditions
 - (a) that the approval for the subdivision is as indicated on plan *Erf 7680 Westcliff Rev 7*, with plan number *00001* dated *2025/10/18*, as submitted with the application;
 - (b) that the veterinary practice housing the animals over-night be sound proofed, and proof thereof be submitted to this office once construction of the building is completed;
 - (c) that the use of the property be limited and that no shops (retail) be permitted on both subdivided erven;
 - (d) that a report be submitted to this office detailing the management of animal faeces and corpses;
 - (e) that commercial rates and taxes, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (f) that building plans be submitted and that the Building Department and Fire Department's comment be complied with at that stage;
 - (g) that the conditions in the Services Report and Waste Management, be complied with;
 - (h) that the existing structures be demolished and that all the conditions of Heritage Western Cape be complied with;
 - (i) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
 - (j) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
5. 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.

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REASONS FOR RESOLUTION

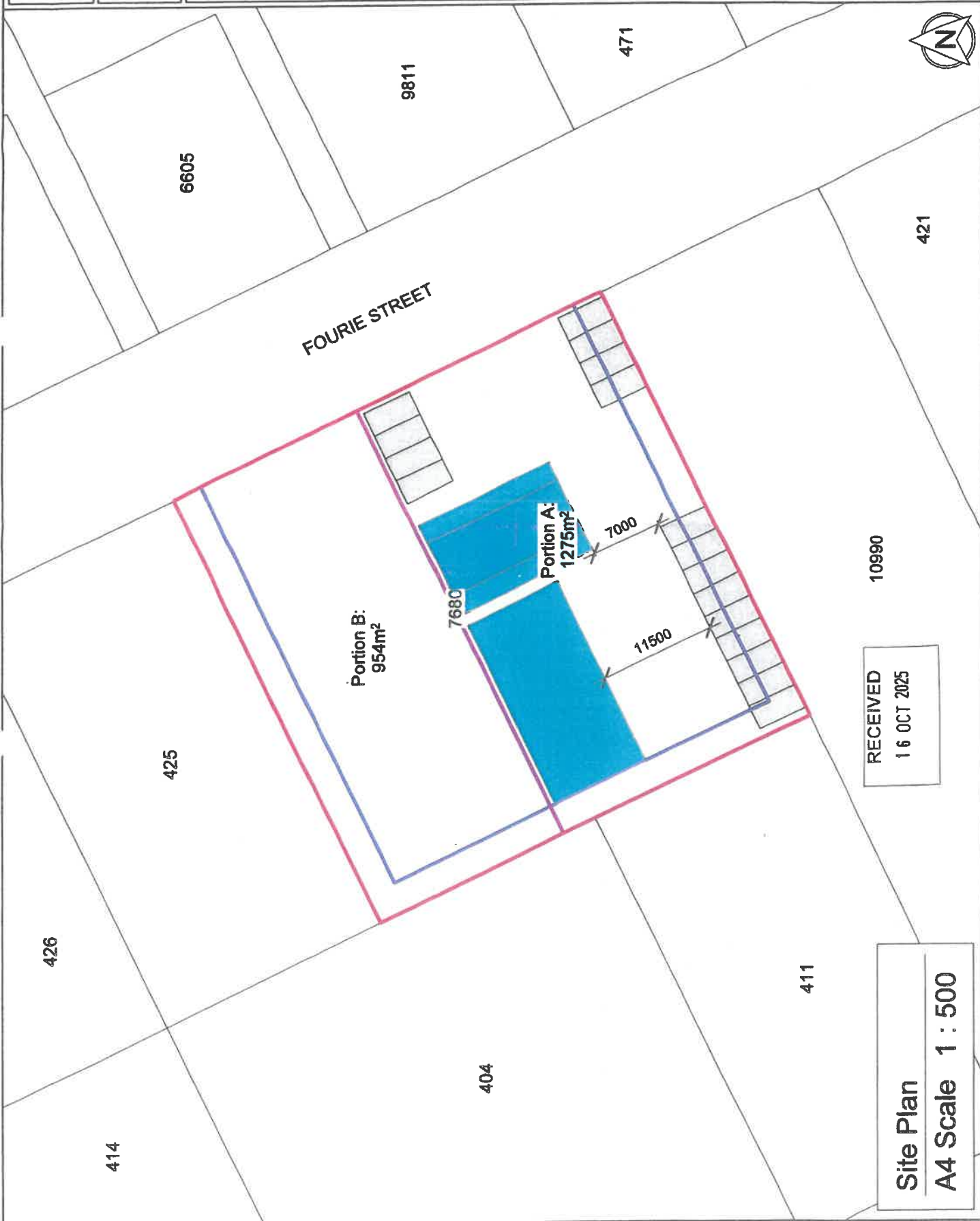
- ❖ The application has followed due procedure.
- ❖ None of the departments have any objection.
- ❖ The proposed subdivision is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ The proposal to rezone is in line with the municipality's strategic planning.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners.
- ❖ Sound proofing be done due to the property being located within an existing residential neighbourhood.
- ❖ The Heritage Western Cape Department provided an R.O.D. for the demolition of the existing heritage buildings.
- ❖ Shops (retail) is not permitted since it is not in line with the character of the area.



Specify Title



PROJECT Erf 7680 Westcliff	TITLE Site Plan	<p>Application Area</p> <p>Subdivision Line</p> <p>Building Lines</p> <p>Buildings</p> <p>Parking</p> <p>Portion A: Floor Area Ground floor: 345m² First floor: 87m² Total: 432m²</p> <p>Portion A: Parking Requirement: 4 bays per 100m² GLA = ±420m² GLA = 17 bays required Provision: 17 bays provided</p> <p><small>ACCURACY: THIS DRAWING AND ANY INFORMATION CONTAINED HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.</small></p>	<table border="1"> <tr> <td>DRAWN BY JW</td> <td>CHECKED BY JW</td> <td>DATE 20/09/25</td> </tr> <tr> <td>SCALE (R/A) As Indicated</td> <td>PROJECT NUMBER 001</td> <td>DRAWING NUMBER Rev 7</td> </tr> </table> <p>InterActive Town & Regional Planning <small>Active Solutions in the Built Environment 114th St (Corner of Highland Planning) Johannesburg 2001 000 Tel: +27 (0) 11 461 1111 Email: info@interactiveplanning.com</small></p>	DRAWN BY JW	CHECKED BY JW	DATE 20/09/25	SCALE (R/A) As Indicated	PROJECT NUMBER 001	DRAWING NUMBER Rev 7
DRAWN BY JW	CHECKED BY JW	DATE 20/09/25							
SCALE (R/A) As Indicated	PROJECT NUMBER 001	DRAWING NUMBER Rev 7							



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED
CONDITION, SUBDIVISION AND REZONING DEPARTMENTURE: ERF 7680,
WESTCLIFF (5065 /2025)**

Water	:	In order
Sewer	:	In order
Roads and Traffic	:	In order
Stormwater	:	In order
Electricity	:	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.

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

Proposed SDP on Portion A (current application):

Water	R 27 598.00 x 0.68	= R	18 766.64
Sewerage	R 19 725.00 x 0.68	= R	13 413.00
Roads	R 8 845.00 x 10.846154	= R	95 934.23
Stormwater	R 10 205.00 x 5.693	= R	58 097.07
Solid Waste	R 1 769.00 x 4.5775	= R	8 097.60
TOTAL (inclusive of VAT)		= R	<u>194 308.54</u>

Future development on Portion A and Portion B of Erf 7680 (including future building plans) - per 100 sq. meter GLA :

Water	R 27 598.00 x 0.4	=	R 11 039.20
Sewerage	R 19 725.00 x 0.4	=	R 7 890.00
Roads	R 8 845.00 x 2.8205	=	<u>R 24 947.44</u>
TOTAL (inclusive of VAT)		=	<u>R 44 195.06</u>

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Please note that the above figures:

- a) Are estimated amounts that may be adjusted.
 - b) Are subject to annual tariff adjustments.
 - c) Do not include investigation and connection fees.
 - d) Do not include bulk electricity cost. Please contact Overstrand Municipality's Electrical Division for more details.
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
 4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property;
 5. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 5.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 5.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 6. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for Works of Civil Engineering Construction - 2004, of 12 months, and
 7. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with DXF file thereof;
 8. that only the standard 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;
 9. that the electricity reticulation and supply for both Portion A and B be provided by the developer and that transfer can only proceed once electricity is available;

3

10. 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*;
11. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided with the following:
 - a) properly ventilated,
 - b) a cement floor,
 - c) a tap and running water, as well as a drainage point which is connected to the sewer network,
 - d) in a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Chief Engineer: Infrastructure Services;
12. that any medical waste generated by the proposed veterinary clinic must be collected by an approved medical waste transport service provider for disposal at an approved facility;
13. that the connection to the municipal stormwater reticulation system be provided at the developers cost, if required ;
14. that a minimum stacking space/distance of at least 6,0 m (in front of the gate or boom) be provided for the access point;
15. 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;
16. that any damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.
17. that all the parking requirements from the 2020 Overstrand Land Use Scheme be complied with.


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

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(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

**3. ERF 2699, 12 TREWWA STREET, GANSBAAI (PERLEMOENBAAI),
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE,
AMENDMENT OF CONDITIONS OF APPROVAL AND DETERMINATION OF
AN ADMINISTRATIVE PENALTY: MESSRS INTERACTIVE TOWN &
REGIONAL PLANNING ON BEHALF OF DP BOTHA**

2699 GPB (4948/2025)

**SW van der Merwe
25 February 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 20 October 2025 from Messrs Interactive Town & Regional Planners on behalf of DP Botha, owner of Erf 2699, Gansbaai (Perlemoenbaai) for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
 - relax the 4m street building line and western lateral building line to 0m to accommodate a shade port, and
 - relax the 2,1m height restriction applicable to boundary walls to 2,5m and 2.6m along portions of the street and lateral property boundaries.
- ❖ **Amendment of conditions of an existing approval** in terms of Section 16(2)(h) of the By-Law to accommodate the existing street and western lateral boundary wall as-built.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the shade port and boundary wall.

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 12296, Hermanus in order to:
 - relax the 4m street building line and western lateral building line to 0m to accommodate a shade port, and
 - relax the 2,1m height restriction applicable to boundary walls to 2,5m and 2.6m along portions of the street and lateral property boundaries,

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

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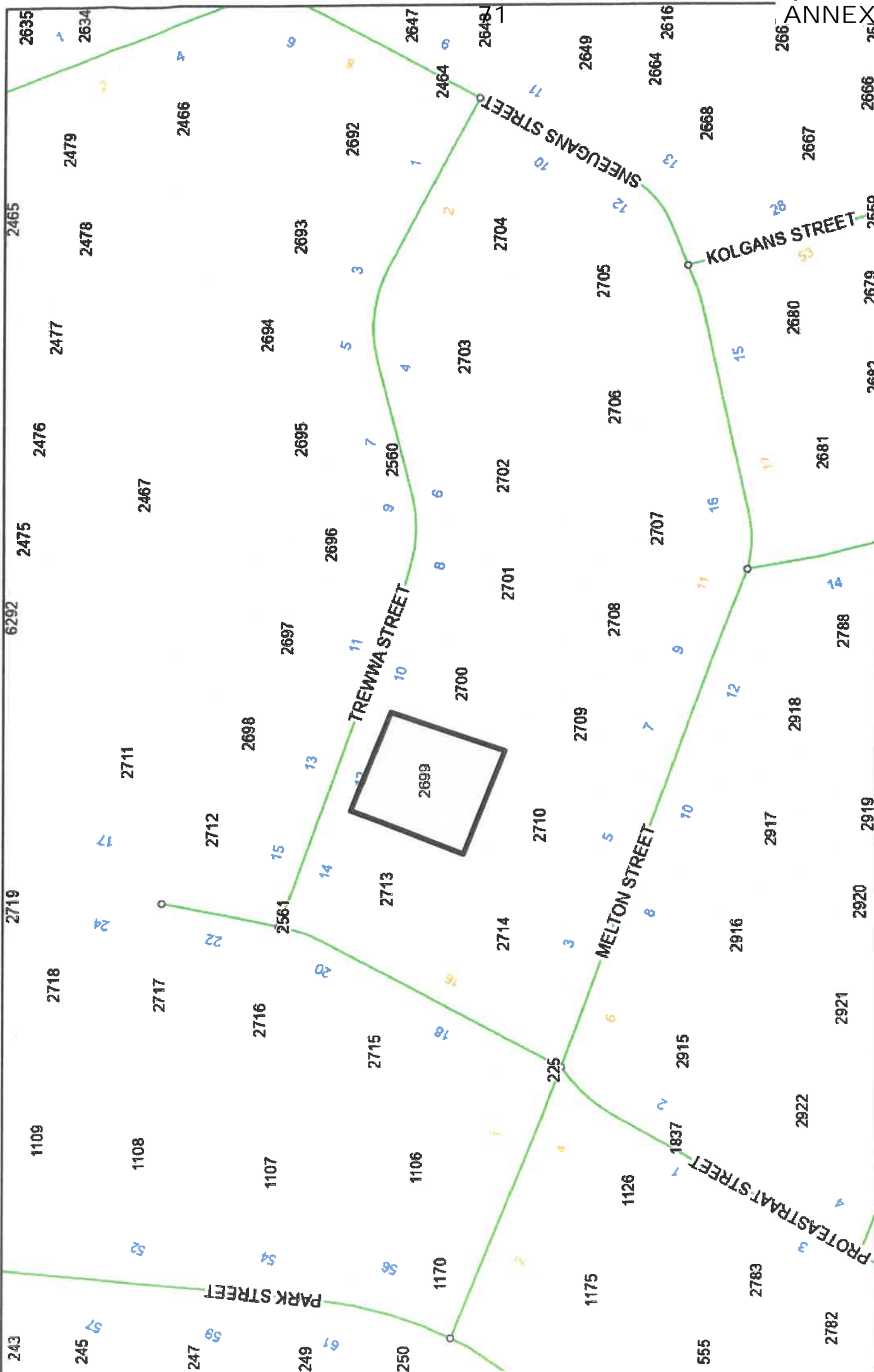
2. that the application for **amendment of conditions of an existing approval** in terms of Section 16(2)(h) of the By-Law namely condition 6. (c) to accommodate the existing street and western lateral boundary wall as-built be amended to read as follows:
 6. (c) that the portions of the street and western lateral boundary wall encroaching the 2,6m boundary wall height restriction demolished within 90 days from the final approval of the application;
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 2699, Gansbaai to accommodate the carport and boundary wall, **not be exempt** from the payment of an administrative penalty;
4. that the recommendation under paragraphs 1., 2. and 3. is subject to the following conditions:
 - (a) that the development be limited to the encroachments indicated on the Site Development Plan, V23489 dated *July 2025*, as submitted with the application;
 - (b) that building plans be submitted to the Building Control Office within sixty (60) days of the final decision, and all comments from the Fire Department be complied with at that stage;
 - (c) that an administrative penalty of **R5 620.00** be payable within sixty (60) days of the final decision;
 - (d) that the conditions in the Services Report, be complied with;
 - (e) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
 - (f) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
5. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.

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- ❖ The development is consistent with the applicable strategic policy documents.
- ❖ The development is consistent with the planning principles.
- ❖ The development does not detract from the character of the surrounding area.
- ❖ The development does not unacceptably detract from the vested rights of adjoining property owners.



ERF 2699, 12 TREWWA STREET, GANSBAAI

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE, AMENDMENT OF A CONDITION OF
AN EXISTING APPROVAL AND DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 2699, GANSBAAI (4948/2025)**

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

Conditions:

1. that the existing water connection to- and sewer conservancy tank on the development shall be used to service the development
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 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 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



DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

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

4. PORTION 6 OF THE FARM NO. 586, HEMEL EN AARDE VALLEY, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR PERMISSION REQUIRED IN TERMS OF CONDITIONS OF APPROVAL (AMENDMENT OF SITE DEVELOPMENT PLAN) AND CONSENT USE: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF BOUCHARD FINLAYSON (PTY) LTD

RCAL 6/586 (5126/2025)

H Olivier

(028) 313 8900

Hermanus Administration

20 April 2026

EXECUTIVE SUMMARY

An application was received on 31 October 2025 from Plan Active Town and Regional Planners on behalf of Bouchard Finlayson (Pty) Ltd on Portion 6 of the Farm No. 586, Hemel & Aarde Valley in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Permission required in terms of the conditions of approval** in terms of Section 16(2)(l) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the proposed amendment of the approved site development plan to reflect the reduced total floor area and updated internal layout configuration and the wine tasting cellar area in the manor house and the covered terrace.
- ❖ **Consent Use** in terms of Section 16(2)(o) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for Tourist Facilities to accommodate the use of the Manor House basement cellar and covered terrace as a boutique wine-tasting venue for ancillary wine-tasting facility, food pairing and small functions, to function as an extension of the estate's existing licensed tasting facilities and restaurant.

RESOLUTION

1. that the application in terms of Section 16.(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 6 of the Farm No. 586, Hemel & Aarde Valley for **permission required in terms of the conditions of approval** for the proposed amendment of the approved site development plan to reflect the reduced total floor area and updated internal layout configuration and the wine tasting cellar area in the manor house and the covered terrace, **be approved**, in terms of the provisions of Section 61 of the By-Law;

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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 Portion 6 of the Farm No. 586, Hemel & Aarde Valley for **consent use** for Tourist Facilities to accommodate the use of the Manor House basement cellar and covered terrace as a boutique wine-tasting venue for ancillary wine-tasting facility, food pairing and small functions, to function as an extension of the estate's existing licensed tasting facilities and restaurant, **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the approvals in 1 and 2 above be subject to the following conditions:
 - (a) that development be in line with the revised Site Development Plan CD-00-WD Revision 9 dated 4 May 2026 and floor plans and elevation plans, submitted with the application;
 - (b) that all the conditions in the Services Report, be complied with.
 - (c) that the conditions imposed by the Western Cape Government: DEADP (Environmental), be complied with;
 - (d) that the conditions imposed by the Western Cape Government: DEADP (Planning), be complied with;
 - (e) that the conditions imposed by the Western Cape Government: Infrastructure: Road Planning, be complied with;
 - (f) that the conditions imposed by BOCMA, be complied with;
 - (g) that all the conditions imposed by the Municipal Environmental Department in the planning approval letter dated 29 July 2022, be complied with;
 - (h) that building plans be submitted to the Building Department for all illegal building work on the property for approval, and that all conditions of the Building and the Fire Department be complied with at that stage;
 - (i) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
 - (j) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

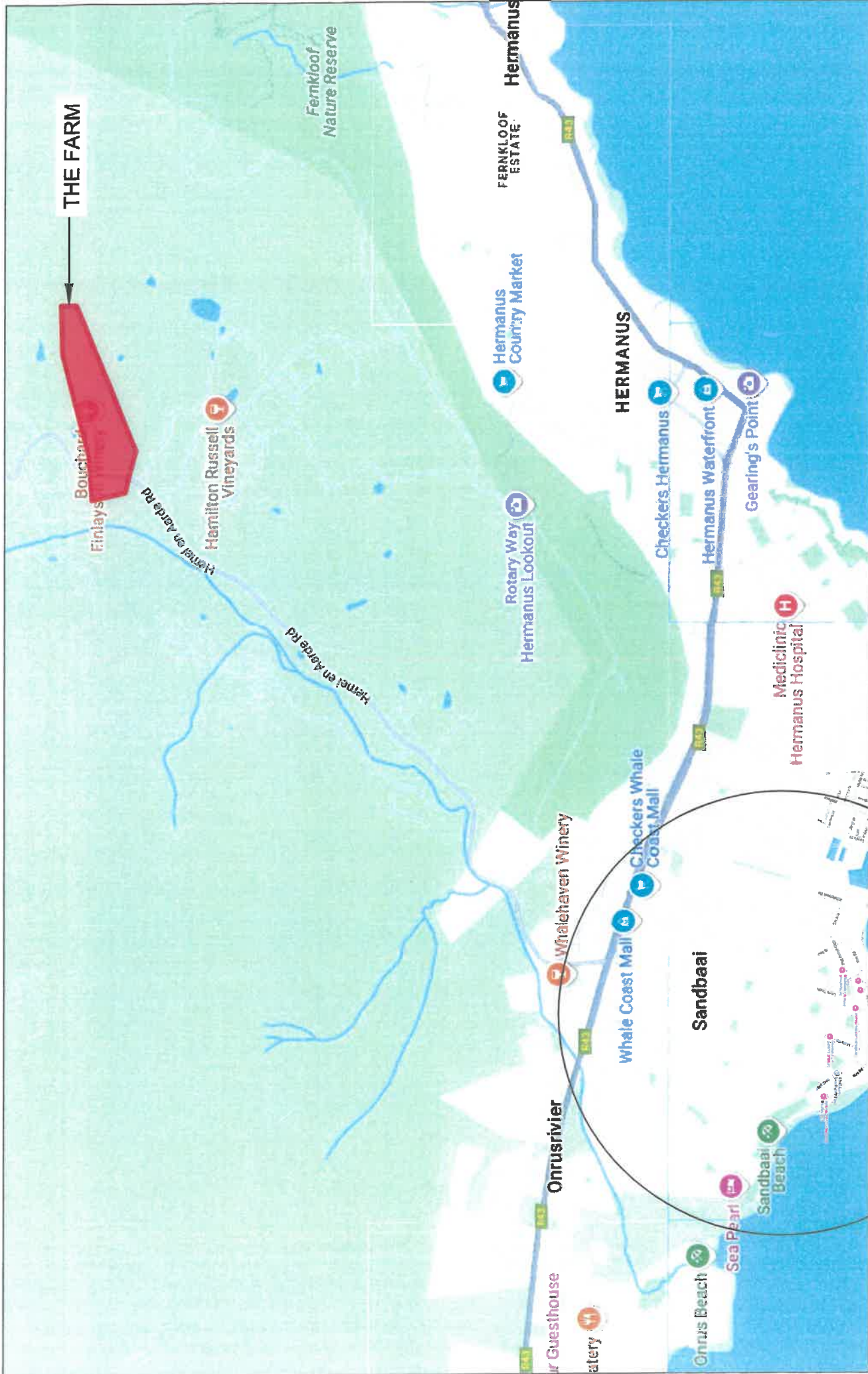
**AGENDA of the
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4. that the following comments be noted:
 - ❖ Heritage Western Cape;
 - ❖ Telkom;
 - ❖ Cape Nature, and
 - ❖ Western Cape Government: Agriculture.

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 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the internal or external departments have any objection against the application.
- ❖ It is in line with policy documents, which promotes tourism in this area.
- ❖ It will contribute to the growth of the tourism industry in the Hemel and Aarde Valley.
- ❖ It will help to enhance the financial viability of the farm making it more efficient and providing it with spatial resilience.
- ❖ It will not have a negative impact on the character of the area or surrounding property owners.



Scale: NTS
 Drawing No: PTNG FARM 586.dwg
 Date: 28 Oct 2025

Plan Description:
LOCALITY MAP

Property Description:
PORTION 6 OF THE FARM NO.586

All distances approximate and subject to survey.
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Stads- en Streeksbeplanners
 Town & Regional Planners



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR PERMISSION REQUIRED IN TERMS OF THE
CONDITIONS OF APPROVAL (AMENDMENT OF SITE DEVELOPMENT
PLAN) & CONSENT USE, PORTION 6 OF THE FARM NO. 586, HEMEL EN
AARDE VALLEY, DIVISION CALEDON (5126/2025)**

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 and sewer services 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, Bocma 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 5046), 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 DWA for approval;
5. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma;
6. that, as there is currently no municipal sewer network in the vicinity, of Farm 586 must be provided with adequate sewer conservancy tanks, which must comply with the standards of the Department: Operational 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 Affairs 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, 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;
11. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL
SERVICES

02/02/2026
DATE

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

5. ERF 6308, 7 FIR CLOSE, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF GREATHAM TRUST

ERF 6308 (5075/2025)

P Roux

(028) 313 8900

Hermanus Administration

15 April 2026

EXECUTIVE SUMMARY

An application has been received on 02 September 2025 from Messrs PlanActive Town- and Regional Planners on behalf of the property owners in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

❖ **Removal of restrictive title deed conditions**

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C. (g) and D. (e) as contained in the Title Deed T57802/2022.

❖ **Departure**

Application in terms of Section 16(2)(b) of the By-Law in order to:

- relax the northeastern lateral building line from 1m to 0m to accommodate a wooden deck and pergola on ground floor;
- relax the southwestern lateral building line from 1m to 0m to accommodate a new wooden patio on first storey;
- relax the western lateral building line from 1m to 0m to enclose the existing first storey patio;
- relax the northeastern and southwestern lateral building line from 1m to 0m to enlarge the existing pergola;
- to depart from the architectural style of the development to use roof sheeting instead of roof tiles, and
- relax the western lateral building line from 1m to 0m to accommodate the proposed roof over a portion of the existing patio and the extension of the patio and roof on top of the garage.

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(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

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), for the **removal of restrictive title deed conditions** C.(g) and D.(e) as contained in Title Deed T57802/2022 of Erf 6308, Eastcliff, Hermanus, **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 By-Law for **departure** in order to:
 - relax the northeastern lateral building line from 1m to 0m to accommodate a wooden deck and pergola on ground floor;
 - relax the southwestern lateral building line from 1m to 0m to accommodate a new wooden patio on first storey;
 - relax the western lateral building line from 1m to 0m to enclose the existing first storey patio;
 - relax the northeastern and southwestern lateral building line from 1m to 0m to enlarge the existing pergola;
 - to depart from the architectural style of the development to use metal roof sheeting instead of roof tiles, and
 - relax the western lateral building line from 1m to 0m to accommodate the proposed roof over a portion of the existing patio and the extension of the patio and roof on top of the garage.

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

- (a) that the approval of the departures is limited to the plans numbered 2502.2 as submitted with the application;
- (b) that the proposed metal roof sheeting remains a secondary roofing element to the main roof and that the sheeted roofing be coloured the same as the main tiled roof;
- (c) that a screen be incorporated on the first storey patio extension over the southwestern lateral building line which obscures views onto Erf 6309;
- (d) that building plans be submitted for any new work done and that the Building Department and Fire Department's comments be complied with at that stage;

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- (e) that 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.
3. 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

- ❖ Given the narrow and constrained nature of the existing property the departure is considered desirable as it unlocks development potential while maintaining a low-density residential character that is compatible with the surrounding area.
- ❖ The encroachments are minor in nature, do not detract from the character of the area, do not adversely affect neighbouring properties, and are largely consistent with the established building pattern within the original town housing development.
- ❖ Although the property is located in a town housing scheme it is limited to the architectural design and colour to those already in existence however, this has limited the scope of alterations to the dwellings. In order to maintain the main feature and style of the historic dwelling while allowing for scope to implement low gradient roofs it is proposed that sheet roofs be allowed as a secondary element.
- ❖ The pergola is uncovered and therefore the outdoor area will only be used intermittently on weather-appropriate days which is similar in use as the existing open area.
- ❖ Deviations from the tiled roofs have occurred in minor forms and therefore minor secondary elements of existing structures being designed with metal roof sheeting does not pose a risk in detracting from the character of the area.
- ❖ No objections from internal departments.
- ❖ 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 REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS &
DEPARTURE: ERF 6308, EASTCLIFF (5075/2025)**

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****17 June 2026****(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

6. ERF 273, 57 CLIFF STREET, DE KELDERS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF M NELL**273 GDK (4996/2025)****SW van der Merwe****(028) 313 8900****Hermanus Administration****08 April 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 29 May 2025 from Messrs WRAP Project Office on behalf of the owner of Erf 273, De Kelders for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
 - relax the street building line from 4m to 1,67m and 2,19m respectively to accommodate a deck and pergola addition;
 - relax the lateral building line from 2m to 0m to accommodate a pergola, and
 - encroach the approved coverage from 58,96% to 60,8%.

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 applicable to Erf 273, De Kelders to encroach the street building line from 4m to 1.67m and 2.19m respectively to accommodate a pergola and deck extension, **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 By-Law applicable to Erf 273, De Kelders to encroach the lateral building line from 2m to 0m to accommodate a proposed pergola encroachment up to the eastern property boundary, **not be approved** in terms of the provisions of Section 61 of the By-Law,
3. that the application for **departure** in terms of Section 16(2)(b) of the By-Law applicable to Erf 273, De Kelders to encroach the maximum permissible coverage from 58,96% to 60,8%, **be approved** in terms of the provisions of Section 61 of the By-Law;

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

4. that the recommendation under paragraphs 1. and 3. above be subject to the following conditions:
 - (a) that the approvals are for the development as indicated on Site Development Plan as submitted with the application Plan Number 24/59(001) – 16/05/2025 (Site Plan 3.1 and 3.2);
 - (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 the pergola over the street building line may not be enclosed or roofed, save for balustrading to comply with the national building regulations;
 - (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.

5. 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

- ❖ Site specific conditions are applicable which ensure that the bulk of the structure is not evident from the street façade nor is it imposing on the character of the area.
- ❖ The proposed street building line encroachment will ensure optimal use of the current deck, whilst also imposing the aesthetic appearance of the property.
- ❖ Cliff Street has large street cape and verges which reduces the impact of the existing balcony.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ The structures proposed are further considered to be in line with the character of the area.

1. Locality Plan Erf 273 De Kelders

Plan prepared by: Thian Jansen

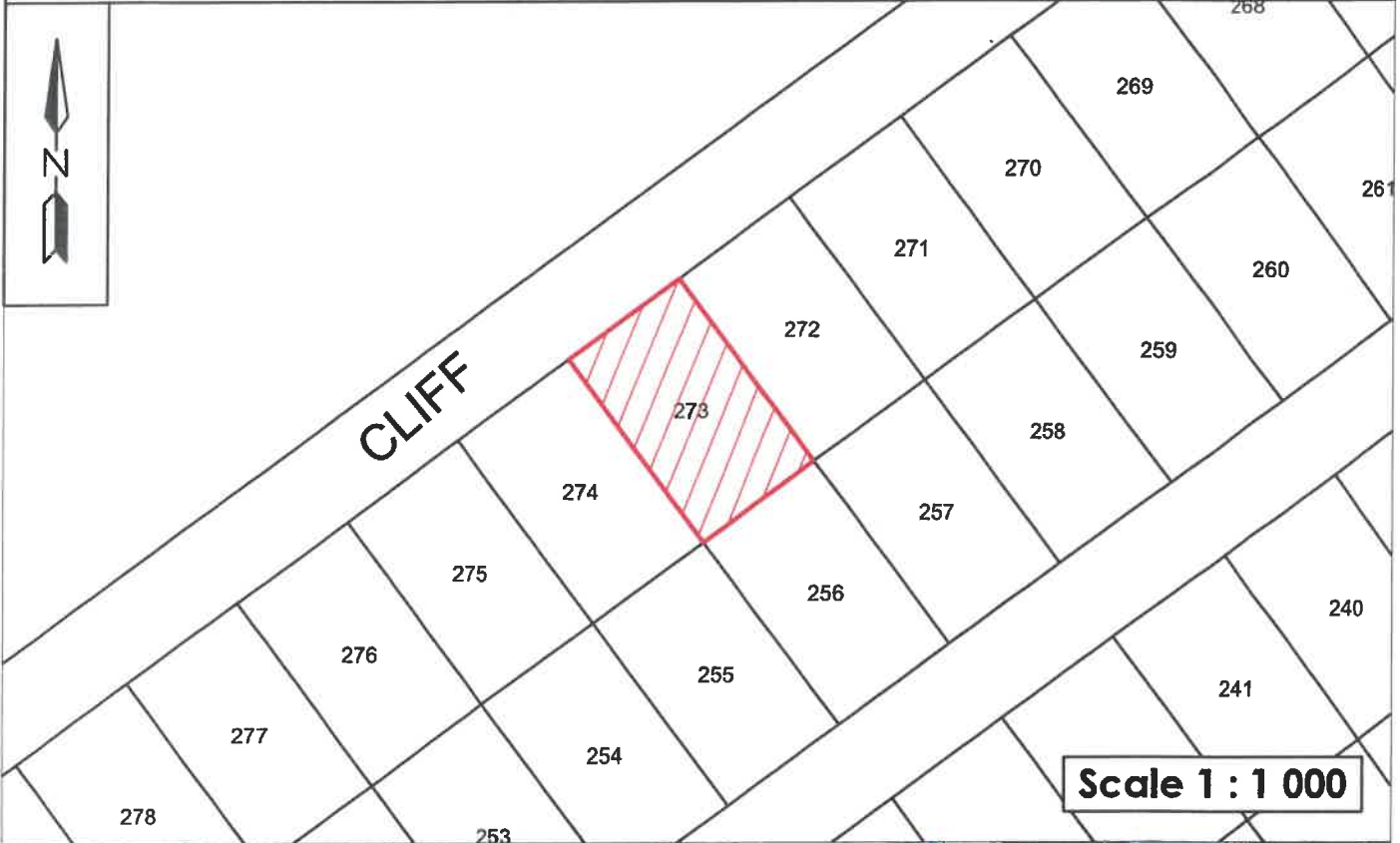
Tel: 028 313 1411


Email: admin@wrapgroup.co.za

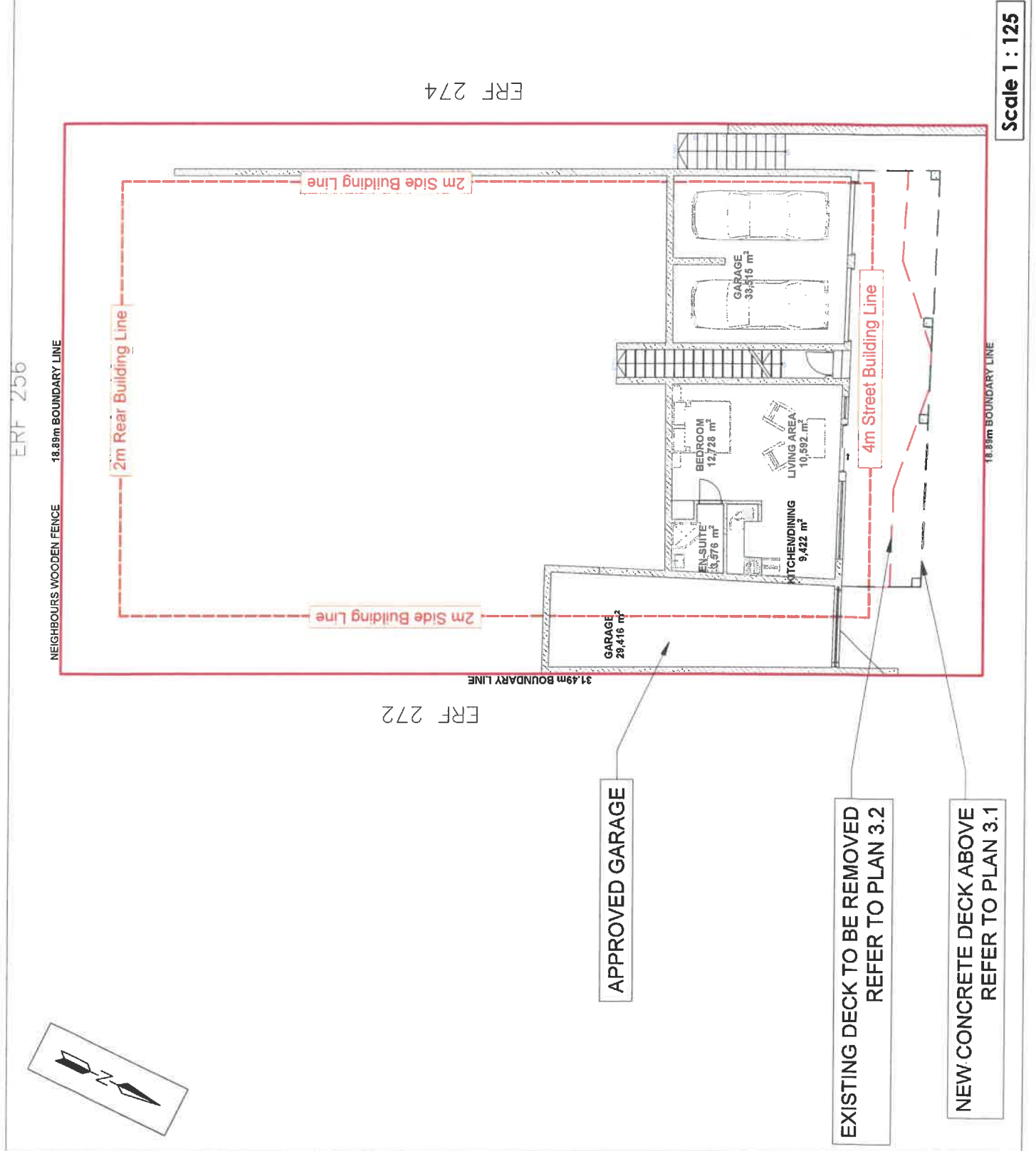
Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



<p>3.1 Site Plan Erf 273 De Kelders</p>	<p>Existing Ground Floor - 88,5m² Existing Garage - 34,06m² Existing First Floor - 290,44m² Existing Balcony - 27,76m² Existing Garage Deck - 32,31m²</p> <p>Coverage - 58,96%</p> <p>Proposal</p> <p>New Concrete Balcony 38,709m²</p> <p>Proposed New Coverage - 60,8%</p>	<p>Plan prepared by: Thian Jansen Plan Number 24/59(001) - 16/05/2025</p> <p>All distances are approximate and subject to a survey</p> <p>Tel: 028 313 1411 Email: admin@wrapgroup.co.za Unit B, Standard House, Corner of Royal and Dikkie Uys Street Hermanus, 7200</p>  <p>Project Office Town Planning & Project Management</p>
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COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR APPLICATION FOR DEPARTURE: ERF 273, DE KELDERS (4996/2025)

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 the existing water connection to- and sewer conservancy tank on Erf 273 shall be used to service Erf 273;
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
Portfolio Committee : Planning & Development
17 June 2026
(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

MUNICIPAL PLANNING TRIBUNAL

1. ERF 1336, 21 INGANG STREET, DE KELDERS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF PR JACOBS

1336 GDK (4739/2024)

**SW van der Merwe
10 April 2026**

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 06 August 2024 from Messrs PlanActive Town- and Regional Planners on behalf of PR Jacobs applicable to Erf 1336, De Kelders in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) 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 I.F(c), I.F(d) and II.E(c) and II.E(d) contained in Title Deed T31858/2021 applicable to Erf 1336, De Kelders;
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the north-eastern lateral building line from 2m to 1,41m to accommodate the use change from garage to existing ground floor servant quarters;
 - relax the north-eastern lateral building line from 2m to 1,61m to accommodate alterations to bedrooms 2 and 3 on the ground floor as well as bedroom 7 on the second floor;
 - relax the southwestern lateral building line from 2m to 0m to accommodate the conversion of the carport to the existing garage on the ground floor;
 - relax the street building line from 4m to 0,4m and the northeastern lateral building line from 2m to 0m to accommodate the existing stoep as well as the encroachment of the 1m height restriction varying between 2,018m and 2,91m above natural ground level;
 - relax the 8m height restriction applicable to existing roof up to 8,065m and 8,32m, and
 - relax the height restriction applicable to the existing chimney from 9m to 9,32m.

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

- ❖ **Determination of an Administrative Penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the existing encroachments on the property.

RESOLUTION

1. that the objection be noted;
2. that the application for **removal of restrictive title deed conditions** I.F(c), I.F(d) and II.E(c) and II.E(d) as contained in Title Deed T31858/2021 applicable to Erf 1336, De Kelders in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for **departure** in terms of Section 16(2)(b) of the By-Law in order to
 - relax the north-eastern lateral building line from 2m to 1,41m to accommodate the use change from garage to existing ground floor servant quarters;
 - relax the north-eastern lateral building line from 2m to 1,61m to accommodate alterations to bedrooms 2 and 3 on the ground floor as well as bedroom 7 on the second floor;
 - relax the south western lateral building line from 2m to 0m to accommodate the conversion of the carport to the existing garage on the ground floor;
 - relax the street building line from 4m to 0,4m and the north-eastern lateral building line from 2m to 0m to accommodate the existing stoep as well as the encroachment of the 1m height restriction varying between 2,018m and 2,91m above natural ground level, and
 - relax the 8m height restriction applicable to existing roof up to 8,065m and 8,32m and the height restriction applicable to the existing chimney from 9m to 9,32m,

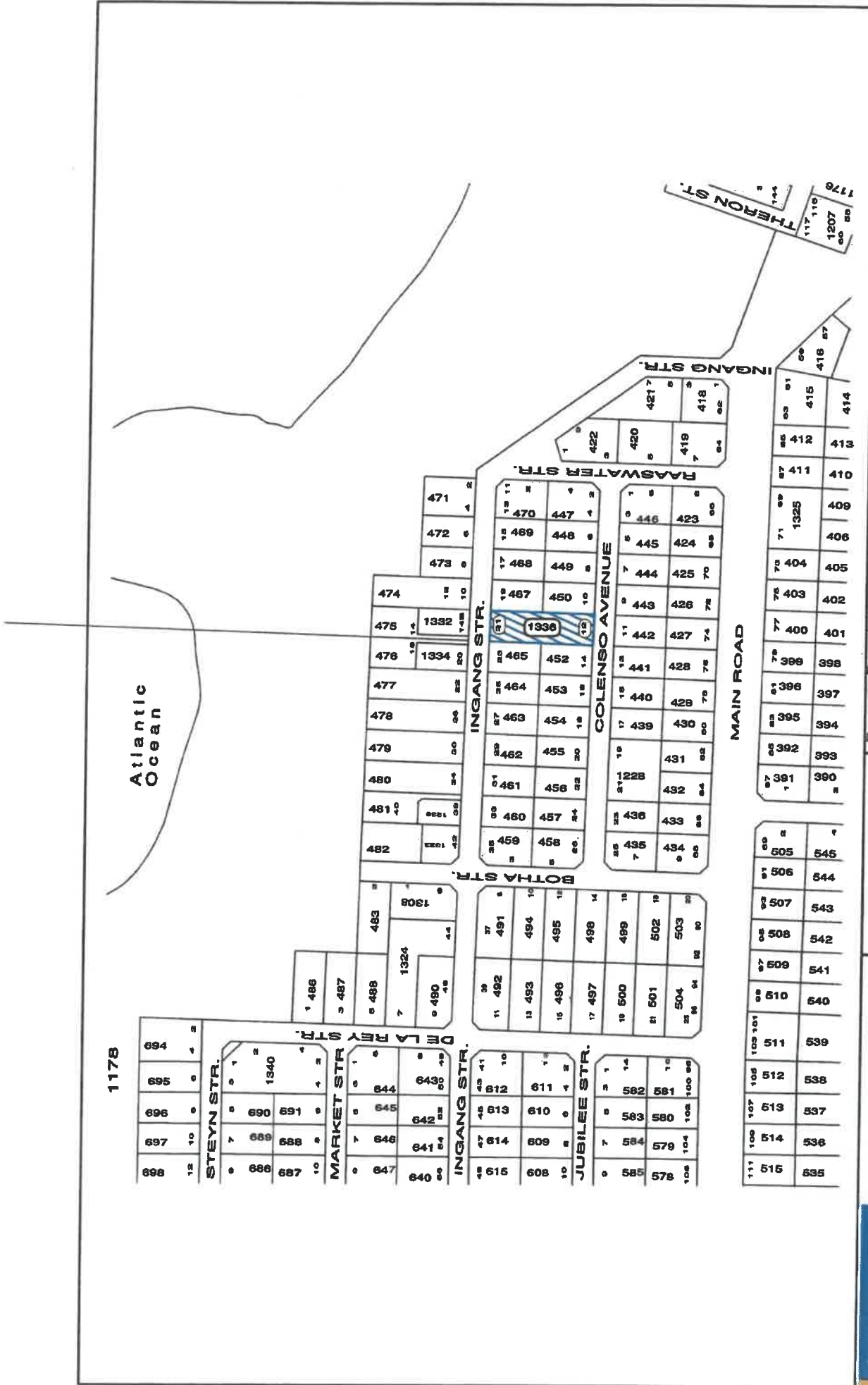
be approved in terms of the provisions of Section 61 of the By-Law;
4. that the application for **determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law **not be exempt** from the payment of an administrative penalty in terms of the provisions of Section 61 of the By-Law;

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

5. that the decisions in paragraphs 2. to 4. above above be subject to the following conditions:
- (a) that an administrative penalty for the amount of R44 574,42 be payable within 90 days from the effective date of the application;
 - (b) that building plans be submitted to the Building Department for approval within 90 days from the effective date of the decision and that all conditions of the Building and Fire Departments be complied with at that stage;
 - (c) that the conditions in the Services Report, be complied with;
 - (d) that all the conditions imposed by Telkom, be complied with;
 - (e) that the stoep and swimming pool that encroach the street building line may not be enclosed;
 - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
 - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
6. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ Proposal is consistent with the SDF and Overstrand Municipal Growth Management Strategy.
- ❖ The proposal is in line with the applicable municipal planning policy.
- ❖ Proposal is consistent with the Overstrand Municipal Land Use Planning Amendment By-Law that accommodates the proposal to be considered on merit via an application process.
- ❖ The retention of the encroachments will not have a significant impact, if any onto the character of the area or vested rights of adjoining property owners.
- ❖ Proposal is consistent with the Planning Principles in terms of LUPA and SPLUMA.
- ❖ The application was processed having had regard to the requirement of the By-Law, Lupa and SPLUMA.
- ❖ The objector failed to demonstrate how it will be negatively impacted by approval of the application.



Scale: NTS
 Drawing Nr: deket1336i.dwg
 Date: JULY 2024

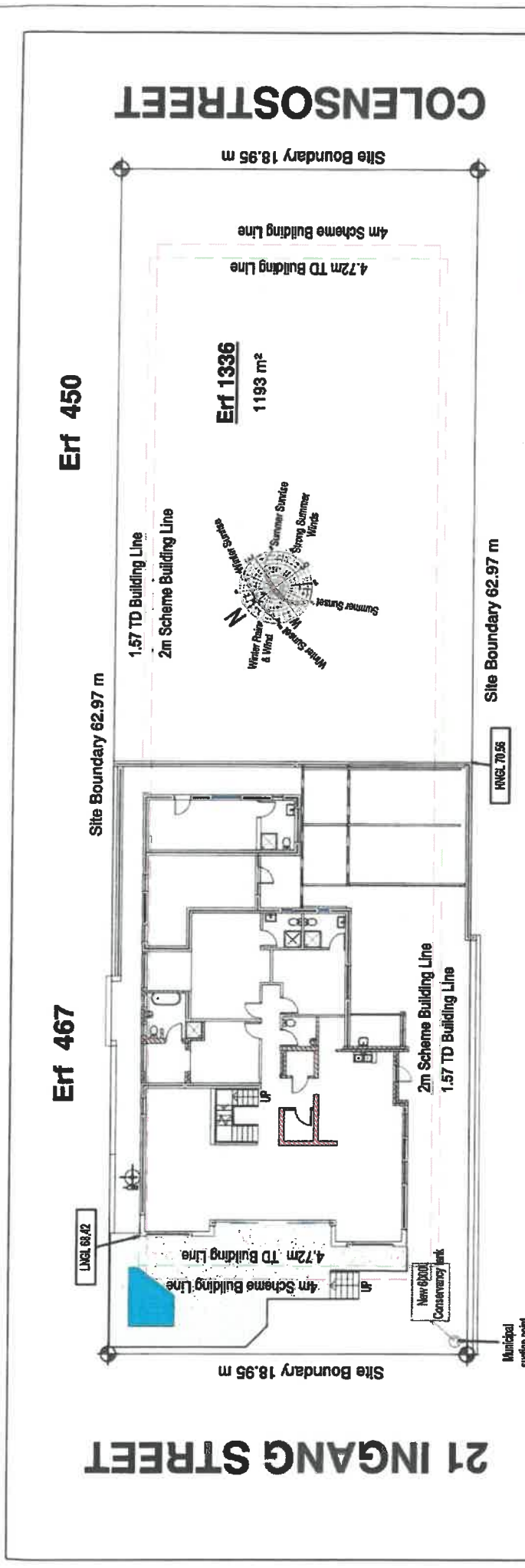
Plan Description:
LOCALITY MAP

Property Description:
**ERF 1336
 DE KELDERS**

All distances approximate
 and subject to survey.
 COPY RIGHT RESERVED

Stads- en Sireeksbeplanners
 Town & Regional Planners





PROJECT: PROPOSED ADDITIONS TO DWELLING FOR ON ERF 1336 DE KELDERS.	
DESCRIPTION: SITE PLAN	
SHEET FORMAT: A3	OCCUPATION: H4
SCALE: As Indicated	DRAWING #: 21/NVR/24
PAGE #: 1	DRAWING DATE: 11 MARCH 2024
DRAWING DATE: 11 MARCH 2024	PLOT DATE: 18-Nov-24 6:25:22 PM
DRAWN: Johan Gericke	SIGNATURE: <i>Johan Gericke</i>

Erf 452

Erf 465

SITE PLAN - GROUND FFL
1 : 200

SCHEDULE OF RIGHTS	
PROPERTY DESCRIPTION Erf Number: 1336 Site Area: DE KELDERS Erf size: 1193m ²	
ZONING INFORMATION	
Town planning Scheme: OVERSTRAND Use Zone: GENERAL RESIDENTIAL ZONE	
DEVELOPMENT CONTROL MEASURES	
Existing Ground Floor	: 242.29m ²
Existing Carport	: 39.96m ²
Existing First Floor	: 131.84m ²
Existing Second Floor	: 84.84m ²
New Ground Floor Addition	: 28.58m ²
New Ground Floor Slope	: 68.16m ²
New Covered Area	: 24.68m ²
New First Floor Addition	: 13.14m ²
New Second Floor Addition	: 41.46m ²
TOTAL	: 674.88m²
Coverage	33.16%
The information provided above is hereby certified to be correct & precise	
Name: JLS GERICKE	Signature: _____
Date: 10 APRIL 2024	Plan No: 21/DR/24

ARCHITECTURE | GERICKE

www.gericke-architecture.co.za
 info@gericke-architecture.co.za
 Tel: 028 384 1659 Sat: 082 453 8554
 SACAP: D28689 Prof Arch Draught

REGISTERED ARCHITECTS
 SOUTH AFRICA
 www.sacap.co.za

COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 1336, DE KELDERS (4739/2024)

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 the existing water connection to- and sewer conservancy tank on Erf 1336 shall be used to service Erf 1336;
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;

2

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**

24/02/2020
DATE

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

2. ERF 639, 9 LAW STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND CONSENT USE: PLAN ACTIVE TOWN- & REGIONAL PLANNERS ON BEHALF OF JC KOEKEMOER

636 GPB (4849/2024)

SW van der Merwe

(028) 313 8900

Hermanus Administration

17 April 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 23 October 2024 from PlanActive Town- and Regional Planners on behalf of JC Koekemoer, the owner of Erf 639, Pearly Beach for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for removal of conditions C.4(b) and D.2 as contained in Title Deed T36441/2005 to accommodate a bottle store, and
- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law to accommodate a bottle store.

RESOLUTION

1. that the objections / comments be noted;
2. 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), for the **removal of restrictive title deed conditions C.4(b) and D. 2** as contained in Title Deed T36441/2005 applicable to Erf 639, Pearly Beach, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. 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), to conduct a bottle store, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in paragraphs 2. and 3. above be subject to the following conditions:
 - (a) that the bottle store be limited to the area of 94m² as indicated on the Site Development Plan;

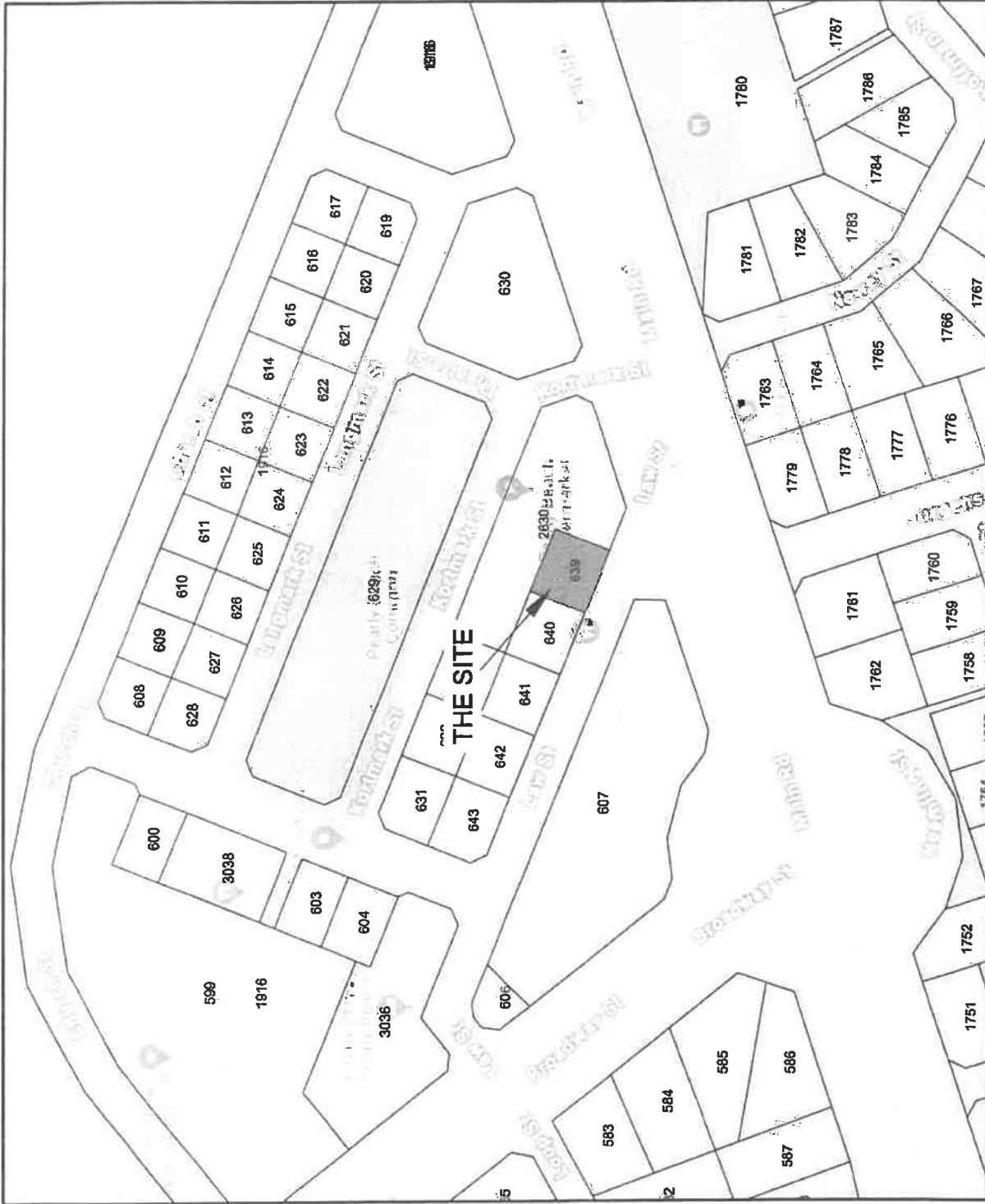
**AGENDA of the
Portfolio Committee : Planning & Development
17 June 2026
(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

- (b) that the bottle store may only be used for the retail sale of liquor and that no distribution to other licensed premises in the area may occur;
 - (c) that no cheap liquor such as quarts and “papsak” be sold from the premises;
 - (d) that the hours of operation of the bottle store be limited to 18:00 hours Mondays to Saturdays and 13:00 hours on Sundays and public holidays;
 - (e) 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;
 - (f) that commercial rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (g) that the facility complies with Health and Safety Legislation and Fire Regulations and that applications be made for the relevant Health and Safety and Fire Certificates;
 - (h) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc. to the satisfaction of the Senior Manager: Town- and Spatial Planning;
 - (i) that the display of signage be in accordance with the Municipal By-Law on signage;
 - (j) that all the conditions in the Services Report, be complied with;
 - (k) That all the conditions imposed by Telkom, be complied with;
 - (l) that all other development parameters as prescribed in the relevant Zoning Scheme, and
 - (m) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
5. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal 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 : 23 June 2026)**

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ A total of 570 notices were sent and 95 objections, inclusive of a late objection were received. Within a radius of 100m to 500m 14 were received, with the remaining objections being in a 500m to 3km radius. None of the direct abutting properties objected.
- ❖ The property is located in a business node.
- ❖ Objections are mainly based on speculative assumptions, whilst similar businesses are successfully conducted in neighbouring towns.
- ❖ No new municipal services required.
- ❖ The development is consistent with the SDF and Growth Management Strategy that promote economic development within existing business nodes. applicable strategic policy documents.
- ❖ The development is consistent with the planning principles.
- ❖ The development does not detract from the character of the surrounding area.
- ❖ The development does not unacceptably detract from the vested rights of adjoining property owners.
- ❖ The proposal will create job opportunities and also benefit the economy of the area with residents spending money in the area.



Scale: NTS
 Drawing No: 639 PEARLY BEACH.dwg
 Date: 16 Oct 2024

Plan Description: LOCALITY MAP

Property Description: ERF 639 PEARLY BEACH

All distances approximate and subject to survey.
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 Town & Regional Planners



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS &
CONSENT USE: ERF 639, PEARLY BEACH (4849/2024)**

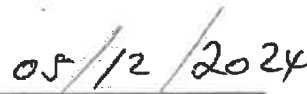
Stormwater (SW)	:	Refer to conditions
Electricity	:	Refer to conditions
Water	:	Refer to conditions
Sewer	:	Refer to conditions
Roads and traffic	:	Refer to conditions

Conditions:

1. that only the existing water connection 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 sewerage tank 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;
3. 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;
4. 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*;
5. 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;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that no reservation of on-street parking be allowed;
8. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
9. 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
17 June 2026
(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

3. ERF 5474, 51 MAIN ROAD, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE ISMAIL AND MIRIAM EBRAHIM FOUNDATION

5474 HNC (4937/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

3 March 2026

EXECUTIVE SUMMARY

An application was received on 17 March 2025 from WRAP Project Office on behalf of The Ismail and Miriam Ebrahim Foundation on Erf 5474, Hermanus for a consent use in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to allow four (4) individual residential units.

RESOLUTION

1. 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 5474, Hermanus for consent use to allow four (4) dwelling units, **be partially approved**, to only allow three (3) dwelling units and one (1) storage facility in terms of the provisions of Section 61 of the By-Law, but, subject to the following conditions:
 - (a) that the approval be limited to three (3) dwelling units and one (1) storage facility;
 - (b) that the three (3) units may only be occupied by the two (2) Imams and one (1) maintenance manager;
 - (c) that the units may not be let for self-catering, holiday accommodation or persons not affiliated with the Mosque;
 - (d) that a parking layout plan be submitted with parking bays dimensions;
 - (e) that revised building plans reflecting the above approval 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;
 - (f) that the Mosque manage the behaviour of patrons (both inside and outside the building);

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

- (g) that no activities constituting a source of public nuisance, safety and health shall be carried out;
 - (h) that a Health Certificate be obtained from the Health Department of the Overberg District Municipality and a Fire Prevention Certificate from the Municipal Fire Department.
 - (i) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
 - (j) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (k) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
 - (l) that all the conditions in the Services Report, be complied with, and
 - (m) that all the conditions imposed by Telkom, be complied with.
2. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

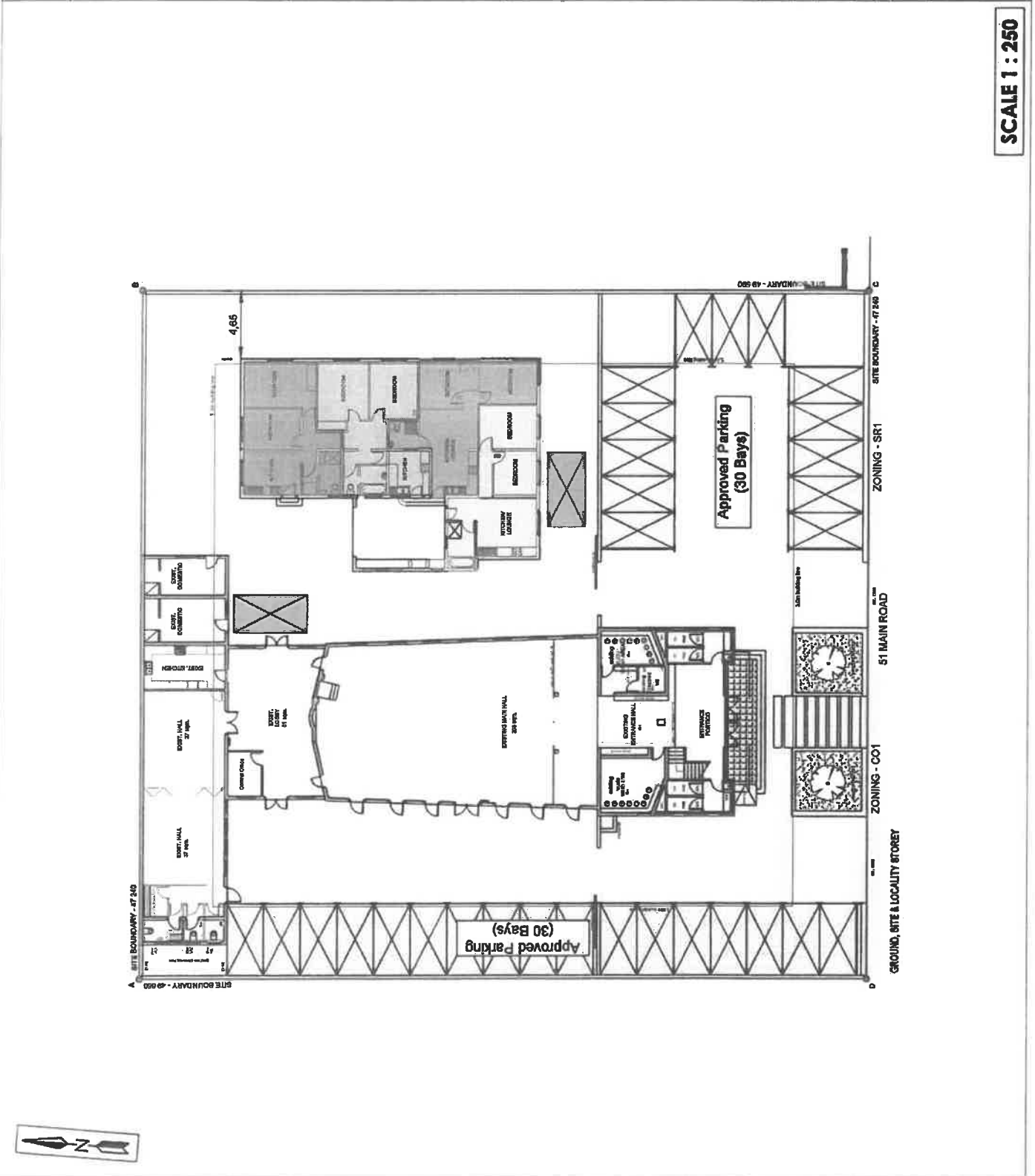
REASONS FOR RESOLUTION

- ❖ The Mosque has two (2) Imams that require housing on site. Their responsibilities include that availability at any given time.
- ❖ The Mosque also serves as an academic institution to assist worshippers in the teachings of their religion, which require an additional Imam.
- ❖ The Foundation has a full-time maintenance manager responsible for all mosques affiliated with the Foundation; thus, housing is required to accommodate the manager who will make use of the unit on an ad-hoc basis.
- ❖ A Domestic quarter will be converted into a storage facility, which the Mosque need for maintenance equipment. The conversion will not extent in footprint and is indicated on an approved building plan.
- ❖ The fourth dwelling unit is not supported as indicated in the evaluation of the application. The Foundation indicated during a site inspection that the fourth dwelling is not a requirement.

<p>4. Site Plan Erf 5474 Hermanus</p> <p>Erf 5474 Hermanus = 2 344 m²</p> <p>Ground Floor = 403 m²</p> <p>Mezzanine Floor = 109 m²</p> <p>Rear Hall = 160 m²</p> <p>Dwellings = 257 m²</p> <p>Total = 820 m²</p> <p>Coverage = ±34%</p> <p>Existing Parking 30 Parking Bays</p> <p>Additional Parking 2 Parking Bays</p> <p>Total Parking 32 Parking Bays</p>	<p>Plan prepared by: Thian Jansen on 2025/02/25</p> <p>Based on plans from M. Joseph</p> <p>Plan Number - 25/04 (001)</p> <p>All distances are approximate and subject to a survey</p> <p>Tel: 028 313 1411</p> <p>Email: admin@wrapgroup.co.za</p> <p>Unit 8, Standard House, Corner of Royal and Dirkie Oys Street Hermanus, 7200.</p>
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Project Office
Town Planning & Project Management



SCALE 1 : 250



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSENT USE: ERF 5474, NORTHCLIFF (4937/2025)**

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
17 June 2026
(Also the agenda for the Mayoral Committee Meeting : 23 June 2026)**

4. ERF 6135, 18 CLIFF ROAD AND A PORTION OF REMAINDER ERF 249, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CLOSURE OF PUBLIC OPEN SPACE, REZONING, CONSOLIDATION AND REGISTRATION OF A SERVICES SERVITUDE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF D & P TURPIE AND OVERSTRAND MUNICIPALITY

6135 & Rem 249 HWC (5140/2025)

B Minnaar

(028) 313 8900

Hermanus Administration

9 April 2026

EXECUTIVE SUMMARY

An application has been received on 1 December 2025 from Messrs WRAP Project Office on behalf of D & T Turpie and Overstrand Municipality applicable to Erf 6135 & a portion of Remainder Erf 249, Westcliff, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Closure of public place** in terms of Section 16(2)(n) of the By-Law to accommodate the closure of a public road portion of Remainder Erf 249 Hermanus (adjoining Erf 6135 and 1840 Hermanus) with extent the of $\pm 446\text{m}^2$;
- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law of a portion of Remainder Erf 249, Hermanus from Transport Zone 2: Road and Parking to Residential Zone I: Single Residential (SR1);
- ❖ **Consolidation** in terms of Section 16(2)(e) of the By-Law of Erf 6135, Hermanus (Westcliff) with a portion of Remainder Erf 249, Hermanus (Westcliff) Hermanus to create a single residential property of $\pm 1281\text{m}^2$ in extent, and
- ❖ **Exemption of Subdivision / Consolidation** in terms of Section 26 of the By-Law to allow the registration of a service servitude.

RESOLUTION

1. that the objections be noted.

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

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 / road applicable to a portion of Remainder Erf 249, Hermanus (closure of a public road adjoining Erf 6135 and 1840 Hermanus) with the extent of $\pm 446\text{m}^2$, **be approved**, in terms of Section 61 of the By-Law;
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 a portion of Remainder Erf 249, Hermanus 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 Erf 6135, Hermanus and a portion of Remainder Erf 249, Hermanus to create a single residential property of $\pm 1281\text{m}^2$ in extent, **be approved**, in terms of Section 61 of the By-Law;
5. that the approvals in Points 2. to 4. above be subject to the following conditions:
 - (a) that a revised subdivisional plan be submitted to reflect a three (3) metre wide services servitude be submitted to this department for approval;
 - (b) that all the conditions in the Services Report and Property Administration Department, be complied with;
 - (c) that all conditions stipulated in Council's decision, dated 27 August 2025 be complied with;
 - (d) that this approval does not absolve the 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.
6. that the application in terms of Section 26 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **exemption of subdivision/consolidation** to allow a 2m wide services servitude along the northeastern portion of a portion of Remainder Erf 249, Hermanus, **be approved**, in terms of Section 61 of the By-Law.

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

7. that the amended title deed be submitted to this office for record purposes.
8. 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 subject property is not utilised for its intended status being a road as per the Surveyor Generals records and the applicable zoning of the property.
- ❖ The application has an in-principal approval from Council for the alienation of a Portion of Remainder Erf 249, Hermanus.
- ❖ The portion of Remainder Erf 249, Hermanus may only be utilised as garden space, construction of a boundary wall or fence and to provide a 3m wide servitude to allow the municipality access to the relevant services along the north easter side of the subject property.
- ❖ The municipality has no intention to develop the subject property for its intended use.
- ❖ The subject property location does not influence the function or integrity of coastal reserves.
- ❖ The application will not prohibit access to coastal pathways since there are various other routes which provide direct access to the coastal paths in the area and is therefore in line with the EMOZ regulations.
- ❖ The application does not propose any development over the subject property that will be obtained and is therefore in line with the HPOZ regulations.
- ❖ No development by the property owner will occur on the portion of Remainder Erf 249, Hermanus and will therefore not negatively impact on the character of the area, sunlight and view lines.
- ❖ The application is in line with the various spatial planning policies.
- ❖ The objection received during public participation has been adequately resolved.



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CLOSURE OF PUBLIC OPEN SPACE, REZONING,
CONSOLIDATION AND REGISTRATION OF A SERVICES SERVITUDE:
ERF 6135 & A PORTION OF REMAINDER ERF 249, WESTCLIFF
(5140/2025)**

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 servitudes for municipal services be registered at the developer's cost in respect of all existing municipal services concerned crossing private property;
7. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
8. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the Principal Technologist: Engineering Services-Hermanus for written approval;
9. that any additional and / or extended vehicle entrances will be for the owner's account;

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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 owner's cost, if required.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

13/02/2026
DATE