

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026**

**(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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- 1. ERF 2834, SANDBAAI (UNREGISTERED ERVEN 2868-2871, 3060-3082 & 3087) OVERSTRAND MUNICIPAL AREA: APPLICATION FOR THE AMENDMENT OF THE SITE DEVELOPMENT PLAN, AMENDMENT OF THE SUBDIVISIONAL PLAN, CANCELLATION OF THE PHASING PLAN, AMENDMENT OF CONDITIONS OF APPROVAL, AMENDMENT OF THE SURVEYOR GENERAL PLAN AND DEPARTURES: MESSRS. INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF DE ZANDT DEVELOPMENT (PTY) LTD**

**2834 HSB (UNREGISTERED ERVEN 2868-2871, 3060-3082 & 3087)  
(5094/2025)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**11 March 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 25 September 2025 from Messrs InterActive Town & Regional Planning on behalf of De Zandt Development (PTY) Ltd applicable to Erf 2834, Sandbaai (Unregistered Erven 2868-2871, 3060-3082 & 3087) in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Permission required in terms of the conditions of approval** in terms of Section 16(2)(l) of the By-Law for the Amendment of the Site Development Plan (SDP) to accommodate the following:
  - removal of the internal link road towards the R43 Provincial Road, and
  - to convert and rezone the four General Residential Zone 3: Flats Bulk Zone 2 (GR4) zoned erven consisting of approximately 294 units to 129 General Residential Zone 1: Town Housing (GR1) erven and one General Residential Zone 3: Flats Bulk Zone 2 (GR4) zoned erf with 6 units.
  
- ❖ **Cancellation of the phasing plan, amendment of the subdivisional plan and the amendment of the Surveyor General Plan** in terms of Section 16(2)(k) of the By-Law to accommodate the following:
  - cancellation of the existing approved Phasing Plan to accommodate the phasing of the development in terms of a Service Level Agreement with the Municipality, and
  - amendment of the existing approved Subdivision Plan and Surveyor General Plan to accommodate the proposed development on the north-eastern portion of Erf 2834, Sandbaai.

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- ❖ **Amendment of conditions in respect of existing approvals** in terms of Section 16(2)(h) of the By-Law to accommodate the amendments of the intended development:
  - Conditions 4, 5, 6, 7(a) and 7(b) of approval letter dated 18 April 2019;
  - Conditions 1, 2(a) and 2(b) of approval letter dated 10 February 2020;
  - Conditions 1 and 2 of approval letter dated 26 March 2020, and
  - Condition 1 of approval letter dated 18 September 2020,
  
- ❖ **Subdivision and Rezoning** in terms of Section 16(2)(d) and Section 16(2)(a) of the By-Law to accommodate the amendment of the north-eastern portion of the development of Erf 2834, Sandbaai from General Residential Zone 3: Bulk Zone 2 (GR4) to create the following:
  - 22 Residential Zone 1: Single Residential (SR1) erven;
  - 129 General Residential Zone 1: Town Housing (GR1) erven;
  - 1 General Residential Zone 3: Flats Bulk Zone 2 (GR4) erf (consisting of 6 apartment units);
  - 9 Open Space Zone 3: Private Open Space (OS3) erven, and
  - 3 Transport Zone 2: Road and Parking (TR2) erven.
  
- ❖ **Departures** in terms of Section 16(2)(b) of the By-Law to relax the following building lines:
  - GR1 zoned erven:
    - internal lateral building lines from 1m to 0m to accommodate symmetrical adjoining town houses and associated braais and patios;
    - perimeter building lines from 3m to 2m to accommodate proposed braais and pergolas;
    - internal rear building lines from 1m to 0,65m to accommodate braais and patios, and
    - Portion 44: north-western building line from 1m to 0m to accommodate a pergola.
  - SR1 zoned erven:
    - perimeter building lines from 3m to 2m to accommodate proposed dwelling houses;
    - lateral building lines of erven smaller than 400m<sup>2</sup> from 1m to 0m to accommodate pergolas;
    - lateral building lines of erven larger than 400m<sup>2</sup> from 2m to 0m to accommodate pergolas;
    - lateral building lines of erven larger than 400m<sup>2</sup> from 2m to 1m to accommodate proposed dwelling houses, and

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- street building lines of erven larger than 400m<sup>2</sup> from 4m to 3,2m to accommodate proposed dwelling houses.
- GR3 zoned erf:
  - Portion 45: northern lateral building line from 4,5m to 0m; eastern lateral building line from 4,5m to 0m; rear building line from 3m to 0m and south eastern street building line from 4m to 0m to accommodate proposed flats.

### **RESOLUTION**

1. that the objection be noted;
2. that the application in terms of Section Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **Amendment of the Site Development Plan (SDP)** applicable to Remainder Erf 2834 & (Unregistered Erven 2868-2871, 3060-3082 & 3087) Sandbaai, **be approved**, in terms of Section 61 of the By-Law to accommodate the following:
  - (a) removal of the internal link road towards the R43 Provincial Road, and
  - (b) to convert and rezone the four General Residential Zone 3: Flats Bulk Zone 2 (GR4) zoned erven consisting of approximately 294 units to 129 General Residential Zone 1: Town Housing (GR1) erven and one General Residential Zone 3: Flats Bulk Zone 2 (GR4) zoned erf with 6 units applicable to Remainder of Erf 2834 Sandbaai,
3. that the application in terms of section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **cancellation of the existing approved phasing plan** to accommodate the phasing of the development in terms of a Service Level Agreement with the Municipality, and to **amend the existing approved Subdivision Plan and Surveyor General Plan** to accommodate the proposed development on the north-eastern portion applicable Remainder of Erf 2834 & (Unregistered Erven 2868-2871, 3060-3082 & 3087) Sandbaai, **be approved**, in terms of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(d) and Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to accommodate **subdivision and rezoning** of the north-eastern portion applicable to Remainder Erf 2834 & (Unregistered Erven 2868-2871, 3060-3082 & 3087), Sandbaai from General Residential

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Zone 3: Bulk Zone 2 (GR4), **be approved**, in terms of Section 61 of the By-Law to create the following:

- (a) 22 Residential Zone 1: Single Residential (SR1) erven;
- (b) 129 General Residential Zone 1: Town Housing (GR1) erven;
- (c) 1 General Residential Zone 3: Flats Bulk Zone 2 (GR4) erf (consisting of 6 apartment units);
- (d) 9 Open Space Zone 3: Private Open Space (OS3) erven, and
- (e) 3 Transport Zone 2: Road and Parking (TR2) erven.

5. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for **departure** applicable to Remainder of Erf 2834 & (Unregistered Erven 2868-2871, 3060-3082 & 3087) Sandbaai, **be approved**, in terms of Section 61 of the By-Law in order to relax the following:

- (a) applicable to the General Residential Zone 1: Town Housing (GR1) erven:
  - (i) internal lateral building lines from 1m to 0m to accommodate symmetrical adjoining town houses and associated braais and patios;
  - (ii) perimeter building lines from 3m to 2m to accommodate proposed braais and pergolas;
  - (iii) internal rear building lines from 1m to 0,65m to accommodate braais and patios, and
  - (iv) Portion 44: north-western building line from 1m to 0m to accommodate a pergola.
- (b) applicable to the Residential Zone 1: Single Residential (SR1) erven:
  - (i) perimeter building lines from 3m to 2m to accommodate proposed dwelling houses;
  - (ii) lateral building lines of erven smaller than 400m<sup>2</sup> from 1m to 0m to accommodate pergolas;
  - (iii) lateral building lines of erven larger than 400m<sup>2</sup> from 2m to 0m to accommodate pergolas;
  - (iv) lateral building lines of erven larger than 400m<sup>2</sup> from 2m to 1m to accommodate proposed dwelling houses, and
  - (v) street building lines of erven larger than 400m<sup>2</sup> from 4m to 3,2m to accommodate proposed dwelling houses.
- (c) applicable to the General Residential Zone 3: Flats Bulk Zone 2 (GR4) erf (Portion 45):

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- (i) northern lateral building line from 4,5m to 0m;
  - (ii) eastern lateral building line from 4,5m to 0m;
  - (iii) rear building line from 3m to 0m, and
  - (iv) south eastern street building line from 4m to 0m to accommodate proposed flats.
6. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **amendment of the conditions of approval** relating to the approvals dated 18 April 2019, 10 February 2020, 26 March 2020 & 18 September 2020 applicable to Erf 2834, Sandbaai and (unregistered Erven 2868-2871, 3060-3082 & 3087), **be approved**, in terms of Section 61 of the By-Law; as follows:
- (a) given that numerous previous approvals were granted, it is recommended that approvals be combined to be read as follows:
    - (i) that the application in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 read with Section 22 of the By-Law on Remainder Erf 2834, Sandbaai for the subdivision of the above rezoned property to create the following, as per the amended Site Development Plan Revision 20 dated October 2025, **be approved** in terms of Section 51 of the By-Law:
      - (i) 129 Residential Zone 1: Single Residential (SR1) erven (±5.1498ha in extent);
      - (ii) 47 Residential Zone 1: Single Residential (SR1) erven for a retirement village (±2.8222ha in extent);
      - (iii) 129 General Residential Zone 1 (GR1) erven (±2.4977ha in extent; 129 dwelling units);
      - (iv) 13 General Residential Zone 3: Bulk Zone 2 (GR3) erven (±6.6688ha in extent; 507 dwelling units);
      - (v) 9 General Residential Zone 3: Bulk Zone 2 – Retirement Village (GR3) erven (±4.3667 ha in extent; 285 dwelling units);
      - (vi) 1 General Residential Zone 3: Bulk Zone 2 – Retirement Village Frail Care & Dementia (GR3) erf (±2.1840ha in extent; 164 dwelling units consisting of 328 rooms);
      - (vii) 2 Business Zone 3: Local Business (B3) erven (±2.4952ha in extent) plus 50 General Residential Zone 3: Bulk Zone 2 (GR3) units;
      - (viii) 2 Open Space Zone 2: Public Open Space (OS2) erven (±0.2945ha in extent);

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- (ix) 20 Open Space Zone 3: Private Open Space (OS3) erven ( $\pm 1.6922$ ha in extent), and
  - (x) 7 Transport Zone 2: Road and Parking (TR2) erven ( $\pm 11.3164$ ha in extent).
- (ii) that the application in terms of Section 16(2)(o) of Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder Erf 2834 and Unregistered Erf 2837, Sandbaai for the **consent use** to develop a retirement village on the following updated erven numbers 2873-2926, 2928-2934, 2937 ( $\pm 328$  rooms), 3089, 3090 & 3082 in accordance with the approved Surveyor General Diagrams and the proposed Site Development Plan Revision 37, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (iii) that the application in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder Erf 2834, Sandbaai for the **phasing** of the entire development be in accordance with the Service Level Agreement and all amendments thereto between the landowner and the Overstrand Municipality, **be approved** in terms of the provisions of Section 61 of the By-Law;
7. that the approvals in Points 1. to 6. above be subject to the following conditions:
- (a) that this approval is only for the development as indicated on the following:
    - (i) the Site Development Plan, Plan Number Rev37\_0001,
    - (ii) the Subdivision Plan, Plan Number Rev37\_0001, and
    - (iii) the Rezoning Plan, Plan Number Plan Number Rev37\_0001.
  - (b) that a Site Development Plan be submitted, prior to building plan submission, for approval by the Divisional Manager: Town & Spatial Planning Department;
  - (c) 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;
  - (d) that all the conditions in the Services Report, as amended, be complied with;
  - (e) that the development be phased in the new or revised Service Level Agreement as required by the Engineering Department;

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- (f) that the parking layouts for the development comply with the provisions of the Overstrand Land Use Scheme, 2020;
- (g) that the road network be extended to End Street to alleviate school peak time traffic congestion;
- (h) that Architectural Design Guidelines be presented to Building Control Department for consideration, and that the latter be compatible with the relevant land use scheme;
- (i) that draft Architectural Design Guidelines be presented to the Overstrand Heritage and Aesthetics Committee for consultation prior to finalisation;
- (j) that the conditions imposed by the Western Cape Government: Environmental Affairs and Development Planning [EIA – ROD] be complied with;
- (k) that conditions imposed by the Western Cape Government: Department of Transport & Public Works, as amended be complied with;
- (l) that the conditions imposed by BGCMA be complied with;
- (m) that the conditions imposed by Heritage Western Cape be complied with;
- (n) that the conditions imposed by Eskom be complied with;
- (o) that the conditions imposed by Telkom be complied with;
- (p) that the buffer zone of 70m be rehabilitated and landscaped with indigenous vegetation in consultation with the municipal Horticulturalist and Environmental Management Services Department;
- (q) that all conditions imposed by the Fire Department be complied with;
- (r) that all conditions imposed by the Environmental Management Services Department be complied with;
- (s) that all development units must establish a Home Owners Association and all property owners within the development unit must be members of the Home Owners Association;

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- (t) that a Master Home Owners Association be established and all the Home Owners Associations must be members of the Master Home Owners Association;
  - (u) that the Constitutions of all Home Owners Association be submitted for approval by the Municipality (which reserves the right to impose conditions in this regard), and that the following aspects inter alia be addressed in this document:
    - (i) the approval of building plans by an “estate architect” prior to submission thereof to the Municipality, and
    - (ii) that the Constitution clarifies at what stage the responsibility would be transferred from the developer to the Home Owners Association to deal with approval of plans.
  - (v) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (w) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
8. that the applicant and legal persons who submitted an objection 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.

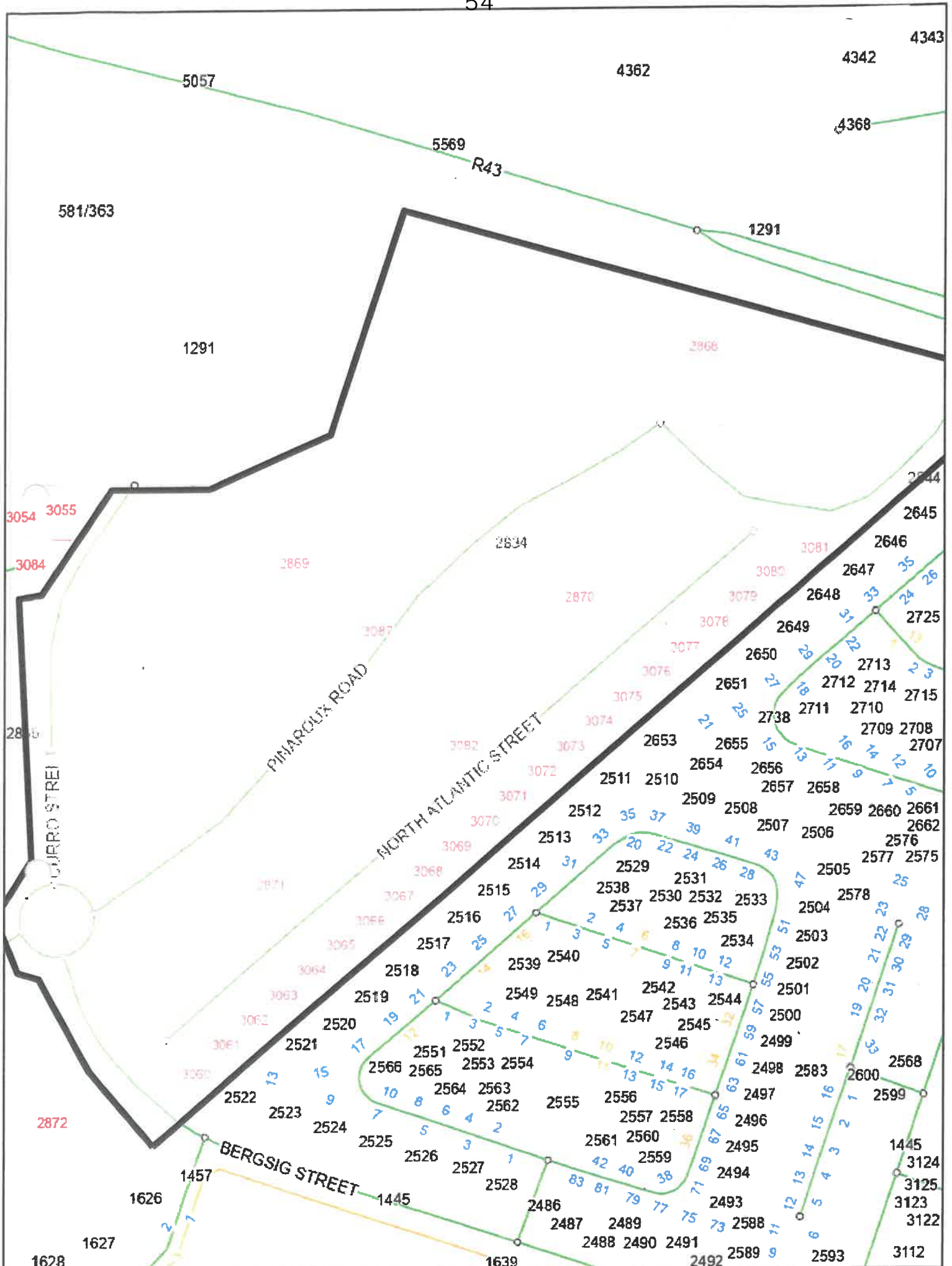
**REASONS FOR RESOLUTION**

- ❖ That the objections relate purely to the Sandbaai neighbourhood traffic congestion during school peak hours and not the current application. The objection has been adequately responded to, and immediate mitigation methods are proposed to resolve the concerns.
- ❖ The amended development proposal enhances the viability of the development potential in the economic climate by providing a variety of housing typologies to meet the various market demands.
- ❖ The mixed-use concept of the development is retained.
- ❖ The layout improves the sense of character of the surrounding residential neighbourhoods in the Sandbaai area.
- ❖ The density has been reduced to conform to the spatial strategic documentation of the municipality.
- ❖ The departures to accommodate portions of the pergolas, dwelling house and garages are minor which will improve the aesthetics of the residential development with minimal impact on the neighbouring residential properties.

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- ❖ The flow of traffic has been improved with the additional mitigation method to be implemented to develop the road network to link up with the End Street to alleviate the school peak time traffic.
- ❖ Improved functional open spaces have been proposed.
- ❖ The departures proposed are minor in nature which have similarly been approved in residential developments and normal residential properties within the Sandbaai area.
- ❖ Adequate space surrounding the residential properties have been maintained to accommodate emergency services.
- ❖ The previous land use approvals have been amended and included as part of this application to provide a complete recommendation without referring to previous approvals.



OVERSTRAND



MUNICIPALITY

Locality Map

PROJECT

Remainder of Erf 2834, Sandbaai

TITLE

Site Development Plan

Zoning	Area	No of erven	No of dwelling units	Density duha	Average erf size
Residential Zone 1	5 1488ha	129	129	25	398m <sup>2</sup>
Residential Zone 1 - Retirement Village	2 8222ha	47	47	17	600m <sup>2</sup>
General Residential Zone 1	2 4977ha	129	129	52	194m <sup>2</sup>
General Residential Zone 2 Bulk Zone 2	6 6348ha	13	13	76	5123m <sup>2</sup>
General Residential Zone 3 Bulk Zone 2 Retirement Village	2 3037ha	9	285	50	4652m <sup>2</sup>
General Residential Zone 3 Bulk Zone 3	1 1625ha	1	184	75	21642m <sup>2</sup>
General Residential Zone 3 Bulk Zone 3 Frail Care & Dementia	2 1625ha	1	184	75	21642m <sup>2</sup>
Open Space Zone 1	2 2222ha	3	3	33	7407m <sup>2</sup>
Open Space Zone 2	2 2222ha	3	3	33	7407m <sup>2</sup>
Open Space Zone 3	1 6257ha	20	20	20	840m <sup>2</sup>
Transport Zone 2	11 3164ha	7	7	33	16166m <sup>2</sup>
<b>Total</b>	<b>39 4875ha</b>	<b>359</b>	<b>1311</b>	<b>33</b>	<b>1100m<sup>2</sup></b>

- The density over the entire development including the school is 29 dwelling units per hectare.
- The retirement village includes Erven 2873-2926, 2928-2934, 2937, 3069, 3080 & 3082.
- The frail care & dementia facilities are on Erf 2937.

Application Area

Retirement Village

Proposed roads

50 year floodline

100 year floodline

RECEIVED  
23 OCT 2025

REVISIONS:

REVISION NO. | DATE | BY | DESCRIPTION

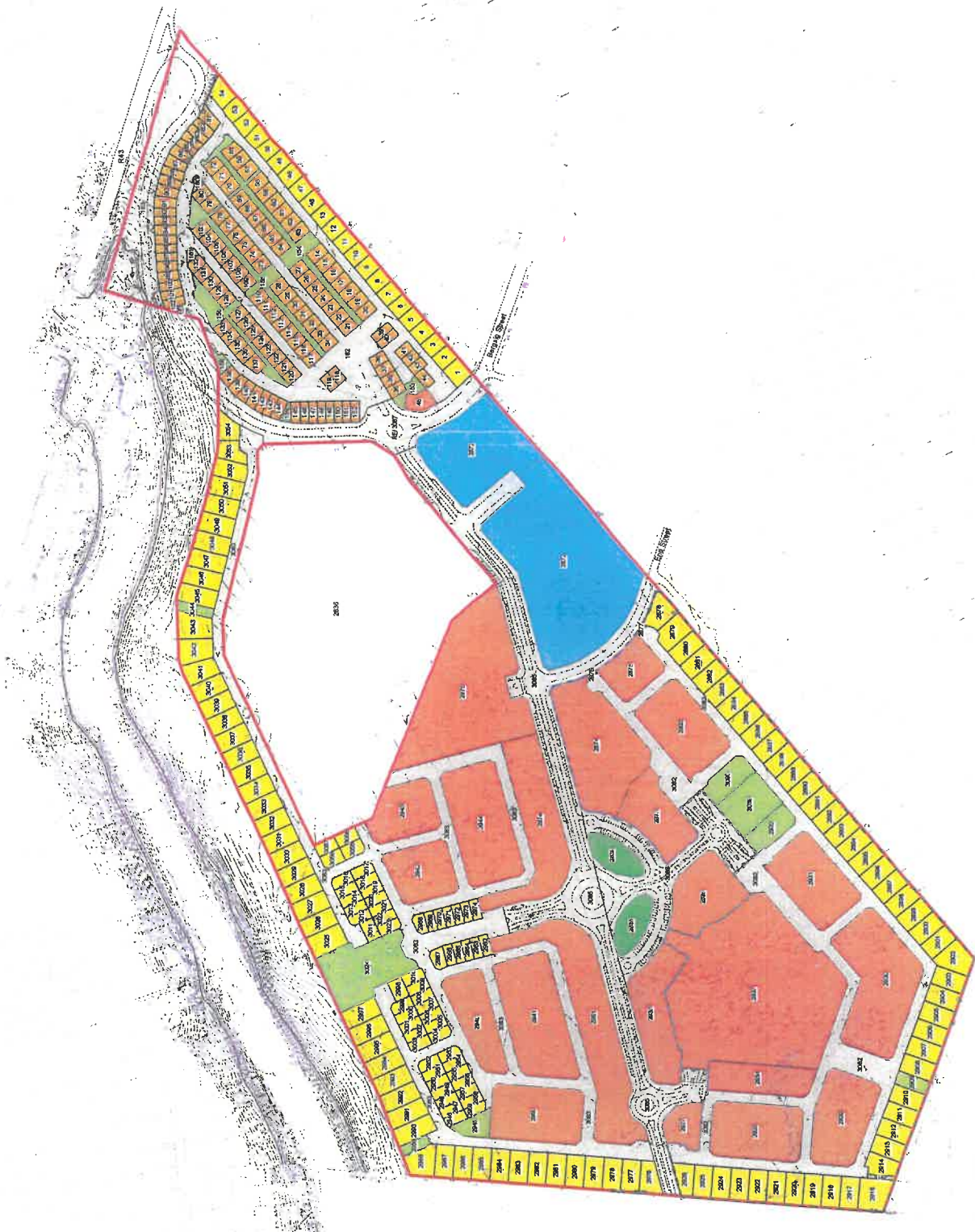
1 | 2025/10/20 | JAV | PROJECT NUMBER 0001

DRAWING NUMBER: Rev37

CLIENT: InterActive Town & Regional Planning

Author: Willemien Pieterse (A27211996)  
 Drawn by: J. van der Merwe (A27211996)  
 Call phone: 022 265 0200  
 E-mail: wpieterse@ia-trp.com

A1 Scale  
1 : 2000



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR PERMISSION REQUIRED IN TERMS OF CONDITIONS OF  
APPROVAL, PHASING AND AMENDMENT OF A PLAN OF SUBDIVISION AND A  
SURVEYOR GENERAL PLAN, CANCELATION OF PHASING PLAN,  
AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVALS,  
REZONING, SUBDIVISION & DEPARTURE: REMAINDER ERF 2834, SANDBAAL  
(5094/2025)**

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

**Conditions**

1. that all the conditions specified as part of the previously approved land use applications for Remainder Erf 2834 remains relevant and valid and should be adhered to.
2. that the current, signed service level agreement for municipal engineering services remain applicable and valid until a new or revised service level agreement has been concluded.
3. The contribution according to the current policy (2025/2026) is as follows:

**Proposed SDP dated 20 October 2025:**

Water	R 27 598.00 x 995.084	= R 27 462 328.23
Sewerage	R 19 725.00 x 995.084	= R 19 628 031.90
Roads	R 8 845.00 x 2102.74615	= R 18 598 789.70
Stormwater	R 10 205.00 x 618.522333	= R 6 312 020.41
Solid Waste	R 1 769.00 x 1373.380	= <u>R 2 429 509.22</u>
<b>TOTAL (inclusive of VAT)</b>		<b>= <u>R 74 430 679.46</u></b>

**Please note that the above figures:**

- a) Are estimated amounts that may be adjusted.
- b) Are subject to annual tariff adjustments.
- c) Are based on a coverage of 75% and floor factor of 1.5 for Business Erven.
- d) Do not include investigation and connection fees.
- e) Do not include bulk electricity cost. Please contact Overstrand Municipality's Electrical Division for more details.

  
RICARDO ANDREW

  
DATE

**PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL**

**AGENDA of the  
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**2. ERF 3266, 36 PALMIET STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MASS GROUP (PTY) LTD**

**3266 KKM (5074/2025)**

**H van der Stoep  
2 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 29 August 2025 from Plan active on Erf 3266, Kleinmond in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a subdivision in terms of Section 16(2)(d) of the By-Law to subdivide Erf 3266, Kleinmond into 2 portions, namely Portion A ( $\pm 595\text{m}^2$ ) and Portion B ( $\pm 595\text{m}^2$ ).

**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 to subdivide Erf 3266, Kleinmond into 2 portions, namely Portion A ( $\pm 595\text{m}^2$ ) and Portion B ( $\pm 595\text{m}^2$ ), **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
  - (a) that this approval is only for the subdivision as indicated on Subdivision Plan number kleinm3266s.drw dated August 2025, 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;
  - (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, and
  - (e) 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.

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**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.



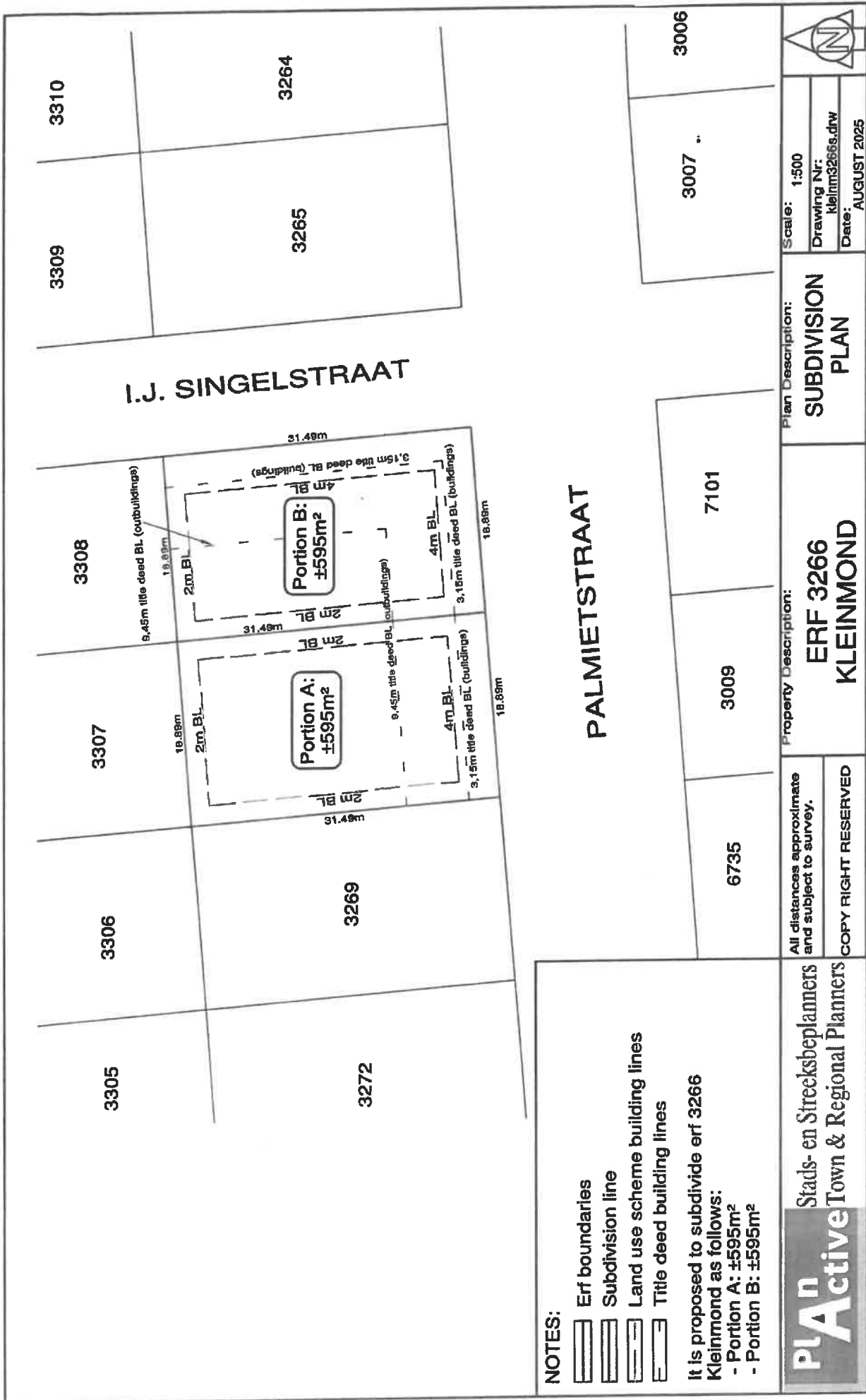
Scale: NTS  
 Drawing Nr: Kleinm3266.dwg  
 Date: AUGUST 2025

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 3266  
 KLEINMOND**

All distances approximate  
 and subject to survey.  
**COPY RIGHT RESERVED**

**Plan Active**  
 Stads- en Sreeksbeplanners  
 Town & Regional Planners



**NOTES:**

- Erf boundaries
- Subdivision line
- Land use scheme building lines
- Title deed building lines

It is proposed to subdivide erf 3266 Kleinmond as follows:  
 - Portion A: ±595m<sup>2</sup>  
 - Portion B: ±595m<sup>2</sup>



Stads- en Strecksbeplanners  
 Town & Regional Planners

All distances approximate and subject to survey.

COPY RIGHT RESERVED

Property Description:

**ERF 3266  
 KLEINMOND**

Plan Description:

**SUBDIVISION  
 PLAN**

Scale: 1:500

Drawing Nr:  
 kleinm3266s.drw

Date:  
 AUGUST 2025



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR SUBDIVISION: ERF 3266, KLEINMOND (5074/2025)**

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.

- 1.3 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>
<b>TOTAL (inclusive of VAT)</b>		<b>=</b>	<b>R109 742.00</b>

**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 3266 shall be used to service the proposed Portion A or Portion B of Erf 3266;

3. that any part of the existing water and sewer services on Erf 3266 that crosses the common boundary of Portion A and Portion B of Erf 3266 shall be disconnected and sealed off;
4. that both the Portion A and Portion 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 Portion B of Erf 3266 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

12/01/2028  
DATE

**PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL**

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**3. ERF 2648, 97 CLARENCE DRIVE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WARREN PETTERSON PLANNING ON BEHALF OF GYRO GROUP PROPERTIES FOR TELKOM SA LTD**

**2648 KBB (4723/2024)**

**H van der Stoep**

**2 February 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 24 July 2024 from Warren Petterson Planning on behalf of Gyro Group Properties for Telkom SA Ltd on Erf 2648, Betty's Bay for a **consent use** in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to accommodate a transmission apparatus, with a height of 25m on the above property.

**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 2648, Betty's Bay for a consent use to accommodate a transmission apparatus, with a height of 25m, **be partially approved** to accommodate a transmission apparatus with a height of **20m** only, in terms of the provisions 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 amended site plans 05430-03 (1-5) dated 19 March 2025 approved by the Western Cape Government: Infrastructure (Road Planning), *except for the height to be amended to reflect 20m only;*
  - (b) that the recommendation of the Visual Impact Assessment dated July 2024 be adhered to only accommodate a 20m transmission apparatus (attached as Annexure H), be complied with;
  - (c) that no further departures of the building height be approved;
  - (d) that the 5m street building line from Clarence Drive (R44) be maintained;
  - (e) 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;
  - (f) that all the conditions in the Services Report be complied with;

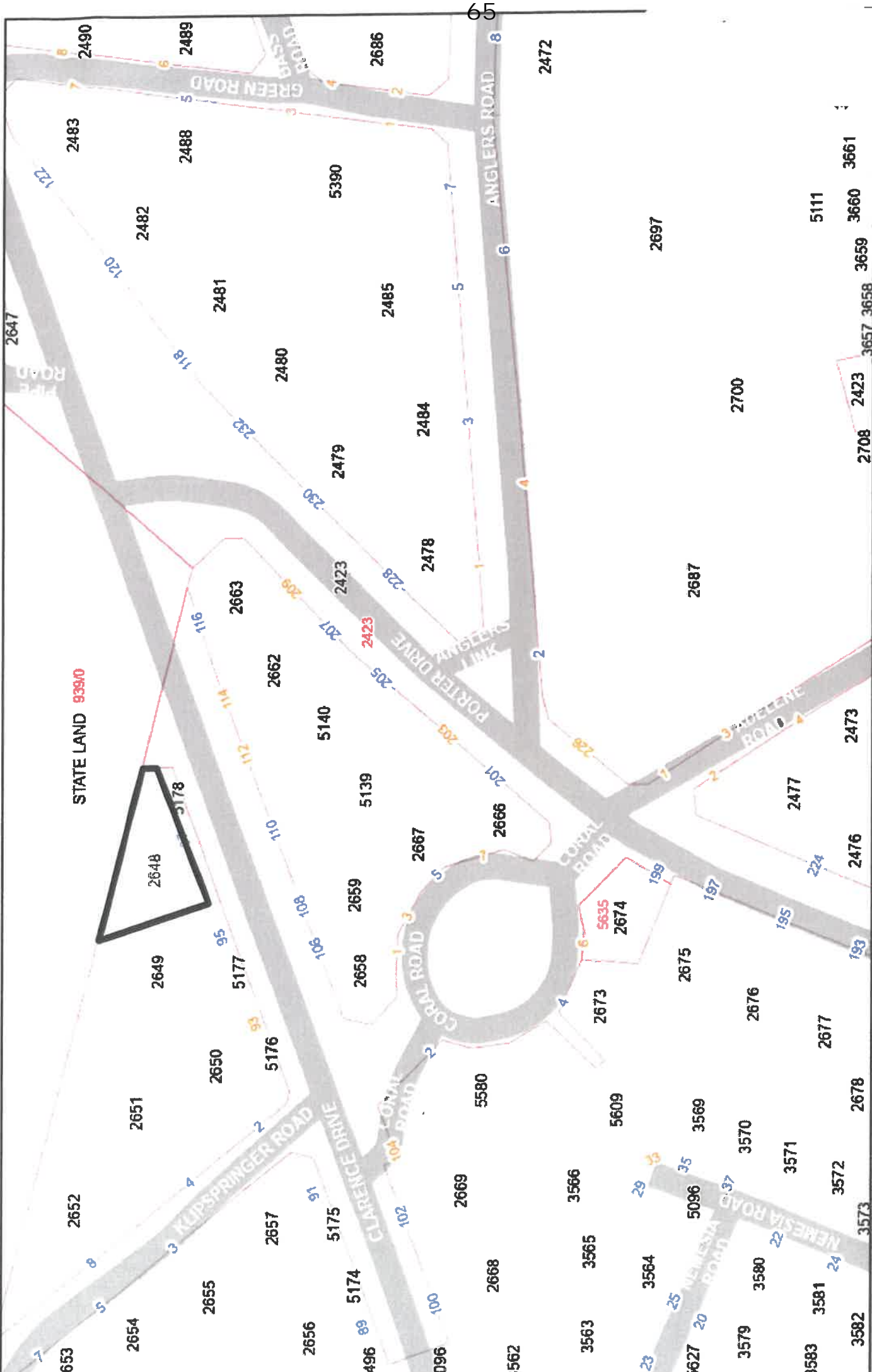
**AGENDA of the  
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- (g) that all the conditions imposed by Eskom be complied with;
  - (h) that all the conditions imposed by Telkom be complied with;
  - (i) that all the conditions imposed by the Western Cape Government: Infrastructure - Road Planning be complied with;
  - (j) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (k) 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 By-Law on Land Use Planning, 2020 with regard to the above decision.

**REASONS FOR RESOLUTION**

- ❖ The erf has the correct zoning since 1942 and has been utilised for communication.
- ❖ All relevant municipal divisions and external departments support the application.
- ❖ The application will have little impact on the surrounding area.
- ❖ The application does not trigger any environmental activities.
- ❖ The 2m lattice mast has been recommended based on the Visual Impact Assessment due to its location adjacent a scenic route.
- ❖ The need for connectivity is evident in the Betty's Bay area.



Locality Map  
Erf 2648 Betty's Bay

Date



**GYRO SITE ID:** 05430-03

**GYRO SITE NAME:** BETTY'S BAY EXCHANGE CELLULAR MAST

**PROPERTY DESCRIPTION:**

ERF 2648, BETTY'S BAY

**ADDRESS:** CLARENCE DRIVE (R44), BETTY'S BAY

**CO-ORDINATES:** **ELEVATION:**  
 Lat: -34.333381°  
 Long: 18.899022°  
 30m



**TOWN AND REGIONAL PLANNING CONSULTANTS**  
 Unit 11, 3rd Floor  
 Market Building, Bridgeway,  
 Century City, Cape Town 7448  
 Tel: (021) 592 5295  
 Fax: (021) 597 8187

**PROJECT:** PROPOSED NEW GYRO 25m LATTICE MAST REPLACEMENT

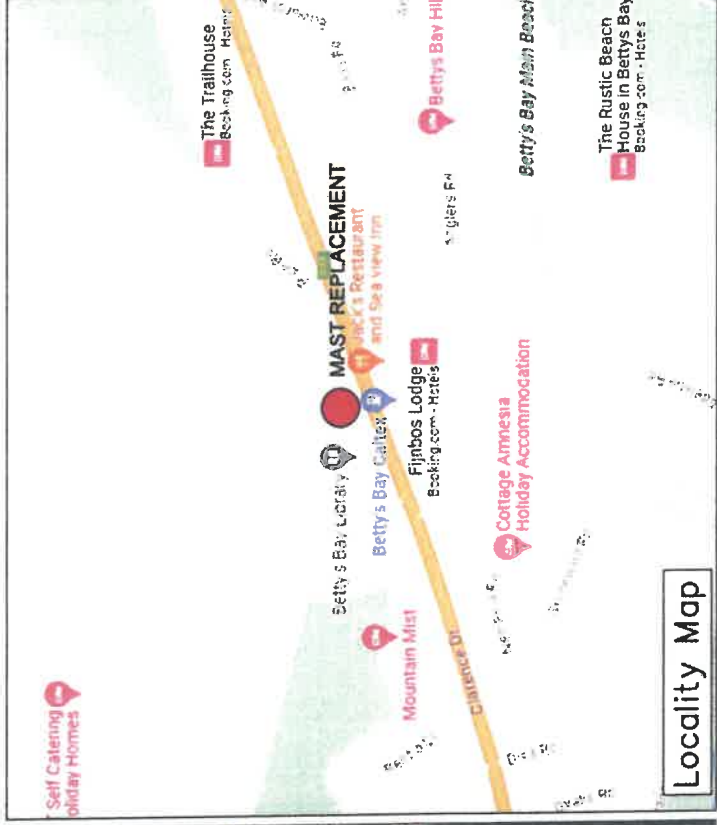
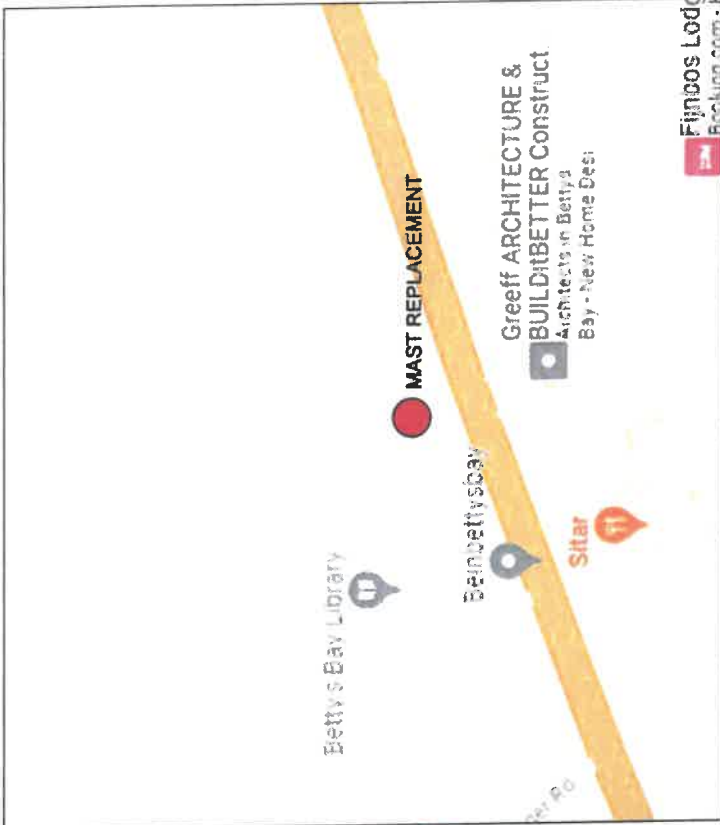
**APPROVED MAST:** 25m LATTICE MAST REPLACEMENT

**NOTES:**  
 A) NEW 25m LATTICE MAST  
 B) NEW MAST REPLACING EXISTING 10m LATTICE MAST  
 C) CUSTOM BASE STATION  
 D) ZONING: UTILITY ZONE  
 E) OWNER: TELKOM S A LTD

DATE	DESCRIPTION	REVISION
07-10-2023	1st Issue	0
19-09-2025	1st Issue	1

**DRAWING NUMBER:** 05430-03  
**SHEET:** 1 OF 5

**DRAWING TITLE:** LOCALITY MAP  
**DRAWN:** R. ROUX  
**SCALE:** NTS  
**DATE:** 2025-03-19  
**REVISION:** 1



Locality Map

Aerial Map

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSENT USE: ERF 2648, BETTY'S BAY  
(4723/2024)**

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

**Conditions:**

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



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

28/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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- 4. ERF 4710, 32 DOLPHIN STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF KOTZE FAMILIE TRUST**

**4710 HNC (4877/2024)**

**H van der Stoep  
13 ebruary 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 28 November 2024 from WRAP Project Office on behalf of Kotze Familietrust on Erf 4710, Hermanus for the following:

- ❖ **Removal of restrictive title deed condition** in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed condition C.4. as contained in the title deed T96754/2004 of the property to accommodate the existing carport and garage.

The restrictive title deed conditions read as follows:

“C. **SUBJECT** to the following conditions contained in Deed of Transfer No. T17598/1947 imposed by the Administrator of the Cape Province in approving 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:*

4. *That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf. No such building or structure shall be situated within 2,38 metres of the lateral boundary common to any adjacent erf.”*

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:
  - Relaxation of the western side and rear building lines from 2m to 1.07m and 0.7m, respectively to accommodate the existing garage, and
  - Relaxation of the western side building line from 2m to 0.84m to accommodate the existing carport.

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- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the illegal structures 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 4710, Hermanus for the removal of restrictive title deed condition C.4. as contained in the Title Deed T96754/2004 of the property to accommodate the existing carport and 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 4710, Hermanus for the following departures:
  - ❖ Relaxation of the western side and rear building lines from 2m to 1.07m and 0.7m, respectively to accommodate the existing garage, and
  - ❖ Relaxation of the western side building line from 2m to 0.84m to accommodate the existing 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 transgressions be limited to the building as per plan numbers erf4710\_kotze\_A1/01-2023AB, erf4710\_kotze\_A1/02-2023AB dated July 2023 and 23.119(001) dated 20 November 2024, submitted with the application;
  - (b) that the amended title deed be submitted for record purposes to the Municipality;
  - (c) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (d) that building plans be submitted to the Municipality showing all building changes, partitioning and correct names of rooms to the satisfaction of the Fire Department and Building Control Department;
  - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;

**AGENDA of the  
Portfolio Committee : Planning & Development  
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- (f) that all other development parameters as prescribed in the relevant Zoning 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 4710, Hermanus for the illegal structures on the property as stipulated above, **be imposed**, and that an administrative penalty of **R11592,72** be payable within sixty (60) days of the final 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**

- ❖ The application has followed due procedure.
- ❖ It is in line with the aims of the Overstrand SDF.
- ❖ No objections were received from neighbours.
- ❖ The structures and use are associated with the residential character of the erf and neighbourhood.

# 1. Locality Plan Erf 4710 - Hermanus

Plan prepared by: Thian Jansen

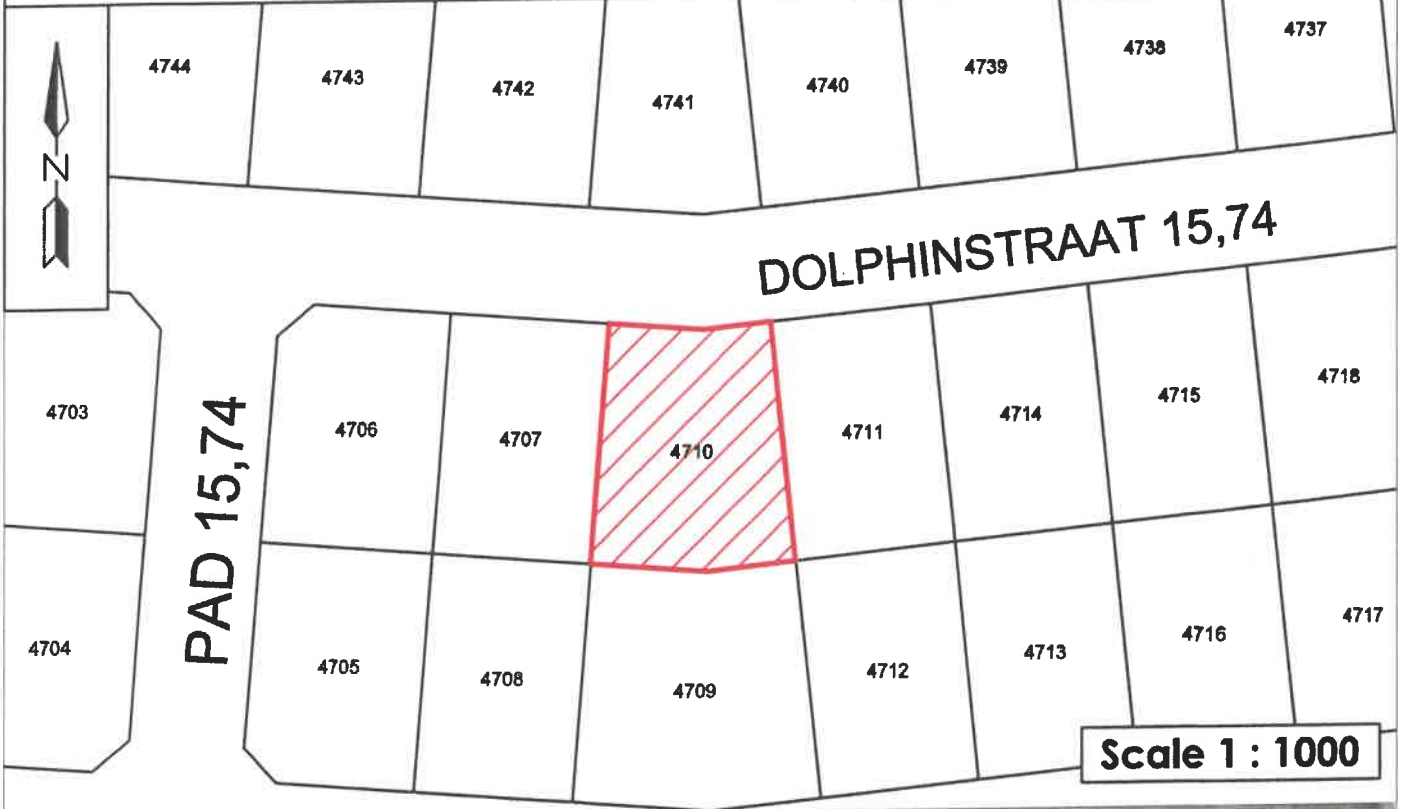
Tel: 028 313 1411

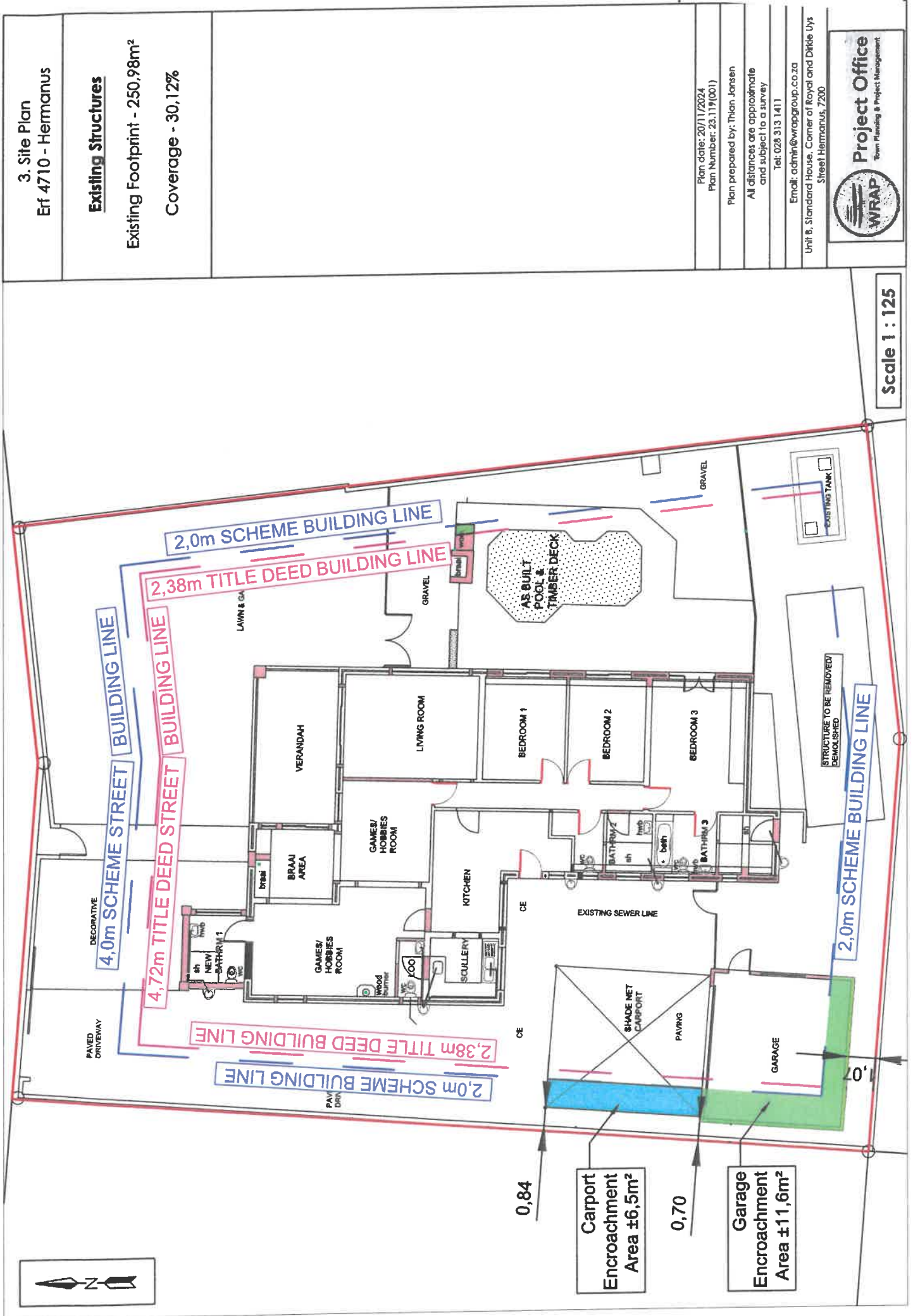
Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management





Email: admin@wrapgroup.co.za  
 Unit 6, Standard House, Corner of Royal and Dikle Oys  
 Street Hermanus, 7200  
 Tel: 028 313 1411

Plan date: 20/11/2024  
 Plan Number: 23.119(001)

Plan prepared by: Thion Jansen  
 All distances are approximate  
 and subject to a survey

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION,  
DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF  
4710, NORTHCLIFF (4877/2024)**

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**

*17/04/2025*  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**5. ERF 7352, 202 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF SNAITH PROPERTIES (PTY) LTD**

**7352 HVK (5058/2025)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**11 March 2026**

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**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 07 August 2025 from Messrs WRAP Project Office on behalf of the property owner on Erf 7352, Voëlklip, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
  - relax the eastern lateral building line from 2m to 0.43m to accommodate the change of use from a garage to a bedroom and bathroom; and
  - relax the eastern lateral building line from 2m to 0.43m to accommodate a portion of the first floor of the existing dwelling.
- ❖ **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 7352, Voëlklip, Hermanus in order to:
  - relax the eastern lateral building line from 2m to 0.43m to accommodate the change of use from a garage to a bedroom and bathroom; and
  - relax the eastern lateral building line from 2m to 0.43m to accommodate a portion of the first floor of the existing dwelling,

**be approved** in terms of the provisions of Section 61 of the By-Law;
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 7352, Voëlklip, Hermanus to accommodate the existing uses and structures on the property, **not be exempt** from the payment of an administrative penalty;

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3. that the recommendation under paragraphs 1. and 2. above is subject to the following conditions:
  - (a) that the approval is only for the encroachments as indicated on Plan number 3 as submitted with the application, provided that the eastern facing window of the first storey cannot be replaced with a sliding door;
  - (b) that building plans be submitted to the Building Control Department within **one-hundred and twenty (120) days** from the date of approval and that all conditions of the Building and Fire Services be complied with at that stage;
  - (c) that an administrative penalty of **R7 513.80** be payable within **sixty (60) days** of the decision;
  - (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.
  
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**

### Reasons for approval.

- ❖ No objections were received against the application.
- ❖ The existing building typology and design is in line with the character of the area.
- ❖ The history of the property establishes site specific reasons why the proposed structures and uses can be supported.
- ❖ The retention of the structures will have minimal impact on the adjacent property owners due to the history of the property.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.

### Reasons for the value of the administrative penalty.

- ❖ Alterations were made to the dwelling without municipal approval.

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- ❖ Due to the history of the property and the non-involvement of the current property owners in the development of the property, a low administrative penalty is proposed.

# Plan 1: Locality & Aerial Plan

## Erf 7352 Hermanus

Plan prepared by: Veronica Jansen

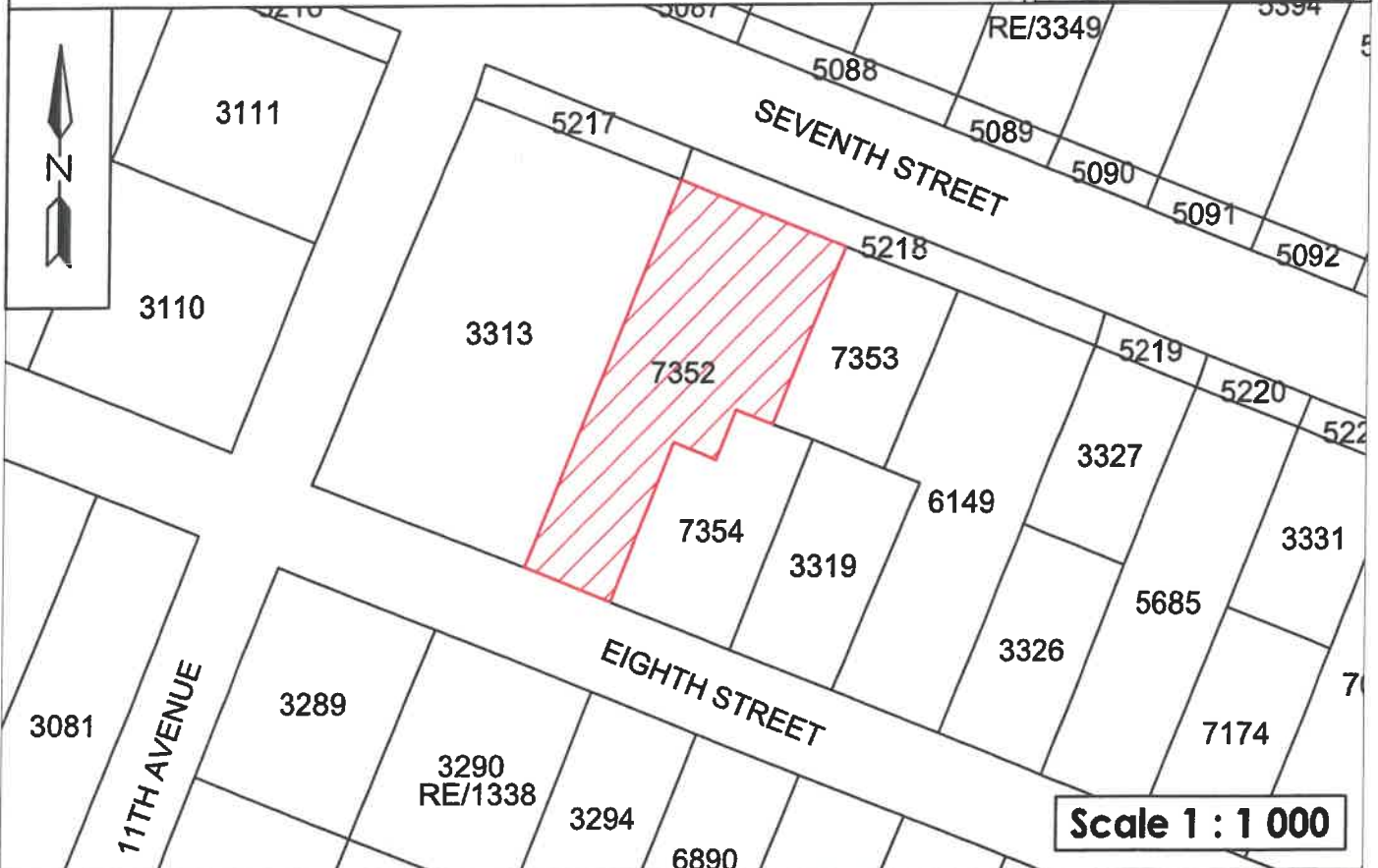
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management



**Plan 3: Departure Plan  
(Ground Floor)**  
Erf 7352 Hermanus

Extent - 1 132m<sup>2</sup>

Coverage - 24,9%

Plan prepared by: Veranica Jansen on 04/08/2025  
Based on plans by DesignLab  
All distances are approximate  
and subject to a survey

Tel: 028 313 1411

Email: adm@wrapgroup.co.za  
Unit B, Standard House, Corner of Royal and Dikkie Uys  
Street Hermanus, 7200



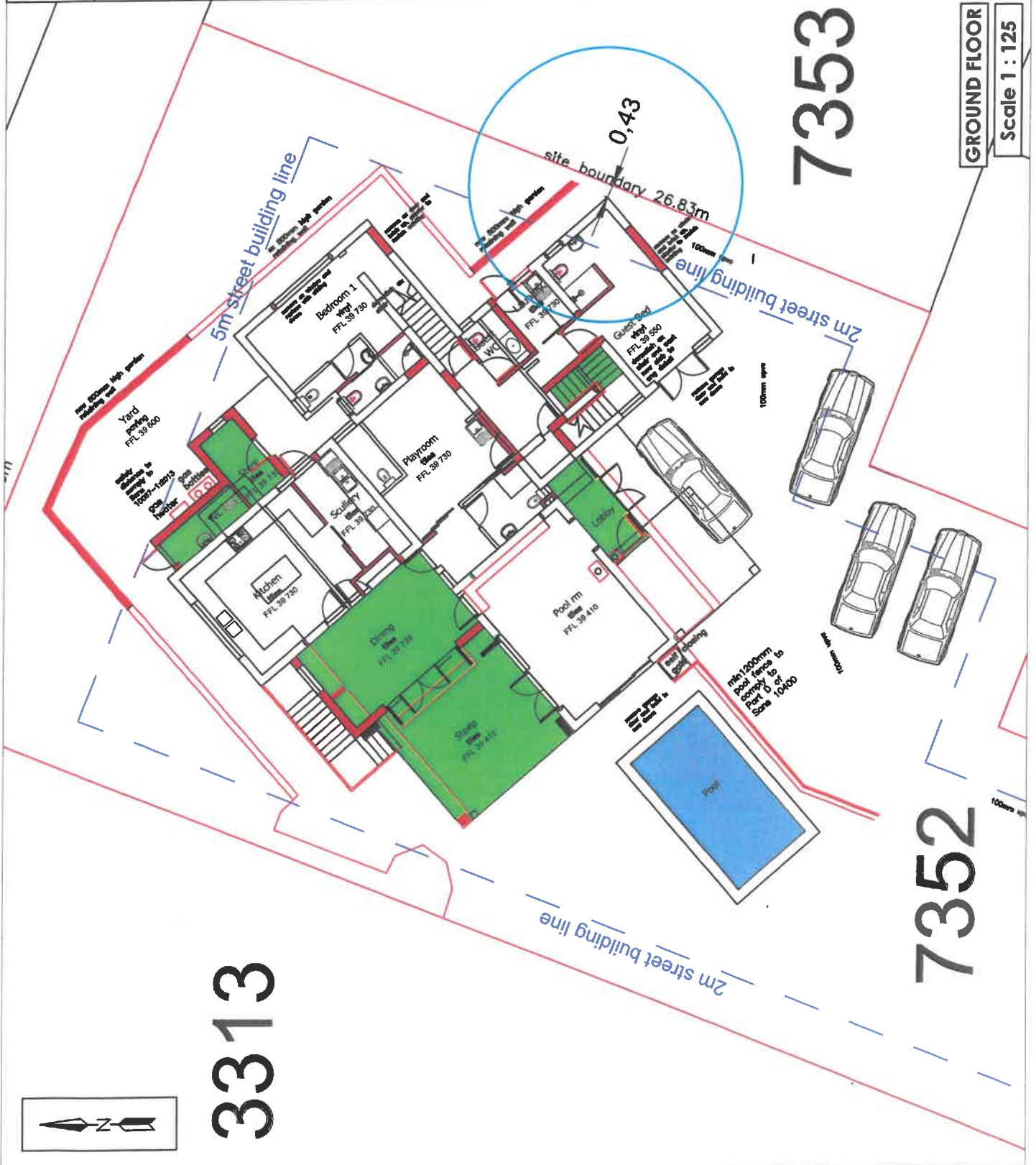
**Project Office**  
Town Planning & Project Management

7353

7352

GROUND FLOOR

Scale 1 : 125



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 7352, VOELKLIP (5058/2025)**

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  
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19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**6. ERF 200, 56 BUI TEKANT STREET, GANSBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: B VAN EEDEN**

**200 GGB (5056/2025)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**23 March 2026**

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**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 06 August 2025 from Benjamin van Eeden applicable to Erf 200, Gansbaai for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
  - relax the northern lateral- and western rear building line from 2m to 0m to accommodate the proposed extended garage and the new storage area;
  - relax the rear building line from 2m to 0.864m to accommodate the new patio, and
  - relax the southern lateral building line from 2m to 1.405m and the western rear building line from 2m to 0.838 and 0.864m to accommodate the change of use from the outbuilding (storage) to a flat.

**RESOLUTION**

1. that 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 200, Gansbaai in order to
  - relax the northern lateral and western rear building line from 2m to 0m to accommodate the proposed extended garage and the new storage area;
  - relax the rear building line from 2m to 0.864m to accommodate the new patio, and
  - relax the southern lateral building line from 2m to 1.405m and the western rear building line from 2m to 0.838 and 0.864m to accommodate the change of use from the outbuilding to a flat,

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

- (a) that this approval is only for the departures as indicated on Drawing No. *VEEDEN-GB-24* dated *22 August 2025* as submitted with the application;

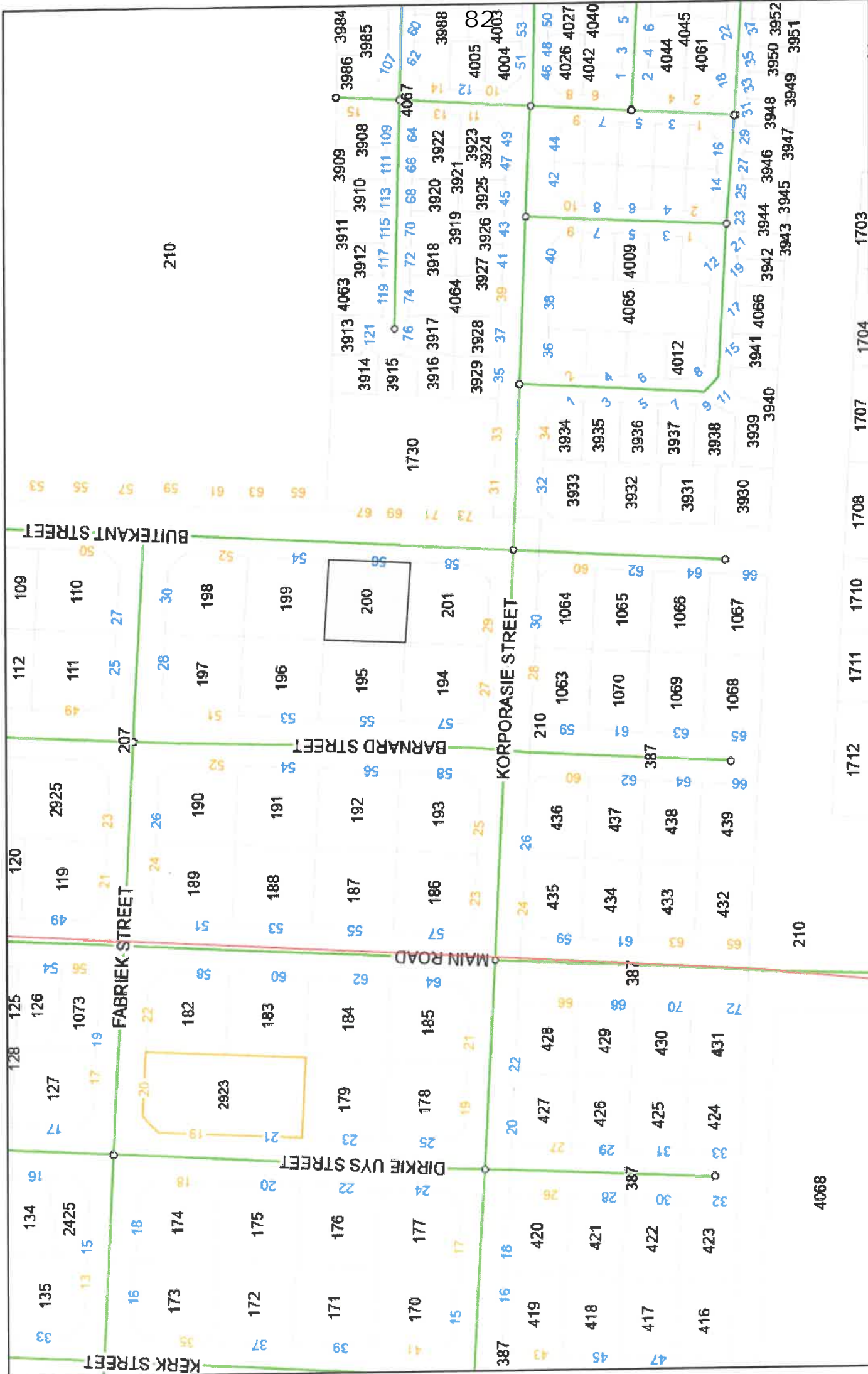
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- (b) that building plans be submitted for all new buildings to the Building Department for approval, and that all conditions of the Building Control- and the Fire Departments be complied with at that stage;
  - (c) that the conditions in the Services Report be complied with;
  - (d) that this approval does not absolve the owner/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
2. 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.
- ❖ 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.
- ❖ The title deed does not contain restrictive conditions that prohibit the proposal.



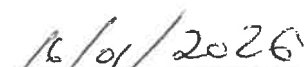
**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 200, GANSBAAI (5056/2025)**

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  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**7. ERF 7324, 4B LINARIA ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLANACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF AS AHLERS**

**7324 HEC (5127/2025)**

**P Roux**

**16 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**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 04 November 2025 from Messrs PlanActive Town- and Regional Planners on behalf of the property owner on Erf 7324, Eastcliff, Hermanus 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 2.9m to accommodate the as-built steel pergola, 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 7324, Eastcliff, Hermanus to relax the street building line from 4m to 2.9m to accommodate the as-built steel pergola, **be approved** in terms of the provisions of Section 61 of the By-Law;
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 7324, Eastcliff, Hermanus to accommodate the existing steel pergola on the property, **not be exempt** from the payment of an administrative penalty;
3. that the recommendation under paragraphs 1. and 2. above is subject to the following conditions:
  - (a) that the approval is only for the encroachment of the pergola as indicated on Plan number *025/DA/01* as submitted with the application;

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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- (b) that building plans be submitted to the Building Control Department within **one-hundred and twenty (120) days** from the date of approval and that all conditions of the Building and Fire Departments be complied with at that stage;
  - (c) that an administrative penalty of **R3 005,52** be payable within **sixty (60) days** of the decision;
  - (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.
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**

- ❖ No objections were received against the application.
- ❖ The existing building typology and design is in line with the character of the area.
- ❖ The structure is uncovered which will allow for minimal use and contributes to the aesthetics of the dwelling.
- ❖ The retention of the structures will have no impact on the adjacent property owners.
- ❖ Alterations were made to the dwelling without municipal approval.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



	<b>Stads- en Streeksbeplanners</b> <b>Town &amp; Regional Planners</b>		All distances approximate and subject to survey.		Property Description: <b>ERF 7324</b> <b>HERMANUS</b>		Plan Description: <b>LOCALITY MAP</b>		Scale: NTS Drawing Nr: herm7324i.drw Date: SEPTEMBER 2025	
	COPY RIGHT RESERVED									

# stijl architecture

by Leon Smith

Shop 45

Hermanus Waterfront  
Old Harbour

Cell: 079 309 8982  
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web: stijlarchitecture.com  
SACAP REG. NO. PAT24691650

LEGEND	
	New work
	Building line encroachment

**SEABROOKE**  
(A.S AHLERS)  
**ERF 7324**  
4 B LINARIA STREET  
EASTCLIFF  
HERMANUS

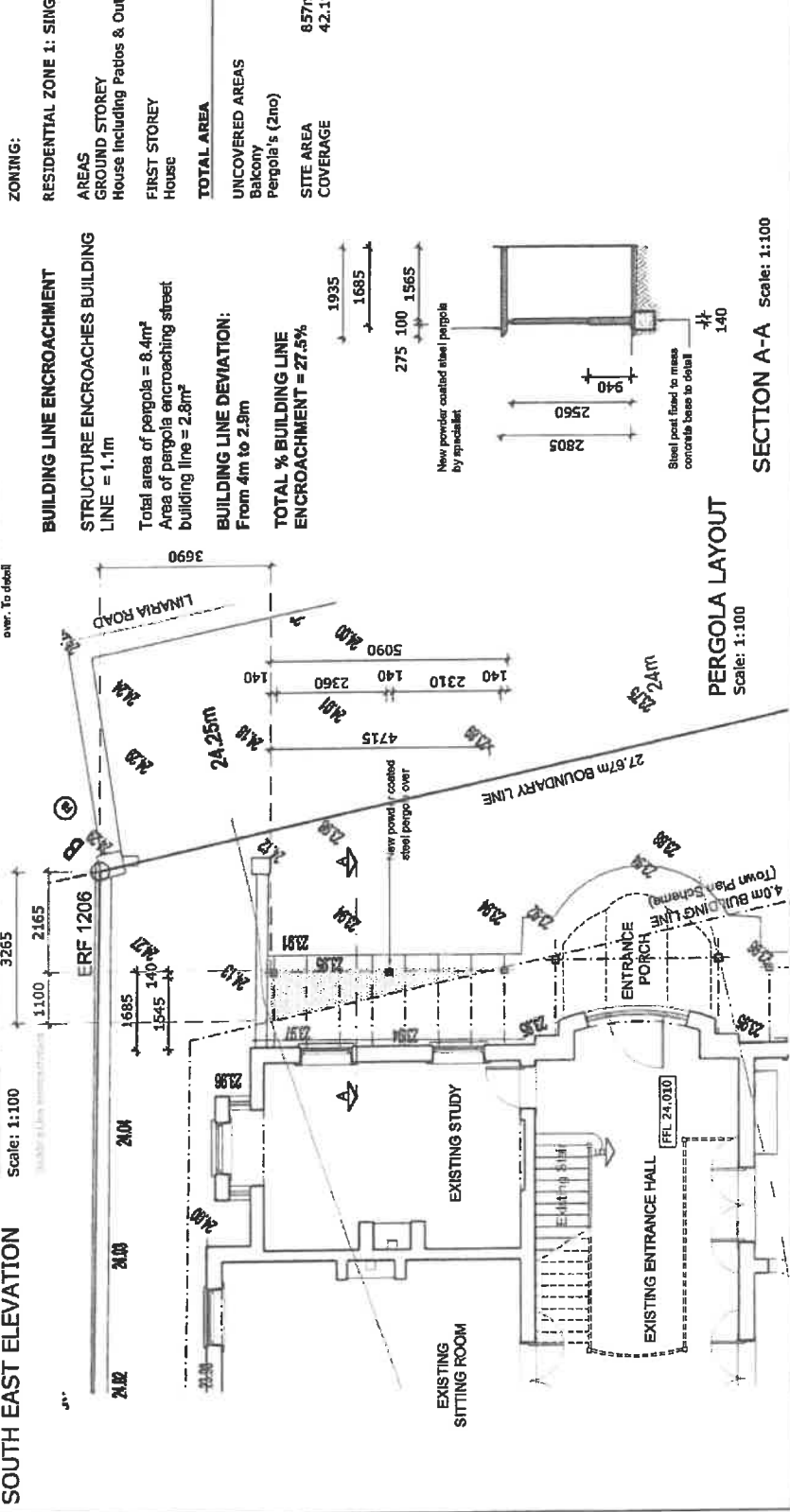
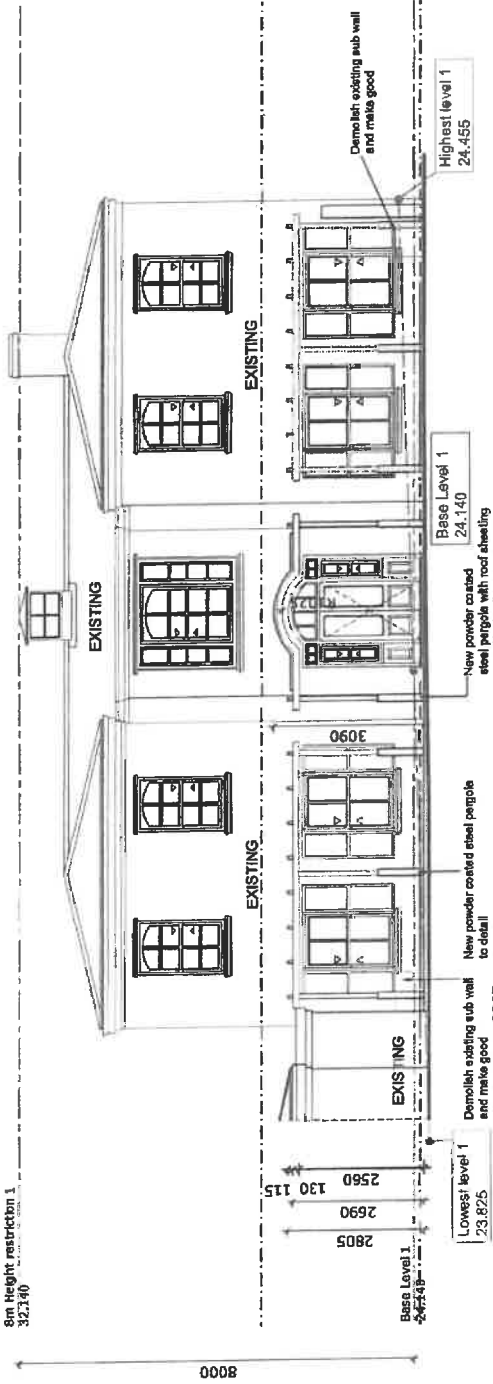
**DRAWING**  
Council Submission  
**LAYOUT,  
SOUTHEAST  
ELEVATION &  
SECTION A-A**

**DWG NO: 025/DA/01**

**SCALE 1:100 @ A3**

**DATE: AUGUST 2025**

**DRAWN: LGS**



**ZONING:**

**RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL**

AREAS	House Including Patios & Outbuildings	360.8m <sup>2</sup>
FIRST STOREY House		221m <sup>2</sup>
<b>TOTAL AREA</b>		<b>581.8m<sup>2</sup></b>

UNCOVERED AREAS	Balcony	16m <sup>2</sup>
Pergola s (2no)		19.6m <sup>2</sup>
<b>SITE AREA</b>		<b>857m<sup>2</sup></b>
<b>COVERAGE</b>		<b>42.1%</b>

**SECTION A-A** Scale: 1:100

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**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 7324, EASTCLIFF (5127/2025)**

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  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

22/01/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**8. ERF 3866, 138 BEACH ROAD, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND ADMINISTRATIVE PENALTY: TV3 PROJECTS (PTY) LTD ON BEHALF OF NP JANSE VAN RENSBURG**

**3866 KKM (4399/2023)**

**H van der Stoep  
3 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 25 May 2023 from TV3 Projects (Pty) Ltd on behalf of NP Janse van Rensburg on Erf 3866, Kleinmond in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the lateral building line from 2m to 1,5m to accommodate the existing bathroom, bedroom and study on top of the garage and a scullery in the main dwelling house.
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the rear building line from 2m to 1,5m to accommodate the existing bathroom, bedroom and study on top of the garage.
- ❖ **Determination of Administrative Penalty** in terms of Section 16.(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the unauthorized building work on top of the garage.

**RESOLUTION**

1. that the objections be noted.
2. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 3866, Kleinmond for a departure to relax the lateral building line from 2m to 1,5m to accommodate the existing bathroom, bedroom and study on top of the garage and a scullery in the main dwelling house, be approved, in terms of Section 61 of the By-Law;
3. 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 3866, Kleinmond for a departure to relax the rear building line from 2m to 1,5m to accommodate the existing bathroom, bedroom and study on top of the garage, **be approved**, in terms of Section 61 of the By-Law;

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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4. that the approvals in Points 2-3 above, be subject to the following conditions:
  - (a) that this approval is only for the development as indicated on the plan numbers 3860/E (2000, 3000 and 2101) 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 Departments be complied with at that stage;
  - (d) that all the conditions in the Services Report 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.
  
5. 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 3866, Kleinmond for the unauthorized building work on top of the garage, **be imposed**, and that an administration penalty fee of **R29 368,89** be payable within sixty (60) days of the final decision.
  
6. that the applicant and the persons who commented 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**

### **POINT 2 – 3**

- ❖ The erf has approved building plans.
- ❖ All relevant municipal divisions support the application.
- ❖ The application will have little impact on the surrounding area.
- ❖ The original building with a double story envelope already impedes the view corridor.
- ❖ The infill of 0,5m will have little impact on privacy and or noise and light pollution.

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**POINT 5**

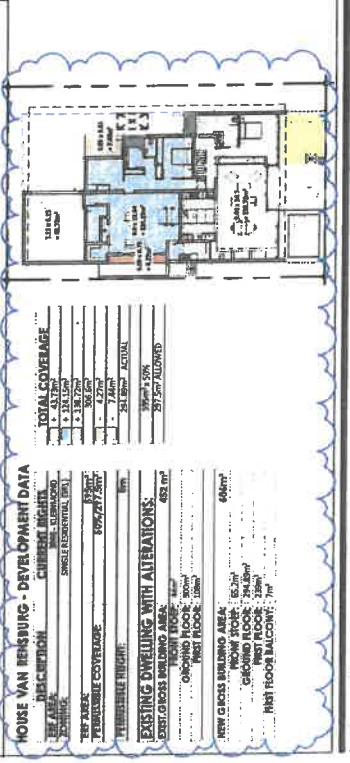
- ❖ The existing landowner is responsible for the illegal building work on the property and therefore an administrative penalty fee is imposed on the subject property.
- ❖ The owner proceeded with the alterations and renovations whilst had full knowledge that the application was not finalized.



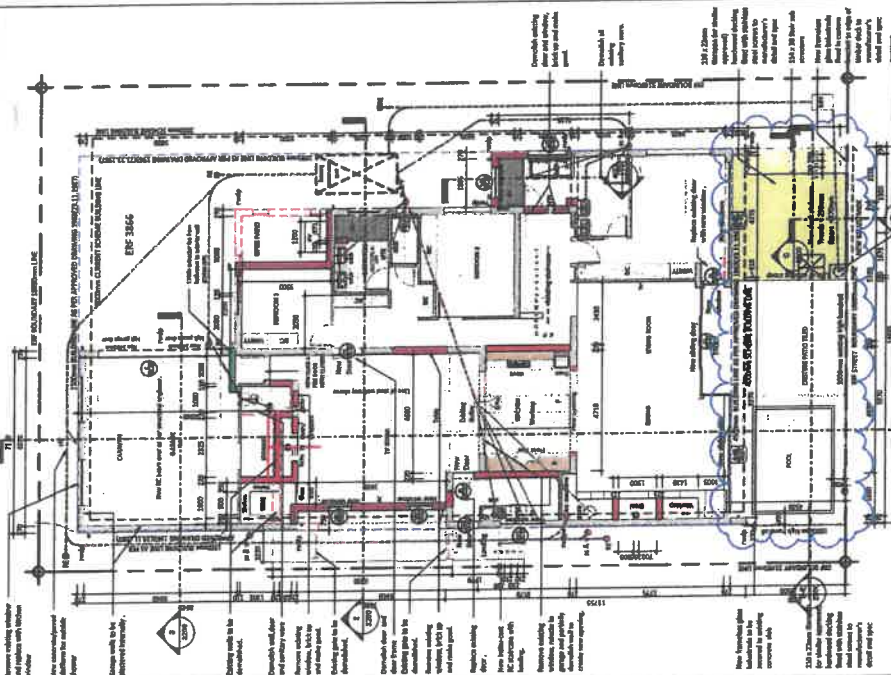
5504



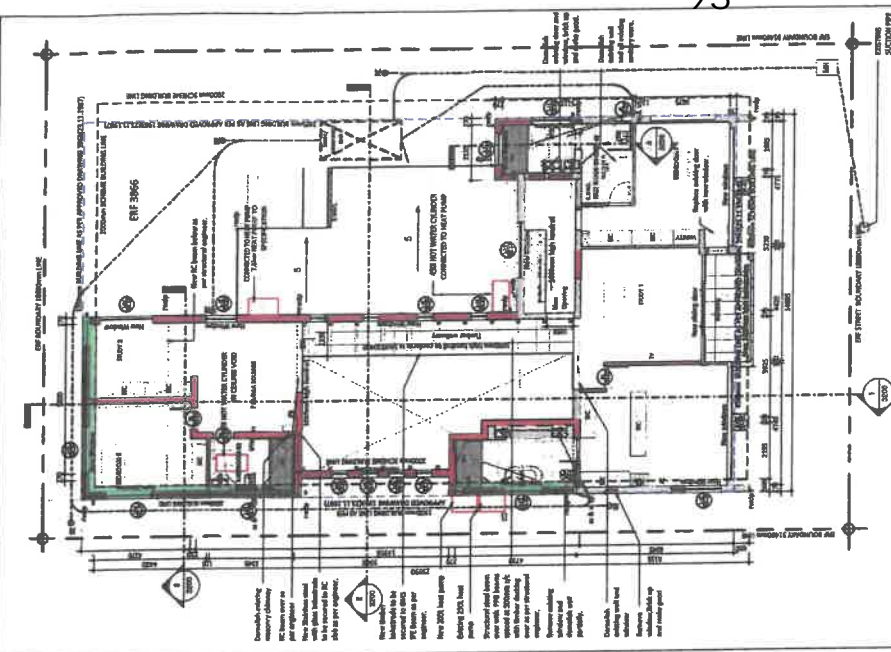
PLAN: 102 - SITE/ROOF PLAN  
SCALE 1:100



PLAN: L-00 Ground Floor  
SCALE 1:100



PLAN: L-00 Ground Floor  
SCALE 1:100



PLAN: L-01 First Floor  
SCALE 1:100

PROJECT DESCRIPTION:

ALTERATIONS TO EXISTING DWELLING

HOUSE VAN RENSBURG, KLEINMOND

ARCHITECTS: SMITH & BROTHERS, INC.

URBAN DESIGNERS: STELLERWISCH

DATE: 11/14/2003

SCALE: AS SHOWN

PROJECT NO: 3860/E/2000

CONSTRUCTION

PLAN: L-01 First Floor  
SCALE 1:100

PLAN: L-00 Ground Floor  
SCALE 1:100

PLAN: 102 - SITE/ROOF PLAN  
SCALE 1:100

PLAN: L-01 First Floor  
SCALE 1:100

PLAN: L-00 Ground Floor  
SCALE 1:100

PLAN: 102 - SITE/ROOF PLAN  
SCALE 1:100

PLAN: L-01 First Floor  
SCALE 1:100

CONSTRUCTION

3860/E/2000

ARCHITECTS: SMITH & BROTHERS, INC.

URBAN DESIGNERS: STELLERWISCH

DATE: 11/14/2003

SCALE: AS SHOWN

PROJECT NO: 3860/E/2000

CONSTRUCTION

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE, ERF 3866, KLEINMOND (4399/2023))**

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 Area Manager: 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.

  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**9. PORTION 8 OF THE FARM DE DRAAY NO 563, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF THE TRUSTEES FOR THE TIME BEING OF THE JACK MITCHELL TESTAMENTARY TRUST**

**RCAL 8/563 (4931/2025)**

**H van der Stoep  
25 February 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application was received on 12 March 2025 from Plan Active Town & Regional Planners on behalf of The Trustees for the Time Being of the Jack Mitchell Testamentary Trust on Portion 8 of the Farm De Draay No. 563 for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the northern lateral building line from 30m to 9,12m and 12,04m respectively to accommodate the additions and alterations to the existing additional dwelling (Building no. 3) on the property.
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to exceed the maximum permissible size of 250m<sup>2</sup> for additional dwellings to accommodate the existing additional dwelling, with a floor area of approximately 286m<sup>2</sup> (Building no. 3).
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for unauthorised building additions and alterations to the existing dwelling (Building no 3).

**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 Portion 8 of the Farm De Draay No. 563 for a departure to relax the northern lateral building line from 30m to 9,12m and 12,04m respectively to accommodate the additions and alterations to the existing additional dwelling (Building no. 3) on the property, **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

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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on Portion 8 of the Farm De Draay No. 563 for a departure to exceed the maximum permissible size of 250m<sup>2</sup> for additional dwellings to accommodate the existing additional dwelling, with a floor area of approximately 286m<sup>2</sup> (Building no. 3), **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 this approval is only for the development as indicated on the site plan number 2424 Rev 00 (0-5) dated 22 August 2024, 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 all the conditions in the Services Report 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.
  
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 Portion 8 of the Farm De Draay No. 563 for unauthorised building additions and alterations to the existing dwelling (Building no. 3) as stipulated above, **be imposed**, and that an administration penalty fee of **R1513-95** be payable within 30 days of the final decision.
  
5. 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 was received.
- ❖ The proposal does not jeopardize character of area.
- ❖ The application is to address the open yard not previously part of the calculations of the allowable 250m<sup>2</sup> for an additional dwelling on farmland. The enclosure of the yard must now be made part of the calculation, which transgresses the allowable 250m<sup>2</sup> for an additional dwelling on farmland.
- ❖ The footprint of the building remains in place.

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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- ❖ The application has followed due procedure.
- ❖ No additional services are required.
- ❖ The application is in line with the planning principles.
- ❖ The administrative penalty be calculated at 5%, since the owner remains responsible for adherence to applicable legislation.
- ❖ The application is to address the open yard not previously part of the calculations of the allowable 250m<sup>2</sup> for an additional dwelling on farmland. The enclosure of the yard must now be made part of the calculation, which transgresses the allowable 250m<sup>2</sup> for an additional dwelling on farmland.
- ❖ The Department of Environmental Affairs and Development Planning did not object to the application.

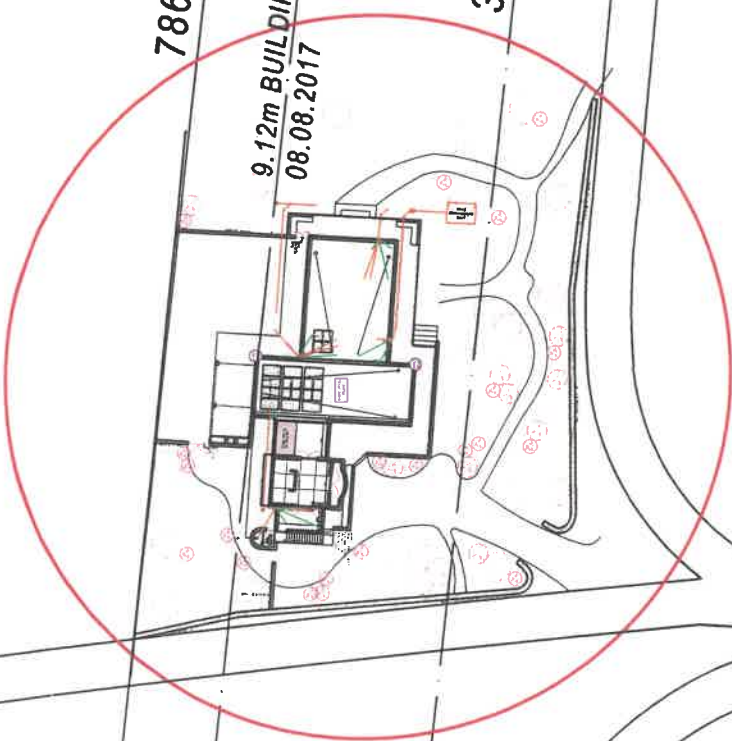


	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: <b>PORTRON 8                  OF THE FARM                  DE DRAAY NO. 563</b>	Plan Description: <b>LOCALITY MAP</b>	Scale: NTS
				Drawing Nr: Item563-localliv.dwg Date: FEBRUARY 2023

786 074mm boundary  
9.12m BUILDING LINE as per departure dated  
08.08.2017

30M BUILDING LINE

40



<b>PERMITS AREA</b>	
REF SIZE	= 30.268M <sup>2</sup>
GROUND FLOOR	= 283.22M <sup>2</sup>
ENCLOSED PERGOLA	= 27.29M <sup>2</sup>
TOTAL SURFACE AREA	= 310.51M <sup>2</sup>
<b>COVERAGES</b>	
BALCONY	= 30.32M <sup>2</sup>
STEEP	= 118.00M <sup>2</sup>
TOTAL ROOF AREA	= 148.32M <sup>2</sup>
<b>PERCENTAGES</b>	
ALLOWABLE COVERAGE	= 50.0%
GROUND FLOOR	= 0.0712%
ENCLOSED PERGOLA	= 0.0079%
BALCONY (NA)	= 0.0083%
STEEP (NA)	= 0.0382%
<b>TOTAL COVERAGE</b>	
TOTAL COVERAGE	= 0.1256%
TOTAL SURFACE AREA	= 310.51M <sup>2</sup>

**PROJECT**  
HOUSE MITCHELLE  
PORTION 9 OF THE FARM THE DRAAY NO 583  
CALEDON (KLEINMOND) 7185

**ADDITIONS & ALTERATIONS**

THIS DOCUMENT SHOULD NOT BE USED FOR ANY OTHER PURPOSE THAN THAT WHICH PREPARED FOR AND WHICH COMMISSIONED FOR ©

**DRAWING**  
site plan

scale: see labels.  
do not scale when printing (A3)

DATE 22 AUGUST 2024  
DWG NO 2424  
REV 00  
DRAWN mng  
CHECKED jh  
signed: date:

OWNER:  
FOR INFORMATION page 0

**DESIGNATELJEE**

(+27 072 865 6941 - JAMBEK@DESIGNATELJEE.CO.ZA  
9 FIBANT CRESCENT - SANDHAAK - HERMANUS - 7200  
WWW.DESIGNATELJEE.CO.ZA  
DIRECTOR: JAMBEK BRITS - PAD 4395724 (SACAP)  
HANNS COETZEE - PR ARCHT 71467 (SACAP)

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN  
ADMINISTRATIVE PENALTY: PORTION 8 OF FARM THE DRAAY NO.  
563, DIVISION CALEDON (4931/2025)**

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 8 of the Farm 563 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 8 of the Farm 563 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 8 of the Farm 563, 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**

05/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**10.ERF 4696, 19 STRAND STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: CK RUMBOLL & PARTNERS ON BEHALF OF MK HOFFMAN GEBOU (PROPRIETARY) LIMITED**

**4696 KKM (4950/2025)**

**H van der Stoep  
25 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application was received on 1 April 2025 from CK Rumboll & Partners on behalf of MK Hoffman Gebou (Pty) Ltd on Erf 4696, Kleinmond in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the southeastern lateral building line from 4,5m to 1,5m to accommodate the proposed new roof over a portion of the existing open balcony on the ground floor of Flat 1 on the property.
- ❖ **departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the southern lateral building line from 4,5m to 2,17m to accommodate the change of use of the existing open balcony on the first floor of Flat 1 on the property to two proposed new bedrooms.

**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 4696, Kleinmond for the following departures:
  - to relax the southeastern lateral building line from 4,5m to 1,5m to accommodate the proposed new roof over a portion of the existing open balcony on the ground floor of Flat 1 on the property, and
  - to relax the southern lateral building line from 4,5m to 2,17m to accommodate the change of use of the existing open balcony on the first floor of Flat 1 on the property to two (2) proposed new bedrooms;

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

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- (a) that this approval is only for the development as indicated on the plan numbers KLM/14319/RP dated February 2025 and B.374.K dated 5 February 2025 (1-2), 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 all the conditions in the Services Report be complied with;
  - (d) that all the conditions imposed by BOCMA be complied with;
  - (e) that all the conditions imposed by Telkom be complied with;
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
  - (g) that all other development parameters as prescribed in the relevant Land Use Scheme and previous approvals 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.

**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 will be utilized more efficiently.
- ❖ The proposed application will not extent the building footprint

LOCALITY OF ERF 4696  
KLEINMOND

REF:  
KLM/14319/RP



LEGEND



The Property

NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

Date:  
FEBRUARY 2025

AUTHORITY:  
OVERSTRAND  
MUNICIPALITY

COMPILED BY:

16 Rainier Street  
Melmesbury  
Tel: 0224871845  
Fax: 0224871661  
planning9@rumboll.co.za

CK RUMBOLL  
a PARTNERSHIP



RE/5504

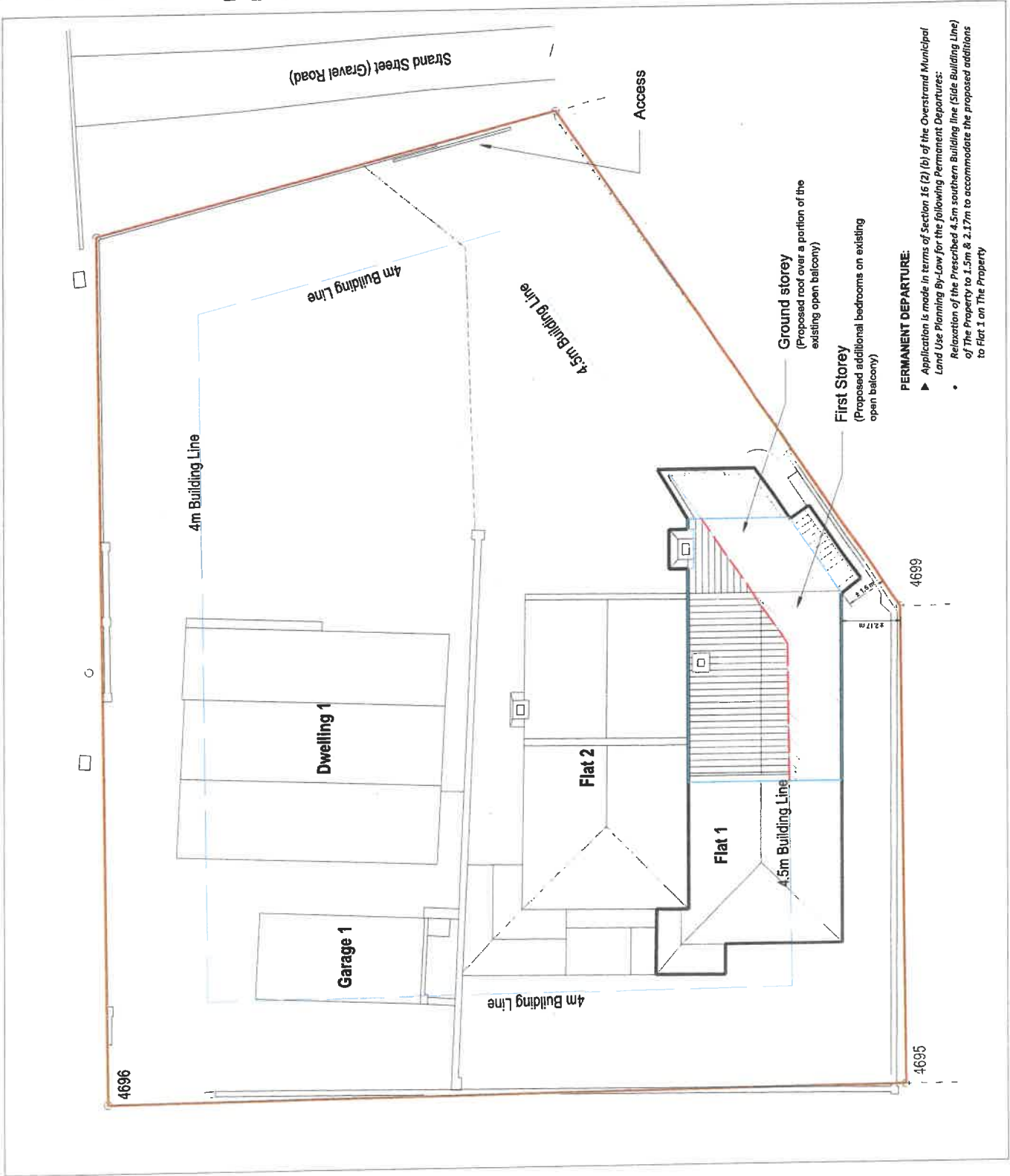
RE/5504

RE/5462

# PERMANENT DEPARTURE: BUILDING LINE RELAXATION

**LEGEND:**

- The Property
  - Flat 1
  - Proposed Additions
  - Dwelling 1 & Flat 2
  - Prescribed Building Line
  - Encroachment Line
- BUILDING LINE ENCROACHMENTS**
- Previously Approved
  - First Storey relaxation applied for
  - Ground Storey relaxation applied for



Drawing: ERF 4696, KLEINMOND - BUILDING LINE DEPARTURE

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING TOWN PLANNERS

C.K. RUMBOLL & VEINOTE  
PROFESSIONAL SURVEYORS

Tel: 021 - 4821945  
Fax: 021 - 4871861  
Email: planning@rumboll.co.za

DATE: February 2025

AUTHORITY: OVERSTRAND MUNICIPALITY

REF: KLM14318RP

**PERMANENT DEPARTURE:**

- ▶ Application is made in terms of Section 16 (2) (b) of the Overstrand Municipal Land Use Planning By-Law for the following Permanent Departures:
  - Relaxation of the Prescribed 4.5m southern Building line (Side Building Line) of The Property to 1.5m & 2.17m to accommodate the proposed additions to Flat 1 on The Property

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 4696, KLEINMOND (4950/2025)**

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: 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

08/07/2025  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**11.ERF 4097, 107 SECOND AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEPARTURE: SCHOONRAAD ARCHITECTS ON BEHALF OF RP & A VAN BILJON**

**4097 KKM (4981/2025)**

**H van der Stoep  
30 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 15 May 2025 from Schoonraad Architects on behalf of RP & A van Biljon on Erf 4097, Kleinmond in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 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 eastern lateral building line from 2m to 0m and to exceed the 9m restriction of a building on one specific boundary to 10,560m to accommodate a proposed new carport.

**RESOLUTION**

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2020 on Erf 4097, Kleinmond for a departure to relax the eastern lateral building line from 2m to 0m and to exceed the 9m restriction of a building on one specific boundary to 10,560m to accommodate a proposed new carport, **be approved** in terms of the provisions 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 15 May 2025, submitted with the application;
  - (b) that no further transgression over the building lines will be allowed, except that is sanctioned by the Overstrand 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 Departments 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.

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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**

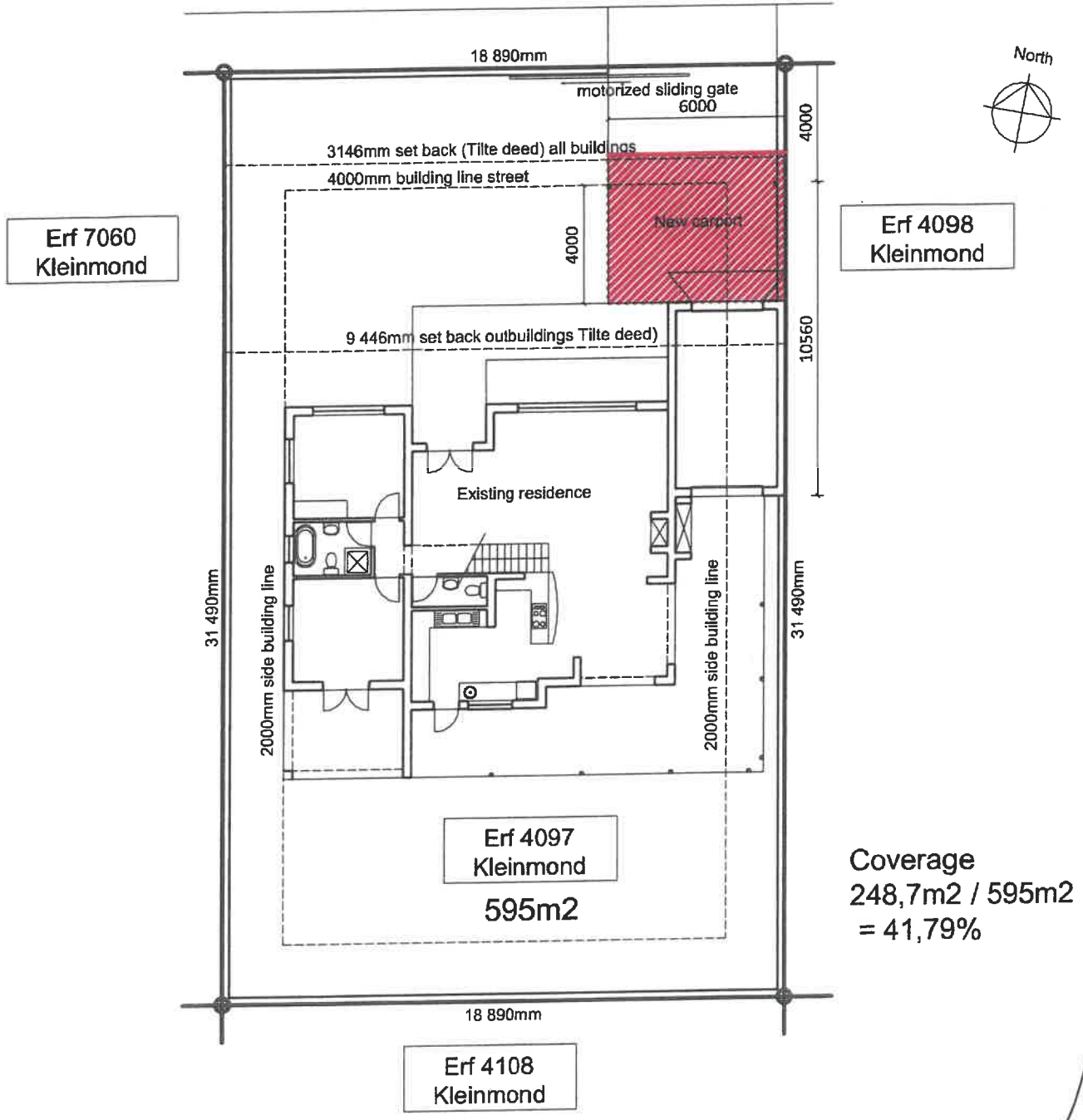
- ❖ The proposed carport will add value to the residential dwelling.
- ❖ The proposed application is in line with the Overstrand Land Use Scheme development parameters for carport transgressing lateral building lines.
- ❖ The neighbours consented to the proposed carport.



Locality Map  
Erf 4097, 107 Second Avenue, Kleinmond

Date: 2025/05/16

# 107 2nd Avenue



Site plan 1:200

## Erf 4097 Kleinmond



15 May 2025

15 MAY 2025

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 4097, KLEINMOND (4981/2025)**

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: 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**

  
DATE

**AGENDA of the  
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**12.ERF 2976, 24 DISA STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: J MINNAAR ON BEHALF OF Z & R VAN DER WALT**

**2976 HON (5016/2025)**

**H Olivier**

**12 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 26 June 2025 from J Minnaar on behalf of Z & R Van Der Walt in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 2976, Onrustrivier for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the southern lateral building line from 2m to 1,2m to accommodate the use change of a garage into a hobby room and a servant's room into a study.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the above-mentioned unauthorized building line encroachments to accommodate the hobby room and study in the existing approved garage and servant's room.

**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 2976, Onrustrivier for a departure to relax the southern lateral building line from 2m to 1,2m to accommodate the use change of a garage into a hobby room and servant's room into a study, **be approved**, in terms of the provisions of Section 61 of the By-Law; subject to the following conditions:
  - (a) that this approval is only for the departure of building lines and is not an approval in terms of any other legislation;
  - (b) that the approval for the departure is only for the development over for the building lines as indicated on the plans ON 2976/2025 (1-2) dated 10 February 2025, submitted with the application;

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- (c) 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 Departments be complied with at that stage;
  - (d) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
  - (e) that all the conditions in the Services Report be complied with.
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 2976, Onrustvriër for the unauthorized use changes over the building line to accommodate portions of the hobby room and study, **be imposed**, and that an administrative penalty fee of **R16 186,00** be payable within sixty (60) days of the final decision.
  3. that the applicant 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 conditions of approval.

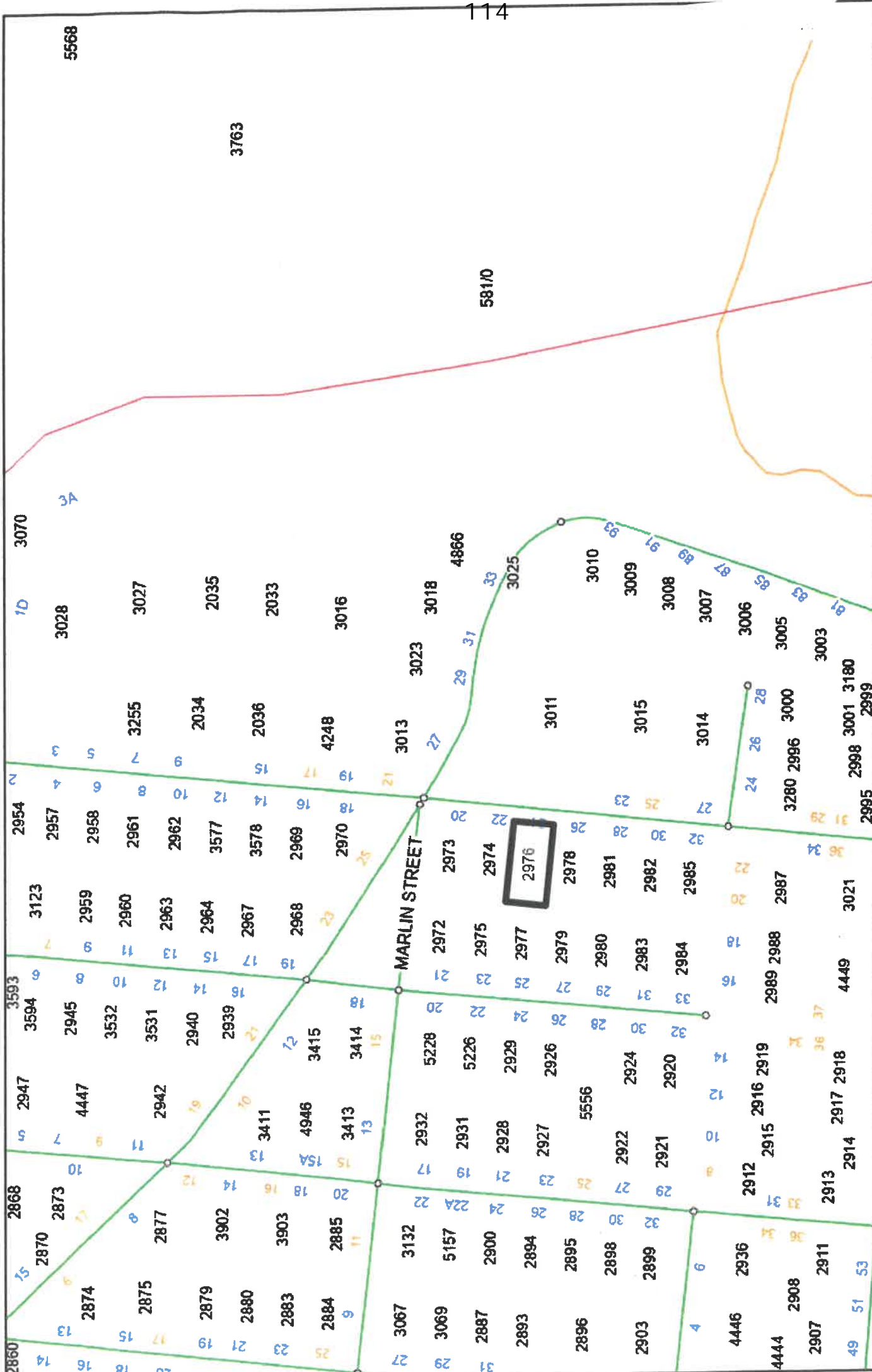
## **REASONS FOR RESOLUTION**

### **POINT 1**

- ❖ The application has followed due procedure.
- ❖ No municipal services will be affected.
- ❖ The garage and servant's quarters were already interleading with the dwelling, and had no windows facing the southern boundary line, therefore the internal changes to a hobby room and study will not impact the privacy of the adjacent property owner.
- ❖ No objections were received from surrounding property owners.
- ❖ All relevant Municipal Departments and Institutions support the application.
- ❖ The application will not have a negative impact on the character of the area.
- ❖ The application is desirable and is supported.

### **POINT 2**

- ❖ Each property owner has the responsibility to ensure all buildings on a property is legal when a property is purchased. A 5% administrative penalty fee is therefore imposed.



ERF 2976, 24 DISA STREET, ONRUST RIVER

Locality Map





**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 2976, ONRUS RIVER (5016/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Eskom Area
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 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  
 PRINCIPAL TECHNOLOGIST:  
 DEVELOPMENT CONTROL

  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**13.ERF 8053, 9 FIFTH AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: J MINNAAR ON BEHALF OF QP & LZ LE ROUX**

**8053 KKM (5018/2025)**

**H van der Stoep  
25 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 30 June 2025 from J Minnaar on behalf of QP & LZ le Roux on Erf 8053, Kleinmond in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **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 0,5m to accommodate the existing pergola.
- ❖ **Determination of Administrative Penalty** in terms of Section 16.(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the unauthorized building work.

**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 8053, Kleinmond to relax the western lateral building line from 2m to 0,5m to accommodate the existing pergola, **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 numbers 080521 SUB-01 & 02 dated 21 May 2021, 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 Departments be complied with at that stage;
  - (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.

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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 8053, Kleinmond to accommodate the unauthorised building work as stipulated above, **be imposed**, and that an administration penalty fee of **R5152,32** be payable within thirty (30) days of the final 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**

#### **POINT 1**

- ❖ The erf has approved building plans.
- ❖ All relevant municipal divisions support the application.
- ❖ The application will have little impact on the surrounding area.
- ❖ The encroachment is minimal and has the support of the affected neighbour.

#### **POINT 2**

The existing landowner is responsible for the illegal building work on the property and therefore an administrative penalty fee is imposed on the subject property.



NOTE: ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

ISSUED FOR SUBMISSION

ENERGY EFFICIENT BUILDING ASSESSMENT (E3) REPORT

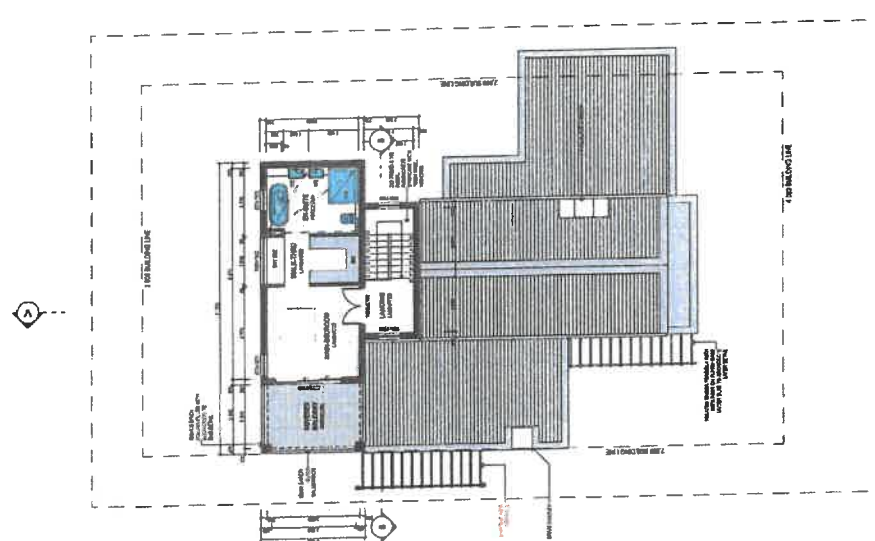
Table with columns: CATEGORY, DESCRIPTION, VALUE, UNIT, COMMENTS. Includes sections for INSULATION, ROOF, FLOOR, WALL, CEILING, LIGHTING, SANITARY, STAIRWAYS, ENERGY EFFICIENCY, and other building systems.



PRIMERCA ARCHITECTURE  
1000 WEST 10TH AVENUE, SUITE 1000  
DENVER, CO 80202

QUINTON PETER & LORETTA BELLALE POUZ  
PROPOSED NEW DWELLING - RIBER PLAN  
5TH AVENUE, KLEINWOOD  
ERF 4633, 4632, 7933

Table with columns: CATEGORY, DESCRIPTION, VALUE, UNIT, COMMENTS. Includes sections for INSULATION, ROOF, FLOOR, WALL, CEILING, LIGHTING, SANITARY, STAIRWAYS, ENERGY EFFICIENCY, and other building systems.



BASE FROM ROOF ASSEMBLY CALCULATOR

Table with columns: CATEGORY, DESCRIPTION, VALUE, UNIT, COMMENTS. Includes sections for INSULATION, ROOF, FLOOR, WALL, CEILING, LIGHTING, SANITARY, STAIRWAYS, ENERGY EFFICIENCY, and other building systems.

SCHEDULE OF AREAS

Table with columns: CATEGORY, DESCRIPTION, VALUE, UNIT, COMMENTS. Includes sections for INSULATION, ROOF, FLOOR, WALL, CEILING, LIGHTING, SANITARY, STAIRWAYS, ENERGY EFFICIENCY, and other building systems.

COVERED PERGOLA

32.60m<sup>2</sup>

GENERAL CONSTRUCTION: ALL CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

FOUNDATION CONSTRUCTION: ALL FOUNDATION CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

FLOOR CONSTRUCTION: ALL FLOOR CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

WALL CONSTRUCTION: ALL WALL CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

ROOF CONSTRUCTION: ALL ROOF CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

CEILING: ALL CEILING CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

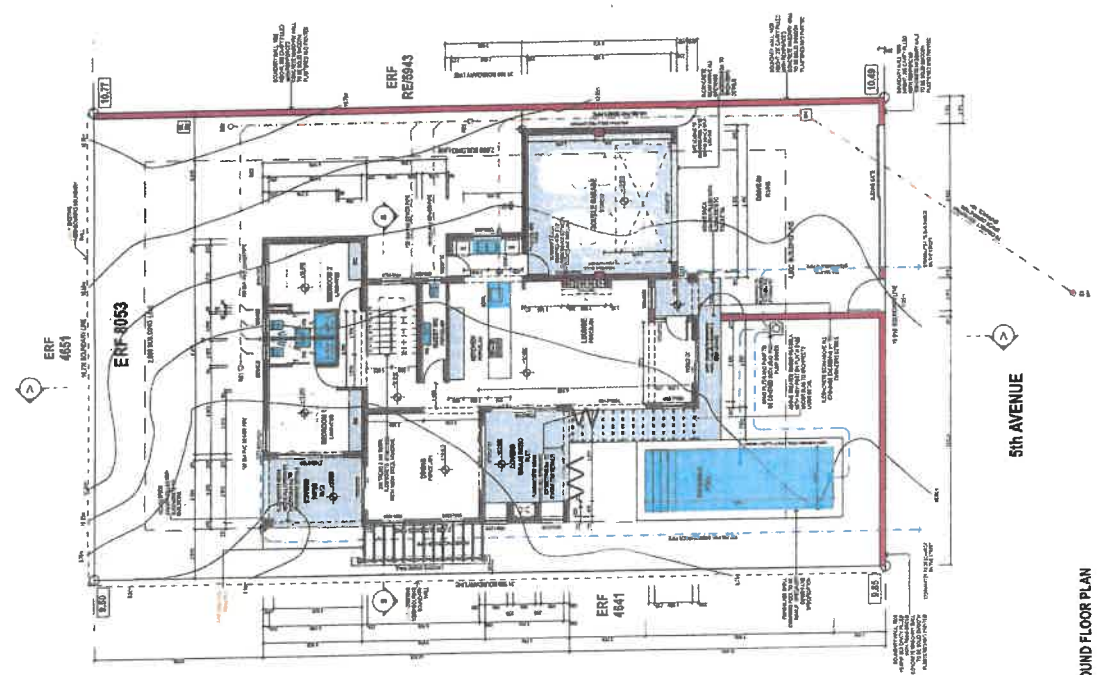
LIGHTING VENTILATION & GLAZING: ALL LIGHTING VENTILATION & GLAZING CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

SANITARY & STORM WATER DISPOSAL: ALL SANITARY & STORM WATER DISPOSAL CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

STAIRWAYS & BALUSTRADES: ALL STAIRWAYS & BALUSTRADES CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

ENERGY EFFICIENCY: ALL ENERGY EFFICIENCY CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.

OTHER: ALL OTHER CONSTRUCTION SHALL BE TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL BUILDING REGULATIONS AND THE NATIONAL FIRE BRANCH REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.



SITE & GROUND FLOOR PLAN

5th AVENUE

ERF 4633, 4632, 7933

COVERED PERGOLA

32.60m<sup>2</sup>

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**14.ERF 3082, 42 DF STRAUSS STREET, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: SJ & R POOLE**

**3082KKM (5062/2025)**

**H van der Stoep  
25 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 14 August 2025 from SJ & R Poole on Erf 3082, Kleinmond in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a departure to relax the lateral building line from 2m to 1,5m and to exceed the 9m restriction of a building on one specific boundary to 13,58m to accommodate a proposed new garage.

**RESOLUTION**

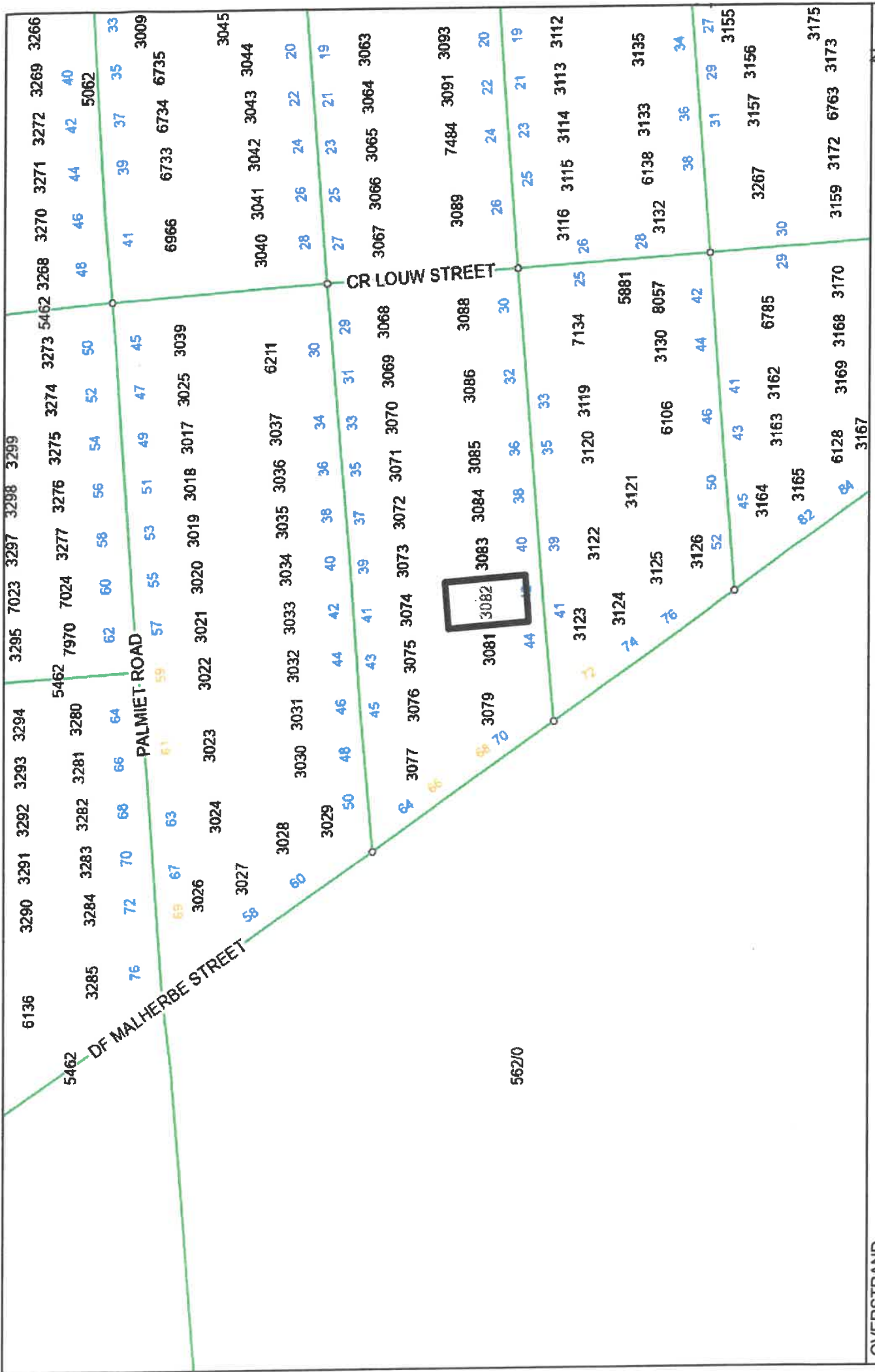
1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 3082, Kleinmond for a departure to relax the lateral building line from 2m to 1,5m and to exceed the 9m restriction of a building on one specific boundary to 13,58m to accommodate a proposed new 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 development as indicated on the plan numbers 0725-A1-300 Rev H3 dated 4 June 2025 and 725-A1-200 Rev H5 dated 29 June 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 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.

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**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  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**15.ERF 516, 4 DISA STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR DEPARTURE: FUTURE PLAN TOWN AND REGIONAL  
PLANNERS ON BEHALF OF PETERSEN MAREE PROPERTIES (PTY) LTD**

**516 HHW (5085/2025)**

**H Olivier**

**9 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 6 October 2025 from Future Plan Town and regional Planners on behalf of Petersen Maree Properties (Pty) Ltd on Erf 516, Hawston in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a **departure** to relax the rear building line from 2m to 0m and the eastern lateral building line from 2m to 0m to accommodate the proposed new storeroom (with toilet facilities).

**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 516, Hawston for a departure to relax the rear building line from 2m to 0m and the eastern lateral building line from 2m to 0m to accommodate the proposed new storeroom (with toilet facilities), **be approved**, in terms of the provisions of Section 61 of the By-Law; subject to the following conditions:
  - (a) that this approval is only for the departure of the building line and is not an approval in terms of any other legislation;
  - (b) that the approval for the departure is only for the development over for the building lines as indicated on plan number 516HAW (2024-12)-01/A3 - REV A dated 5 December 2024, and the elevation plans submitted with the application;
  - (c) that building plans be submitted to the Building Department, and that all conditions of the Building and the Fire Departments be complied with at that stage;
  - (d) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with,
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and

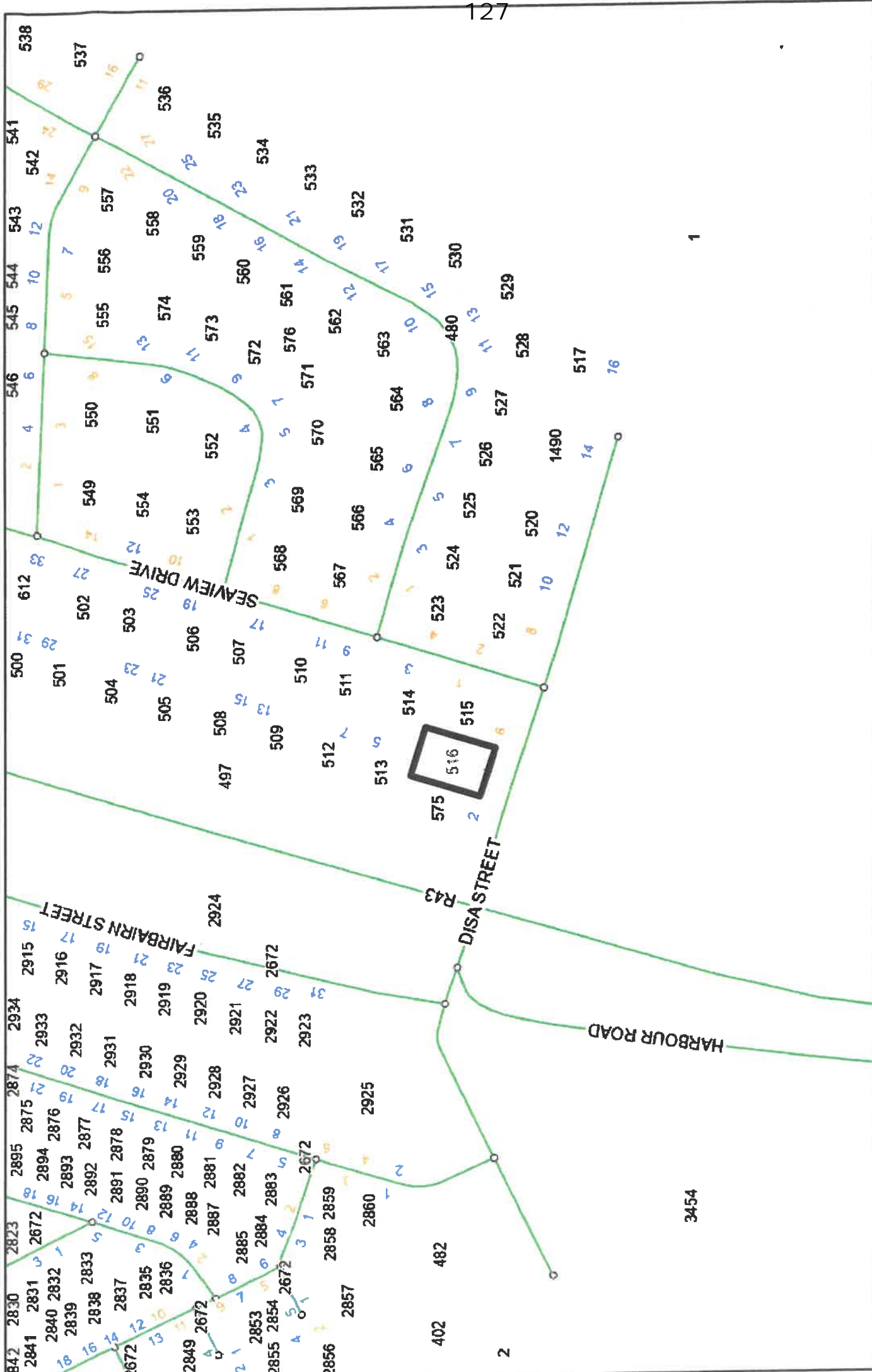
**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

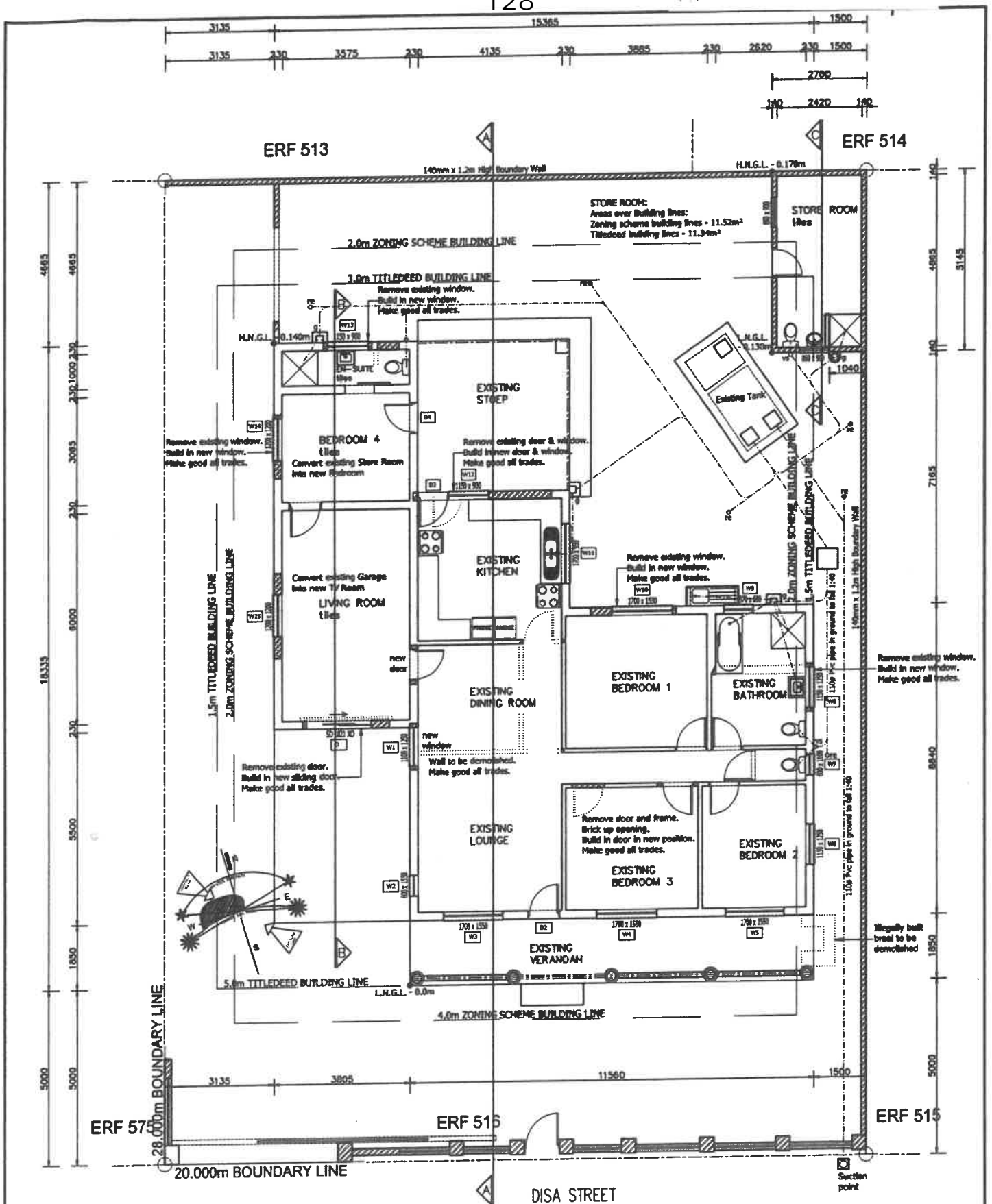
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- (f) that all the conditions in the Services Report be complied with.
2. that the comments from Telkom **be noted**.
  3. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decision.


**REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ The application is supported by all relevant Municipal and State departments/branches.
- ❖ No new municipal services will be needed.
- ❖ The placement of the existing dwelling and conservancy tank limits the placement of a storeroom.
- ❖ The encroachment of the rear and lateral building line will not impact the surrounding property owners as the building will not be habitable and relatively small (13,9m<sup>2</sup>) and low(2,9m<sup>2</sup>) structure.
- ❖ No objections were received from surrounding properties owners in the public participation process.
- ❖ The application will not have a negative impact on the character of the area or the surrounding neighbours and is desirable.





Site- & Ground Storey Plan  
Scale 1:100

<p><b>PROJECT</b></p> <p>ALTERATIONS &amp; STORE ROOM ON ERF 516 DISA STREET HAWSTON</p> <hr/> <p><b>CLIENT</b></p> <p>PETERSEN MAREE PROPERTIES PROPRIETARY LIMITED</p>	<p><b>REVISION</b></p> <p>SITE- &amp; FLOOR PLAN</p> <p>COUNCIL SUBMISSION</p> <hr/> <p><b>SCALE</b></p> <p>1:100</p> <p><b>DATE</b></p> <p>05 DECEMBER 2024</p> <p><b>DRAWING NO.</b></p> <p>SLP/WH/2024-12-01/13-REV A</p>	<p><b>AREAS</b></p> <table border="1"> <tr> <td>EXISTING DWELLING</td> <td>160.35 m<sup>2</sup></td> </tr> <tr> <td>EXISTING STOEP</td> <td>18.75 m<sup>2</sup></td> </tr> <tr> <td>EXISTING VERANDAH</td> <td>31.39 m<sup>2</sup></td> </tr> <tr> <td>NEW STORE ROOM</td> <td>13.89 m<sup>2</sup></td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>224.38 m<sup>2</sup></b></td> </tr> <tr> <td><b>ERF</b></td> <td><b>560.00 m<sup>2</sup></b></td> </tr> <tr> <td><b>COVERAGE</b></td> <td><b>40.10 %</b></td> </tr> </table>	EXISTING DWELLING	160.35 m <sup>2</sup>	EXISTING STOEP	18.75 m <sup>2</sup>	EXISTING VERANDAH	31.39 m <sup>2</sup>	NEW STORE ROOM	13.89 m <sup>2</sup>	<b>TOTAL</b>	<b>224.38 m<sup>2</sup></b>	<b>ERF</b>	<b>560.00 m<sup>2</sup></b>	<b>COVERAGE</b>	<b>40.10 %</b>	<p><b>C. F. Geldenhuys</b> FINELINE DRAFTING</p> <hr/> <p>P.O. BOX 517 OLENDON 7230 C.GELDENHUYS - 082 636 8631 SACAP - PAD : 20718</p> 
EXISTING DWELLING	160.35 m <sup>2</sup>																
EXISTING STOEP	18.75 m <sup>2</sup>																
EXISTING VERANDAH	31.39 m <sup>2</sup>																
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<b>ERF</b>	<b>560.00 m<sup>2</sup></b>																
<b>COVERAGE</b>	<b>40.10 %</b>																

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE : ERF 516, HAWSTON (5085/2025)**

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 to the development, should a larger capacity be required, the upgrading will be 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  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**16.ERF 2118, 1 TURTLE CLOSE, VERMONT, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR DEPARTURE: FOR.SITE DESIGN & CONSULT ON  
BEHALF OF AA WEAKLEY**

**2118 HVM (5130/2025)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**10 March 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 11 November 2025 from For.Site Design and Consult on behalf of AA Weakley on Erf 2118, Vermont in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a departure to relax the western lateral building line from 2m to 1m to accommodate the change of an existing outside shower into a shower room.

**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 2118, Vermont for a departure to relax the western lateral building line from 2m to 1m to accommodate the change of an existing outside shower into a shower room, **be approved**, in terms of the provisions of Section 61 of the By-Law; subject to the following conditions:
  - (a) that this approval is only for the departure of the building line and is not an approval in terms of any other legislation;
  - (b) that the approval for the departure is only for the development over for the building line as indicated on plan WEA-24 (1-3) Rev A, dated 11 June 2025, and the elevation plans submitted with the application;
  - (c) that building plans be submitted to the Building Department, and that all conditions of the Building and the Fire Departments be complied with at that stage;
  - (d) that all other development parameters as prescribed in the relevant land Use Scheme be complied with;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (f) that all the conditions in the Services Report be complied with.

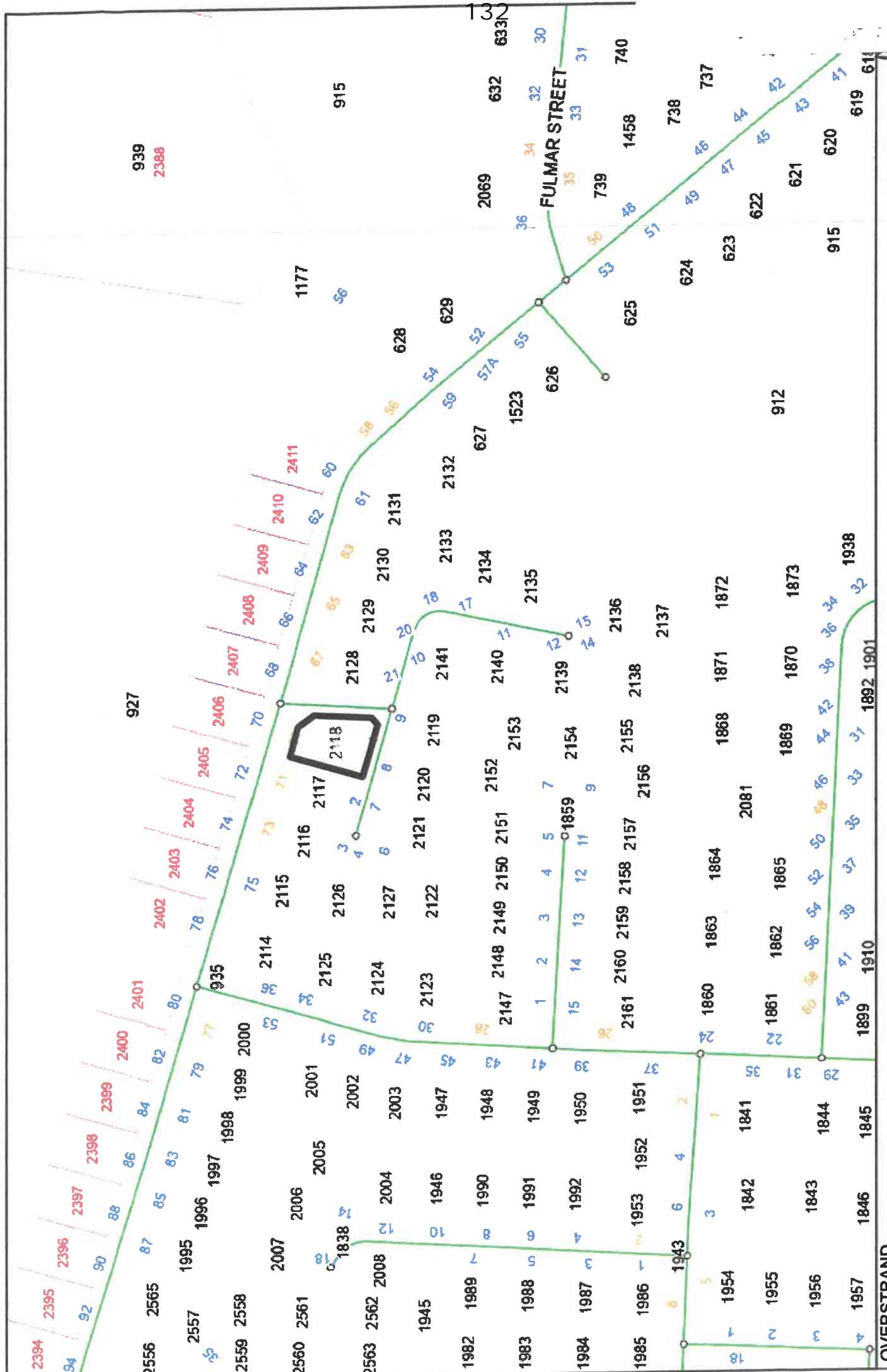
**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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2. that the comments from Telkom **be noted**.
3. that the applicant 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 conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ The proposal for a shower room over the lateral boundary will have a low impact on neighbours and the character of the area.
- ❖ The application has followed due procedure.
- ❖ The application is supported by all relevant Municipal and State departments/branches.
- ❖ The next-door neighbour consented to the encroachment.
- ❖ No new municipal services will be needed.



939  
2388

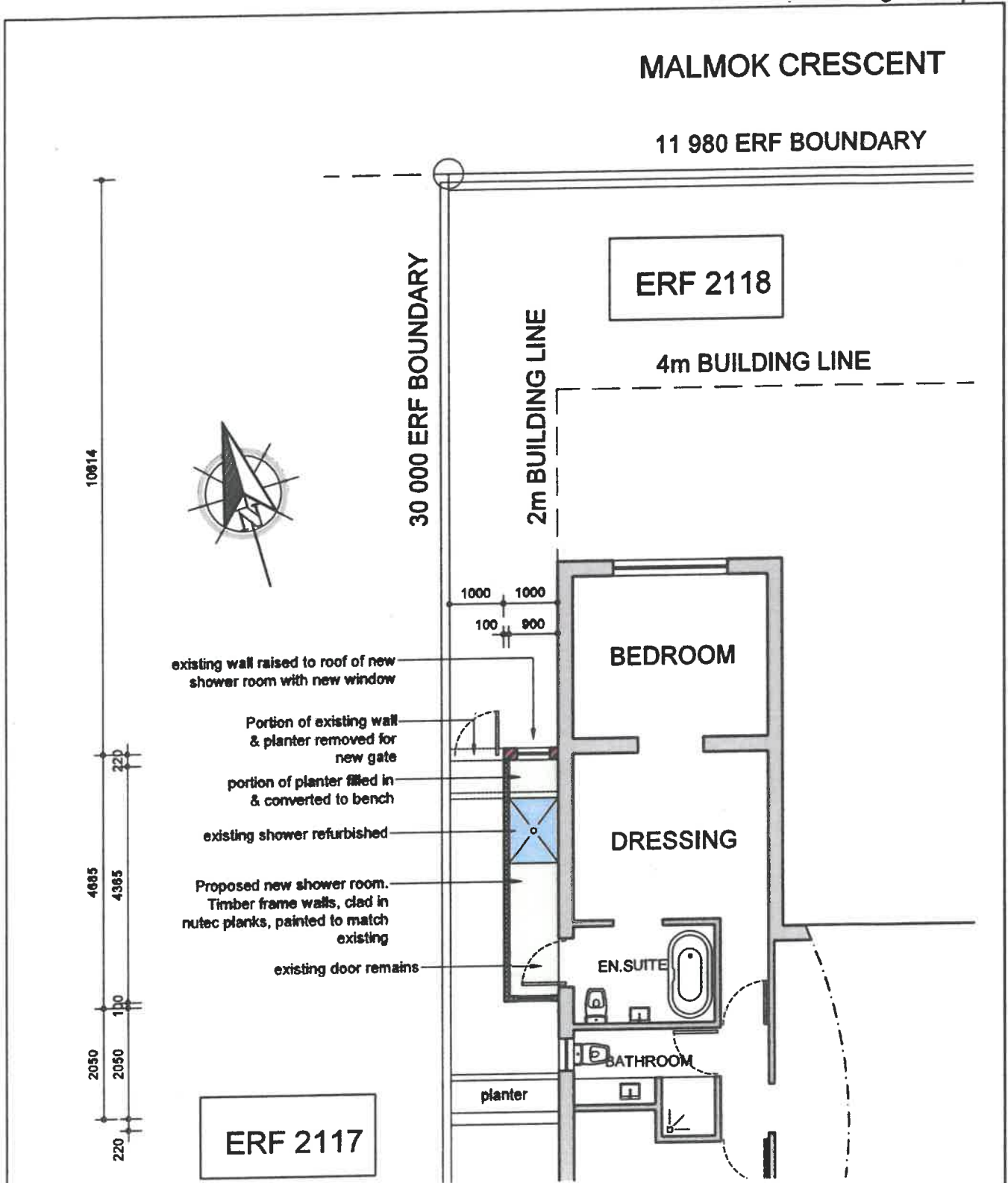


OVERSTRAND  
MUNICIPALITY

Locality Map

Erf 2118, 1 Turtle Close, Vermont

Date: 2025



FLOOR PLAN - SCALE 1:100

**For.Site**  
design + consult

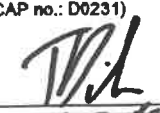
phone: 076 112 1811  
email: info@teamforsite.com  
www.teamforsite.com

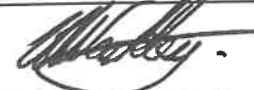
Project: **House Weakley**  
Alterations to Existing  
Drawing for information only

Address: **1 Turtle Close**  
**Erf 2118**  
**Vermont**

Date: 11 June 2024  
Drawing No: WEA-24.1 Rev A  
File Name: WEAKLEY

T Dillon (SACAP no.: D0231)



Client:  Sign

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 2118, VERMONT (5030/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Eskom Area
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 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  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

23/01/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**17.ERF 2064, 48 SIXTH STREET, VOËLKLIP, HERMANUS: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: WRAP PROJECT OFFICE ON BEHALF OF THE TRUSTEES OF MULLER FAMILIETRUST**

**2064 HVK (4955/2025)**

**P Roux**

**04 March 2026**

**(028) 313 8900**

**Hermanus Administration**

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**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 April 2025 from Messrs WRAP Project Office on behalf of the property owner on Erf 2064, Voëlklip, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to relax the following:
  - western lateral building line from 2m to 0m to accommodate the existing covered stoep;
  - western lateral building line from 2m to 0m to accommodate a proposed new carport;
  - rear building line from 2m to 0m to accommodate the change of use from an existing garage to a storage and laundry room;
  - eastern lateral building line from 2m to 0m to accommodate the change of use from an existing servant's quarters to a guest suite, and
  - eastern lateral building line from 2m to 1m to accommodate the existing fireplace and stacking door cavity.
  
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to ensure compliance.

**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 2064, Voëlklip, Hermanus in order to:
  - relax the western lateral building line from 2m to 0m to accommodate the existing covered stoep;
  - relax the western lateral building line from 2m to 0m to accommodate a proposed new carport;

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

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- relax the rear building line from 2m to 0m to accommodate the change of use from an existing garage to a storage and laundry room, and
- relax the eastern lateral building line from 2m to 1m to accommodate the existing fireplace and stacking door cavity,

**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 2064, Voëlklip, Hermanus in order to:

- relax the eastern lateral building line from 2m to 0m to accommodate the change of use from an existing servant's quarters to a guest suite, and

**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 2064, Voëlklip, Hermanus to accommodate the existing uses and structures on the property, **not be exempt** from the payment of an administrative penalty;

4. that the recommendation under paragraphs 1., 2. and 3. above is subject to the following conditions:

- (a) that the approval is only for the encroachments as indicated on Plan number *24/177 (002)* as submitted with the application;
- (b) that the second dwelling be changed back into a servant's room as per the approved building plans;
- (c) that building plans be submitted to the Building Control Department and that all conditions of the Building and Fire Departments be complied with at that stage;
- (d) that an administrative penalty of **R62 328,61** be payable within **one-hundred-and-twenty (120) 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

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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- (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**

### Reasons for approval

- ❖ No objections were received against the application.
- ❖ The existing building typology and design is in line with the character of the area.
- ❖ The additional structures developed to the dwelling have a low impact on the adjacent property owners while remaining in line with the residential use of the property.
- ❖ The existing use of the outbuilding (domestic room) was already approved for accommodation purposes and the change of use to a guest room will have no further impact on the adjacent property owner.
- ❖ The change of the garage to a storeroom and laundry will still maintain the use of an outbuilding and will be used intermittently. The proposed use is therefore considered to have a low impact.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.

### Reasons for non-approval

- ❖ The permanent habitation of a second dwelling on the boundary represents a substantive change in land use intensity and character, outweighing the argument that the alterations are merely internal in nature.
- ❖ The historical use of a servant quarter differs materially from a second dwelling. A servant quarter was an ancillary use to the main dwelling where the new use will be a dwelling on its own which will introduce additional planning concerns such as:
  - increased activity levels;
  - parking pressure;
  - potential short-term letting impacts, and
  - increased impact on neighbor's amenity.

These implications are significantly different from those associated with a servant's quarters and are considered negative in this location.

### Reasons for the value of the administrative penalty

- ❖ The property owner (one of the trustees) and architect was made aware of the regulations prior to the transfer of the property. Communication in this regard was provided by the Building Control Office and the Town and Spatial

**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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Planning Department. The owner acknowledged that they will not continue with the encroachments.

- ❖ Alterations were made to the dwelling without municipal approval.
- ❖ The applicant did not provide costing in relation to the changes made and the structures built therefore costing was determined in accordance with the value of the property and the municipal tariff.

# Plan 1. Locality Plan Erf 2064 - Hermanus



Subject property

Plan prepared by: Veronica Jansen

Tel: 028 313 1411

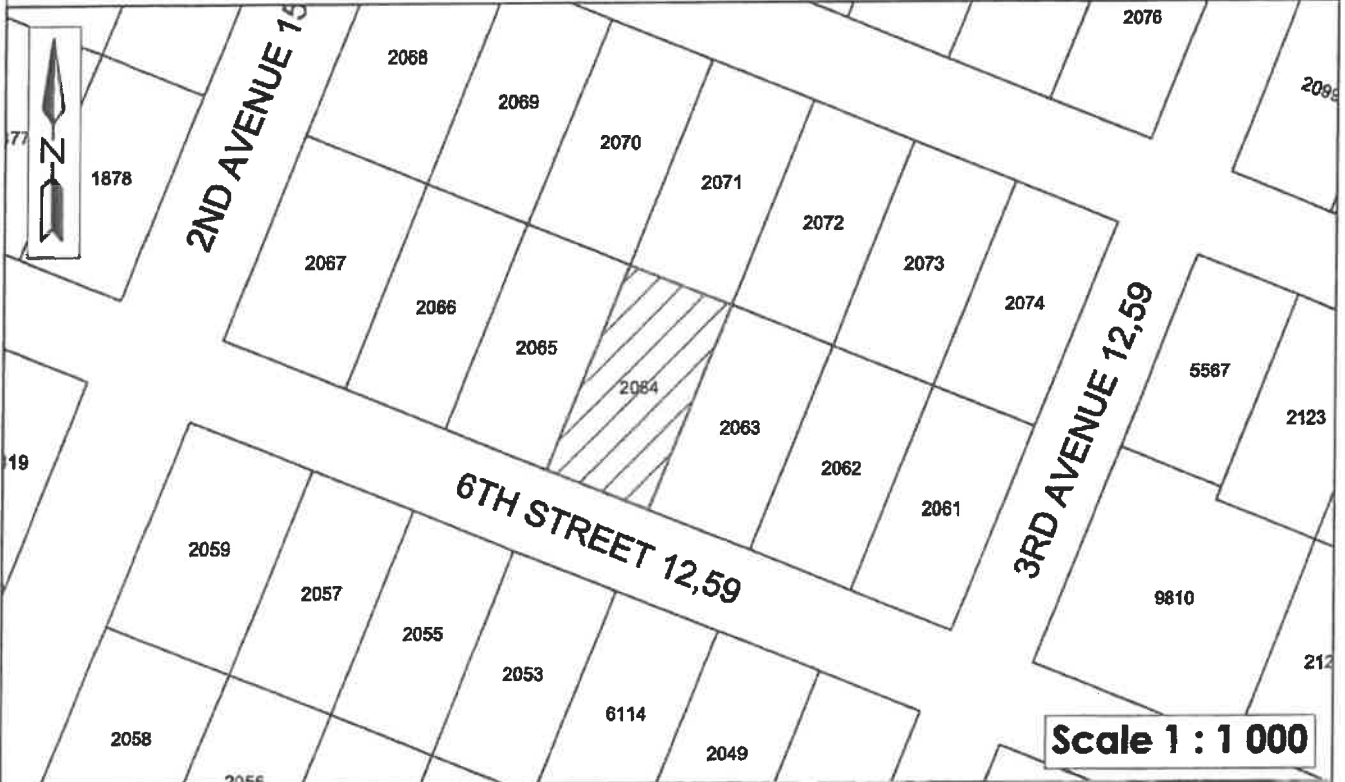
Email: admin@wrapgroup.co.za

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



**Project Office**

Town Planning & Project Management



**Scale 1 : 1 000**



**NOT TO SCALE**



**Plan 3.1 Departure Plan  
Erf 2064 Hermanus**

Permanent departure from the 2m western side building line to 0m to allow the proposed covered stoep.

Permanent departure from the 2m western side building line to 0m to allow the proposed carport.

Permanent departure from the 2m rear building line to 0m to allow the use change of the existing garage to a storage & laundry area.

Permanent departure from the 2m eastern side building line to 0m to allow the use change of the servant's quarters to a guest suite.

Permanent departure from the 2m eastern side building line to 1m to allow the proposed fireplace and stacking door cavity.

- Proposed carport: ± 8,84m<sup>2</sup>
- Existing covered stoep: ± 10,88m<sup>2</sup>
- Existing storage & laundry area: ± 17,49m<sup>2</sup>
- Existing guest suite: ± 8,92m<sup>2</sup>
- Proposed fireplace & stacking door cavity: ± 3,67m<sup>2</sup>

Plan prepared by: Veronika Jensen on 23/04/2025  
Based on plans from Steep Studio  
Plan Number - 24/17 (002)

All distances are approximate and subject to a survey

Tel: 028 313 1411

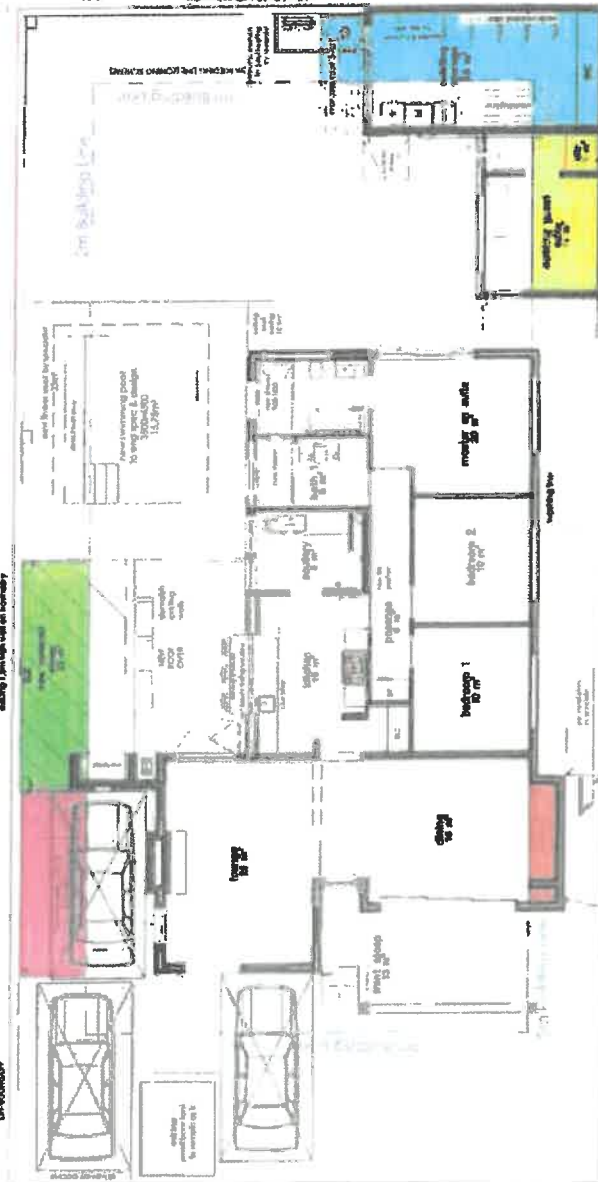
Email: admin@wrap.co.za

Unit 1, Standard House,  
Corner of Royal and Dikle Uys  
Street, Hermanus, 7200



**Project Office**  
Trade Planning & Project Management

**ERF 2065 HERMANUS**



Stacking door cavity

**ERF 2063 HERMANUS**

**ERF 2071 HERMANUS**

**SCALE 1 : 250**

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 2064, VOELKLIP (4955/2025)**

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**

*08/07/2025*  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**18.ERF 7723, 29 BLUE BELL'S CRESCENT AND ERF 7724, 27 BLUE BELL'S CRESCENT, MOUNT PLEASANT, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF THE ANNOINTED COMMISSION OF CHRIST MINISTRIES INTERNATIONAL**

**7723 & 7724 HMP (5053/2025)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**12 January 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 15 September 2025 from Plan Active Town & Regional Planners on behalf of The Anointed Commission of Christ Ministries International in terms of Section 16.(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **consolidation** of Erf 7723, Mount Pleasant (300m<sup>2</sup>) with Erf 7724, Mount Pleasant (300m<sup>2</sup>) to create a consolidated property of 600m<sup>2</sup> 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 applicable to Erven 7723 & 7724, Mount Pleasant, Hermanus for the **consolidation** of Erf 7723, Mount Pleasant (300m<sup>2</sup>) with Erf 7724, Mount Pleasant (300m<sup>2</sup>) to create a consolidated property of 600m<sup>2</sup> 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 herm7723c.dwg* dated *June 2025* as submitted with the application;
  - (b) that building plans be submitted to the Building Control Departments 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  
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19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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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 consolidation will be subject to stricter development parameters maintaining an appropriate streetscape as well as neighbours' privacy.
- ❖ Although the consolidated erf will be the only residential property that has an extent of 600m<sup>2</sup> in Mount Pleasant, the existing dwelling structures will be converted into one primary dwelling house to serve a member of the Church with no additional structures proposed.



Scale: NTS  
 Drawing Nr: 11m17723.dwg  
 Date: JUNE 2025

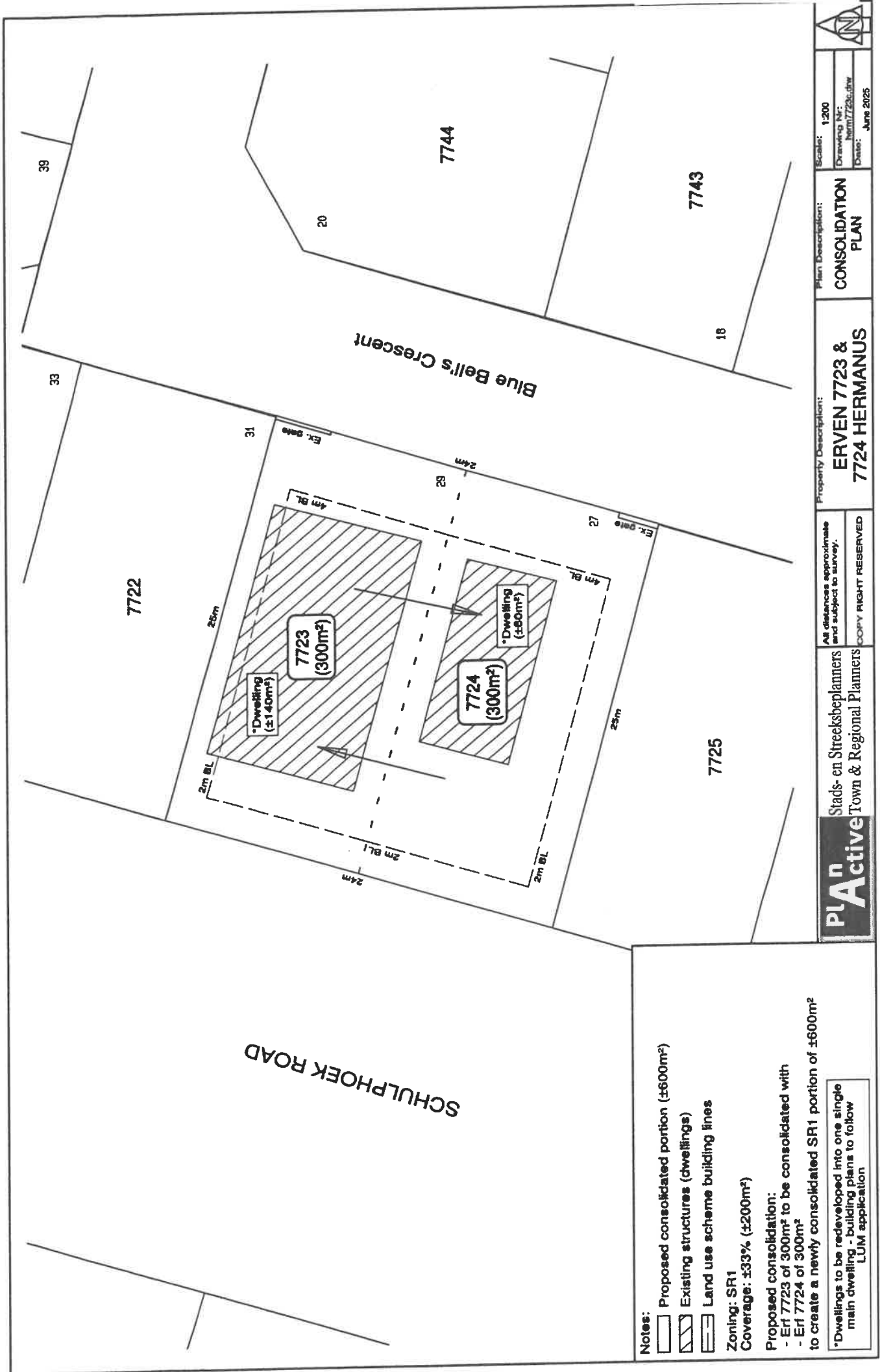
Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERVEN 7723 & 7724 HERMANUS**

All distances approximate and subject to survey.  
 COPY RIGHT RESERVED

Stads- en Streeksbeplanners  
 Town & Regional Planners

**PI'n Active**



**Notes:**

- Proposed consolidated portion (±600m²)
- Existing structures (dwellings)
- Land use scheme building lines

Zoning: SR1  
 Coverage: ±33% (±200m²)

**Proposed consolidation:**

- Erf 7723 of 300m² to be consolidated with
- Erf 7724 of 300m²
- to create a newly consolidated SR1 portion of ±600m²

\*Dwellings to be redeveloped into one single main dwelling - building plans to follow LUM application

**PLA n Active**

Stads- en Streeksheppanners  
 Town & Regional Planners

All distances approximate  
 and subject to survey.  
 COPYRIGHT RESERVED

Property Description:  
**ERVEN 7723 &  
 7724 HERMANUS**

Plan Description:  
**CONSOLIDATION  
 PLAN**

Scale: 1:200  
 Drawing No: Herin/7723.dwr  
 Date: June 2025



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSOLIDATION: ERF 7723 & ERF 7724, MOUNT  
PLEASANT (5053/2025)**

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 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 electricity connections to the erven must be consolidated to one connection and that one electricity meter be allowed/ registered;
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**

  
\_\_\_\_\_  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**MUNICIPAL PLANNING TRIBUNAL**

1. **ERF 1537, 35 DENNYS ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE, RELAXATION OF TITLE DEED CONDITION AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: COMPROP DESIGNS ON BEHALF OF B BLOM**

**1537 KPRB (4524/2023)**

**H van der Stoep**

**19 December 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application was received on 16 November 2023 from Comprop Designs on Erf 1537, Pringle Bay in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Relaxation** of Clause B 6.(b) of Title Deed No. T24962/2023 to relax the south-western lateral building line from 1,5m to 0,703m to accommodate a single garage, and to relax the north-eastern lateral building line from 1,5m to 0m to accommodate a covered deck on first floor level.
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the south-western lateral building line from 2,0m to 0,703m to accommodate a single garage, to relax the north-eastern lateral building line from 2,0m to 1,5m to accommodate a double garage on ground floor level, and to relax the same building line to 0m to accommodate a covered deck on first floor level.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to accommodate the unauthorised building line encroachments as stipulated above.

**RESOLUTION**

1. that the comment be noted.
2. that the application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1537, Pringle Bay for the **relaxation** of restrictive title deed condition B6.(b) of Title Deed No. T24962/2023 to relax the south-western lateral building line from 1,5m to 0,703m to accommodate a single garage with a storage area, **be approved**, in terms of Section 61 of the By-Law.

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3. 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 1537, Pringle Bay for a **departure** to relax the south-western lateral building line from 2,0m to 0,703m to accommodate a single garage and storage, to relax the north-eastern lateral building line from 2,0m to 1,5m to accommodate a double garage on ground floor level, **be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the above approvals in Points 2-3 be subject to the following conditions:
  - (a) that this approval is only for the relaxation of a restrictive title deed condition and departure as indicated on plan number P231015 dated 30 September 2023 submitted with the application;
  - (b) that the relaxation is only applicable to the storage area as per application;
  - (c) that building plans be submitted to the Building Control Department and Fire Department for approval, and that all conditions of the Building Control and Fire Departments 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.
5. 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 1537, Pringle Bay for a **departure** to relax the south-eastern building line from 2m to 0m to accommodate a covered deck on first-floor level, **be partially approved to 1,5m** (Title Deed building line) as per approved building plan dated 1991 in terms of the provisions of Section 61 of the By-Law;
  - (a) that the covered deck be **set back to the 1,5m Title Deed building line** as per approved building plan dated 1991, within ninety (90) days of the final decision.
  - (b) that revised building plans reflecting the above decision be submitted to the Building Control Department and Fire Department for approval, and that all conditions of the Building Control and Fire Department be complied with.

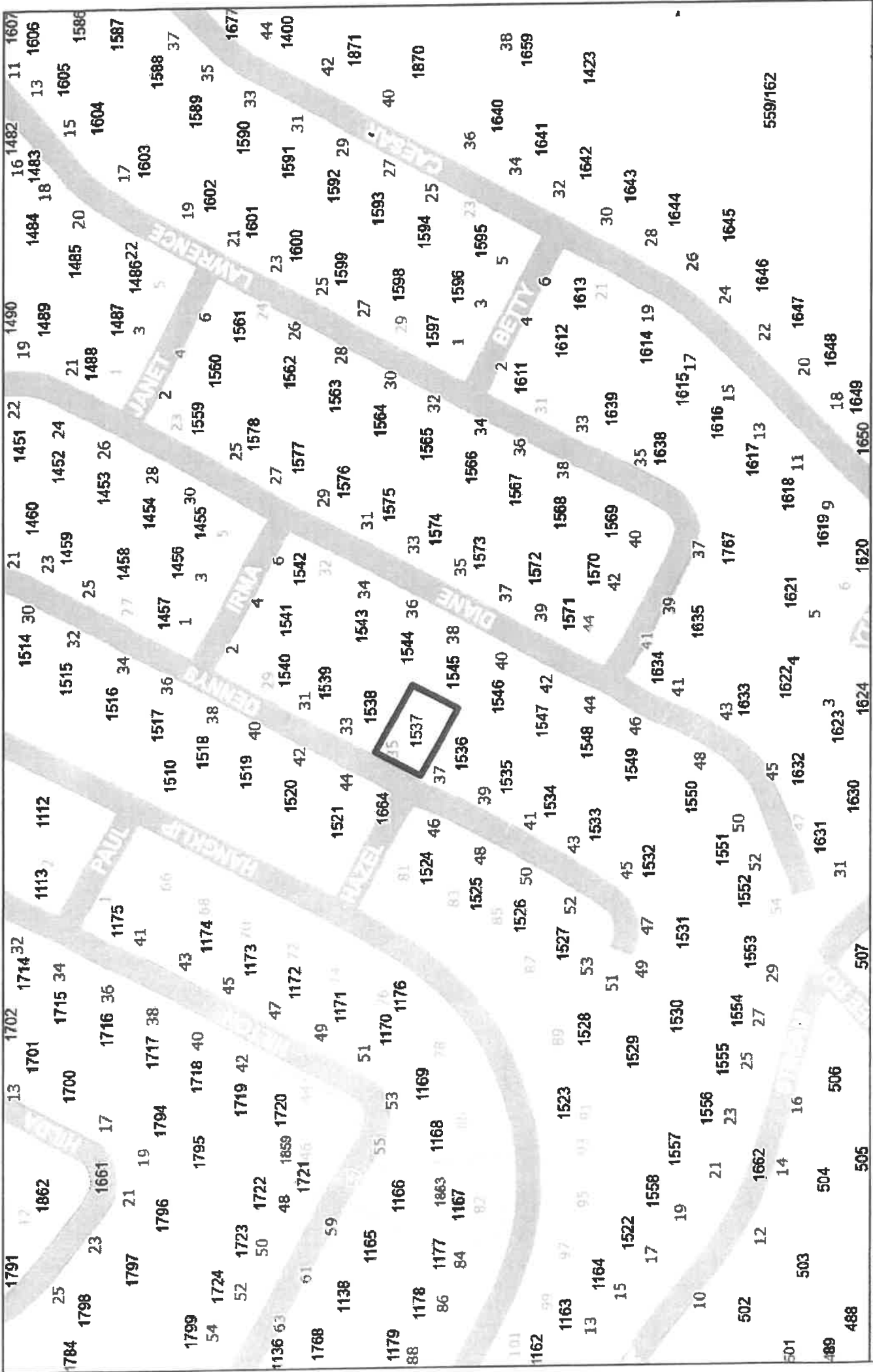
**AGENDA of the  
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6. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 1537, Pringle Bay to accommodate the unauthorised building line encroachments as stipulated above, **be imposed**, and that the penalty fee of **R2012,63**, be payable within thirty (30) days of the final decision.
7. 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 regarding the above decision.

**REASONS FOR RESOLUTION**

- ❖ Consent letter and signed plans received from affected neighbour.
- ❖ Will not jeopardize the character of area.
- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ No additional services are required.
- ❖ No major building work to be done as structure already exists.
- ❖ The first-floor uncovered deck was approved on the 1,5m Title Deed building line, the impact on the adjacent property was established.
- ❖ The administrative penalty be made applicable instead of demolition as per the request of Pringle Bay Ratepayers Association.
- ❖ The 5% penalty calculation due to the present owner's knowledge of the transgressions before purchasing the property.





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**2. ERF 1299, 31 FRONT STREET, DE KELDERS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: MESSRS WRAP PROJECT OFFICE ON BEHALF OF DR V BUSER**

**1299 GDK (4712/2024)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**19 February 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 03 February 2025 from Messrs WRAP Project Office on behalf of Dr V Buser in terms of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Removal of restrictive title deed condition** in terms of Section 16(2)(f) of the By-law for the removal of restrictive title deed condition E.I(c) contained in title deed T42238/2021 applicable to applicable to Erf 1299, De Kelders.

**RESOLUTION**

1. that the objections be noted;
2. that the application for **removal of restrictive title deed condition E.I(c)** as contained in title deed T42238/2021 applicable to Erf 1299, 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 subject to the following conditions;
  - (a) 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;
  - (b) that the conditions in the Services Report be complied with
  - (c) that the conditions from Overstrand Environmental Management and Conservation Division 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;

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3. 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 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 and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ The public at large bought into the SDF, Overstrand Growth Management Strategy and Overstrand Land Use Scheme.
- ❖ Proposal is consistent with the Overstrand Land Use Scheme.
- ❖ Proposal is consistent with the Planning Principles in terms of LUPA and SPLUMA.
- ❖ The proposal is not considered to unacceptably detract from vested rights of adjoining property owners, nor the character of the area.
- ❖ The application was processed having had regard to the requirement of the By-Law, Lupa and SPLUMA

# 1. Locality Plan Erf 1299 - 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**

Thian Jansen & Associates



FRONT STREET

1000/00001

1400/00001

712

RE/713

1239

716


1299

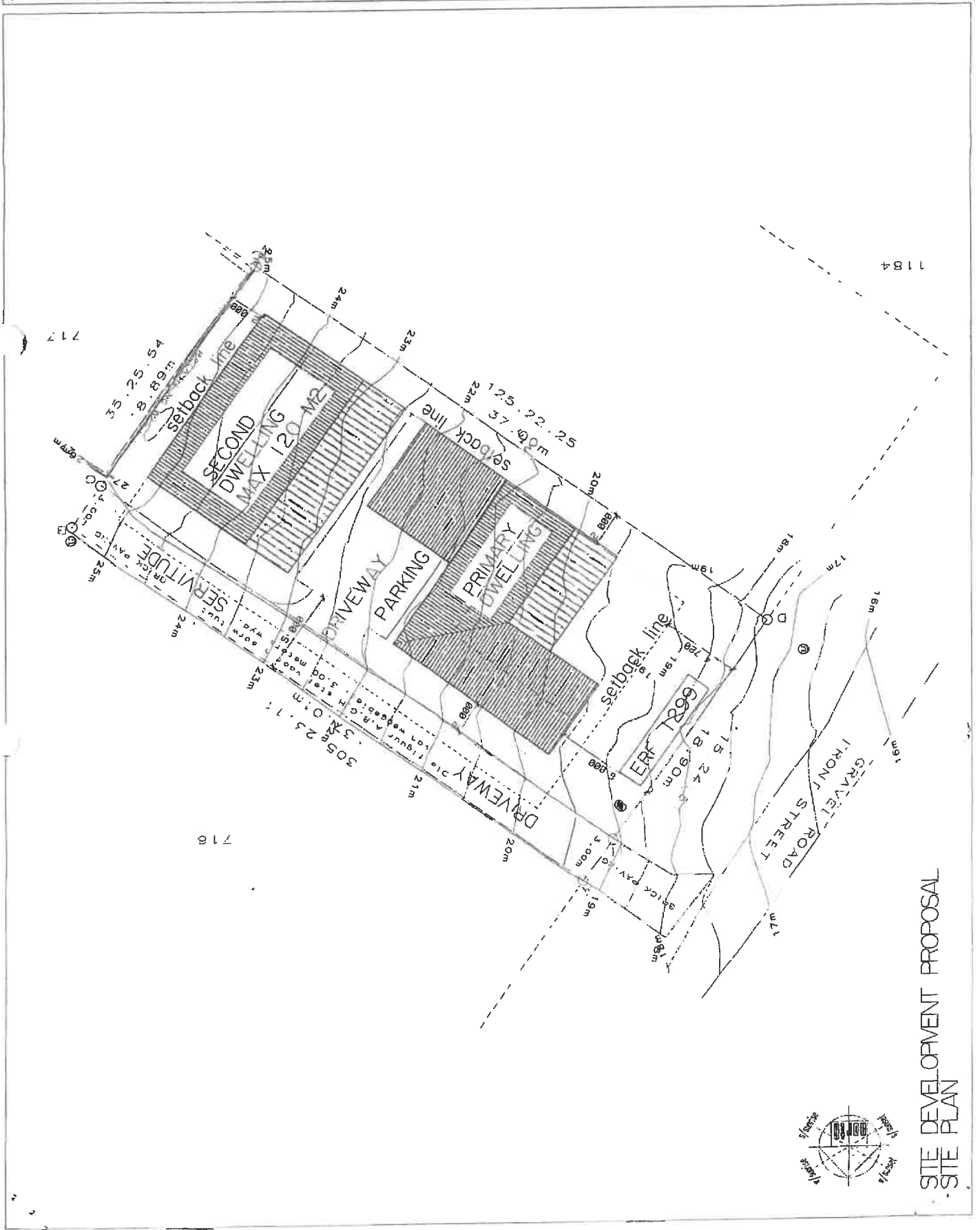
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721

1184

NTS

GENERAL NOTE: THE OWNER OF THIS DRAWING IS SOLELY RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT AND FOR THE RESULTS OF THE DESIGN. THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF ANY OTHER SERVICES OR FOR THE RESULTS OF ANY OTHER SERVICES.	OWNERS SIGNATURE  ARCHITECTS SIGNATURE  REVISIONS	 PRIVYSEAL	<b>ANDERSON</b> architecture G.R. ANDERSON DIRECTOR In association with <b>E-VISIONS</b> architectural design studio N. BILMAN & T. DEAN PRINCIPALS S. GAGAN, PRINCIPALS 14 VICTORIA STREET STANFORD C: 072 364 3694 C: 073 347 3915 PO BOX 1227 andersonarchitecture @whimol.co.za	CLIENT MRS V. NURER BF1299 DE KEDDELS	PROJECT DESCRIPTION LANDSURVEY PROPOSAL FRONT STREET SF 1899 DE KEDDELS GANSBAAI	DRAWING DESCRIPTION MUNICIPAL APPLICATION SITE PLAN	SCALE 1:200 DATE 26/06/24 DRAW : NLE PROJECT NO: 10-24 DRAWING NO: LS-MS-100 VERSION 1
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SITE DEVELOPMENT PROPOSAL  
 SITE PLAN

1184

716

717

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR APPLICATION FOR REMOVAL OF A RESTRICTIVE TITLE DEED CONDITION: ERF 1299, DE KELDERS (4712/2024)**

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: Gansbaal 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  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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3. **ERF 715, 52 STEYN STREET AND ERF 716, 25 FRONT STREET, DE KELDERS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SUBDIVISION AND CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF DR V BUSER AND NOVEL IDEA TRADING 113 CC**

**715 & 716 GDK (4604/2024)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**09 February 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 01 July 2024 from Messrs WRAP Project Office on behalf of Dr V Buser and Novel Idea Trading 113 CC in terms of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 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 D.A(c) and D.B(e) contained in title deed T51851/2023 applicable to Erf 716, De Kelders;
- ❖ **Subdivision** in terms of Section 16(2)(d) of the By-law for the subdivision of Erf 716, De Kelders in two portions, namely a Remainder approximately 699m<sup>2</sup> and Portion A approximately 699m<sup>2</sup> in extent, and
- ❖ **Consolidation** in terms of Section 16(2)(e) of the By-law of Portion A with Erf 715, De Kelders to create a consolidated property of 1387m<sup>2</sup>.

**RESOLUTION**

1. that the objections be noted;
2. that the application for **removal of restrictive title deed conditions** D.A(c) and D.B(e) contained in title deed T51851/2023 applicable to Erf 716, 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 **subdivision** in terms of Section 16(2)(d) of the By-Law in order to subdivide the property into two portions, namely Portion A, approximately 699m<sup>2</sup> and a Remainder approximately 699m<sup>2</sup> in extent, **be approved** in terms of the provisions of Section 61 of the By-law;

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4. that the application for **consolidation** in terms of Section 16(2)(e) of the By-Law of Portion A with Erf 715, De Kelders to create a consolidated property of approximately 1387m<sup>2</sup>, **be approved** in terms of the provisions of Section 61 of the By-law;
5. that the decisions in paragraphs 2. to 4. above above be subject to the following conditions:
  - (a) that the approval is only for the subdivision and consolidation as indicated on the Subdivisional and Consolidation Plan 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 the conditions in the Services Report 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 applicant and objectors 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 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 public at large bought into the SDF, Overstrand Growth Management Strategy and Overstrand Land Use Scheme.
- ❖ Proposal is consistent with the Overstrand Land Use Scheme.
- ❖ Proposal is consistent with the Planning Principles in terms of LUPA and SPLUMA.
- ❖ The proposal is not considered to unacceptably detract from vested rights of adjoining property owners, nor the character of the area.
- ❖ The application was processed having had regard to the requirement of the By-Law, Lupa and SPLUMA.

# 1. Locality Plan

## Remainder of Erf 715 & Erf 716 - 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**  
The Best of Property Management



FRONT STREET

RE/709

1832

1931

712

RE/713

710

1239

716

711

1299

714

717

715

1184

1310

721

718

722

720

RE/746

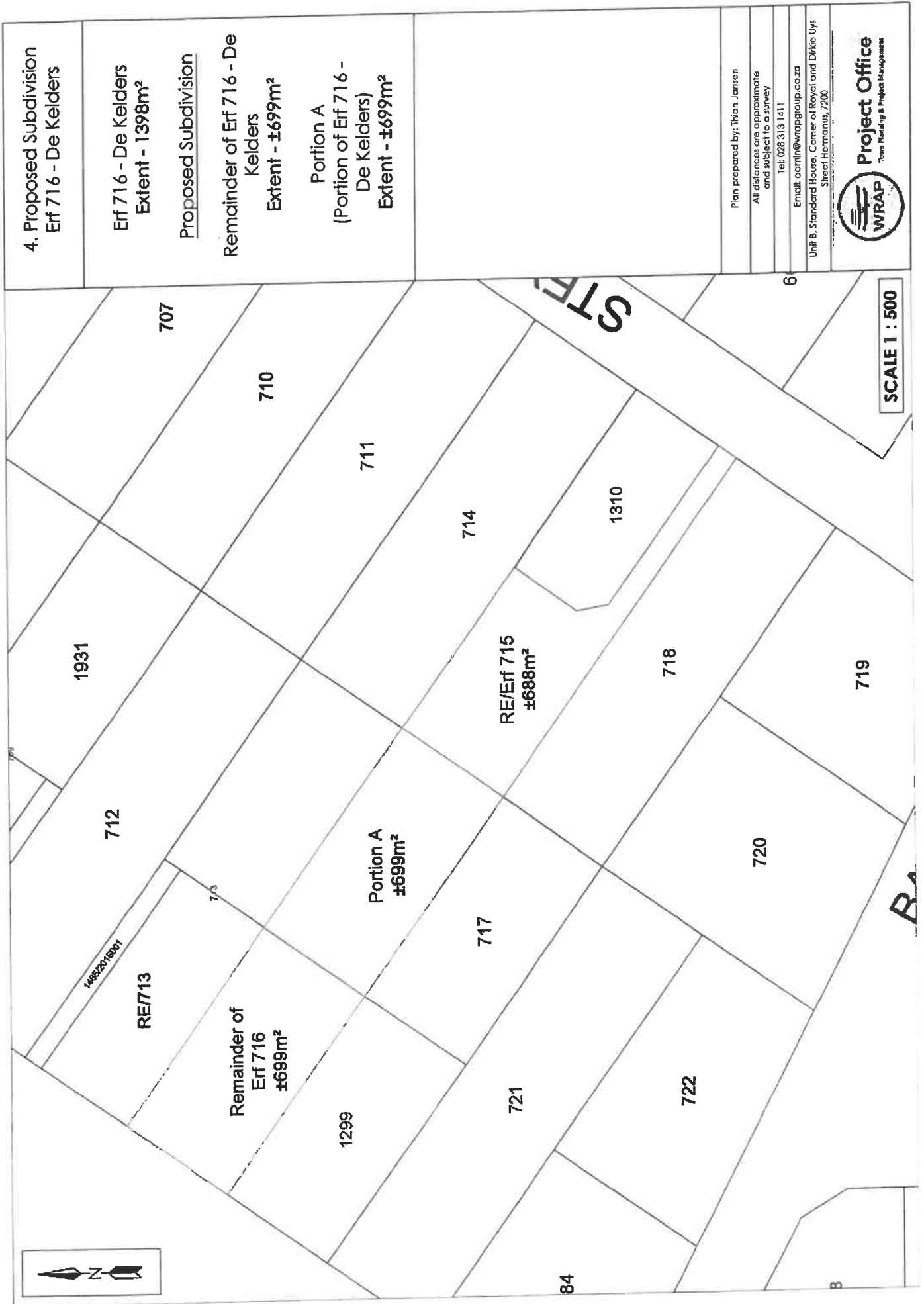
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BARNARD

**NTS**

748



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS, SUBDIVISION & CONSOLIDATION: ERF 715 & 716, DE  
KELDERS (4604/2024)**

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 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 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 electricity connections to the erven must be consolidated to one connection and that one electricity meter be allowed/ registered;
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 - Gansbaai 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**

  
\_\_\_\_\_  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
19 May 2026  
(Also the agenda for the Mayoral Committee Meeting : 26 May 2026)**

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**4. ERF 4597, 30 BIRD LANE, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: JP VAN TAAK**

**4597 HNC (5026/2025)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**16 February 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 30 June 2025 from JP van Taak in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 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.1, C.2., C.3. & C.4 as contained in Title Deed T48426/84 of the property to accommodate the proposed change of use of the existing servant's room into a second dwelling.

The restrictive title deed conditions read as follows:

*"C. SUBJECT FURTHER to the following conditions contained in the said Deed of Transfer No. T4118/1945 imposed by the Administrator of the Cape Province when approving of Hermanus Township Extension No. 4, namely: -*

*As synde ten gunste van die geregistreerde eienaar van enige erf in die Dorpsgebied en onderhewig aan wysigings of verandering deur die Administrateur kragtens die bepalings van Artikel 18(3) van Ordonnansie 33 van 1934:-*

- 1. That this erf be used for residential purposes only.*
- 2. That only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on this erf.*
- 3. That not more than half the area of this erf be built upon.*
- 4. That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 4,72 (four comma seven two) metres to the street line which forms a boundary of this erf. No such building or structure shall be situated within 2,36 (two comma three six) metres of the lateral boundary common to any adjoining erf."*

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**RESOLUTION**

1. that the comment 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 on Erf 4597, Hermanus for the removal of restrictive title deed conditions C.1., C.2., C.3. & C.4. as contained in Title Deed T48426/84 of the property to accommodate the proposed double garage and a second dwelling, **be approved**, in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
  - (a) that the approval be limited to the building/structures as per plan numbers HER 4597/2025 (1-2) dated 8 August 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 Departments be complied with at that stage;
  - (c) that the second dwelling not be utilised as a guesthouse without the necessary land use approval;
  - (d) that the amended title deed be submitted for record purposes to the Municipality;
  - (e) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (g) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
  - (h) that all the conditions in the Services Report be complied with.
3. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

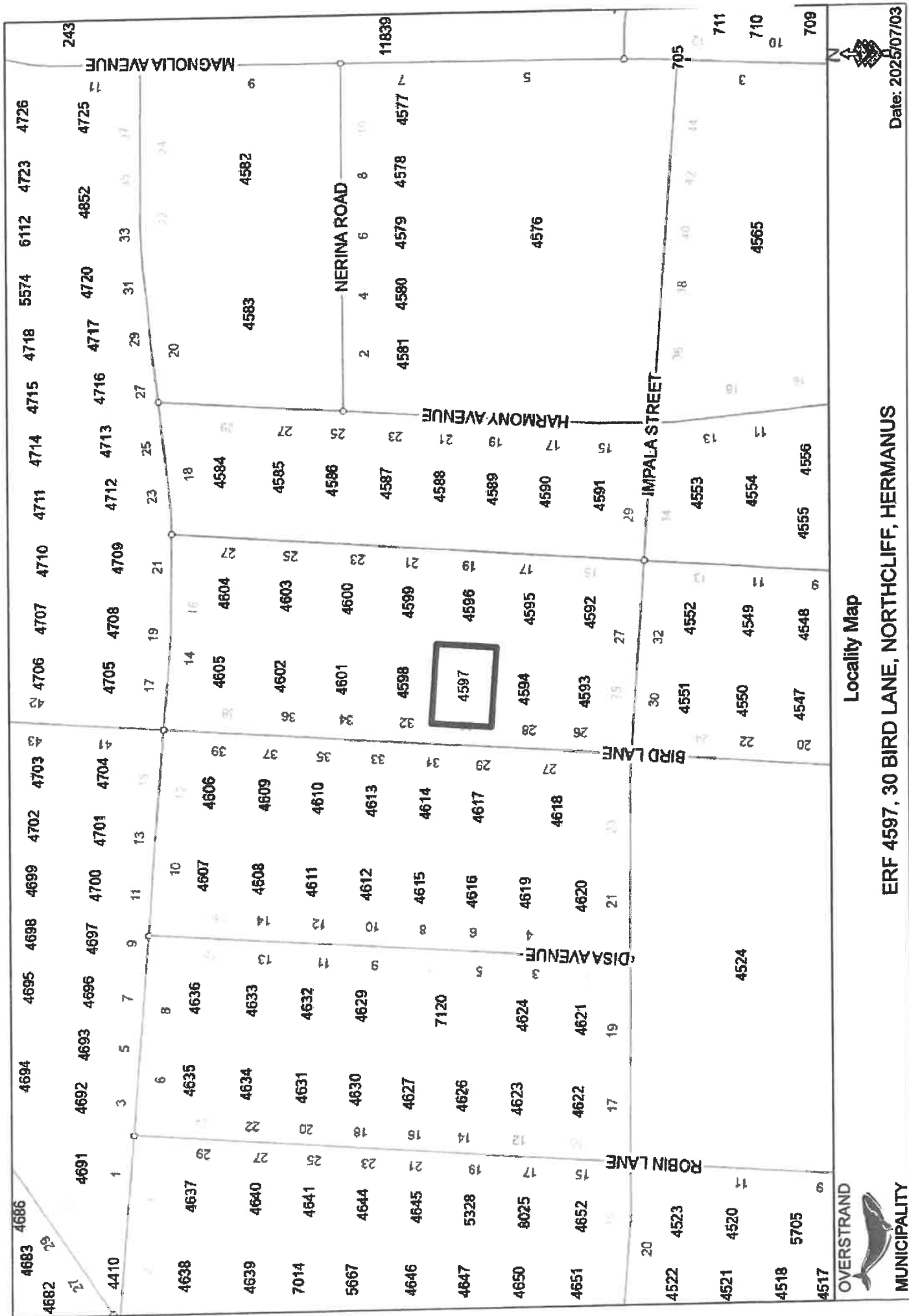
**REASONS FOR RESOLUTION**

- ❖ The removal will have no detrimental effect on the character of the area.

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- ❖ No additional construction/additions are proposed as the second dwelling will be accommodated in an existing building.
- ❖ The addition of a second dwelling on the property is aligned with the zoning and land use of the subject property.
- ❖ The streetscape will remain unaltered, and no additional services will be required.
- ❖ Adequate parking can be accommodated on the property.



Locality Map  
 ERF 4597, 30 BIRD LANE, NORTHCLIFF, HERMANUS

Date: 2025/07/03



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS:  
ERF 4597, NORTHCLIFF (5026/2025)**

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**

15/09/2025  
DATE

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

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- 5. ERF 706, 1 ABERDEEN STREET AND ERF 719, 3 ABERDEEN STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSOLIDATION: WRAP PROJECT OFFICE ON BEHALF OF OVERSTRAND HOSPICE NPC**

**706 & 719 HNC (5092/2025)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**25 February 2026**

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**EXECUTIVE SUMMARY**

An application has been received on 23 September 2025 from WRAP Project Office on behalf of Overstrand Hospice NPC in terms of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erven 706 & 719, 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.(e) as contained in the Title Deed T24118/2020 applicable to Erf 706, Hermanus.

The restrictive conditions read as follows:

*"B. SUBJECT FURTHER to the following special conditions contained in the said Deed of Transfer Number T9117/1937 imposed by the Administrator of the Cape Province with the approval of Hermanus Township Extension No. 3 and in favour of the registered owner of any erf in the township, subject to changes and amendments by the Administrator in terms of the provisions of Section 18(3) of Ordinance No. 33 of 1934:*

*(a) That not more than half the area of this erf be built upon.*

*In favour of the Administrator:*

*(e) That this erf be not subdivided except with consent in writing of the Administrator."*

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for the removal of the of restrictive title deed conditions C.(c), C.(d) and C.(e) as contained in the Title Deed T32176/2013 applicable to Erf 719, Hermanus.

The restrictive conditions read as follows:

*"C. SUBJECT FURTHER to the following special conditions contained in Deed of Transfer No. T9574/1927 imposed by the Administrator of the Cape Province when approving of Hermanus Township Extension No. 3 as being in favour of the registered owner of any*

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*erf in the Township and subject to amendment or alteration by the Administrator in terms of the conditions of Section 18(3) of Ordinance No. 33 of 1934, namely:*

- (c) That not more than half the area of this erf be built upon.*
- (d) That no building shall be erected within 4,72 metres of any street line which forms a boundary of this erf. No building shall be situated within 2,36 metres of the lateral boundary common to any adjoining erf.*
- (e) That this erf be not subdivided except with consent in writing of the Administrator."*

- ❖ **Consolidation** in terms of Section 16.(2).(e) of the By-Law to consolidate Erf 706, Hermanus (907m<sup>2</sup>) with Erf 719, Hermanus (895m<sup>2</sup>) to create a consolidated property of 1802m<sup>2</sup> in extent.

**RESOLUTION**

1. that the comment 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 B.(a) and B.(e) as contained in the title deed T24118/2020 applicable to Erf 706, Hermanus and the removal of restrictive title deed conditions C.(c), C.(d) and C.(e) as contained in the title deed T32176/2013 applicable to Erf 719, Hermanus, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to consolidate Erf 706, Hermanus (907m<sup>2</sup> in extent) with Erf 719, Hermanus (895m<sup>2</sup> in extent) to create a consolidated property of 1802m<sup>2</sup> in extent, **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 this approval is only for the consolidation of the two properties as indicated on consolidation plan number 25.58(001) dated 9 September 2025, as submitted with the application;
  - (b) that the storage component be subservient to the land use and that no retail be conducted from the property apart from the hospice shop;
  - (c) that the ownership of the retail concern be that of Hospice;

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- (d) that the retail concern be subservient to the Hospice office use;
- (e) that should the property change ownership; the retail concern falls away and only be used for office purposes;
- (f) that no items be left outside of the property;
- (g) that no accumulation of refuse may occur on the premises or outside the boundary of the property;
- (h) that only one un-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
- (i) that a revised site development plan for the consolidated property must be submitted for approval by the Divisional Manager: Town & Spatial Planning Department;
- (j) that building plans be submitted to the Municipality showing all building changes, partitioning and access throughout the property to the satisfaction of the Fire Department and Building Control Department;
- (k) that the approval be limited to the building/structures as per site plan number 25.58(001) dated 9 September 2025, submitted with this application read in conjunction with conditions (h) and (i) above;
- (l) that the amended title deed be submitted for record purposes to the Municipality;
- (m) 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;
- (n) that the Overstrand Municipality retains the right to enforce any relevant legislation, as well as law and order on the premises, on the landowner/s;
- (o) that all the conditions in the Services Report must be complied with;
- (p) that all other development parameters as prescribed in the relevant Zoning Scheme; and
- (q) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

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5. that the applicant and persons who commented be notified of their respective appeal rights in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above approvals.

**REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ The comments received during public participation relate to the existing land use rights, parking parameters and manoeuvrability of vehicles along Aberdeen Street have already been approved by means of a building plan process. The current application only proposes the consolidation of the two properties.
- ❖ The properties have already acquired the relevant land use rights by means of planning approvals and building plan approvals.
- ❖ A revised site development plan must be submitted to indicate the consolidated land use rights on the consolidated property.
- ❖ The proposal is not out of character of the area since the proposal is simply to consolidate the two erven to form one consolidated property.
- ❖ Any future amendment to the property will still require the compliance with the Business Zone 3: Local Business zone land use rights and development parameters.
- ❖ The proposal is in line with the strategic planning policy documentation.
- ❖ Adequate parking has been provided.
- ❖ The removal of the restrictive title deed conditions will bring the property development rights and land use parameters in line with that of the Overstrand Municipality Land Use Scheme, 2020.
- ❖ It is supported by the Engineering Department.

# Plan 1: Locality Plan

## Erven 706 & 719 Hermanus

Plan prepared by: Thian Jansen

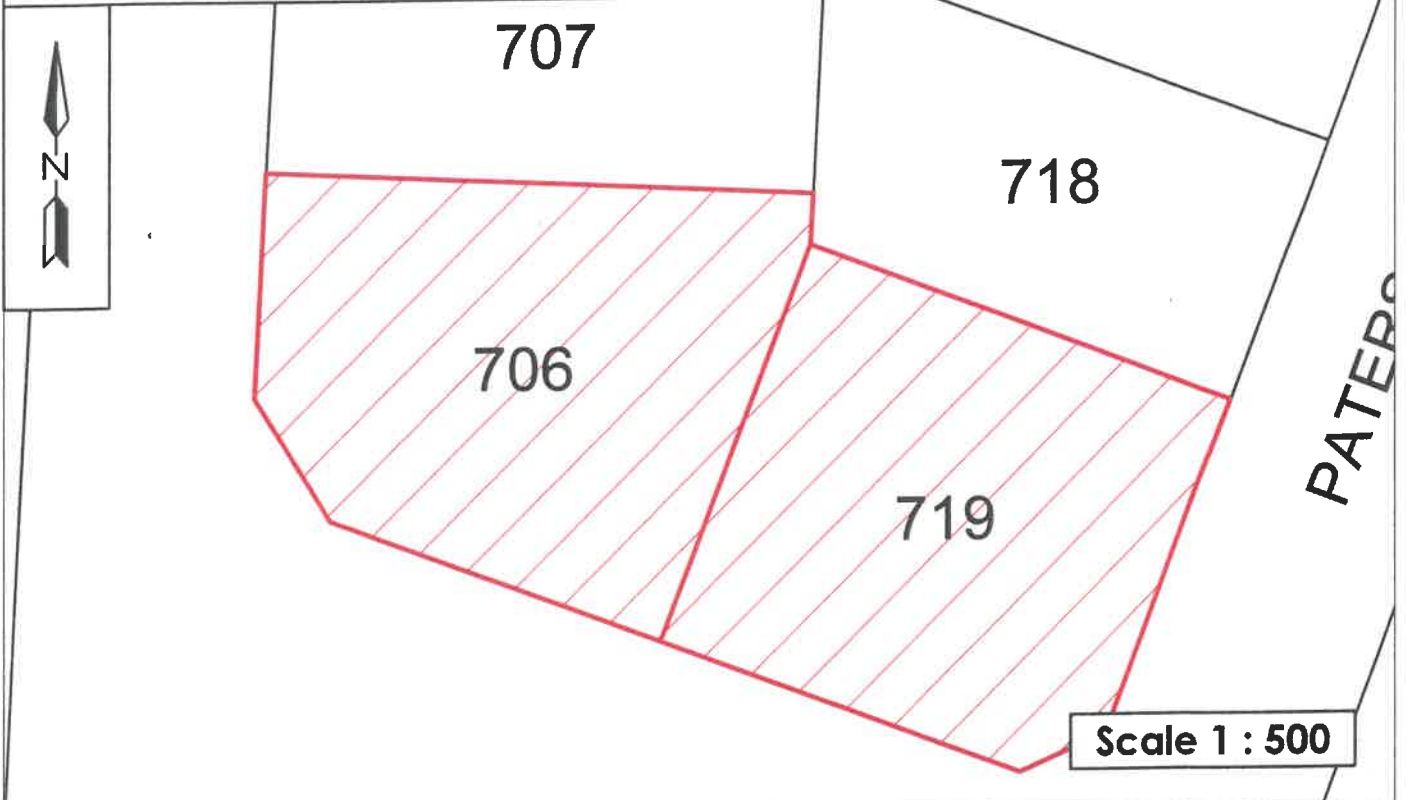
Tel: 028 313 1411

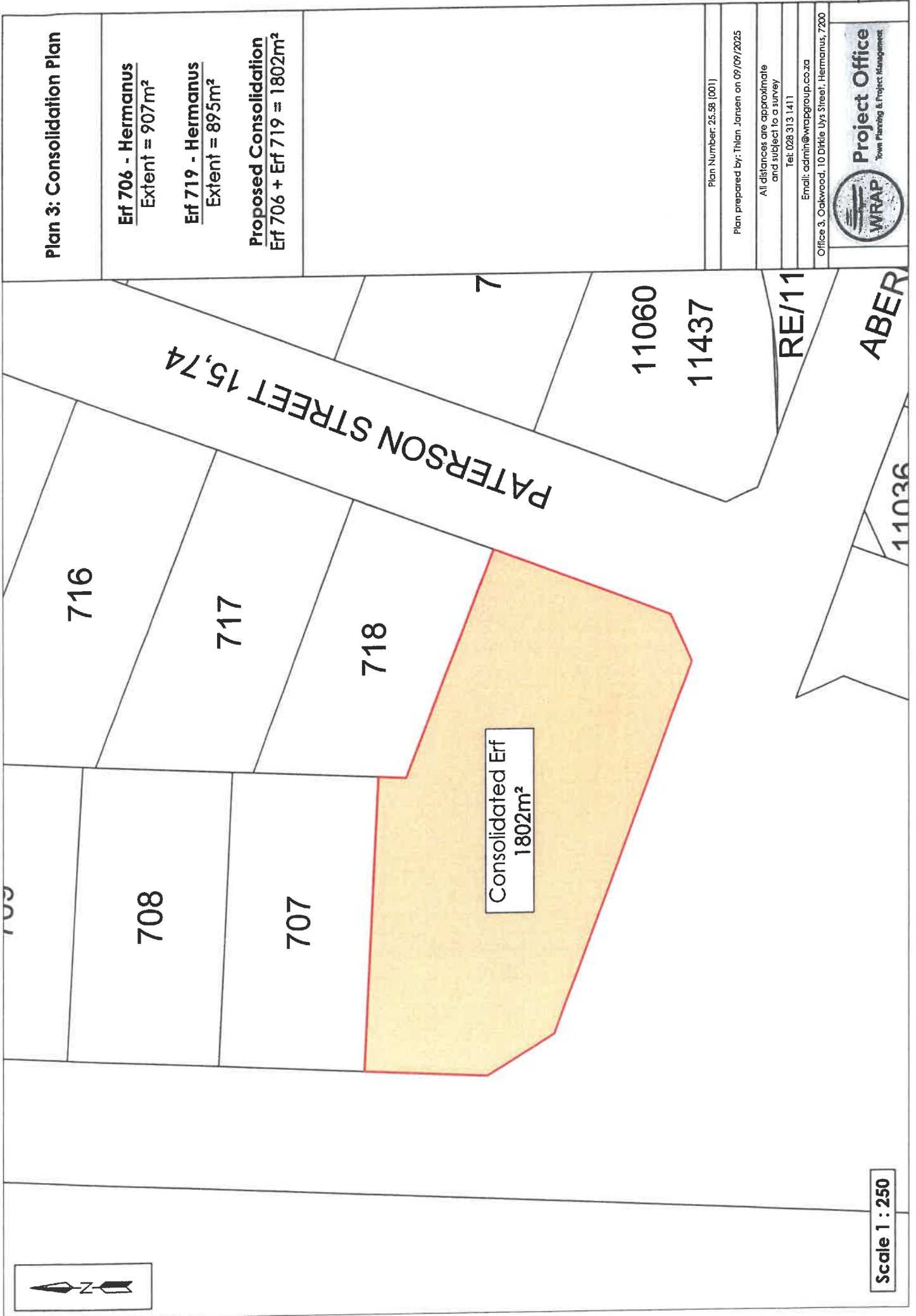
Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management





**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED  
CONDITIONS & CONSOLIDATION: ERF 706 & ERF 719, NORTHCLIFF  
(5092/2025)**

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 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 electricity connections to the erven must be consolidated to one connection and that one electricity meter be allowed/ registered;
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.

  
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**RICARDO ANDREW**  
**PRINCIPAL TECHNOLOGIST:**  
**DEVELOPMENT CONTROL**

24/10/2025  
DATE