

**PORTFOLIO COMMITTEE :**

**PLANNING & DEVELOPMENT**

**Chairperson :**

**Ald E Gillion**

**Committee Members :**

**Ald K Brice, Cllrs C Resandt,  
M Sihlahla and R Dees**

# PLANNING & DEVELOPMENT PORTFOLIO COMMITTEE

21 October 2025

## I N D E X

ITEM  
NO

PAGE  
NUMBER

OPENING AND WELCOME

APPLICATIONS FOR LEAVE OF ABSENCE

STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE  
CHAIRPERSON

- |    |  |     |
|----|--|-----|
| 1. | TOWN & SPATIAL PLANNING REPORT WITH REGARD TO APPLICATIONS<br>CONSIDERED IN TERMS OF DELEGATED AUTHORITY: JULY – SEPTEMBER<br>2025 | 1   |
| 2. | ERF 2416 BETTY'S BAY: RENEWAL OF LEASE OF MUNICIPAL PROPERTY<br>TO BETTY'S BAY RATEPAYERS' ASSOCIATION                             | 221 |



**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**8. Staff Implications**

None

**9. Comments from other Departments, Divisions and Administrations**

None

**10. Annexures**

None

**RECOMMENDATION:**

**that cognisance be taken of the town planning applications disposed of by the Authorised Official in terms of SPLUMA for the period July – September 2025:**

- |     |  |                |
|-----|--|----------------|
| 1.  | Erf 1220, 17 Protea Road, Eastcliff, Hermanus                                  | 14 July 2025   |
| 2.  | Erf 1141, 3 Slabber Street, Van Dyksbaai, Kleinbaai                            | 14 July 2025   |
| 3.  | Erf 2537, 11 Hofmeyer Street, Onrustrivier                                     | 21 July 2025   |
| 4.  | Erf 2100, 73 Viljoen Street, Onrustrivier                                      | 22 July 2025   |
| 5.  | Erf 7514, No.4 Whale Rock Estate, Westcliff,<br>Hermanus                       | 28 July 2025   |
| 6.  | Erf 166, Church Road, Hawston  | 28 July 2025   |
| 7.  | Erf 7205, 23 Gladiolus Street, Mount Pleasant,<br>Hermanus                     | 28 July 2025   |
| 8.  | Erf 283, Shaws Pass, and Remainder Erf 243,<br>Hemel-en-Aarde Valley, Hermanus | 28 July 2025   |
| 9.  | Erf 10323, 2 Mussel Road, Hermanus Industrial                                  | 28 July 2025   |
| 10. | Erf 3326, 3 Riverside Lane, Onrustrivier                                       | 28 July 2025   |
| 11. | Erf 10567, 7 Gideon van Wyk Street, Hermanus I                                 | 28 July 2025   |
| 12. | Erf 6391, 28 Boekenhout Avenue, Kleinmond                                      | 28 July 2025   |
| 13. | Erf 7617 & 7618, 111 Eleventh Street, Voëlklip,<br>Hermanus                    | 28 July 2025   |
| 14. | Erf 3941, 266 Eight Street, Voëlklip, Hermanus                                 | 28 July 2025   |
| 15. | Erf 748, 5 Dirkie Uys Street, Northcliff, Hermanus                             | 5 August 2025  |
| 16. | Remainder Erf 6249, 343 Main Road, Eastcliff,<br>Hermanus                      | 11 August 2025 |
| 17. | Erf 1021, 8 Longmarket Street, and Erf 2294, 8A<br>Longmarket Street, Stanford | 11 August 2025 |
| 18. | Erf 9883, 27 Seventh Avenue, Voëlklip, Hermanus                                | 11 August 2025 |
| 19. | Erf 161, 13 Morton Street, Stanford  | 11 August 2025 |
| 20. | Erf 1180, 223 Main Road, Eastcliff, Hermanus                                   | 11 August 2025 |
| 21. | Erf 3710, 2 Berghof Drive, Onrustrivier, Hermanus                              | 18 August 2025 |
| 22. | Erf 2440, 12 Duiker Crescent, Sandbaai, Hermanus                               | 18 August 2025 |

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|-----|---|-------------------|
| 26. | Portion 105 (Portion of Portion 102) of Farm Hemel-<br>en-Aarde No. 587 | 1 September 2025  |
| 27. | Erf 6677, 62 Luyt Street, Eastcliff, Hermanus                           | 4 September 2025  |
| 28. | Erf 11017, 80 Mitchell Street, Eastcliff, Hermanus                      | 5 September 2025  |
| 29. | Erf 1930, 126 De Villiers Street, De Kelders,<br>Gansbaai               | 11 September 2025 |
| 30. | Erf 6196, 54 Flat Street, Eastcliff, Hermanus                           | 11 September 2025 |

**that cognisance be taken of the town planning applications disposed of by the Municipal Planning Tribunal in terms of SPLUMA that took place on 31 July & 28 August 2025:**

- |    |   |                |
|----|---|----------------|
| 1. | Erf 98, 13 Mark Street, Gansbaai                          | 31 July 2025   |
| 2. | Erf 6679, 76 Seventh Street, Voëlklip, Hermanus           | 31 July 2025   |
| 3. | Erf 379 & 6137, 18 Westcliff Road, Westcliff,<br>Hermanus | 28 August 2025 |
| 4. | Erf 298, 67 Westcliff Road, Westcliff, Hermanus           | 28 August 2025 |
| 5. | Erf 3970, 13 Hibiscus Road, Betty's Bay                   | 28 August 2025 |
| 6. | Erf 2662, 207 Porter Drive, Betty's Bay                   | 28 August 2025 |
| 7. | Erf 6862, Nemesia Avenue, Kleinmond                       | 28 August 2025 |
| 8. | Erf 6936, Nemesia Avenue, Kleinmond                       | 28 August 2025 |
| 9. | Erf 1878, 60 Buffels Road, Pringle Bay                    | 28 August 2025 |

**RESPONSIBLE OFFICIAL :**

**L TAYLOR**

**TARGET DATE FOR IMPLEMENTATION :**

**18 NOVEMBER 2025**



**AGENDA of the  
Portfolio Committee : Planning & Development  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**1. ERF 1220, 17 PROTEA ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS GERHARD LOOTS ARCHITECTURE ON BEHALF OF C LUBNER**

**1220 HEC (4649/2024)**

**P Roux**

**09 July 2025**

**(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 27 June 2024 from Messrs Gerhard Loots Architecture on behalf of C Lubner applicable to Erf 1220, Eastcliff, Hermanus for the following:

**departure** in terms of Section 16(2)(b) of the By-Law to encroach the lateral eastern building line from 2m to 0m to accommodate a new outbuilding.

**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 1220, Hermanus (Eastcliff), for the relaxation of the eastern lateral building line from 2m to 0m in order to accommodate a new outbuilding, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (a) that the approvals are for the development proposal as indicated on Site Development Plan No 2024 – 004 / 001 to 004, as submitted with the application;
  - (b) 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;
  - (c) that all the conditions in the Services Report, be complied with;
  - (d) that all the conditions imposed by Heritage Western Cape, be adhered to;
  - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with

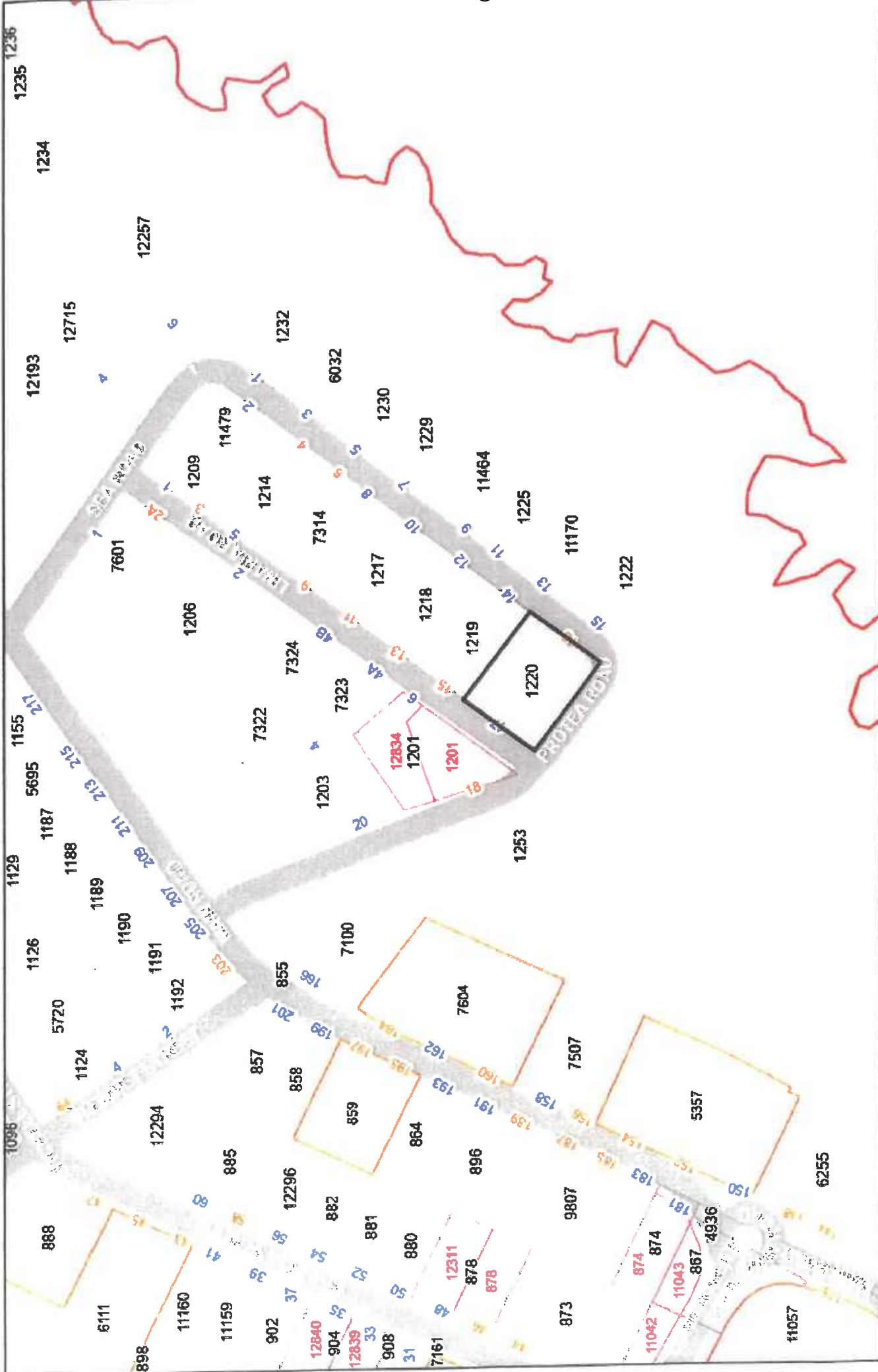
**AGENDA of the  
Portfolio Committee : Planning & Development  
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2. that the applicant notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**REASONS FOR RESOLUTION**

- ❖ The proposed structure will not have a negative impact on the character of the area or the streetscape.
- ❖ The proposals are in line with the character of the area
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ No objection was received.



ERF 20, 17 PROTEA ROAD, EASTCLIFF, HEMANUS

Locality Map



Project	Draw #	Description
2024-004	1	S&P Plan / Town Planning Table Layout
	2	Proposed First Storey Plan
	3	Proposed Roof Plan
	4	Elevation / Section AA
	5	Electrical Plan
	6	Door Schedule
	7	Calculations
	8	Specifications

**Townplanning Schedule:**

Zoning of Erf	Height Residential 1	Area of Erf	1794.00
Existing ST1 Building Area:		460.31	
Existing ST2 Building Area:		108.29	
Existing ST3 Floor Area:		0.00	
Total Existing Building Area:		568.60	
Demolition ST1 Building Area:		0.00	
Demolition ST2 Building Area:		0.00	
Demolition ST3 Floor Area:		0.00	
Total Demolition Building Area:		0.00	
Proposed ST1 Building Area:		24.64	
Proposed ST2 Building Area:		0.00	
Proposed ST3 Floor Area:		0.00	
Total Proposed New Building Area:		24.64	
Total ST1 Building Area (old & new):		484.95	
Total ST2 Building Area (old & new):		108.29	
Total ST3 Building Area (old & new):		0.00	
Total Building Area (old & new):		593.24	
Permissible in terms of Zoning Scheme:	50%	897.00	m <sup>2</sup>
Existing:	25%	460.31	m <sup>2</sup>
Demolished:	0%	0.00	m <sup>2</sup>
Added:	1%	24.64	m <sup>2</sup>
Proposed Coverage (After construction):	28%	664.25	m <sup>2</sup>
Depositure Required?	No		
Fire Retardant Index (FRI):			
Max. Floor Space Permissible in terms of Zoning Scheme:	N/A	N/A	m <sup>2</sup>
Building:	0.31	548.60	m <sup>2</sup>
Demolished:	0.00	0.00	m <sup>2</sup>
Added:	0.01	24.64	m <sup>2</sup>
Proposed FSI (All):	0.32	573.24	m <sup>2</sup>
Depositure Required?	No		
Permitted Bay(s):	2	Bay(s)	
Required for dwelling:	2	Bay(s)	
Required for Second Dwelling:	3	Bay(s)	
Total parking bays required:	5	Bay(s)	
Depositure Required?	No		
Building Lines:			
Street - SE:	4.000m	4.000m	
Street - SW:	4.000m	4.000m	
Street - NW:	4.000m	4.000m	
Rear:	2.000m	0.250m	
Depositure Required?	Yes		
Permissible to top of wall/height:	N/A	N/A	
Permissible to top of wall/height:	6.000m	3.000m	
Permissible within 2m Common Boundary:	N/A	N/A	
Outbuildings within 2m Common Boundary:	3.000m	3.000m	
Depositure Required?	No		
Boundary Wall:	2.100m	2.100m	
Permissible above existing GL:	No		
Depositure Required?	No		

**GERHARD LOOTS**  
ARCHITECTS AND TOWNPLANNERS

101 Maitland Street, 10th Floor, 6001  
101 Maitland Street, 10th Floor, 6001  
021 432 7777

Capri Pretoria • Bond • Overburg • Southern Cape

**HOUSE CHRISTINA LUBNER**  
PROPOSED ADDITIONS,  
17 PROTEA ROAD,  
MANTONVILLE, JOHANNESBURG  
HERMANUS

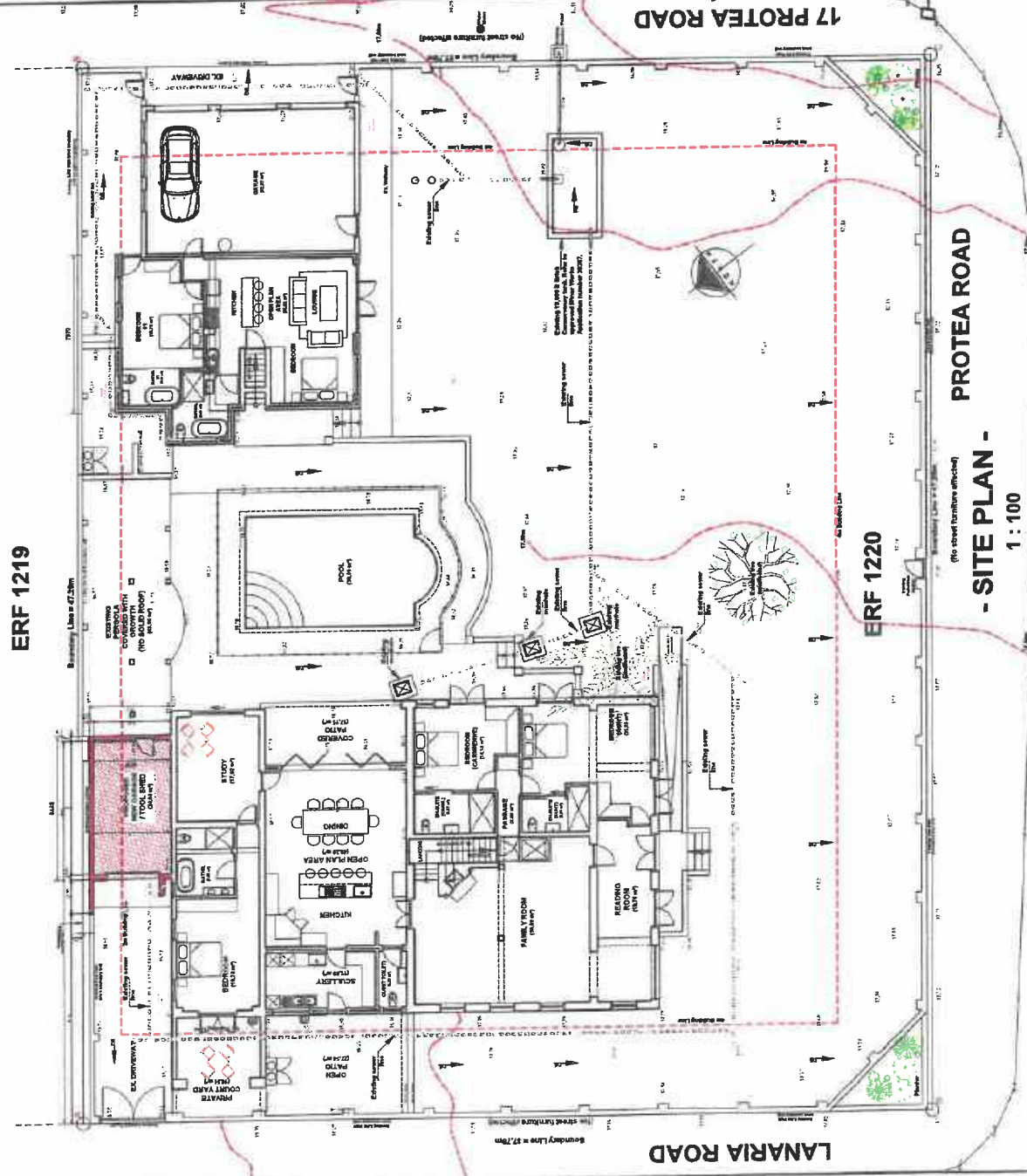
**BDM SUBMISSION PLAN!**  
(Sheet 01 of 05)

DATE: 21-10-2024  
PROJECT: 2024-004-001

APPROVED BY: [Signature]

APPROVED BY: [Signature]

APPROVED BY: [Signature]



**- HOUSE LUBNER - PROPOSED ADDITIONS TO EX. DWELLING - ERF 1220 - 17 PROTEA ROAD - HERMANUS -**

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 1220, EASTCLIFF (4649/2024)**

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 Area Manager: 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**

17/10/2024  
DATE

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**2. ERF 1141, 3 SLABBER STREET, VAN DYKSBAAI (KLEINBAAI),  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE:  
MESSRS WRAP PROJECT OFFICE ON BEHALF OF C JOUBERT**

**1141 GKB (4810/2024)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**09 July 2025**

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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 09 September 2024 from Messrs WRAP Project Office on behalf of C Joubert applicable to Erf 1141, van Dyksbaai for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
  - encroach the street building line from 4m to 3m to accommodate a proposed garage extension, and
  - encroach the rear building line from 2m to 0m to accommodate a proposed carport.

**RESOLUTION**

1. that the comment be noted;
2. 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) to encroach the street building line from 4m to 3m to accommodate a proposed garage extension, **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 as indicated on Drawing No. *JOU-KFT-25/23*;
  - (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 all the conditions imposed by OpenServe (Telkom) be adhered to;

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- (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
3. that that the application for departure in terms of Section 16(2)(b) of the By-Law to encroach the rear building line from 2m to 0m to accommodate a proposed carport, **not be approved** in terms of the provisions of Section 61 of the By-Law;
  4. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above conditions of approval.

## **REASONS FOR RESOLUTION**

### **Reason for recommendation of points 1**

- ❖ The additions / alterations are built in line with the existing building footprint which ensures uniformity.
- ❖ The streetscape is not impacted on.
- ❖ The additions / alterations are of a normal residential character and are subsequently in line with the forward planning documents.
- ❖ The staff quarters are indicated on both approved building plans dated 31 March 1969 and 13 March 1998.
- ❖ All structures are more than 1m from the property boundary which will not negatively impact on the surrounding ambience levels that may be generated from normal residential activities.
- ❖ The boundary wall height ensures privacy to both the subject property owner and the adjacent property owners (Erven 379, 377 and 2440 Sandbaai).
- ❖ The application has followed due procedure.
- ❖ No objections or complaints were received during or before the public participation process.
- ❖ It is supported by the Engineering Department.

### **Reason for recommendation of point 3**

- ❖ Most structures already exist on the property and no further building work is proposed.
- ❖ The encroachments are minor in nature being of a normal residential nature which improves the liveability of the property.
- ❖ The onus is on the property owner to ensure that all structures on their property have approved building plans, comply with the Overstrand Municipality Land Use Scheme, 2020 as well as all relevant legislation.

# 1. Locality Plan Erf 1141 - Van Dyksbaai

Plan prepared by: Thian Jansen

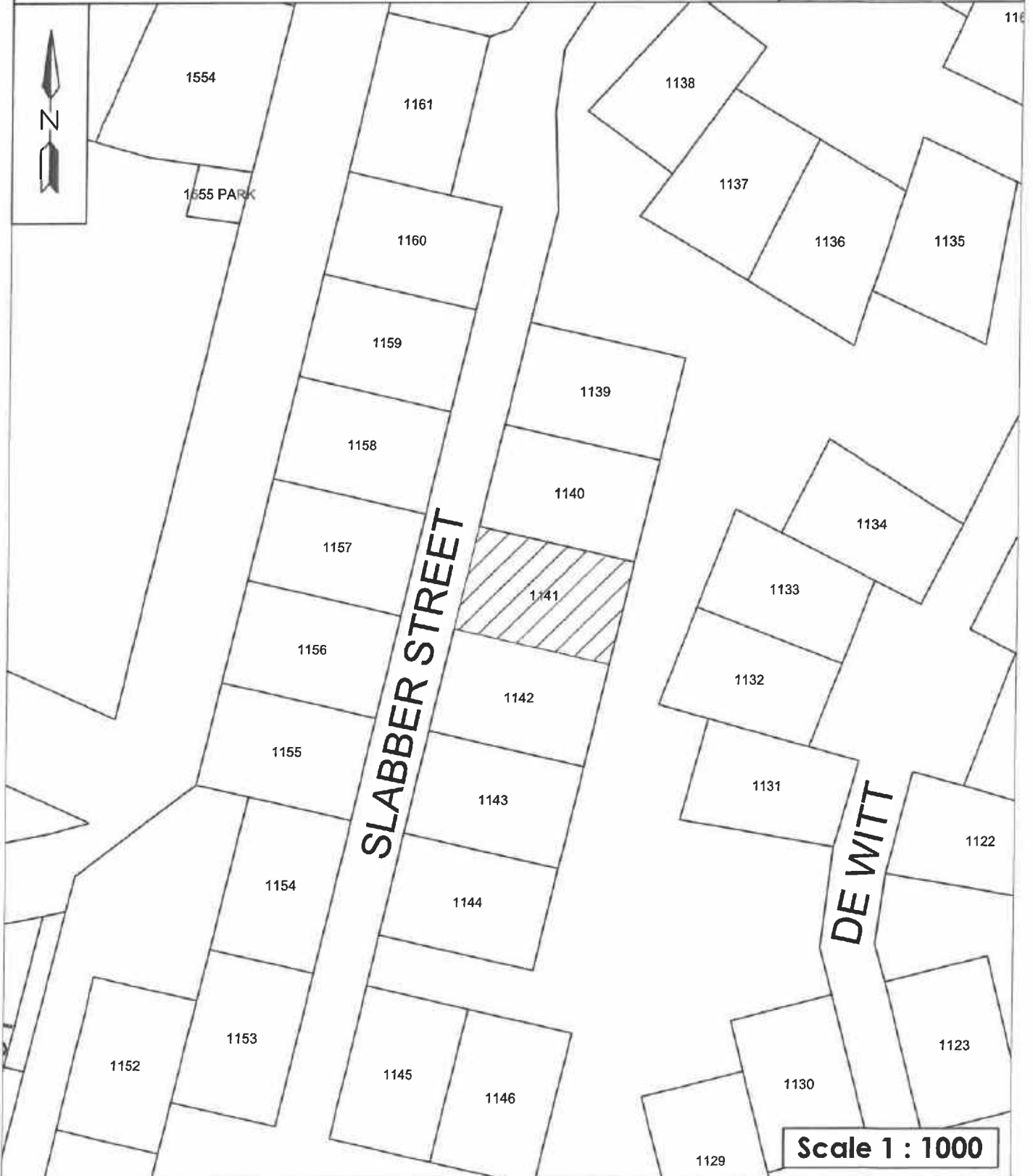
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management



**Scale 1 : 1000**

**GENERAL NOTES**

1. All work shall be in accordance with the latest editions of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.
3. All materials and workmanship shall be subject to inspection and approval by the Building Department.
4. The contractor shall maintain access to all adjacent properties at all times.
5. The contractor shall be responsible for the protection and preservation of all existing structures and utilities.
6. The contractor shall be responsible for the removal and disposal of all waste materials in accordance with the applicable regulations.
7. The contractor shall be responsible for the safety of all workers and the public at all times.
8. The contractor shall be responsible for the completion of all work within the specified time frame.
9. The contractor shall be responsible for the maintenance of all records and drawings throughout the project.
10. The contractor shall be responsible for the payment of all taxes and fees associated with the project.

**APPROVAL STAMPS**

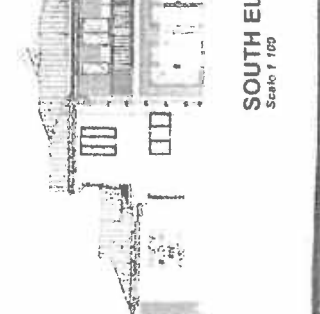
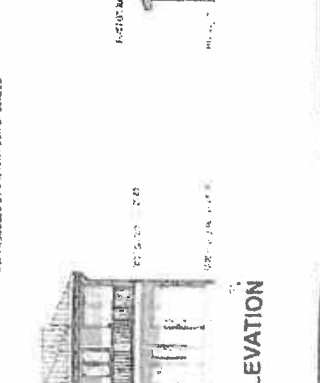
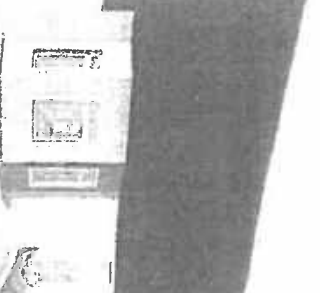
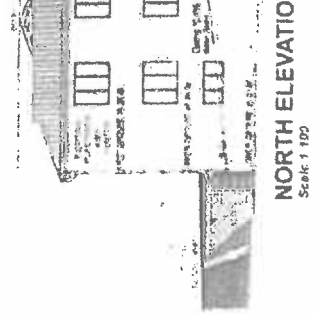
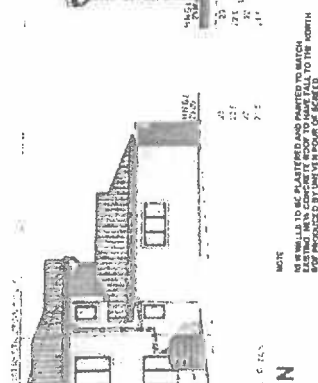
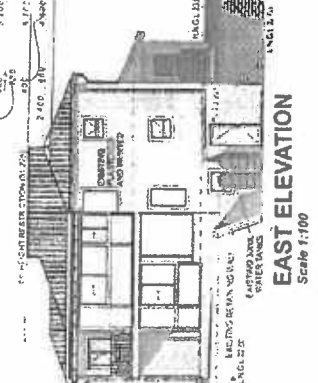
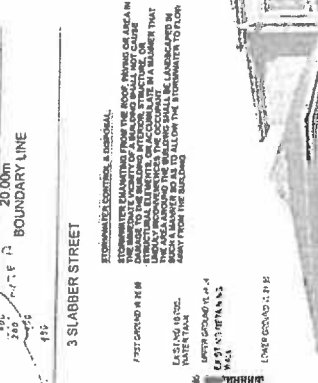
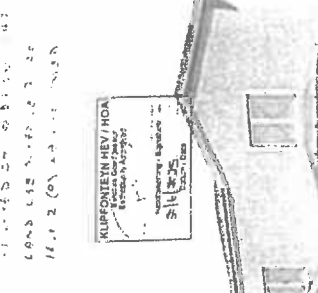
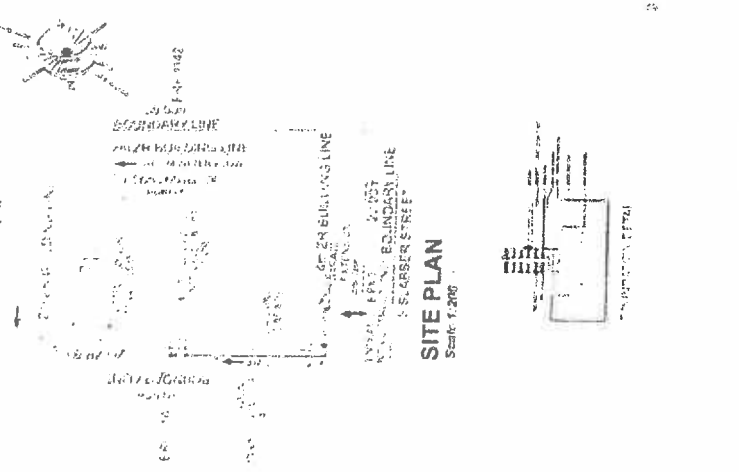
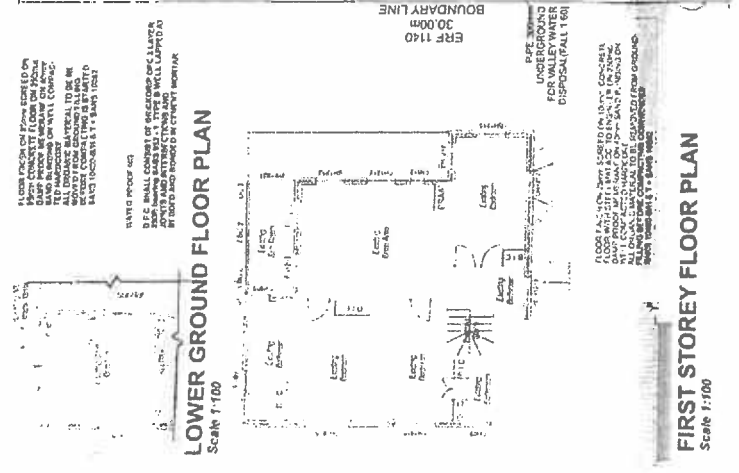
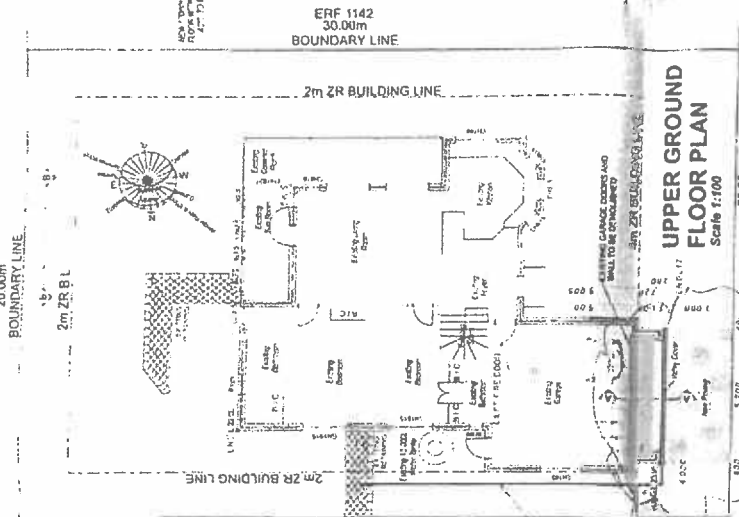
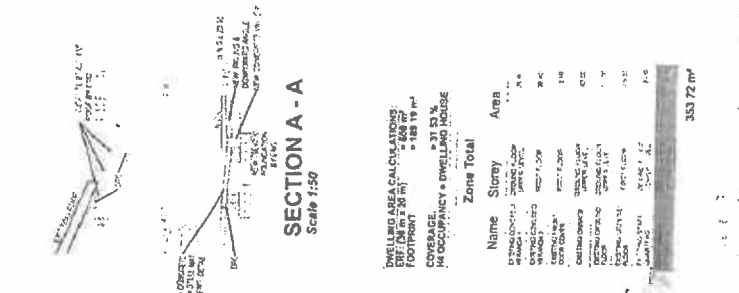


**PRINSARCH**  
ARCHITECTURAL FIRM  
1000 BAYVIEW AVE. #100  
SCARBOROUGH, ONT. M1B 2Y1  
TEL: (416) 291-1111  
WWW.PRINSARCH.COM

**CLIENT DETAILS**  
Client: JOUBERT  
Project: JOUBERT  
Address: 1000 BAYVIEW AVE. #100  
City: SCARBOROUGH, ONT.  
M1B 2Y1  
Tel: (416) 291-1111

**PROJECT INFO**  
Project Name: JOUBERT  
Project No: JOUBERT-2523  
Project Date: 2023-01-01  
Project Status: In Progress

**GENERAL PERSPECTIVE - GARAGE EXTENSION**  
Not to Scale



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE, ERF 1141, VAN DYKSBAAI  
(KLEINBAAI) (4810/2024)**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Engineering Services - Gansbaai 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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21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**3. REMAINDER ERF 2537, 11 HOFMEYER STREET, ONRUSTRIVIER,  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE &  
DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLAN ACTIVE TOWN  
AND REGIONAL PLANNERS ON BEHALF OF THE ANN TRUST**

**2537 HON (4928/2025)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**23 June 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 10 March 2025 from Plan Active Town & Regional Planners on behalf of The Ann Trust in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder Erf 2537, 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 western street building line from 3m to 2,86m to accommodate the existing braai and dining room, and
  - To relax the southern and eastern side building lines from 2m to 0m to accommodate the proposed garage and storage area.
- ❖ **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 existing structures mentioned above.

**RESOLUTION**

1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder Erf 2537, Onrustrivier for the following departures:

- ❖ To relax the western street building line from 3m to 2,86m to accommodate the existing braai and dining room, and
- ❖ To relax the southern and eastern side building lines from 2m to 0m to accommodate the proposed garage and storage area;

**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;

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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (b) that the approval for the departure is only for the development over for the building lines as indicated on plan number TVD 2/2024- 1 dated 2 June 2024, submitted with the application;
  - (c) that building plans be submitted to the Building Department for all illegal building work on the property approval, and that all conditions of the Building and the Fire Department be complied with at that stage;
  - (d) that all other development parameters as prescribed in the relevant Land Scheme be complied with, and
  - (e) that all the conditions in the Services Report be complied with.
2. that the comments received from Telkom be noted.
  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 Remainder Erf 2537, Onrustvriev for the unauthorized building line encroachments to accommodate the existing structures mentioned above, **be imposed**, and that an administrative penalty of **R820,25**, be payable within thirty days (30) of the final decision.
  4. 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 decision.

## **REASONS FOR RESOLUTION**

### **POINT 1 - 2**

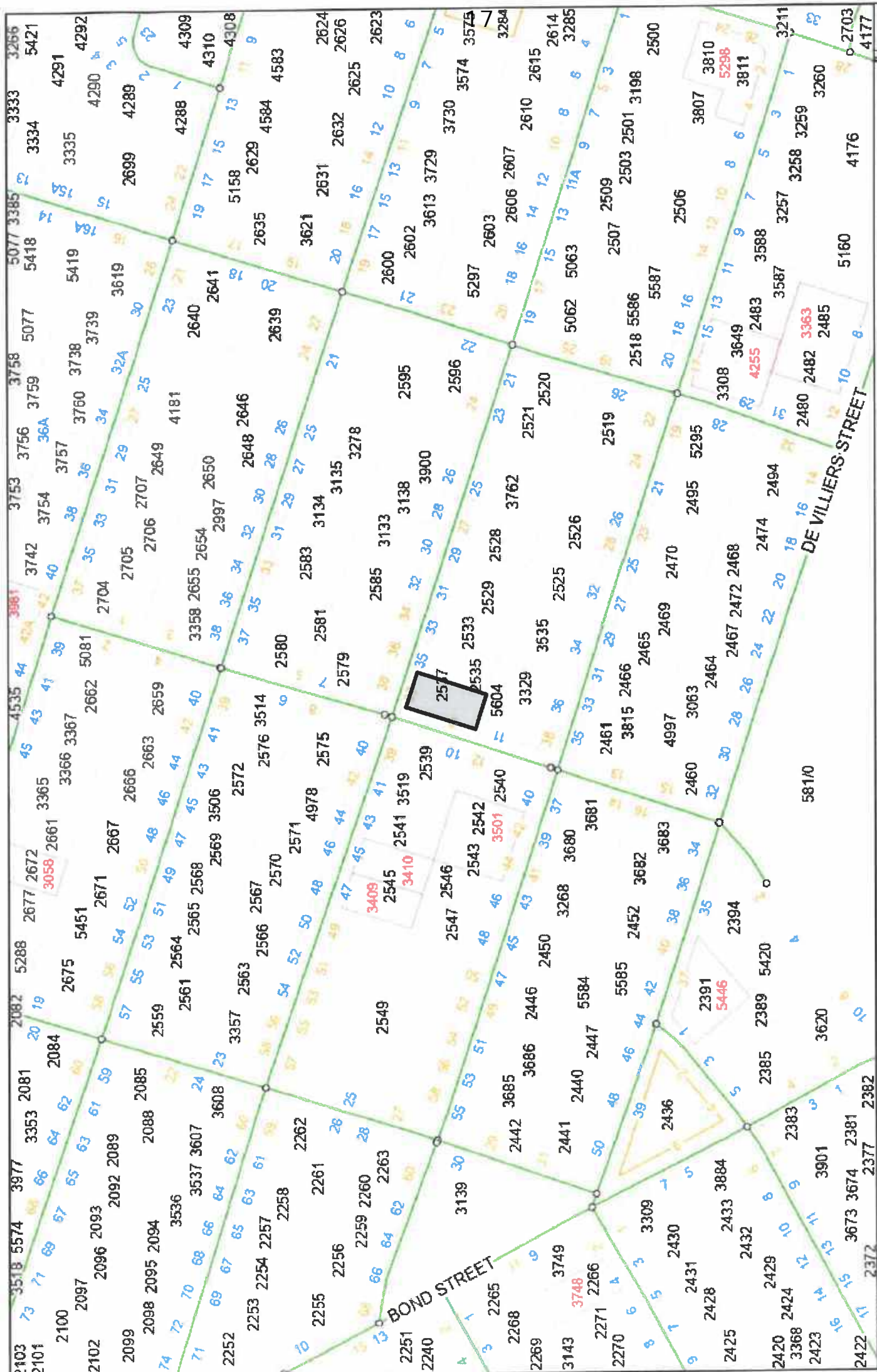
- ❖ The application has followed due procedure.
- ❖ No new municipal services will be affected.
- ❖ The existing encroachment of the braai/dining room over the street building line and have no impact on the street scene or impact any views.
- ❖ The proposed garage/storage area will not have a negative impact on neighbours, and similar outbuildings have been approved previously onto boundary lines on erven in this area.
- ❖ No objections were received from surrounding neighbours.
- ❖ All relevant Municipal/State Departments or other institutions support the application.
- ❖ The application does not have a negative impact on surrounding property owners or the character of the area and is desirable.

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**POINT 3**

- ❖ The existing landowner had an approved building plan and should have ensured that the contractor does not construct the building in conflict with the approved building plan.



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION: ERF 2537, ONRUS RIVER (4270/2022)**

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

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (**2022/2023**) is as follows:

**Freehold erven:**

Water	R 26 036.00 x 1	=	R 26 036.00
Sewerage	R 17 555.00 x 1	=	R 17 555.00
Roads	R 7 872.00 x 1	=	R 7 872.00
Stormwater	R 9 082.00 x 1	=	R 9 082.00
Solid Waste	R 1 574.00 x 1	=	<u>R 1 574.00</u>
<b>TOTAL (inclusive of VAT)</b>		<b>=</b>	<b>R 62 119.00</b>

Note:

- 1.3 **The above figures are estimates**
- 1.4 **The above figures do not include evaluation/investigation levies and connection fees**
2. that each property must be services with individual and separate water and sewer connections which must comply with the standards of the Department: Operational Services;

3. that the developer investigates and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Operational Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through the proposed erven, Onrus River, unobstructed;
6. that no on-street parking be allowed.

*p.p. A. Coetzer*  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

*14/11/2022*  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**4. ERF 2100, 73 VILJOEN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE ON BEHALF OF PJ AND CMH STEPHAN**

**2100 HON (4934/2025)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**30 June 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 13 March 2025 from Messrs Engelbrecht & Scorgie Architectural Office on behalf of PJ and CHM Stephan on Erf 2100, Onrustrivier 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 2m lateral building line to 1m to accommodate a proposed use change of a bedroom into a 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 2100, Onrustrivier for a departure to relax the lateral building line from 2m to 1m to accommodate a proposed use change of a bedroom into a garage, **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 *J -01/05* dated 5 February 2025 submitted with the application;
  - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Department be complied with at that stage;
  - (d) that all the conditions in the Services Report be complied with, and
  - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with,
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation;

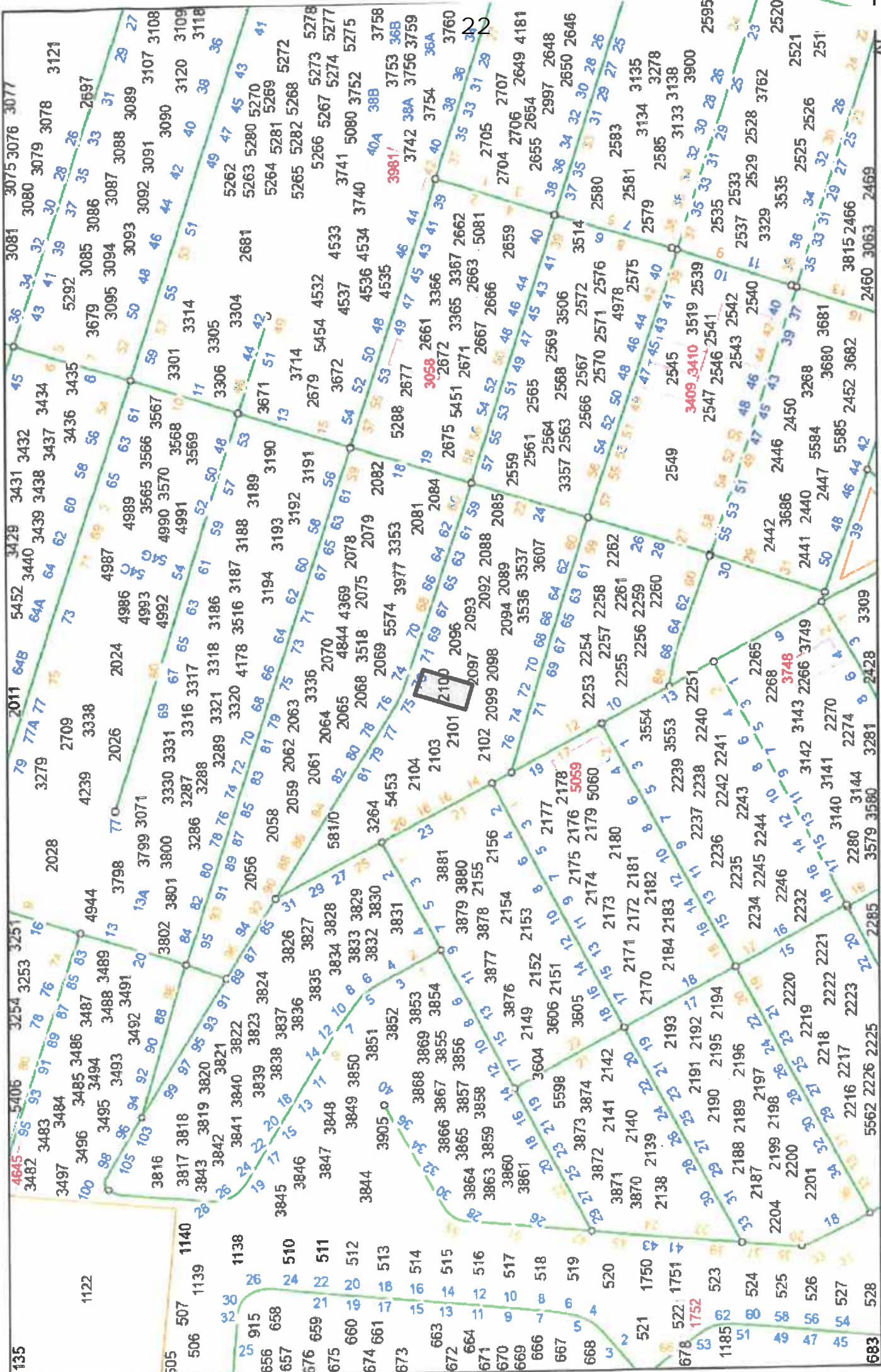
**AGENDA of the  
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21 October 2025  
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2. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ The proposal is for internal changes only, with no impact on neighbours or the character of the area.
- ❖ The application has followed due procedure.
- ❖ The application is supported by all relevant municipal and state departments/branches.
- ❖ No objections were received from neighbours.
- ❖ No new municipal services will be needed.



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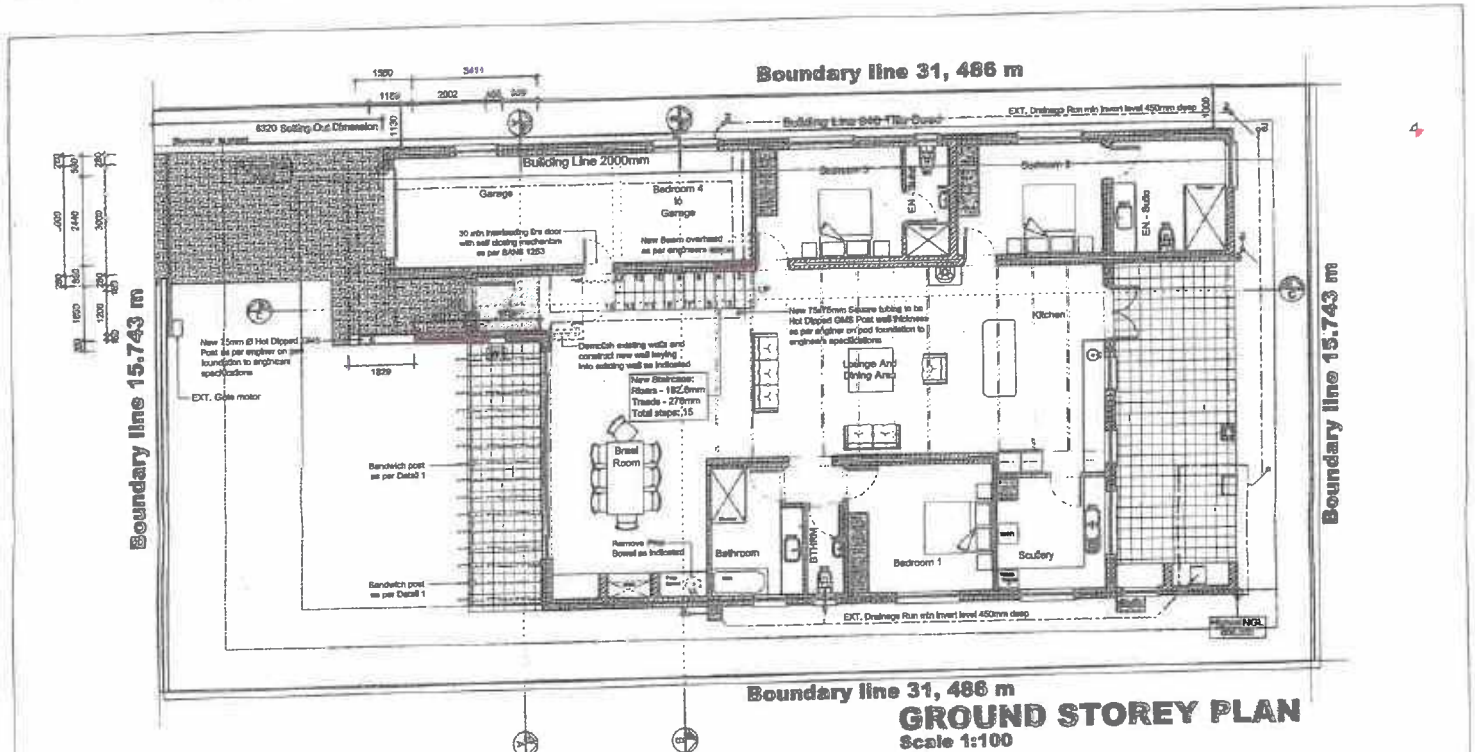
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**GROUND STOREY PLAN**  
Scale 1:100

Stephen Ploster if mention ADDRESS: 73 Wilson Street ERP: 2180 DRAWING No.: Project Number; A191; Current Revision DATE: 20 Feb 2023 PROJECT NUMBER & PAGE No.: 1 - 01	SCALE: 1:100 PAGE SIZE: A3 REV:
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DRAWN BY: Keegan Forster CHECKED BY: Gerhard Engelbrecht BT 1938 PROJECT DESCRIPTION: Project Home PAGE CONTENT: Starch Plans
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NOTES:
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**ENGELBRECHT & SCORGIE**  
ARCHITECTURAL OFFICE

48 340th Street, Grand River • PO Box 181 • Grand River  
Tel 028 370 2294 • Fax 028 344 2220 • arch@engelscorgie.co.za  
Members: G. Engelbrecht & S. Scorgie  
G. Engelbrecht

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 2100, ONRUS RIVER (4934/2025)**

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**

28/05/2025.  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**5. ERF 7514, NO. 4 WHALE ROCK ESTATE, WESTCLIFF, HERMANUS,  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE &  
DETERMINATION OF AN ADMINISTRATIVE PENALTY: SMART SOLUTION  
ARCHITECTURE ON BEHALF OF F BOOGERTMAN**

**7514 HWC (4360/2023)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**18 July 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 16 March 2023 from Messrs Smart Solutions Architecture on behalf of F Boogertman for Erf 7514, Westcliff in terms of Section 16 (2)(b) 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 By-Law, to relax the eastern lateral building line of the property from 1m to 0m to accommodate two existing en-suite bathrooms, a portion of a pergola, as well as a reinforced concrete box gutter that is fixed to the pergola; and
- ❖ **Determination of an administrative penalty:** in terms of Section 16(2)(q) of the By-Law, to accommodate the additions to the property.

**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 7514, Westcliff, Hermanus for a departure to relax the eastern lateral building line from 1m to 0m, to accommodate two existing en-suite bathrooms, a portion of a pergola, as well as a reinforced concrete box gutter that is fixed to the pergola; **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the decision in paragraph 1. above be subject to the following conditions:
  - (a) that this approval is for the building line encroachments as indicated on Plan No I0416/A1/03 *pages 1-4* dated 23 January 2023 that was 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 Department be complied with at that stage;

**AGENDA of the  
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21 October 2025  
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- (c) that all the conditions in the Services Report and Telkom be complied with;
  - (d) that all other development parameters as prescribed in the relevant Zoning Scheme; and
  - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.
3. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 7514, Whale Rock Estate, for the unauthorised building work over the applicable building line, **be imposed**, and that an administrative penalty fee of **R12 388.50** be payable within ninety (90) days of this decision; and
4. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ The unauthorised development over the building line were made due to the property owner becoming a T5 Paraplegic.
- ❖ All the structures exist on the property.
- ❖ The demolition of the structures will incur additional costs and increase difficult living conditions for the owner.
- ❖ The 5% administrative penalty is imposed due to the property owner knowingly developed the property over the applicable building line without prior approval from the municipality.

MUNICIPAL REQUIREMENTS AND THOSE OF OTHER AUTHORITIES ARE TO BE CHECKED AND NOTED ON THE BUILDING SITE BEFORE COMMENCING WORK. FROMED DIRECTIONS TO BE OBSERVED. LARGE SCALE DETAILS SUPPLY SMALL SCALE DRAWINGS. THE DESIGN ON THIS DRAWING IS THE PROPERTY OF SMART SOLUTION ARCHITECTURE AND COPYRIGHT THEREOF IS RESERVED BY THEM.

VARIATIONS:  
REV. NO. DATE: 2020/01/01  
DESCRIPTION: S.2479/1/3

S.2479/1/3

DRAWING STAGE:  
COUNCIL SUBMISSION  
DEPARTURE APPLICATION  
SKETCH PROPOSAL  
TENDER DRAWING  
WORKING DRAWING

SITE RESTRICTIONS:  
STREET BUILDING LINE 5.50m  
LATERAL BUILDING LINE 1.10m  
REAR BUILDING LINE 4.00m  
HEIGHT RESTRICTION 4.5.00m  
TITLE DEED BUILDING LINES (see drawing S 106)

ZONE APPLICABLE:  
SINGLE RESIDENTIAL (SR1)  
DOWNTOWN HOUSING - ZONE 1 (D1)  
DOWNTOWN HOUSING - ZONE 2 (D2)  
DOWNTOWN HOUSING - ZONE 3 (D3)  
DOWNTOWN HOUSING - ZONE 4 (D4)  
LESS FORMAL DEVELOPMENT (LFD)



and architects CONSULTANTS  
15 Smith Street, Suite 201, Melbourne VIC 3000  
Office 028 125 0019  
L. Smart 082 879 5748  
D. Smart 079 695 1128  
Email: lsmart@smartarch.com.au  
dsmart@smartarch.com.au

PROJECT NAME:  
FLORENCE BOOGETMAN  
ERF 7514  
NO. 04  
WHALE ROCK ESTATE  
HERMANUS  
DWG TITLE:  
LOCALITY PLAN

DATE:  
23.01.2023

DRAWN BY:  
D SWART

CHECKED BY:  
D SWART

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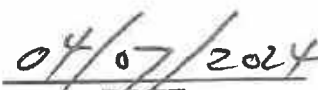
**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 7514, WESTCLIFF (4360/2024)**

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 Area Manager: 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.

p.p.   
 DENNIS HENDRIKS  
 SENIOR MANAGER:  
 ENGINEERING SERVICES

  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**6. ERF 166, CHURCH ROAD, HAWSTON, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR DEPARTURE: FUTURE PLAN TOWN AND REGIONAL  
PLANNERS ON BEHALF OF REFORMED OLD APOSTOLIC CHURCH**

**166 HHW (4166/2024)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**9 June 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 14 March 2024 from Future Plan Town and regional Planners on behalf of Reformed Old Apostolic Church in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following departures on Erf 166, Hawston to accommodate a proposed new facility for a place of worship:

- ❖ To relax the northern lateral building line from 5m to 3,391m;
- ❖ To relax the southern building line from 5m to 2m, and
- ❖ To relax the rear building line from 5m to 2,133m.

**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 166, Hawston for the following departures to accommodate a proposed new facility for a place of worship:

- ❖ To relax the northern lateral building line from 5m to 3,391m;
- ❖ To relax the southern building line from 5m to 2m, and
- ❖ To relax the rear building line from 5m to 2,133m;

**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 166HAW (2024-05)-01/A1 - REV B dated May 2024, submitted with the application;
- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Department be complied with at that stage;

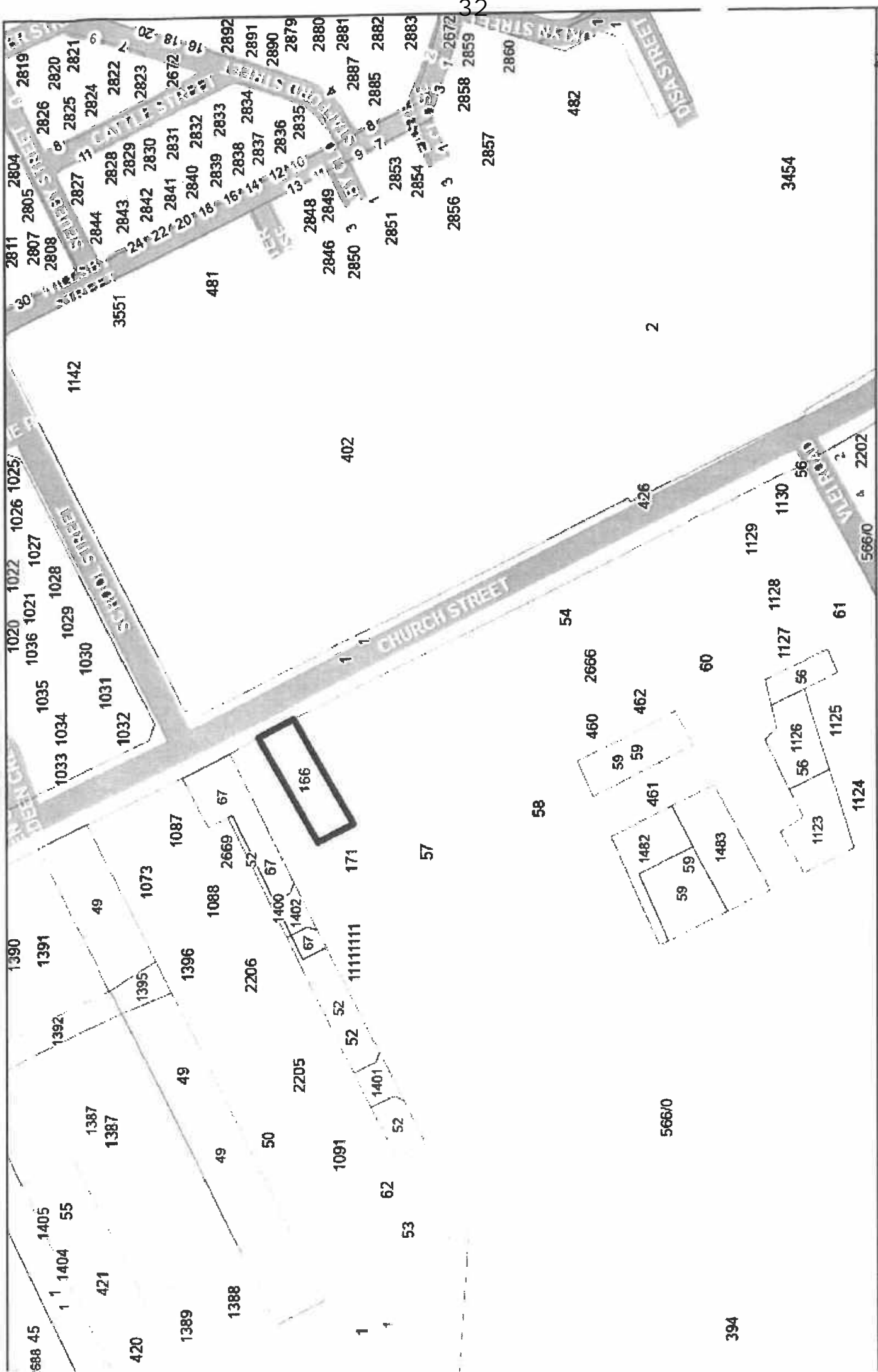
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21 October 2025  
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- (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with,
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (f) that all the conditions in the Services Report be complied with;
  - (g) that all the conditions by Eskom be complied with, and
  - (h) that all the conditions by Telkom be complied with.
2. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decision.

**REASONS FOR RESOLUTION**

- The concern from the objector about noise impact due to the proposed relaxation of the southern and rear building lines is not supported, and the placement of the new church and internal layout will help mitigate any possible increased noise impact.
- 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 property is zoned for Community Zone purposes and due to its small size and narrow width of 15,7m, and 5m applicable building lines, would allow for only a 5,7m wide church building.
- The relaxations will make development on the erf possible and provide for a new church on a church site to serve the community's needs.
- The application will not have a negative impact on the character of the area or the surrounding neighbours and is desirable.





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE: ERF 166, HAWSTON (4611/2024)**

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 Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

22/08/2024  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**7. ERF 7205, 23 GLADIOULUS STREET, MOUNT PLEASANT, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: CA GARDINER**

**7205 HMP (4700/2024)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**28 May 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 21 June 2024 from CA Gardiner on Erf 7205, Mount Pleasant 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 Bylaw for the following:
  - Relaxation of the northern and western lateral building line from 1m to 0m to accommodate the existing carport;
  - Relaxation of the eastern street building line from 2m to 1,7m to accommodate the existing bedrooms;
  - Relaxation of the eastern street building line from 2m to 1m to accommodate the existing enclosed fireplace, and
  - Relaxation of the 9m length restriction of a structure along a common boundary to accommodate the existing 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.

**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 7205, Mount Pleasant for the following **departures**:

- ❖ relaxation of the northern and western lateral building line from 1m to 0m to accommodate the existing carport;
- ❖ relaxation of the eastern street building line from 2m to 1,7m to accommodate the existing bedrooms;
- ❖ relaxation of the eastern street building line from 2m to 1m to accommodate the existing enclosed fireplace, and
- ❖ relaxation of the 9m length restriction of a structure along a common boundary to accommodate the existing garage;

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

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- (a) that this approval is for the relaxations as indicated on plan numbers *7205MP (2024-09)-01/A3-REV B (01-09)* dated *17 September 2024* submitted with the application;
  - (b) that no further departures over the building lines be approved, except as stipulated by the Land Use Scheme;
  - (c) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control – and the Fire Department be complied with at that stage;
  - (d) that the conditions in the Services Report be complied with;
  - (e) that all the conditions 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 Zoning Scheme 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 7205, Mount Pleasant to accommodate the unauthorised building work as stipulated above, **be imposed**, and that an administration penalty fee of **R7 569.56**, be payable within ninety (90) days of the 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 decision.

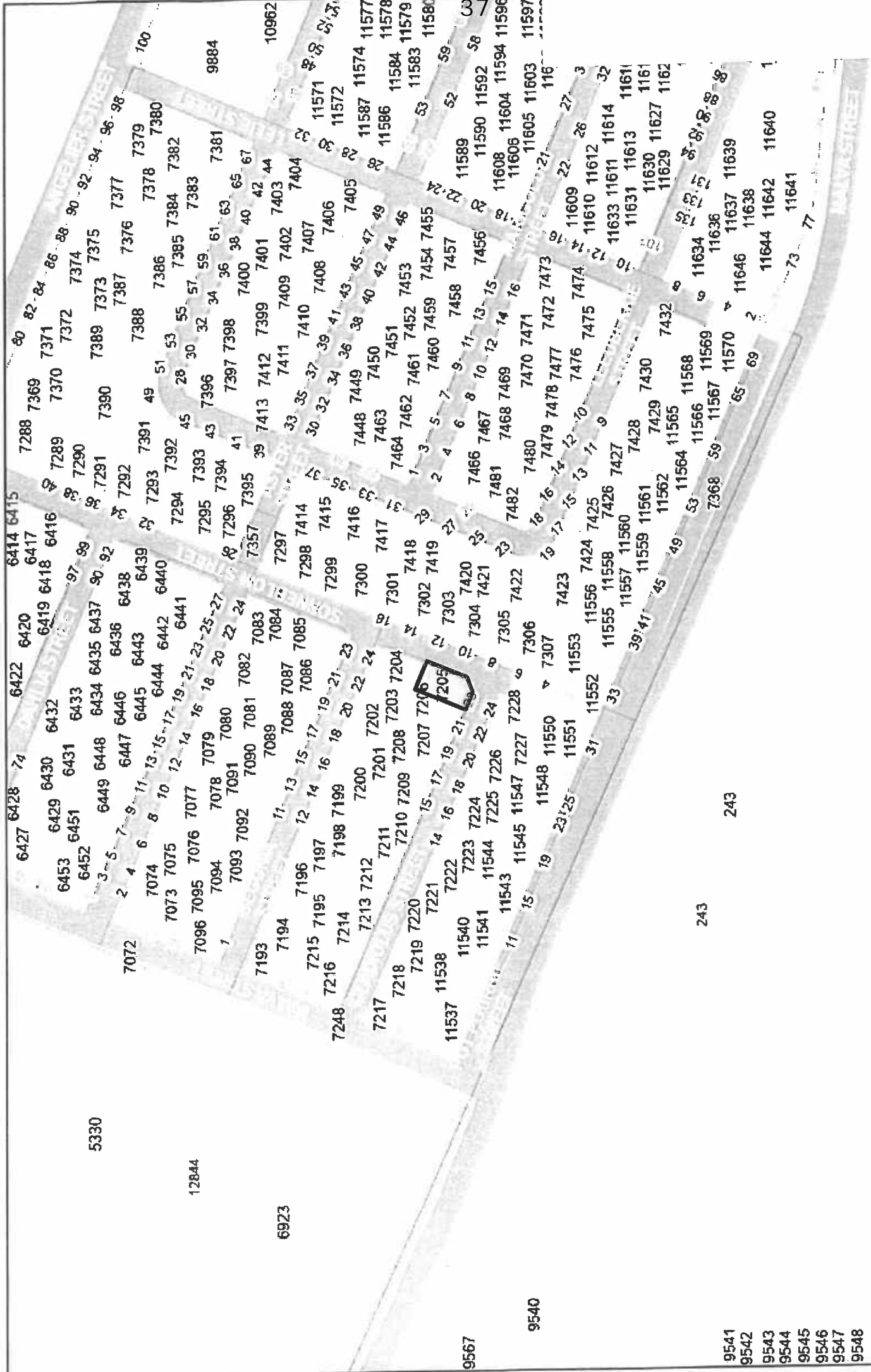
## **REASONS FOR RESOLUTION**

### **POINT 1**

- ❖ The proposal is in line with the Land Use Scheme
- ❖ The application will have no negative impact on the surrounding area.
- ❖ None of the relevant departments have any objection.
- ❖ No additional services are required.

### **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.



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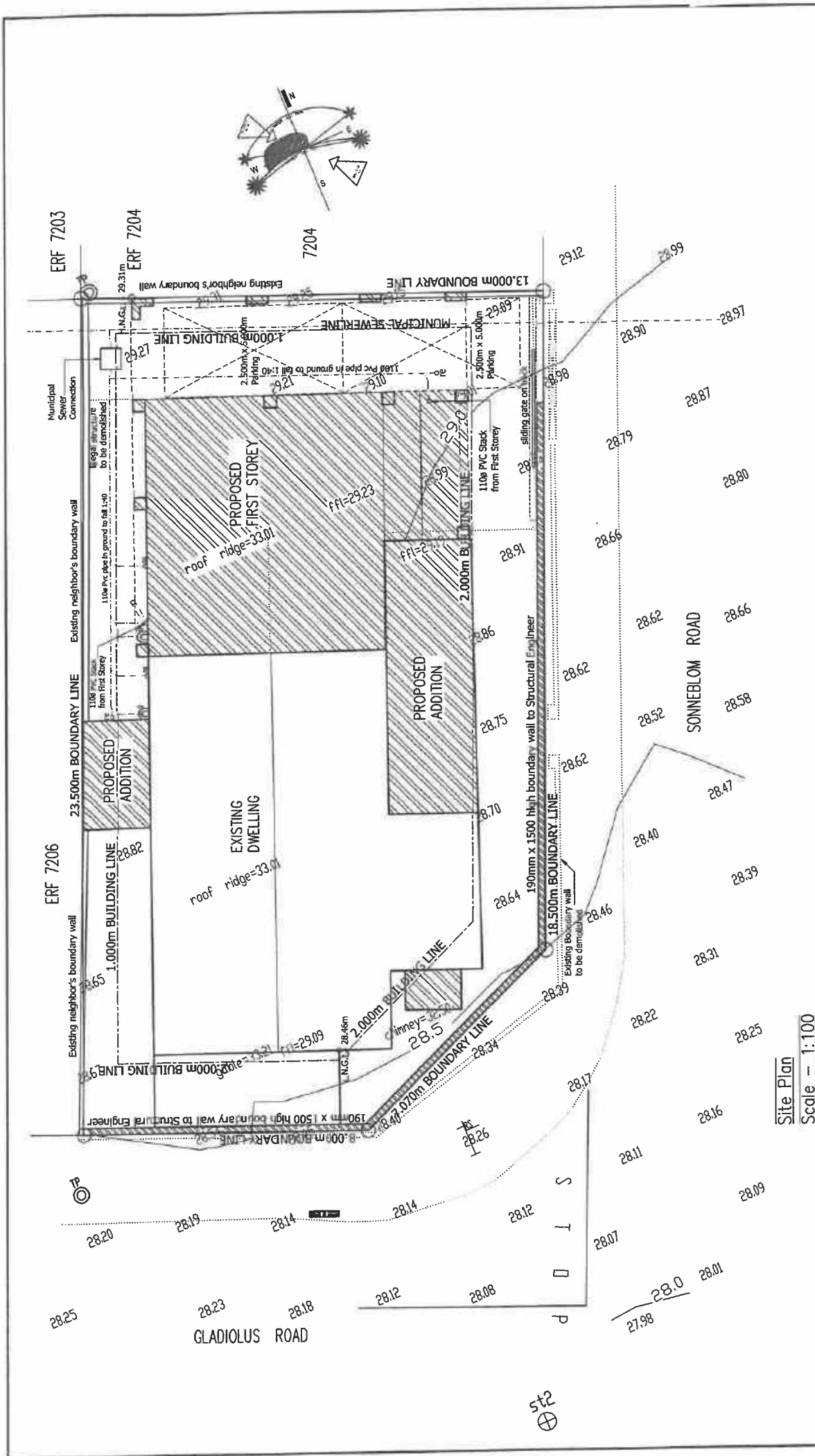
6923

9567

9540

243

9541  
 9542  
 9543  
 9544  
 9545  
 9546  
 9547  
 9548



Site Plan  
Scale - 1:100

**C. Geldenhuys**  
CRAG ARCHITECTURAL DESIGN  
P.O. BOX 517  
OLEFON  
7230  
C.GELDENHUYS - 082 836 8631  
SKOP - P.O. : 20718

SECOND DWELLING:	
EXISTING GROUND STOREY (EX. GARAGE)	27.83 m <sup>2</sup>
ADDITION TO GROUND STOREY	10.09 m <sup>2</sup>
NEW FIRST STOREY	67.97 m <sup>2</sup>
<b>TOTAL</b>	<b>105.89m<sup>2</sup></b>
<b>GROSS AREA</b>	<b>238.03 m<sup>2</sup></b>
<b>ERF</b>	<b>293.0 m<sup>2</sup></b>
<b>COVERAGE</b>	<b>58.04 %</b>

MAIN DWELLING:	
EXISTING DWELLING	105.94 m <sup>2</sup>
ADDITION TO GROUND STOREY	26.20 m <sup>2</sup>
<b>TOTAL</b>	<b>132.14 m<sup>2</sup></b>

AREAS	
EXISTING DWELLING	105.94 m <sup>2</sup>
ADDITION TO GROUND STOREY	26.20 m <sup>2</sup>
<b>TOTAL</b>	<b>132.14 m<sup>2</sup></b>

**PROJECT:** ADDITION ON CRP OF GLADIOLUS & SONNEBLOM ROAD MOUNT PLEASANT

**CLIENT:** C.A. GARDINER

**SCALE:** 1:100

**DATE:** 17 September 2014

**DESIGNER:** C. Geldenhuys

**DATE:** 17 September 2014

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 7205, MOUNT PLEASANT (4700/2024)**

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**

11-02-2025  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- 8. ERF 283, SHAWS PASS, HEMEL EN AARDE VALLEY, HERMANUS AND REMAINDER ERF 243, HEMEL EN AARDE VALLEY, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC PLACE, REZONING & CONSOLIDATION: WRAP PROJECT OFFICE ON BEHALF OF THE REDBUILD TRUST AND OVERSTRAND MUNICIPALITY**

**283 HMP & Rem Erf 243 HER (4744/2024)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**24 June 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 14 August 2024 on Erf 283, Shaws Pass, Hemel En Aarde Valley, Hermanus and Remainder Erf 243, Hemel En Aarde Valley, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the subdivision of Remainder Erf 243, Hermanus in two portions namely Portion A (±1.52ha) and the Remainder.
- ❖ **Closure of a public place** in terms of Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the closure of Portion A (a Portion of the Remainder of Erf 243, Hermanus).
- ❖ **Rezoning** in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to accommodate the rezoning of Portion A (a Portion of the Remainder of Erf 243) from Open Space 2: Public Open Space to Agricultural Zone 1: Agriculture.
- ❖ **Consolidation** in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the consolidation of the Subdivided Portion A with Erf 283, Hermanus.

**RESOLUTION**

1. that the application in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the subdivision of Remainder Erf 243, Hermanus in two portions namely Portion A (±1.52ha) and the Remainder, **be approved** in terms of Section 61 of the By-Law;

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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2. that the application in terms of Section 16(2)(n) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the closure of public place Portion A (a Portion of the Remainder of Erf 243, Hermanus), **be approved** in terms of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the rezoning of Portion A (a Portion of the Remainder of Erf 243) from Open Space 2: Public Open Space to Agricultural Zone 1: Agriculture, **be approved**, in terms of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the consolidation of the Subdivided Portion A with Erf 283, Hermanus, **be approved**, in terms of Section 61 of the By-Law;
5. that the above approvals in Points 1 - 4 be subject to the following conditions:
  - (a) that this approval is applicable to Subdivision & Consolidation Plans dated 12 August 2024, submitted with the application;
  - (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 this approval is not an approval in terms of any other legislation;
  - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
6. 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.

**AGENDA of the  
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**REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ It will not impact on the rights of surrounding property owners or the character of environment
- ❖ The benefit is a more logical cadastral boundary.
- ❖ There will be no impact on the any agricultural activity, since it is a boundary alignment which benefit both parties.

# 1. LOCALITY PLAN

## ERF 283 - HERMANUS & REMAINDER OF ERF 243 HERMANUS

 Subject property

Plan prepared by: Thian Jansen

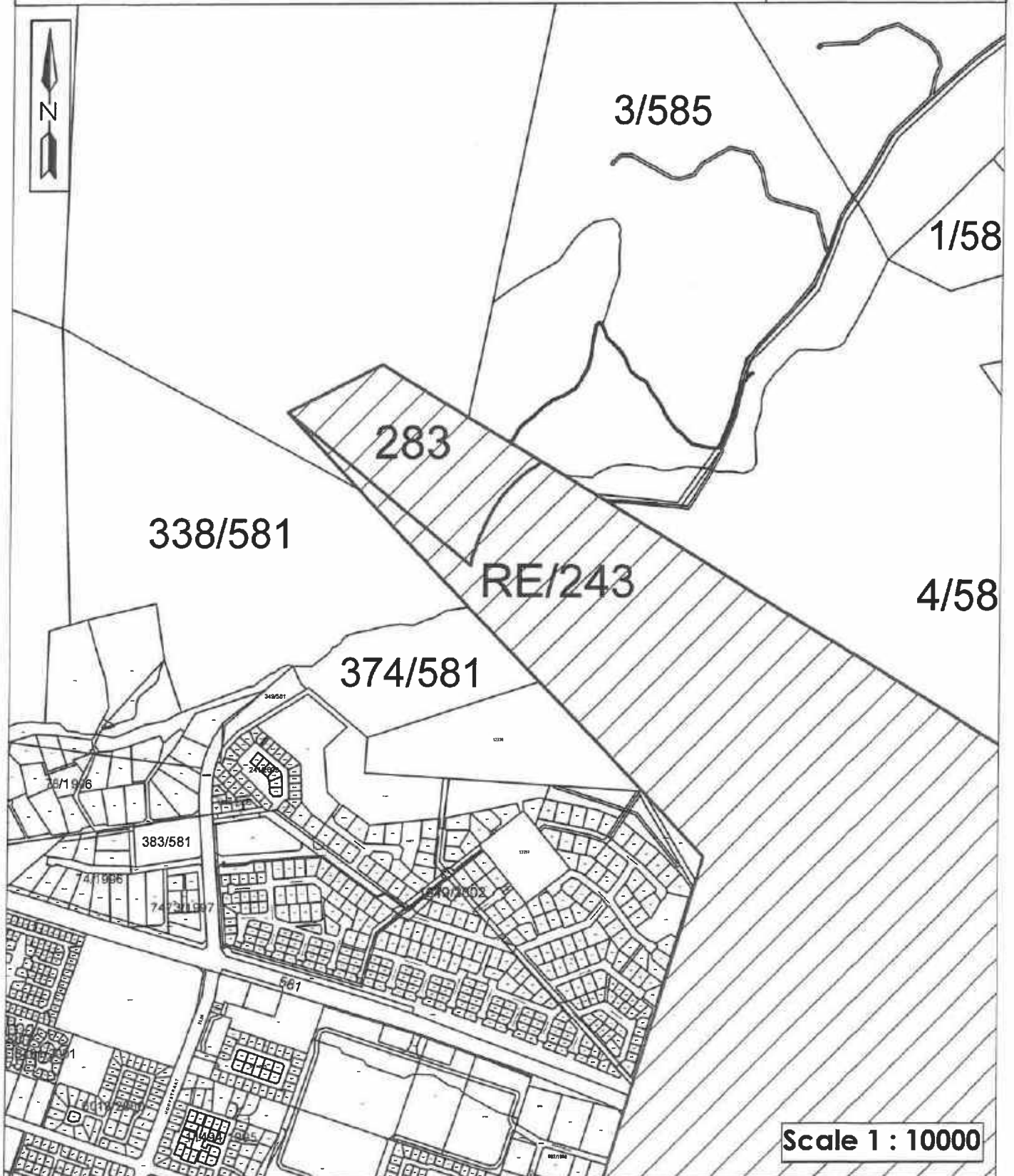
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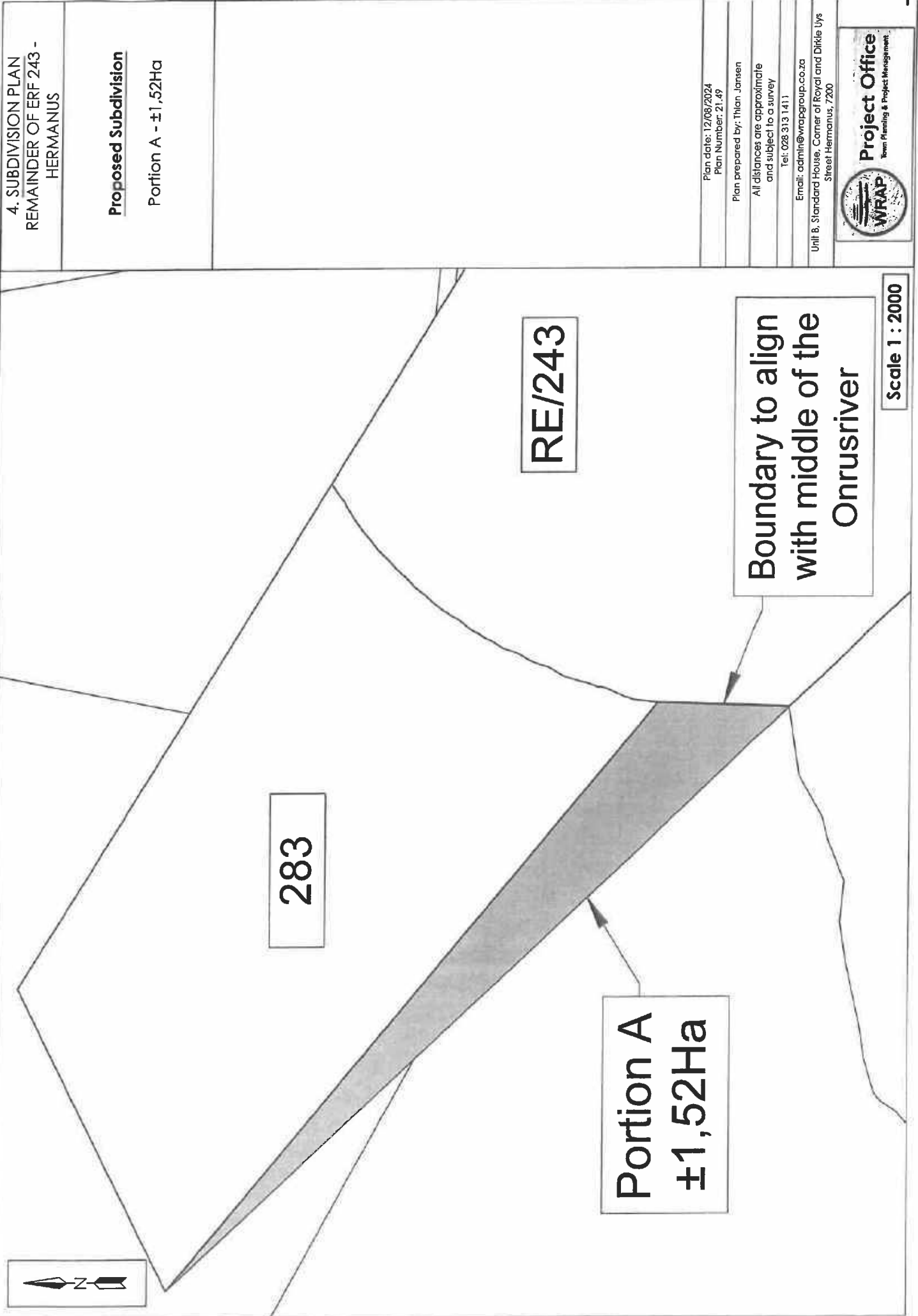
Email: admin@wrapgroup.co.za

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



**Project Office**  
Team Planning & Project Management





**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**9. ERF 10323, 2 MUSSEL ROAD, HERMANUS, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS,  
DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY:  
WRAP PROJECT OFFICE ON BEHALF OF JURDEN SCHUURMAN  
PROPERTIES (PTY) LTD**

**10323 HIND (4807/2024)  
B Minnaar  
22 July 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 2 September 2024 from WRAP Project Office on behalf of Jurden Schuurman Properties (Pty) Ltd on Erf 10323, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Planning, 2020 for the following:

- ❖ **Removal of Restrictive Title Deed Condition** in terms of Section 16(2)(f) in terms of the Overstrand Municipality Amendment By-Law on Municipal Planning, 2020 for the removal of restrictive title deed conditions D.5.(b), D.5.(c) & D.5.(d). as contained in Title Deed T123919/2004 of the property in order to accommodate the existing generators to remain in their current position.

The restrictive title deed conditions read as follows:

*"D. SUBJECT to the following conditions contained in aforesaid Deed of Transfer No T26695/1966 imposed by the Administrator when approving of the establishment of HERMANUS TOWNSHIP EXTENSION No 6, namely:*

*5. This erf shall be subject to the following further conditions, provided especially that where, in the opinion of the Administrator after consultation with the Townships Board and the Local Authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorised the necessary suspension or relaxation subject to compliance with such conditions as he may impose -*

*(b) this erf shall be used for industrial purposes only save that in connection with such purposes accommodation may be provided for use by any caretaker. No noxious, offensive, unhealthy or dangerous trade or industry be conducted on this erf.*

*(c) (1) not more than three-quarters of the area of this erf be built upon*

*(2) for the purposes of loading or unloading vehicles there shall be left on this erf a space or spaces amounting to not less than –*

**AGENDA of the  
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- (i) 20% of the total floor area of the building, or
- (ii) 25% of the area of the erf on which the building is to be erected,

*whichever is the lesser, and the linear dimensions of such space or spaces shall be that the shortest distance measured at right angles between any two sides thereof is in no case less than 7,78 metres;*

*Such space or spaces shall have vehicular access to a street which form of access shall be not less than 4,72 metres wide and, if carried through a building, not less than 3,05 metres in height.*

- (d) *no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 7,87 metres to the street line which forms a boundary of this erf."*

- ❖ **Departure** in terms of Section 16(2)(b) in terms of the Overstrand Municipality Amendment By-Law on Municipal Planning, 2020 for the relaxation of the southern street building line from 5m to 0m and 2,5m respectively to allow the existing covered backup generators.
- ❖ **Determination of an Administrative Penalty** in terms of Section 16(2)(q) in terms of the Overstrand Municipality Amendment By-Law on Municipal Planning, 2020 for the existing 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 10323, Hermanus for the removal of restrictive title deed conditions D.5.(b), D.5.(c) and D.5.(d) as contained in Title Deed T123919/2004 of the property to accommodate existing generator, **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 10323, Hermanus for the relaxation of the southern street building line from 5m to 0m and 2,5m respectively to allow the existing covered backup generators, **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:

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- (a) that the approval be limited to the building/structures as per Plan no. 24.118(001) plans 3.1 & 3.2, dated 23/08/2024 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 amended title deed be submitted for record purposes to the Municipality;
  - (d) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation;
  - (f) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with, and
  - (g) that all the conditions in the Services Report and Waste Management 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 10323, Hermanus to accommodate the unauthorised transgressions as stipulated above, **be imposed**, and that an administration penalty fee of **R11 807,40**, be payable within ninety (90) 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 is to legalize an existing structure over the title deed building lines.
- ❖ The removal will have no detrimental effect on the character of the area.
- ❖ The proposed development will have minimal impact on the character of the area.
- ❖ The land uses are in line with normal industrial uses.
- ❖ None of the residents objected to the application.
- ❖ The applicant did address the transgressions as was required.

# 1. Locality Plan Erf 10323 - Hermanus

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

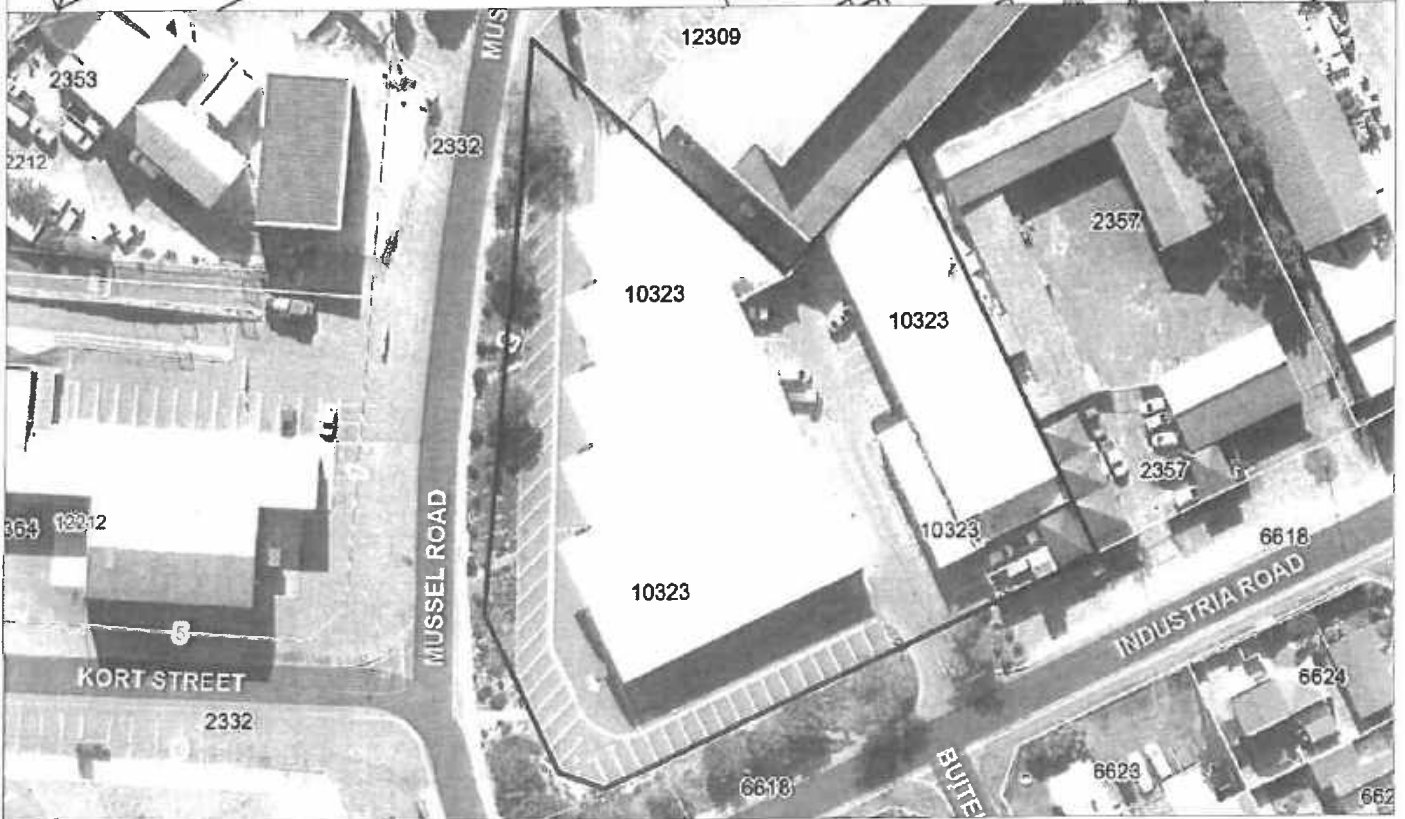
Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management



**Scale 1 : 2000**



3.1 Site Plan  
Erf 10323 - Hermanus

Property Extent - 5071.20m<sup>2</sup>  
Building Extents - 2510.8m<sup>2</sup>  
Existing Coverage - 49.51%

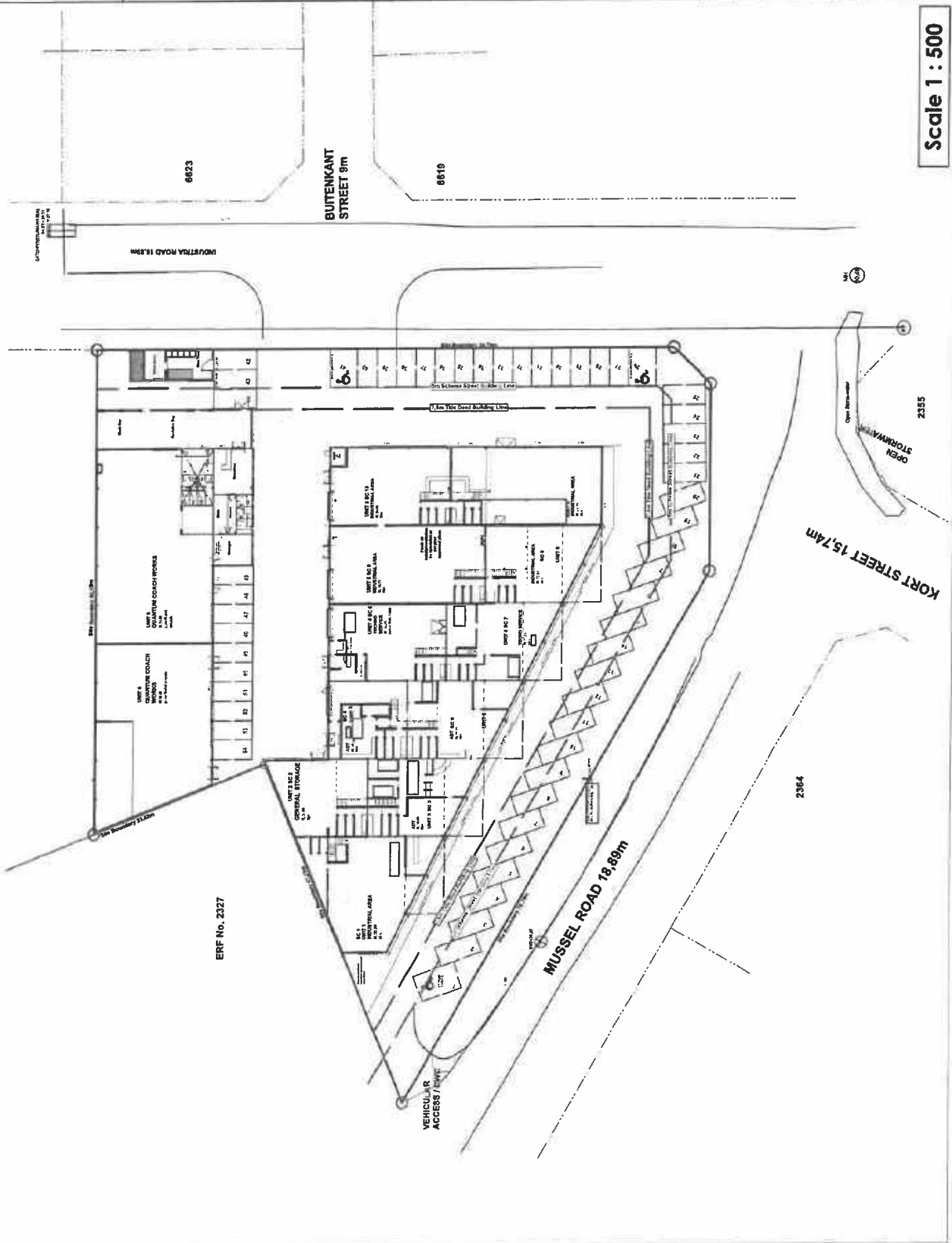
Plan date: 23/08/2024  
Plan Number: 24.118(001)  
Plan prepared by: Thian Jansen  
Based on plans from Design Atelier  
All distances are approximate  
and subject to a survey

Email: admin@wrapgroup.co.za  
Unit 8, Standard House, Corner of Royal and Dittie Uys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management

Scale 1 : 500



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS,  
DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF  
10323, HERMANUS (4807/2024)**

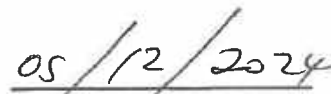
Stormwater (SW) : Refer to conditions  
Electricity : Refer to conditions  
Water : Refer to conditions  
Sewer : Refer to conditions  
Roads and traffic : Refer to conditions

**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**

  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**10.ERF 3326, 3 RIVERSIDE LANE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF P.A. & N FINLAYSON**

**3326 HON (4808/2024)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**18 June 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 2 September 2024 from WRAP Project Office on behalf of PA & N Finlayson on Erf 3326, Onrustrivier 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 Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the removal of restrictive title deed condition E.(6)(a)(i) and (ii) as contained in Title Deed T10719/2017 of the property in order to accommodate the proposed alterations.

The restrictive title conditions read as follows:

*“E. VERDER ONDERHEWIG aan die volgende voorwaardes soos geskep in Sertifikaat van Geregistreeerde Titel No. 41216 gedateer 29 Oktober 1980 opgelê deur die Administrateur ingevolge Ordonansie No. 33/1934 by goedkeuring van die stigting van die Onrustrivier Dorp Uitbreiding No. 3, naamlik:*

*6.(a) No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator be erected nearer than 5m to the street line which forms a boundary of the erf nor within 5m of the rear or 1,5m of the lateral boundary common to any adjoining erf provided that with the consent of the local authority.*

*(i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3m in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any outbuildings of the same height may be erected in the rear space and side space for a distance of 12m measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12m shall be measured from the point furthest from the streets abutting the erf.*

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*(ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary."*

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the northwestern lateral building line from 2m to 1,5m to accommodate the proposed first storey additions.

### **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 3326, Onrustvriër for the removal of restrictive title deed condition E.6(a)(i) and (ii) as contained in Title Deed T10719/2017 of the property in order to accommodate the proposed alterations, **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 3326, Onrustvriër for a departure to relax the northwestern lateral building line from 2m to 1,5m to accommodate the proposed first storey additions on the property, **be approved**, in terms of the provisions of Section 61 of the By-Law.
3. that the approvals in Points 1 and 2 above be subject to the following conditions:
  - (a) that this approval is only for the removal of restrictions and a building line departure and is not an approval in terms of any other legislation;
  - (b) that the approval be limited to the building/structures as per Plan numbers 2025/01/21 – REF E, submitted with the application;
  - (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 Land Use Scheme be complied with, and

**AGENDA of the  
Portfolio Committee : Planning & Development  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (e) that all the conditions in the Services Report be complied with.
4. 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 decision.

**REASONS FOR RESOLUTION**

- ❖ The proposed double storey encroachment over the lateral building line will not impact on surrounding neighbours or the character on the area.
- ❖ The removal of restrictions in the Title Deed to accommodate minor structures will not impact surrounding property owners' rights, and development on the property can still sufficiently be controlled with the Land Use Scheme regulations.
- ❖ The application is supported by all relevant Municipal and State Departments.
- ❖ No objections were received against the application.
- ❖ No Municipal services are affected.
- ❖ The application is desirable.

1. Locality Plan  
Erf 3326, Onrustrivier

Plan prepared by: Veronica Jansen

Tel: 028 313 1411

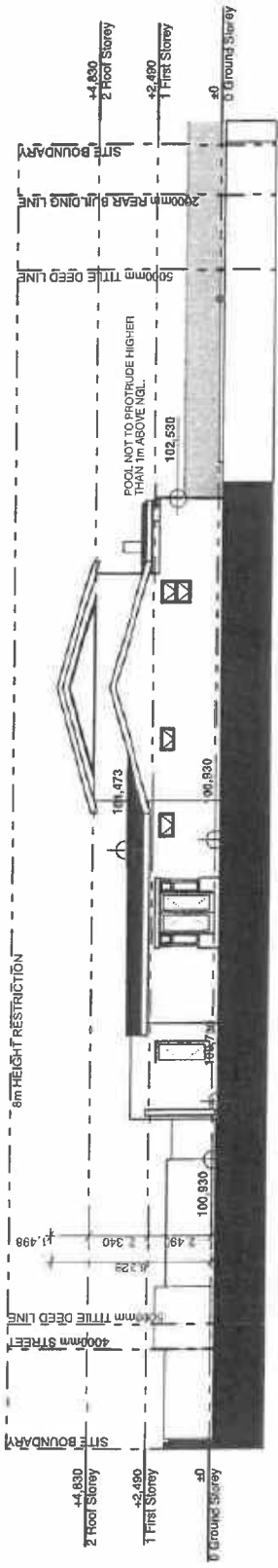
Email: admin@wrapgroup.co.za

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



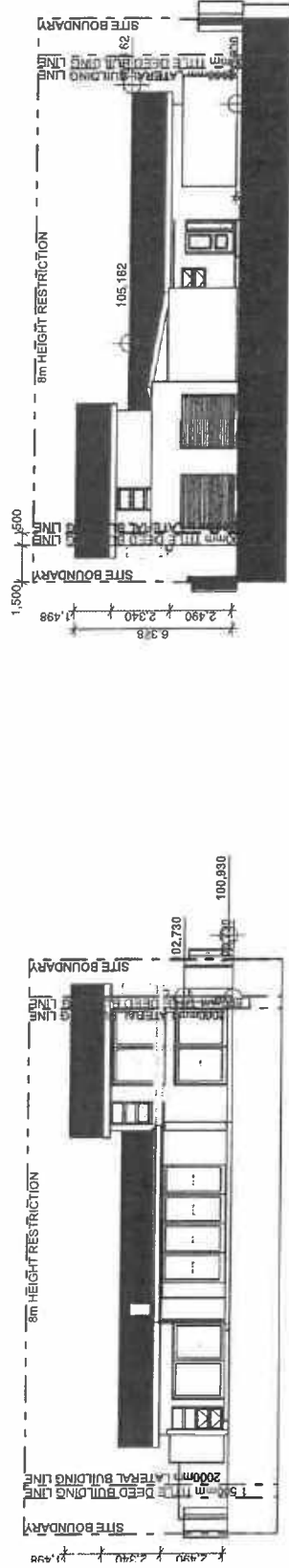
**Project Office**  
Town Planning & Project Management





East Elevations

Scale 1:200

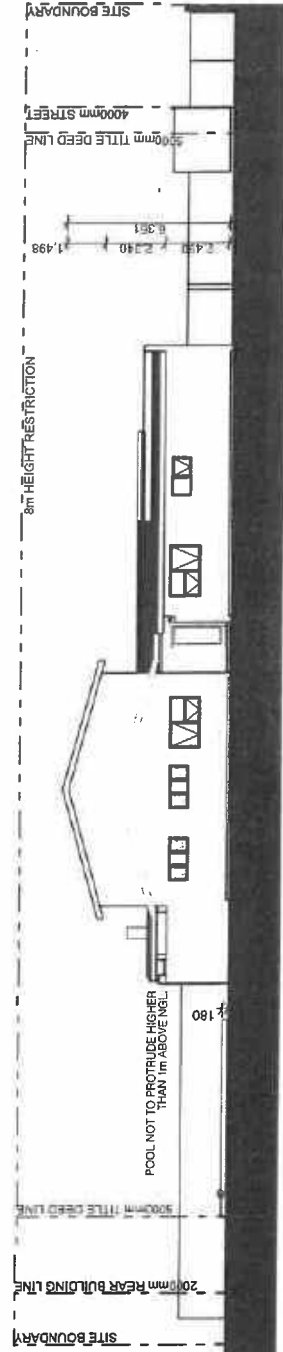


North Elevations

Scale 1:200

South Elevations

Scale 1:200



West Elevations

Scale 1:200

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS &  
DEPARTURE: ERF 3326, ONRUS RIVER (4808/2024)**

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  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**11.ERF 10567, 7 GIDEON VAN WYK STREET, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF MARIFEED (PTY) LTD**

**10567 HIND (4824/2024)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**27 June 2025**

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**EXECUTIVE SUMMARY**

An application was received on 26 September 2024 from Plan Active Town & Regional Planners on behalf of Marifeed (Pty) Ltd, the owner of Erf 10567, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- **Departure** in terms of Section 16(2)(b) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the relaxation of the street building line from 5m to 3,8m and the south-western lateral building line from 2m to 1,7m to accommodate the existing solar battery container.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to accommodate the existing solar battery container.

**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 10567, Hermanus for the relaxation of the street building line from 5m to 3,8m and the south-western lateral building line from 2m to 1,7m to accommodate the existing solar battery container, **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 the plan numbers 03/MF/24 (1-3) dated, 17 Julie 2024 as submitted with the application;
  - (b) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control and the Fire Departments be complied with at that stage;

**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (c) that all the conditions of the Services Report be complied with;
  - (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 the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws.
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 10567, Hermanus to accommodate the existing solar battery container, **be imposed**, and that an administration penalty fee of **R503.25**, 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**

- ❖ The application does not jeopardise the character of the area.
- ❖ The structure is located in the best possible location to not hinder the operations of the industry.
- ❖ The application increases the efficiency of the operational activities specifically during loadshedding and grid outages.
- ❖ The application has followed due procedure.
- ❖ No objections received from internal departments of neighbouring properties.
- ❖ The administrative penalty of only 5% be imposed due to no notice of non-compliance being served on the property owner for the unauthorised structure.

HERMANUS INDUSTRIAL



 <b>Plaan</b> Active Stads- en Streeksbeplanners Town & Regional Planners	Property Description: <b>ERF 10567          HERMANUS</b>	Plan Description: <b>LOCALITY MAP</b>	Scale: NTS Drawing Nr: Herm 10567 Loc Date: SEPTEMBER 2024
	All distances approximate and subject to survey.	COPY RIGHT RESERVED	



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 10567, HERMANUS (4824/2024)**

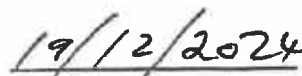
Stormwater (SW) : Refer to conditions  
Electricity : Refer to conditions  
Water : Refer to conditions  
Sewer : Refer to conditions  
Roads and traffic : Refer to conditions

**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**

  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**12.ERF 6391, 28 BOEKENHOUT AVENUE, KLEINMOND, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND DEPARTURE:  
PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF HE DELEN  
AND B KOOI - THE EXECUTORS OF LATE ESTATE A DELEN**

**6391 KKM (4915/2025)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**4 July 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 17 February 2025 from Plan Active Town and Regional Planners on behalf of HE Delen and B Kooi – The Executors of Late Estate A Delen on Erf 6391, Kleinmond in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 6391, Kleinmond into 2 portions, namely a Portion A ( $\pm 595\text{m}^2$ ) and a Remainder ( $\pm 595\text{m}^2$ ).
- ❖ **Departure** in terms of Section 16(2)(b) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to the Remainder of Erf 6391, Kleinmond to relax the eastern lateral building line from 2m to 0m and 0,8m respectively to accommodate the existing braai lapa and the double garage, and also to relax the rear building line from 2m to 0m to accommodate the existing braai lapa.

**RESOLUTION**

1. that the application in terms of Section 16(2)(d) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 6391, Kleinmond into 2 portions, namely a Portion A ( $\pm 595\text{m}^2$ ) and a Remainder ( $\pm 595\text{m}^2$ ), **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) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to the Remainder of Erf 6391, Kleinmond for a departure to relax the eastern lateral building line from 2m to 0m and 0,8m respectively to accommodate the existing braai lapa and the double garage, and also to relax the rear building line from 2m to 0m to accommodate the existing braai lapa, **be approved** in terms of the provisions of Section 61 of the By-Law;

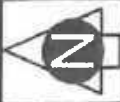
**AGENDA of the  
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3. that the approvals in Points 1 - 2 above be subject to the following conditions:
  - (a) that this approval is only for the development as indicated on subdivision plan no. 6391 Kleinmond.dwg dated 17 & 18 February 2025, as submitted with the application;
  - (b) that no further transgression over the building lines will be allowed, except that is sanctioned by the Overstrand Zoning Scheme;
  - (c) 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;
  - (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.
  
4. 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 conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ The application will not create any additional erven.
- ❖ The erf sizes are in line with the minimum erf sizes of Kleinmond.
- ❖ The braai lapa has been in existence for more than 16 years with no complaint from the adjacent neighbours.
- ❖ The structures can be accommodated in terms of the Overstrand Zoning Scheme through a process.
- ❖ The application will not be to the detriment of the area, since no additional buildings are proposed.



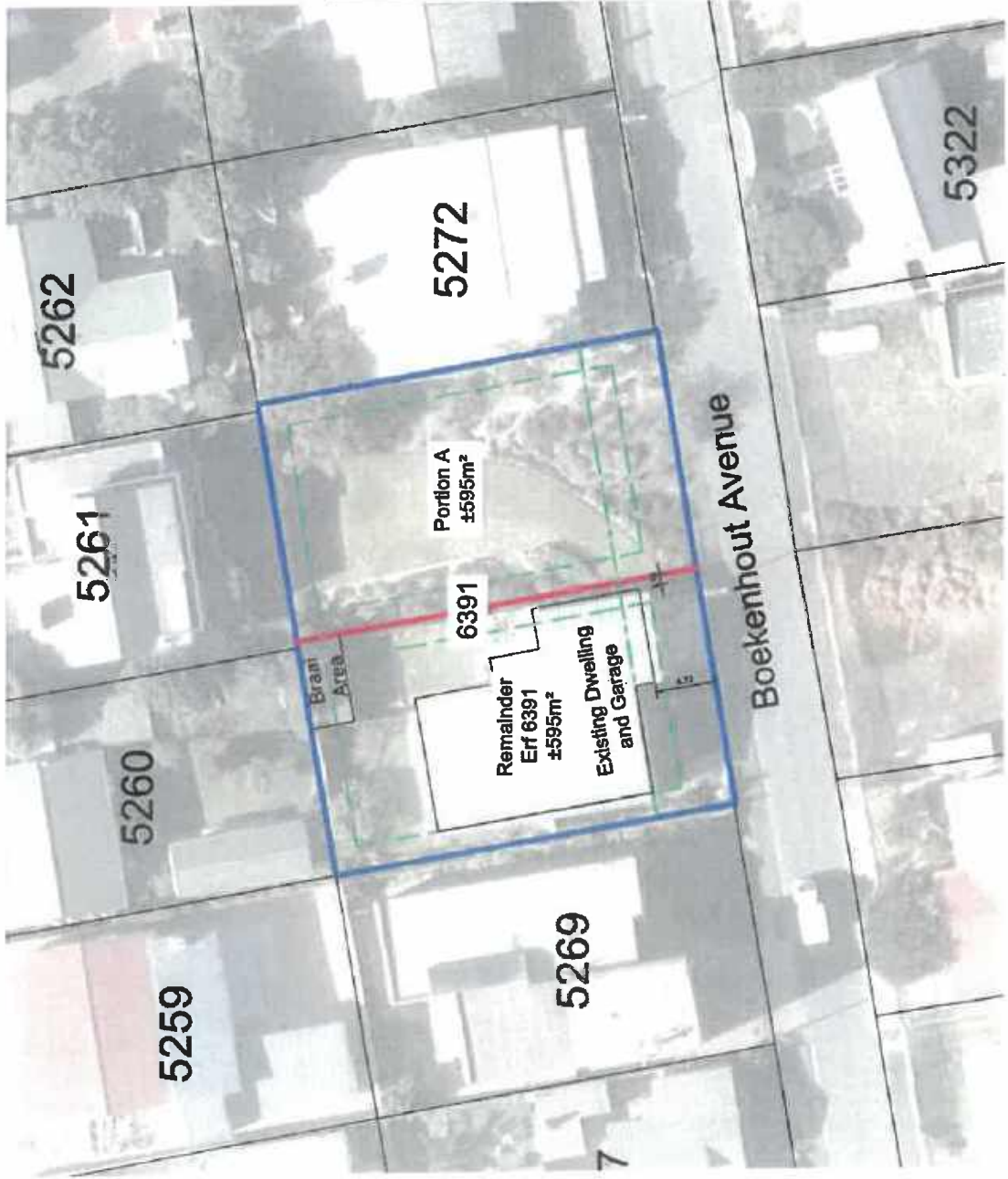
Scale: NTS  
 Drawing Nr: 6391 Kleinmond.dwg  
 Date: 21 Jan 2025

Plan Description:  
**LOCALITY  
 MAP**


Property Description:  
**ERF 6391  
 KLEINMOND**

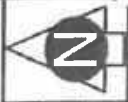
All distances approximate  
 and subject to survey.  
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**PIAn** Stads- en Streeksbeplanners  
 Town & Regional Planners



- NOTES:**
- Existing Erf Boundaries
  - Proposed Subdivision Line
  - Standard Building Lines
  - Title Deed Building Line  
(Not applicable)

 <b>Stads- en Streeksbeplanners</b> <b>Town &amp; Regional Planners</b>	All distances approximate and subject to survey.  COPYRIGHT RESERVED	Property Description: <b>ERF 6391 KLEINMOND</b>	Plan Description: <b>PROPOSED SUBDIVISION</b>	Scale: <b>1:500</b>
				Drawing Nr: 6391 Kleinmond.dwg Date: 18 Feb 2025



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR SUBDIVISION & DEPARTURE: ERF 6391, KLEINMOND  
(4915/2025)**

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

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (2024/2025) 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 39 247.00 x 1	=	<u>R 39 247.00</u>
<b>TOTAL (inclusive of VAT)</b>		<b>=</b>	<b>R107 389.00</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 6391 shall be used to service the proposed Portion A or the Remainder of Erf 6391;

3. that any part of the existing water and sewer services on Erf 6391 that crosses the common boundary of Portion A and the Remainder of Erf 6391 shall be disconnected and sealed off;
4. that both the Remainder and Portion A of must be serviced with individual and separate water connections which must comply with the standards of the Division: Civil Engineering Services;
5. that the proposed Portion A and Remainder of Erf 6391 must each be serviced with individual and separate sewer conservancy tanks, which must comply with the standards of the Division: Civil Engineering Services, and to which the sewer services of the individual erven must connect to;
6. that only a standard 60 Amp single phase electricity connection will be available per erf;
7. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
8. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
9. that any additional and / or extended vehicle entrances will be for the owner's account;
10. that no reservation of on-street parking be allowed.
11. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
12. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



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

29/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**13. ERVEN 7617 AND 7618, 111 ELEVENTH STREET, VOËLKLIP, HERMANUS,  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION:  
MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF  
PELICAN PROPERTY TRUST**

**7617 & 7618 HVK (4965/2025)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**14 July 2025**

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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) was received on 22 April 2025 from Messrs PlanActive Town and Regional Planners on behalf of Pelican Property Trust for the following:

- ❖ **Consolidation** in terms of Section 16(2)(e) of the By-Law to consolidate Erf 7617 (665m<sup>2</sup>) and Erf 7618 (611m<sup>2</sup>), to create one erf approximately 1 276m<sup>2</sup> in extent.

**RESOLUTION**

1. that the application for consolidation in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to consolidate Erf 7617 (665m<sup>2</sup> in extent) and Erf 7618 (611m<sup>2</sup> in extent), to create one erf approximately 1 276m<sup>2</sup> in extent, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (a) that the approval is only for the consolidation as indicated on drawing number *herm7617c* dated *April 2025* as submitted with the application;
  - (b) that building plans be submitted for any new work done and that the Building Department and Fire Department's comments be complied with at that stage;
  - (c) that the conditions in the Services Report be complied with;
  - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (e) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.

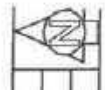
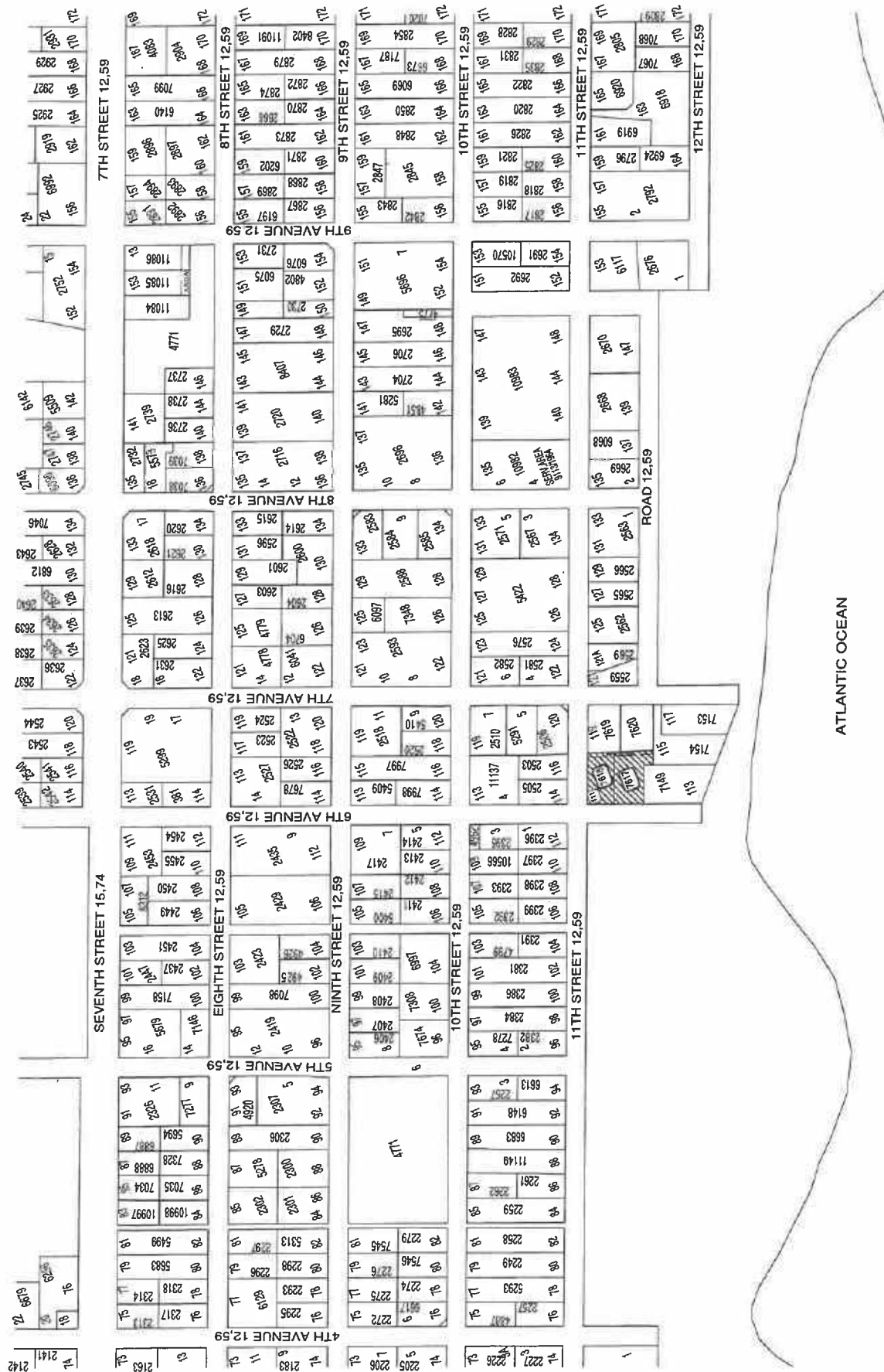
**AGENDA of the  
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2. that the applicant and person who commented be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**REASONS FOR RESOLUTION**

- ❖ No additional services required.
- ❖ Does not jeopardize the character of the area.
- ❖ No objections from internal departments.
- ❖ The land use of the subject property will remain unchanged.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



Scale: NTS  
 Drawing No: ham7617.dwg  
 Date: APRIL 2025

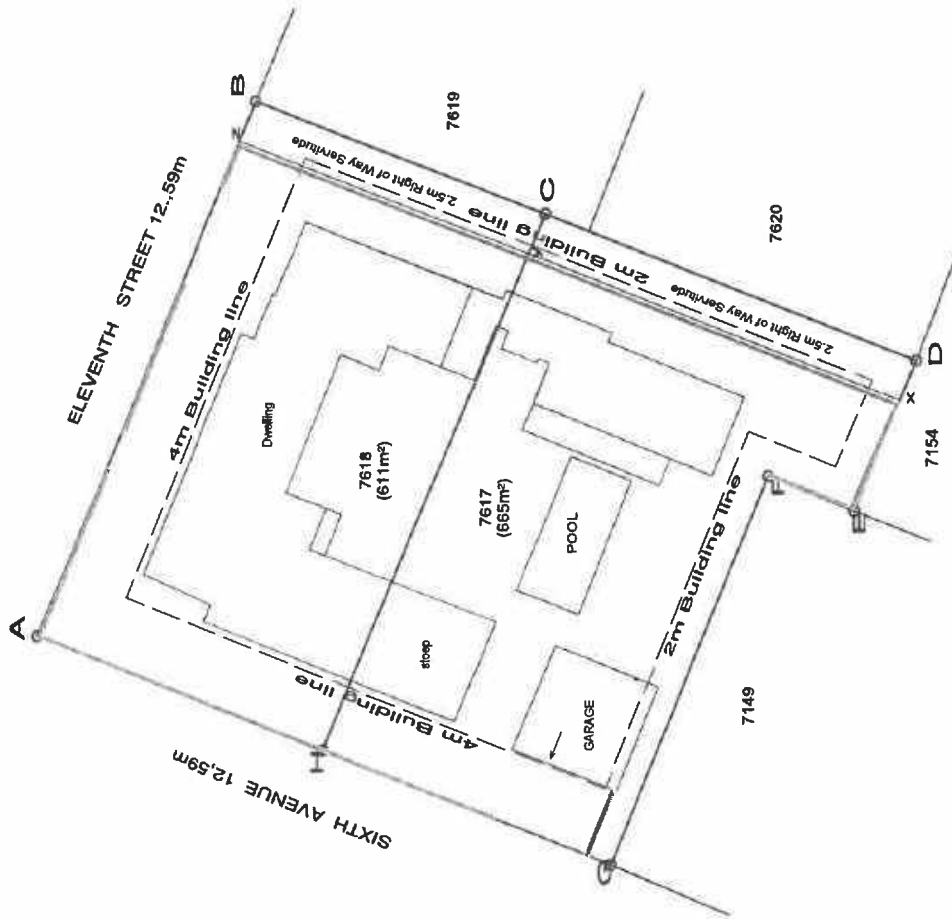
Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERVEN 7617 & 7618 HERMANUS**

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

**PLAN Active**



**NOTES:**  
 Erf 7617 (665m<sup>2</sup>) to be consolidated with erf 7618 (611m<sup>2</sup>) to create a newly consolidated portion of 1276m<sup>2</sup>.  
 Existing garage encroaching the lateral building line as per the approved building plan (hence no departure required)

<b>PLA<sup>n</sup> Active</b> Stads- en Streeksbeplanners Town & Regional Planners	Survey Information supplied by Van Dyk Land Surveys	Property Description: <b>ERVEN 7617 &amp;                  7618 HERMANUS</b>	Plan Description: <b>CONSOLIDATION                  PLAN</b>	Scale: 1:300 Drawing Nr: herm7617.dwg Date: APRIL 2025
	COPY RIGHT RESERVED			

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSOLIDATION: ERVEN 7617 & 7618, VOELKLIP  
(4965/2025)**

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**

08/07/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**14.ERF 3941, 266 EIGHT STREET, VOËLKLIP, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: LF BIDEN**

**3941 HVK (4674/2025)**

**P Roux**

**14 July 2025**

**(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 05 May 2025 from LF Biden the owner of Erf 3941, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
  - ❖ relax the lateral building line from 2m to 1,245m to accommodate a portion of the proposed new enclosed sunroom on the first-floor level.

**RESOLUTION**

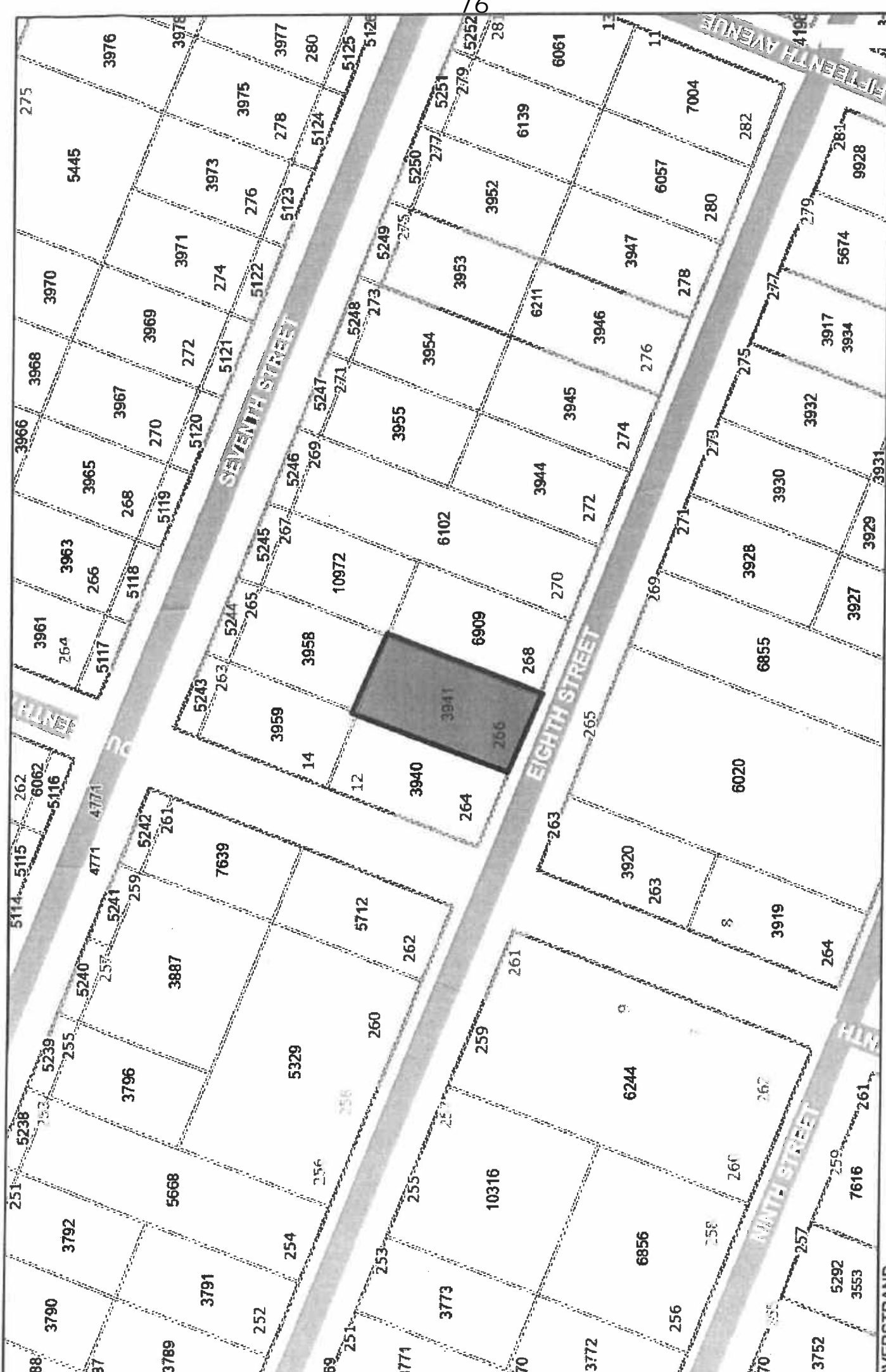
1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 3941, Hermanus to relax the eastern lateral building line from 2m to 1.245m, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (a) that the approvals are for the development as indicated on Site Development Plan No *MB-H-100* as submitted with the application;
  - (b) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building and Fire Departments be complied with;
  - (c) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (d) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with;
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

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**REASONS FOR RESOLUTION**

- ❖ The proposed alteration is a small amendment which will not have a negative impact on the neighbour or character of the area.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ The property was developed contrary to the approved building plans.



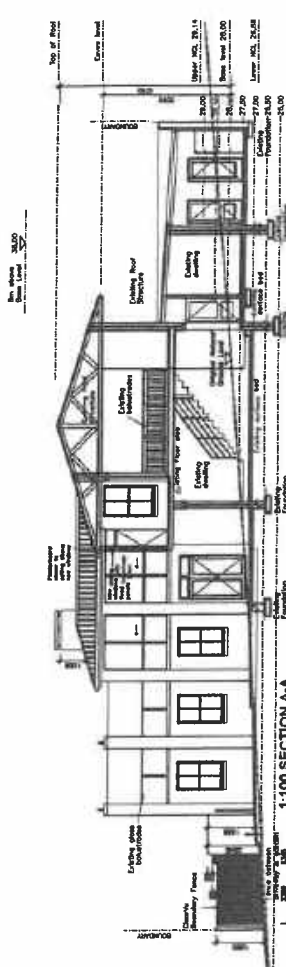
ERF 3941, 266 8th STREET, VOELKLIP, HERMANUS



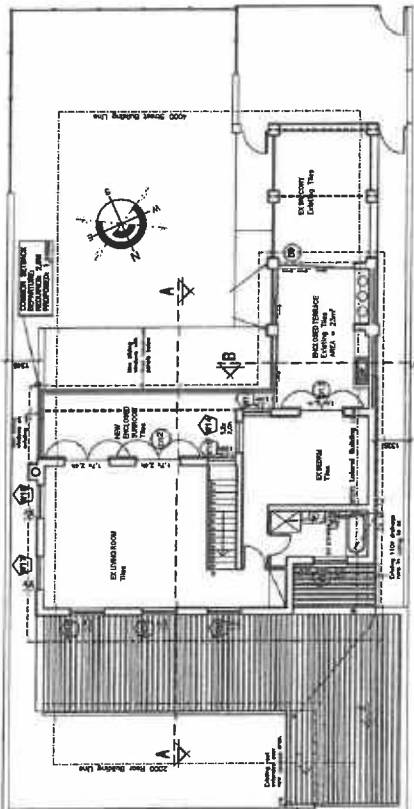
**GENERAL NOTES**

Figured dimensions to be taken in preference to scaling. All dimensions, areas and levels to be checked by the contractor and any discrepancies to be put in hand for resolution before any work is put in hand. This drawings is copyright and remains the property of Architects Incorporated. It may not be copied, reproduced, or used in any way without the designer's written consent.

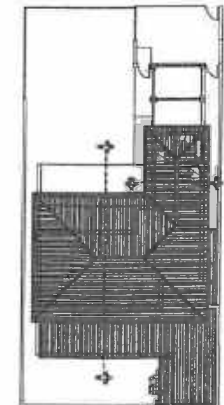
ALL DIMENSIONS TO COMPLY WITH SANS 10400 AND LOCAL AUTHORITY REQUIREMENTS. ALL DIMENSIONS TO BE CHECKED ON PLAN AND ELEVATION. ALL DIMENSIONS TO BE CHECKED ON PLAN AND ELEVATION. ALL DIMENSIONS TO COMPLY WITH REQUIREMENTS OF SANS 10400 AND LOCAL AUTHORITY REQUIREMENTS. ALL DIMENSIONS TO BE CHECKED ON PLAN AND ELEVATION. ALL DIMENSIONS TO COMPLY WITH REQUIREMENTS OF SANS 10400 AND LOCAL AUTHORITY REQUIREMENTS. ALL DIMENSIONS TO BE CHECKED ON PLAN AND ELEVATION.



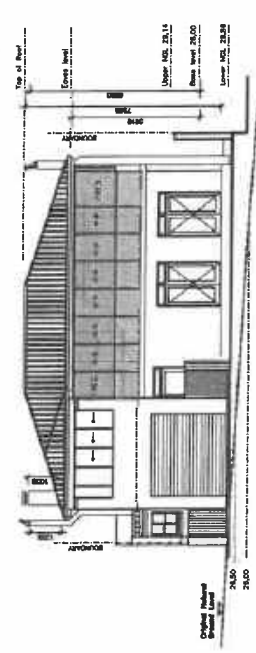
1:100 SECTION AA



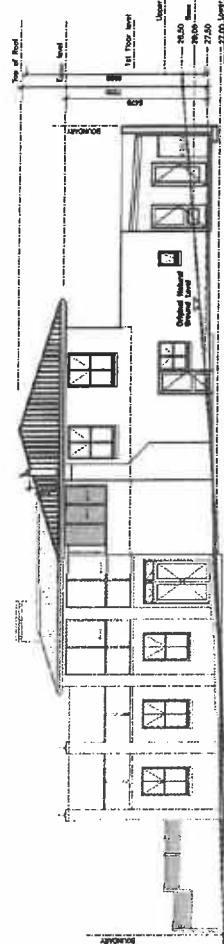
1:100 FIRST FLOOR PLAN



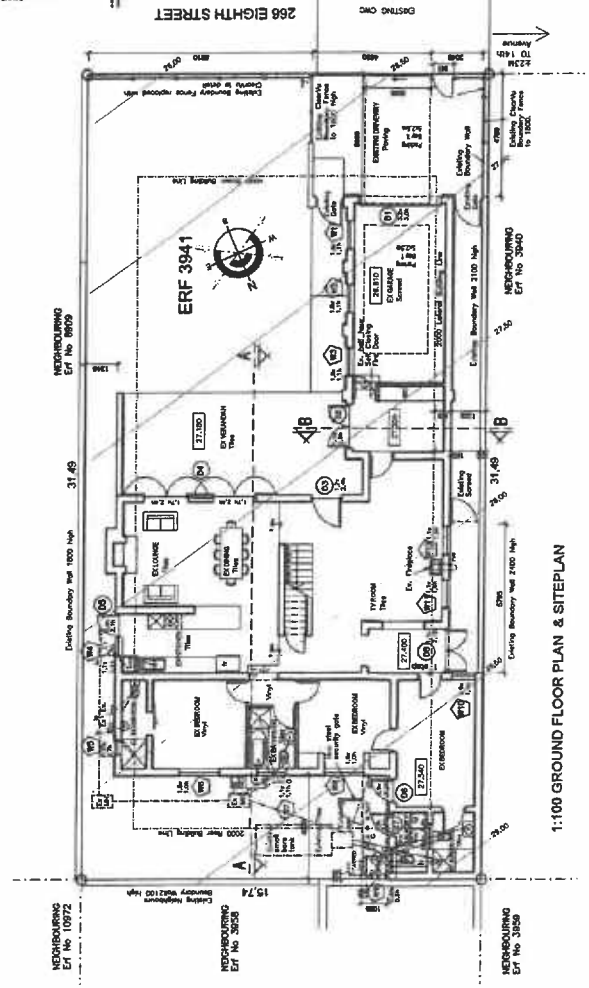
1:200 ROOF PLAN



1:100 SOUTH ELEVATION



1:100 EAST ELEVATION



1:100 GROUND FLOOR PLAN & SITEPLAN

**AREAS:**

- ERF AREA - 488m<sup>2</sup>
- Existing G/F Dwelling - 181m<sup>2</sup>
- Existing 1st Fl Dwelling - 85m<sup>2</sup>
- Existing Covered Areas G/F - 42m<sup>2</sup>
- Existing Enclosed Terrace 1st Fl - 24m<sup>2</sup>
- New enclosed Terrace 1st Fl - 22m<sup>2</sup>
- Coverage = 241m<sup>2</sup>
- 48.6%

**Architects Incorporated**  
 9 Yeoville Road • Yeoville • Cape Town  
 Tel: 021 482 2775  
 Fax: 021 488 8920  
 Email: info@architectsinc.co.za

**REVISION DATE**

A	22-04-2018	Client Submission
B	18-05-2018	Final Client Submission
C	18-05-2018	Final Council Submission
D	26-04-2021	Updated Council Submission
E	26-04-2021	Updated Council Submission
F	22-04-2023	1st Time Through

**OWNER:** \_\_\_\_\_ **DATE:** 21/04/2023

**PROJECT:** HOUSE - BRDEN  
 286 EIGHTH STREET  
 ERF 3941 HERMANUS

**DRAWING:** COUNCIL SUBMISSION DRAWING

SCALE:	1:100
DRAWN BY:	BPB
CHECKED BY:	_____
DRAWING NUMBER:	MB-H-100
REV:	F

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**15.ERF 748, 5 DIRK UYS STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: INTERACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF DR FEELSGOOD (PTY) LTD**

**748 HNC (4511/2023)**

**H Olivier**

**4 August 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 26 October 2023 from InterActive Town & Regional Planners on behalf of DR Feelsgood (Pty) Ltd in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 748, Hermanus for the following:

- ❖ **Rezoning** in terms of Section 16.(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to rezone the property from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 to accommodate the existing business on the ground floor.
- ❖ **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 land use to accommodate the existing business on the property.

**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 for the rezoning of Erf 748, Hermanus from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 to accommodate the existing business on the ground floor, **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 rezoning and is not an approval in terms of any other legislation;
  - (b) that this approval is only for the development as indicated on the plan, as submitted with the application;

**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (c) that building plans be submitted to the Building Department for approval, and that all conditions of the building – and the Fire Department be complied with at that stage;
  - (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 owner/applicant from compliance with any other relevant legislation;
  - (f) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (g) that adequate provision be made to manage the behaviour of patrons (both inside and outside the building) and for security and protection of surrounding properties, patrons, vehicles, etc.;
  - (h) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (i) that commercial rates and tariffs, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (j) that no advertising sign shall be displayed without the written approval of the Municipality other than a single, un-illuminated sign or notice affixed to the building or boundary wall or fence, and such sign must be in line with the Overstrand Signage By-Law at any given time;
  - (k) that all the conditions in the Services Report be complied with, and
  - (l) that parking along College Street is prohibited and that the gates to the parking area remain open during business hours.
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 748, Hermanus for the unauthorized land use, was considered and that an administrative penalty of **R16 878-35, be imposed** which penalty must be paid within thirty (30) days from the final date of the 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.

**AGENDA of the  
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**REASONS FOR RESOLUTION**

**POINT 1**

- ❖ The application has followed due procedure.
- ❖ The application is in line with the SPLUMA and LUPA Planning Principles
- ❖ No new municipal services will be required.
- ❖ No objections were received against the application.
- ❖ The application is in line with the Growth Management Strategy which earmarks this area for Local Economic Opportunity.
- ❖ All relevant Municipal/State Departments or other institutions support the application.
- ❖ This is an existing situation, and the application will have no further impact on the character of the area or surrounding neighbours and is desirable.

**POINT 2**

- ❖ The existing landowner did purchase the property as a business entity; however, it remains the responsibility of the buyer to ensure that the erf is compliant with the relevant Land Use Scheme.

PROJECT  
**Erf 748 Hermanus**

TITLE  
**Locality Plan  
Local Context**

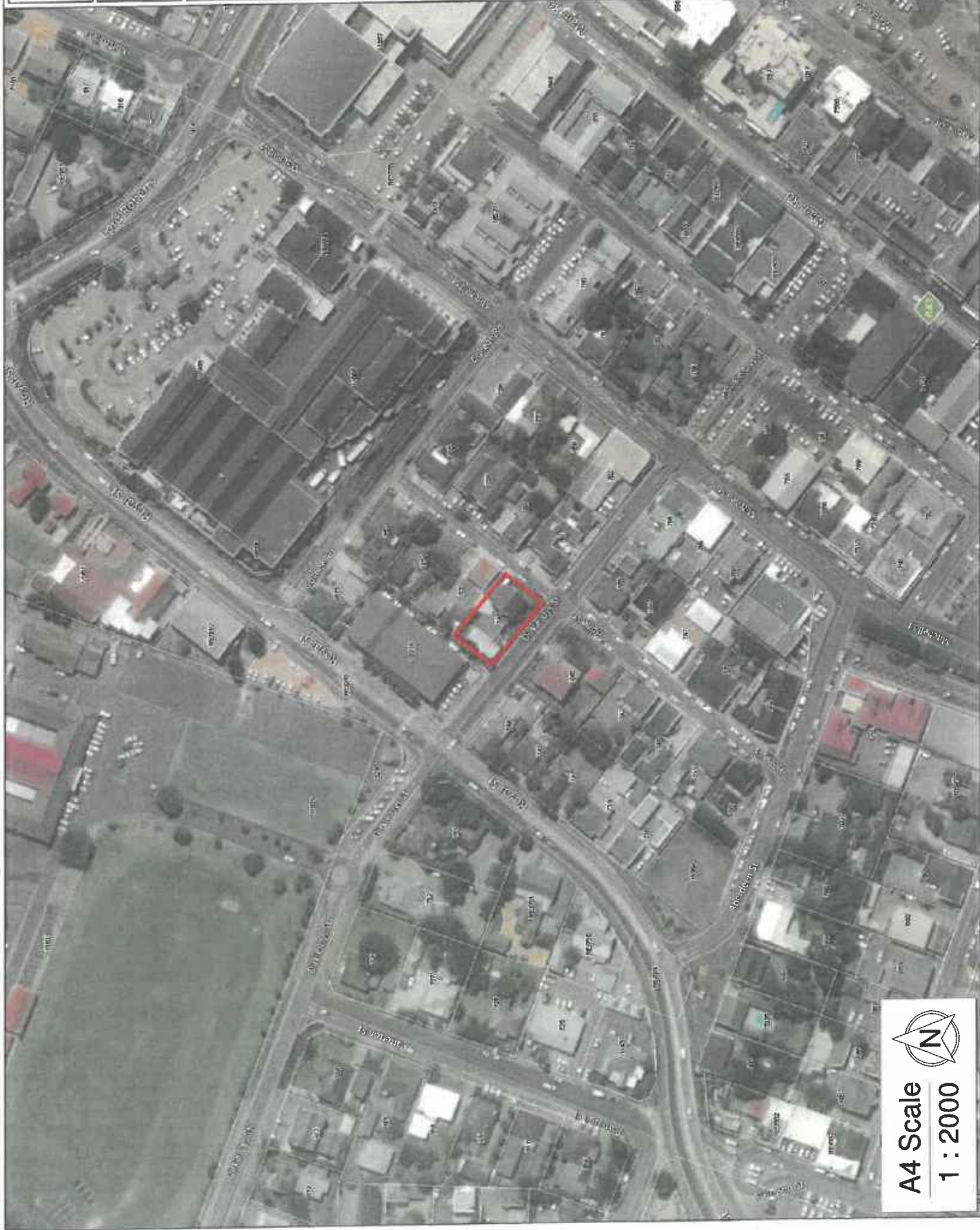
 Application Area

NOTES: THIS PLAN IS PRELIMINARY. IT IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY AND SHALL NOT BE USED FOR ANY OTHER PURPOSES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS.


CLIENT  
**Dr Feelgoods**

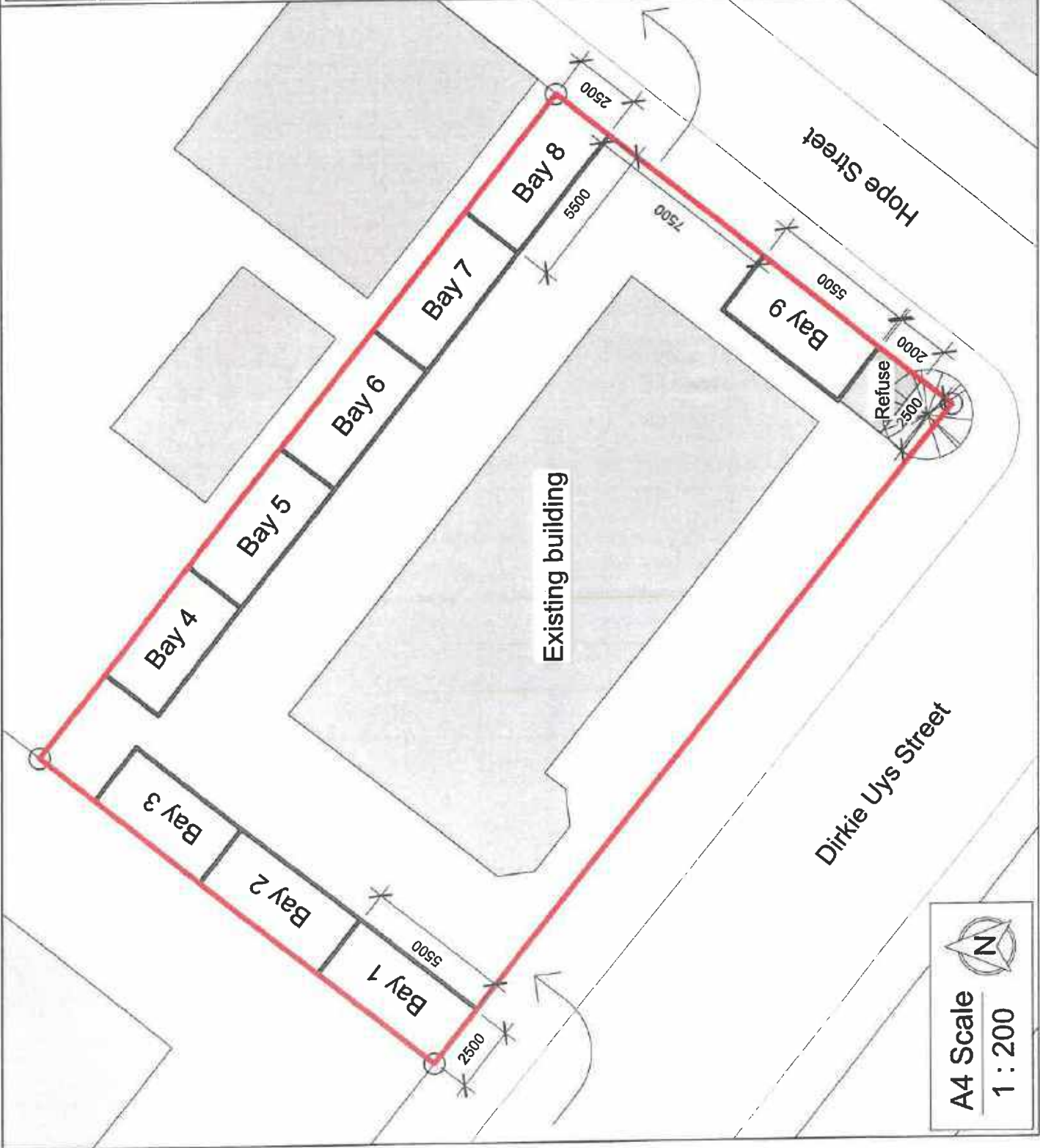
DRAWN BY	CHECKED BY	DATE
AW	AW	8/10/19
SCALE (SHEET)	PROJECT NUMBER	DRAWING NUMBER
A4	0001	A101

**Interactive Town & Regional Planning**  
 100 Main Street, Cape Town  
 Tel: +27 (0) 21 448 4848  
 Fax: +27 (0) 21 448 4849  
 Email: [info@interactiveplanning.com](mailto:info@interactiveplanning.com)

  
**A4 Scale**  
**1 : 2000**

PROJECT	Erf 748 Hermanus														
TITLE	Layout Plan														
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <span style="color: red; font-weight: bold;">□</span> Application Area         </div> <div style="text-align: center;"> <span style="border: 1px solid gray; width: 15px; height: 10px; display: inline-block;"></span> Existing buildings         </div> </div>														
CLIENT	<table border="1"> <tr> <td>DESIGNED BY</td> <td>DATE</td> </tr> <tr> <td>AM</td> <td>27/09/2023</td> </tr> <tr> <td>SCALE (B/A)</td> <td>PROJECT NUMBER</td> </tr> <tr> <td>As indicated</td> <td>0001</td> </tr> <tr> <td>DRAWING NUMBER</td> <td></td> </tr> <tr> <td>A101</td> <td></td> </tr> </table>	DESIGNED BY	DATE	AM	27/09/2023	SCALE (B/A)	PROJECT NUMBER	As indicated	0001	DRAWING NUMBER		A101		<p><small>INTERACTIVE TOWN &amp; REGIONAL PLANNING MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE DATA AND SHALL NOT BE LIABLE IN ANY DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE DATA. THE DATA REMAINS THE SOLE PROPERTY OF THE CLIENT AND IS TO BE USED ONLY FOR THE PROJECT WITH THE PRIOR WRITTEN APPROVAL OF THE CLIENT.</small></p>	
DESIGNED BY	DATE														
AM	27/09/2023														
SCALE (B/A)	PROJECT NUMBER														
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A101															
<p><b>Interactive Town &amp; Regional Planning</b></p> <p>Andre Wiehahn Pr. Phn. A927/1996          B Art et Sc (Town and Regional Planning)          Telephone 028 312 1668          Cell phone: 082 488 0490          E-Mail: wiehahn.a@gmail.com</p> 															



  
**A4 Scale**  
**1 : 200**

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 748, NORTHCLIFF (4511/2023)**

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

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (**2023/2024**) is as follows:

**Freehold erven:**

Water	R 27 598.16 x -0.1079999	= -R 2 980.60
Sewerage	R 18 608.30 x -0.108	= -R 2 009.70
Roads	R 8 344.32 x 5.289743	= R 44 139.31
Stormwater	R 9 626.92 x 0.793333	= R 7 637.35
Solid Waste	R 1 668.44 x 0.487497	= R 813.36
<b>TOTAL (inclusive of VAT)</b>		<b>= R 47 599.72</b>

**Note:**

**1.3 The above figures are estimates**

**1.4 That Overstrand Municipality's Electrical Department be contacted regarding the bulk electricity cost.**

2. 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;
3. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
4. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that stormwater be allowed to discharge through Erf 748, Northcliff, unobstructed;
8. that no on-street parking be allowed.

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

  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**16. REMAINDER ERF 6249, 343 MAIN ROAD, EASTCLIFF, HERMANUS,  
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND  
DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS  
PLANACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF JP LOTZ**

**6249 HEC (4706/2024)**

**P Roux**

**28 July 2025**

**(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 28 June 2024 from Messrs PlanActive Town- and Regional Planners on behalf of the owner of Remainder Erf 6249, Eastcliff, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to relax the eastern lateral building line from 2m to 0.33m to accommodate the existing concrete staircase and portion of the landing; 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 Remainder Erf 6249, Hermanus to relax the eastern lateral building line from 2m to 0.33m, to accommodate the existing concrete staircase and portions of the landing, **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 (By-Law) on Remainder Erf 6249, Hermanus for the unauthorised building work over building lines on the property, **not be exempt** from the payment of an administrative penalty;
3. that the recommendation under paragraphs 1. and 2. is subject to the following conditions:
  - (a) that the approvals are for the development as indicated on Site Development Plan, Drawing No. 6249/1 rev 2, as submitted with the application;

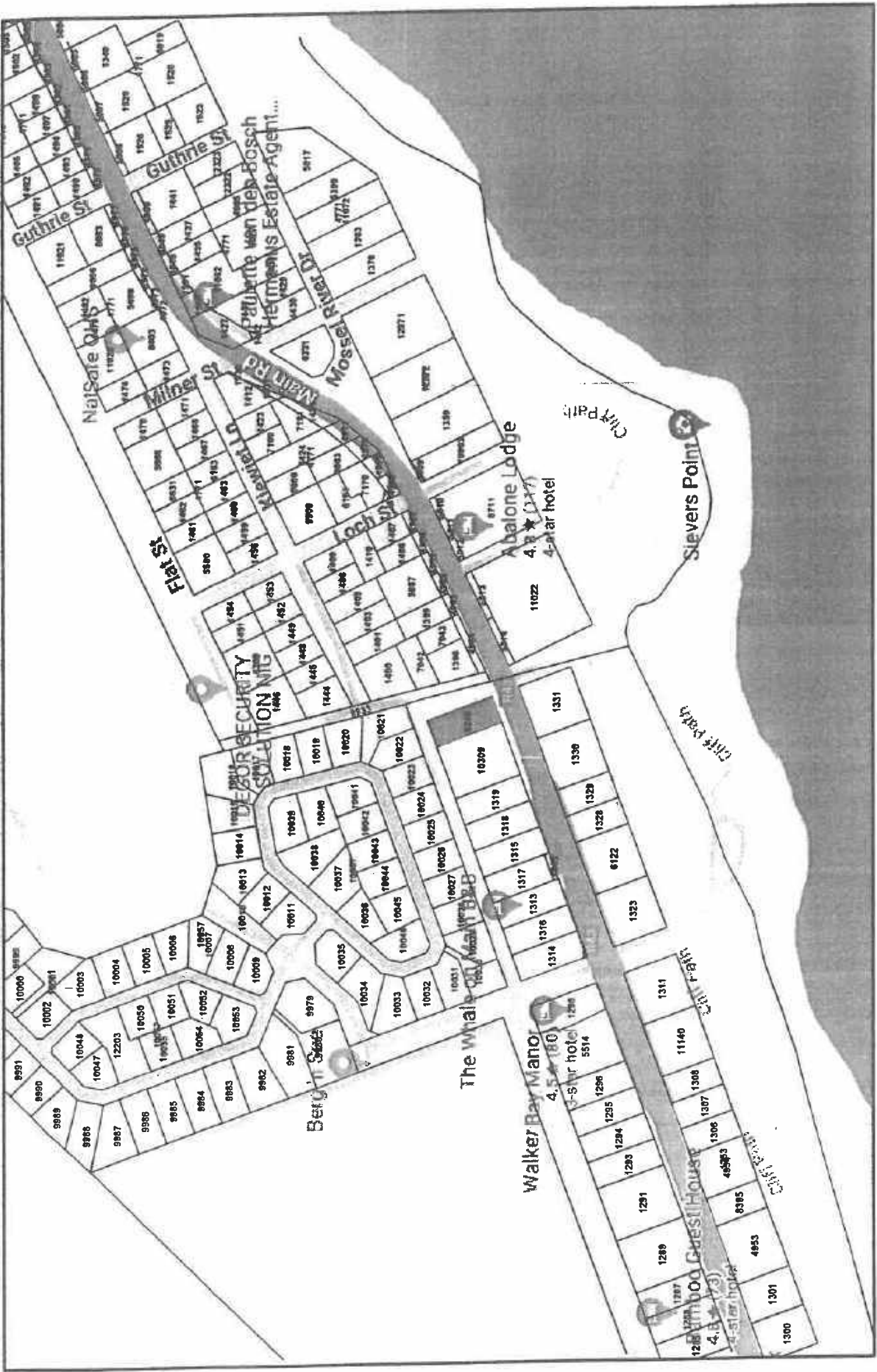
**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (b) that an administrative penalty of **R6 633.61** be payable within sixty (60) days of the decision;
  - (c) that building plans be submitted to the Building Control Department within sixty (60) days of the decision, and all comments from the Fire Department 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 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**

- ❖ The proposed encroachments are considered not to have a negative impact on the adjacent property owners or the character of the area.
- ❖ Due to the position of the structure compared to the street scape the proposal will not have an impact on road users.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ The structures proposed are further considered to be in line with the character of the area.



Scale: NTS  
 Drawing No: HERMANUS6249.dwg  
 Date: 26 Jun 2024

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 6249  
 HERMANUS**

All distances approximate  
 and subject to survey.  
 COPY RESERVED

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



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: REMAINDER ERF 6249, EASTCLIFF (4706/2024)**

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 Area Manager: 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

21/08/2024  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**17.ERF 1021, 8 LONGMARKET STREET AND ERF 2294, 8A LONGMARKET STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF GAD TRUST AND WITTHOFT ESTATES (PTY) LTD**

**1021 & 2294 STAN (4879/2024))**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**30 July 2025**

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**EXECUTIVE SUMMARY**

An application, in terms of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 28 November 2024 from Messrs PlanActive Town and Regional Planners on behalf of the owners of Even 1021 and 2294, Stanford, for the following:

- ❖ **subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide Erf 1021 into two portions namely, Portion A, approximately 300m<sup>2</sup> and a Remainder, approximately 878m<sup>2</sup> in extent; and
- ❖ **consolidation** in terms of Section 16(2)(e) of the By-Law, to consolidate Portion A with Erf 2294 to create one erf approximately 1497m<sup>2</sup> in extent.

**RESOLUTION**

1. that the application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erven 1021 and 2294, Stanford for the following:
  - **subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide Erf 1021 into two portions namely, Portion A, approximately 300m<sup>2</sup> and a Remainder, approximately 878m<sup>2</sup> in extent; and
  - **consolidation** in terms of Section 16(2)(e) of the By-Law, to consolidate Portion A with Erf 2294 to create one erf approximately 1497m<sup>2</sup> in extent,

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

- (a) that the approval is only for the subdivision and consolidation as indicated on Plan No *Stanford 1021.dwg* dated *October 2024* as submitted with the application;

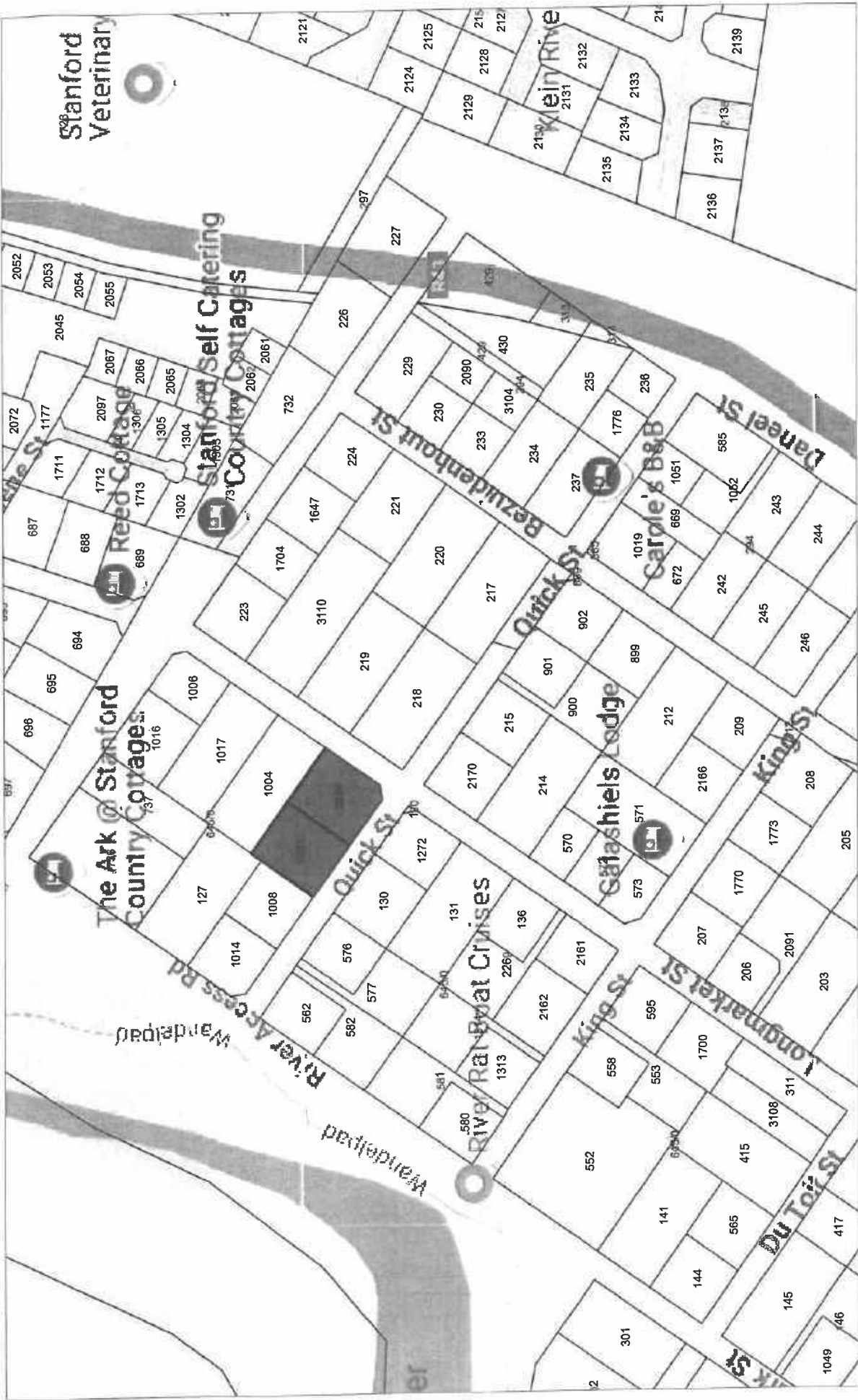
**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (b) that building plans be submitted for any new work done and that the Building- and Fire Department's comments be complied with at that stage;
  - (c) that the conditions in the Services Report be complied with;
  - (d) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (e) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**REASONS FOR RESOLUTION**

- ❖ The development is not considered to detract from the character of the area and vested rights of adjoining property owners.
- ❖ The proposed subdivision and consolidation is in line with the applicable municipal and provincial planning policy and will make more efficient use of brownfield land within the urban edge.
- ❖ The proposal is considered to be in line with the character of the area and morphology of the suburb.
- ❖ The application followed due process.
- ❖ The proposal is consistent with the surrounding property sizes.



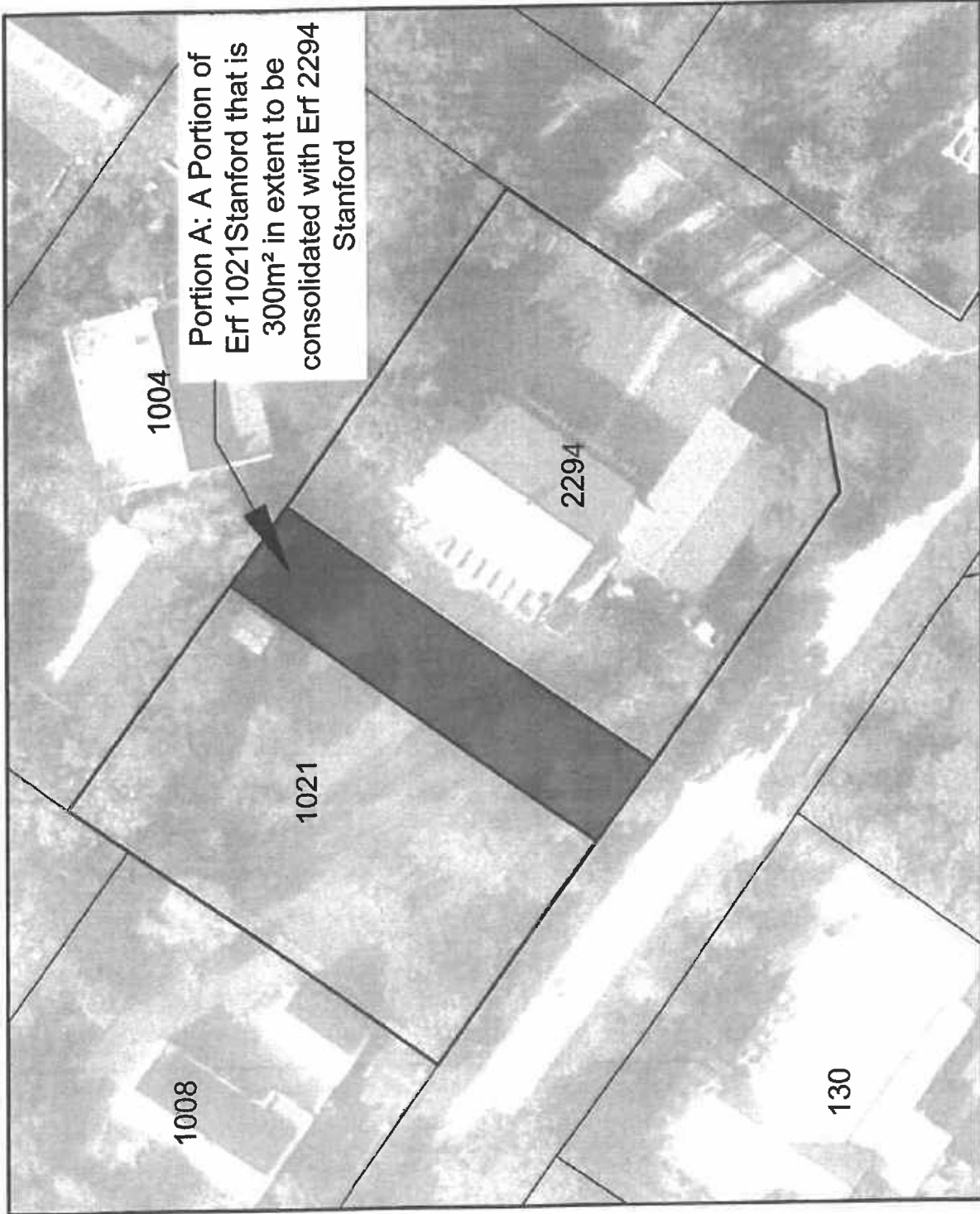
Scale: NTS  
 Drawing Nr: Stanford 1021L.dwg  
 Date: 28/11/2024

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERVEN 1021 & 2294 STANFORD**

All distances approximate and subject to survey.  
 COPY RIGHT RESERVED

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



Notes:  
 Existing Erf Boundaries  
 Proposed Subdivision Line  
 Portion A

Portion A, a subdivided portion of Erf 1021 Stanford that is 300m<sup>2</sup> in extent to be consolidated with Erf 2294 Stanford.  
 Portion A + Erf 2294 Stanford = 1497m<sup>2</sup>.  
 Remainder Erf 1021 Stanford = 878m<sup>2</sup>  
 to

<b>Plan</b> <b>Active</b>	Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey. COPYRIGHT RESERVED	Property Description: <b>ERVEN 1021 &amp; 2294                  STANFORD</b>	Plan Description: <b>PROPOSED SUBDIVISION                  &amp; CONSOLIDATION</b>	Scale: <b>1:500</b>
					Drawing Nr: Stanford 1021.dwg Date: 07/10/2024



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR SUBDIVISION & CONSOLIDATION, ERF 1021 & ERF  
2294, STANFORD (4879/2024)**

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 - Stanford for written approval;
8. that any additional and / or extended vehicle entrances will be for the owner's account;
9. that no reservation of on-street parking be allowed;
10. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;

11. that stormwater reticulation and connection(s) to the municipal system be provided at the owner's cost, if required.



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

26/02/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**18.ERF 9883, 27 SEVENTH AVENUE, VOËLKLIP, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP  
PROJECT OFFICE ON BEHALF OF CA KILIAN**

**9883 HVK (4887/2024)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**29 July 2025**

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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 December 2024 from Messrs WRAP Project Office on behalf of the owner of Erf 9883, Voëlkliip, Hermanus (By-Law) for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to relax the western lateral building line from 2m to 0m, to accommodate a proposed 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 9883, Voëlkliip, Hermanus, to relax the western lateral building line from 2m to 0m to accommodate the proposed garage, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (a) that the approval is for the development as indicated on Site Development Plan No 24.184 (001) dated 03/12/24;
  - (b) that building plans be submitted to the Building Control Office, and all comments from the Fire Department be complied with at that stage;
  - (c) that all the conditions 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.
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**AGENDA of the  
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21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

---

**REASONS FOR RESOLUTION**

- ❖ The proposed structure will not have a negative impact on the character of the area or the streetscape.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ No objection was received.

# 1. Locality Plan Erf 9883 - Hermanus

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management



Scale 1 : 125

3,15m  
Title Deed  
Building Line

Proposed  
Garage Extension

4,0m Street Building Line

3,0m Street Building Line

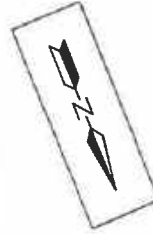
2,0m Side Building Line

2,0m Side Building Line

8,995

NTS

SOUTH ELEVATION  
NTS



Plan date: 03/12/2024

Plan Number: 24.184(001)

Plan prepared by: Thian Jansen  
Based on plans from Andrew Greiff Architects  
All distances are approximate  
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



Project Office

BEST  
PARKING

NORTH

ENTRANCE WALL

DRESSING

BEDROOM 2

BEDROOM 1

BEDROOM 4

BEDROOM 3

BATHROOM

KITCHEN

LIVING

DINING

STAIRS

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**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 9883, VOELKLIP (4887/2024)**

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**

04/03/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**19.ERF 161, 13 MORTON STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS URBANEST ARCHITECTS (PTY) LTD ON BEHALF OF TRIPLE DAWN TRADING (PTY) LTD**

**161 STAN (4896/2024)**

**P Roux**

**29 July 2025**

**(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 12 December 2024 from Messrs Urbanest Architects (PTY) Ltd on behalf of the owner of Erf 161, Stanford for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to:
  - relax the eastern street building line from 4m to 0m and the south-western lateral building line from 2m to 0.710m, to accommodate the proposed covered stoep;
  - relax the south-western lateral building line from 2m to 0.710m, to convert the existing garage to a second dwelling and to allow for the construction of a braai area, and
  - relax the northern street building line from 4m to 2.5m, to accommodate the proposed covered stoep.

**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 161, Stanford in order to:
  - relax the eastern street building line from 4m to 0m and the south-western lateral building line from 2m to 0.710m, to accommodate the proposed covered stoep;
  - relax the south-western lateral building line from 2m to 0.710m, to convert the existing garage to a second dwelling and to allow for the construction of a braai area, and
  - relax the northern street building line from 4m to 2.5m, to accommodate the proposed covered stoep;

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

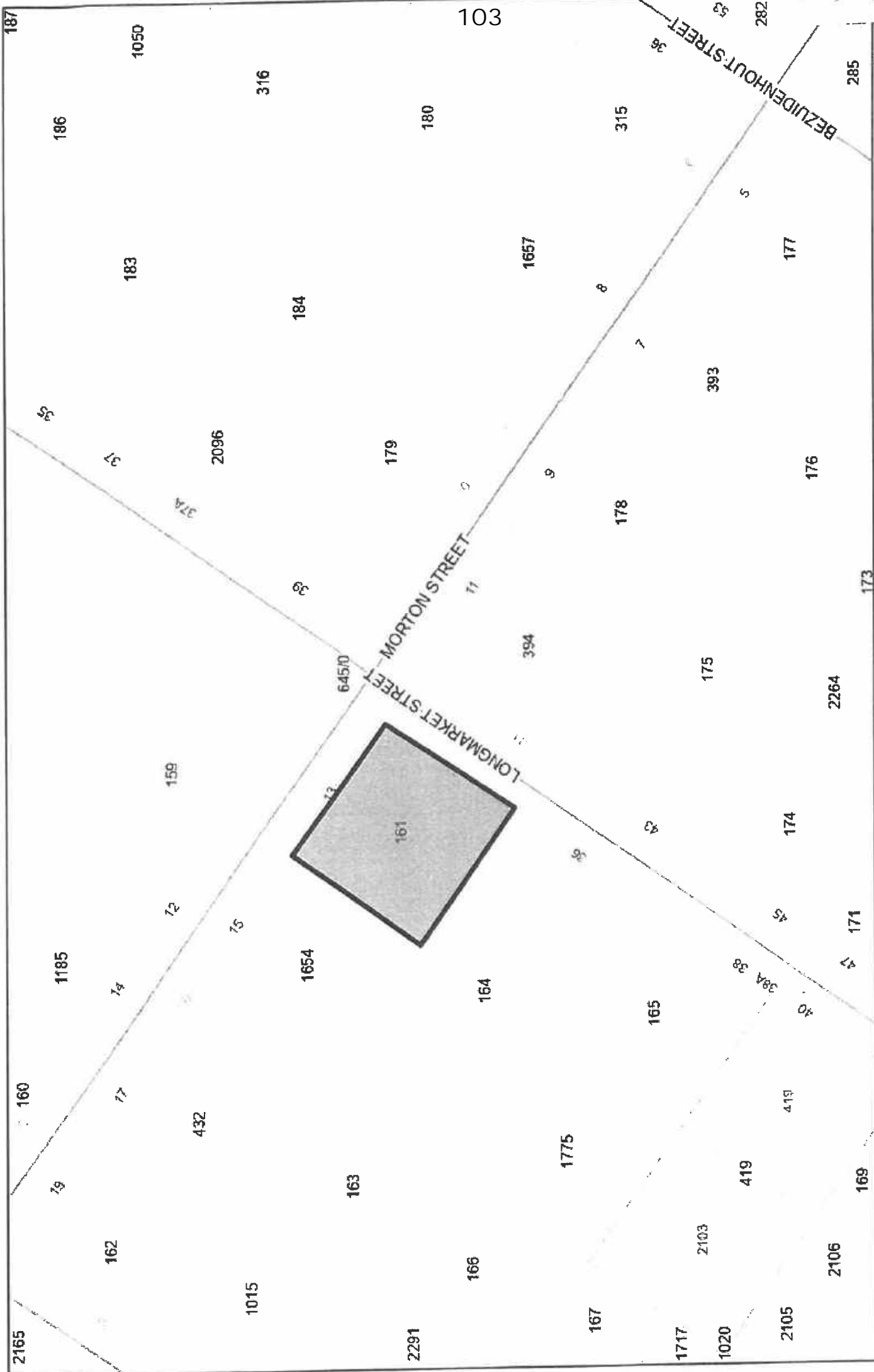
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- (a) that the approvals are for the development as indicated on Site Development Plan, Drawing No. c1001, as submitted with the application;
  - (b) that building plans be submitted to the building control office, and all comments from the Fire Department be complied with at that stage;
  - (c) that all the conditions 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.
2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**REASONS FOR RESOLUTION**

- ❖ The proposed encroachments are considered not to have a negative impact on the adjacent property owners or the character of the area.
- ❖ The departures should be seen in context of the Stanford character and the importance of maintaining the character.
- ❖ No objections were received, and support from Stanford Heritage was received.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



ERF 161, 13 MORTON STREET, STANFORD





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE, ERF 161, STANFORD (4896/2024)**

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

**Conditions:**

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



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

10/07/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**20.ERF 1180, 223 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF MJ VAN DER WALT**

**1180 HEC (4922/2025)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**29 July 2025**

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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 03 March 2025 from Messrs WRAP Project Office on behalf of the owner of Erf 1180, Eastcliff, Hermanus for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law for a five (5) bedroom guesthouse;
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the north-eastern lateral building line from 2m to 0m to accommodate the use-change of the servant's quarters to manager's quarters and the carport to a storage room, and
- ❖ **Determination of an administrative penalty** in terms of Section 90(q) of the By-Law.

**RESOLUTION**

1. that the application for **departure**, in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 1180, Eastcliff, Hermanus to relax the north-eastern lateral building line from 2m to 0m to accommodate the use-change of the carport to a storage room, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for **consent use** in terms of Section 16 (2)(o) of the By-Law, applicable to Erf 1180, Eastcliff, Hermanus, to accommodate a five (5) bedroom guesthouse **be partially approved** in terms of the provisions of Section 61 of the By-Law;

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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 1180, Eastcliff, Hermanus to accommodate the existing as built structures and land uses on the property, **not be exempt** from the payment of an administrative penalty;
4. that the application for **departure** in terms of Section 16(2)(b) of the By-Law applicable to Erf 1180, Eastcliff Hermanus to relax the north-eastern lateral building line from 2m to 0m to accommodate the use of the servant's quarters to manager's quarters, **not be approved** in terms of the provisions of Section 61 of the By-Law;
5. that the recommendation under paragraphs 1, 2 and 3 is subject to the following conditions:
  - (a) that revised plans be provided indicating the removal of the domestic accommodation (existing manager's bedroom) and the removal of the roof of the rubbish yard, and the change of use of the carport (existing kitchen and dining area) to a store room;
  - (b) that building plans be submitted to the Building Control Office within sixty (60) days of the decision, and all comments from the Fire Department be complied with at that stage;
  - (c) that an administrative penalty of R34 931.64 be payable within sixty (60) days of the decision;
  - (d) that the guesthouse be limited to **four (4) guest bedrooms**;
  - (e) that all the conditions in the Services Report be complied with;
  - (f) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (g) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
6. 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**

Reason for support as indicated under point 1, 2 and 3

- ❖ The guesthouse is in keeping with the area and surrounding land uses.

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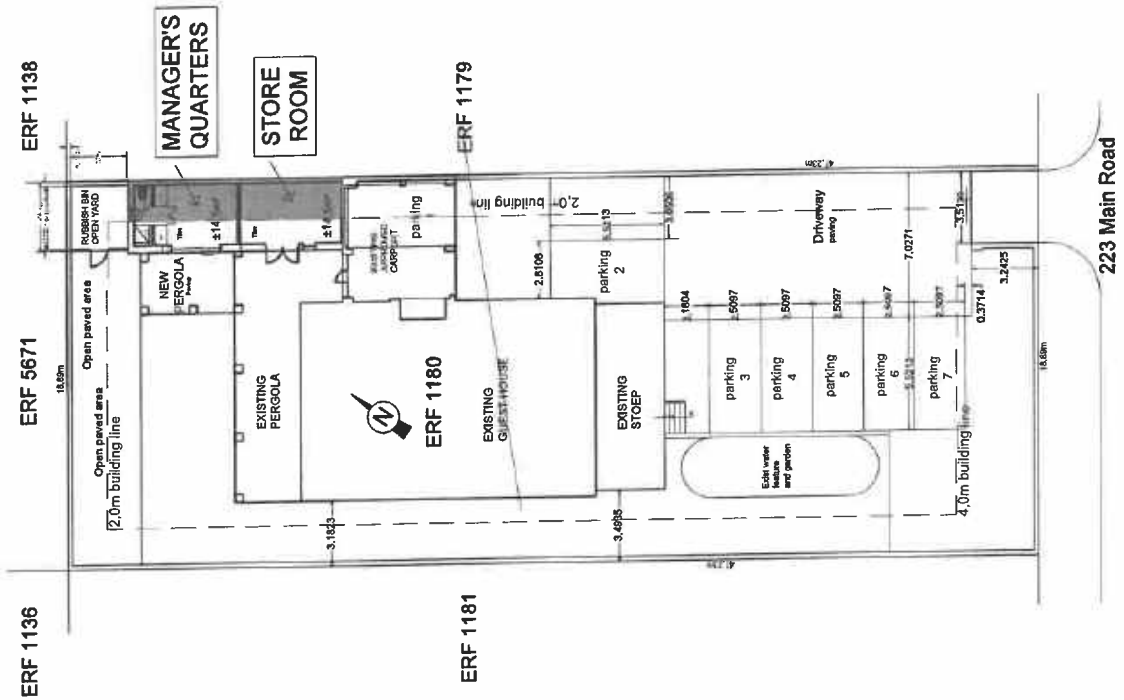
- ❖ The proposed storage area will not be used as a habitable room and there be used on an infrequent basis.
- ❖ The proposed uses will not have a negative impact on the privacy of the adjacent property owners.
- ❖ Due to the position of the dwelling compared to the street scape and the ample number of parking bays provided, the proposal will not have an impact on road users.
- ❖ As can be derived from the guesthouse's website the property owner utilised the guesthouse as a five (5) bedroom guesthouse without municipal approval and the property owner constructed portions of the manager's accommodation over the lateral building line without municipal approval therefore an administrative penalty is applicable.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ The structures proposed are further considered to be in line with the character of the area.

Reason for non-support as indicated under point 4

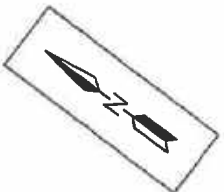
- ❖ The rubbish yard was covered by a roof within the building lines, this was not discussed nor motivated in the application, on the site plan the yard is shown as open/uncovered.
- ❖ Due to the damp and moisture in the walls the structures are not fit for human habitation and could lead to health complications.
- ❖ Habitable structures directly along erf boundaries are regarded as being undesirable from a town planning perspective and are under normal circumstances not supported.



<p><b>4. Departure Plan</b> Erf 1180 Hermanus</p>	<p>Extent - 892m<sup>2</sup> Coverage - 27,73% <u>Proposed Parking</u></p>	<p>5 Guest Rooms = 5 Parking Bays Managers = 2 Parking Bays Total Parking Bays required = 7 Total Parking Bays provided = 7</p>	<p>- Permanent departure from the 2m north-eastern side building line to 0m to accommodate the use change of the servant's quarters to a manager's quarters and the carport to a storage area</p>		<p>Plan prepared by: Veronica Jansen on 26/02/2025 Based on plans by Louis van Tonder Architects</p>	<p>All distances are approximate and subject to a survey</p>	<p>Tel: 028 313 1411 Email: admin@wrapgroup.co.za</p>	<p>Unit B, Standard House, Corner of Royal and Dikkie Oys Street Hermanus, 7200</p>	 <p><b>Project Office</b> Town Planning &amp; Project Management</p>
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**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSENT USE, DEPARTURE & DETERMINATION OF AN  
ADMINISTRATIVE PENALTY: ERF 1180, EASTCLIFF (4922/2025)**

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 any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Engineering Services Division;
5. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
6. that any additional and / or extended vehicle entrances will be for the owner's account;
7. that no reservation of on-street parking be allowed;
8. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
9. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.

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

*22/05/2025*  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**21.ERF 3710, 2 BERGHOF DRIVE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING, CONSENT USE, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: INTERACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF PHD DE KOCK & CM GUARRERA**

**3710 HON (4518/2023)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**30 July 2025**

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**EXECUTIVE SUMMARY**

An application was received on 7 November 2023 from Inter Active Town and Regional Planners on behalf of PHD De Kock & CM Guerrera on Erf 3710, Onrustrivier in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Rezoning** in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 from Community Zone I to subdivisional Area to create the following:
  - Portion A to Community Zone 1: Community Facilities (CO1) purposes.
  - Portion B for Residential Zone 1: Single Residential (SR1) purposes.
  - Remainder for Transport Zone 2: Road and Parking (TR2) purposes.
- ❖ **Subdivision** in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide the property into 3 portions namely, a Portion A ( $\pm 8212\text{m}^2$ ), a Portion B ( $\pm 5016\text{m}^2$ ) and a Remainder ( $\pm 9870\text{m}^2$ ).
- ❖ **Consent Use** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to accommodate the existing transmission apparatus 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 relax the following:
  - northern building line of proposed Portion A from 5m to 1m to accommodate the existing school buildings.
  - eastern street building line of proposed Portion A from 5m to 2,8m to accommodate the existing transmission apparatus.
- ❖ **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 unauthorized land uses as mentioned above.

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**RESOLUTION**

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of Erf 3710 Onrustrivier from Community Zone I to Subdivisional Area to create the following:
  - Portion A to Community Zone 1: Community Facilities (CO1) purposes;
  - Portion B for Residential Zone 1: Single Residential (SR1) purposes, and
  - Remainder for Transport Zone 2: Road and Parking (TR2) purposes;

**be approved**, in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **subdivision** of Erf 3710, Onrustrivier into 3 portions namely, a Portion A ( $\pm 8212\text{m}^2$ ), a Portion B ( $\pm 5016\text{m}^2$ ) and a Remainder ( $\pm 9870\text{m}^2$ ), **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a **consent use** to accommodate the existing transmission apparatus (tower) on the property, **be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the application 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 following:
  - northern building line of proposed Portion A from 5m to 1m to accommodate the existing school buildings.
  - eastern street building line of proposed Portion A from 5m to 2,8m to accommodate the existing transmission apparatus.

**be approved**, in terms of the provisions of Section 61 of the By-Law;
5. that the approvals in Points 1 to 4 above be subject to the following conditions:
  - (a) that approval is for the subdivision, rezoning, consent use and departures as indicated on Subdivision and Rezoning Plan Drawing Rev. 5 dated 6/11/2024 and Site Plan Drawing number Rev 4 dated 17/10/2023;

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- (b) that building plans be submitted for the new buildings and the Transmission apparatus, and that all conditions of the Building Control – and the Fire Departments be complied with at that stage;
  - (c) that the Remainder Portion for the public road be transferred to Department of Public Works;
  - (d) that the school site Portion A be subject to the height restriction of 8m for all new buildings/structures (as applicable for the Residential Zone even in terms of the Overstrand Municipality Land Use Scheme regulations), and that this be inserted as a condition in the Title Deed of the property;
  - (e) that all the conditions in the Services Report be complied with;
  - (f) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (g) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
  - (h) that the transmission apparatus be restricted to the existing infrastructure and height of not more than 10,5m, and
  - (i) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site.
6. that the comments received from Telkom be noted.
  7. 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, for the unauthorized school buildings and Transmission apparatus, **be imposed**, and that an administrative penalty fee of **R4189,00** be payable within sixty (60) days of this decision.
  8. 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 decisions.

## **REASONS FOR RESOLUTION**

### **POINTS 1 - 5**

- ❖ The application is supported by all relevant Municipal Departments and State Departments and other institutions.
- ❖ The area is already serviced, and no additional services will be required.

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- ❖ No objections were received from surrounding landowners and the Berghof HOA also support the application.
- ❖ This is an existing situation with an existing school on the western portion of the erf and residential dwellings on the eastern portion of the erf, and the approval of this application will not create any additional traffic impact, impact on surrounding property owners or impact the character of the surrounding area.
- ❖ The creation of a road portion will help to formalize the cadastral boundaries of the R43 District Road.
- ❖ The Transmission Tower is existing with no additional impact, and it provides an important service to the surrounding neighbourhood for internet services and security services.
- ❖ The proposal is in line with the Overstrand Municipality SDF, 2020, this area is earmarked for urban development.
- ❖ The application is in line with the General Principles of LUPA/SPLUMA since the land will be utilized to its full potential and more efficiently.

**POINT 7**

- ❖ The previous owner was responsible for the illegal structures/buildings. It is however the responsibility of each landowner to ensure all buildings/structures on their properties are legal, and therefore the Administrative Penalty is imposed.





**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REZONING, SUBDIVISION, DEPARTURE &  
DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 3710, ONRUS  
RIVER (4518/2024)**

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

**Conditions:**

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

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

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

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

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

The contribution according to the current policy (**2024/2025**) 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	=	<u>R 1 769.00</u>
<b>TOTAL (inclusive of VAT)</b>		<b>=</b>	<b>R 68 142.00</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 3710 shall be used to service the proposed Portion A or the Remainder of Erf 3710;

3. that any part of the existing water and sewer services on Erf 3710 that crosses the common boundary of Portion A and the Remainder of Erf 3710 shall be disconnected and sealed off;
4. that both the Remainder and Portion A of must be serviced with individual and separate water connections which must comply with the standards of the Division: Civil Engineering Services;
5. that the proposed Portion A and Remainder of Erf 3710 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 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;
7. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
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 owners cost, if required.

  
RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL

13/03/2025  
DATE

**AGENDA of the  
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**22.ERF 2440, 12 DUIKER CRESCENT, SANDBAAI, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION  
OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN AND  
REGIONAL PLANNERS ON BEHALF OF AJ & I VAN DER MERWE**

**2440 HSB (4732/2024)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**28 July 2025**

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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) was received on 01 August 2024 from Messrs PlanActive Town and Regional Planners on behalf of AJ and I van der Merwe on Erf 2440, Sandbaai for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the height restriction from 8m to 8.54m to accommodate the existing roof pitch.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

**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 (By-Law) on Erf 2440, Sandbaai to relax the height restriction from 8m to 8.54m to accommodate the existing roof pitch, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
2. that the approval in Point 1. above be subject to the following conditions:
  - (a) that the approval is only for the development indicated on Plan number 2120 pages 1 & 2 dated 9 June 2024, as submitted with the application;
  - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
  - (c) that all the conditions in the Services Report be complied with;
  - (d) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with, and

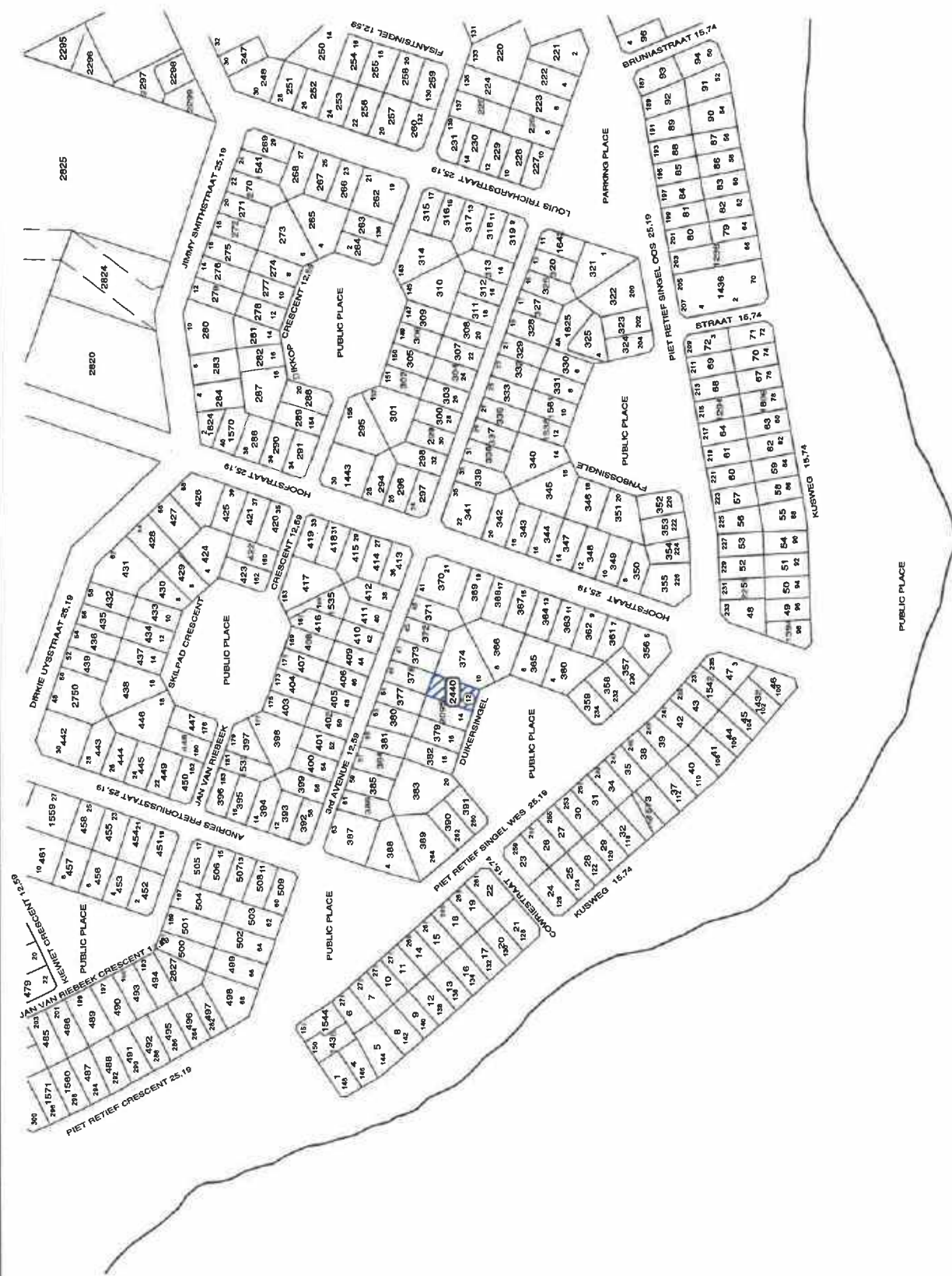
**AGENDA of the  
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- (e) that this approval does not absolve the applicant from compliance with any other relevant legislation.
3. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 2440, Sandbaai, for the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R8 587.20** be payable within sixty (60) days of this decision;
4. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ The proposed application fits in with the character of the surrounding area and is desirable.
- ❖ There will be no impact on services.
- ❖ The proposal will have no negative impact on the environment.
- ❖ The administrative penalty levied is due to the deviation from the approved building plan.



Scale: NTS  
 Drawing Nr: sand2440L.dwg  
 Date: JULY 2024

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 2440  
 SANDBAAI**

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

**PIA'n** Sads- en Streeksbeplanners  
 Town & Regional Planners

**PIA'n** Active  
 The site



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 2440, SANDBAAI (4732/2024)**

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 Area Manager: 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**

*10/10/2024*  
DATE

**AGENDA of the  
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**23.ERF 329, 11 THE ESPLANADE AND ERF 330, 9 THE ESPLANADE, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION, AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN AND CONDITIONS OF AN EXISTING APPROVAL: MESSRS TOWN AND COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF CF FOURIE**

**329 & 330 GPB (4806/2024)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**5 August 2025**

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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 September 2024 from Messrs Town and Country Creative Land Solutions on behalf of CF Fourie, for the following:

- ❖ **Consolidation** of Erven 329 and 330, Pearly Beach in terms of Section 16(2)(o) of the By-Law to create a consolidated erf of approximately 782m<sup>2</sup> in extent;
- ❖ **Amendment of a condition of an existing approval** in terms of Section 16(2)(h) of the By-Law to accommodate primary land uses applicable to Business Zone 3: Local Business Zone on the consolidated property, and
- ❖ **Amendment of an approved site development plan (parking layout)** in terms of Section 16(2)(l) of the By-Law.

**RESOLUTION**

1. that the application for **consolidation** of Erven 329 and 330, Pearly Beach in terms of Section 16(2)(o) of the By-Law to create a consolidated erf of approximately 782m<sup>2</sup> in extent, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for **amendment of a condition of an existing approval** in terms of Section 16(2)(h) of the By-Law to accommodate primary land uses applicable to Business Zone 3: Local Business Zone on the consolidated property, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for **amendment of the approved parking layout** in terms of Section 16(2)(l) of the By-Law, **be approved** in terms of the provisions of Section 61 of the By-Law;

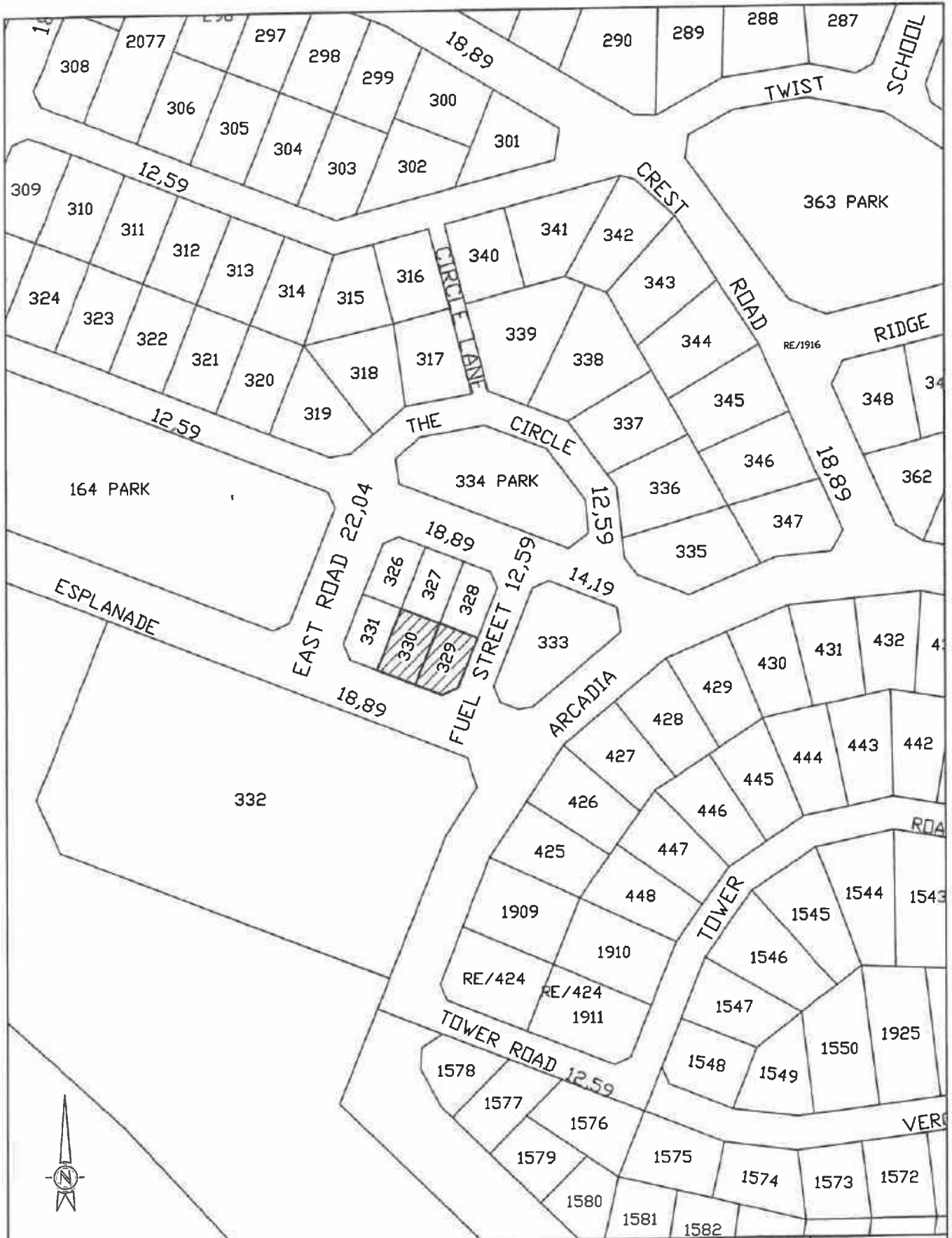
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4. that the decisions in paragraphs 1. to 3. above be subject to the following conditions:
  - (a) that the development parameters of the relevant zoning scheme be complied with;
  - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building – and the Fire Department be complied with at that stage;
  - (c) that all the conditions in the Services Report and comment from Waste Management be complied with;
  - (d) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
5. that the applicant be notified of their 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.
- ❖ No objections were received during the public participation process.
- ❖ The proposal will not negatively impact the character of the area, traffic flow or vested rights of adjoining property owners.
- ❖ The proposal will enable development in accordance with the primary rights of the zoning.



**Town & Country**  
Creative Land Solutions

P.O. Box 1085  
Bredasdorp  
7280

Tel. 028 424 1545  
Fax. 028 425 2085

E-mail: towncountry@vodamail.co.za

PROJECT

LOCALITY PLAN: ERVEN 329 AND 330 PEARLY BEACH  
OVERSTRAND MUNICIPALITY



Land Surveyors • Town Planners

DRAWN

LT

SCALE

nts

DWG No.

Locality

CHECKED

LT

DATE

AUG 2024

REVISION

Notes:  
ALL AREAS AND DISTANCES SUBJECT TO SURVEY



**Town & Country**  
 Creative Land Solutions  
 P.O. Box 1085  
 Bredasdorp  
 7280

Tel. 028 424 1545  
 Fax. 028 425 2085

E-mail: [towncountry@vodamail.co.za](mailto:towncountry@vodamail.co.za)

PROJECT

**CONSOLIDATION PLAN: ERVEN 329 AND 330**  
 PEARLY BEACH, OVERSTRAND MUNICIPALITY



Land Surveyors • Town Planners

DRAWN

LT

CHECKED

LT

SCALE

1:400

DATE

AUG 2024

DWG No.

PEA/3171

REVISION

Notes:  
 ALL AREAS AND DISTANCES SUBJECT TO SURVEY

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSOLIDATION, AMENDMENT OF THE  
APPROVED SITE DEVELOPMENT & AMENDMENT OF CONDITIONS OF  
APPROVAL: ERF 329 & ERF 330, PEARLY BEACH (4806/2024)**

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 ;

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

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**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**24.ERF 4093, 108 SECOND AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: J DOUGLAS ON BEHALF OF M SCHWAR**

**4093 KM (4852/2024)**

**H van der Stoep  
21 August 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application was received on 25 October 2024 from J Douglas on behalf of M Schwar on Erf 4093, Kleinmond in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a **departure** to relax the rear and lateral building lines from 2m to 0m respectively to accommodate a proposed new garage and to exceed the 9m restriction of a building on one specific boundary to 11m on the northern lateral side of the property.

**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 4093, Kleinmond for a **departure** to relax the rear and lateral building lines from 2m to 0m respectively to accommodate a proposed new garage and to exceed the 9m restriction of a building on one specific boundary to 11m on the northern lateral side of the property, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
  - (a) that this approval is only for the development as indicated on the plan number FINAL PLAN 20241016 dated 1 June 2024 as submitted with the application;
  - (b) that no further departures over the building lines be approved, except as stipulated by the Land Use Scheme;
  - (c) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control and the Fire 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.

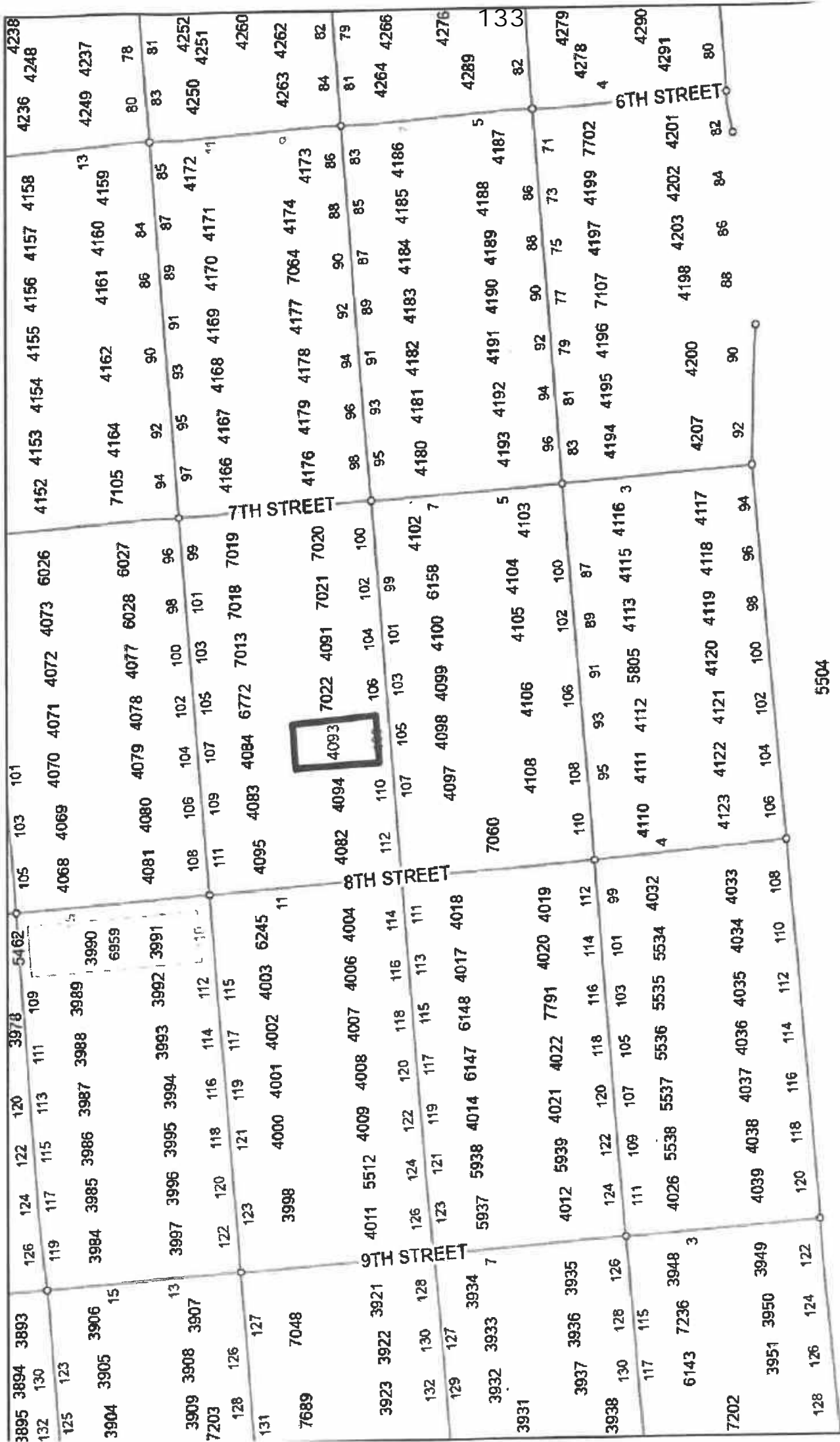
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2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

**REASONS FOR RESOLUTION**

- ❖ No objection was received.
- ❖ The proposal does not jeopardize character of area.
- ❖ Better utilization of the property.
- ❖ The application has followed due procedure.
- ❖ No additional services are required.
- ❖ The application is in line with the planning principles.





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**25.ERF 3494, 15 RESTIO CLOSE, BETTY'S BAY AND ERF 3495, 16 RESTIO CLOSE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: N OMAR LAND SURVEYOR ON BEHALF OF CJ SERFONTEIN AND FICKER TRUST**

**3494 & 3495 KBB (4914/2025)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**21 August 2025**

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**EXECUTIVE SUMMARY**

Application has been received on 17 February 2025 from Naushad Omar Land Surveyor on behalf of CJ Serfontein and Ficker Trust in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 3494, Betty's Bay into 2 portions, namely a Portion 1 ( $\pm 367\text{m}^2$ ) and a Remainder ( $\pm 831\text{m}^2$ ).
- ❖ **Consolidation** in terms of Section 16(2)(e) in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to consolidate the newly created Portion 1 (a portion of Erf 3494, Betty's Bay) with Erf 3495, Betty's Bay to create a consolidated property of  $\pm 1198\text{m}^2$  in extent.

**RESOLUTION**

1. that the application in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the subdivision of Erf 3494, Betty's Bay into two (2) portions, namely Portion 1 ( $\pm 367\text{m}^2$ ) and a Remainder ( $\pm 831\text{m}^2$ ), **be approved**, in terms of the provisions of Section 61 of the By-Law;
2. that the application in terms of Section 16(2)(e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the consolidation of the newly created Portion 1 (a portion of Erf 3494, Betty's Bay) with Erf 3495, Betty's Bay to create a consolidated property of  $\pm 1198\text{m}^2$  in extent, **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:

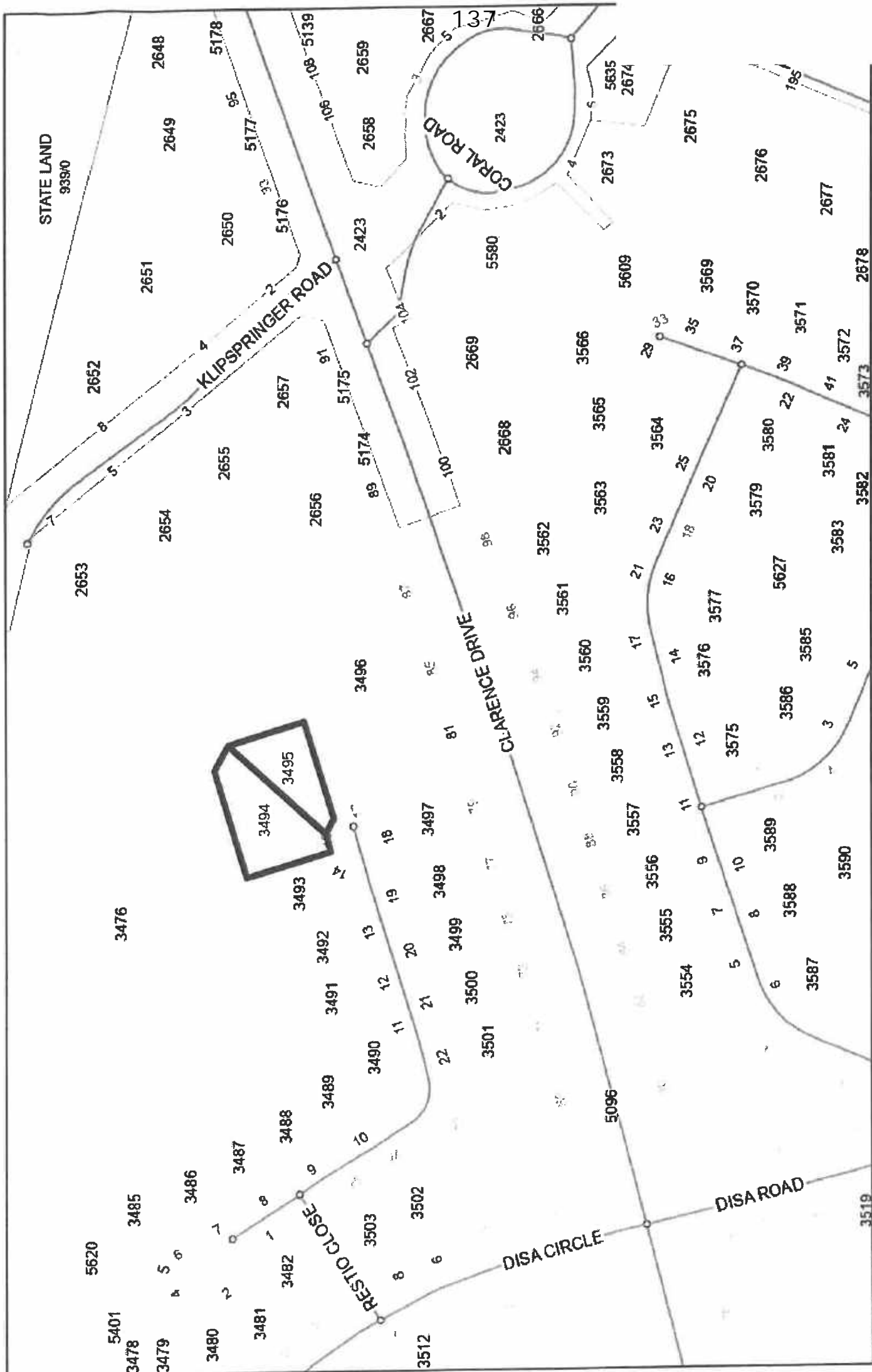
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- (a) that this approval is only for the subdivision as indicated on subdivision plan (VERSION 2) dated December 2024 and consolidation plan (VERSION 2) dated April 2024, as submitted with the application;
  - (b) that building plans be submitted to the Building Department for approval, and that all conditions of the Building Department 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 Zoning Scheme be complied with, and
  - (e) that all the conditions in the Services Report be complied with.
4. 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.

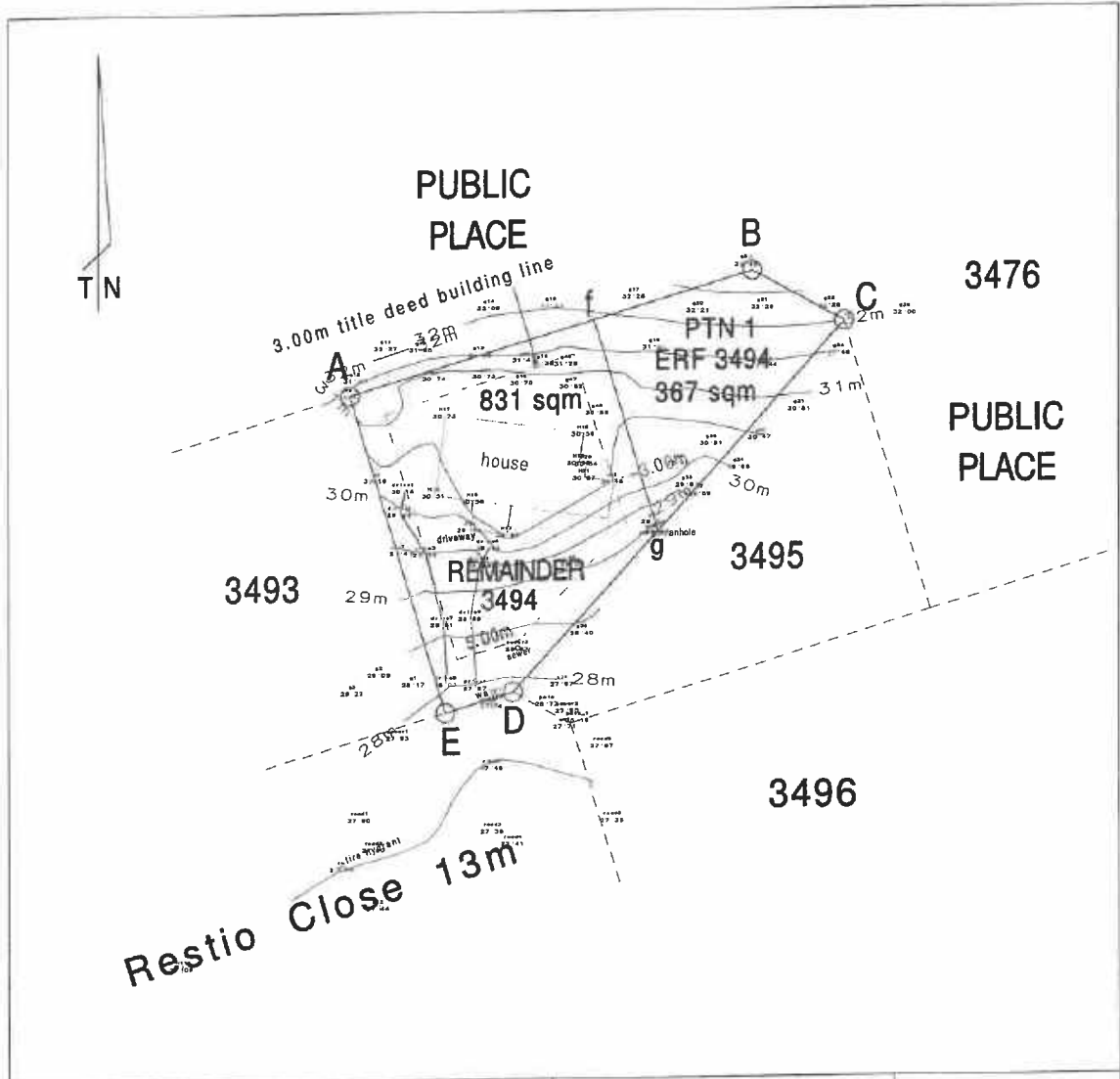
**REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ The proposed subdivision is in line with Policy Plans.
- ❖ The proposed development is compatible with the sizes of surrounding erven.
- ❖ All relevant municipal departments support the application.
- ❖ No objections were received
- ❖ No negative impact on the character of the area and is desirable.



Locality Map  
Erven 3494 & 3495 Betty's Bay





**NOTES:**

1. The figure ABCDE is ERF 3494 BETTYS BAY, and 1198 sqm in extent.
2. The figure fBCg represents Portion 1, and 367 sqm in extent.
3. The figure AfgDE represents Remainder, and 831 sqm in extent.
5. Address: Restio Close, BETTYS BAY.

DATE: DECEMBER 2024

SCALE: 1/750

DRAWN BY: T.KHEREKAR

SUBDIVISION OF ERF 3494 BETTYS BAY

**REGISTERED OWNERS:**

Christiaan Jacobus Serfontein  
T64909/2006 dated: 22/08/2006

**SUBMITTED BY:**

N. OMAR LAND SURVEYOR PLS1166  
4 FINN ROAD, ZEEKOEVLEI, 7941  
CELL: 072 183 8954

All data approximate and in metres

GEN PLAN SG.No. 8266

COMP.SHT Nos. AH-4BD/Y12 (361),  
AH-4BD/Y14 (362)

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR SUBDIVISION & CONSOLIDATION: ERF 3494 & ERF  
3495, BETTY'S BAY (4914/2025)**

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

**Conditions:**

1. that 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

22/08/2025  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**26. PORTION 105 (PORTION OF PORTION 102) OF FARM HEMEL EN AARDE NO. 587, DIVISION CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF BOEKENHOUTSKLOOF WINERY (PTY) LTD**

**RCAL 105/587 (4639/2024)**

**H Olivier**

**(028) 313 8900**

**Hermanus Administration**

**11 August 2025**

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**EXECUTIVE SUMMARY**

An application was received on 17 April 2024 from WRAP Project Office on behalf of Boekenhoutskloof Winery (Pty) Ltd on Portion 105 (Portion of Portion 102) of Farm Hemel en Aarde No. 587 for **consent uses** in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **agricultural industry** to establish a proposed new wine cellar and do wine sales, and
- ❖ **tourist facilities** to establish a restaurant to host private functions, wine tastings and pairings.

**RESOLUTION**

1. that the application in terms of Section 16(2)(o) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 on Portion 105 (Portion of Portion 102) of Farm Hemel en Aarde No. 587 for **consent uses** to accommodate the following:

- ❖ **agricultural industry** to establish a proposed new wine cellar and do wine sales, and
- ❖ **tourist facilities** to establish a restaurant to host private functions, wine tastings and pairings;

**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 Site Development Plan 23/78 (001) dated 08 April 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;

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- (c) that adequate provision be made to manage the behaviour of patrons of the tourist facility.
  - (d) that commercial rates and taxes, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
  - (f) that there be compliance with all relevant Health and Fire Regulations;
  - (g) that all the conditions in the Services Report be complied with; and
  - (h) that development complies with the parameters of the Land Use Scheme.
3. that the following comments be noted:
- BOCMA;
  - Cape Nature;
  - Western Cape Government: EADP (Planning) –;
  - Western Cape Government: Transport & Public Works;
  - Western Cape Government: EADP (Environmental) – and
  - Western Cape Government: Agriculture.
4. 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 conditions of approval.

### **REASONS FOR RESOLUTION**

- ❖ The application has followed due procedure.
- ❖ No objections were received in the public participation process.
- ❖ None of the internal departments have objected to the application.
- ❖ No new municipal services will be required.
- ❖ No state departments objected to the application.
- ❖ The application is in line with SPLUMA principles, and the additional land uses would ensure the land is used more efficiently and provide it with spatial resilience as additional income can be generated should the production of the farm take an economic downturn.
- ❖ The Western Cape Government: EADP (Environmental), Cape Nature and the Municipal Environmental Division supports the application, and therefore it is the opinion that the application will not have a negative environmental impact.

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- ❖ The Municipal Engineering Department, BOCMA, Eskom and Western Cape Government: Infrastructure (Road Planning) supports the application, and therefore there is no concerns regarding services and accessibility.
- ❖ The application is in line with the aims of the Overstrand SDF which promotes tourism.
- ❖ It is not foreseen that the application will have a negative effect on the character of the area or on surrounding property owners.

# 1. Locality Plan

## Portion 105 of the Farm Hemel en Aarde No. 587, Caledon

Plan prepared by: Veronica Jansen

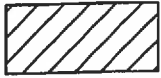
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

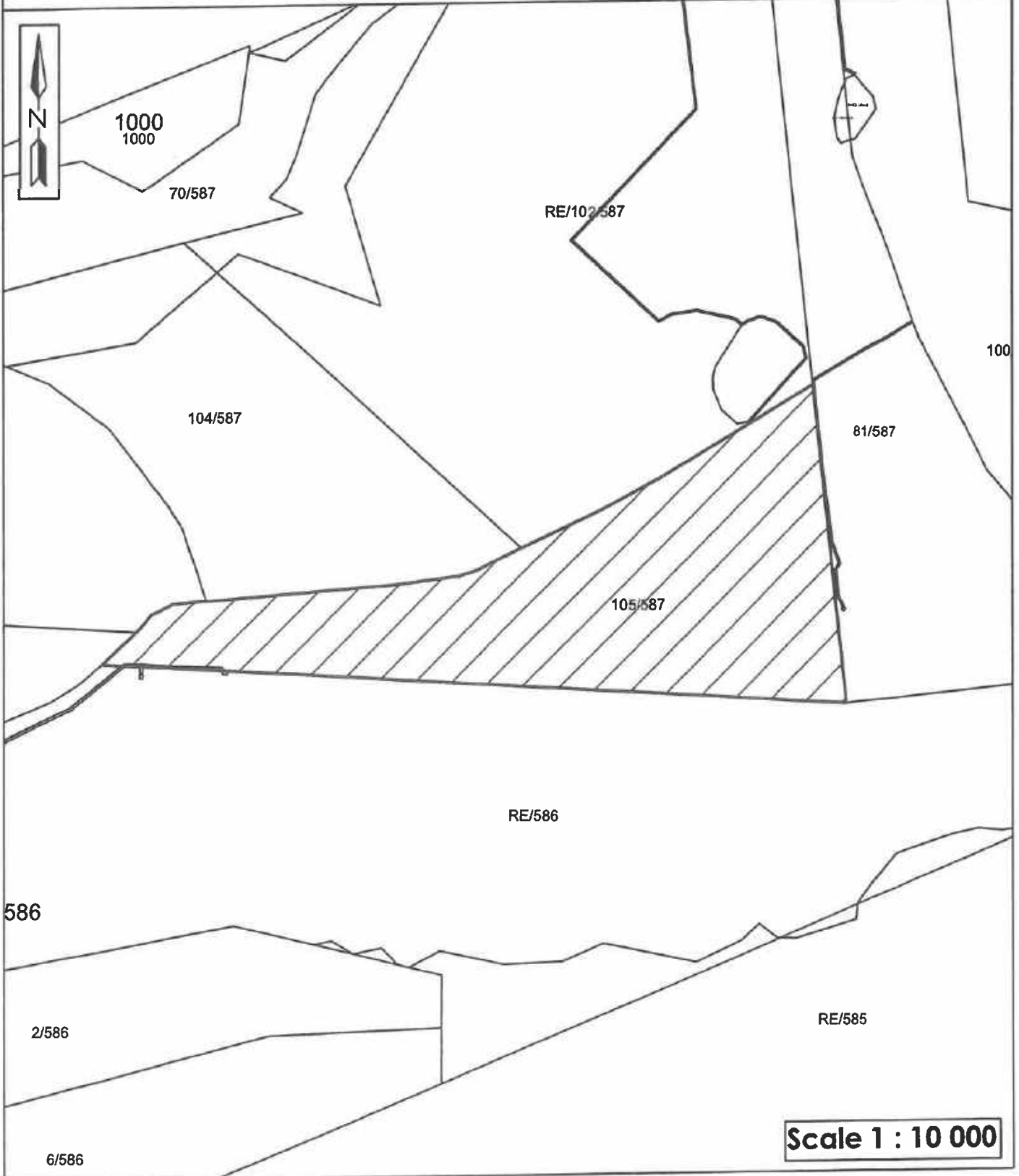
Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management



Subject property



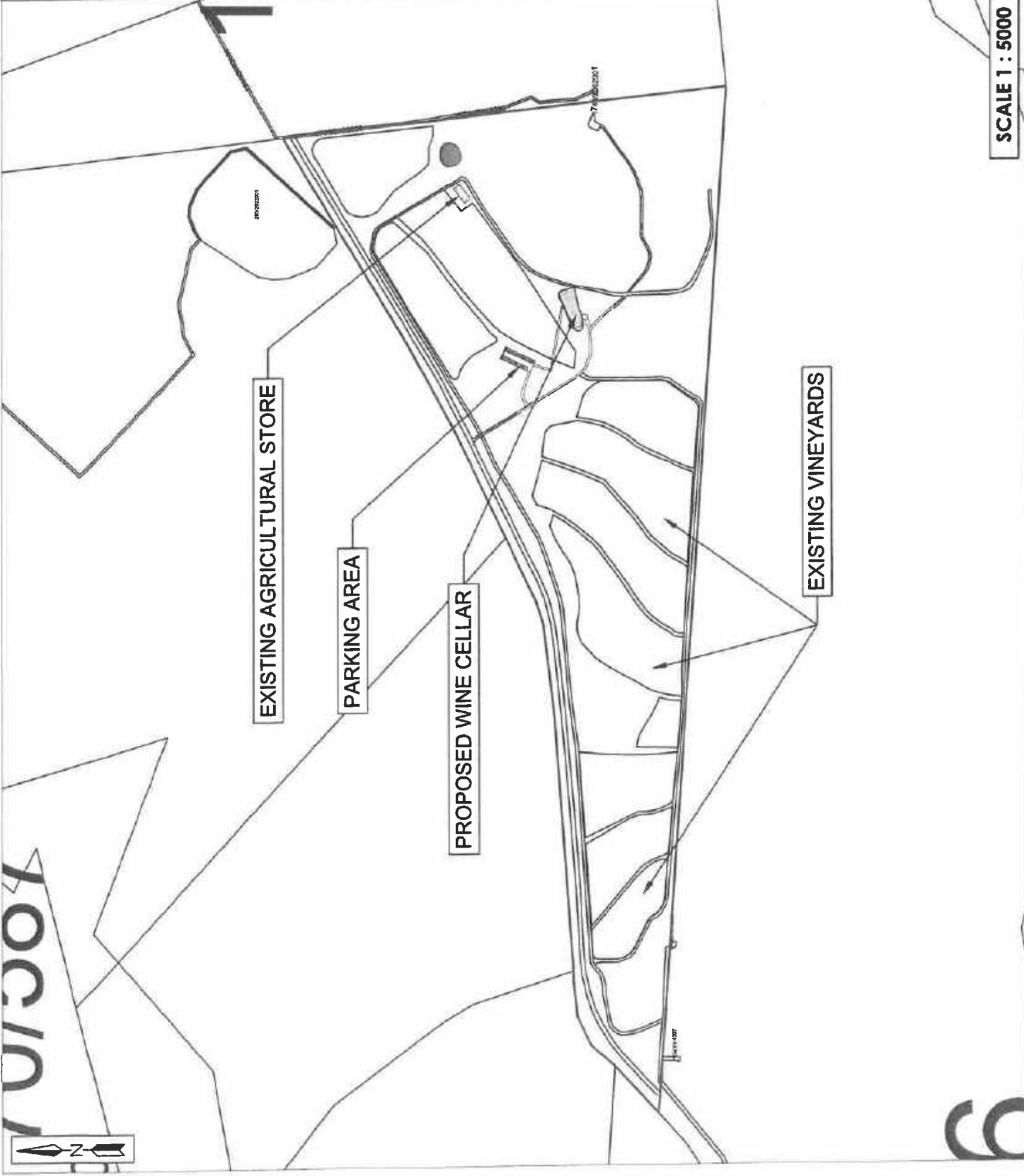
**Scale 1 : 10 000**

<p>4. Site Plan Portion 105 of the Farm Hemel &amp; Aarde No. 587, Caledon</p>
<p><u>Existing Structures</u> Agricultural Store = ±250m<sup>2</sup> Proposed Structures Wine Cellar = ±1163m<sup>2</sup> Proposed Floor area = 1413m<sup>2</sup></p>
<p><u>Parking</u> Proposed GLA = 1993m<sup>2</sup> Parking Required = 25 Parking Provided = 34</p>

Plan prepared by: Thilon Jansen on 2024/04/08  
Based on plans from alab Architects  
Plan Number - 23/78 (001)  
All distances are approximate  
and subject to a survey  
Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Unit B, Standard House,  
Corner of Royal and Dikie Lys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management



**SCALE 1 : 5000**

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE: PORTION 105 (PORTION OF  
PORTION 102) OF FARM HEMEL EN AARDE NO 587, DIVISION CALEDON  
(4693/2024)**

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

**Conditions:**

1. that the developer arrange with ESKOM for the provision of electricity and that he complies with all conditions as may be set by ESKOM;
2. that no water and sewer services from Overstrand Municipality is available and the developer will be responsible to obtain the necessary approval, licence and permits from the applicable authorities (Water and Sanitation, Health, Bocma etc.) for the use of any other water resources and the extraction thereof;
3. that the developer is responsible to provide potable water to the development that complies with SANS0241 standards and that relevant proof be submitted to the Senior Engineer: Water Infrastructure & Quality (Tel: 028 313 5046), Overstrand Municipality;
4. that waste water disposal be done in a safe and healthy manner and that plans thereof be submitted to the Municipality and DWA for approval;
5. that the developer complies to all the conditions set by Department Of Water Affairs & Bocma;
6. that, as there is currently no municipal sewer network in the vicinity, of Farm 708 must be provided with adequate sewer conservancy tanks, which must comply with the standards of the Department: Operational Services (Hermanus), and to which the sewer services on the development must connect to;
7. that the Municipality does not have the capacity to service the proposed development with regards to removal of sewerage from the property. The owner is therefore responsible for removal of sewerage from the property, and thereof at a licensed municipal sewerage treatment facility;

8. that alternatively, sewer treatment facilities that are approved by the Department of Water Affairs may be provided for disposal of sewer from the developments. Written proof of such approval is to be submitted to the Municipality;
9. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of SANS 140400 – P: 2010: Drainage;
10. that, as no municipal refuse removal services are rendered in the area, the owner is responsible for removal of all refuse generated on the property, and disposal thereof at a registered municipal waste transfer station or- waste disposal facility;
11. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services



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

19/09/2024  
DATE

**AGENDA of the  
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21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**27.ERF 6677, 62 LUYT STREET, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF JNR CALDOW**

**6677 HEC (4899/2025)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**21 August 2025**

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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 21 January 2025 from Messrs InterActive Town & Regional Planning on behalf of the owner of Erf 6677, Eastcliff, Hermanus for the following:

- ❖ **Departure** in terms of Section 16.2(b) of the By-Law in order to:
  - relax the southwestern lateral building line from 2m to 0m to accommodate the existing garage;
  - relax the southwestern lateral building line from 2m to 1m to accommodate the proposed scullery, and
  - relax the northern lateral building line from 2m to 1.58m to accommodate the proposed foyer.
- ❖ **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) the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 6677, Eastcliff, Hermanus in order to:
  - relax the southwestern lateral building line from 2m to 0m to accommodate the existing garage;
  - relax the southwestern lateral building line from 2m to 1m to accommodate the proposed scullery, and
  - relax the northern lateral building line from 2m to 1.58m to accommodate the proposed foyer,

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

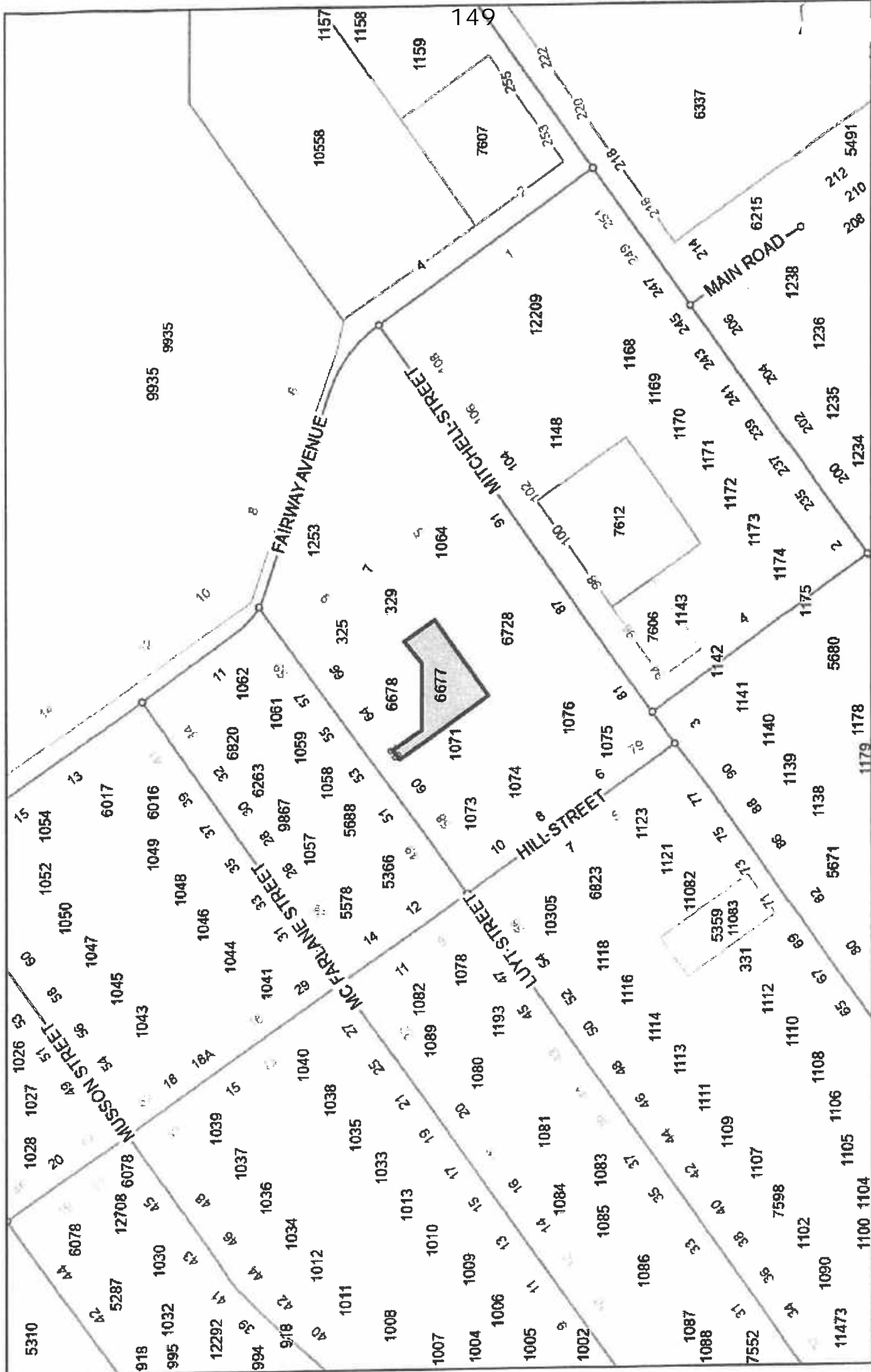
**AGENDA of the  
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2. that the **determination of an administrative penalty** in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 6677, Eastcliff, Hermanus to accommodate the existing garage extension 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 approvals are for the development as indicated on Site Development Plan No *2025/02/24 REF E* dated *11/10/2024* as submitted with the application;
  - (b) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building and Fire Departments be complied with;
  - (c) that an administrative penalty of **R1,839.06** be payable within sixty (60) days of the decision;
  - (d) that all the conditions contained in the Services Report be complied with;
  - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with;
4. 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**

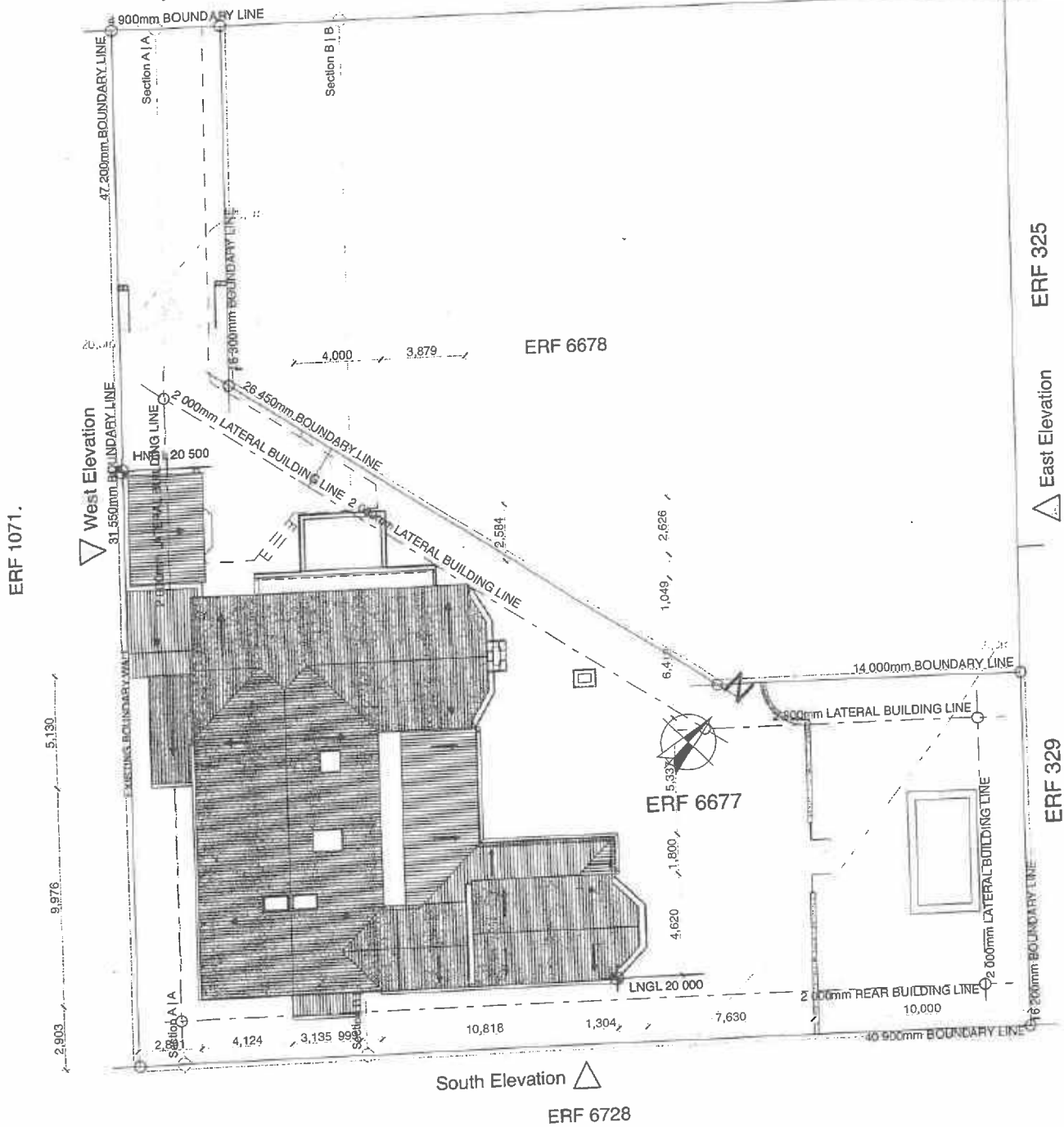
- ❖ No objections were received against the application.
- ❖ The retention of the structures will not have a negative impact on the adjacent property owners or the character of the area.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



EXISTING AREAS:	
Ground Storey:	245m <sup>2</sup>
Covered Stoep:	49m <sup>2</sup>
NEW ADDITION:	
Entrance:	7m <sup>2</sup>
Kitchen Addition:	10m <sup>2</sup>
<b>TOTAL</b>	<b>343m<sup>2</sup></b>
FOOTPRINT	343m <sup>2</sup>
ERF	976m <sup>2</sup>
COVERAGE	35,1%

LUYT STREET

North Elevation ▽



Roof Storey

1:200

101

**RECEIVED**  
11 MAR 2025

HOUSE CALDOW ROOF LAYOUT

**FINLAYSON**  
VAN DER MERWE  
ARCHITECTS

Scale: 1:200

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 6677, EASTCLIFF (4899/2025)**

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**

06/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**28. ERF 11017, 80 MITCHELL STREET, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF FJ STRAUSS**

**11017 HEC (4450/2023)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**21 August 2025**

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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 2023 from Messrs InterActive Town & Regional Planning on behalf of the owner of Erf 11017, Eastcliff, Hermanus for the following:

❖ **Departure** in terms of Section 16(2)(b) in order to:

- relax the street building line from 4m to 2.4m and the eastern lateral building line from 2m to 0m to accommodate the existing carport;
- relax the eastern lateral building line from 2m to 0.8m to accommodate the existing window and internal wall, and
- relax of the eastern building line from 2m to 0.8m for a change of use within an existing structure from garage to garden store and workroom; and

- **Determination of an administrative penalty** in terms of Section 16(q) of the By-Law, to accommodate the existing structures.

**RESOLUTION**

1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 11017, Eastcliff, Hermanus in order to:

- relax the street building line from 4m to 2.4m and the eastern lateral building line from 2m to 0m to accommodate the existing carport;
- relax the eastern lateral building line from 2m to 0.8m to accommodate the existing window and internal wall, and
- relax of the eastern building line from 2m to 0.8m for a change of use within an existing structure from garage to garden store and workroom,

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

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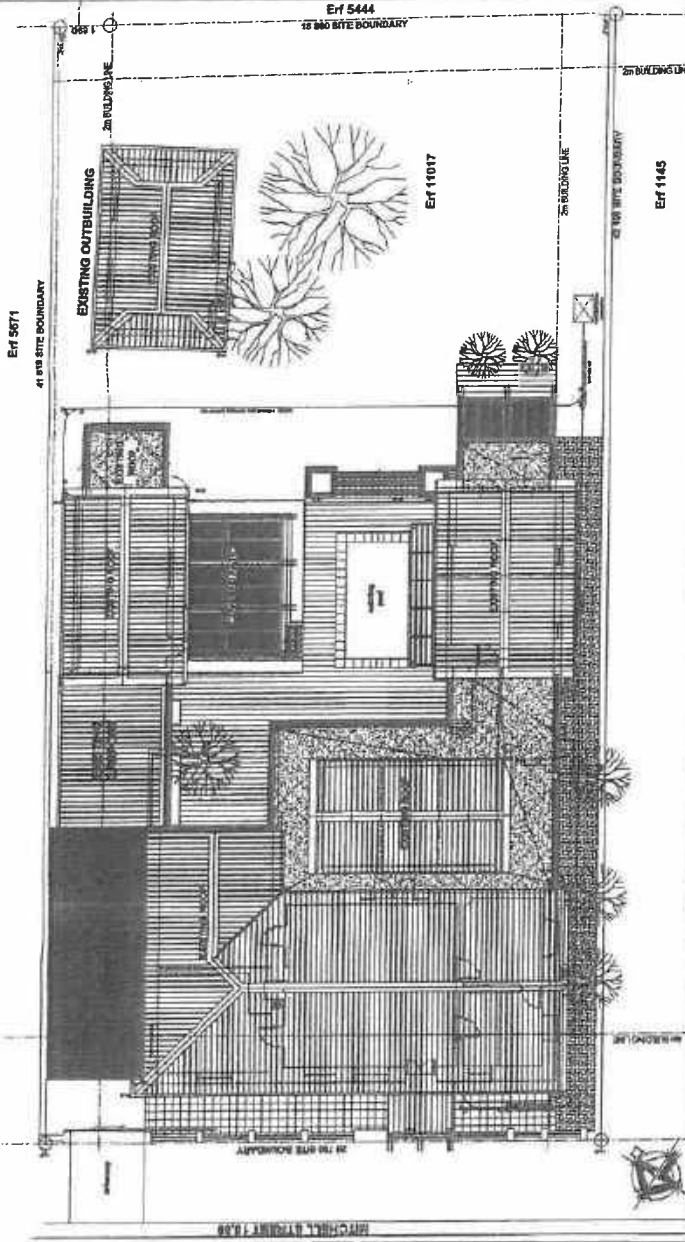
2. that the **determination of an administrative penalty** in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 11017, Eastcliff, Hermanus to accommodate the existing uses on the property, **not be exempt** from the payment of an administrative penalty;
3. that the recommendation under paragraphs above is subject to the following conditions:
  - (a) that the approvals are for the development as indicated on Site Development Plan No *154/c/201 dated 06/2023* as submitted with the application;
  - (b) that building plans be submitted to the Building Control Department for approval and that all conditions of the Building and Fire Departments be complied with;
  - (c) that an administrative penalty of **R5 232.12** be payable within sixty (60) days of the decision;
  - (d) that all the conditions contained in the Services Report be complied with;
  - (e) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (f) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
4. 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**

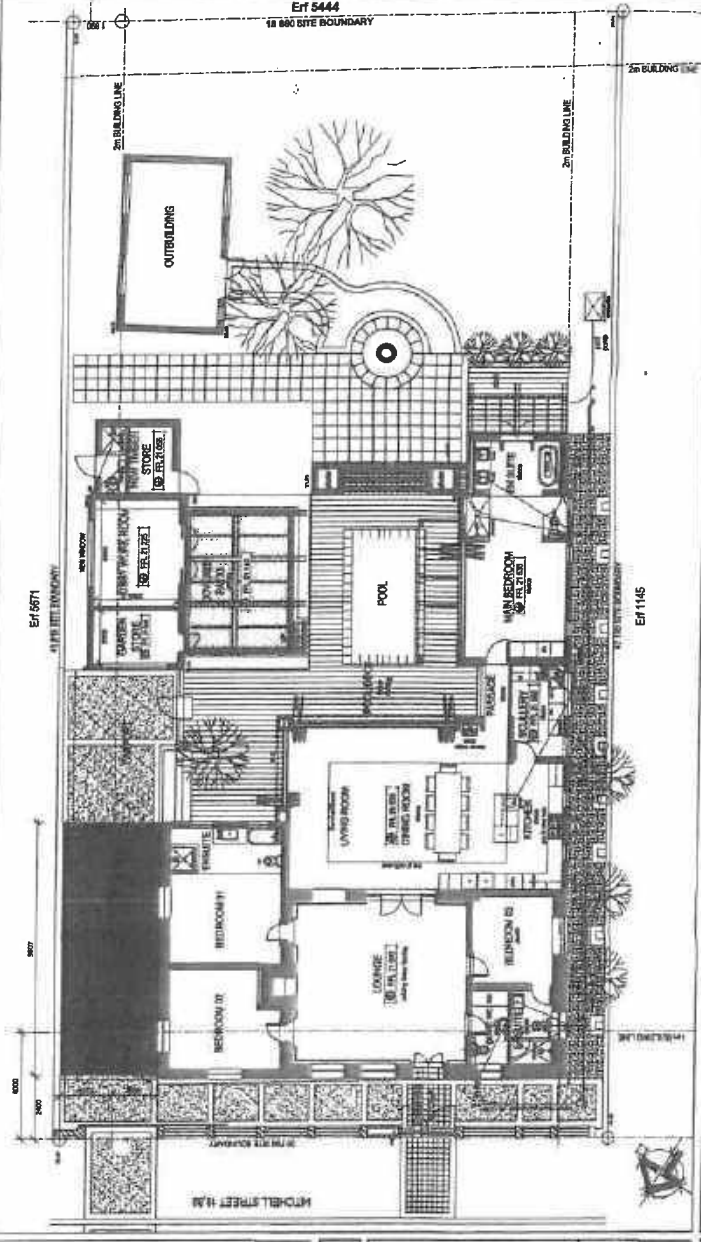
- ❖ No objections were received against the application.
- ❖ The retention of the structures will not have a negative impact on the adjacent property owners or the character of the area.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



Date/Date	Drawn/Drawn	Wks/Rev
JUNE 2023	SE	01
Scale/Scale	Checked	
1:100	HB	

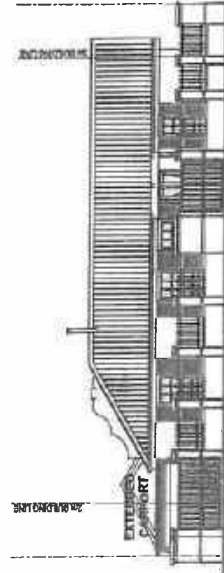


Site & roof plan 1:100

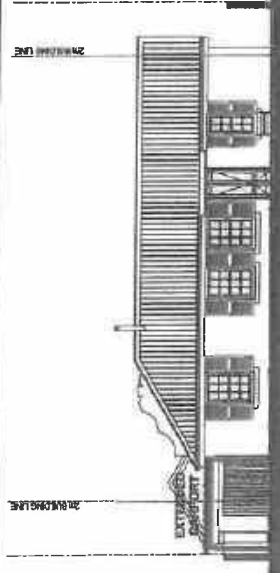


- EXISTING HOUSE
  - EXISTING STORE & HOBBY WORK ROOM
  - EXISTING OUTBUILDING
  - EXISTING CARPORT
  - EXTENDED CARPORT
  - EXISTING PORCH & COVERED PATIO
  - EXISTING POOL
  - TOTAL FOOTPRINT
  - SITE AREA
  - COVERAGE
- 23m<sup>2</sup>  
33m<sup>2</sup>  
27m<sup>2</sup>  
24m<sup>2</sup>  
35m<sup>2</sup>  
27m<sup>2</sup>  
15m<sup>2</sup>
- 30m<sup>2</sup>  
672.5m<sup>2</sup>  
43.78% (50% permissible)

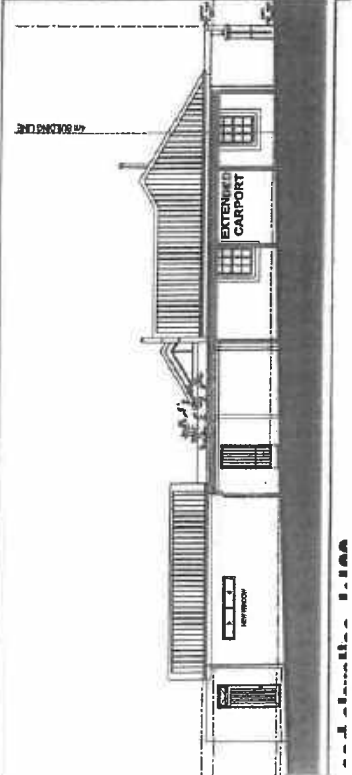
**area**



mitchell street elevation (north) 1:100



north elevation 1:100



side elevation 1:100

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE  
PENALTY: ERF 11017, EASTCLIFF (4450/2024)**

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 Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**29.ERF 1930, 126 DE VILLIERS STREET, DE KELDERS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF CONDITIONS OF  
APPROVAL: MESSRS WRAP PROJECT OFFICE ON BEHALF OF GALLO  
ROJO TRUST**

**1930 GDK (4853/2024)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**25 August 2025**

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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 14 October 2024 from Messrs WRAP Project Office on behalf of the owner of Erf 1930, De Kelders for the **amendment of conditions of approval** to amend the site development plan to operate a guesthouse with five (5) bedrooms instead of four (4) bedrooms on the property.

**RESOLUTION**

1. that the objections be noted;
2. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **amendment of conditions of approval** applicable to Erf 1930, De Kelders to amend the site development plan to accommodate a five (5) bedroom guest house instead of four (4) bedrooms, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the recommendation under paragraphs 2 is subject to the following conditions:
  - (a) that the conditions 2. (b) and 2. (f) of the decision dated 29 November 2018 and letter dated 15 January 2019 be amended to;
    - 2. (b) that this approval only relates to the proposed Site Development Plans No's 24.147 (001), and dated 22 November 2024 as submitted with the application; and*
    - 2. (f) that a maximum of five (5) guest bedrooms for the guest house, be permitted on Erf 1930, De Kelders;*
  - (b) that the fifth (5) guest bedroom can only be operated once occupation for the renovated dwelling has been obtained;

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- (c) that building plans be submitted to the Building Control Office within, and all comments from the Fire Department be complied with at that stage;
  - (d) that the remainder of the conditions on as stated in the decision dated 22 November 2018 and letter dated 15 January 2019 remain applicable and must be complied with;
  - (e) that all the conditions in the Services Report be complied with;
  - (f) that this approval does not absolve the landowners from compliance with any other relevant legislation, and
  - (g) that all other applicable development parameters as prescribed in the relevant Land Use Scheme be complied with.
4. that the applicant and objector be notified of their appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

**REASONS FOR RESOLUTION**

- ❖ The guesthouse is in keeping with the area and surrounding land uses.
- ❖ The proposed uses will not have a negative impact on the privacy of the adjacent property owners.
- ❖ Due to the position of the dwelling compared to the street scape and the ample number of parking bays provided, the proposal will not have an impact on road users.
- ❖ The fifth bedroom is in line with the current land use approval and operations of the existing guesthouse.
- ❖ A managers dwelling will be created allowing for the use of the fifth bedroom.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ The structures proposed are further considered to be in line with the character of the area.

# 1. Locality Plan Erf 1930 De Kelders

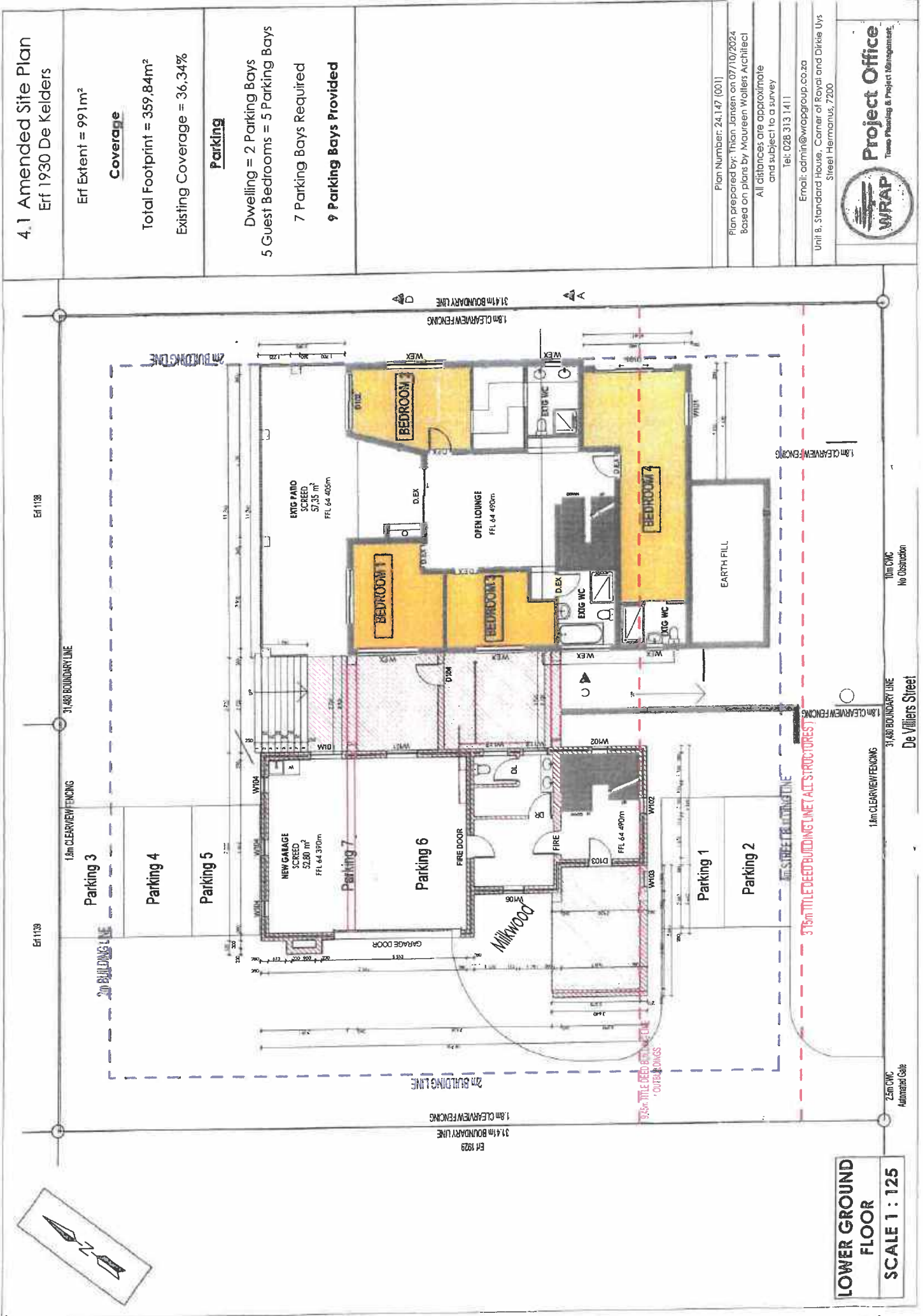
Plan prepared by: Veronica Jansen  
Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management



Scale 1 : 1 000



**4.1 Amended Site Plan**  
Erf 1930 De Kelders

Erf Extent = 991m<sup>2</sup>

**Coverage**

Total Footprint = 359,84m<sup>2</sup>

Existing Coverage = 36,34%

**Parking**

Dwelling = 2 Parking Bays

5 Guest Bedrooms = 5 Parking Bays

7 Parking Bays Required

**9 Parking Bays Provided**

Plan Number: 24.147 (001)

Plan prepared by: Thian Jansen on 07/10/2024  
Based on plans by Maureen Wolters Architect

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

Email: admin@wrpgrp.co.za

Unit 8, Standard House, Corner of Royal and Dirkie Uys  
Street Hermanus, 7200

**Project Office**  
WRAP  
Town Planning & Project Management

**LOWER GROUND FLOOR**  
**SCALE 1 : 125**

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL: ERF  
1930, DE KELDERS (4853/2024)**

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 Erf 1930 shall be used to service Erf 1930;
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 any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Engineering Services Division;
4. 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;
5. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Engineering Services Division;
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

29/01/2025  
 DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**30.ERF 6196, 54 FLAT STREET, EASTCLIFF, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP  
PROJECT OFFICE ON BEHALF OF MEO BROWN**

**6196 HEC (4956/2025)**

**P Roux**

**(028) 313 8900**

**Hermanus Administration**

**04 September 2025**

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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 April 2025 from Messrs WRAP Project Office on behalf of the owner of Erf 6196, Eastcliff, Hermanus for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the western lateral building line from 2m to 1.21m to accommodate the height extension to the existing exterior wall and new roof.

**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 6196, Eastcliff, Hermanus in order to relax the western lateral building line from 2m to 1.2m to accommodate the height extension to the existing exterior wall and new roof, **be approved** in terms of the provisions of Section 61 of the By-Law;
  - (a) that the approvals are for the development proposal as indicated on Site Development Plan No 25/033, as submitted with the application;
  - (b) 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;
  - (c) that all 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
2. 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.

**AGENDA of the  
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21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**REASONS FOR RESOLUTION**

- ❖ Privacy of the adjacent property owner will not be affected by the proposal.
- ❖ Character of the property and area will not be affected by the proposal.
- ❖ The material used will be in keeping with the aesthetics of the existing dwelling.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.
- ❖ No objection was received.

# 1. Locality Plan Erf 6196 - 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



6247

71

1513

1512

1509

1508

7276

1510

1507

4988

FLAT STREET 15,74

THERON STREET 12,59

6196

1504

1505

1498

1502

1497

4984

1494

4983

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4982

1492

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4979

1485

4978

12TH STREET 15,74

DIRKIE STREET 12,59

5003

7336

7337

5004

5005

5006

5340

6892

1529

1526

1534

5019

Scale 1 : 1 000

1441

1528

102

4.1 Departure Plan  
Erf 6196 Hermanus

Permanent departure from the 2m western side building line to 1,21m to allow the height extension of the existing exterior wall & roof.

Plan prepared by: Veronika Jansen on 10/04/2025  
Based on plans from HCCArchitect  
Plan Number - 25/033 (002)

All distances are approximate and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

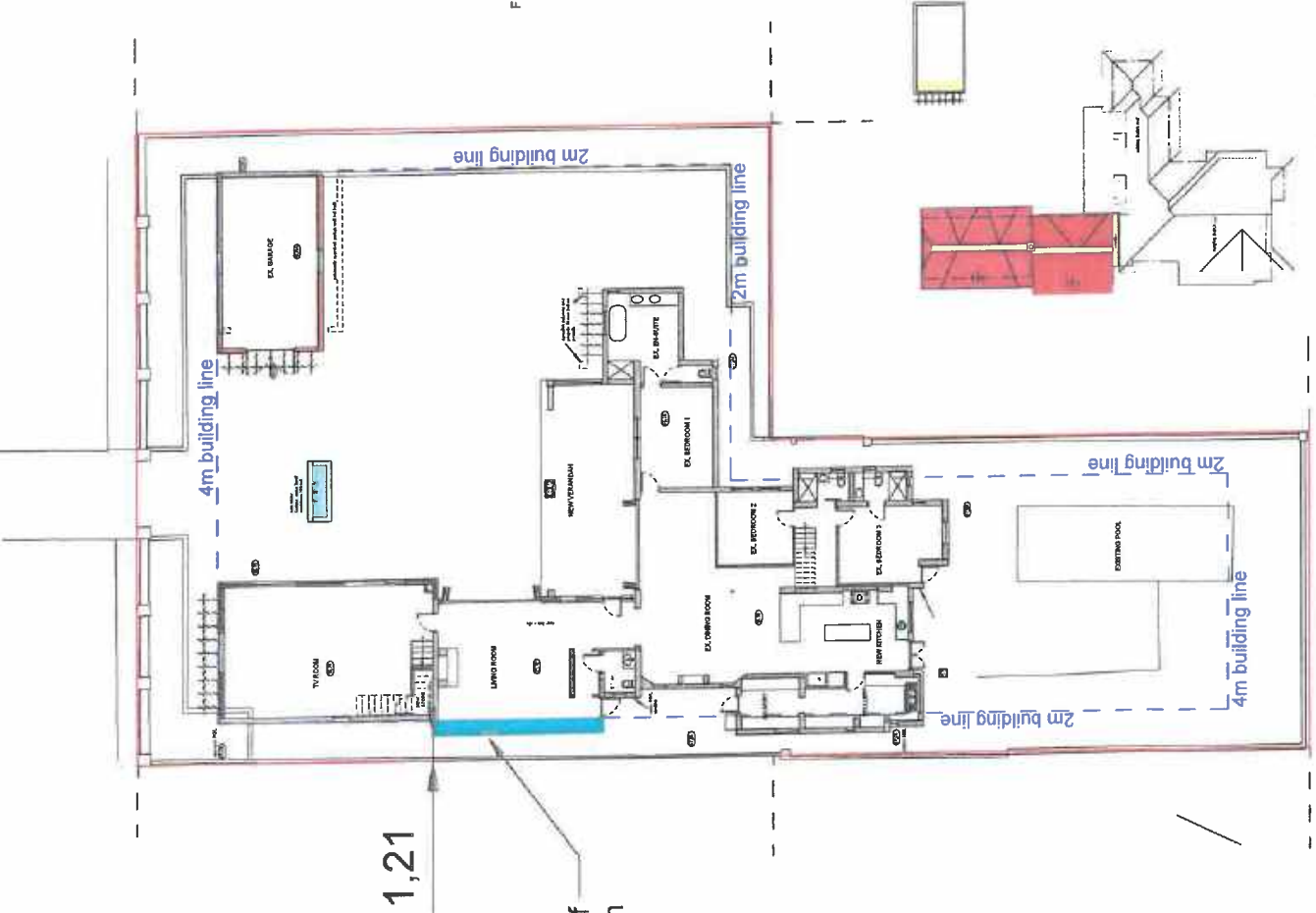
Unit 8, Standard House,

Corner of Royal and Dirkie Lys

Street Hermanus, 7200



FIRST STOREY

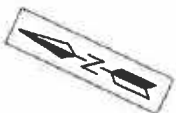


ROOF PLAN 1:200

1,21

Proposed wall & roof extension

SCALE 1 : 250



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR DEPARTURE: ERF 6196, EASTCLIFF (4956/2025)**

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

**Conditions:**

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



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

*26/05/2025*  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**MUNICIPAL PLANNING TRIBUNAL**

- 1. ERF 98, 13 MARK STREET, GANSBAAI: APPLICATION FOR REZONING, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY, MESSRS TOWN AND COUNTRY ON BEHALF OF TA'LEEMUL ISLAM MASJID MADRASAH AND SCHOOL**

**98 GGB (4570/2024)**

**SW van der Merwe**

**(028) 313 8900**

**Hermanus Administration**

**27 May 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 30 January 2024 from Messrs Town & Country in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on behalf of Ta'leemul Islam Masjid Madrasah and School, the owners of Erf 98, Gansbaai for the following:

- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law from Residential Zone 1 (SR1) to Community Zone 1: Place of Worship to accommodate an Islamic Centre.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to encroach the southern street building line from 5m to 3,96m to accommodate the existing building and proposed prayer room extension.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the existing structures and use as place of worship.

**RESOLUTION**

1. that the comment be noted;
2. that the application for rezoning in terms of Section 16(2)(a) of the Overstrand Municipality Municipal Land Use Planning Amendment By-Law, 2020 (By-Law) applicable to Erf 98, Gansbaai from Residential Zone 1 to Community Zone 1, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application for departure of the street building line from 5m to 4m to accommodate the existing building, **be approved** in terms of the provisions of Section 61 of the By-Law;

**AGENDA of the  
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4. that 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 98, Gansbaai to accommodate the Islamic Centre, **be imposed**, and that an administrative penalty fee of **R14 621,75** be payable within sixty (60) days of this decision, and
5. that the approvals in paragraphs 1. to 3. above be subject to the following conditions:
  - (a) that primary rights be limited to a place of worship in accordance with the provisions of the scheme regulations;
  - (b) that the development of the property be limited to a height restriction of 8m, save for a church tower not exceeding 10,5m, measured from base level as per the Overstrand Land Use Scheme;
  - (c) that a detailed Site Development Plan (SDP) be submitted within 60 (sixty) days of the decision date indicating the maximum occupancy of the building and detailed parking layout demonstrating compliance with Fire Safety regulations and the development parameters in terms of the Overstrand Land Use Scheme;
  - (d) that building plans be submitted to the building control office within sixty (60) days of the decision, and all comments from the Fire Department be complied with at that stage;
  - (e) that on-site parking provision be provided in accordance with the approved SDP in (b) above;
  - (f) that the requirements Telkom, Engineering Services Department and District Health be adhered to;
  - (g) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (h) that the display of signage be subject to compliance with the Municipal By-Law on Signage;
  - (i) that calling for prayers by loudspeaker be prohibited, no amplified sound equipment outside of the building be permitted and that sound during services be contained inside of the building;
  - (j) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with, and

**AGENDA of the  
Portfolio Committee : Planning & Development  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (k) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation;
6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 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 will not detract from the character of the area.
- ❖ The development will not adversely impact upon vested rights of adjoining property owners.
- ❖ The development is situated within the CBD.
- ❖ There is a need for additional churches in the Gansbaai area.
- ❖ The Islamic Centre caters for a need in the community which is a constitutional right.
- ❖ The development impact could be sufficiently mitigated in terms of approval conditions.





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR REZONING, DEPARTURE & DETERMINATION OF AN  
ADMINISTRATIVE PENALTY: ERF 98, GANSBAAI**

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

**Conditions:**

1. that only the existing water and sewerage connections will be available to 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;
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 the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
5. that any additional and / or extended vehicle entrances will be for the developer's account;
6. that stormwater be allowed to discharge through Erf 98, Gansbaai, unobstructed.

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

  
**DATE**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**2. ERF 6679, 76 SEVENTH STREET, VOËLKLIP, HERMANUS: APPLICATION FOR CONSENT USE AND DEPARTURE: MESSRS WARREN PETTERSON PLANNING ON BEHALF OF TELKOM SA LTD**

**6679 HVK (4724/2024)**

**P Roux**

**13 June 2025**

**(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 has been received on 25 July 2024 from Messrs Warren Petterson Planning on behalf of Telkom SA Ltd on Erf 6679, Voëlkliip Hermanus for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law, to accommodate a telecommunication apparatus (TA) of 25m in height on the property.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
  - relax the northern building line from 3m to 0m and the eastern building line from 3m to 0m, to accommodate a telecommunication apparatus on the property; and
  - relax the permissible height restriction from 8.5m to 25m to accommodate the telecommunication apparatus on the property.

**RESOLUTION**

1. that the objections be noted;
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law), for a **consent use** to erect a transmission tower on Erf 6679, 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)(b) of the By-Law for a **departure** to exceed the applicable 8,5m height restriction on Erf 6679, Hermanus, **be partially approved**, in terms of the provisions of Section 61 of the By-Law, subject to the following condition:
  - (a) that the relaxation is to only construct a transmission apparatus (lattice mast tower) of **maximum 15m in height from base level**;

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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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4. that the application in terms of Section 16(2)(b) of the By-Law for a **departure** to encroach the 3m rear building line up to 0m on Erf 6679, Hermanus, to accommodate the transmission apparatus, **be approved**, in terms of the provisions of Section 61 of the By-Law;
5. that the approvals in points 2. to 4. above be subject to the following conditions:
  - (a) that a lattice must be erected as recommended in the Visual Impact Assessment;
  - (b) that the transmission apparatus and supporting infrastructure be restricted to the development indicated on Plan *05220-P1* and that an amended elevation plan showing the 15m high lattice must be submitted to the Town and Spatial Planning Department prior to the submission of building plans;
  - (c) that the property owner submits a Noise Impact Assessment after construction has completed and that the necessary mitigation steps be done at that stage;
  - (d) that should the transmission tower becomes defunct, the structures be removed to an approved landfill site;
  - (e) that all the conditions in the Service Report be complied with;
  - (f) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (g) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
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 Municipal Land Use Planning, 2020 with regard to the above decision.

**REASONS FOR RESOLUTION**

**Points 2 and 4**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- ❖ The objections relating to health and safety concerns and environmental impact has duly been addressed and does not prove the application not to be desirable, whilst the concerns relating to impact on property value, visual impact and location of the site (alternative better sites) have been addressed by applying mitigation measures to only allow a 15m high tree mast on the property.
- ❖ Erf 6679, Hermanus is zoned Business Zone 3 and utilized by Telkom for telecommunication infrastructure, and the utilization of this site for a transmission tower will be in line with existing uses and will utilize existing infrastructure.
- ❖ With an increased demand for coverage more communication infrastructure will be placed closer to residential areas as their radius for coverage gets smaller. Erf 6679 is one of the few sites in Voëlklip area which are zoned and can be utilized for such use, mitigating measures such as to construct a lower mast of 15m in height, the major concern of visual impact can sufficiently be mitigated.
- ❖ The relaxation of the 3m rear building line to accommodate the transmission apparatus will have no impact on surrounding property owners, as there is sufficient buffer area (roads, infrastructure, natural planting and open space) between the vacant site and other residential erven.
- ❖ Voëlklip is no longer only a tourist destination but have a large population of permanent residents who seek to work and live here. The existing towers in the area does not provide sufficient coverage and the demand for cellular connection will only increase.

**Point 3**

- ❖ The concerns of the objectors are valid with regards to the visual impact of a 25m transmission tower so close to residential units.
- ❖ The Visual Impact Assessment indicated that a 25m transmission tower will have a moderate up to 400m. However, the directly adjacent residential erven will have direct view of the structure.
- ❖ The proposal to construct a lattice mast, as recommended in the Visual Impact Assessment, would mitigate the visual impact to a certain extent, but the highest structures in the area can only be developed up to 8.5m in height. A 25m high structure or even a 20m high structure will still be visually imposing in this area.
- ❖ A lattice mast of 15m in height will be more visually preamble than the other options which and will blend in more with the surrounding area.



GYRO SITE ID: 05220-01

GYRO SITE NAME: VOELKLIP EXCHANGE

PROPERTY DESCRIPTION:

ERF 6678, HERMANUS

ADDRESS:  
4TH AVENUE, VOELKLIP, HERMANUS

ELEVATION:

29m

CO-ORDINATES:

Lat: -34.405623\*  
Long: 19.278931\*



TOWN AND REGIONAL PLANNING CONSULTANTS

Tel: (021) 552 1255 Unit H, 3rd Floor  
Fax: (021) 551 6167 1st Floor  
Century City, Cape Town 7440

PROJECT:  
PROPOSED NEW GYRO 25m LATTICE MAST AND  
CUSTOM BASE STATION

APPROVED MAST:  
25m LATTICE MAST

NOTES:

- A) NEW 25m LATTICE MAST
- B) CUSTOM BASE STATION
- C) ZONING: BUSINESS ZONE 3
- D) BUILDING LINE: 3m
- E) OWNER: TELKOM S.A LTD

DATE	DESCRIPTION	REVISION
25-04-2024	1st Issue	0

DRAWING NUMBER: 05220-01

SHEET: 1 OF 5

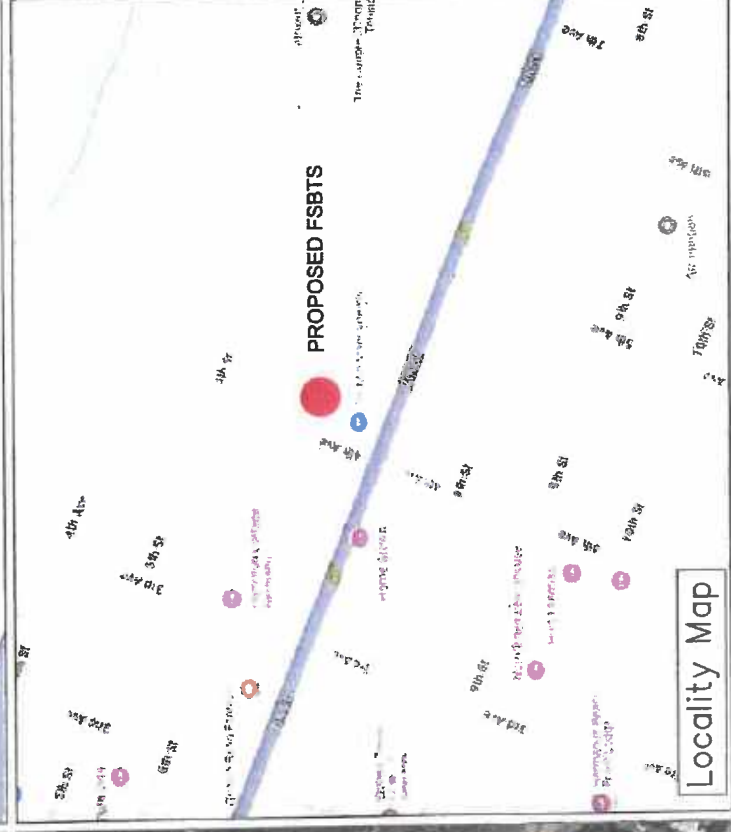
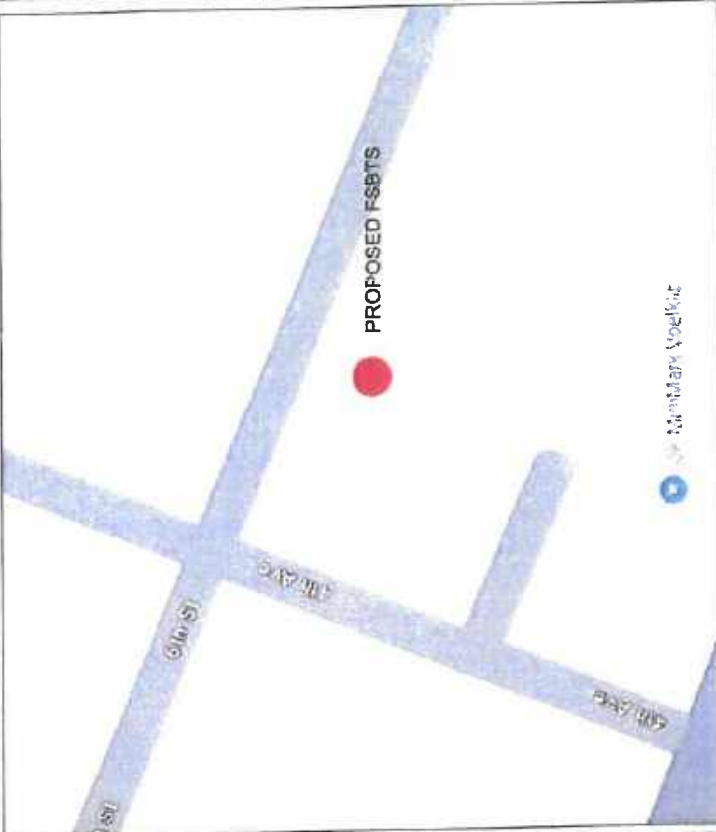
DRAWING TITLE: LOCALITY MAP

DRAWN: A RODRIGUES

SCALE: NTS

DATE: 2024-04-25

REVISION: 0





GYRO SITE ID: 05220-01

GYRO SITE NAME: VOELKLIP EXCHANGE

PROPERTY DESCRIPTION:

ERF 6679, HERMANUS

ADDRESS: 4TH AVENUE, VOELKLIP, HERMANUS

CO-ORDINATES: Lat: -34.405623\* Long: 19.278351\* ELEVATION: 29m



TOWN AND REGIONAL PLANNING CONSULTANTS

Unit 1, 5th Floor, Winkler Building, Century City, Cape Town 7448

PROJECT: PROPOSED NEW GYRO 25m LATTICE MAST AND CUSTOM BASE STATION

APPROVED MAST: 25m LATTICE MAST

- NOTES: A) NEW 25m LATTICE MAST B) CUSTOM BASE STATION C) ZONING: BUSINESS ZONE 3 D) BUILDING LINE: 3m E) OWNER: TELKOM S A LTD

Table with 2 columns: DATE, DESCRIPTION, REVISION. Row 1: 25-04-2024, 1st Issue, 0

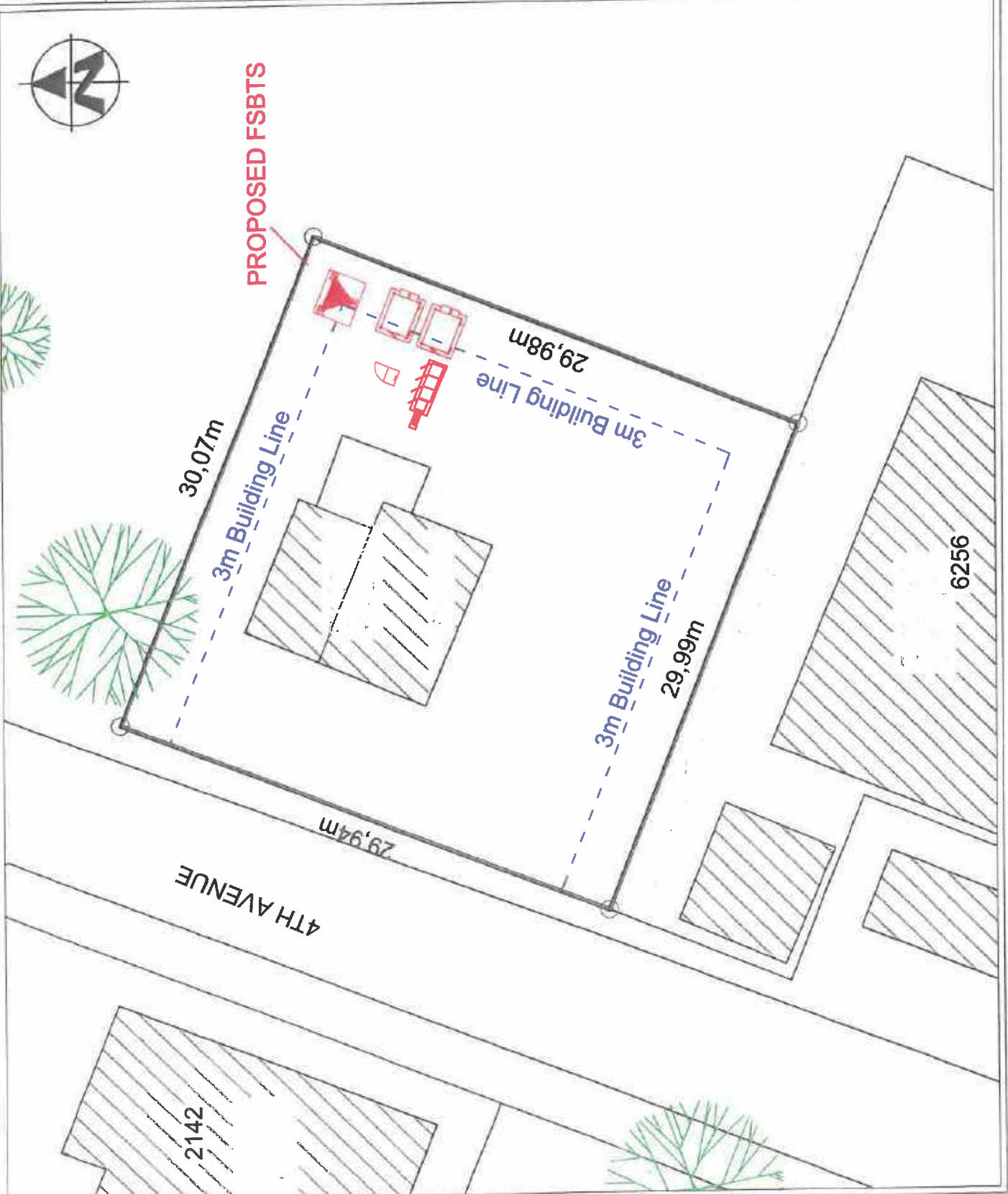
DRAWING NUMBER: 05220-01 SHEET: 2 OF 5

DRAWING TITLE: SITE PLAN

DRAWN: A. RODRIGUES SCALE: 1:300

DATE: 2024-04-25 REVISION: 0

Site Plan



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE & DEPARTURE: ERF 6679, VOELKLIP  
(4724/2024)**

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**

02/12/2024  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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3. **ERVEN 379 AND 6137, 18 WESTCLIFF ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF A PUBLIC PLACE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF MG OTTO**

**379 & 6137 HWC (4691/2024)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**15 July 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 11 June 2024 from Messrs Inter-Active Town & Regional Planners on behalf of Overstrand Municipality and MG Otto on Erven 379 and 6137, Westcliff, Hermanus in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 (By-Law) for the following:

- **subdivision** of Erf 379, Hermanus in terms of Section 16(2)(d) of the By-Law into two (2) portions, namely Portion A ( $\pm 99\text{m}^2$ ) and a Remainder;
- **closure of public place** in terms of Section 16(2)(n) of the By-Law to accommodate the closure of the public road on subdivided Portion A ( $\pm 99\text{m}^2$ );
- **rezoning** in terms of Section 16(2)(a) of the By-Law of subdivided Portion A from Transport Zone 2: Road and Parking to Residential Zone I: Single Residential (SR1), and
- **consolidation** in terms of Section 16(2)(e) of the By-Law of subdivided Portion A ( $\pm 99\text{m}^2$ ) with Erf 6137, Hermanus to create a single residential property of  $\pm 1217\text{m}^2$  in extent.

**RESOLUTION**

1. that the objection is noted;
2. that the application in terms of Section 16(2)(d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **subdivision** of Erf 379, Hermanus into two (2) portions, namely a Remainder and a Portion A ( $\pm 99\text{m}^2$ ), **be approved**, in terms of Section 61 of the By-Law;

**AGENDA of the  
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3. that the application in terms of Section 16(2)(a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of subdivided Portion A from Transport Zone 2: Road and Parking to Residential Zone I: Single Residential (SR1), **be approved**, in terms of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **consolidation** of subdivided Portion A ( $\pm 99\text{m}^2$ ) with Erf 6137, Hermanus to create a single residential property of  $\pm 1217\text{m}^2$  in extent, **be approved**, in terms of Section 61 of the By-Law;
5. that the application in terms of Section 16(2)(n) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the **closure of public place** to accommodate the closure of a public place (subdivided Portion A ( $\pm 99\text{m}^2$ ), **be approved**, in terms of Section 61 of the By-Law;
6. that the approvals in Points 2. to 5. above be subject to the following conditions:
  - (a) that this approval is only for the development as indicated on the plan numbers *Rev1* dated *14/05/2021*, 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 conditions stipulated in Council's decision, dated 5 March 2024 be complied with;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
7. that the amended title deed be submitted to the office for record purposes; and

**AGENDA of the  
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21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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

**REASONS FOR RESOLUTION**

- ❖ The application has an in-principal approval from Council for the Alienation of a Portion of Erf 379, Hermanus.
- ❖ That the proposal has gone through two (2) public participation processes.
- ❖ That the Engineering Department do not foresee any impact on the current or future services for the area in relation to the subject property.
- ❖ The application is designed in a way that will not negatively impact on views or traffic related matters.
- ❖ That should a traffic circle be proposed at the difficult intersection of De Goede Street and Westcliff Drive, there is sufficient space to do so.
- ❖ The objection mostly relates to the public interest and benefit; the road reserve is wide enough to maintain sufficient space for a sidewalk and road widening.
- ❖ The application will not have a negative impact on the surrounding area.



<b>PROJECT</b> Erven 6137 & 379, Westcliff, Hermanus	<b>TITLE</b> Subdivision & Consolidation Plan	<p> Application Area</p> <p> Portion A of Erf 379 proposed to be consolidated with Erf 6137 (99m<sup>2</sup>)</p> <p> Proposed consolidated erf represented by Figure ABCDEF (1217m<sup>2</sup>)</p> <p> Subdivision Line</p> <p> Consolidation Line</p> <p> Electrical box</p> <p> Electrical lines according to electrical department</p>		<p><b>CLIENT</b></p> <table border="1"> <tr> <td><b>INDUSTRY</b></td> <td><b>DATE</b></td> </tr> <tr> <td>INTERACTIVE TOWN REGIONAL PLANNING (USING NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY OF THE INFORMATION PROVIDED HEREIN FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE USE OF THIS INFORMATION, THE CLIENT SHALL BE RESPONSIBLE FOR A CLIENT AND MAY ONLY BE USED FOR THE PURPOSES OF THE PROJECT WITH THE PRIOR WRITTEN APPROVAL OF THE CLIENT.</td> <td>1/02/2021</td> </tr> <tr> <td><b>DRAWN BY</b></td> <td><b>CHECKED BY</b></td> </tr> <tr> <td>Author</td> <td>Client</td> </tr> <tr> <td><b>DRAWING NUMBER</b></td> <td><b>Part</b></td> </tr> <tr> <td colspan="2">A4 SCALE As indicated</td> </tr> </table>	<b>INDUSTRY</b>	<b>DATE</b>	INTERACTIVE TOWN REGIONAL PLANNING (USING NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY OF THE INFORMATION PROVIDED HEREIN FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE USE OF THIS INFORMATION, THE CLIENT SHALL BE RESPONSIBLE FOR A CLIENT AND MAY ONLY BE USED FOR THE PURPOSES OF THE PROJECT WITH THE PRIOR WRITTEN APPROVAL OF THE CLIENT.	1/02/2021	<b>DRAWN BY</b>	<b>CHECKED BY</b>	Author	Client	<b>DRAWING NUMBER</b>	<b>Part</b>	A4 SCALE As indicated	
<b>INDUSTRY</b>	<b>DATE</b>															
INTERACTIVE TOWN REGIONAL PLANNING (USING NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY OF THE INFORMATION PROVIDED HEREIN FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE USE OF THIS INFORMATION, THE CLIENT SHALL BE RESPONSIBLE FOR A CLIENT AND MAY ONLY BE USED FOR THE PURPOSES OF THE PROJECT WITH THE PRIOR WRITTEN APPROVAL OF THE CLIENT.	1/02/2021															
<b>DRAWN BY</b>	<b>CHECKED BY</b>															
Author	Client															
<b>DRAWING NUMBER</b>	<b>Part</b>															
A4 SCALE As indicated																



**Subdivision & Consolidation**  
**A4 Scale 1 : 500**

**InterActive Town & Regional Planning**

Andre Wiehahn Pr. Phn A19271956  
B Art et Sc. (Town and Regional Planning)  
Telephone 021 312 1668  
Cell phone: 082 466 0490  
E-Mail: wiehahn.a@gmail.com

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR SUBDIVISION, CLOSURE OF A PUBLIC ROAD, REZONING  
& CONSOLIDATION: ERVEN 379 & 6137, WESTCLIFF (4691/2024)**

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**

17/02/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**4. ERF 298, 67 WESTCLIFF ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: MESSRS PLAN ACTIVE TOWN & REGINOAL PLANNERS ON BEHALF OF AJ AND E ROOS**

**298 HSB (4728/2024)**

**B Minnaar**

**(028) 313 8900**

**Hermanus Administration**

**31 July 2025**

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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 30 July 2024 from Messrs PlanActive Town & Regional Planners on behalf of AJ and E Roos applicable to Erf 298, Westcliff, Hermanus, for the following:

- ❖ **consent use** in terms of Section 16(2)(o) of the By-Law to accommodate a five-bedroom guesthouse on the property.

**RESOLUTION**

1. that the objections be noted;
2. that the application in terms of Section 16(2)(o) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 298, Westcliff, Hermanus for **consent use** to accommodate a five-bedroom guesthouse, **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the decisions in paragraph 2. above, be subject to the following conditions:
  - (a) that this approval is limited to a guest house only;
  - (b) that the approval be limited to the building/structures as per Site Plan: *House Roos Alteration to Existing Council Approval Drawing* as submitted with the application;
  - (c) that a maximum of five (5) bedrooms be let to guests/tourists which is applicable to the main dwelling;
  - (d) 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;

**AGENDA of the  
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- (e) that the general development parameters for guest houses under Single Residential 1 zoning (with reference to Section 16.10.8 of the Overstrand Municipal Land Use Scheme, 2020, attached as Annexure H) be applicable to the subject property;
  - (f) that the applicable rates and service tariffs, as determined by the annual budget is applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (g) that all the conditions imposed by Waste Management and the Engineering Department be complied with;
  - (h) 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;
  - (i) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (j) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
4. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above decision.

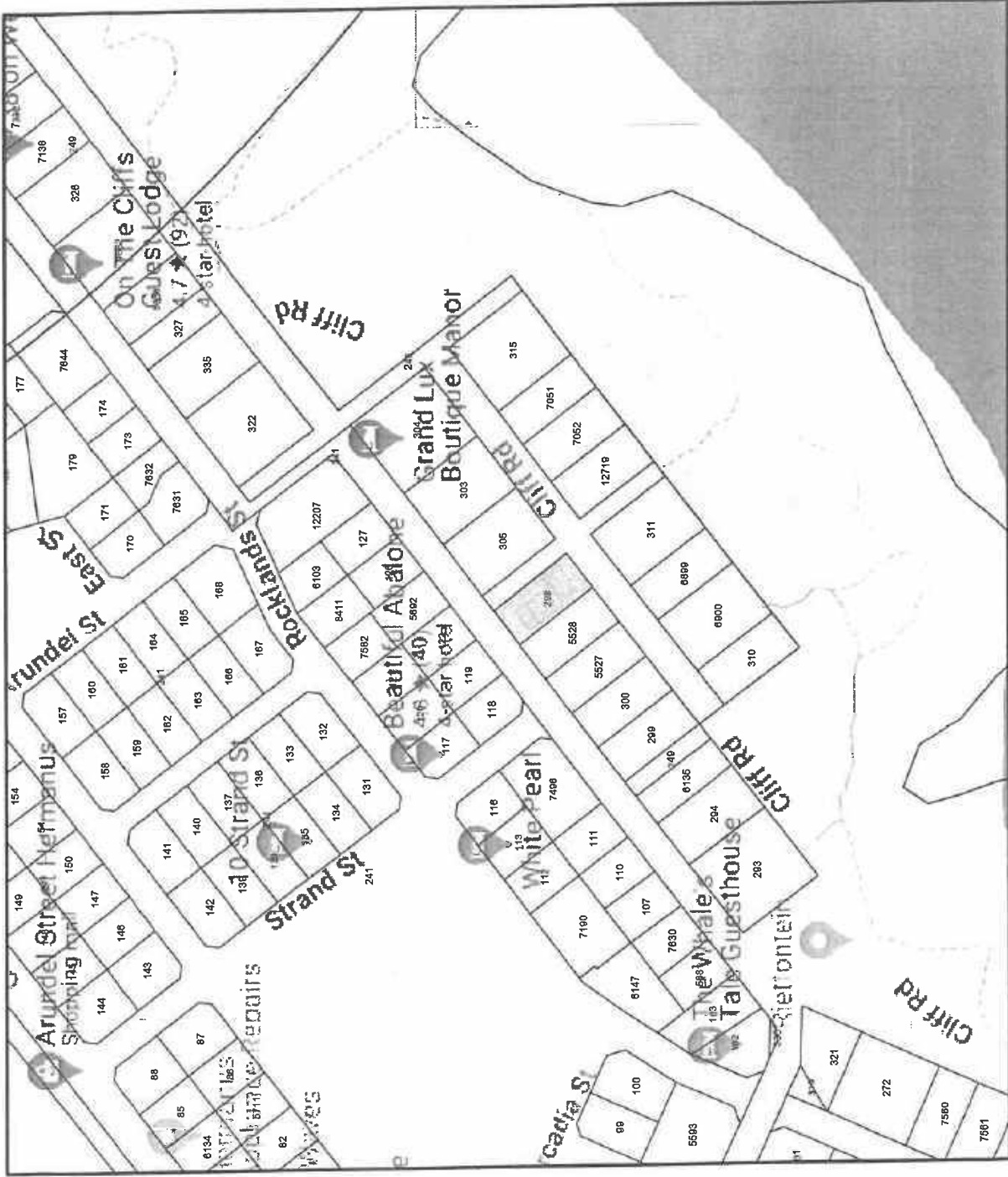
#### **REASONS FOR RESOLUTION**

- ❖ That the objections have adequately been resolved.
- ❖ The alterations to the building of the subject property were done as per the latest approved plans which were approved on 26 March 2024. Thereafter, the planning application was submitted which followed a public participation process to accommodate a five-bedroom guest house.
- ❖ The parking provision is in complies with the relevant parking requirements as per the Overstrand Land Use Scheme.
- ❖ The provision of access on Westcliff Road and Cliff Road reduces the possible impact of congestion on Westcliff Road.
- ❖ The proposal is in line with the SDF and the residential character of the Westcliff neighbourhood.
- ❖ The Westcliff area is known for having guesthouse accommodation.
- ❖ The ground floor of the building is to cater for the guests, and the first floor of the building is to cater for a manager or the property owner.
- ❖ The established use and management of the property does not have a negative effect on the character of the area.
- ❖ The accommodation establishment will be beneficial for optimization of the erf.

**AGENDA of the  
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(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- ❖ It will promote the tourism industry, thus in line with the forward planning documentation of the municipality.
- ❖ Is not regarded as being undesirable from a town planning point of view.



Scale: NTS  
 Drawing No: Hermnus298.dwg  
 Date: 29 Jul 2024

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 298  
 HERMANUS**

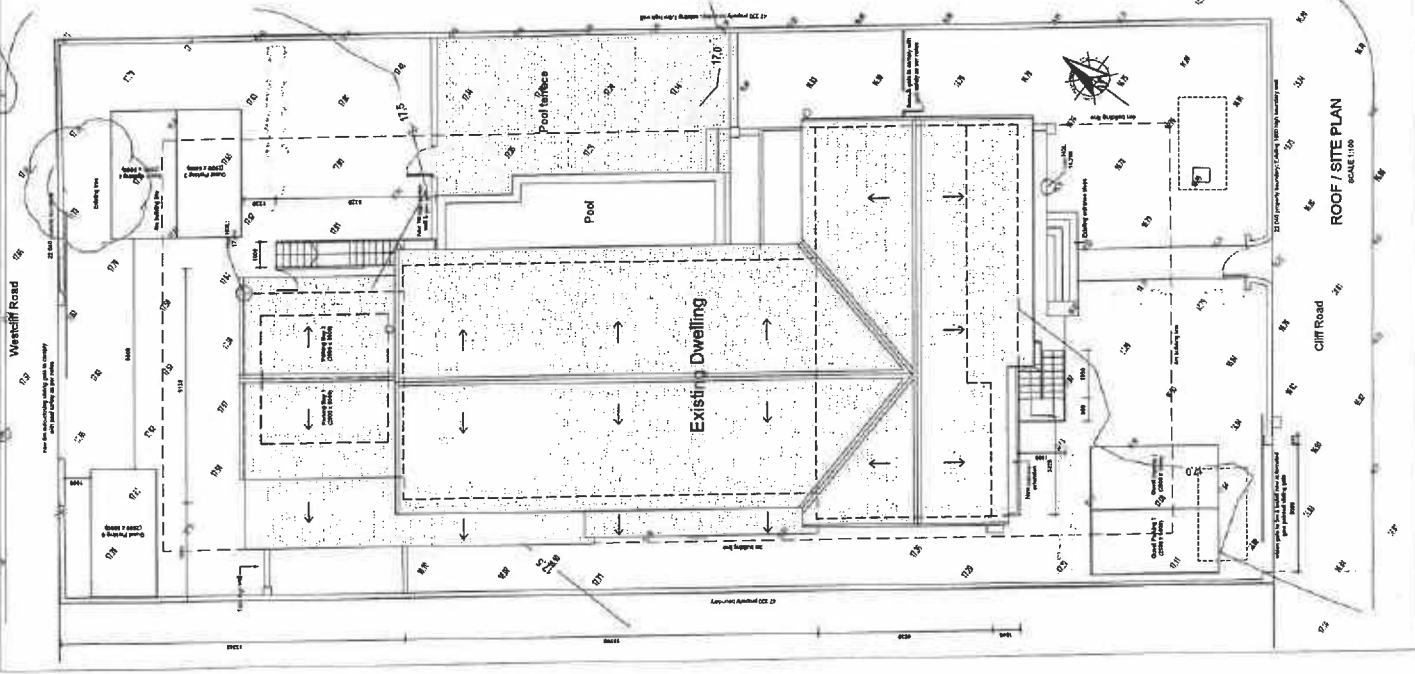
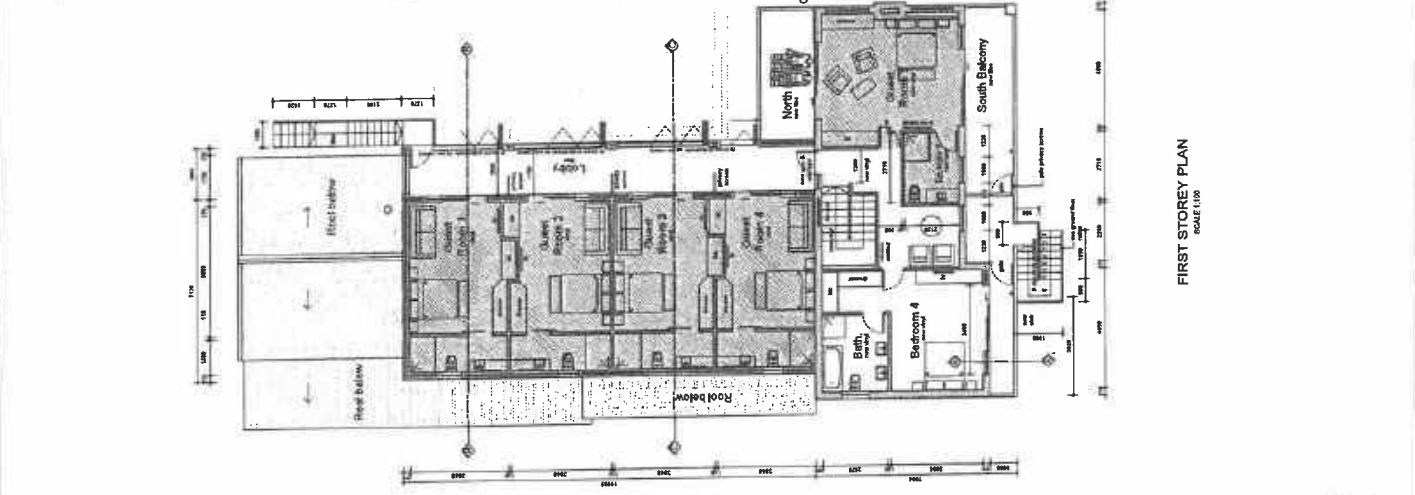
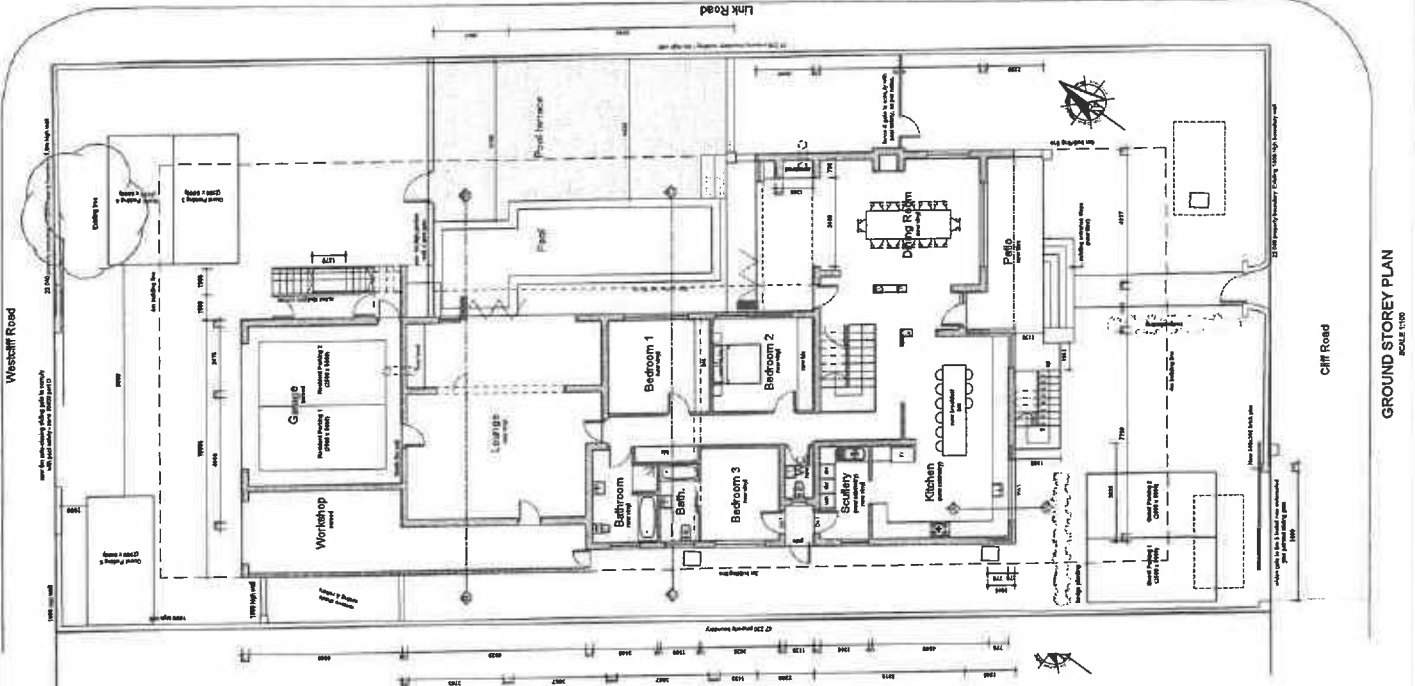
All distances approximate  
 and subject to survey.  
 COPYRIGHT RESERVED

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

**AREAS:**  
 Address: 67 Westcliff rd.  
 Council Area: 21000  
 Coverage: 21000

**General Notes:**  
 This plan is to be read in conjunction with the following:  
 1. The site plan as shown on the site plan.  
 2. The site plan as shown on the site plan.  
 3. The site plan as shown on the site plan.

**Project:** House Plans  
**Attentions to Existing:** Council Approval drawing only  
**Address:** 67 Westcliff rd.  
**ET:** 238  
**Architect:** Westcliff, Hermitas  
**Date:** 17/11/2023  
**Scale:** 1:100



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE: ERF 298, WESTCLIFF (4728/2024)**

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 Area Manager: Hermanus for written approval;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW  
PRINCIPAL TECHNOLOGIST:  
DEVELOPMENT CONTROL**

  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**5. ERF 3970, 13 HIBISCUS ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF SC MARCOVECCHIO**

**3970 KBB (4743/2024)**

**H van der Stoep**

**1 July 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 7 August 2024 from Plan Active Town & Regional Planners on behalf of SC Marcovecchio on Erf 3970, Betty's Bay 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 conditions B.7.(i) and B.7.(ii) as contained in Title Deed T24576/2024 applicable to Erf 3970, Betty's Bay to accommodate the unlawful change of use of the approved covered veranda / balcony to a bedroom and lounge and to accommodate an existing water tank that encroach the 3m title deed lateral building line (all structures As Built and positioned on the 2,085m eastern lateral building line).

The restrictive title deed conditions read as follows:

**"B. SUBJECT FURTHER** to the conditions contained in Deed of Transfer No. T45069/1980 and imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934 when approving of the establishment of BETTY'S BAY TOWNSHIP EXTENSION NO 3 which conditions read:

7. No building or structure or any portion thereof except boundary walls and fences shall, except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 3 metres of the lateral boundary, common to any adjoining erf, provided that with the consent of the local authority:-...

(i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf, the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf;

**AGENDA of the  
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(ii) *An outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such a boundary;"*

- ❖ **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 unlawful change of use of the covered veranda / balcony (positioned on the 2,085m eastern lateral building line) to bedroom and lounge on first floor level and for the water tank positioned on the 2m eastern lateral building line.

**RESOLUTION**

1. that the objections 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 3097 Betty's Bay for the removal of restrictive title deed conditions B.7.(i) and B.7.(ii) as contained in Title Deed T24576/2024 applicable to Erf 3970, Betty's Bay to accommodate the unlawful change of use of the approved covered veranda / balcony to a bedroom and lounge and to accommodate an existing water tank that encroach the 3m title deed lateral building line (all structures As Built and positioned on the 2,085m eastern lateral building line), **be approved**, in terms of the provisions of Section 61 of the By-Law;
  - (a) that this approval is only for the development as indicated on plan numbers BB3970/2023 (1-2) dated 3 September 2023, as submitted with the application;
  - (b) that this approval is only for the removal of restrictions and not an approval in terms of any other legislation;
  - (c) that building plans be submitted to the Building Department reflecting the approval for approval, and that all conditions of the Building and the Fire Departments be complied with at that stage;
  - (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, and

**AGENDA of the  
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- (g) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with.
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 3970, Betty's Bay for the unlawful change of use of the covered veranda / balcony (positioned on the 2,085m eastern lateral building line) to bedroom and lounge on first floor level and for the water tank positioned on the 2m eastern lateral building line, **be imposed**, and that an administrative penalty fee of **R6009,39** be payable within sixty (60) days of this decision.
4. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

**REASONS FOR RESOLUTION**

- ❖ The title deed condition building line restrictions are more lenient in terms of the lateral building lines regarding structures on the boundaries.
- ❖ The difference between the building lines of the title deed conditions and the land use scheme are approximately 1m in total and thus would have very little impact on the overall allowable development of the erf.
- ❖ Thus, to enable developments of residential erven to be more uniform in terms of development parameters, the discrepancies between the title deed restrictions and the land use scheme are even out with the removal of the conditions that deals with the building lines. All the other conditions remain in place.
- ❖ The balcony was approved on the 1,5m lateral building line with neighbour's consent, but was actually built on 2,085m which is compliant with the Land Use Scheme.



Scale: NTS  
 Drawing Nr: betty3970...d.rw  
 Date: SEPTEMBER 2023

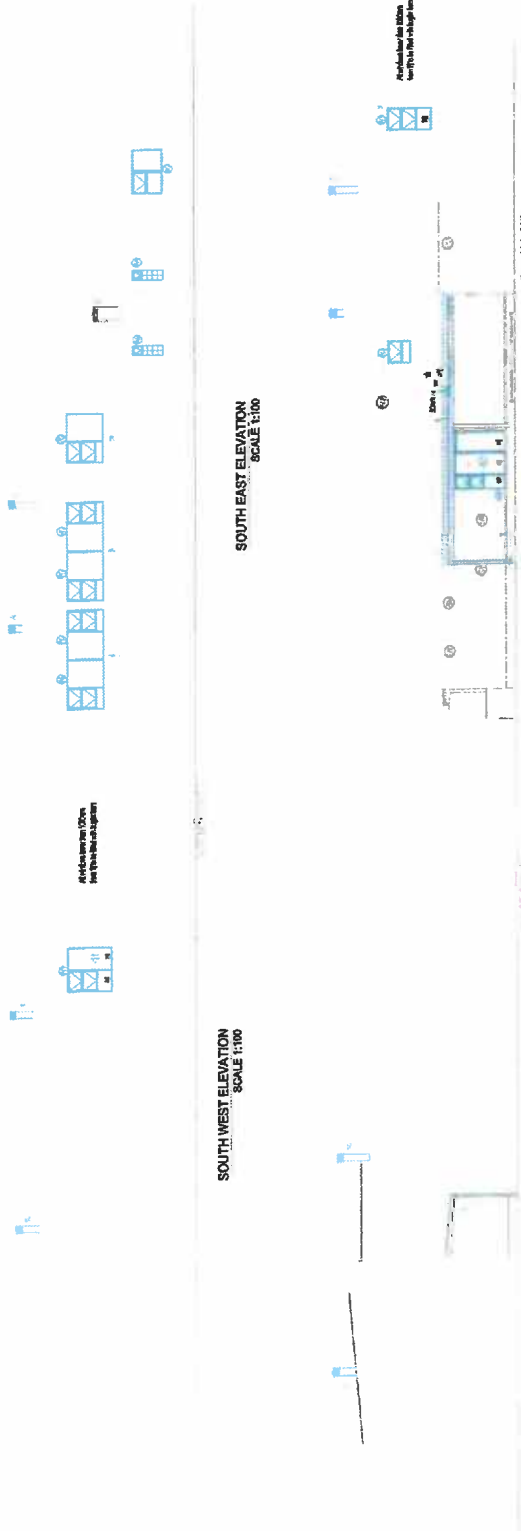
Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 3970  
 BETTYS BAY**

All distances approximate  
 and subject to survey.  
 COPY RIGHT RESERVED

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

**GENERAL NOTES:**  
 THIS PLAN REFLECTS THE BUILT CONDITION FROM THE EXISTING RECORD DRAWINGS.  
 NO NEW CONSTRUCTION TO BE DONE.  
 BOUNDARY MARKERS TO BE REPOSED & DEMONSTRATED.



**IDENTITY NOTES:**  
 This plan reflects the built condition from approved plans at 1:5000. The author of this drawing is not the designer of the building. The author of this drawing is not responsible for any damage to the building or any other structure on the site. The author of this drawing is not responsible for any damage to the building or any other structure on the site. The author of this drawing is not responsible for any damage to the building or any other structure on the site.

**SINGLE RESIDENTIAL OCCUPATION CLASSIFICATION 1-1**

**TOWN PLANNING REQUIREMENTS**

EXISTING COVERAGE	EXISTING COVERAGE	EXISTING COVERAGE
PERCENT	PERCENT	PERCENT
GROUND FLOOR	10.1%	10.1%
NEW COVERED VERANDA	1.1%	1.1%
FIRST STOREY	10.1%	10.1%
SECOND STOREY	10.1%	10.1%
ROOF	10.1%	10.1%
<b>TOTAL</b>	<b>41.5%</b>	<b>41.5%</b>
ERF SIZE : 771M <sup>2</sup>		30%

**PROJECT**  
 \*AS BUILT\* DEVIATIONS FROM APPROVED PLAN DD 161626001 ON ERF 3970, 13 HIBISCUS ROAD, BETTYS BAY

**CLIENT**  
 AJ MARCOVECHIO

**DRAWING**  
 ELEVATIONS  
 SITE PLAN & ROOF LAY-OUT

**DATE** 03/06/2023 **PLAN NO.** BS6702023  
**REVISION** SHEET NO 1 OF 2  
**DESIGNER** ROSEMARIE GARDNER  
**DATE** 03/06/2023

**NORTH WEST ELEVATION SCALE 1:100**

**NORTH EAST ELEVATION SCALE 1:100**

**SOUTH EAST ELEVATION SCALE 1:100**

**SOUTH WEST ELEVATION SCALE 1:100**

ERF 3969

ERF 3963

ERF 3970

ERF 3971

**SITE OPERATIONS**  
 This plan reflects the built condition from approved plans. No new work to be done. No site operations required.

**SITE PLAN & ROOF LAY-OUT SCALE 1:100**

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**6. ERF 2662, 207 PORTER DRIVE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: EMENDO PROJECT MANAGERS & PLANNING ON BEHALF OF WHALING STATION BETTYS BAY (PTY) LTD**

**2662 KBB (4857/2024)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**1 July 2025**

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**EXECUTIVE SUMMARY**

An application was received on 4 November 2024 from Emendo Project Management & Planners on behalf of Whaling Station Bettys Bay Pty Ltd on Erf 2662, Betty's Bay in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a consent use to operate a bottle store on the property.

**RESOLUTION**

1. that the comment/objection be noted.
2. that the application in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder of Erf 2989, Betty's Bay for a consent use to operate a bottle store on the property, **be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
  - (a) that the bottle store be limited to Shop 4 within the existing building;
  - (b) that this approval is not an approval in terms of any other legislation;
  - (c) 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;
  - (d) that a Health Certificate be obtained from the Health Department of the Overberg District Municipality and a Fire Prevention Certificate from the Municipal Fire Department;
  - (e) that only one un-illuminated sign, which complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (f) that commercial rates and service tariffs as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (g) that no accumulation of refuse may occur on the premises;

**AGENDA of the  
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- (h) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (i) that approval for a liquor licence be obtained from the Western Cape Liquor Authority;
  - (j) that the parking bays be demarcated as per approved Site Development Plan;
  - (k) that the bottle store operating hours be limited as per the Overstrand By-Law Liquor Trading Hours from Monday to Saturday. Sundays are restricted to 08h00 - 13h00;
  - (l) that no delivery vehicles for the Bottle Store (*"Thirsty's"*) may utilise Clarence Drive as a loading area;
  - (m ) that adequate provision be made to manage the behaviour of patrons (both inside and outside the buildings) and protection of surrounding properties;
  - (n) that the site must have a dedicated waste storage area as per part of the National Building Regulations (SANS 10400), and all refuse must then be removed from the property to a registered dump site;
  - (o) that there be compliance with all relevant Health and Fire Regulations;
  - (p) that all the conditions in the Services Report be complied with;
  - (q) that conditions 2(a), (b), (c), (d) and (f) of the applicant's letter dated 27 February 2025 be complied with;
  - (r) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (s) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with.
3. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**REASONS FOR RESOLUTION**

- ❖ The bottle store is located in an existing business node.
- ❖ The bottle store will be located in an existing building.
- ❖ The building has an approved building plan and complies with the development parameters as per the Overstrand Municipality Land Use Scheme.
- ❖ The refuse area was approved by the Municipality.
- ❖ The proposed bottle store is located adjacent Clarence Drive, which in itself is a noise polluter.

<p><b>LOCALITY MAP</b></p> <p><b>Erf 2662, Betty's Bay</b></p> <p>Overstrand Local Municipality Western Cape Province</p>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Site Boundary - Erf 2662</li> <li> Erf Boundary</li> <li> Farm Portion Boundary</li> </ul>	<p>1:2 000      Page size: A4</p> <p>Date created: Thursday, 31 October 2024 Author: ghorico@emendo.co.za Projected Coordinate System: WGS 1983</p> <p> 40 Meters</p>		 <p>Betty's Bay Western Cape</p>
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**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR CONSENT USE: ERF 2662, BETTY'S BAY  
(4857/2024)**

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  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**7. ERF 6862, NEMESIA AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING AND THE ALLOCATION OF STREET NAME AND NUMBERS: URBAN DYNAMICS CAPE (PTY) LTD ON BEHALF OF OVERSTRAND MUNICIPALITY [INFILL HOUSING DEVELOPMENT]**

**6862 KU6 (4875/2024)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**11 August 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 27 November 2024 from Urban Dynamics Cape (Pty) Ltd on behalf of Overstrand Municipality to enable the **infill housing development** on Erf 6862, Kleinmond in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 as follows:

- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law to rezone Erf 6862, Kleinmond from Open Space 2: Public Open Space (OS2) to Subdivisional Area (SA), and subsequent **Subdivision** thereof in terms of Section 16(2)(d) of the By-Law for the establishment of the infill development to create the following:
  - 16 Single Residential Zone erven;
  - 1 Transportation Zone 2: Road and parking (TR B) erf, public road purposes and
  - 1 Open Space Zone 2 erf, for public open space purposes (Play Park).
- ❖ **Allocation of Street Name and Numbers** in terms of Section 96 of the By-Law to allocate a street name (*Butterfly Crescent*) and numbers.

**RESOLUTION**

1. that the objections be noted.
2. that the application in terms of Section 16(2)(a) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 6862, Kleinmond to rezone the said property from Open Space 2: Public Open Space (OS2) to Subdivisional Area (SA), and subsequent **subdivision** thereof in terms of Section 16(2)(d) of the By-Law for the establishment of the infill housing development to create the following:
  - ❖ 16 Single Residential Zone erven,
  - ❖ 1 Transportation Zone 2: Road and parking (TR B) erf, for public road purposes and
  - ❖ 1 Open Space Zone 2 erf, for public open space purposes (play park);

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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

- (a) that approval is for the development as indicated on Plan numbers 1 & 3 dated 20 and 21 November 2024;
  - (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 owner/applicant from compliance with any other relevant legislation;
  - (d) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
  - (e) that all conditions in the Services Report be complied with, and
  - (f) that all conditions in the Traffic Impact Assessment dated July 2024 be complied with.
3. that the application in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the allocation of a street name (*Butterfly Crescent*) and numbers to the new street in the development, **be approved** in terms of the provisions of Section 61 of the By-Law, and
  4. 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 decision.

#### **REASONS FOR RESOLUTION**

- ❖ The application erf has been identified as a housing project during the Investigation into available developable land in Kleinmond and Overhills upgrade as adopted by Council in 2021.
- ❖ The project has been identified in the IDP document.
- ❖ Funding was secured for the development.
- ❖ Infill development of a portion of derelict land.

# KLEINMOND

ERF 6862

## LOCAL CONTEXT

-  Application Area
-  Cadastrial Boundaries

PLEASE NOTE:  
All boundary line positions, dimensions and  
to be verified by a Professional Land Surveyor

REF:

COMPILED BY: F. P. van

INDEMNITY

Urban Dynamics South Cape (Pty) Ltd. is not liable for any errors or omissions in this plan. The user of this plan is advised to verify all information shown on this plan with the relevant authorities.

DATE: May 2024

SCALE: See Utitacate

PLAN NO: 2a

CLIENT

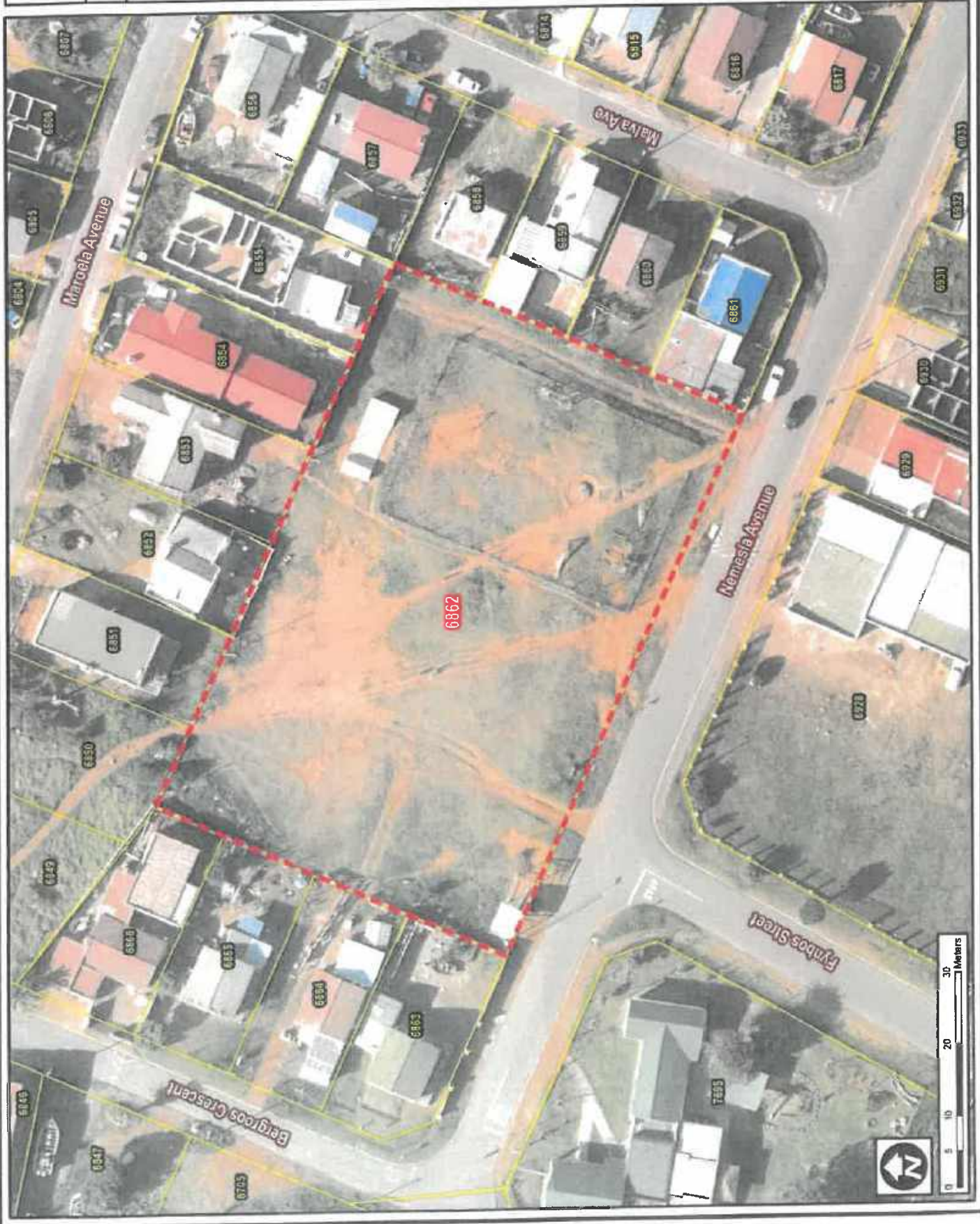


SOUTH DATE OFFICE PARK, GROUND FLOOR, UNIT 2,  
CAR, CHOUDE DRIVE, BELLVILLE, 7530

TEL: (021) 941 1845

Website: [www.udc.co.za](http://www.udc.co.za)

Urban Dynamics South Cape (Pty) Ltd. Reg. No. 19870016707



# OVERSTRAND

ERF 6862 KLEINMOND

## PROPOSED LAYOUT PLAN

- APPLICATION AREA
- CADASTRAL BOUNDARIES
- PROPOSED LAYOUT  
UNITS = 16  
(±9.25m x ±13m) & (±9.33m x ±13m)
- EXISTING TELEPHONE LINE
- EXISTING SEWER LINE
- CONTOUR LINES (0.25m intervals)

**PLEASE NOTE:** All boundary line positions, distances and property sizes need to be checked by a Professional Land Surveyor.

**INDEMNITY**  
URBAN DYNAMICS MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE DATA AND INFORMATION CONTAINED HEREIN FOR ANY PURPOSES. OUR CONSULTANTS' LIABILITY IS LIMITED TO THE EXTENT OF THE SERVICES PROVIDED AND WE SHALL NOT BE HELD RESPONSIBLE FOR ANY CONSEQUENCES OF THE USE OF THE DATA OR INFORMATION CONTAINED HEREIN BY ANY PARTY OTHER THAN THE INDIVIDUALS OR ENTITIES SPECIFICALLY NAMED AS CLIENTS IN THE CONTRACT.

DATE	21 Nov 2024	CLIENT	URBAN DYNAMICS SOUTH CAPE
SCALE	See linescale	PROJECT	ERF 6862 KLEINMOND
PLAN NO.	1		



**URBAN DYNAMICS SOUTH CAPE**  
TOWN & REGIONAL PLANNERS  
REGISTERED PROFESSIONAL ENGINEERS  
REGISTERED ARCHITECTS  
REGISTERED LAND SURVEYORS  
REGISTERED CIVIL ENGINEERS  
REGISTERED ELECTRICAL ENGINEERS  
REGISTERED MECHANICAL ENGINEERS  
REGISTERED CHEMICAL ENGINEERS  
REGISTERED ENVIRONMENTAL ENGINEERS  
REGISTERED AGRICULTURAL ENGINEERS  
REGISTERED METEOROLOGICAL ENGINEERS  
REGISTERED INDUSTRIAL ENGINEERS  
REGISTERED MARINE ENGINEERS  
REGISTERED MINING ENGINEERS  
REGISTERED PETROLEUM ENGINEERS  
REGISTERED TRANSPORT ENGINEERS  
REGISTERED WATER ENGINEERS  
REGISTERED CIVIL ENGINEERS (WATER)

**LAND USE TABLE**

LAND USE	DESIGNATION	ZONING	AMOUNT OF HERVEN	AMOUNT OF UNITS	SIZE (ha)	%
Residential	Single Residential Zone	Single Residential Zone	16	16	0,21	49,8
Open Space	Open Space Zone 2	Open Space Zone 2	1	1	0,10	23,3
Public Roads	Transport Zone 2	Transport Zone 2	1	1	0,12	27,9
<b>TOTALS</b>			<b>18</b>	<b>16</b>	<b>0,43</b>	<b>100,0</b>



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REZONING, SUBDIVISION & THE ALLOCATION OF  
STREET NAME & NUMBERS: ERF 6862, KLEINMOND (4875/2024)**

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

**Conditions:**

1. that the developer (Overstrand Municipality) at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
2. that servitudes for municipal services be registered in respect of all main services to be taken over by the developer and all existing municipal services concerned, crossing private property;
3. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
4. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
5. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
6. that the connection to the stormwater reticulation system if any, be provided according to the stormwater management plan;
7. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;

8. that the Implementing Agent apply for a temporary water connection on the prescribed application form, at Overstrand Municipality's Finance Department, before commencement of construction;
9. that the connection to the main water line only be done by the Operational Department, after payment of the connection fee, by the developer;
10. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;
11. that the conditions set by the W/Cape Department of Infrastructure be adhered to.



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

05/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**8. ERF 6936, NEMESIA AVENUE, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING AND THE ALLOCATION OF STREET NAMES AND NUMBERS: URBAN DYNAMICS CAPE (PTY) LTD ON BEHALF OF OVERSTRAND MUNICIPALITY**

**6936 KU6 (4876/2024)**

**H van der Stoep  
12 August 2025**

**(028) 313 8900**

**Hermanus Administration**

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**EXECUTIVE SUMMARY**

An application has been received on 27 November 2024 from Urban Dynamics Cape (Pty) Ltd on behalf of Overstrand Municipality to enable the **infill housing development** on Erf 6936, Kleinmond in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 as follows:

- ❖ **Subdivision** in terms of Section 16(2)(d) of the By-Law to subdivide Erf 6936, Kleinmond into 2 portions namely Portion A ( $\pm 0,68$ ha) and a Remainder ( $\pm 0,14$ ha).
- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law to rezone Erf 6936, Kleinmond from Open Space 2: Public Open Space (OS2) to Subdivisional Area (SA), for the establishment of:
  - ⬇ 21 Single Residential Zone erven,
  - ⬇ 1 Transportation Zone 2: Road and parking (TR B) erf, for public road purposes and
  - ⬇ 1 Open Space Zone 2 erf, for public open space purposes to accommodate the existing graves.
- ❖ **Allocation of Street Names and Numbers** in terms of Section 96 of the By-Law to allocate street names (*Ixia Street and Beetle Street*) and numbers.

**RESOLUTION**

1. that the objections be noted.
2. that the application in terms of Section 16(2)(d) of the By-Law to subdivide Erf 6936, Kleinmond into two (2) portions namely Portion A ( $\pm 0,68$ ha) and a Remainder ( $\pm 0,14$ ha), **be approved**, in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(a) of the By-Law to rezone Erf 6936, Kleinmond from Open Space 2: Public Open Space (OS2) to Subdivisional Area (SA), for the establishment of the infill housing development to create the following:

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- ❖ 21 Single Residential Zone erven,
- ❖ 1 Transportation Zone 2: Road and parking (TR B) erf, for public road purposes and
- ❖ 1 Open Space Zone 2 erf, for public open space purposes to accommodate the existing graves;

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

4. that the approvals in points 2 - 3 above be subject to the following conditions:
  - (a) that approval is for the development as indicated on Plan numbers 2 - 4 dated November 2024 and 2025;
  - (b) that a 5m street building line along R44 be applicable;
  - (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 owner/applicant from compliance with any other relevant legislation;
  - (e) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with;
  - (f) that all conditions in the Services Report be complied with;
  - (g) that all conditions imposed by the Western Cape Government: Infrastructure (Road Planning) be complied with, and
  - (h) that all conditions in the Traffic Impact Assessment dated July 2024 be complied with.
5. that the application in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the allocation of street names (*Ixia Street and Beetle Street*) and numbers to the new streets in the development, **be approved** in terms of the provisions of Section 61 of the By-Law, and
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 decision.

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**REASONS FOR RESOLUTION**

- ❖ The application erf has been identified as a housing project during the Investigation into available developable land in Kleinmond and Overhills upgrade as adopted by Council in 2021.
- ❖ The project has been identified in the IDP document.
- ❖ Funding was secured for the development.
- ❖ Infill development of a portion of vacant land.
- ❖ Address housing need.
- ❖ Optimal use of land and infrastructure.

# KLEINMOND

ERF 6936

## LOCAL CONTEXT



Application Area



Cadastral Boundaries

**PLEASE NOTE:**  
All boundary line positions, distances and bearings are to be verified by a Professional Land Surveyor.

REF: \_\_\_\_\_

COMPILED BY: P. Ditt

IDENTITY \_\_\_\_\_

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DATE: May 2024 CLIENT \_\_\_\_\_

SCALE: See Licences

PLAN NO: 3A

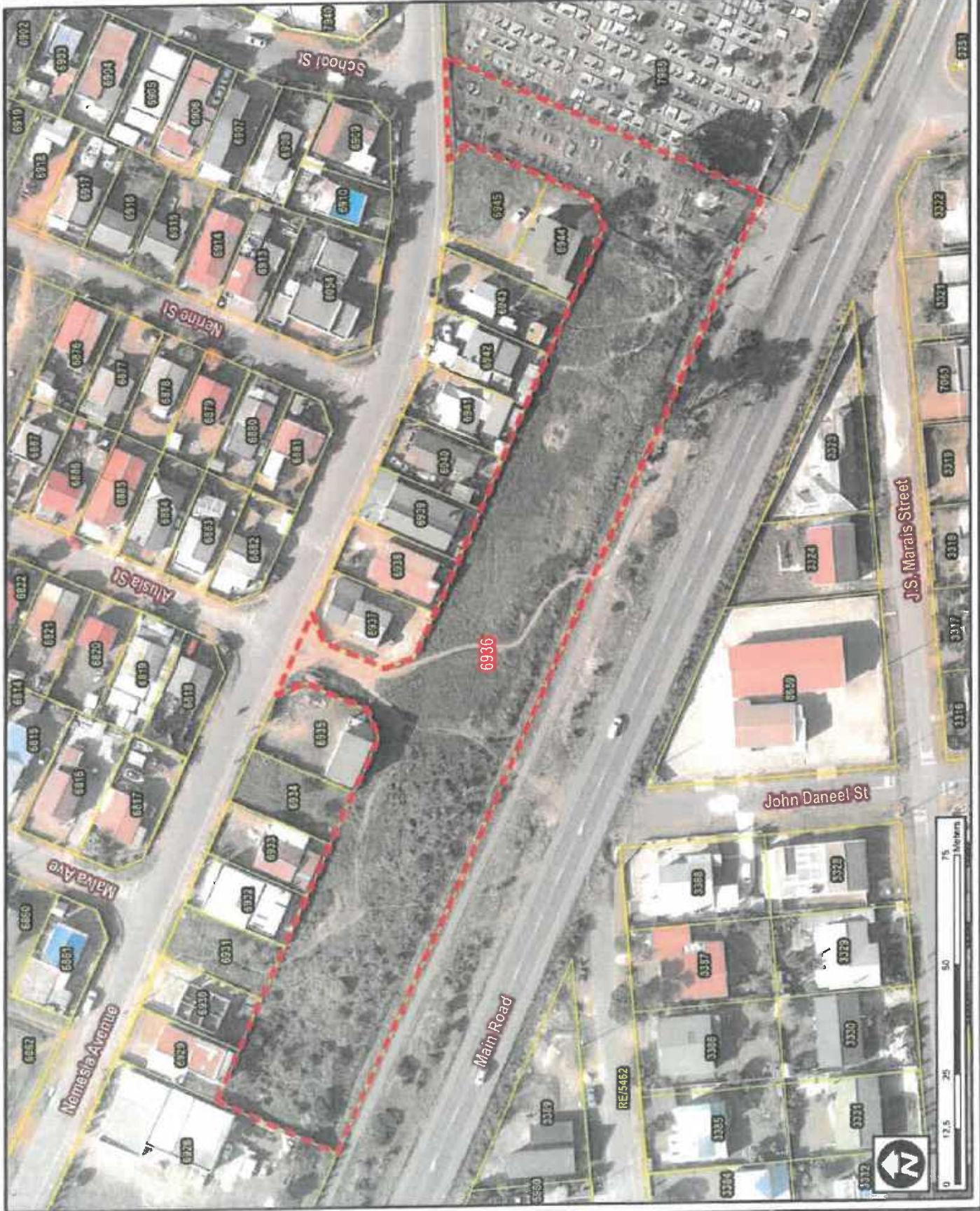


**URBAN DYNAMICS SOUTH CAPE**  
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SOUTH GATE OFFICE PARK, GROUND FLOOR, UNIT 2,  
CARL CRONE DRIVE, BELLVILLE, 7532

TEL (031) 848 1848

Website: [www.udsc.co.za](http://www.udsc.co.za)


Urban Dynamics South Cape (Pty) Ltd. Reg. No: 19370081807



# OVERSTRAND

ERF 6936 KLEINMOND


## PROPOSED STREETNAME & NUMBERS PLAN

 SUBJECT AREA (PORTION A)


CADASTRAL BOUNDARIES

 PROPOSED LAYOUT  
UNITS = 21  
(±9.4m x ±13m) & (±10m x ±13m)

 PROPOSED STREET NUMBERS

 EXISTING TELEPHONE LINE

 EXISTING SEWER LINE

 EXISTING STORM WATER PIPE

**PLEASE NOTE:**  
All boundary line positions, distances and property sizes need by a Professional Land Surveyor.

**INDEMNITY**

THE SURVEYOR MAKES NO WARRANTY AS TO THE ACCURACY OF THE DATA OR RECORDS PROVIDED TO HIM BY THE CLIENT OR ANY OTHER SOURCE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEES PAID TO HIM BY THE CLIENT. THE DATA AND RECORDS ARE PROVIDED TO THE CLIENT AS IS AND THE CLIENT ACCEPTS THE RISK OF ANY INACCURACIES OR OMISSIONS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEES PAID TO HIM BY THE CLIENT.

DATE	25 NOV 2024	CURT
SCALE	See finscale	
PLAN NO.	3	

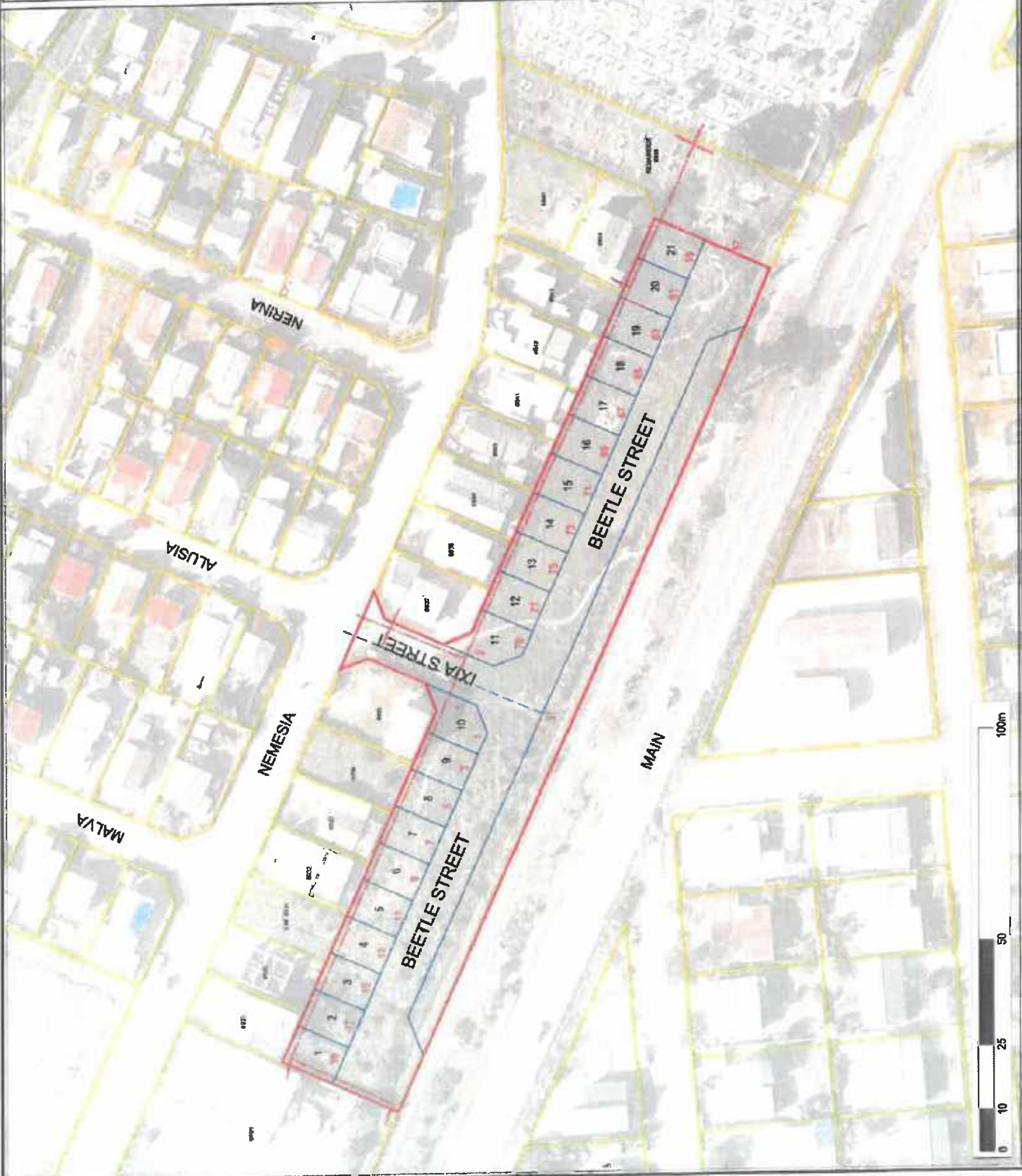


**URBAN DYNAMICS SOUTH CAPE**  
TOWN & REGIONAL PLANNERS

REGISTERED PROFESSIONAL PLANNERS  
SOUTH AFRICAN PROFESSIONAL PLANNING BOARD (SAPPL) NO. 1250  
MEMBER OF THE SOUTH AFRICAN PROFESSIONAL PLANNING BOARD (SAPPL)

TEL: 081 441 988  
WWW.URBANDYNAMICS.CO.ZA

MEMBER OF THE SOUTH AFRICAN PROFESSIONAL PLANNING BOARD (SAPPL)



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REZONING, SUBDIVISION & THE ALLOCATION OF  
STREET NAME & NUMBERS: ERF 6936, KLEINMOND (4876/2024)**

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

**Conditions:**

1. that the developer (Overstrand Municipality) at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
2. that servitudes for municipal services be registered in respect of all main services to be taken over by the developer and all existing municipal services concerned, crossing private property;
3. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
4. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
5. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
6. that the connection to the stormwater reticulation system if any, be provided according to the stormwater management plan;
7. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;

2

8. that the Implementing Agent apply for a temporary water connection on the prescribed application form, at Overstrand Municipality's Finance Department, before commencement of construction;
9. that the connection to the main water line only be done by the Operational Department, after payment of the connection fee, by the developer;
10. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;
11. that the conditions set by the W/Cape Department of Infrastructure be adhered to.

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

05/05/2025  
DATE

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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**9. ERF 1878, 60 BUFFELS ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR RELAXATION OF TITLE DEED CONDITIONS: J DOUGLAS ON BEHALF OF E KAISER**

**1878 KPRB (4886/2024)**

**H van der Stoep**

**(028) 313 8900**

**Hermanus Administration**

**17 July 2025**

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**EXECUTIVE SUMMARY**

An application has been received on 9 December 2024 from J Douglas on behalf of E Kaiser on Erf 1878, Pringle Bay in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **relaxation** of Clause B.6.(2)(a) of Title Deed No. T41294/2024 to relax the northern lateral building line from 5m to 2m and the southern lateral building line from 5m to 2,1m and 2,5m respectively, to accommodate the proposed new dwelling house.

The restrictive title deed condition B.6.(2)(a) read as follows:

*“B. SUBJECT FURTHER to the conditions contained in Deed of Transfer No. T46818/1981 imposed by the Administrator when approving the establishment of Pringle Bay Township Extension No 3 in terms of Ordinance 33 of 1934 which reads as follows:*

*6.(2) Except with prior consent of the Administrator -*

*(a) No building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 8 metres to the street line which forms a boundary of this erf, nor within 5 metres of any other boundary common to any adjoining erf, provided that with the consent of the local authority:”*

**RESOLUTION**

1. that the objection be noted.
2. that the application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 1878, Pringle Bay for the **relaxation** of Clause B.6.(2)(a) of Title Deed No. T41294/2024 to relax the northern lateral building line from 5m to 2m and the southern lateral building line from 5m to 2,1m and 2,5m respectively, to accommodate the proposed new dwelling house, **be approved**, in terms of the provisions of Section 61 of the By-law subject to the following conditions:
  - (a) that the relaxation is only applicable to Plan numbers PP01/24 (1-5) dated January 2024, submitted with the application;

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- (b) **that before the building process commences a Maintenance Management Plan be submitted and approved, including but not limited to addressing the following:**
    - ❖ the excessive disturbance of topsoil, where eroded by bulldozing to be rehabilitated with endemic indigenous vegetation only, and exposed sand of dunes stabilised, property to be kept from alien vegetation, no vibracrete walls, no hard/solid fencing or other structures that hinders the movement of small fauna within the ecological corridor;
  - (c) that no construction activities and or clearing of the erf for construction commences before the maintenance and building plans have been approved;
  - (d) 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;
  - (e) that this approval is not an approval in terms of any other legislation;
  - (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.
6. that the comments received from the following departments be noted:
- BOCMA;
  - Western Cape Government: EADP (Environmental), and
  - Cape Nature.
7. that the applicant and objector be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

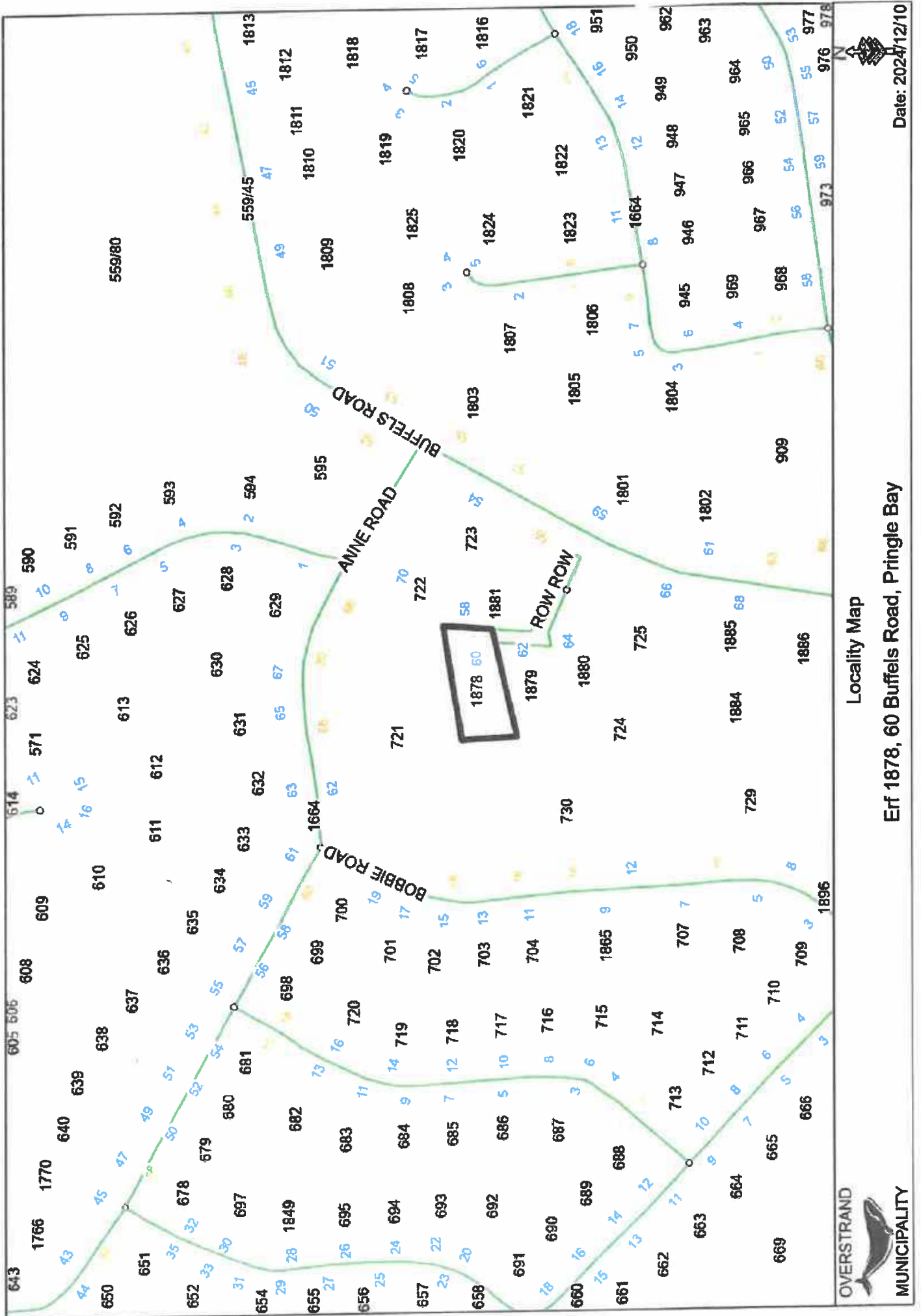
### **REASONS FOR RESOLUTION**

- ❖ The location of the built structure accommodates the environmental sensitivity of the area known as The Ridge.
- ❖ The structure is built on stilts to ensure movement of animals and biophysical processes and minimize the physical footprint on the erf.
- ❖ Compliance with the 5m setback from the Open Space area is retained.
- ❖ The ecological buffer is protected with the proposed location of the building.

**AGENDA of the  
Portfolio Committee : Planning & Development  
21 October 2025  
(Also the agenda for the Mayoral Committee Meeting : 28 October 2025)**

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- ❖ The location complies with the Draft Environmental Management Framework, 2023-2028, compiled by Mr D Heard, a more recent study that takes into account climate change and ecological processes of the benefit of The Ridge.
- ❖ The location is an example of successfully mitigating and compromise on a highly sensitive erf and existing land use rights.



Locality Map

Erf 1878, 60 Buffels Road, Pringle Bay

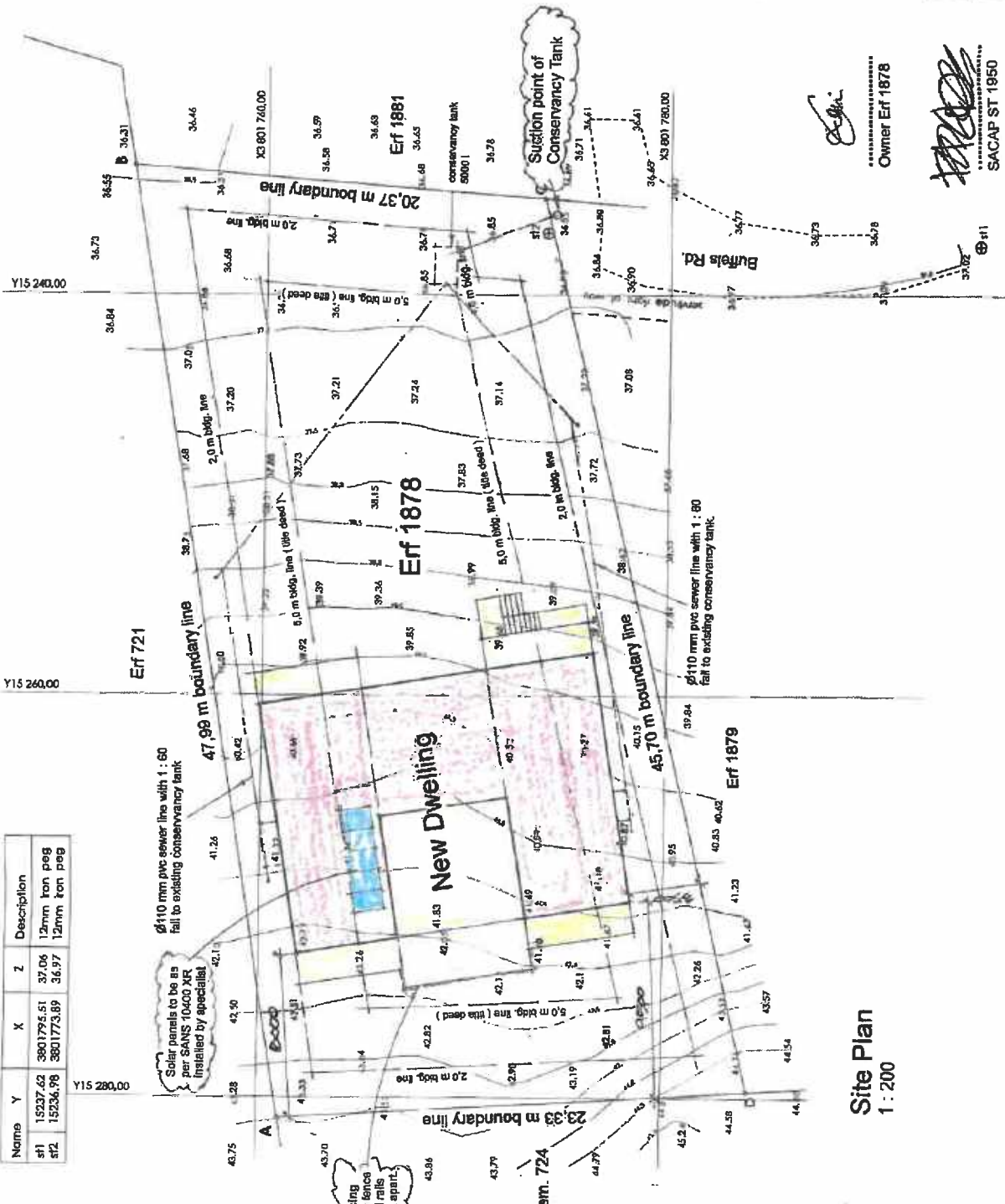
Date: 2024/12/10

Name	Y	X	Z	Description
sf1	15237.42	3801795.51	37.06	12mm ton peg
sf2	15236.98	3801773.89	36.97	12mm ton peg

Ø110 mm pvc sewer line with 1:80 fall to existing conservancy tank

Solar panels to be 85 per SANS 10400 XFR installed by specialist

Pool Safety Fencing 1.25 m high metal fence with no horizontal rails less than 100 mm apart



Areas :  
 Erf 1878 1000.00 sq.m.  
 New Dwelling 178.60 sq.m.  
 New Deck 38.00 sq.m.  
 Total 178.50 sq.m.  
 Footprint 178.50 sq.m.  
 Coverage 17.8%

**pretplan**  
**BOUFFLEKAMP**  
**BUILDING PLANS**  
 Botha Pretorius  
 Practice 5 (a) Leidsdorp, Stellenbosch, 7802  
 SACAP Reg. No ST1850, 072 482 8855.  
 Project

**Dwelling Kaiser**  
 Proposed New Dwelling on  
 Erf 1878, 60 Buffels Road,  
 Pringle Bay, Overstrand Mun.

Sheet Description

**Site Plan**

Owner Erf 1878

Project number	PP0124	Scale	1:100
Rev.	1	Date	Jan. 2024
Rev. 1 - Aug. 2024		Drawn by	botha

SACAP ST 1850

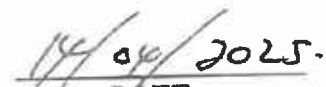
**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR RELAXATION OF TITLE DEED: ERF 1878, PRINGLE  
BAY (4886/2024)**

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**

  
**DATE**