

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

1. ERF 1073, CHURCH STREET, HAWSTON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING: WRAP PROJECT OFFICE ON BEHALF OF THE TRUSTEES FOR THE TIME BEING OF THE "GRIEKWA NASIONALE KONFERENSIE ONTWIKKELINGS TRUST"

1073 HHW (5142/2025)

H Olivier

(028) 313 8900

Hermanus Administration

18 June 2026

EXECUTIVE SUMMARY

An application was received on 3 December 2025 from WRAP Project Office on behalf of the Trustees for the time being of the "Griekwa Nasionale Konferensie Ontwikkelings Trust" in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the **rezoning** of Erf 1073, Hawston from Residential Zone 1: Single Residential (SR1) to Community Zone 1: Community Facilities to establish a multi-purpose community facility for the use of religious gatherings, ceremonies and various other community functions.

RESOLUTION

1. that the application in terms of Section 16(2)(a) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of Erf 1073, Hawston from Residential Zone 1: Single Residential (SR1) to Community Zone 1: Community Facilities to establish a multi-purpose community facility for the use of religious gatherings, ceremonies and various other community functions, **be approved**, in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the approval only relates to the rezoning of the property;
 - (b) that rates and taxes, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (c) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control, Fire and Waste Management Departments be complied with at that stage, and
 - (d) that all conditions in the Services Report be complied with.

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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 decisions.

REASONS FOR RESOLUTION

- ❖ All relevant municipal departments and external departments/institutions support the application.
- ❖ No objections were received in the public participation process.
- ❖ The application is in line with the general principles of SPLUMA and LUPA as this development is efficient as existing land will be used to its full potential, and existing services will be utilised. It is also sustainable as a new community facility will be created that can cater for the needs of the community.
- ❖ In terms of the Overstrand Municipality Spatial Development Framework, 2020 this area falls within the Urban Edge and is identified for development. This is also an existing mixed-use area with residential properties, businesses, churches and a school.
- ❖ The site is easily accessible (from Church Road) and sufficient on-site parking is provided for the increase in vehicles.
- ❖ The rezoning application will not have a negative impact on surrounding property owners or the character of the area

Plan 1 - Locality Plan

Erf 1073 - Hawston

Plan prepared by: Thian Jansen

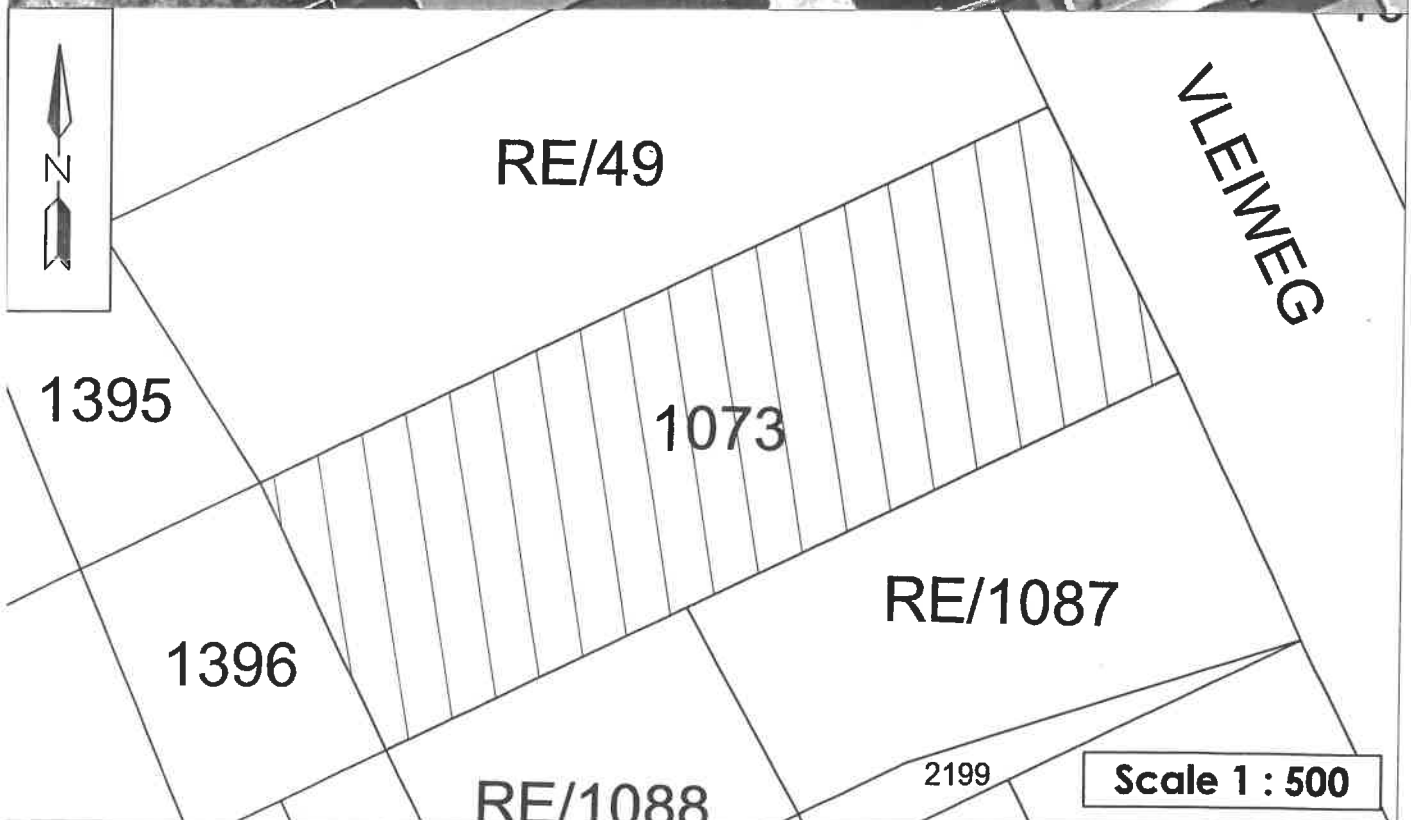
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

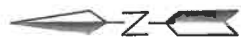
Office 3, Oakwood, 10 Dirkie
Uys Street Hermanus, 7200



Project Office
Town Planning & Project Management



Scale 1 : 500



Plan 2 - Status Quo Zoning Plan
Erf 1073 Hawston



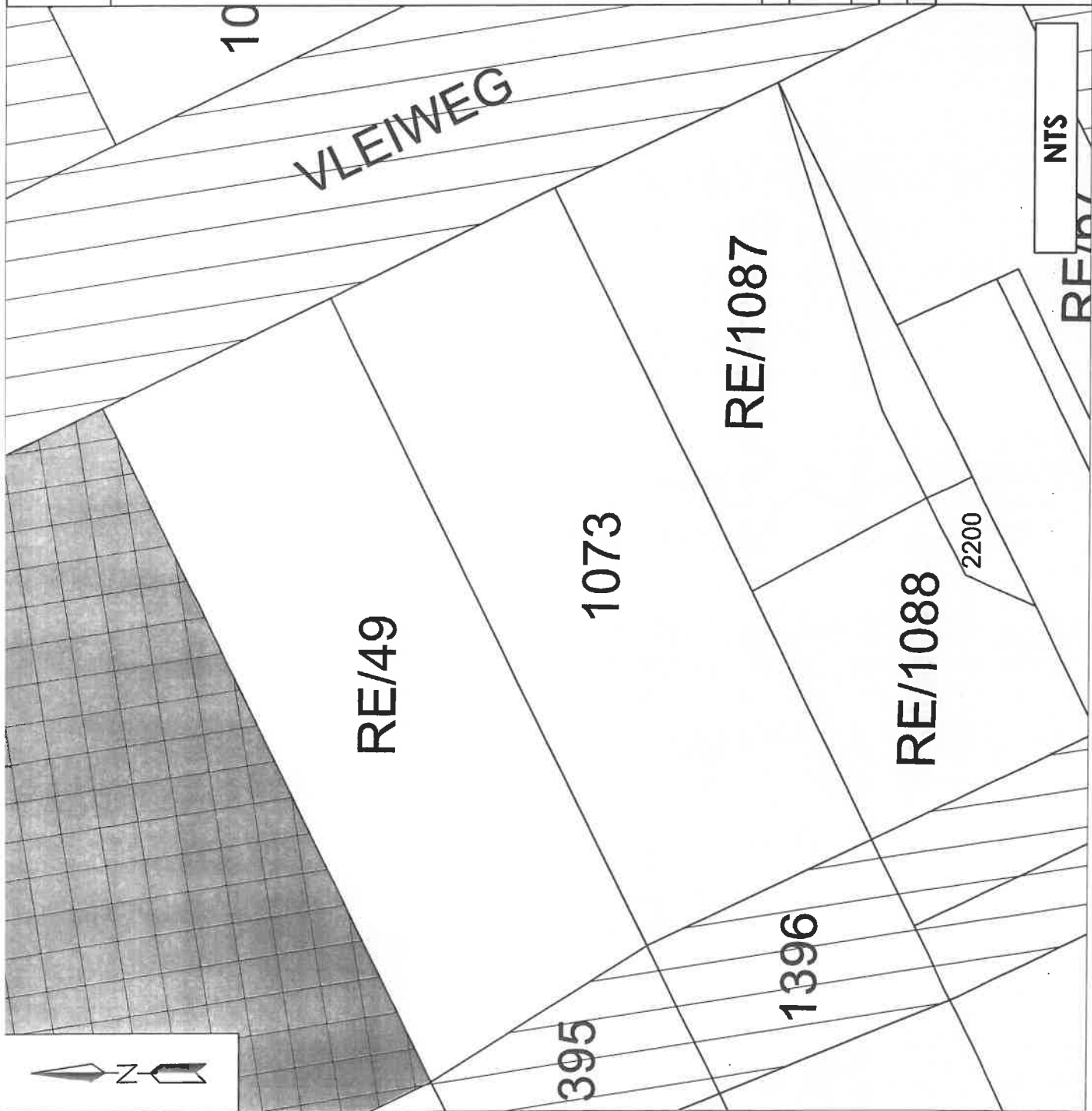
Residential Zone 1: Single Residential



Business Zone 3: Local Business



Transport Zone 2: Road and Parking
(Public)



Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

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



Project Office

Town Planning & Project Management

NTS

RE/107

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REZONING: ERF 1073, HAWSTON (5142 /2025)**

Water	:	In order
Sewer	:	In order
Roadsand Traffic	:	In order
Stormwater	:	In order
Electricity	:	In order

Conditions:

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

- 1.1 **Developments containing Commercial Buildings/Community facilities** (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 The contribution according to the current policy (2025/2026) is as follows:

Proposed SDP on Erf 1073 (current application):

Water	R 27 598.00 x -0.12	=-R	3 311.76
Sewerage	R 19 725.00 x -0.12	=-R	2 367.00
Roads	R 8 845.00 x 5.205128	= R	46 039.36
Stormwater	R 10 205.00 x 2.672	= R	27 267.76
Solid Waste	R 1 769.00 x 1.2032	= R	2 2128.46
TOTAL (inclusive of VAT)		= R	69 756.82

Future development on Erf 1073 (including future building plans) - per 100 sq. meter GLA :

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

Please note that the above figures:

- a) Are estimated amounts that may be adjusted.
- b) Are subject to annual tariff adjustments.
- c) Do not include investigation and connection fees.
- d) Do not include bulk electricity cost. Please contact Overstrand Municipality's Electrical Division for more details.

2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that only the standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
5. 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;
6. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development be provided in line with the 2020 Overstrand Land Use Scheme.
7. that the connection to the municipal stormwater reticulation system be provided at the developers cost, if required ;
8. that a minimum stacking space/distance of at least 6,0 m (in front of the gate or boom) be provided for the access point;
9. 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;
10. that any damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.
11. that all the parking requirements from the 2020 Overstrand Land Use Scheme be complied with.


RICARDO ANDREW

30/08/2026
DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
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20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- 2. REMAINDER ERF 2834, (UNREGISTERED ERF 45 WHICH FORMS PART OF UNREGISTERED ERVEN 2868-2871, 3060-3082 & 3087), SANDBAAI, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR HEIGHT DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: INTERACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF DE ZANDT PTY LTD**

RE-2834 HSB (5157/2026)

B Minnaar

(028) 313 8900

Hermanus Administration

10 June 2026

EXECUTIVE SUMMARY

An application has been received on 7 January 2026 from InterActive Town & Regional Planning on behalf of De Zandt Pty Ltd on Remainder Erf 2834, (Unregistered Erf 45 which forms part of Unregistered Erven 2868-2871, 3060-3082 & 3087), Sandbaai, Hermanus 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 accommodate the height encroachment from 8m to 9.23m of the existing flats.
- ❖ **Determination of an administrative penalty** in terms of Section 16.(2)(q) of the By-Law to accommodate the unauthorised building work.

RESOLUTION

1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Remainder Erf 2834, (Unregistered Erf 45 which forms part of Unregistered Erven 2868-2871, 3060-3082 & 3087), Sandbaai for **departure** to accommodate the height encroachment from 8m to 9.23m of the existing flats, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) 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, and
 - (b) that all the conditions in the Services Report be complied with.
2. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Remainder Erf 2834,

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(Unregistered Erf 45 which forms part of Unregistered Erven 2868-2871, 3060-3082 & 3087), Sandbaai, for the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R7 207,83** be payable within sixty (60) days of this decision;

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

REASONS FOR RESOLUTION

- ❖ The residential character of the building/property will be retained.
- ❖ The remaining development for phase 1 of De Zandt will be restricted to a height of 8m from base level.
- ❖ The application has followed due procedure.
- ❖ Neighbours consent was provided from Curro Holdings Limited.
- ❖ None of the internal departments have objected to the application.
- ❖ It is in line with the aims of the Overstrand SDF.



[illegible]

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 2834, SANDBAAI (DE ZANDT DEVELOPMENT) (5157/2026)**

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

Conditions

1. that all the conditions specified as part of the previously approved land use applications for Erf 2834 remains relevant and valid and should be adhered to.


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

12/03/2026
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

**3. ERF 171, 3 EAST END STREET, WESTCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE
TITLE DEED CONDITIONS AND DETERMINATION OF AN
ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN &
REGIONAL PLANNERS ON BEHALF OF M.N. CARBONARI**

171 HWC (5181/2026)

B Minnaar

(028) 313 8900

Hermanus Administration

17 June 2026

EXECUTIVE SUMMARY

An application has been received on 18 February 2026 from Messrs Plan Active Town & Regional Planners on behalf of M.N Carbonari in terms of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 171, Hermanus (Westcliff) for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law for the removal of the restrictive title deed condition B.(d) as contained in Title Deed T10735/2003 applicable to Erf 171, Hermanus.

The restrictive conditions contained in Title Deed T10735/2003 to be removed, reads as follows:

Clause B.(d) *"That no building shall be erected within 4.72m of any street line which forms the boundary of this erf. No building shall be situated within ".36m of the lateral boundary common to any adjoining erf."*

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

RESOLUTION

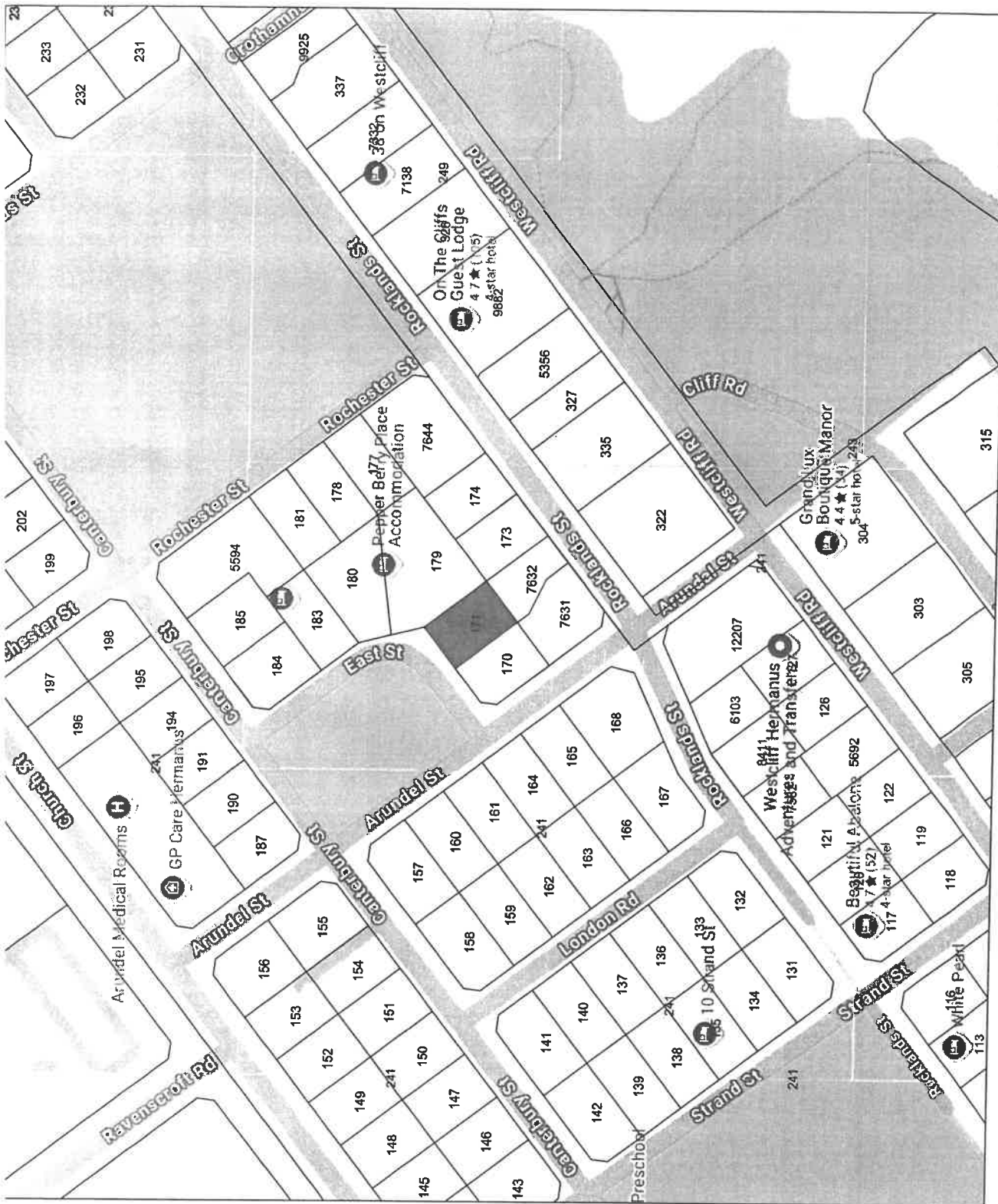
1. that the comment be noted;
2. that the application in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **removal of restrictive title deed condition B.(d)** as contained in Title Deed T10735/2003, applicable to Erf 171, Hermanus (Westcliff) to accommodate the existing garage, dining room and proposed covered braai patio, **be approved** in terms of the provision of Section 61 of the By-Law, subject to the following conditions:

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- (a) that this approval is only for the building plan no: I 0570 - A1 – 01 and I 0570 - A1 – 02, as submitted with the subject 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 and Telkom must 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 171, Hermanus (Westcliff), for the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R2 287.50** be payable within thirty (30) days of this decision;
 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 conditional approvals.

REASONS FOR RESOLUTION

- ❖ The removal of title deed restrictive conditions will permit the development rights to be aligned with the Overstrand Municipal Land Use Scheme.
- ❖ The application followed the correct public participation procedure.
- ❖ A 5% administrative penalty be imposed for the unauthorised building work over the 2,36m street title deed building line since the onus is on the property owner to ensure that they remain compliant with the relevant provisions of the applicable law.
- ❖ The internal departments did not object to the proposed application.
- ❖ Support letter received from surrounding property owner.



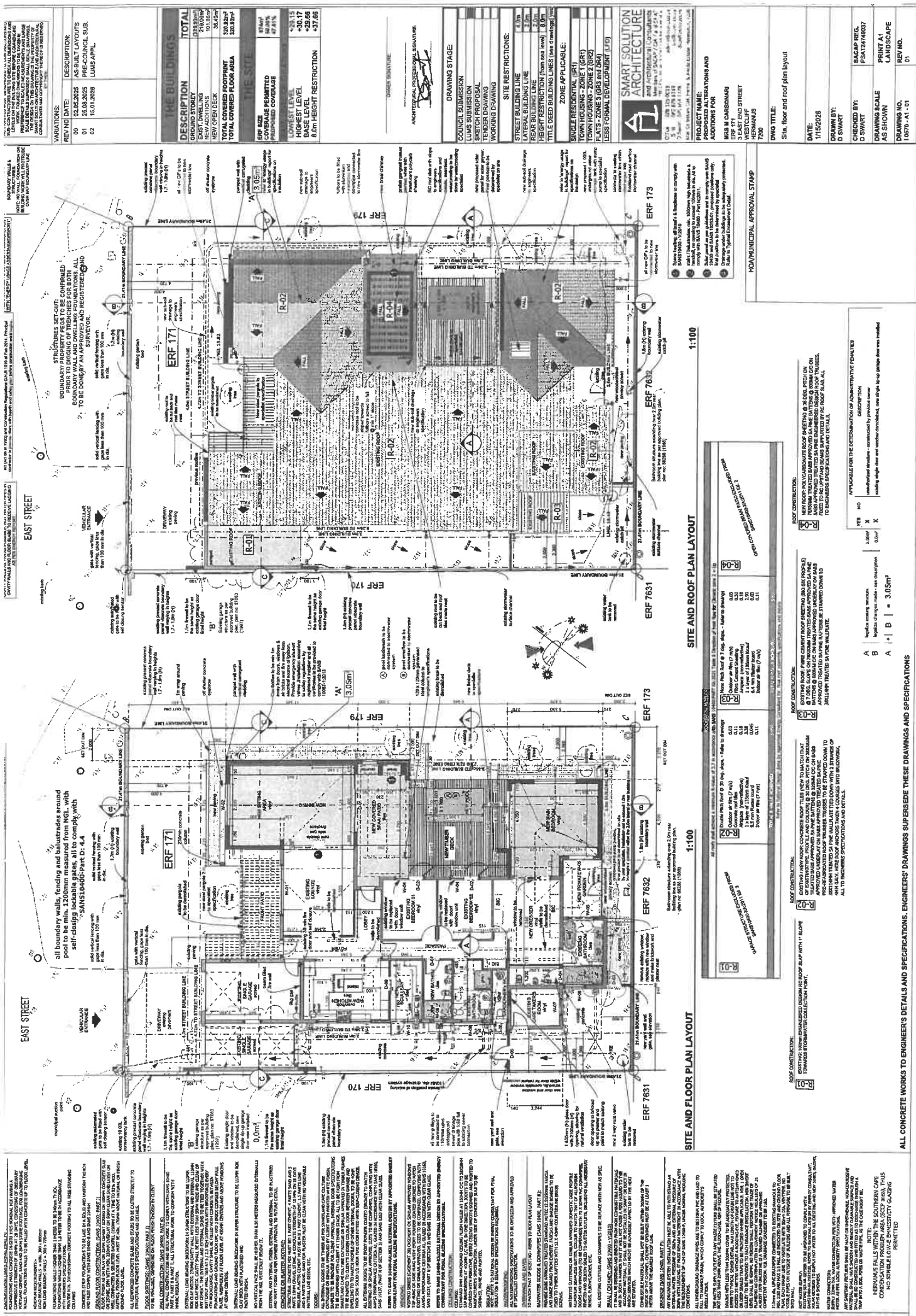
Scale: NTS
 Drawing Nr: 171 Hermanus.dwg
 Date: 17 Feb 2026

Plan Description:
**LOCALITY
 MAP**

Property Description:
**ERF 171
 HERMANUS**

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

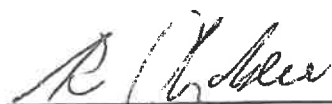


**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITION
AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 171,
WESTCLIFF (5181/2026)**

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

Conditions:

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



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

13/04/2026
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

4. ERF 745, 11 HOPE STREET, NORTHCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF I SCHIRMER, OT ERNST & V WOZNIAK

745 HNC (4585/2024)

B Minnaar

(028) 313 8900

Hermanus Administration

23 June 2026

EXECUTIVE SUMMARY

An application has been received on 19 February 2024 from WRAP Project Office on behalf of I Schirmer, OT Ernst & V Wozniak in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 745, 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 a business premises and flats (above ground floor).
- ❖ **Departure** in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to relax the south-western side building line from 3m to 0m to accommodate the storage area.

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 745, Hermanus from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 to accommodate a business premises and flats (above ground floor), **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 for a departure on Erf 745, Hermanus to relax the south-western side building line from 3m to 0m to accommodate the storage area, **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:

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- (a) that the number of flats be reduced to accommodate sufficient parking on site;
 - (b) that a revised site development plan be submitted to the Town & Spatial Planning Office which reflect the changes in point 3.(a). above, prior to the submission of building plans;
 - (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 the building plans be presented to the local heritage committee at that stage;
 - (e) 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.;
 - (f) that the access to the parking area remain open during business hours;
 - (g) that all the conditions in the Services Report be complied with;
 - (h) that the rates and tariffs be amended accordingly, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget, and
 - (i) 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.
3. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ The application is in line with the SPLUMA and LUPA Planning Principles
- ❖ 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.

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- ❖ The application will impact on the character of the area or surrounding neighbours, however sufficient setbacks have been set in place to deem the application desirable.
- ❖ That sufficient building setbacks are in place to reduce the visual impact of the proposed development along Hope Street.
- ❖ The proposal has a shortfall of 1 parking bay, therefore the number of flats must be reduced to meet the parking requirements in terms of the Scheme regulations.

1. Locality Plan ERF 745 - HERMANUS

 Subject property

Plan prepared by: Thian Jansen

Tel: 028 313 1411

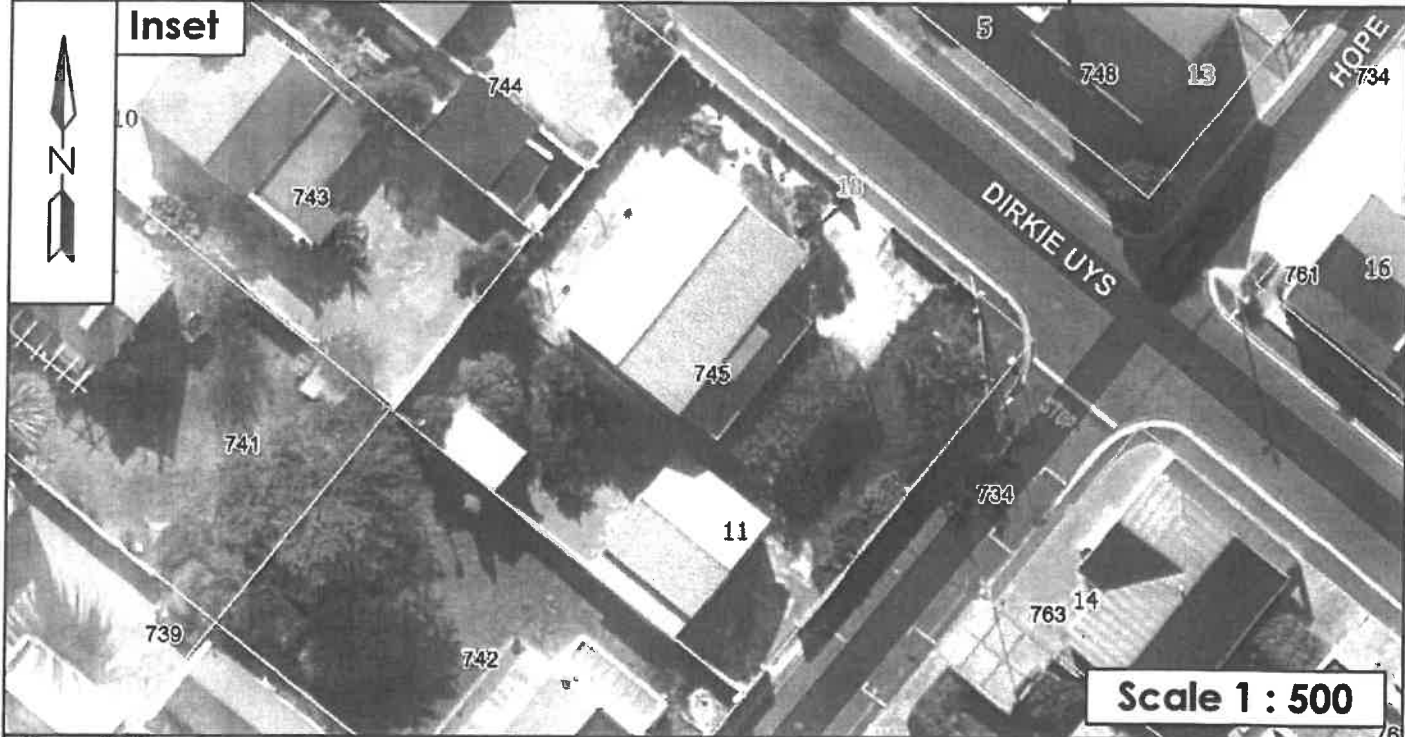
Email: admin@wrapgroup.co.za

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



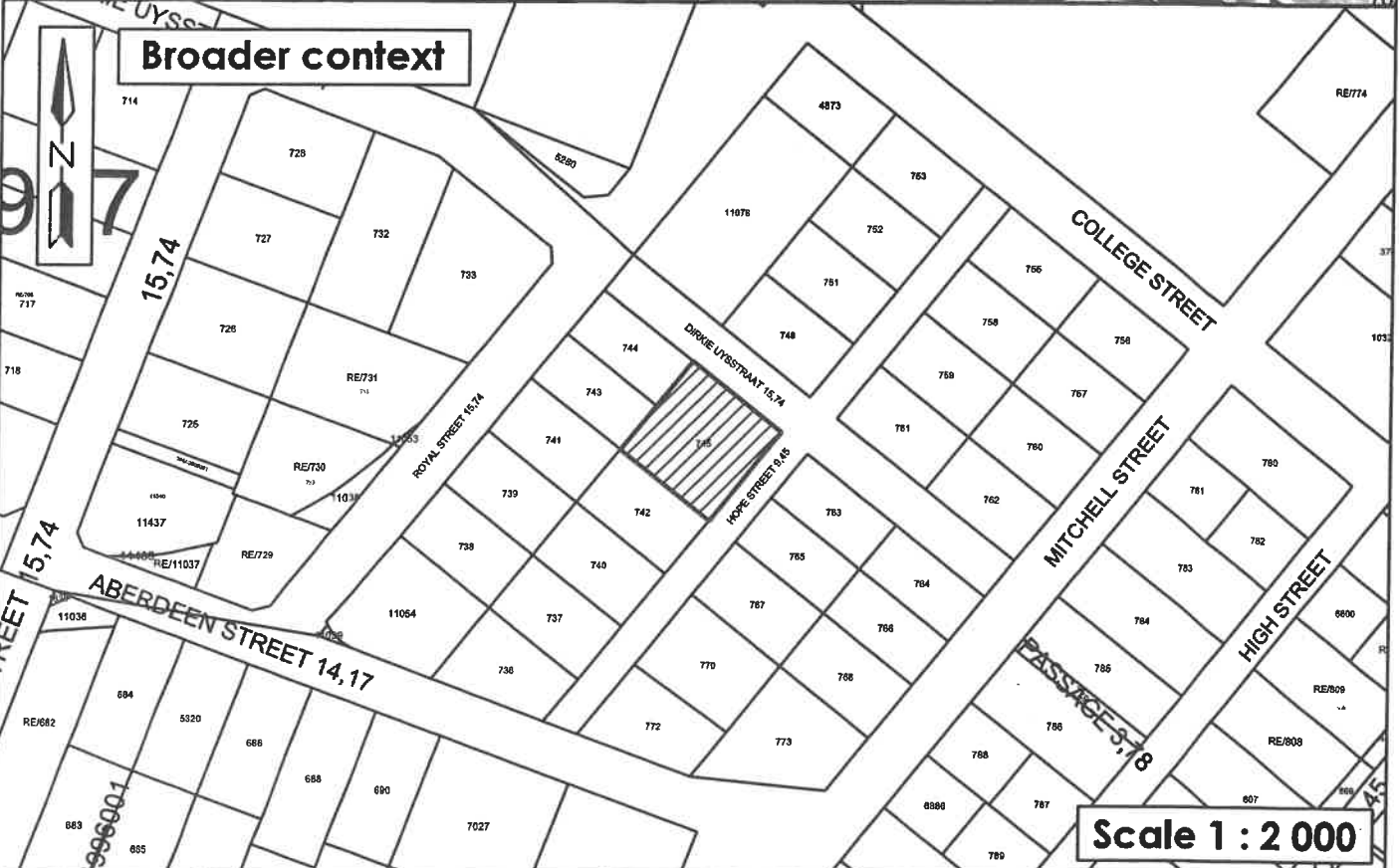
Project Office
Town Planning & Project Management

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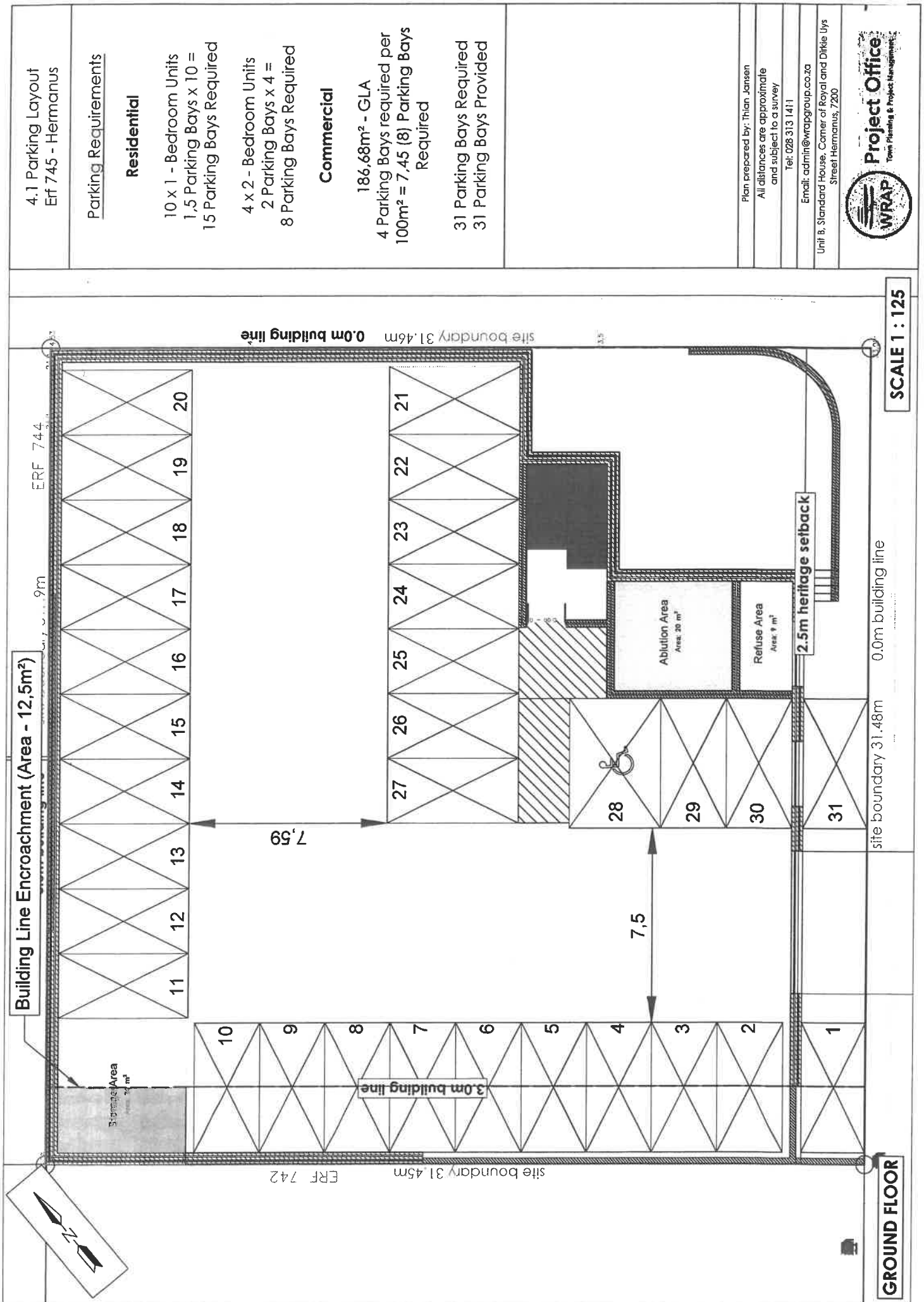


Scale 1 : 500

Broader context



Scale 1 : 2 000



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REZONING & DEPARTURE: ERF 745, NORTHCLIFF
(4485/2024)**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 27 598.00 x 6.54672	= R 180 676.38
Sewerage	R 19 725.00 x 6.54672	= R 129 134.05
Roads	R 8 845.00 x 15.265333	= R 135 021.87
Stormwater	R 10 205.00 x 0.330333	= R 3 371.05
Solid Waste	R 1 769.00 x 12.4775	= <u>R 22 072.70</u>
TOTAL (inclusive of VAT)		= <u>R 470 276.05</u>

Note that:

- a) The above figures are estimated amounts
- b) The above figures are subject to annual tariff adjustments.
- c) Overstrand Municipality's Electrical Department must be contacted regarding the bulk electricity cost.

2

2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Chief Engineer: Infrastructure Services may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Chief Engineer: Infrastructure Services to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property;
5. that a plan of all the existing services be submitted to the Chief Engineer: Infrastructure Services, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Chief Engineer: Infrastructure Services:
 - 5.1 way-leaves must be obtained from the Principal Technologist: Hermanus;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer must enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;

3

7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Chief Engineer: Infrastructure Services, prepared by an ECSA registered professional engineer/technologist, be submitted to the Chief Engineer: Infrastructure Services for his prior approval;
8. 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;
9. the Chief Engineer: Infrastructure Services to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Chief Engineer: Infrastructure Services;
10. 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
11. such independent professional civil engineer/technologist to furnish the Chief Engineer: Infrastructure Services with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for Works of Civil Engineering Construction - 2004, of 12 months, and
13. 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;
14. that a service agreement must be required by the Chief Engineer: Infrastructure Services prior to the approval of any service plans;
15. that the developer provides bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
16. that the developer apply for a bulk water connection on the prescribed application form, at Overstrand Municipality's Finance Department and
17. that the installation of the bulk water meter, by the developer, be done under the supervision of the Principal Technologist: Hermanus;

4

18. that each residential erf or unit be provided with individual water and sewer connections which comply with the standards of the Department: Operational Services (Hermanus).
19. that the water reticulation be provided/upgraded according to the report prepared by GLS consulting engineers and/or the Overstrand Sewer Master Plan and Water Master Plan.
20. that the Body Corporate or Homeowners Association be responsible for the operational costs and maintenance of private street lighting, electrical reticulation and metering and all internal engineering services;
21. That the Body Corporate or Homeowners' Association will be responsible for the management and maintenance of any open space, access gate, guard house and refuse area;
22. that only the standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
23. that the developer appoints a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;
24. that the electricity reticulation and supply be provided according to the master plan, by the developer and that transfer can only proceed once electricity is available;
25. 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*;
26. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided with the following:
 - a) properly ventilated,
 - b) a cement floor,
 - c) a tap and running water, as well as a drainage point which is connected to the sewer network,
 - d) in a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Chief Engineer: Infrastructure Services;
27. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Chief Engineer: Infrastructure Services;

5

28. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded, be submitted to the Chief Engineer: Infrastructure Services for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Chief Engineer: Infrastructure Services;
29. that the approved stormwater management plan include the following:
- a) pre-development run-off from the catchment area;
 - b) post-development run-off from catchment area;
 - c) existing stormwater reticulation system and the capacity thereof;
 - d) connection of internal stormwater reticulation system;
 - e) overland escape routes;
30. that the connection to the stormwater reticulation system be provided according to the approved stormwater management plan by, the developer;
31. that a minimum stacking space/distance of at least 6,0 m (in front of the gate or boom) be provided for the access point in the Hope Street. No vehicular access will be allowed to or from Dirkie Uys Street
32. 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;
33. that any damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.
34. that all the parking requirements from the 2020 Overstrand Land Use Scheme be complied with.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL



DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

5. ERF 268, 1 QUEEN VICTORIA STREET AND ERF 591, 3 QUEEN VICTORIA STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF THE PARO TRUST

268 & 591 STAN (5182/2026)

P Roux

(028) 313 8900

Hermanus Administration

26 June 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) was received on 23 March 2026 from Messrs PlanActive Town and Regional Planners on behalf of the property owner for the following:

- ❖ **Consolidation** in terms of Section 16(2)(e) of the By-Law to consolidate Erven 268 and 591, Stanford to create one erf approximately 1896m² in extent.

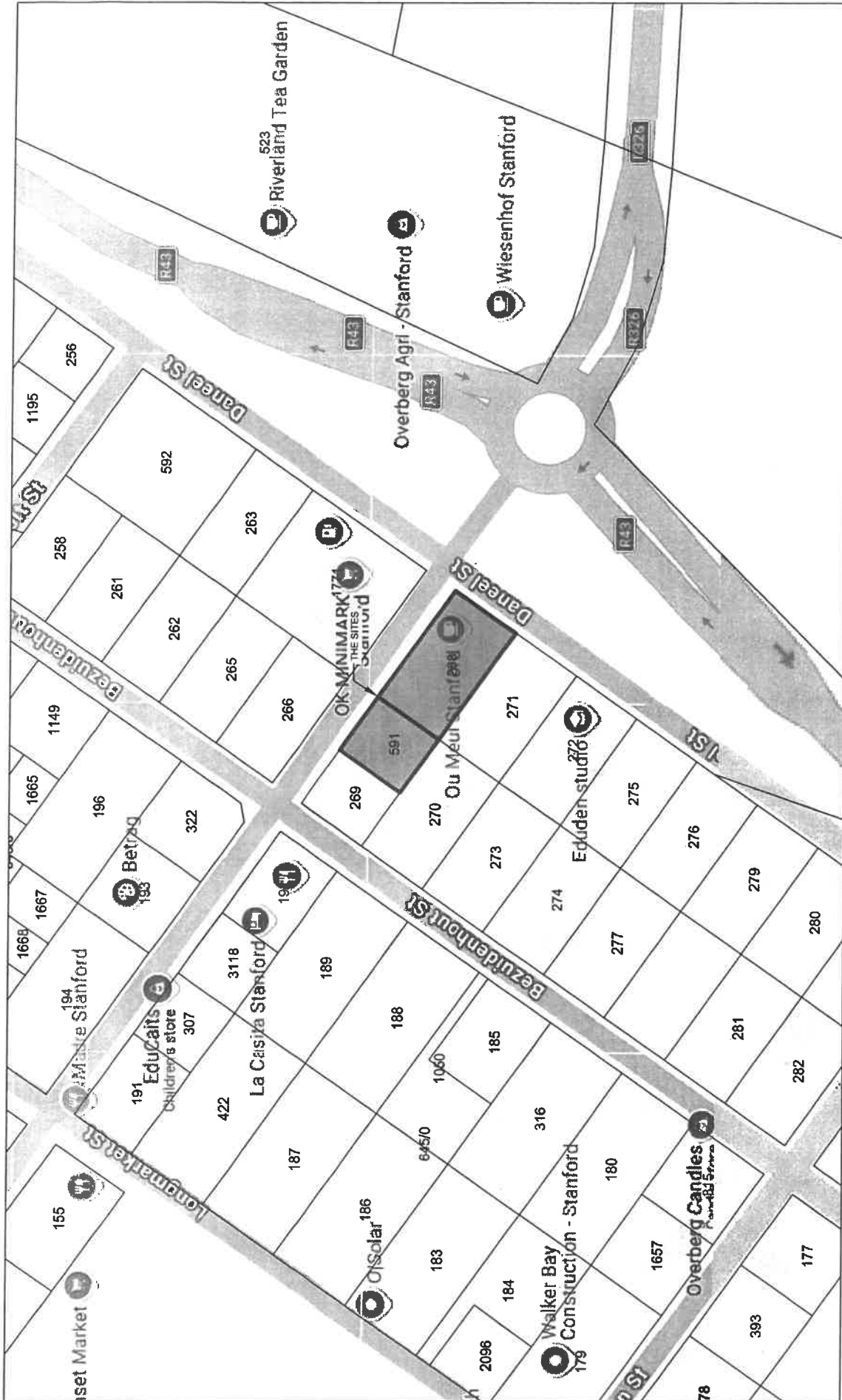
RESOLUTION

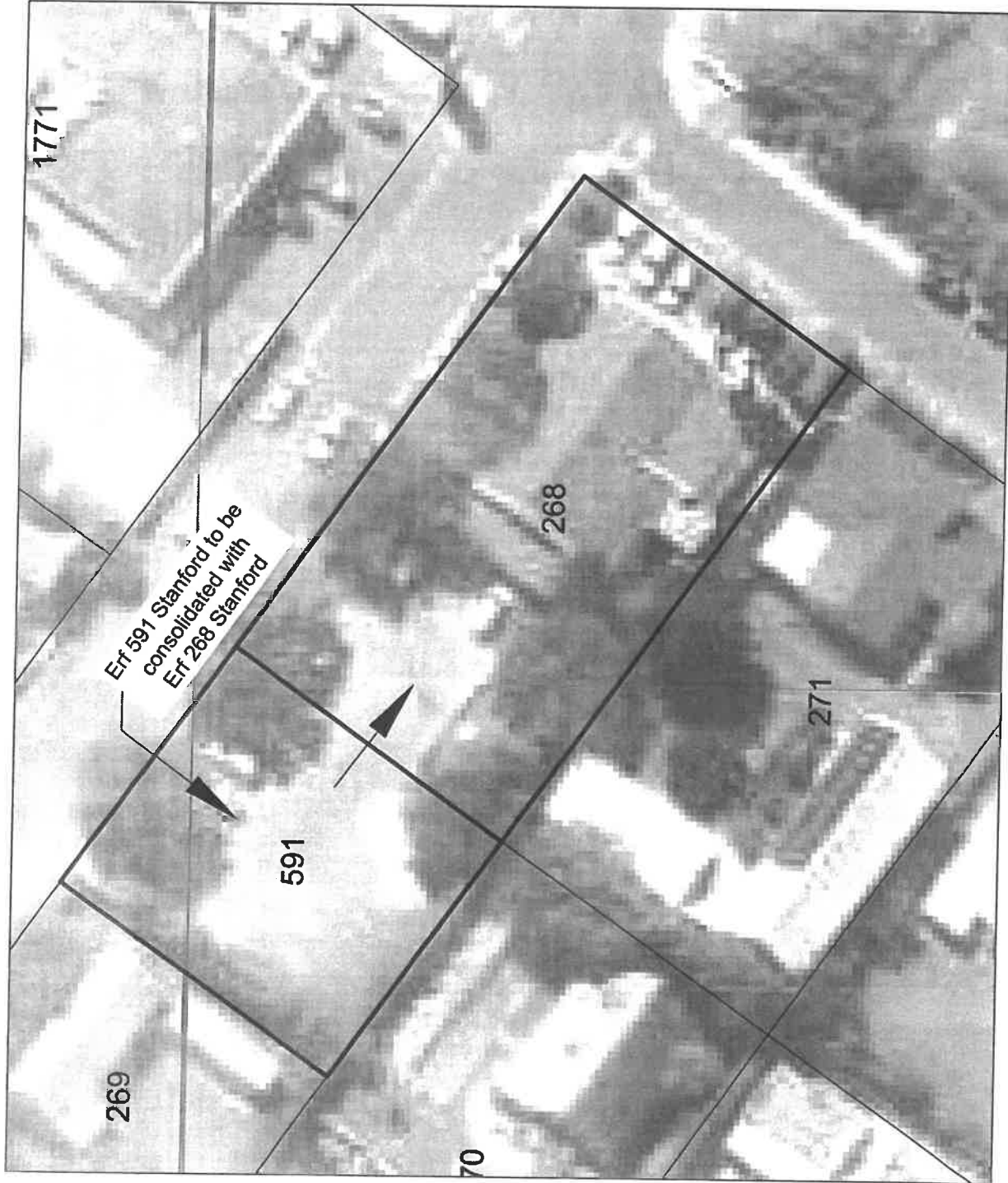
1. that the application for **consolidation** in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) to consolidate Erf 268 (1264m²) and Erf 591 (632m²), Stanford to create one erf approximately 1896m² in extent, **be approved** in terms of the provisions of Section 61 of the By-Law;
 - (a) that the approval is only for the consolidation as indicated on drawing number 5/26/2026 - *REV B and Stanford 268.dwg*, as submitted with the application;
 - (b) that parking bays be hard surfaced and that such surfacing be indicated on future building plans;
 - (c) that building plans be submitted for any new construction work and that the Building Department and Fire Department's comments be complied with at that stage, and
 - (d) that the conditions in the Services Report 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
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

REASONS FOR RESOLUTION

- ❖ No additional services required.
- ❖ The restaurant itself is very successful and adds to Stanford's tourism attractions.
- ❖ Given the location of the restaurant and erven which is situated in Queen Victoria Street the consolidation of the erven and the further development of the restaurant is considered desirable.
- ❖ 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.





NOTES:

Proposed Consolidation:
Erf 591 Stanford = 632m²
Erf 268 Stanford = 1264m²

Total Size of consolidated erven = 1896m²

30



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSOLIDATION: ERF 268 & ERF 591, STANFORD
(5182/2026)**

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

Conditions:

1. that the existing sewer connection(s) be used to service the proposed consolidated development;
2. that the water connections to the erven must be consolidated to one connection and that one water meter be allowed/ registered;
3. that the electricity connections to the erven must be consolidated to one connection and that one electricity meter be allowed/ registered;
4. that should additional electrical capacity be required, an investigation be conducted, regarding the capacity required and that available, at the owner's cost;
5. that electrical submetering for second/additional dwelling(s) remains the responsibility of the developer/owner;
6. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
7. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the Principal Technologist: Engineering Services-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

07/09/2026
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

6. ERF 2072, 49 FIFTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF MARINA STALS TRUST

2072 HVK (5183/2026)

P Roux

(028) 313 8900

Hermanus Administration

02 July 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 17 February 2026 (revised on 10 March 2026) from Messrs PlanActive on behalf of the property owner on Erf 2072, Voëlklip, Hermanus for the following:

❖ **Departure** in terms of Section 16(2)(b) of the By-Law, to relax the following:

- western lateral building line from 2m to 1,336m to accommodate the proposed addition to the existing outbuilding (storeroom and ancillary staff facilities);
- deviate from the permissible height restriction applicable to outbuildings encroaching building lines from 3m to 4,073m and 4,028m respectively;
- eastern lateral building line from 2m to 1,258m to accommodate a new window for the scullery on ground floor;
- eastern lateral building line from 2m to 1,258m to accommodate a first-floor addition to the existing dwelling (open-plan lounge and dining area with an indoor braai), and
- western lateral building line from 2m to 0,3m to accommodate the conversion of the existing shade port to a carport and proposed carport extension.

RESOLUTION

1. that the application for **departure** in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 2072, Voëlklip, Hermanus in order to:
 - relax the western lateral building line from 2m to 1,336m to accommodate the proposed addition to the existing outbuilding (storeroom and ancillary staff facilities);

**AGENDA of the
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20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- deviate from the permissible height restriction applicable to outbuildings encroaching building lines from 3m to 4,073m and 4,028m respectively;
- relax the eastern lateral building line from 2m to 1,258m to accommodate a new window for the scullery on ground floor;
- relax the eastern lateral building line from 2m to 1,258m to accommodate a first-floor addition to the existing dwelling (open-plan lounge and dining area with an indoor braai), and
- relax the western lateral building line from 2m to 0,3m to accommodate the conversion of the existing shadeport to a carport and proposed carport extension,

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

- (a) that the approval is only for the encroachment as indicated on Plan number *MST-03 Rev D2* as submitted with the application;
 - (b) that the pergola which encroaches upon the eastern building line did not form part of the motivation and that the proposed building plan be revised and the pergola lowered;
 - (c) that building plans be submitted to the Building Control Department and that all conditions of the Building and Fire Departments be complied with at that stage;
 - (d) that all the conditions in the Services Report 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

- ❖ No objections were received against the application.
- ❖ The existing building typology and design is in line with the character of the area.
- ❖ The alteration to the existing structures is considered minor and will have no additional impact on the adjacent property owners.
- ❖ The changes indicated for the street facing pergola did not form part of the original building plan proposal and was changed with the submission of the revised proposal. The changes to the pergola was not discussed in the motivation.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE: ERF 2072, VOELKLIP (5183/2026)**

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

Conditions:

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



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

28-04-2026
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

**7. ERF 634, 13 STEENBOK STREET, VAN DYKSBAAI, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE PENALTY: FUTURE PLAN
TOWN AND REGIONAL PLANNERS ON BEHALF OF TF MILLS**

634 GKB (5124/2025)

SW van der Merwe

(028) 313 8900

Hermanus Administration

02 July 2025

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 31 October 2025 (revised on 16 February 2026) from Messrs Future Plan Town and Regional Planners on behalf of the property owner on Erf 634, Van Dyksbaai for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the 8m height restriction to 8.575m and 9.45m to accommodate the existing braai / entertainment room and chimney, and
 - relax the width of the chimney above the height restriction from 1m to 1,6m.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

RESOLUTION

1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), applicable to Erf 634 Van Dyksbaai to relax the 8m height restriction to 8,575m and 9,45m to accommodate the existing braai / entertainment room and chimney, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the application for **departure** in terms of Section 16(2)(b) of the By-Law, applicable to Erf 634 Van Dyksbaai to relax the width of the chimney above the height restriction from 1m to 1,6m, **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the **determination of an administrative penalty** in terms of Section 90.(4) of the By-Law applicable to Erf 634, Van Dyksbaai to accommodate the existing braai / entertainment room and chimney, **not be exempt** from the payment of an administrative penalty;

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

4. that the recommendation under paragraphs 1. to 3. above is subject to the following conditions:
 - (a) that the approvals are for the as-built structure as per the height certificate provided by Geomatics Professional Land Surveyors dated November 2023;
 - (b) that building plans in line with this recommendation be submitted to the Building Control Department and that all conditions of the Building- and Fire Department be complied with at that stage;
 - (c) that an administrative penalty of **R13 981,05** be payable within sixty (60) days of the decision;
 - (d) that all the conditions in the Services Report be complied with;
5. that the applicant notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions.

REASONS FOR RESOLUTION

- ❖ The building typology and design is in line with the character of the area.
- ❖ The extent of the encroachment small and will not have a negatively impact on the surrounding property owners.
- ❖ No objection was raised against the proposal.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



Locality Plan

 FUTURE PLAN TOWN AND REGIONAL PLANNING	
Project Title	
Erf 634, Kleinbaai	
Client Name	
T F Mills	
Street Address	
13 Steenbok Street, Van Dyks Bay, 7220	
Property Particulars	
Erf Numbers	160
Area	Van Dyks Bay
Extent	672m ²
	

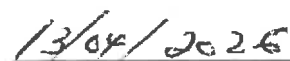
**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR
APPLICATION FOR DEPARTURE & DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 634, VAN DYKSBAAI (5124/2025)**

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

Conditions:

1. that the existing water connection to- and sewer conservancy tank on Erf 634 shall be used to service Erf 634;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Gansbaai for written approval;
5. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
6. that any additional and / or extended vehicle entrances will be for the developer's account;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL


DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

8. ERF 4046, 56 GLADIOULUS CRESCENT, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE, RELAXATION OF TITLE DEED AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: B BRUWER ON BEHALF OF SKIPSKOP CHALETS PTY LTD

4046 KBB (4925/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

24 June 2026

EXECUTIVE SUMMARY

An application has been received on 5 March 2025 from B Bruwer on Erf 4046, Betty's Bay in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to relax the street building line from 4m to 0,356m to accommodate the replacement of the roof covering over the braai area.
- ❖ **Relaxation** of Clause B.6.(b) of Title Deed No T033131/2022 to relax the street building line from 5m to 0,356m to accommodate the replacement of the roof covering over the braai area.
- ❖ **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 over the braai area.

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 4046, Betty's Bay for a departure to relax the street building line from 4m to 0,356m to accommodate the replacement of the roof covering of the braai area, **be approved**, in terms of Section 61 of the By-Law;
2. that the application in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4046, Betty's Bay for the **relaxation** of restrictive title deed condition B.6.(b) of Title Deed No. T1033131/2022 to relax the street building line from 5m to 0,356m to accommodate the replacement of the roof covering over the braai area, **be approved**, in terms of Section 61 of the By-Law;
3. that the approvals in Points 1-2 above, be subject to the following conditions:

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- (a) that this approval is only for the development as indicated on the plan numbers 25/01/Rev0.1- Rev 03, 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, and
 - (d) that all the conditions in the Services Report be complied with.
4. that the determination of an administrative penalty in terms of Section 90.(4) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 4046, Betty's Bay for the unauthorized building work over the braai area, **be imposed**, and that an administration penalty fee of **R2705-00** be payable within sixty (60) days of the final decision.
 5. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

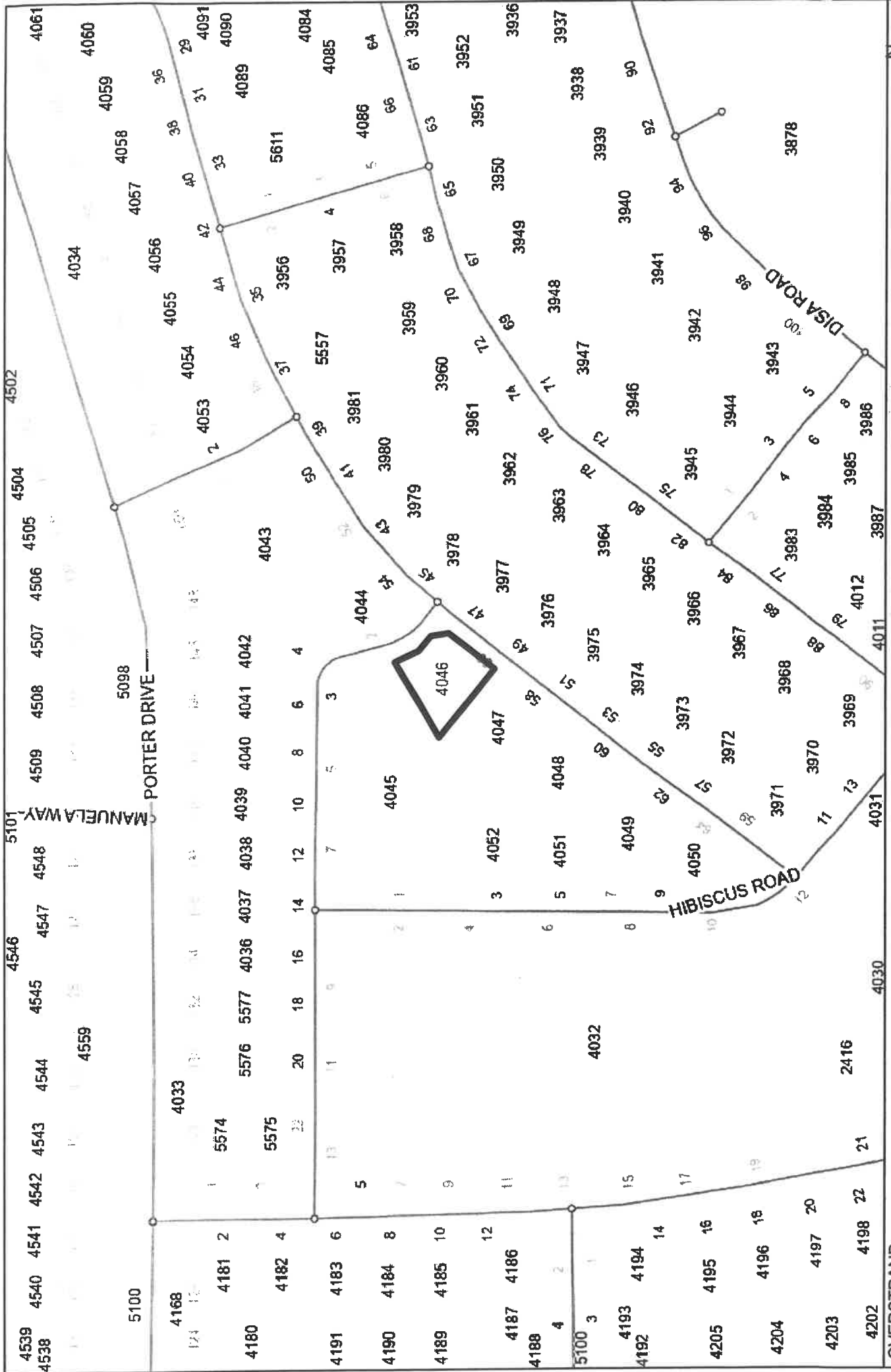
REASONS FOR RESOLUTION

POINT 1-2

- The erf has approved building plans.
- All relevant municipal divisions support the application.
- The application will have little impact on the surrounding area.

POINT 4

- The owner remains responsible for any illegal building work when purchased.
- The 1% determination is due to the illegal structure that was noted by the Building Inspector in 2012, but no notices were issued or any follow up pertaining the illegal roof over the approved braai area.



OVERSTAND

MUNICIPALITY

Locality Map

Erf 4046, 56 Gladiolus Crescent, Betty's Bay

Date: 2025/03/07

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE RELAXATION OF TITLE DEED &
DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 4046,
BETTY'S BAY (4925/2025)**

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

26/08/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

9. ERF 4145, 5 WALLERS ROAD, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLATINUM TOWN & REGIONAL PLANNERS CC ON BEHALF OF HC & MM SWART

4145 KBB (4941/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

23 June 2026

EXECUTIVE SUMMARY

An application has been received on 25 March 2025 from Platinum Town & Regional Planners CC on Erf 4145, Bettys Bay in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for the following:

- ❖ **Temporary Departure** in terms of Section 16(2)(c) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to accommodate a dog grooming parlour from the existing double garage.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 to accommodate the unauthorised land use as stipulated above.

RESOLUTION

1. that the application in terms of Section 16(2)(c) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 4145, Betty's Bay to accommodate a dog grooming parlour from the existing double garage, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the dog grooming parlour for a period of five (5) years;
 - (b) that the operational and management of the dog grooming parlour be as indicated in the motivation report;
 - (c) that the temporary departure for the dog grooming parlour not be transferable;
 - (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 and District Health be complied with at that stage, and
 - (e) that there be compliance with all relevant Health and Fire Regulations.

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

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 4145, Betty's Bay for unauthorised land use above, **be imposed**, and that an administration penalty fee of **R1386-00** be payable within thirty (30) days of the final decision.
3. that the applicant be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ Support letters were received from affected neighbours.
- ❖ Will not jeopardize the character of area.
- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ No additional services are required.
- ❖ No major building work to be done as structure already exists.
- ❖ A minimal penalty of 10% imposed due to the non-compliance of the notice issued.
- ❖ The activity has not been stopped and continues.

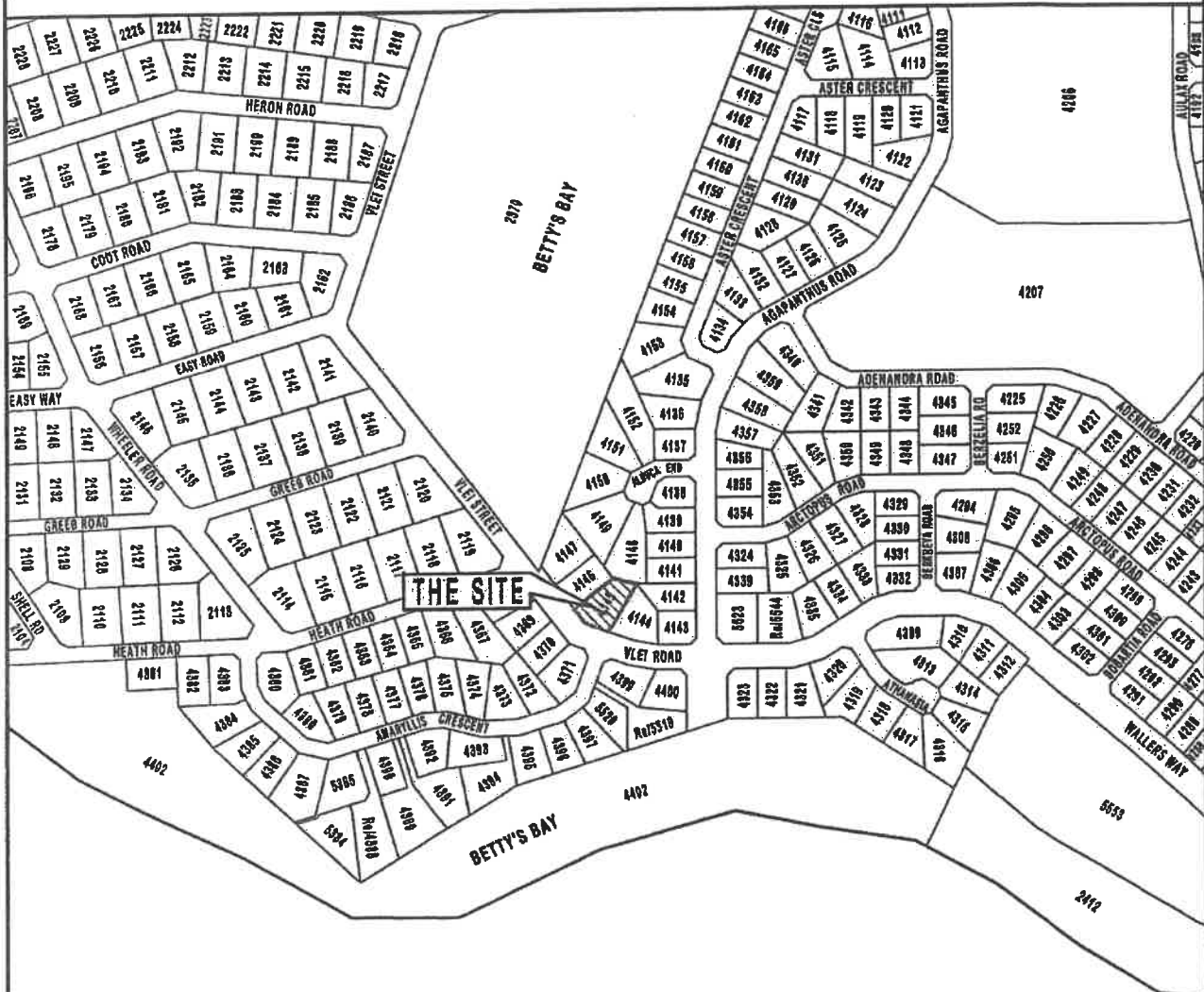
ANNEXURE C

LOCALITY MAP

ERF 4145, BETTY'S BAY



SCALE: 1 : 5 000



ATLANTIC OCEAN

REFERENCE



THE APPLICATION

Overstrand Office:
52 Seaview Drive,
BETTY'S BAY
Cell : 072 184 9821
Email : amund@vodamail.co.za

Platinum
TOWN PLANNERS

Pretoria Office:
61 Woodlands Avenue,
PECANWOOD
Cell : 089 226 1816
Email : dehena@telkomnet.net

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 4145, BETTY'S BAY (4941/2025)**

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

22/07/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

10.ERF 8302, 56 ALOE STREET, KLEINMOND, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: COMPROP DESIGNS (LATE JW SCHAAP) ON BEHALF OF MS JOLIN

8302 KKM (4966/2025)

H van der Stoep

(028) 313 8900

Hermanus Administration

25 June 2026

EXECUTIVE SUMMARY

An application has been received on 3 June 2025 from Comprop Designs (Late JW Schaap) on behalf of MS Jolin on Erf 8302, Kleinmond in terms of Section 16.(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 for a departure to relax the street building line 2m and the lateral building line from 1m to 0m to accommodate a proposed new carport.

RESOLUTION

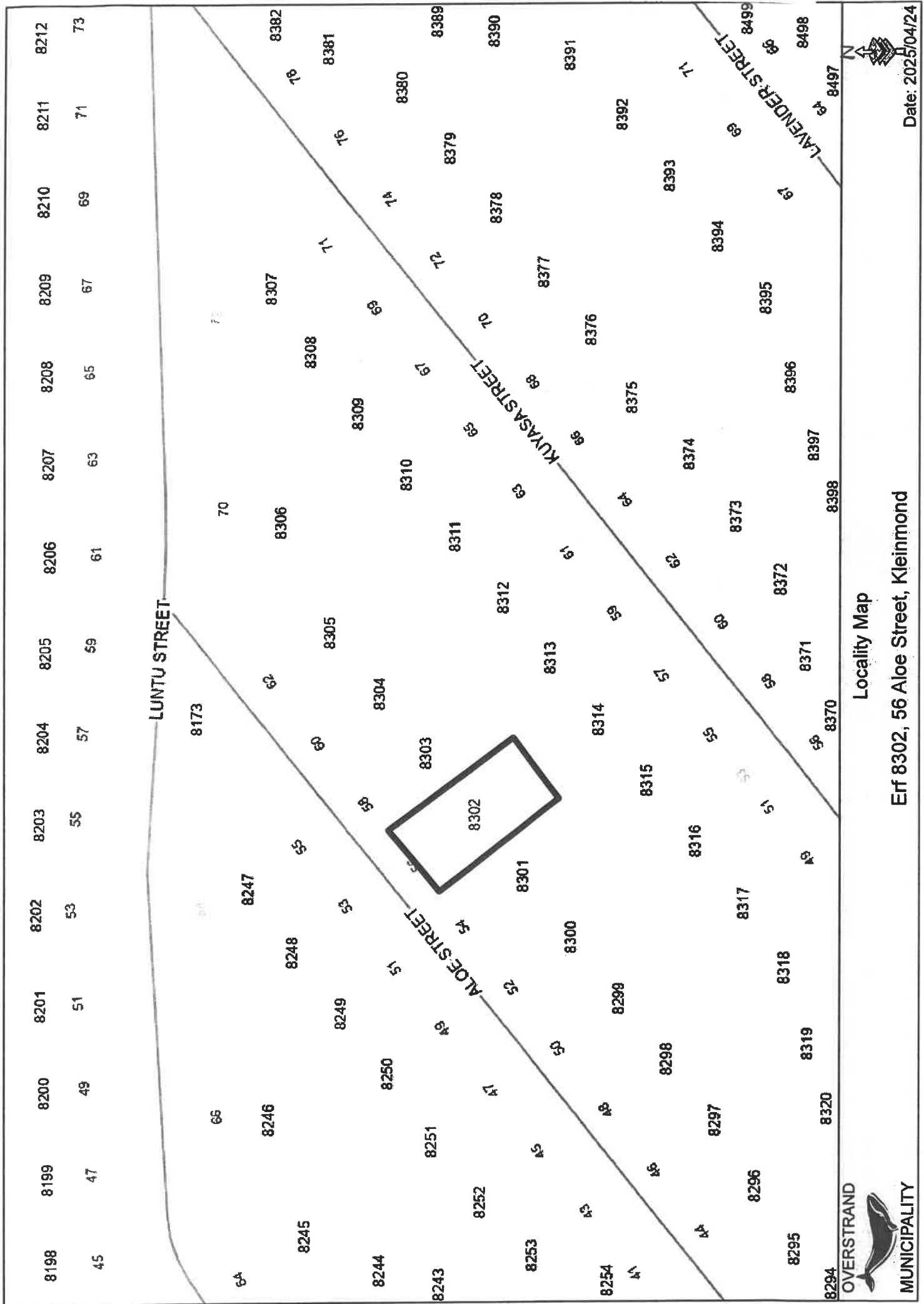
1. that the application in terms of Section 16.(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 8302, Kleinmond for a departure to relax the street building line 2m and the lateral building line from 1m to 0m to accommodate a proposed new carport, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval is only for the development as indicated on plan number P210609 J (1-3) dated 30 June 2021, 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, and
 - (d) that all the conditions in the Services Report be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ No objection from surrounding owners.

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



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE: ERF 8302, KLEINMOND (4966/2025)**

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

Conditions:

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


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

25/08/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

11. ERF 802, 36 DU TOIT STREET, FRANSKRAAL, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: JLR & ASSOCIATES ON BEHALF OF DS AND ASE KOEN

802 GFK (5088/2025)

SW van der Merwe

(028) 313 8900

Hermanus Administration

6 July 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), has been received on 15 January 2026 from JLR & Associates on behalf of DS and ASE Koen, owners of Erf 802, Franskraal for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to encroach the southeastern lateral building line from 2m to 1,86m to accommodate the existing dwelling, and
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the existing dwelling.

RESOLUTION

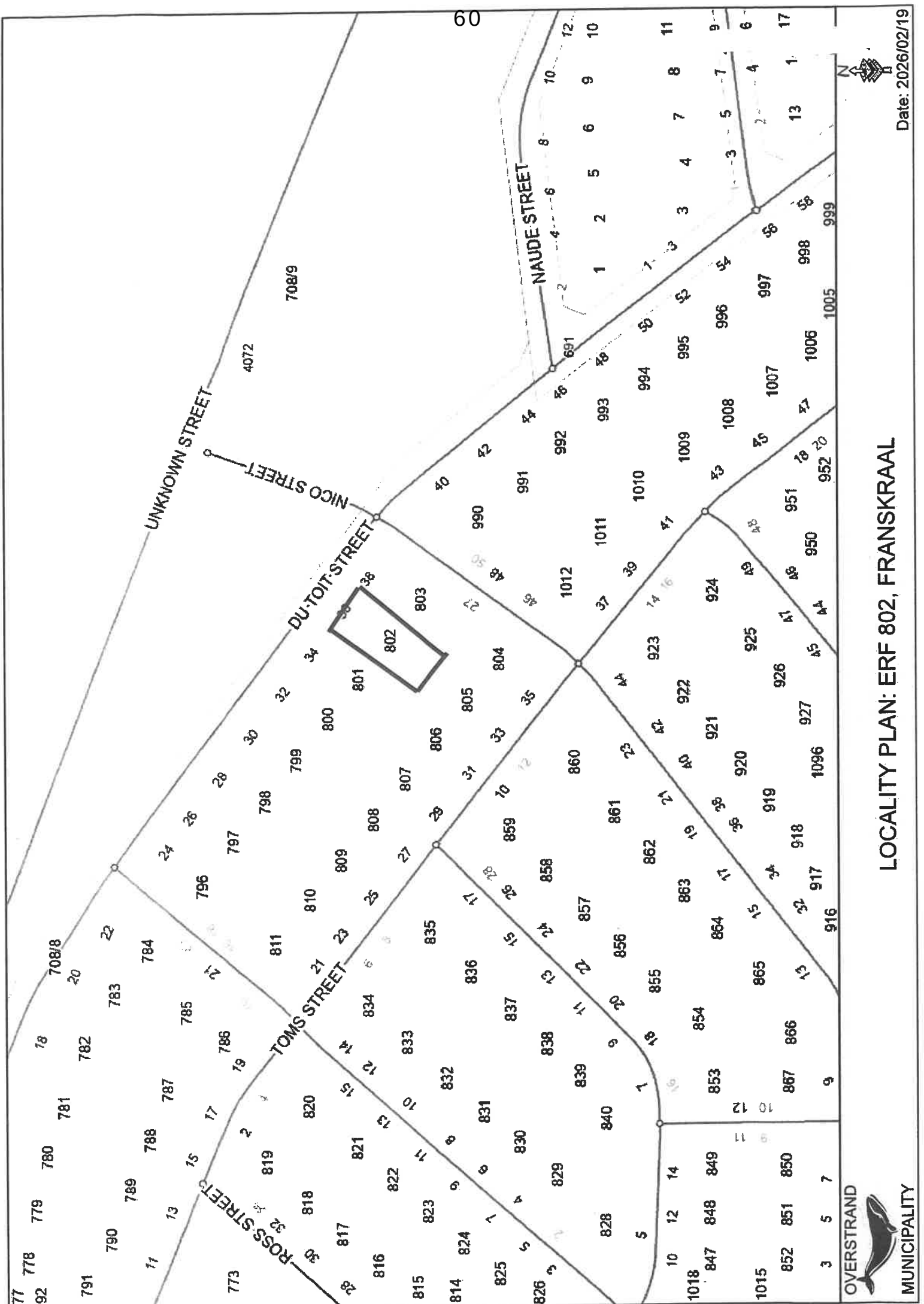
1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 802, Franskraal to encroach the southeastern lateral building line from 2m to 1,86m to accommodate the existing dwelling, **be approved** in terms of the provisions of Section 61 of the By-Law;
2. that the **determination of an administrative penalty** in terms of Section 90.(4) of the By-Law applicable to Erf 802, Franskraal to accommodate the existing dwelling, **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 development be limited to the encroachments indicated on the Site Development Plan, as submitted with the application;

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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- (b) that building plans be submitted to the Building Control Office within sixty (60) days of the final decision, and all comments from the Fire Department be complied with at that stage;
 - (c) that an administrative penalty of **R205.12** be payable within sixty (60) days of the final decision;
 - (d) that the conditions in the Services Report be complied with, and
 - (e) that all the conditions of Tekom be adhered to;
4. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

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



COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 802, FRANSKRAAL (5088/2025)

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

Conditions:

1. that the existing water connection to- and sewer conservancy tank on Erf 802 shall be used to service Erf 802;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the developer's cost;
3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 140400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Gansbaai for written approval;
5. that the on-site parking facilities are provided as per the Planning Schedule, and to the satisfaction of the Department: Operational Services;
6. that any additional and / or extended vehicle entrances will be for the developer's account;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

17/03/2020
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

**12.ERF 669, 86 JAN VAN RIEBEEK CRESCENT, SANDBAAI, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS MBPLAN
TOWN PLANNING ON BEHALF OF DG AND M DIPPENAAR**

669 HSB (4686/2024)

B Minnaar

(028) 313 8900

Hermanus Administration

23 June 2026

EXECUTIVE SUMMARY

An application has been received on 3 June 2024 from Messrs MBPLAN Town- Planning on behalf of DG and M Dippenaar in terms of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Erf 669, Sandbaai for the following:

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

- relax the southern lateral building line from 2m to 0m to accommodate the existing outdoor shower, outdoor braai and table;
- relax the southern lateral building line from 2m to 1m to accommodate the existing pantry;
- relax the southern lateral building line from 2m to 1.3m to accommodate the existing storeroom;
- relax the southern lateral building line from 2m to 0.5m to accommodate the existing garden shed;
- relax the western lateral building line from 2m to 0.5m to accommodate the existing garden shed;
- relax the northern lateral building line from 2m to 0m to accommodate the braai room; and
- relax the southern lateral boundary wall height from 2.1m to 2.2m and 2.3m respectively to accommodate the increased wall height along the outdoor shower.

❖ **Determination of an administrative penalty**

Application in terms of Section 16(2)(q) of the By-Law for the determination of an administrative penalty.

RESOLUTION

1. that the application for **departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 applicable to Erf 669, Sandbaai, **be partially approved** as follows:

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- (a) that the departures as follows:
 - (i) to relax the southern lateral building line from 2m to 1m to accommodate the existing pantry;
 - (ii) to relax the southern lateral building line from 2m to 1.3m to accommodate the existing storeroom, and
 - (iii) to relax the northern lateral building line from 2m to 0m to accommodate the braai room.

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

- (b) that the departures as follows:
 - (i) to relax the southern lateral building line from 2m to 0m to accommodate the existing outdoor shower, outdoor braai and table;
 - (ii) to relax the southern lateral building line from 2m to 0.5m to accommodate the existing garden shed;
 - (iii) to relax the western lateral building line from 2m to 0.5m to accommodate the existing garden shed, and
 - (iv) to relax the southern lateral boundary wall height from 2.1m to 2.2m and 2.3m respectively to accommodate the increased wall height along the outdoor shower.

not 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) the water tank must be relocated to comply with the applicable building line parameters;
 - (b) the garage doors at the 'new living room' must be removed;
 - (c) the staff quarters/room adjacent to the living room must be converted into a bedroom;
 - (d) the storeroom adjacent to the living room must be enclosed;
 - (e) that a revised site plan be submitted at building plan stage to reflect the approval in decision points 1. and 2.(a-d). above;
 - (f) the braai room may not be converted into a second dwelling;
 - (g) 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;

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- (h) that all the conditions in the Services Report must be complied with;
3. 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 669, Sandbaai to accommodate the unauthorised building work, **be imposed**, and that an administrative penalty fee of **R13 189.94** be payable within ninety (90) days of this decision; and
 4. that the applicant be notified of its right to appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above approvals.

REASONS FOR RESOLUTION

Reason for recommendation of points 1(a)

- ❖ The application has followed due procedure.
- ❖ No objections or complaints were received during or before the public participation process.
- ❖ The additions are of a normal residential nature that is situated on residential properties, which improves the functionality of the property to the benefit of the property owner.
- ❖ That the 1m fire safety access around the dwelling must be maintained in cases of fire safety.
- ❖ That no windows, doors or openings are located closer than 1m from erf boundary.
- ❖ It is supported by the Engineering Department.
- ❖ All structures already exist on the property, and no further building work is proposed.
- ❖ The encroachments are of a normal residential nature which improves the liveability of the property.

Reason for recommendation of points 1(b)

- ❖ The garden shed restricts the movement around the property in cases of emergency (1m access required). There is sufficient space at the rear of the property where a garden shed can be developed which does not encroach the applicable building line parameters.
- ❖ The outdoor braai, outdoor shower and preparation area/table will negatively impact on the adjacent property owners in terms of views, privacy and nuisance.
- ❖ The outdoor braai, outdoor shower and preparation area/table will lead to the inaccessibility of the property in cases of fire hazards and safety.
- ❖ The structures were constructed without prior municipal approval or consistency with the development parameters in terms of the Scheme regulations with no regard for the impact on the surrounding property owners.

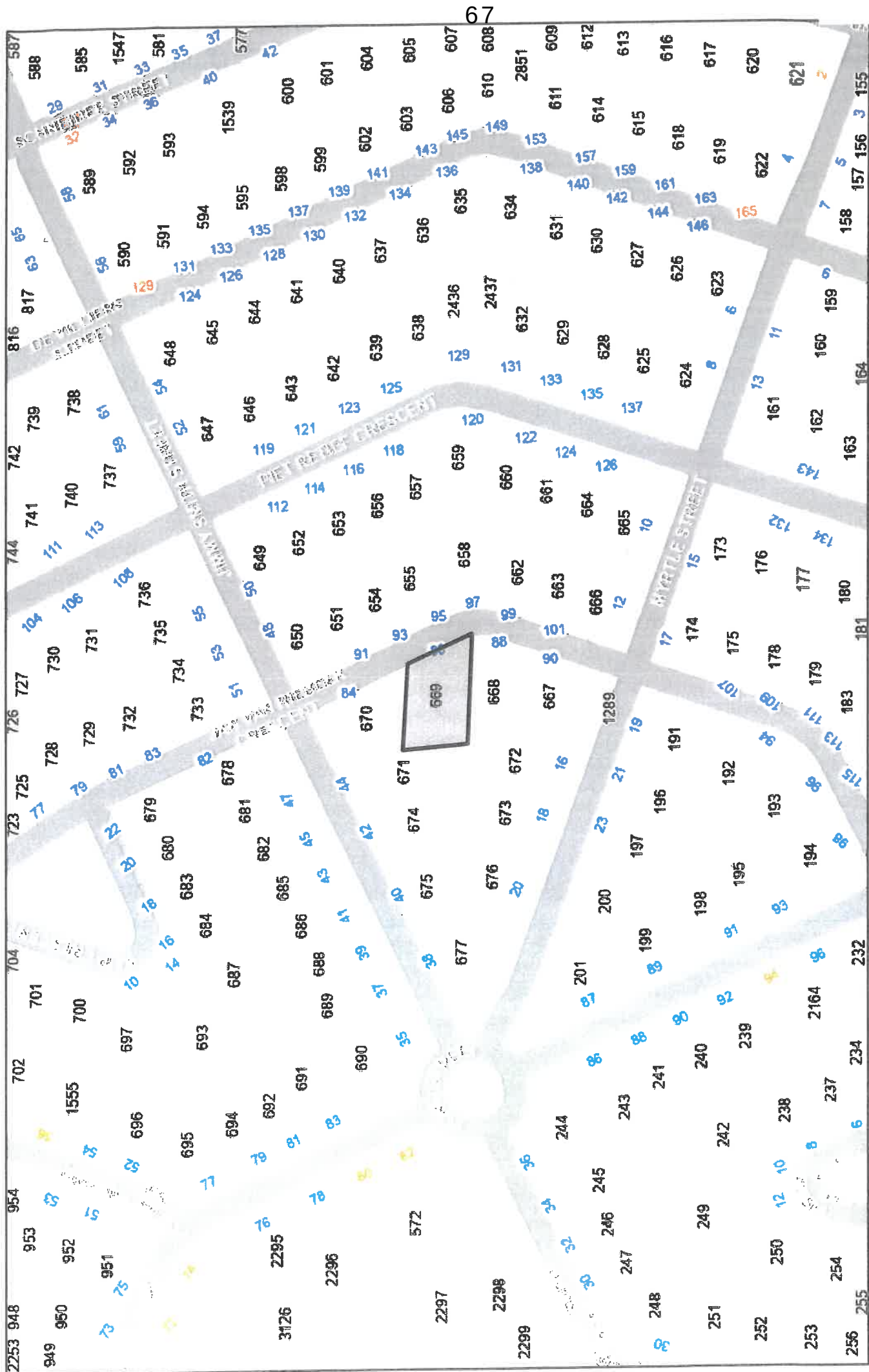
**AGENDA of the
Portfolio Committee : Planning & Development
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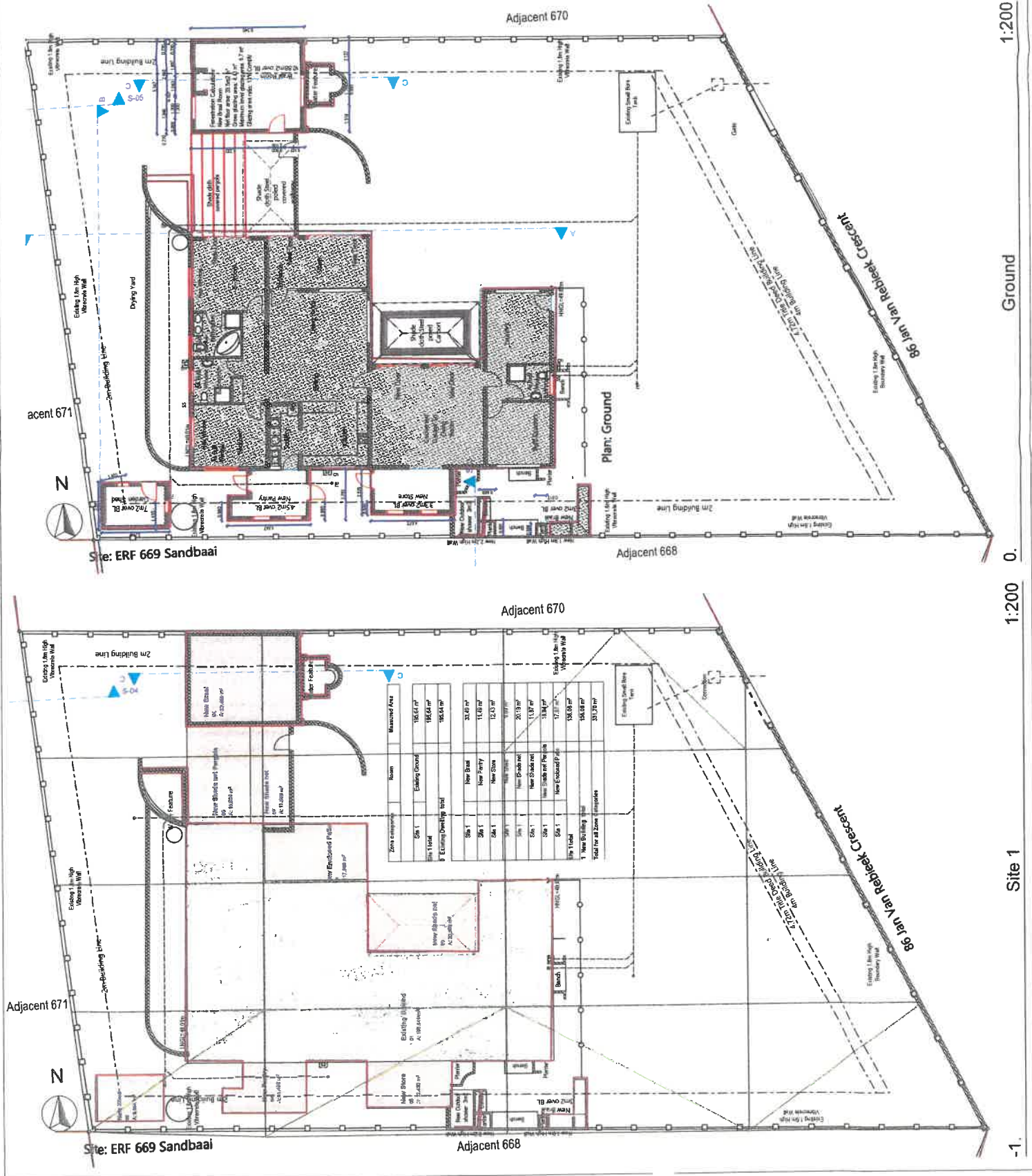
Reason for recommendation of point 2

- ❖ The applicant did not apply for the encroachment of the water tank. Furthermore, the current position of the water tank will restrict movement around the dwelling in cases of fire safety.
- ❖ The conversion of the garage into a living room results in the dwelling becoming inter-leading therefore the staff quarters must be converted into a bedroom.
- ❖ Due to the garage not functioning as a structure used to house motor vehicles, the garage doors must be removed.
- ❖ The storeroom must be separate from the living room to reduce the negative impacts of privacy and nuisance. Therefore, the storeroom must be enclosed.
- ❖ A revised site plan be submitted in order to reflect the recommendations points 1(a) and 1(b).
- ❖ The title deed applicable, restricts the property to one dwelling unit.

Reason for recommendation of point 3

- ❖ 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. Therefore, an administrative penalty of 5% be imposed.





**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 669, SANDBAAI (4686/2024)**

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**

31/10/2024
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

13.REMAINDER ERF 2834, (UNREGISTERED ERF 44 WHICH FORMS PART OF UNREGISTERED ERVEN 2868-2871, 3060-3082 & 3087), SANDBAAI, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR TEMPORARY DEPARTURE: INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF DE ZANDT DEVELOPMENT (PTY) LTD

RE-2834 HSB (5154/2026)

B Minnaar

(028) 313 8900

Hermanus Administration

10 June 2026

EXECUTIVE SUMMARY

An application has been received on 22 December 2025 from InterActive Town & Regional Planning on behalf of De Zandt Pty Ltd on Remainder Erf 2834, Sandbaai, Hermanus in terms of Section 16.(2)(c) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a **Temporary Departure** to accommodate a sales office and club house on Unregistered Erf 44 for a three (3) year period.

RESOLUTION

1. that the application in terms of Section 16.(2)(c) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder Erf 2834, (Unregistered Erf 44 which forms part of Unregistered Erven 2868-2871, 3060-3082 & 3087), Sandbaai, Hermanus for a **Temporary Departure** to accommodate a sales office and club house on Portion 44 for a three (3) year period, **be approved**, in terms of Section 61 of the By-Law, subject to the following conditions:
 - (a) that this approval only relates to the utilisation of the existing building on Portion 44 with a GLA of 63m²;
 - (b) that once the three (3) year period has lapsed, the building revert to be used as a town house as per the approval dated 31 March 2026;
 - (c) that the development parameters as per the approval dated 31 March 2026 be retained on the property;
 - (d) 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;
 - (e) that any change in the parking layout requires the submission of a building plan at that stage, and

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- (f) that all the conditions in the Services Report be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decisions.

REASONS FOR RESOLUTION

- ❖ The residential character of the building/property will be retained.
- ❖ The building/property will revert to residential use in accordance with the approval dated 31 March 2026.
- ❖ The application has followed due procedure.
- ❖ None of the internal departments have objected to the application.
- ❖ It is in line with the aims of the Overstrand SDF.



**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE & DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ERF 2834, SANDBAAI (DE ZANDT DEVELOPMENT) (5157/2026)**

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

Conditions

1. that all the conditions specified as part of the previously approved land use applications for Erf 2834 remains relevant and valid and should be adhered to.


RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

12/03/2028
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

**14.ERF 11611, 22 MARIGOLD STREET, MOUNT PLEASANT, HERMANUS,
OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: N
WILLIAMS**

11611 HMP (5158/2026)

B Minnaar

(028) 313 8900

Hermanus Administration

23 June 2026

EXECUTIVE SUMMARY

An application has been received on 3 September 2025 from N Williams in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 11611, Mount Pleasant, Hermanus in terms of Section 16(2)(b) of the By-Law for the following departures:

- ❖ Relaxation of the rear building line from 1m to 0m to accommodate the proposed bedroom and en-suite; and
- ❖ Relaxation of the eastern building line from 1m to 0m to accommodate the addition of a living room, change of use of the existing dwelling unit into a kitchen, dining room and passage.

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 11611, Mount Pleasant, Hermanus for the following departures:

- ❖ Relaxation of the rear building line from 1m to 0m to accommodate the proposed bedroom and en-suite; and
- ❖ Relaxation of the eastern building line from 1m to 0m to accommodate the addition of a living room, change of use of the existing dwelling unit into a kitchen, dining room and passage;

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

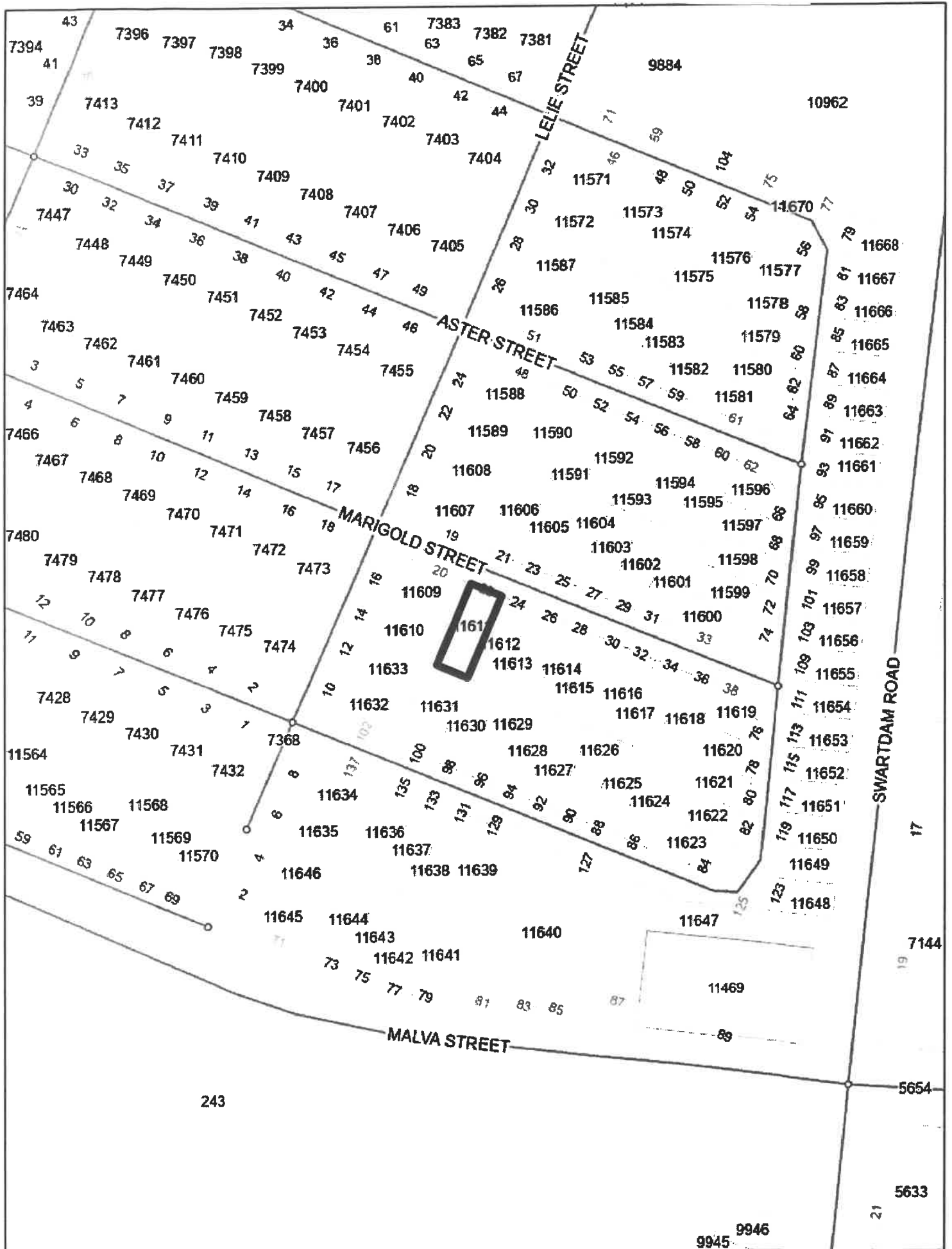
- (a) that the approval is only for the additions as indicated on the Plan dated *9 April 2025* as submitted with the application;
- (b) that building plans be submitted to the Building Control Department and that all conditions of the Building and Fire Departments be complied with at that stage; and
- (c) that all the conditions in the Services Report be complied with.

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20 October 2026
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2. that the applicant be notified of its appeal right in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 regarding the above decisions

REASONS FOR RESOLUTION

- ❖ No objections were received against the application.
- ❖ The proposal will not negatively impact on the character of the area.
- ❖ None of the surrounding property owners have objected to the application.
- ❖ The application has followed due procedure.
- ❖ The proposal is in line with the relevant policy documents.



OVERSTRAND

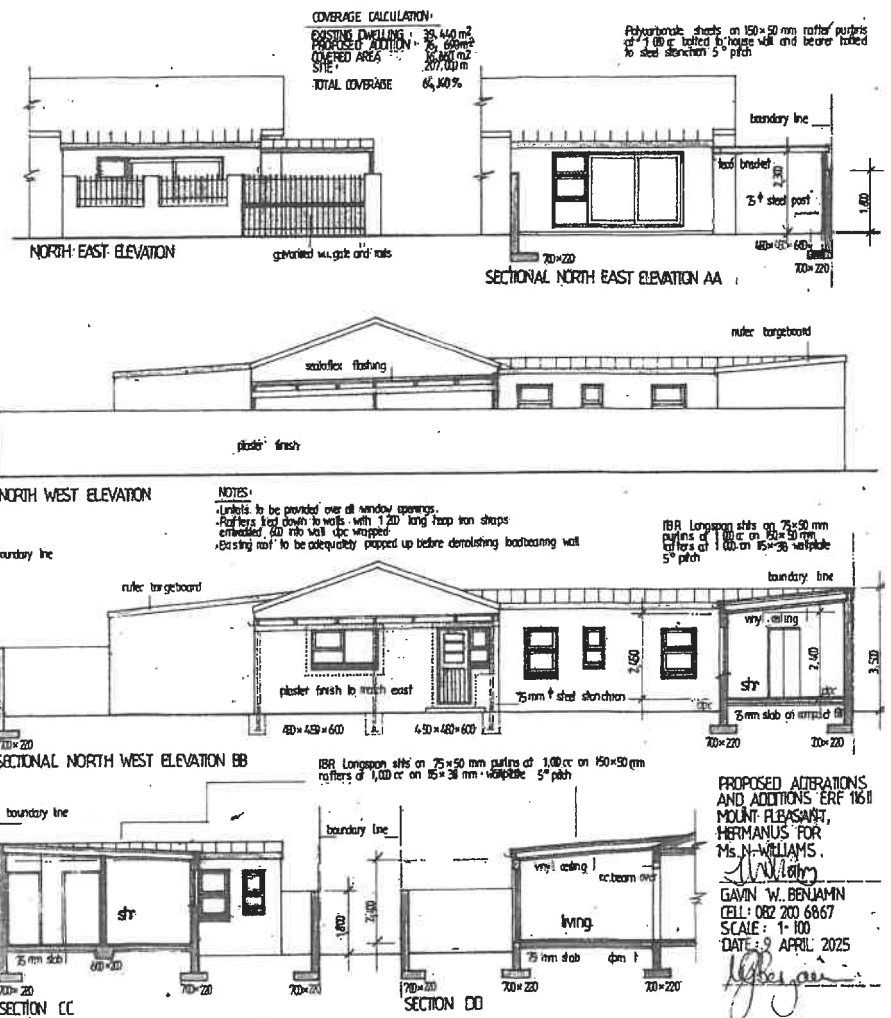
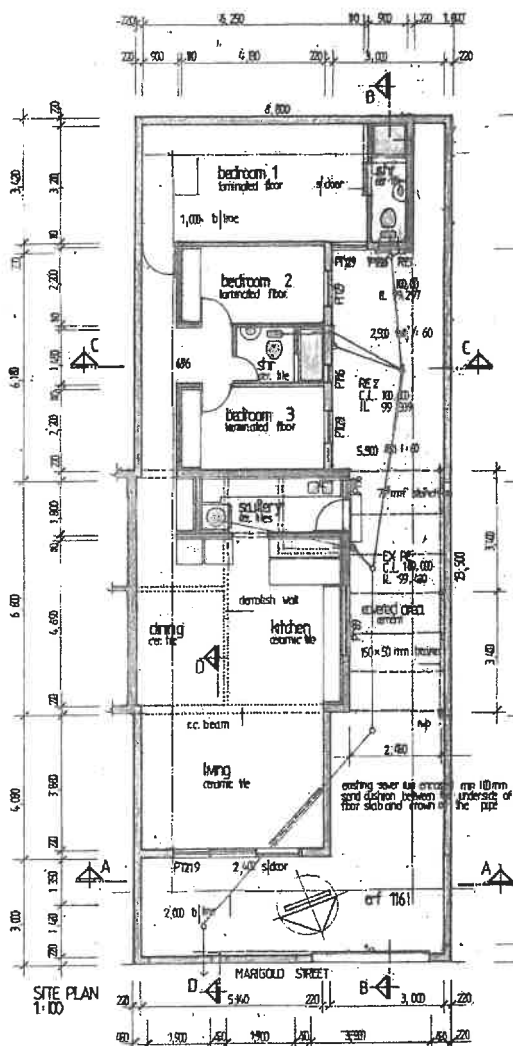


MUNICIPALITY

Locality Map

Erf 11611 HMP

Date: 2026/01/15

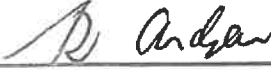


**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR DEPARTURE: ERF 11611, MOUNT PLEASANT (5158/2026)**

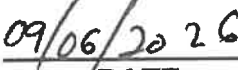
Stormwater (SW) : In Order
Electricity : In Order
Water : In Order
Sewer : In Order
Roads and traffic : In Order

Conditions:

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



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL



DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026**

(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)

**15. PORTION 10 (CAROLINA) OF THE FARM SANDIES GLEN NO 129,
DIVISION BREDASDORP, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR CONSENT USE, TS SANDER ON BEHALF OF DIE
TRUSTEES INDERTYD VAN COLWYN TRUST**

Ptn 10 of Farm 129 (5079/2025)

SW van der Merwe (028) 313 8900

Hermanus Administration

14 July 2026

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 (By-law) has been received on 04 September 2025 (final version received 04 November 2025) from TS Sander on behalf of the owner of Portion 10 (Caroline) of the Farm Sandies Glen No 129 for the following:

- ❖ **Consent use** in terms of Section 16(2)(o) of the By-law for intensive horticulture.

RESOLUTION

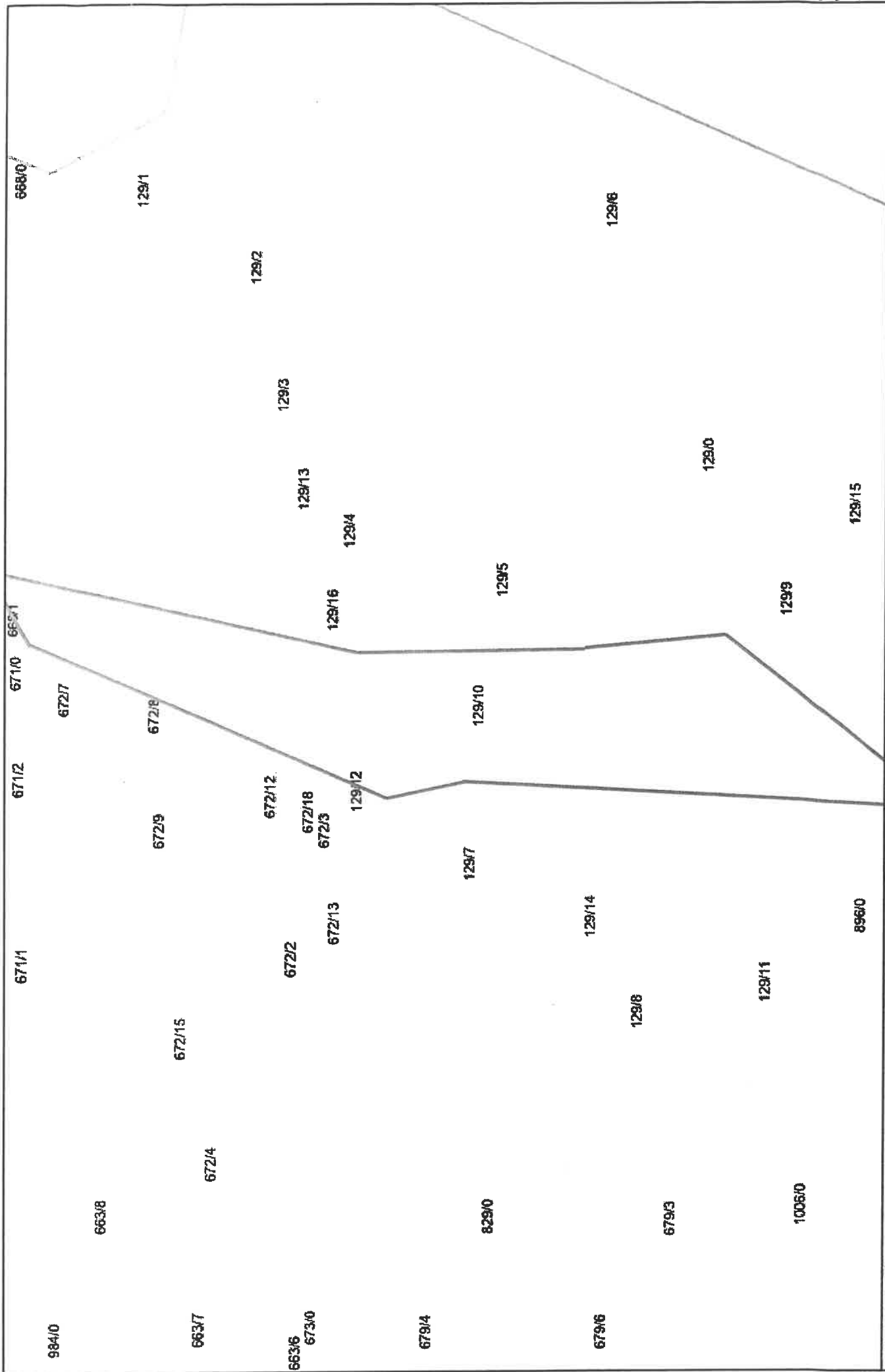
1. that the objections be noted
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) applicable to Portion 10 (Carolina) of the Farm Sandies Glen No. 129, Division Caledon for **consent use**, for intensive horticulture (shade netting), **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 proposed intensive horticulture area of 3,06ha as indicated on the Site Development Plan as per Annexure C;
 - (b) that the approval be limited to the building/structures indicated on the Site Development Plan, 2021.1886.04 dated 30 August 2022 as 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 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, and

**AGENDA of the
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- (e) that all the conditions in the Services Report be complied with.
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 regarding the above decision.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ The proposal comprises sustainable agricultural practices that will improve agricultural output and viability of the farm.
- ❖ The proposal does not introduce new or additional agricultural practices.
- ❖ The proposal is supported by government departments.
- ❖ The school is consistent with the planning principles.
- ❖ Proposal is consistent with the rural development guidelines.



SDP LEGEND

EXISTING TASTING ROOM

EXISTING WINE CELLAR

EXISTING GREENHOUSE

EXISTING EQUIPMENT STORE 1

STAFF HOSTEL

EXISTING PUMP ROOM

FARM MANAGER'S DWELLING

EXISTING COTTAGE + EXTENSION

EFFLUENT MANAGEMENT PLANT

AREA SCHEDULES:

FARM 129/10, Agricultural Zone 1: Agriculture

EXISTING TASTING ROOM	533.000m ²
EXISTING WINE CELLAR	534.670m ²
EXISTING GREENHOUSE	380.000m ²
EXISTING EQUIPMENT STORE 1	126.380m ²
EXISTING FARM MANAGER'S DWELLING	40.000m ²
EXISTING STAFF HOSTEL	90.000m ²
EXISTING PUMP ROOM	8.500m ²

EXISTING COTTAGE	80.280m ²
NEW ADDITION	95.272m ²
NEW COVERED VERANDA	39.852m ²
NEW PERGOLA'S	11.060m ²

NEW EFFLUENT MANAGEMENT PLANT	60.000m ²
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NEW COVERAGE	189.150m ²
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TOTAL COVERAGE (EXCLD. PERGOLAS)	2019.834m²
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STAND AREA:	4 178 030.000m ²
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COVERAGE:	0.04832%
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actions contained herein is vested with DesignMen. Any
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**Drawing For Concept Use
Only**



FARM 129/10

SITE PLAN
SCALE 1:10000

NOTES:
1. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
2. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
3. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
4. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
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8. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
9. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.
10. The site is located within the Agricultural Zone 1 of the Farm 129/10, which is zoned for agricultural purposes. The site is currently used for agricultural purposes and is surrounded by agricultural land.

No.	Description	Date

Owner: Architect:

Date: 2022/08/30 Date: 2022/08/30

BRUNIA WINES PROJECT
PORTION 10 OF
FARM 129

SITE DEVELOPMENT PLAN

Project number 2021.1886.04

Sheet number

Date 30 August 2022

Drawn by Zephani Checked by HvdB

DesignMen Pty Ltd

Harry van der Bank, Pty Ltd (ST 1951)
083 600 4317 harry@designmen.co.za

7 Kameelwood Street, Bedford

Scale As indicated

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSENT USE: REMAINDER PORTION 10
(CAROLINA) OF THE FARM SANDIES GLEN NO. 129, BREDASDORP
DIVISION (5079/2025)**

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

Conditions:

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

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



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

22/01/2025
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

**16. PORTION 1 OF THE FARM GROOT BOS NO. 698, DIVISION CALEDON,
OVERSTRAND MUNICIPAL AREA: PROPOSED AMENDMENT OF AN
APPROVED SITE DEVELOPMENT PLAN: WRAP PROJECT OFFICE ON
BEHALF OF GROOTBOS ACCOMMODATION ENTERPRISES (PTY) LTD**

Farm 698/1 (5136/2025)

SW van der Merwe

14 July 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020 (By-law) has been received on 21 November 2025 from WRAP Project Office on behalf of Grootbos Accommodation Enterprises (Pty) Ltd on Portion 1 of the Farm Groot Bos No. 698, Division Caledon for the following:

- ❖ **Amendment of the approved Site Development Plan** in terms of Section 16(2)(l) of the By-Law to accommodate stables.

RESOLUTION

1. that the application in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) **for amendment of the approved Site Development Plan** for the upgrade and extension of horse stables on Portion 1 of the Farm Groot Bos No. 698, Division Caledon, **be approved** in terms of the provisions of Section 61 of the By-Law, subject to the following conditions:
 - (a) that the development occurs in accordance with the provisions of the Site Development Plan, as submitted with the application;
 - (b) that building plans be submitted to the Building Department for approval, and that any conditions by the Fire and Building Departments be complied with at that stage
 - (c) that all the conditions in the Services Report, be complied with, and
 - (d) that all other development parameters as prescribed in the Special Zone approval dated 24 November 2004 be complied with.
2. that the applicant be notified of its right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

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REASONS FOR RESOLUTION

- The application has followed due procedure.
- None of the internal or external departments have any objection.
- No objections were received from adjacent property owners.
- The proposal is consistent with the SDF, PSDF and Western Cape Rural Development Guidelines
- The proposal is consistent with the Planning Principles as set out in SPLUMA and LUPA.

Plan 1: Locality Plan

Remainder of Portion 1 of the Farm Groot Bos 698, Caledon

Plan prepared by: Thian Jansen

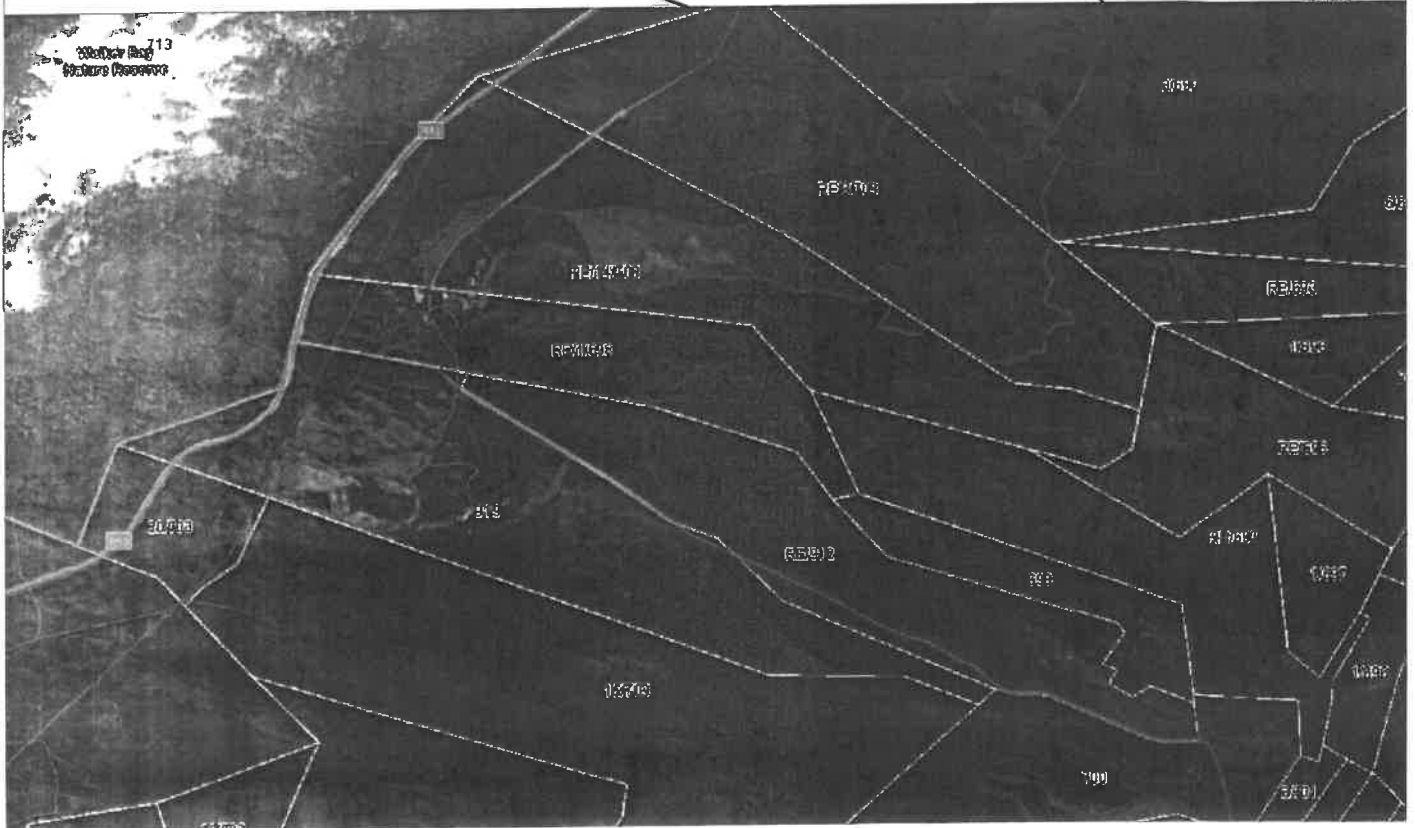
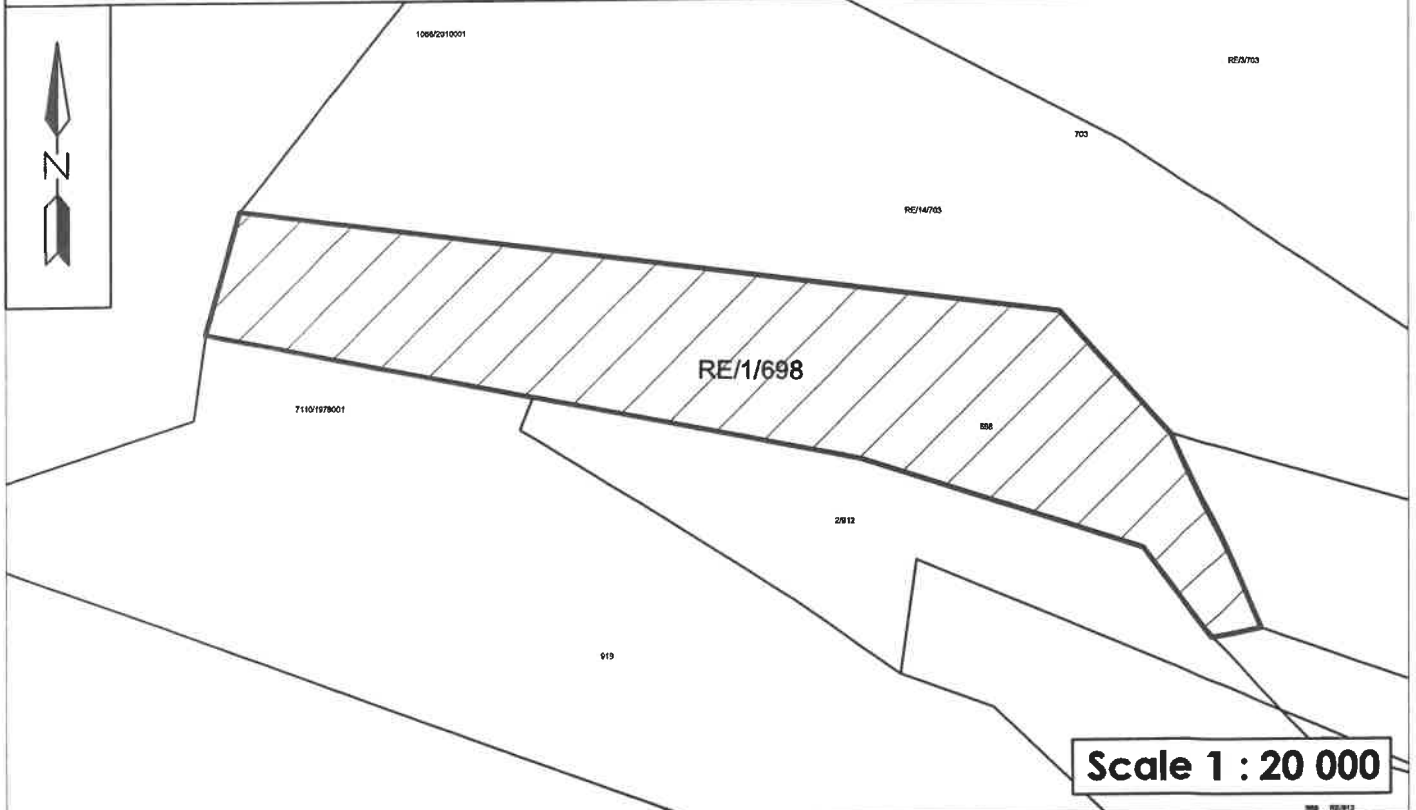
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



Project Office
Town Planning & Project Management



Plan 4.1:

Site Development Plan

Remainder of Portion 1 of the Farm
Groot Bos 698, Caledon

89

RECEIVED
08 DEC 2025

Plan Number: 25.152

Plan prepared by: Thian Jansen on 10/11/2025
Based on survey from FieldArchitecture

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Office 3, Oakwood, 10 Dittie Uys Street, Hermanus, 7



Project Office
Town Planning & Project Management

RE/3/703

703

RE/14/703

698

2/912

RE/1/698

919

2/1978001



Scale 1 : 10 000

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR
APPLICATION FOR AMENDMENT OF THE SITE DEVELOPMENT PLAN,
PORTION 1 OF FARM NO. 698, GROOT BOS, DIVISION CALEDON
(5136/2025)**

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

Conditions:

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

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



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

23/01/2026
DATE

**AGENDA of the
Portfolio Committee : Planning & Development
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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

MUNICIPAL PLANNING TRIBUNAL

- 1. ERF 730, 12 BOBBIE ROAD, PRINGLE BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF E RAILOUN**

730 KPRB (4900/2025)

H van der Stoep

29 June 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application has been received on 6 March 2024 from Future Plan Town & Regional Planners on behalf of E Railoun on Erf 730, Pringle Bay in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to subdivide Erf 730, Pringle Bay into 2 portions namely Portion 1 ($\pm 1000\text{m}^2$) and a Remainder ($\pm 2937\text{m}^2$).
- ❖ **Rezoning** in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to rezone the Remainder of Erf 730, Pringle Bay ($\pm 2937\text{m}^2$) from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1).
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to accommodate the proposed deviation from the Ridge's Guidelines to depart from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property.

RESOLUTION

1. that the comments/objections be noted.
2. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 730, Pringle Bay into two (2) portions, namely Portion 1 ($\pm 1000\text{m}^2$), and Remainder ($\pm 2937\text{m}^2$), **be approved** in terms of Section 61 of the By-Law;

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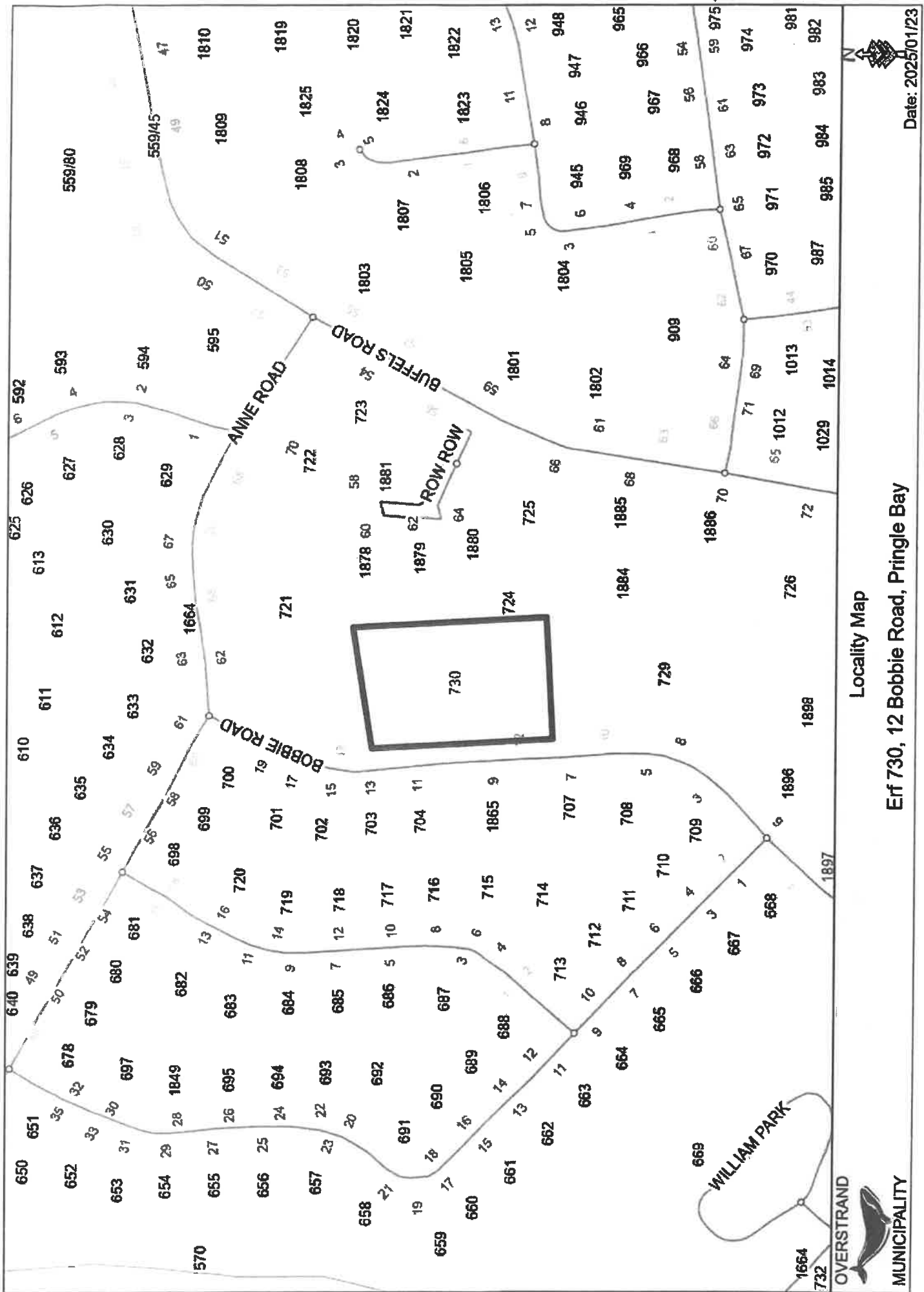
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)

3. that the application in terms of Section 16.(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to rezone the newly created Remainder of Erf 730 ($\pm 2937\text{m}^2$) from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1), **be approved** in terms 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 accommodate the proposed deviation from the Ridge's Guidelines to depart from the Overstrand Environmental Management Overlay Zone (EMOZ, 2020) to allow the owner to construct the proposed dwelling within the earmarked open space/conservation portion on the subject property, **be approved** in terms of Section 61 of the By-Law;
5. that the approval of Points 2-4 above in terms of Section 61 of the By-Law be subject to the following conditions:
 - (a) that the approval is only for the subdivision as indicated on the Subdivisional Plan submitted with the application;
 - (b) that the rezoned portion be ceded to the Municipality with the registration of Portion 1 or within 12-months of the approval;
 - (c) that the applicant appoints an Environmental Practitioner to submit an operational plan to environmental section for approval before construction;
 - (d) that the appointed Environmental Practitioner ensure compliance with the operational plan and all applicable legislation;
 - (e) that only one dwelling with associated outbuildings be allowed;
 - (f) that the conditions in the Services Report be complied with;
 - (g) that the building be restricted to 25% of proposed Portion 1 (1000m^2) and coverage be restricted to 250m^2 , and
 - (h) that building plans be submitted for all new buildings to the Building Control Department for approval, and that all conditions of the Building Control and Fire Departments be complied with at that stage.
6. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 with regard to the above decision.

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REASONS FOR RESOLUTION

- ❖ The property has existing rights.
- ❖ Due diligence of environmental impact has been considered.
- ❖ Ecological corridor will be formally established.
- ❖ Low density development to the benefit of the area.
- ❖ External and internal departments did not object to the application.

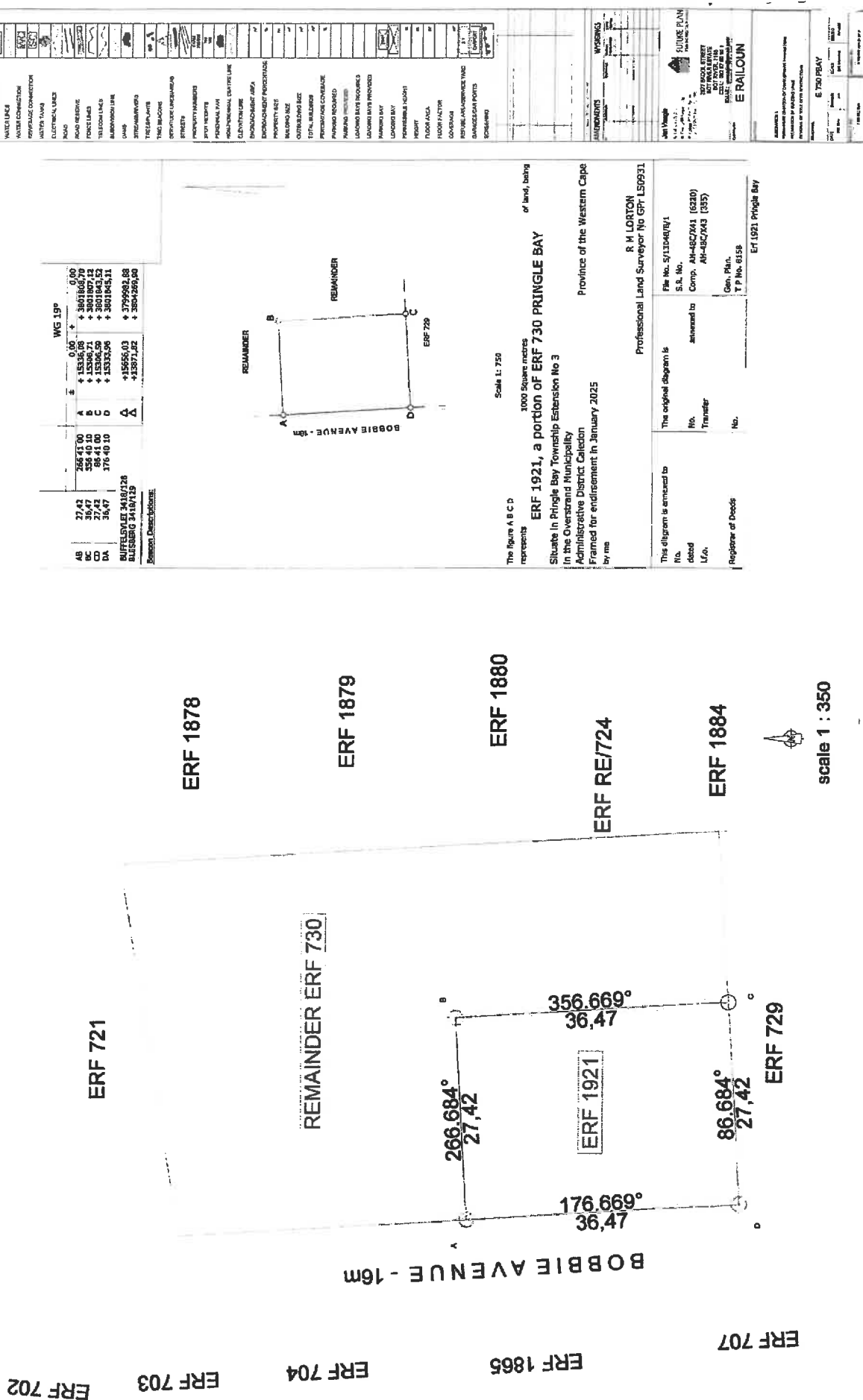


Locality Map

Erf 730, 12 Bobbie Road, Pringle Bay

Date: 2025/01/23

**SUBDIVISION OF ERF 730, PRINGLE BAY TOWNSHIP EXTENSION No 3, INTO THE REMAINDER ERF 730
AND ERF 1921, OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE WESTERN CAPE**



**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR SUBDIVISION, REZONING & DEPARTURE: ERF 730,
PRINGLE BAY (4900/2025)**

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

Conditions:

1. that each property to have their own water connection, the cost of connection and / or any upgrade for any of these services be required, will be at the owner's cost;
2. that each property to have their own conservancy tank to Municipal specification;
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, 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 (Kleinmond) for written approval;
5. that any additional and / or extended vehicle entrance will be for the owner's account;
6. that stormwater be allowed to discharge through the proposed Erven, Pringle Bay, unobstructed;
7. that construction may only happen after the issuance of the authorisation by BOCMA/DWS to enable work in the regulated area;
8. that all conditions set by BOCMA/DWS must be adhered to;
9. that no on-street parking be allowed.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

29/01/2026
DATE

**AGENDA of the
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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- 2. ERF 1008, 37 JAN VAN RIEBEECK CRESCENT, SANDBAAI:
APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS AND DEPARTURES: MESSRS PLAN ACTIVE TOWN AND
REGIONAL PLANNERS ON BEHALF OF JP MALAN**

1008 HSB (5104/2025)

B Minnaar

11 June 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 08 October 2025 from Plan Active Town and Regional Planners on behalf of JP Malan applicable to Erf 1008, Sandbaai for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law of condition B.2.(c) & B.2.(d) contained in Title Deed T13555/2000, to accommodate a second dwelling on the property.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the southern lateral building from 2m to 0m to accommodate an outbuilding (garage and storage area) on the property.

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 (By-Law) for the **removal of restrictive title conditions** B.2.(c) & B.2.(d) as contained in Title Deed T13555/2000 applicable to Erf 1008, Sandbaai, in order to accommodate a second dwelling unit on the subject property, **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 Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **departure** of the southeastern lateral building from 2m to 0m to accommodate the existing garage/storage space; **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the decisions in paragraphs 2. and 3. above be subject to the following conditions:

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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)

- (a) that the approval is only for the development of the second dwelling (limited to 120m² in extent) and the garage (developed over the southeastern lateral building line to 0m);
 - (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 Engineering Services Report be complied with;
 - (d) that there is a sewer line where the owner wants to build the garage; that the owner either encases the pipe in concrete or alternatively build the garage next to the sewer pipe;
 - (e) that a revised site plan be submitted as part of the building plan phase reflecting the owners' decision in point (d). above;
 - (f) that the rates of the property be amended accordingly in terms of the latest rates policy;
5. that the applicant and person who objected 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.
- ❖ None of the relevant departments have any objection.
- ❖ The objection has been adequately responded to.
- ❖ The actual use of the property remains for residential purposes and is in line with the residential character of the Sandbaai area.
- ❖ There is sufficient parking on the property for both dwelling units.
- ❖ Adequate services are provided on-site; therefore no additional services are required.
- ❖ The Overstrand Zoning Scheme Regulations have sufficient control measures when it comes to land use and building line parameters.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners or the character of the area.
- ❖ The proposal is considered in line with the Municipality's SDF.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.

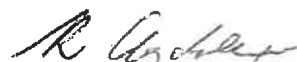


**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS AND DEPARTURE: ERF 1008, SANDBAAI (5104/2025)**

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

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, regarding the capacity required and that available, at the owner's cost;
3. that the developer investigates and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the 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.
9. That the proposed garage may not be constructed over the existing sewer pipeline without the prior consent (during building plan submission) of the Principal Technologist: Hermanus and provided that the sewer line is adequately protected by encasing it in reinforced concrete to the satisfaction of the Principal Technologist: Hermanus


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- 3. ERF 452, 30 MAIN ROAD, WESTCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURES:
MESSRS WRAP PROJECT OFFICE ON BEHALF OF BVA BELEGGINGS
PROPRIETARY LIMITED**

452 HWC (4481/2023)

B Minnaar

24 June 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), has been received on 18 July 2023 from Messrs WRAP Project Office on behalf of BVA Beleggings Proprietary Limited, the owner of Erf 452, Hermanus (Westcliff) for the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the By-Law from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4) to accommodate flats (sectional title units) on the property, and
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - deviate from the minimum permissible erf size from 3000m² to 2252m²;
 - deviate from the permissible height restriction from 9m to 9.9m to accommodate the proposed roof structures and lift shaft;
 - deviate from the applicable density provision to accommodate the proposed development, and
 - deviate from the provisions of the Overstrand Zoning Scheme Regulations allow a split functional open space.

RESOLUTION

1. that the objections received, be noted;
2. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for the **rezoning** of Erf 452, Westcliff, Hermanus from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4); **be approved** in terms of the provisions of Section 61 of the By-Law;

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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

3. that the application for **departure** in terms of Section 16(2)(b) of the By-Law applicable to Erf 452, Westcliff, Hermanus **be partially approved** in terms of the provisions of Section 61 of the By-Law:
 - (a) that the departures relating to the following:
 - (i) deviation from the minimum permissible erf size from 3000m² to 2252m²;
 - (ii) deviation from the permissible height restriction from 9m to 9.3m to accommodate the proposed lift shaft;
 - (iii) deviate from the applicable density provision to accommodate the proposed development, and
 - (iv) deviate from the provisions of the Overstrand Zoning Scheme Regulations allow a split functional open space,

be approved in terms of the provisions of Section 61 of the By-Law;
 - (b) that the departures relating to the deviation from the permissible height restriction from 9m to 9.9m to accommodate the proposed roof structures **not be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the approvals in 2. and 3.(a)(i)-(iv), above, be subject to the following conditions:
 - (a) that the apartment bedroom composition be altered to comply with the parking requirements;
 - (b) that the roof be redesigned to comply with the 9m height restriction;
 - (c) that the parking layout be amended to reflect the decision point 4.(a);
 - (d) that a revised site development plan (be limited to 25 apartment units which complies with the parking requirements) be submitted to the Town & Spatial Planning Office for approval prior to the submission of building plans;
 - (e) that building plans be submitted to the Building Control Office, and that all comments from the Building Department and Fire Departments be complied with at that stage;
 - (f) that the conditions of the Engineering Services Department: Services Report must be complied with;

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- (g) that a body corporate be established in accordance with the Sectional Titles Act with compulsory membership for all subsequent owners of a sectional title unit within the development.
- (h) that house/conduct rules be approved by the body corporate of the development to ensure the management of common property.
- 5. that the applicant and person who objected 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; and

REASONS FOR RESOLUTION

Reasons for recommendation point 2. and 3.(a)(i)-(iv):

- ❖ The application has followed due procedure.
- ❖ The concerns raised by during public participation have been adequately addressed.
- ❖ All of the internal and external departments is in support of the application.
- ❖ That the application has followed due procedure.
- ❖ The rezoning and increased density to 74.44du/ha of the subject property is in line with the strategic planning for the area in terms of the SDF and the OMGMS.
- ❖ The development proposal complies with the relevant setbacks and development parameters of the new zoning.
- ❖ The residential character is maintained with regards to the stepping of the building heights and applicable setbacks.
- ❖ The proposal is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable, it will not lead to urban sprawl or be developed on agricultural land or environmentally sensitive areas.
- ❖ The studies provided with the application is supported by the Engineering Services Department in line with the upgrading in accordance with the master plan.

Reasons for the decisions in paragraphs 3.(b)

- ❖ The deviation of the height restriction is not favourable since there are other forms of roof designs that can be accommodated within the prescribed height restriction.

Reasons for the decisions in paragraphs 4.(a) and (c)

- ❖ The proposal to accommodate 25 apartment units falls short of one parking bay. Therefore, amending the apartment bedroom composition to comply with the parking requirements.

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



Project Office
Team & Project Management

HOOF STREET

452

BIRD LANE

FLOWER STREET

5515

5516

MYRTLE STREET

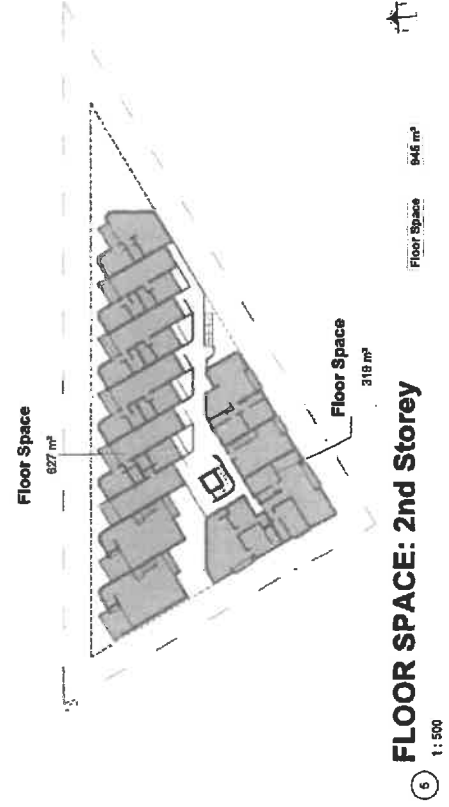
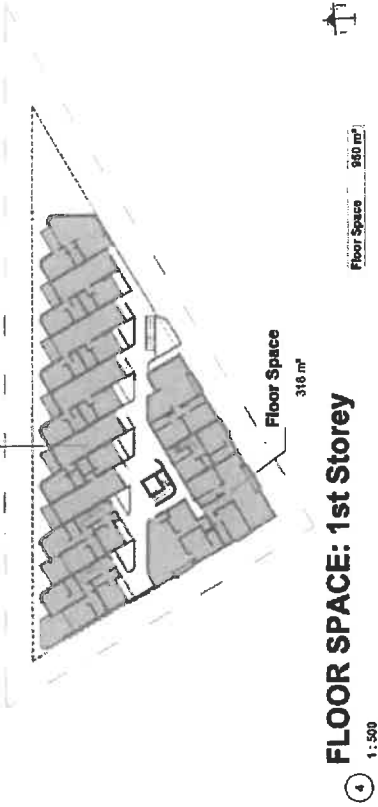
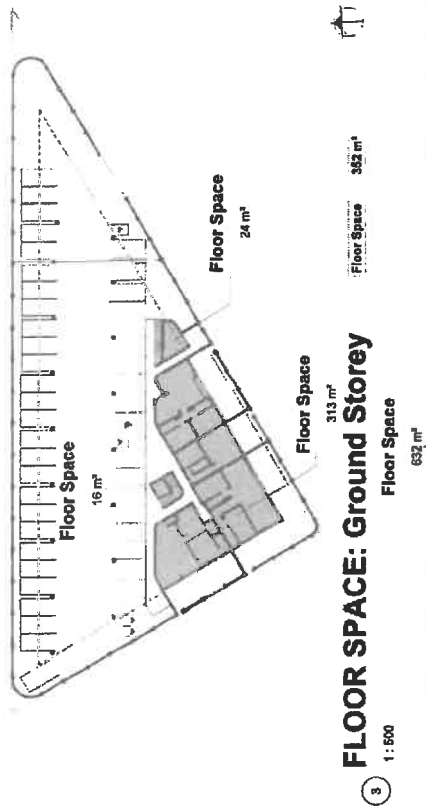
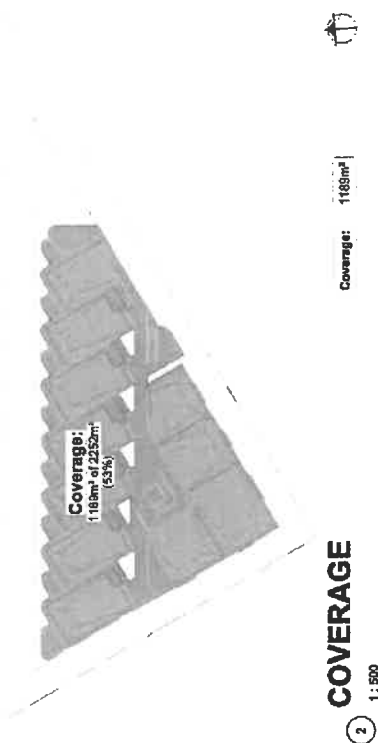
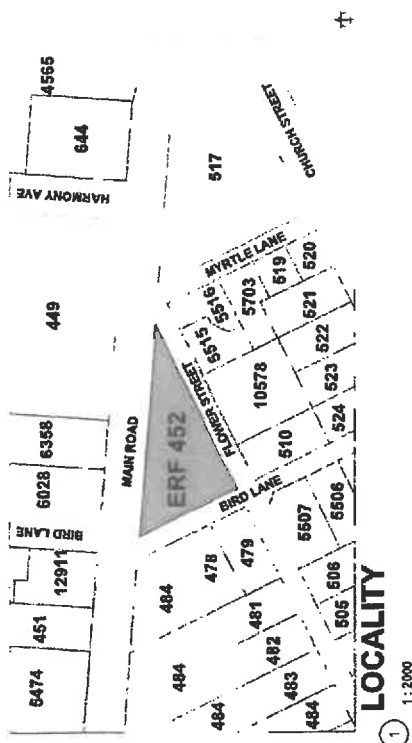
Scale 1 : 1 000

Broader context

DUTCH STREET

EVERY STATE

Scale 1 : 5 000



SCHEDULE OF RIGHTS			
ADDRESS	10 MAIN ROAD	LOT	L5
TOWNSHIP	KENTWORTH		33256P
PERMITS	RECONSTRUCTION		
EAF ID#	20234P		
ZONE USE	GENERAL DENSE RESIDENTIAL		
SUBJECT ZONING	RESIDENTIAL ZONE C SINGLE RESIDENTIAL		
PROPOSED ZONING	GENERAL RESIDENTIAL LOW & PLATS BULKZONED R2		
CURRENT USE	MAIN DWELLING - SINGLE		
PROPOSED USE	PLATS		

PRIMARY USES	
EXISTING USE	1M4 SINGLE DWELLING
PROPOSED	1M4 + 25 APARTMENTS

PARKING	
OFF-STREET REQUIREMENT	1 UNIT TYPE 1M UNITS BAYS REQUIRED
1 Det	1 16 32
2 Det	2 32 64
3 Det	3 48 96
TOTAL PARKING BAYS REQUIRED:	64
PARKING TYPE	N/A PROVIDED
STORAGE - 2500 X 1000	43
STORAGE - 1000 X 1000	16
MENDING - 1500 X 500	4
TOTAL PARKING BAYS PROVIDED:	63

OPEN SPACE	
OPEN SPACE REQUIRED	19% = 23,267 Computed open space
COMPUTED OPEN SPACE PROVIDED	Commutated open space 130 m ²
	secondary open space 150 m ²
	open green parkland 208 m ²
	private garden 691 m ²
TOTAL	589 m²

BUILDING LINES	
STREET BOUNDARY	STRT E GR4
	4m Street Frontset
	Main Road
	4m Frontal Road setback

FLOOR SPACE	
FLOOR FACTOR	BET N/A GR4
MAX PERMISSIBLE	BRT N/A GR4
PROPOSED	
GROUND STORY (BASE LEVEL)	
Floor Area	253 m ²
FIRST STOREY	
Floor area	564 m ²
SECOND STOREY	
Floor area	143 m ²
TOTAL PROPOSED	253 m²

HEIGHT	
MAX HEIGHT	GR1 GR4
	Max GFA - Base Level to Top of Structure
	10.1m - Base Level to Top of Structure
PROPOSED HEIGHT	MAX STORIES
	Max 3 Stories
PROPOSED STOREYS	3 Storeys

COVERAGE	
GRI SITE AREA	2322m ²
PERMISSIBLE COVERAGE	BRT 50% (1026P) GR4 60% (1026P)
PROPOSED COVERAGE	1188P (ASX)

NOTES

ELIMINATING THE NEED FOR A CODE

THE PROPOSED ACT WILL BE RESPONSIVE TO THE NEEDS OF THE INDUSTRY AND THE PUBLIC. IT WILL BE A CODE OF CONDUCT FOR THE INDUSTRY, BUT IT WILL NOT BE A CODE OF CONDUCT FOR THE PUBLIC. IT WILL BE A CODE OF CONDUCT FOR THE INDUSTRY, BUT IT WILL NOT BE A CODE OF CONDUCT FOR THE PUBLIC. IT WILL BE A CODE OF CONDUCT FOR THE INDUSTRY, BUT IT WILL NOT BE A CODE OF CONDUCT FOR THE PUBLIC.

ALL THE ABOVE ARE GIVEN IN THE LETTER.

DO NOT SCALE THE DRAWING.

FOR INFORMATION

REV		DATE	DESCRIPTION
0	2025/09/29	REV 1.0	
1	2025/09/29	REV 1.1	
2	2025/09/29	REV 1.2	
5	2025/10/01	REV 1.3	

nieuw

architects · designers · creatives
 P.O. Box 918 27-13, Nieuwebaan, 2018 ZJ
 A-2015 Eyndhovenlaan, 8 2015 Eyndhoven, Capelle, Cape Town

PROJECT:	30 MAIN
PROJECT NAME:	NEW APARTMENTS
SF:	452
LOCATION:	30 MAIN ROAD, HERMANNUS
ZONE:	PROPOSED REZONING FROM B1 TO O1
CLIENT:	BVA BELEGINGS

LOCALITY, SCHEDULE OF

As indicated SCALE 1/4" = 1'-0"	2002/5/09/28 DATE		
REVIEW DRAWN		CHK-0200	
2515 PROJECT NO.	01-03-001 DRAWING NO.	3	REV

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REZONING & DEPARTURE: ERF 452, WESTCLIFF
(4481/2023)**

Water	:	Refer to Condition & GLS Report
Sewer	:	Refer to Condition & GLS Report
Roads and Traffic	:	Refer to Condition & TIA
Stormwater	:	Refer to Condition
Electricity	:	Refer to Condition

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 27 598.00 x 14.00	= R 386 372.00
Sewerage	R 19 725.00 x 14.00	= R 276 150.00
Roads	R 8 845.00 x 24.00	= R 212 280.00
Stormwater	R 10 205.00 x 5.005334	= R 51 079.43
Solid Waste	R 1 769.00 x 24.00	= <u>R 42 456.00</u>
TOTAL (inclusive of VAT)		= <u>R 968 337.43</u>

Note that:

- a) The above figures are estimated amounts
- b) The above figures are subject to annual tariff adjustments.
- c) Overstrand Municipality's Electrical Department must be contacted regarding the bulk electricity cost.

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2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Chief Engineer: Infrastructure Services may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Chief Engineer: Infrastructure Services to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property;
5. that a plan of all the existing services be submitted to the Chief Engineer: Infrastructure Services, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Chief Engineer: Infrastructure Services:
 - 5.1 way-leaves must be obtained from the Principal Technologist: Hermanus;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer must enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;

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7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Chief Engineer: Infrastructure Services, prepared by an ECSA registered professional engineer/technologist, be submitted to the Chief Engineer: Infrastructure Services for his prior approval;
8. 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;
9. the Chief Engineer: Infrastructure Services to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Chief Engineer: Infrastructure Services;
10. 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
11. such independent professional civil engineer/technologist to furnish the Chief Engineer: Infrastructure Services with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for Works of Civil Engineering Construction - 2004, of 12 months, and
13. 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;
14. that a service agreement must be required by the Chief Engineer: Infrastructure Services prior to the approval of any service plans;
15. that the developer provides bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
16. that the developer apply for a bulk water connection on the prescribed application form, at Overstrand Municipality's Finance Department and
17. that the installation of the bulk water meter, by the developer, be done under the supervision of the Principal Technologist: Hermanus;

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18. that the water reticulation be provided/upgraded according to the report prepared by GLS consulting engineers and/or the Overstrand Sewer Master Plan and Water Master Plan.
19. that only the standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
20. that the developer appoints a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;
21. that the electricity reticulation and supply be provided according to the master plan, by the developer and that transfer can only proceed once electricity is available;
22. 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*;
23. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided with the following:
 - a) properly ventilated,
 - b) a cement floor,
 - c) a tap and running water, as well as a drainage point which is connected to the sewer network,
 - d) in a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Chief Engineer: Infrastructure Services;
24. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Chief Engineer: Infrastructure Services;
25. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded, be submitted to the Chief Engineer: Infrastructure Services for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Chief Engineer: Infrastructure Services;
26. that the approved stormwater management plan include the following:
 - a) pre-development run-off from the catchment area;
 - b) post-development run-off from catchment area;
 - c) existing stormwater reticulation system and the capacity thereof;
 - d) connection of internal stormwater reticulation system;
 - e) overland escape routes;

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27. that the connection to the stormwater reticulation system be provided according to the approved stormwater management plan by the developer;
28. that a minimum stacking space/distance of at least 6,0 m (in front of the gate or boom) be provided for the access point in the Flower Street;
29. that no structures be build in the 5m building restriction line with R43 Municipal Main Road 28.
30. that all the recommendations made in the Site Traffic Assessment by the Traffic Engineer (dated March 2025) be implemented;
31. that the developer will be responsible for submitting plans and obtaining written approval from the provincial road authority for the planned closure of Flower Street at its intersection with Main Road;
32. that a minimum stacking space/distance of at least 6,0 m (In front of the gate or boom) be provided for the access point in the Flower Street;
33. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the Principal Engineer: Project Management for written approval;
34. that any damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.
35. that all the parking requirements from the 2020 Overstrand Land Use Scheme be complied with.


RICARDO ANDREW

04/02/2026
DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026**

(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)

- 4. ERF 91, 52 KUSWEG, SANDBAAI, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, CONSENT USE, DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF SC SOLOMON**

91 HSB (4701/2024)

B Minnaar

08 June 2026

(028) 313 8900

Hermanus Administration

EXECUTIVE SUMMARY

An application, in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) has been received on 16 October 2025 from Messrs PlanActive Town and Regional Planners on behalf of SC Solomon applicable to Erf 91, Sandbaai, Hermanus for the following:

- ❖ **Removal of restrictive title deed conditions** in terms of Section 16(2)(f) of the By-Law of condition B.(a), C.(a), C.(c) and C.(d) as contained in Title Deed T41901/2022.
- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law in order to operate a five (5) bedroom guest house from the property.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the western lateral building line from 2m to 1.88m to accommodate the existing garden shed;
 - relax the northern rear building line from 2m to 1.3m to accommodate the existing garden shed, and
 - relax the eastern lateral building line from 2m to 1.71 and 1.77m to accommodate a portion of the existing dwelling.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to for the existing building encroachments and land use contravention.

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 (By-Law) for the **removal of restrictive title conditions B.(a), C.(a), C.(c)**

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- and C.(d) as contained in Title Deed T41901/2022 applicable to Erf 91, Sandbaai, in order to accommodate a guest house with a manager's/owner's quarters on the subject property, **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 (By-Law) for **consent use** applicable to Erf 91, Sandbaai, in order to operate a five (5) bedroom guest house with a manager's/owner's quarters on the subject property, **be partially approved 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 (By-Law) for **departure** in order to:
 - (a) relax the western lateral building line from 2m to 1.88m to accommodate the existing garden shed;
 - (b) relax the northern rear building line from 2m to 1.3m to accommodate the existing garden shed, and
 - (c) relax the eastern lateral building line from 2m to 1.71 and 1.77m to accommodate a portion of the existing dwelling,**be approved** in terms of the provisions of Section 61 of the By-Law;
 5. that the determination of an administrative penalty in terms of Section 90(4) of the By-Law for the unauthorised building work over building lines and the unauthorised land uses on the subject property, **be imposed**, and that an administrative penalty fee of **R15 366.56** be payable within sixty (60) days of this decision; and
 6. that the decisions in paragraphs 2. to 4. above be subject to the following conditions:
 - (a) that the approval of the guest house is limited to three (3) guest rooms only,
 - (b) that the manager/owner must reside on the premises permanently in relation to this planning approval;
 - (c) that the parking layout be revised to reflect condition point (a) above;
 - (d) that revised site plans reflecting condition points (a), (b) and (c) above be submitted at building plan submission stage;

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(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)

- (e) that building plans be submitted to the Building Department for approval, and that all conditions of the Building- and the Fire Department, be complied with at that stage;
 - (f) that all the conditions of the Property Administration and the Engineering Services Department, be complied with;
 - (g) that the rates of the property be amended accordingly in terms of the latest rates policy;
7. that the applicant and person who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above conditions of approval.

REASONS FOR RESOLUTION

- ❖ The application has followed due procedure.
- ❖ None of the relevant departments have any objection.
- ❖ The objection has been adequately responded to.
- ❖ The actual use of the property remains for residential purposes and is in line with the residential character of the Sandbaai area.
- ❖ The subject property is not able to accommodate adequate parking for five (5) guest rooms and the manager's/owner's parking.
- ❖ Adequate services are provided on-site, therefore no additional services are required.
- ❖ The Overstrand Zoning Scheme Regulations have sufficient control measures when it comes to land use and building line parameters.
- ❖ The proposal will not negatively impact on existing/vested rights of adjoining property owners or the character of the area.
- ❖ The proposal is considered in line with the Municipality's SDF.
- ❖ The proposal is consistent with the planning principles in terms of LUPA and SPLUMA.
- ❖ That the administrative penalty is imposed; the onus remains on the property owner to ensure their property has the necessary development rights.



Scale: NTS
Drawing No: Erf 91Sandbaai.dwg
Date: 21 Feb 2024

Plan Description:
**LOCALITY
MAP**

Property Description:
**ERF 91
SANDBAAI**

All distances approximate
and subject to survey.
COPY RIGHT RESERVED

PLAn Stads- en Sreksbeplanners
Town & Regional Planners

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS, CONSENT USE, DEPARTURE AND DETERMINATION OF AN
ADMINISTRATIVE PENALTY: ERF 91, SANDBAAI (4701/2025)**

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

Conditions:

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


RICARDO ANDREW


DATE

PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL

**AGENDA of the
Portfolio Committee : Planning & Development
20 October 2026
(Also the agenda for the Mayoral Committee Meeting : 27 October 2026)**

- 5. PORTION 229 OF THE FARM AFDAKSRIEVER NO 575, BENGUELA COVE, A DIVISION OF CALEDON, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF THE EXISTING APPROVED SITE DEVELOPMENT PLAN, AMENDMENT OF CONDITIONS IN RESPECT OF AN EXISTING APPROVAL AND EXTENSION OF THE PERIOD OF VALIDITY OF AN APPROVAL: WRAP PROJECT OFFICE ON BEHALF OF BENGUELA COVE INVESTMENTS (PTY) LTD**

HBENG 229/575 (4595/2024)

H Olivier

(028) 313 8900

Hermanus Administration

10 June 2026

EXECUTIVE SUMMARY

An application was received on 26 February 2024 from WRAP Project Office on behalf of Benguela Cove Investments (Pty) Ltd on Portion 229 of the Farm Afdaksrivier No 575, Benguela Cove, Division Caledon in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the following:

- ❖ **Amendment of the existing approved site development plan** in terms of Section 16(2)(l) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to accommodate the proposed new buildings/structures such as a wedding venue, picnic pods and deck, as well as the expansion of the existing winery for storage purposes.
- ❖ **Amendment of conditions in respect of an existing approval** in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to allow for the new wedding venue building to be used as a place of entertainment.
- ❖ **Extension of the period of validity of an approval** in terms of Section 16(2)(i) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to extend the validity period for the Departure approval for an additional 5 years to operate market stalls and utilize portions of the buildings for places of entertainment.

The application was considered by the MPT on 29 January 2026. It was resolved that the item **be referred back** in order for the applicant to provide projected sewerage flows from the proposed development against the existing network and treatment capacities, including the Hawston WWTW.

RESOLUTION

1. that the objections be noted.

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2. that the application in terms of Section 16(2)(l) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 for the **Amendment of the existing approved site development plan on Portion 229 of Farm 575 Benguela Cove**, to accommodate the proposed new buildings/structures such as a wedding venue, picnic pods and a deck, as well as the expansion of the existing winery for storage purposes, **be approved**, in terms of the provisions of Section 61 of the By-Law,
3. that the application in terms of Section 16(2)(h) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 on Portion 229 of Farm 575, Benguela Cove, for amendment of conditions in respect of an existing approval to allow for the new wedding venue building to be used as a place of entertainment, **be approved**, in terms of the provisions of Section 61 of the By-Law.
4. that the application in terms of Section 16(2)(i) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 on Portion 229 of Farm 575, Benguela Cove, to extend the validity period of the Departure approval for an additional 5 years to operate market stalls and utilize portions of the buildings for places of entertainment, **be approved**, in terms of the provisions of Section 61 of the By-Law.
5. that the approvals in Points 2 - 4 be subject to the following conditions:
 - (a) that the approvals only relate to buildings/structures as indicated on Site Development Plan 23.139(v2) dated 27 May 2024;
 - (b) that approval for the extension of time of the Departure approval for the place of entertainment and market stall rights is only valid for an additional period of 5 years from the original date of approval, and lapses on **7 May 2029**;
 - (c) that all conditions in the decision letter dated 3 April 2019 still be applicable and be complied with except Conditions 1(a), 1(m) and 2(a);
 - (d) that any place of entertainment activities in the new wedding venue building is limited to 00h00;
 - (e) that the hours the picnic pods may be used is limited to 18h00(pm);
 - (f) 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.;

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- (g) that no activities constituting a source of public nuisance shall be carried out;
 - (h) that commercial rates and service tariffs as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
 - (i) 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;
 - (j) that all the conditions in the services report be complied with, and
 - (k) 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.
6. That the following comments be noted:
- ❖ Western Cape Government: EADP (Environmental);
 - ❖ Cape Nature;
 - ❖ Department of Transport;
 - ❖ Telkom,
 - ❖ Eskom, and
 - ❖ Western Cape Heritage.
7. 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 decisions.

REASONS FOR RESOLUTION

- ❖ All relevant municipal departments and external departments/institutions support the application.
- ❖ The objections raised about the impact on surrounding properties and noise impact is not supported, as the site is an earmarked business site and business development should have been expected by surrounding property owners. Surrounding residential properties is a fair distance from the site and with good soundproofing noise impact would be limited.
- ❖ Objections regarding services, parking and traffic is not supported as the application is supported by the Western Cape Government: Infrastructure (Road Planning) and the Municipal Engineering Services Department.
- ❖ Mitigation measures have been inserted in the conditions of approval to limit the hours of operation of the new wedding/function venue building, the hours the picnic pods may be used, and that all areas with place of entertainment right limit noise levels.

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- ❖ The application is in line with the general principles of SPLUMA and LUPA as this development will be efficient as the property will be developed to its full potential and have a positive impact on the tourism industry.
- ❖ The Overstrand Municipality Spatial Development Framework, 2020 identifies this area as an area for urban development and it is within the urban edge, therefore development of the property is supported.
- ❖ The application is desirable.

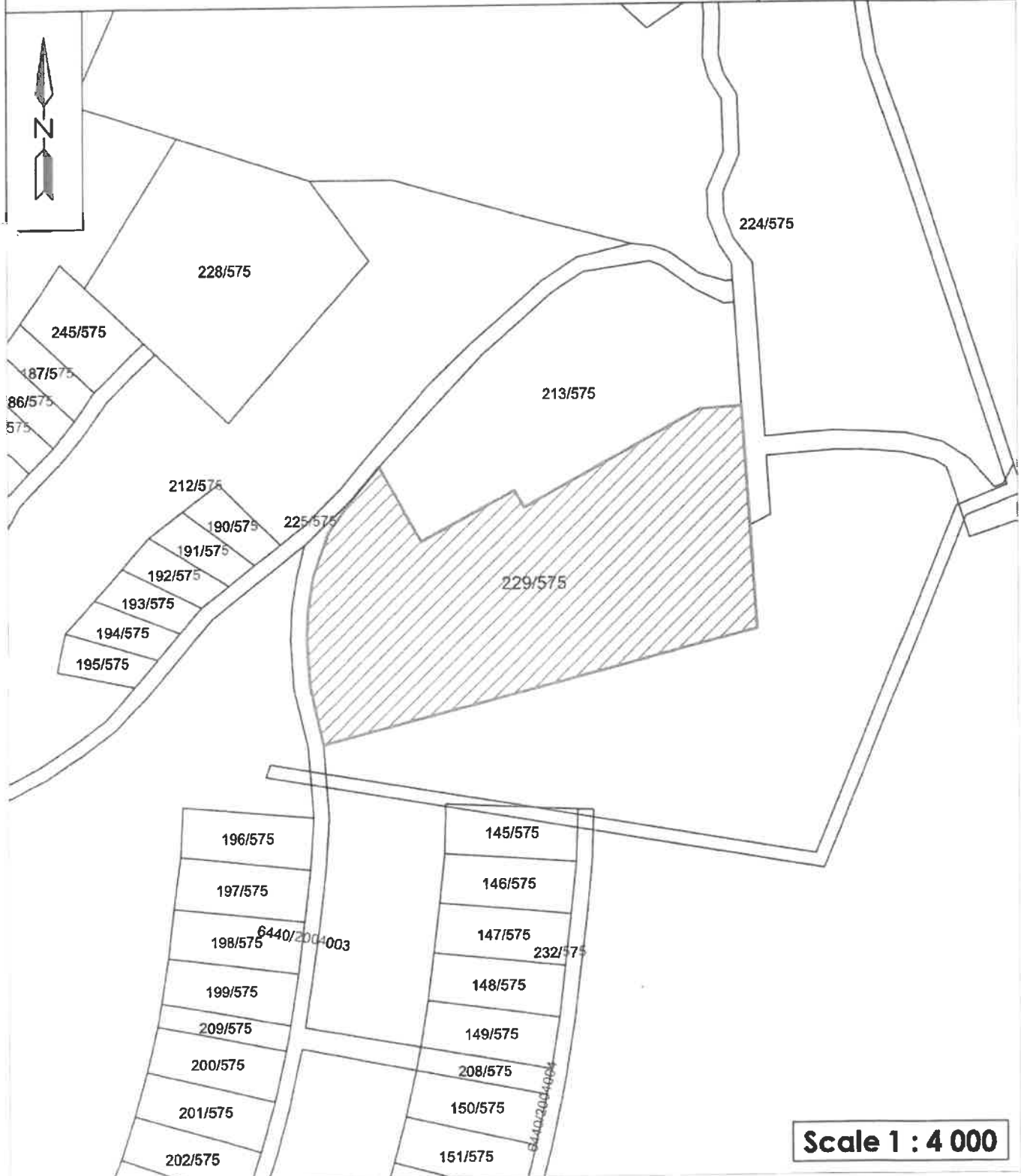
1. Locality Plan

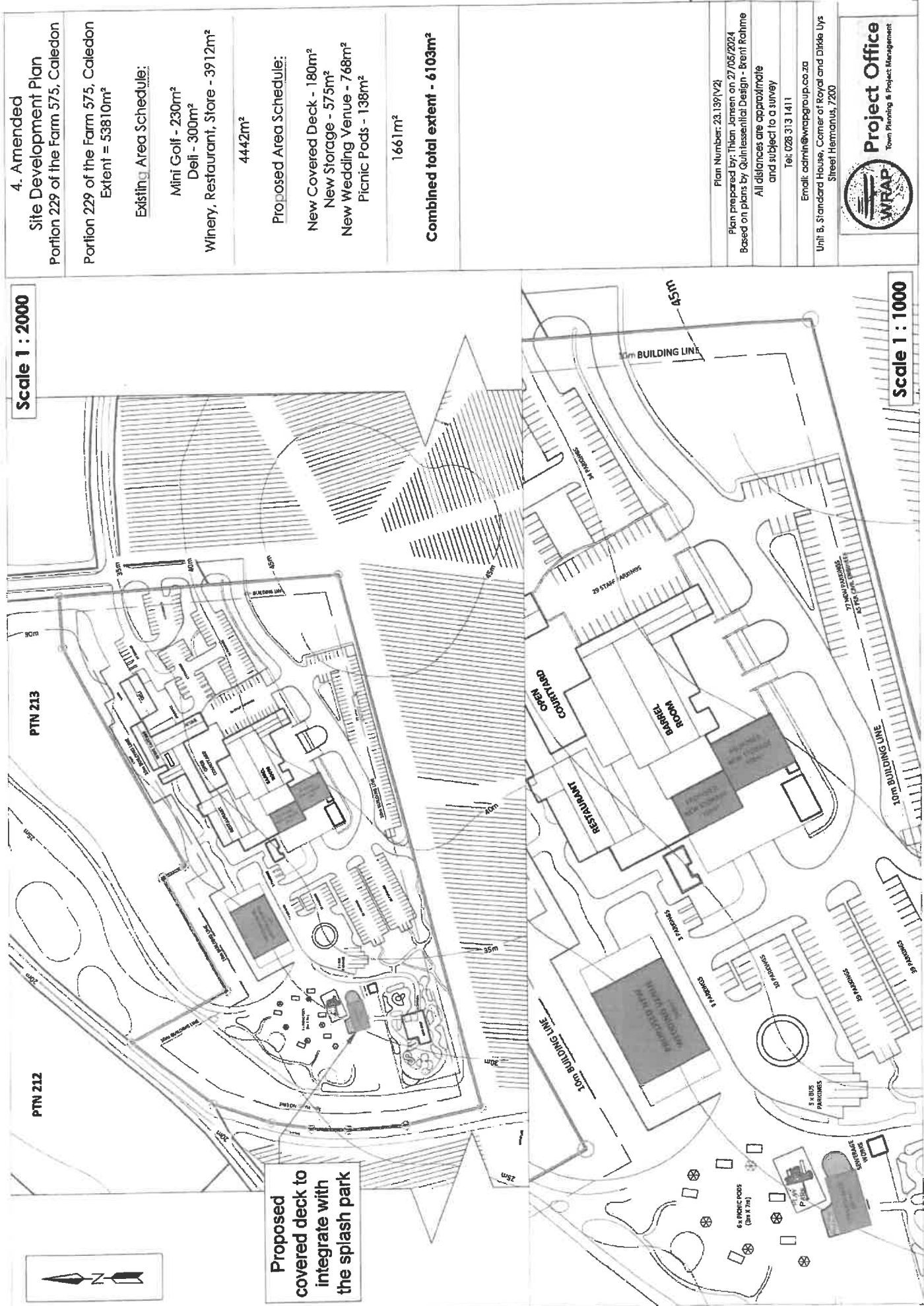
Portion 229 of the Farm Afdaksvier 575, Caledon

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




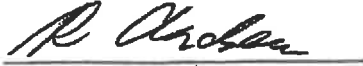
**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR AMENDMENT OF THE EXISTING APPROVED SITE
DEVELOPMENT PLAN, AMENDMENT OF CONDITIONS IN RESPECT OF AN
EXISTING APPROVAL & EXTENSION OF THE PERIOD OF VALIDITY OF AN
APPROVAL: PORTION 229 OF THE AFDAKSRIEVER NO.575, BENGUELA COVE
, A DIVISION OF CALEDON (4595/2024)**

Stormwater (SW)	:	According to the master plan by the Developer
Electricity	:	Eskom
Water	:	According to the master plan by the Developer
Sewer	:	According to the master plan by the Developer
Roads and traffic	:	In order

Conditions:

1. that the applicant must comply with all statutory requirements that may be applicable to the undertaking of the proposed development;
2. that only the existing municipal services and service 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;
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 new 110m & 160mm dia. uPVC pipework will be installed for the new proposed facilities which will be connected to the existing internal sewer network;
5. that the current winery is linked to a separate 160mm diameter uPVC sewer pipeline, which directs effluent to a pre-treatment plant;
6. that the cellar wastewater be pre-treated to eliminate high levels of organic matter, suspended solids and acidic substances before being released into the conventional, estate sewer system, as per sewerage service report dated April 2026 by Andre van der Merwe Consulting Engineers;
7. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property;
8. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 8.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;

- 8.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

02/06/2026
DATE