



ERF 160, 14 MYRTLE STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS FUTURE PLAN TOWN- & REGIONAL PLANNING ON BEHALF OF J.A.T RUST

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received for the following:

Departure in terms of Section 16(2)(b) of the Bylaw to:

- relax the lateral building line from 2m to 1.86m to accommodate the existing additions on the property; and
- relax the rear building line from 2m to 1.33m to accommodate the existing additions on the property.

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

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (e) alida@overstrand.gov.za) on or before **Friday 11 July 2025**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. B Minnaar** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 160, MYRTLESTRAAT 14, SANDBAAI, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE FUTURE PLAN STADS- EN STREEK BEPLANNING NAMENS J.A.T. RUST

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang is vir die volgende:

Afwyking ingevolge Artikel 16(2)(b) van die Verordening om:

- die laterale boulyn vanaf 2m to 1.860m te verslap om bestaande aanbouings op die eiendom te akkommodeer; en
- die agterboulyn vanaf 2m to 1.33m te verslap om bestaande aanbouings op die eiendom te akkommodeer.

Bepaling van administratiewe boete ingevolge Artikel 16(2)(q) van die Verordening om die bestaande aanbouings op die eiendom te wettig.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (e) alida@overstrand.gov.za) voor of op **Vrydag 11 Julie 2025**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. B. Minnaar** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 160, 14 MYRTLE STREET, SANDBAAI EHERMANUS UMASIPALA WASE OVERSTRAND: ISICELO SOPHAMBUKO KUNYE NOKUMISELWA KWESOHLWAYO SOLAWULO: FUTURE PLAN TOWN®IONAL PLANNING EGAMENI LIKA J.A.T RUST

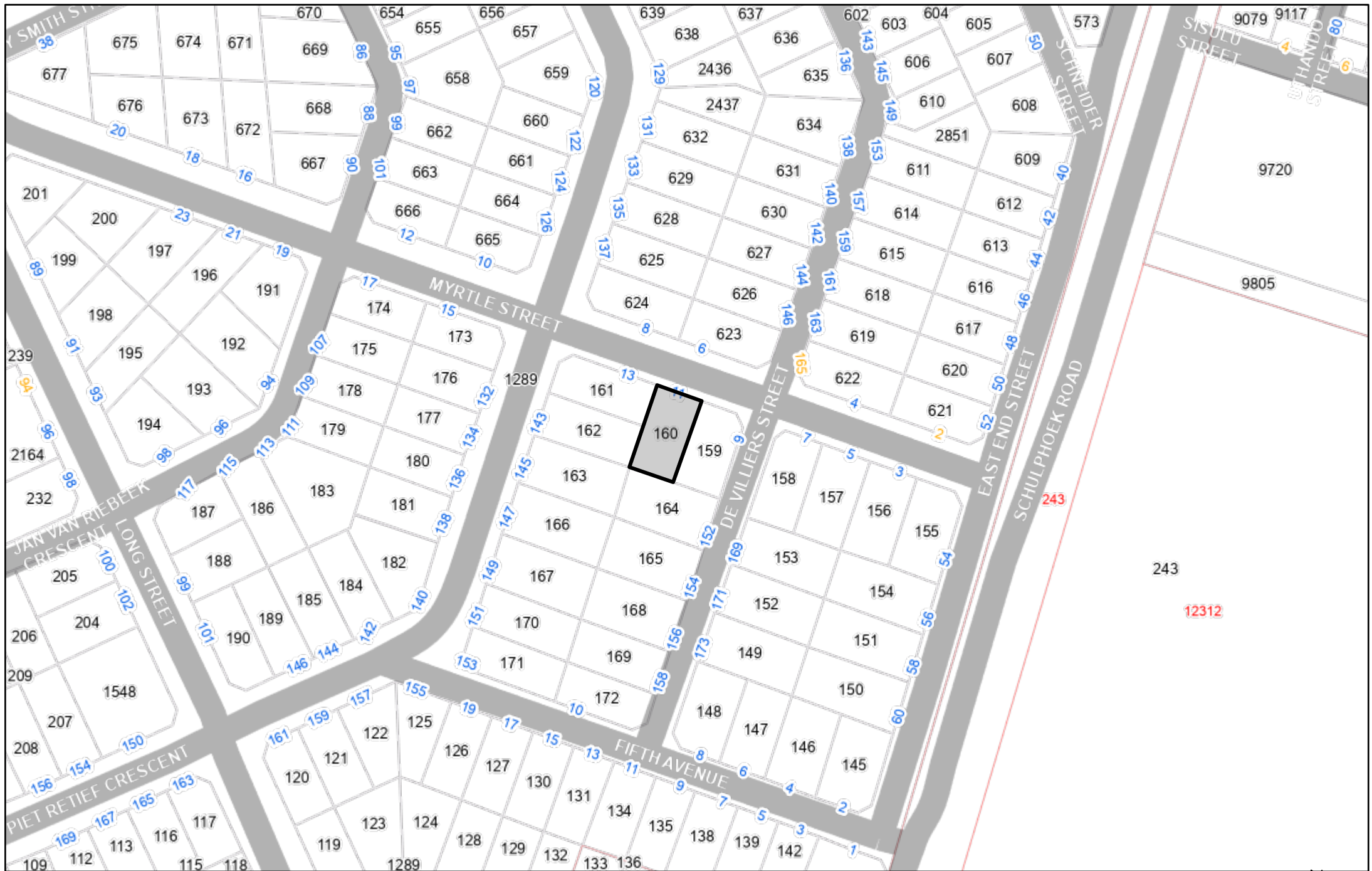
Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokuba isicelo sifunyenwe soku kulandelayo:

Uphambuko ngokwemiqaqo yeCandelo 16(2)(b) walo Mthetho woku kulandelayo:

- Ukunyenya umda wesakhiwo ecaleni ukusuka ku 2mitha ukuya ku 1.86 mitha ukulungiselela ulwangozi kwi propati ekhoyo,
- Ukunyenya umda wesakhiwo ngasemva ukusuka ku 2mitha ukuya ku 1.33 ukulungiselela ulwangozi kwi propati ekhoyo,

Ukumiselwa kwesoshlwayo solawulo ngokwemiqathango yeCandelo 16(2)(q)waloMthetho ulongozi olukhoyo &nenguqulelo kwi propati.

Iinkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxasha eveki phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangciso ngeDolophu, 16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokungqinelana nezibonelelo zeCandelo lama-51 kunye nelama-52 lalo Mthetho kaMasipala oxeliweyo kwaye zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambili **uLwesihlanu 11 EyeKhala 2025** ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba ingenziwa kuMnu.**B.Minnaar** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.





ERF 160, SANDBAAI

APPLICATION IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING OF 2020 FOR:

- *Section 16 (2) (b) - Permanent departure from the provisions of the land use scheme,*
- *Section 90 (5) - Determination of an Administrative Penalty*

Application prepared for:

JAT Rust & Overstrand Municipality

Application prepared by:

Future Plan Town and Regional Planners

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1. EXECUTIVE SUMMARY

1.1. Background Information

Future Plan Town and Regional Planners (hereafter referred to as *this office*) were approached by the property owner to assist with the applicable town planning application as was deemed necessary. After a lengthy consultation between Future Plan Town and Regional Planners, the property owner, and an Architect a decision was made to proceed with the application.

Please refer to the sections below for a comprehensive summary of the application particulars that will enable the reader, or authorised official, to decide based on the merits of the proposal at hand.

1.2. Application Summary

Herewith a land use planning application is made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning of 2020 (OMLUS) for:

- *Section 16 (2) (b) - Permanent departure from the provisions of the land use scheme*
 - *Relaxation of the side boundary building line (western boundary) from 2m to 1.86m*
 - *Relaxation of the rear boundary building line (southern boundary) from 2m to 1.33m*
- *Section 90 (5) - Determination of an Administrative Penalty*

Please refer to the following attached Annexures:

Annexure A: Application Form

Annexure B: Power of Attorney

Annexure C: Title Deed





2. THE PROPOSAL

To reiterate Section 1 of this motivation report, an application is hereby made for the following:

2.1. Permanent Departure (Section 16 (2) (b))

The permanent departure entails the construction of two entertainment rooms, two bedrooms, a bathroom, and additions and alterations to the existing dwelling. The additions are over the prescribed boundary-building lines as defined in the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning. Herewith a summary of the proposed departures:

- *Relaxation of the side boundary building line (western boundary) from 2m to 1.86m*
- *Relaxation of the rear boundary building line (southern boundary) from 2m to 1.33m*

2.2. Administrative Penalty (Section 90 (5))

Application is hereby made in terms of Section 90 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 for the determination of an administrative penalty. An administrative penalty is a direct contravention of the Overstrand Municipal Planning By-Law on Land Use Planning. The following measures must be addressed to the satisfaction of the Municipality to determine whether the imposition of an administrative penalty is applicable. The information required is stipulated as follows:

The nature, duration, gravity, and extent of the contravention.

The administrative penalty application pertains to the construction of additions and alterations to the existing dwelling. The additions are not out of the ordinary when considering their uses. The additions form part of the existing dwelling and character of the surrounding area.

The placement of the structures is not deemed to impact negatively on the adjoining erven (Erven 159 and 164) because it could negatively impact the sunlight, view, or privacy of the aforementioned erven. The structures are more than 1m from the common boundaries that separate the aforementioned erven. It can, therefore, be argued that the impact on the adjoining property owners will be minimal. Information supplied to this office indicated that the construction work started in April 2021, and was completed in August 2021.

The extent of the additions are as follows:

Additions:	±76.23m ²
TV Room:	±21.37m ²
TOTAL:	±97.6m²





The conduct of the person (allegedly) involved in the contravention.

The owner realised that his actions were not favourable and should have been done differently. He immediately sought the services of professionals to assist in this matter. The purpose of the additions was predominantly to provide additional rooms and add value to the existing dwelling.

No kitchen is available in this section of the house, and the owner is more than willing to let officials into the building for inspection.

A report by a quantity surveyor in matters of unauthorised building/construction.

Please see attached herewith as Annexure E.

Whether the unlawful conduct was stopped.

The matter was explained to the property owner, upon which the property owner expressed his concern about the process of the application and the potential financial impact it may have. No further construction work was implemented by the property owner.

Whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

To our knowledge, the current owners have not contravened this By-Law or any other previous planning law except for this infringement. It should also be noted that no notice was given to the property owner except when a complaint was submitted to the local authority from one adjacent property owner.

This office respectfully requests that a penalty not be imposed on the owners of Erf 160, due to the following reasons:

- The trauma the owner is going through in terms of the legal proceedings started against him, as a lawful and law-abiding citizen.
- The property owner was not duly informed of the required processes to follow at the time of construction and has subsequently complied with all procedures that are deemed necessary to rectify the contravention. It is common knowledge that builders are not entirely up to date with all procedures and do not provide their clients with all the necessary information.
- The professional team, in terms of the drafting of plans, never provided any negative feedback to the owner, who thought all had been approved, in terms of his lack of understanding of the planning and building regulatory requirements.
- No complaints from the abutting neighbours or the surrounding community have been received, except for the one neighbour about noise pollution, as we understand it. The owner of the application site refuted





that during a specified time the additions were rented out to a family of four people (two adults and two children). During the mornings the children walk to school, they walk past the adjoining property, Erf 159, and subsequently cause a slight disturbance (school bags had roller wheels that caused noise when rolling over any rough surface) which aggravated the neighbours of Erf 159. The tenants only resided at the application site for a temporary period and have since found permanent accommodation elsewhere. The owner further stated that the complaints by the neighbours have verbally been withdrawn and are thus not relevant anymore.

- To the best of our knowledge, no previous contravention has been done by the property owners.
- The construction of the additions inevitably contributes to the existing dwelling and improves its resale value.
- The additions can be seen as fitting in with the surrounding area and that of a residential community. In other words, the additions are not out of character for the surrounding area.

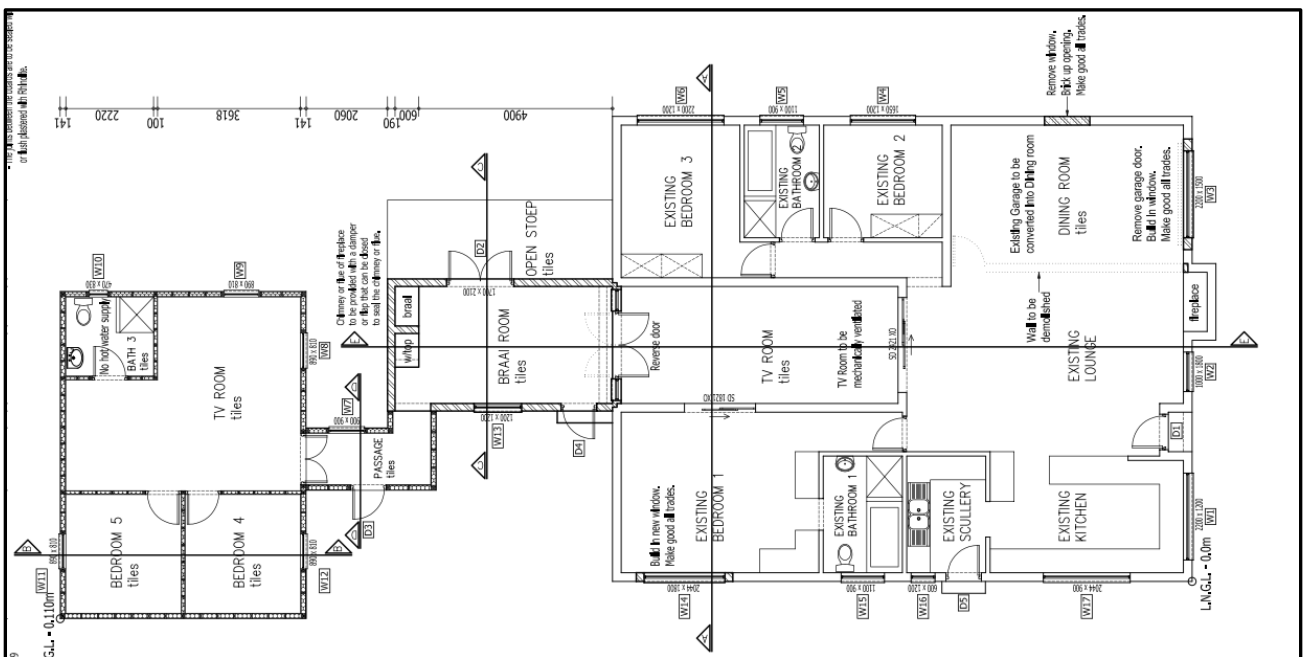
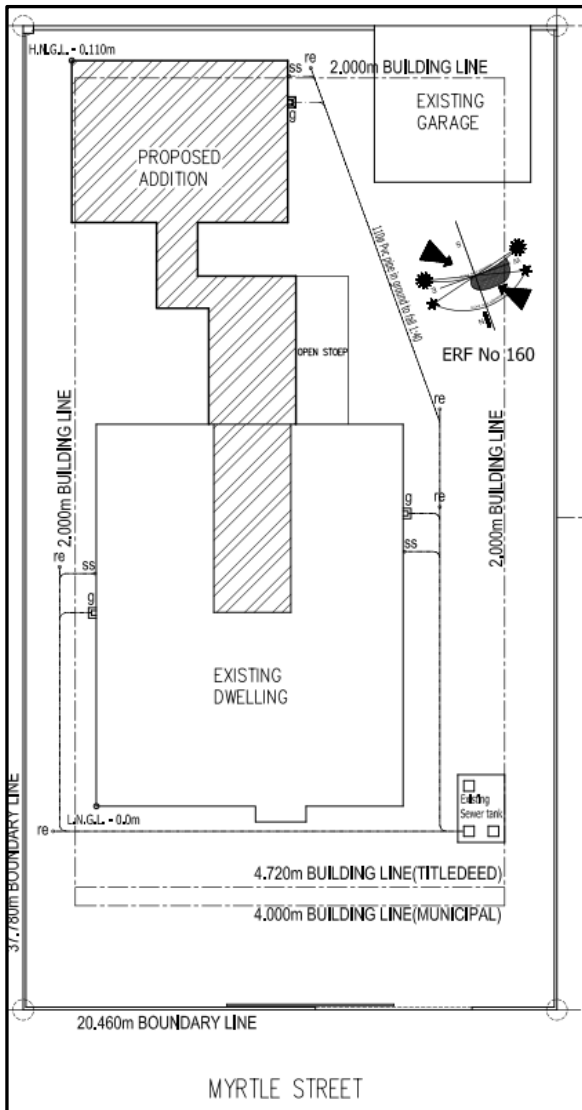


Figure 1: Floor Plan





Figure 2: Site Plan





3. CHARACTER OF ENVIRONMENT

3.1. Ownership Details

A perusal of the title deed revealed that no restrictive conditions could prohibit the approval of this land use planning application. Below are the details of the subject title deed.

Property Description	Erf 160 of the Greater Hermanus, Division Caledon, Western Cape Province
Ownership	Johannes Abraham Theron Rust
Extent	762m ²
Title Deed Number	T41532/95

3.2. Current Zoning and Utilisation

Single Residential Zone 1 (SR1) and utilised as a primary dwelling house.

3.3. Locality and Surrounding Land Uses

The surrounding area is predominantly residential, with most Erven being zoned as Single Residential Zone 1.

Please refer to the Figures on Page 8.

3.4. Municipal Services, Access, and Parking

The application site is connected to the existing services network. Herewith is a summary of the applicable services:

3.4.1 Water:

Water provision is to be supplied by Overstrand Municipality. No increase in capacity will be required.

3.4.2 Sewerage:

An existing septic tank can be located on the property which is emptied regularly. This will be conducted by the Overstrand Municipality, or by a reputable service provider, that services the surrounding area.

3.4.3 Electricity:

Eskom is the primary service provider. No increase in capacity is envisaged at this stage.

3.4.4 Solid Waste (Refuse Removal):

Waste is stored either in black refuse bins or in a similar manner and removed weekly by the Overstrand Municipality.





3.4.5. Roads and Access:

Access to the application site is from Myrtle Street and will remain unchanged.

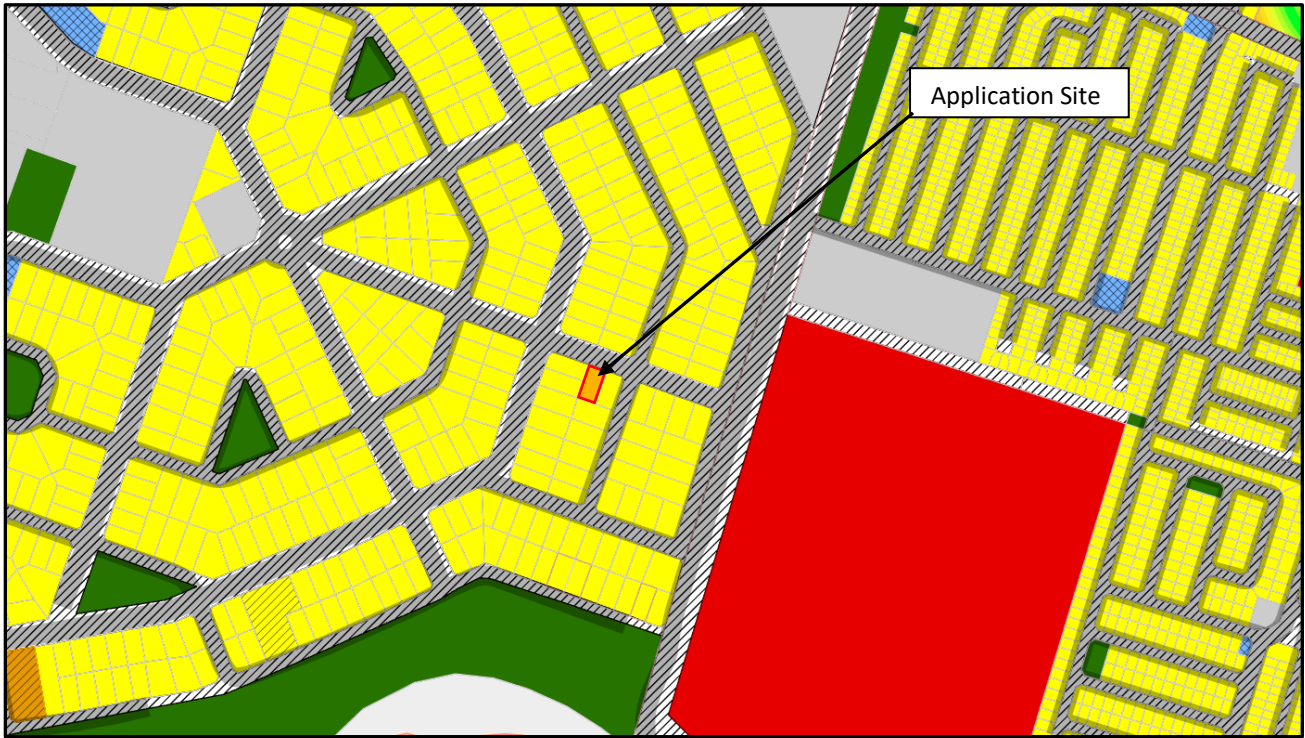


Figure 3: Surrounding Zonings



Figure 4: Aerial view of the application site and surrounds





4. NEED & DESIRABILITY

For an informed decision by the Authorised Official, it is crucial to address the need and desirability of an application. Therefore, this office has summarised a few site-specific key aspects that should be considered before a decision is made. Herewith is the need for the proposal:

- The structures are over the prescribed boundary building lines.

The proposal is deemed desirable due to the following reasons:

- The additions and alterations are consistent with a residential dwelling and community.
- It is deemed that the additions and alterations will add value to the existing dwelling.
- The proposal will not detract from the abutting neighbours regarding privacy, loss of sunlight, and vistas.
- The application is situated within an existing residential area and will be fitting with the character of the surrounding area.
- To our knowledge, the additions did not raise any complaints from the surrounding community.
- The property owner has been cooperative and understanding of the procedures to follow, however, admits ignorance played a crucial part.

The following aspects are also crucial to take into consideration when determining the desirability of an application:

Section 66 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning of 2020:

- *When the Authorised Official or Municipal Planning Tribunal considers an application, it must have regard to the following:*
 - *the application submitted in terms of this By-law;*
 - *the procedure followed in processing the application;*
 - *the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding proposed land uses;*
 - *the comments in response to the notice of the application and the comments received from organs of state and internal departments;*
 - *the response by the applicant to the comments referred to in paragraph (d);*
 - *investigations carried out in terms of other laws which are relevant to the consideration of the application;*
 - *a registered planner, or a planner eligible for registration, written assessment, which includes:*
 - *an amendment of a Spatial Development Framework or land use scheme*
 - *an approval of an overlay zone contemplated in the land use scheme*
 - *a phasing, amendment or cancellation of a subdivision plan or part thereof*
 - *a determination of a zoning*
 - *a rezoning*
 - *the integrated development plan and Municipal Spatial Development Framework;*
 - *the applicable Local Spatial Development Frameworks adopted by the Municipality;*
 - *the applicable policies of the Municipality that guide decision-making;*
 - *the Provincial Spatial Development Framework;*
 - *where applicable, the regional spatial development framework;*
 - *the policies, principles, planning and development norms and criteria set by the national and provincial government;*





- *the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act;*
- *the principles referred to in Chapter VI of the Land Use Planning Act; and*
- *the relevant provisions of the land use scheme.*
- *An Authorised Official or Municipal Planning Tribunal must approve a site development plan submitted to the Municipality for approval in terms of applicable development parameters or conditions of approval if the site development plan—*
 - *is consistent with the development parameters of the zoning;*
 - *is consistent with the development parameters of the overlay zone;*
 - *complies with the conditions of approval; and*
 - *complies with this By-law.*
- *When a site development plan is required in terms of development parameters or conditions of approval—*
 - *the Municipality may not approve a building plan if the site development plan has not been approved; and*
 - *the Municipality may not approve a building plan that is inconsistent with the approved site development plan.*

The application, site development plan, and subsequent attachments (supporting documentation) conform to the specified regulations listed above. The application in its current form can thus be accepted. The application shall thus be motivated and assessed in terms of its merits and desirability.

Section 49 of the Western Cape Land Use Planning Act of 2014:

When a municipality considers and decides on a land use application, the municipality must have regard to at least—

- *the applicable spatial development frameworks;*
- *the applicable structure plans;*
- *the principles referred to in Chapter VI;*
- *the desirability of the proposed land use, and*
- *guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.*

It is the opinion of this office that the proposed application is well motivated in terms of the legislation as provided for in this motivation report and is not deemed to impose an unusual risk to the surrounding community due to the reasons listed under Section 4 of the Motivation report. It is proven that the application conforms to the parameters of Desirability and also to that of Section 5 of this Motivation Report.





5. LEGISLATION

Overstrand Municipality Spatial Development Framework (May 2020)

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000), is aimed at providing general direction to guide decision-making on an ongoing basis, aiming at the creation of integrated, sustainable, and habitable regions, cities, towns, and residential areas.

The key statutory requirements of the SDF are as follows:

- give effect to the principles, norms, and standards.
- Include a written and spatial representation of the Municipality's five-year spatial development plan.
- Include a longer spatial development vision statement.
- Identify current and future structuring elements of the Municipal spatial form (i.e., development corridors, activity spines, economic nodes, etc.).
- Include population growth estimates for the next five years.
- Include estimates for the demand for housing units and the planned location and density of future housing developments.
- Include estimates of economic activity, employment trends, and locations in the Municipality for the next five years.
- Identify, quantify, and provide location requirements for the next five years of engineering infrastructure and services.
- Identify the designated areas where a national or provincial inclusionary housing policy may be applicable.
- Include a strategic assessment of the environmental pressures.
- Create opportunities (incl. spatial location of environmental sensitivities, high potential agricultural land, and coastal strips).
- Identify areas where more detailed local plans must be developed and shortened land use procedures may be applicable.
- Provide spatial expression of integration of municipal sectoral policies.
- Determine a capital expenditure framework for the Municipal development programmes depicted spatially.
- Include an implementation.

The proposal is not deemed to be in contravention of the Overstrand SDF as it does not contradict the abovementioned statutory requirements of the SDF. Further to those described above, the application site is





in an urban development area within the urban edge. The proposal is thus not in contravention of the SDF as it will form part of the inclusion of the surrounding area and also the well-established character of Sandbaai.

Overstrand Integrated Development Plan (May 2020)

The Overstrand Municipality Integrated Development Plan (IDP) aims to address our communities' development needs with clearly defined strategic objectives and performance indicators. These strategic objectives are as follows:

- The provision of democratic, accountable, and ethical governance
- The provision and maintenance of municipal services
- The encouragement of structured community participation in the matters of the municipality
- The creation and maintenance of a safe and healthy environment
- The promotion of tourism and economic and social development.

The IDP is crucial to take into consideration in any planning-related application. It is the opinion of this office that the proposal promotes social development and creates a safe and healthy environment, not only for the property owner but also for the surrounding residents of the area.

Overstrand Municipal Growth Management Strategy (2010)

Sandbaai forms part of the greater Hermanus West region and is typically characterised by its unique landscape consisting of various elements such as nature, and heritage qualities that are not replicated elsewhere. Sandbaai has a predominately low-density residential character. The application and its particulars do not involve any densification or similar elements. The application merely consists of the extension of the existing dwelling. The application site is not within a Heritage Overlay Zone defined in the Growth Management Strategy and will thus not constitute any heritage-related aspects, nor be deemed to be in contravention of the Growth Management Strategy.

Overstrand Municipality Amended By-Law on Municipal Land Use Planning (2020)

It is essential to consider Section 66 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning in terms of the "General criteria for consideration of applications":

- When the Authorised Official or Municipal Planning Tribunal considers an application, it must have regard to the following:
 - the application submitted in terms of this By-law;
 - the procedure followed in processing the application;





- the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding proposed land uses;
- the comments in response to the notice of the application and the comments received from organs of state and internal departments;
- the response by the applicant to the comments referred to in paragraph (d);
- investigations carried out in terms of other laws which are relevant to the consideration of the application;
- a registered planner, or a planner eligible for registration, written assessment, which includes:
 - an amendment of a Spatial Development Framework or land use scheme
 - an approval of an overlay zone contemplated in the land use scheme
 - a phasing, amendment or cancellation of a subdivision plan or part thereof
 - a determination of a zoning
 - a rezoning
- the integrated development plan and Municipal Spatial Development Framework;
- the applicable Local Spatial Development Frameworks adopted by the Municipality;
- the applicable policies of the Municipality that guide decision-making;
- the Provincial Spatial Development Framework;
- where applicable, the regional spatial development framework;
- the policies, principles, planning and development norms and criteria set by the national and provincial government;
- the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act;
- the principles referred to in Chapter VI of the Land Use Planning Act; and
- the relevant provisions of the land use scheme.
- An Authorized Official or Municipal Planning Tribunal must approve a site development plan submitted to the Municipality for approval in terms of applicable development parameters or conditions of approval if the site development plan—
 - is consistent with the development parameters of the zoning;
 - is consistent with the development parameters of the overlay zone;
 - complies with the conditions of approval; and
 - complies with this By-law.
- When a site development plan is required in terms of development parameters or conditions of approval—
 - The municipality may not approve a building plan if the site development plan has not been approved; and





- The municipality may not approve a building plan that is inconsistent with the approved site development plan.

The proposal is not considered a deviation from the requirements above; however, it is substantially per any residential neighbourhood and is not deemed to pose a significant threat to the surrounding community and its character.

Planning Principles

The proposed development supports the principles of Chapter VI (Article 59) of the Land Use Planning Act (LUPA), Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, as follows:

Spatial Justice

Refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services, and land.

The proposed application will not contribute to perpetuating past apartheid spatial development imbalances.

Spatial Sustainability

A spatially sustainable settlement will have an equitable land market while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity-rich areas, scenic and cultural landscapes, and ultimately limiting urban sprawl.

The proposal will not negatively impact valuable agricultural land, environmentally sensitive areas, or scenic landscapes and will ultimately not contribute to urban sprawl as it falls within Sandbaai's development footprint.

Efficiency

Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land.

The proposed development will optimally harness the potential that sustainably exists on the subject property, as is evident in the proposed SDP, by allowing full use of the allocated property.





Spatial Resilience

Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems that should enable the communities to be able to resist, absorb and accommodate economic and environmental shocks and to recover from these shocks in a timely and efficient manner.

The proposed development is well aligned with the spatial plans and policies, enabling the subject property to resist, absorb, and accommodate environmental and economic shocks and recover from shocks in a timely and efficient manner.

Good Administration

Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure a joint planning approach is pursued.

The proposed development will promote consultative planning as the Municipality will advertise the proposal to the public to allow the comments of the public to be taken into consideration. In addition, Future Plan Town and Regional Planners will also respond to the public's comments and consider the comments in the project's planning.

This section outlines how the proposed development aligns with the core planning principles outlined in SPLUMA and LUPA. The proposal can, therefore, encompass and promote all planning principles.





6. CONCLUSION & RECOMMENDATION

The motivation report has provided a clear and complete analysis of the land use proposal. It was proven that the application is desirable and will not adversely impact the existing landscape. It was also demonstrated that the proposal is well aligned with the spatial planning initiatives for the area in which it is located.

The following factors should also be considered when evaluating the feasibility of the proposed application:

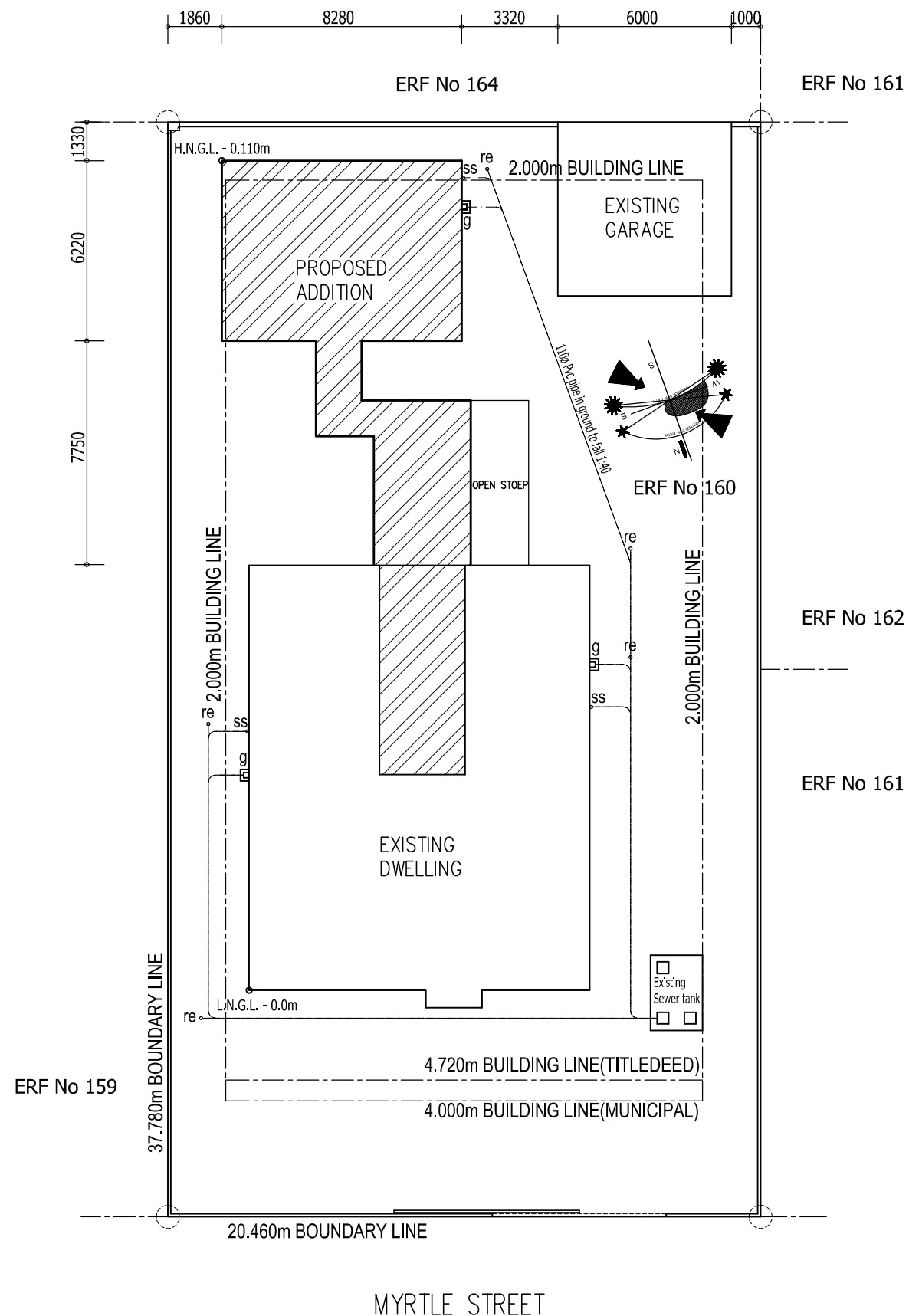
- It is possible that the proposal will add value to Erf 160 and potentially the surrounding area.
- The proposal will not detract from the abutting neighbours regarding privacy, loss of sunlight, and loss of vistas.
- The application is situated within an existing residential area and will be fitting with the character of the surrounding area.
- The additions are not deemed to pose a significant threat to the health and safety of the surrounding area.
- It is deemed that the additions form part of the existing dwelling and will thus not be deemed to be out of character.

Considering the above, it is recommended that the following applications:

- *Section 16 (2) (b) - Permanent departure from the provisions of the land use scheme*
 - *Relaxation of the side boundary building line (western boundary) from 2m to 1.86m*
 - *Relaxation of the rear boundary building line (southern boundary) from 2m to 1.33m*
- *Section 90 (5) - Determination of an Administrative Penalty*
 - *not impose a penalty on the owner, as per the reasons provided in this motivation,*

be approved in terms of Section 16 of the OMLUS.





Site Plan
Scale 1:200

SANS 10400-XA: 2011
CALCULATIONS : - CLIMATE ZONE 4

DWELLING:
NETT FLOOR AREA - 219.74 m²
CONDUCTANCE= 219.74 x 1.4 = 307.636
SHGC= 219.74 x 0.13 = 28.566
FENESTRATION= 15% OF 219.74 = 32.961

W1 - 2.2 x 1.2 = 2.64
D1 - SOLID TIMBER
W2 - 1.0 x 1.8 = 1.8
W3 - 2.2 x 1.5 = 3.3
W4 - 1.65 x 1.2 = 1.98
W5 - 1.1 x 0.9 = 0.99
W6 - 2.2 x 1.2 = 2.64
D2 - 1.7 x 2.1 = 3.57
W7 - 0.9 x 0.9 = 0.81
W8 - 0.89 x 0.81 = 0.72
W9 - 0.89 x 0.81 = 0.72
W10 - 0.47 x 0.83 = 0.39
W11 - 0.89 x 0.81 = 0.72
W12 - 0.89 x 0.81 = 0.72
D3 - SOLID TIMBER
W13 - 1.2 x 1.2 = 1.44
D4 - SOLID TIMBER
W14 - 2.044 x 1.8 = 3.68
W15 - 1.1 x 0.9 = 0.99
W16 - 0.6 x 1.2 = 0.72
D5 - SOLID TIMBER
W17 - 2.044 x 0.9 = 1.84
TOTAL = 29.67 < 32.961 DOES COMPLY

ROOF ASSEMBLY: Min. R-VALUE = 3.7
ROOF COVERING - IBR 0.30
INSULATION - 100mm AEROLITE 2.50
CEILING - 6.4mm RHINO BOARD 0.03
SISALATION 405 1.26
TOTAL 4.09 > 3.7

ENERGY USAGE FOR DWELLING:
ALLOWED 5kW / m² . a
219.74 x 5 = 1098.7 kW PERMITTED
1098.7 ÷ 1820 = 0.604 kW
= 604 W
TOTAL LIGHT FITTINGS NOT TO EXCEED 604 Watt
RESIDENTIAL: 17:00 - 22:00 (5h / DAY)
52(WEEKS) x 7 (DAYS) x 5 (HOURS) = 1820 h.a

SPECIFICATIONS

FOUNDATIONS:

- AS SHOWN ON SECTIONS.
- CAST 4xY12 STEEL RE-INFORCING BARS SPACED 200mm APART CONTINUOUS IN FOUNDATION TRENCHES.
- FOUNDATION CONCRETE 15 MPA

FLOOR:

- 25mm SCREED LAID ON A 100mm CONCRETE BASE ON A 250mm MICRON DAMP PROOF MEMBRANE.
- FILLING UNDER FLOOR SLAB COMPACTED IN 150mm LAYERS.
- TO ENTIRE GROUND FLOOR SLAB, CAST A 10mm WELD-MESH MATTING IN CONCRETE SURFACE BED.
- DRAINAGE PIPES PASSING UNDERNEATH FLOOR AND FOUNDATIONS MUST BE CAST IN A 300mm BY 300mm CONCRETE SHEATH.
- ALL REQUIRED DRAINAGE PIPES TO BE CAST INTO CONCRETE SLAB.
- NO CHASING OF 40mm OR 110mm PIPEWORK WILL BE PERMITTED IN THE CONCRETE FLOOR.

WALLS :

- EXTERNAL WALLS 190mm SOLID CONSTRUCTION.
- EXTERNAL WALLS 141 DRY WALL CONSTRUCTION.
- WALLS PLASTERED SMOOTH INTERNALLY - STEEL FLOAT FINISH.
- WALLS PLASTERED SMOOTH EXTERNALLY - WOOD FLOAT FINISH.
- BRICKFORCE EVERY SINGLE COURSE BELOW FLOOR LEVEL AND ABOVE OPENINGS.
- 375mm MICRON DPC AROUND DOORS, WINDOWS AND AT FLOOR LEVEL.
- DPC AT FLOOR LEVEL MUST BE STEPPED.
- PRECAST CONCRETE LINTELS OVER ALL OPENINGS.

ROOF CONSTRUCTION :

- AS SHOWN ON SECTIONS.
- GUTTERS AND DOWNPIPES TO BE ALUMINIUM.
- FACIA BOARDS - FIBRE CEMENT
- NO OVERHANG.
- ONLY BRASS FIXING SCREWS TO BE USED FOR FACIAS.

WINDOWS AND DOORS:

- WINDOWS AND DOORS TO BE TIMBER TO MATCH EXISTING.
- ALL DOORS AND WINDOWS TO HAVE LAMINATED SAFETY GLASS.

PLUMBING AND DRAINAGE:

- SOIL PIPES 110mm VENTED WITH G.I. VENT VALVES LAID AT GRADIENT AS SHOWN ON SITE PLAN TO CONNECT INTO EXISTING SEWERLINE.
- WASTE PIPES 40mm TO DISCHARGE IN GULLEYS WHICH MUST BE FITTED WITH A 300mm x 300mm MANHOLE COVER.
- POLYCOB TO BE USED FOR COLD WATER SUPPLY.
- TAKE PARTICULAR CARE WHERE PIPES EXIT THROUGH WALLS AND ENDEAVOR TO OBSURE PIPES AS FAR AS POSSIBLE.
- PLUMBER TO ENSURE THAT A BALANCED WATER PRESSURE SYSTEM IS INSTALLED.
- WASHING MACHINE OUTLET TO BE FITTED WITH TAP.

GENERAL:

- ALL FIXINGS ARE TO BE RUST FREE E.G.; BRASS SCREWS, GALVANISED NAILS.
- ALL EXPOSED NAILS ARE TO BE PUNCHED AND FILLED, OR ALTERNATIVELY A SCREW IS TO BE USED.
- SCREWS AND/OR NAILS ARE TO BE NEATLY SPACED, AND NOT ARBITRARILY HAMMERED OR SCREWED INTO MATERIALS.
- ONLY SABS APPROVED MATERIALS AND WORKMANSHIP WILL BE PERMITTED ON SITE.
- NO DIMENSIONS ARE TO BE SCALED. ANY VARIATIONS IN SIZES AND LEVELS MUST BE DISCUSSED WITH THE PROJECT MANAGER.

AREAS

EXISTING DWELLING	173.57 m ²
EXISTING GARAGE	36.00 m ²
PROPOSED ADDITION	76.23 m ²
PROPOSED TV ROOM	21.37 m ²
TOTAL	307.17 m²
ERF COVERAGE	773.00 m ²
	39.74 %

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NOTES

COMPLIANCE TO HEALTH & SAFETY MEASURES
The Role players (the CLIENT and his CONTRACTORS) have to comply with the following:

Occupational Health and Safety Act No.85 of 1993 as amended by the Occupational Health and Safety Amendment Act No.181 of 1993, the Construction Regulations No. R1010 of 7 February 2014, General Administrative Regulations, 2003 No. R929 of 25 June 2003, General Safety Regulations, 1986 No R1031 of 30 May 1986, and all other Regulations that might be applicable.

Health & Safety Notes:

- A risk assessment must be done by a professional in the field of health and safety.
- Owner must supply builder with his health & safety requirements on the developing site as per risk assessment outcome.
- Builder must provide the owner with a health & safety plan as is required from the owner and stipulated in the NBR & SANS 10400. He must appoint/nominate a health & safety officer on site.
- The safety plan must be implemented on site and adhered to by all personnel, workers and professionals entering or working on the site.
- The safety plan must be available on site at all times, and work must stop immediately on site if the requirements stipulated in the Health & safety plan are breached or ignored.
- Failure to adhere to these requirements may lead to prosecution by law as stipulated in the NBR & SANS 10400.

Basic requirements: (Safety plan must be more comprehensive)

- All workers/professionals or civilians working or entering the site must adhere to the basic safety requirements such as wearing hard hats and steel-tip boots, and reflective clothing.
- All open balconies must be cordoned off with safety tape, and all hazardous areas must be made safe and accident free. People working at heights of 2m or more must be harnessed to the scaffolding or a safe & permanent part of the building. Access control must be strictly monitored to prevent public injuries due to negligence or ignorance of the safety rules.
- All flammable material must be stored separately and away from any open fires or fire hazards.
- Crag Architectural Design(PTY)LTD will not be held liable if a claim arises due to non compliance to these requirements.

PROJECT

ADDITION ON
ERF 160
MYRTLE STREET
SANDBAAI

CLIENT

J.A.T. RUST

DRAWING

SITE PLAN

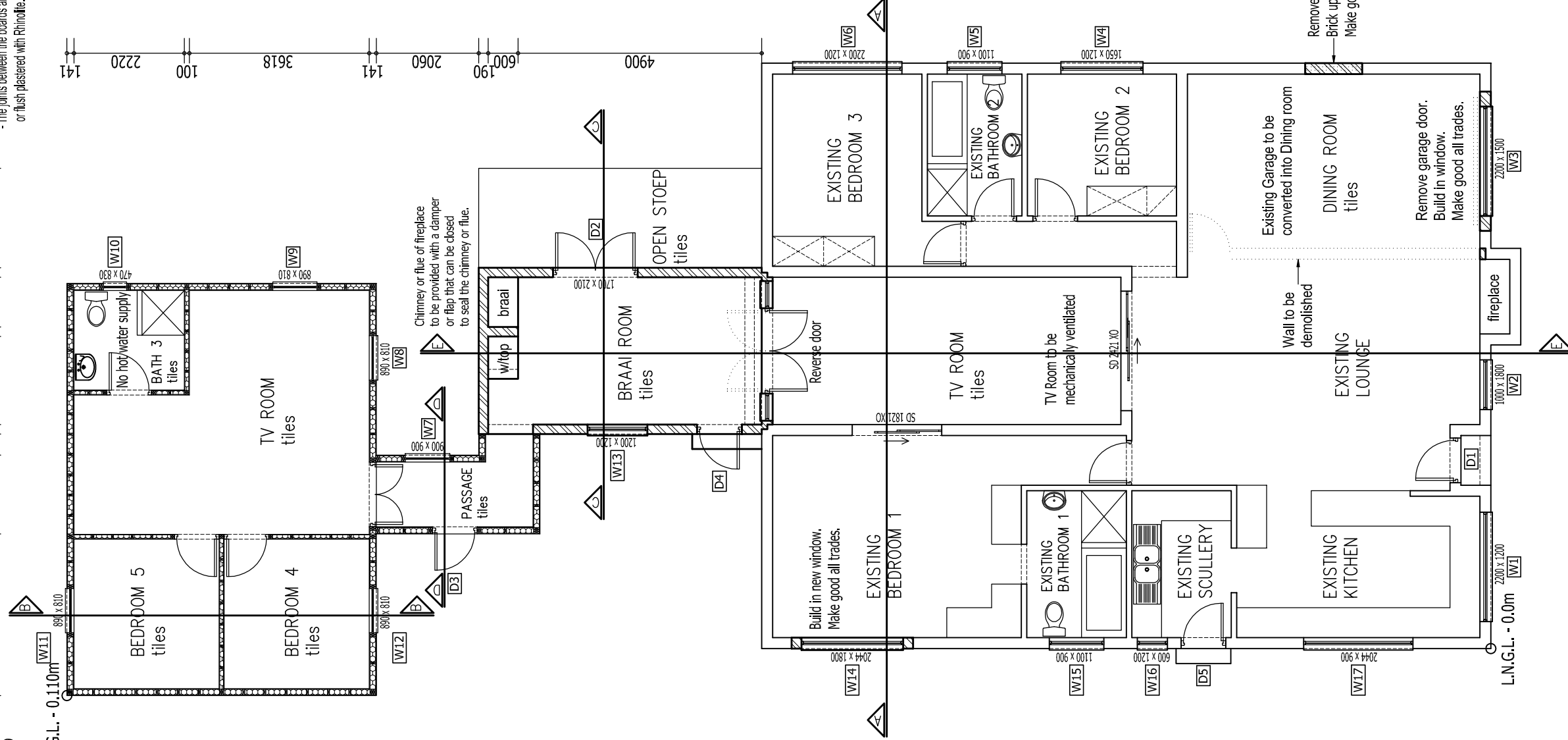
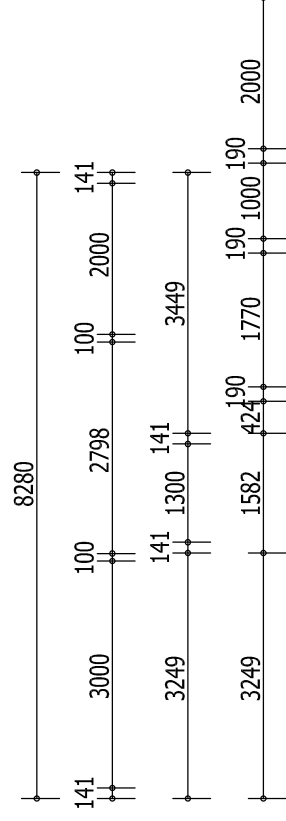
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1:100	CFG
CHECKED	DATE
CFG	13 May 2022
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NON-MASONRY WALLS: Min. R-VALUE = 1.9
 12mm NUTEC FLAT SHEETS 0.063
 NON-COMBUSTIBLE LIGHT WEIGHT 'AEROLITE' - 135mm 3.38
 GYPROC FIRE STOP BOARD - 15mm 0.071
 TOTAL 3.514 > 1.9

Specifications for Dry Walling:
 - 12mm Nutec Flat sheets on 114 x 38 timber framework externally.
 - Gyproc Firestop 15mm on 114 x 38 timber framework internally.
 - Framework to be fixed with masonry Hilti nails to floor at 400 centers.
 - No 2 x 114 x 38 studs at all door openings and as lintols.
 - Double studs to be bolted with ø 10 x 100 bolts.
 - Gyproc Firestop 15mm to be fixed to frame with 25mm drywall screws at 220mm max. centers.
 - Cavities to be insulated with flexible mineral Rockwool.
 - The joints between the boards are to be sealed with Rhinoglide or flush plastered with Rhinoflote.



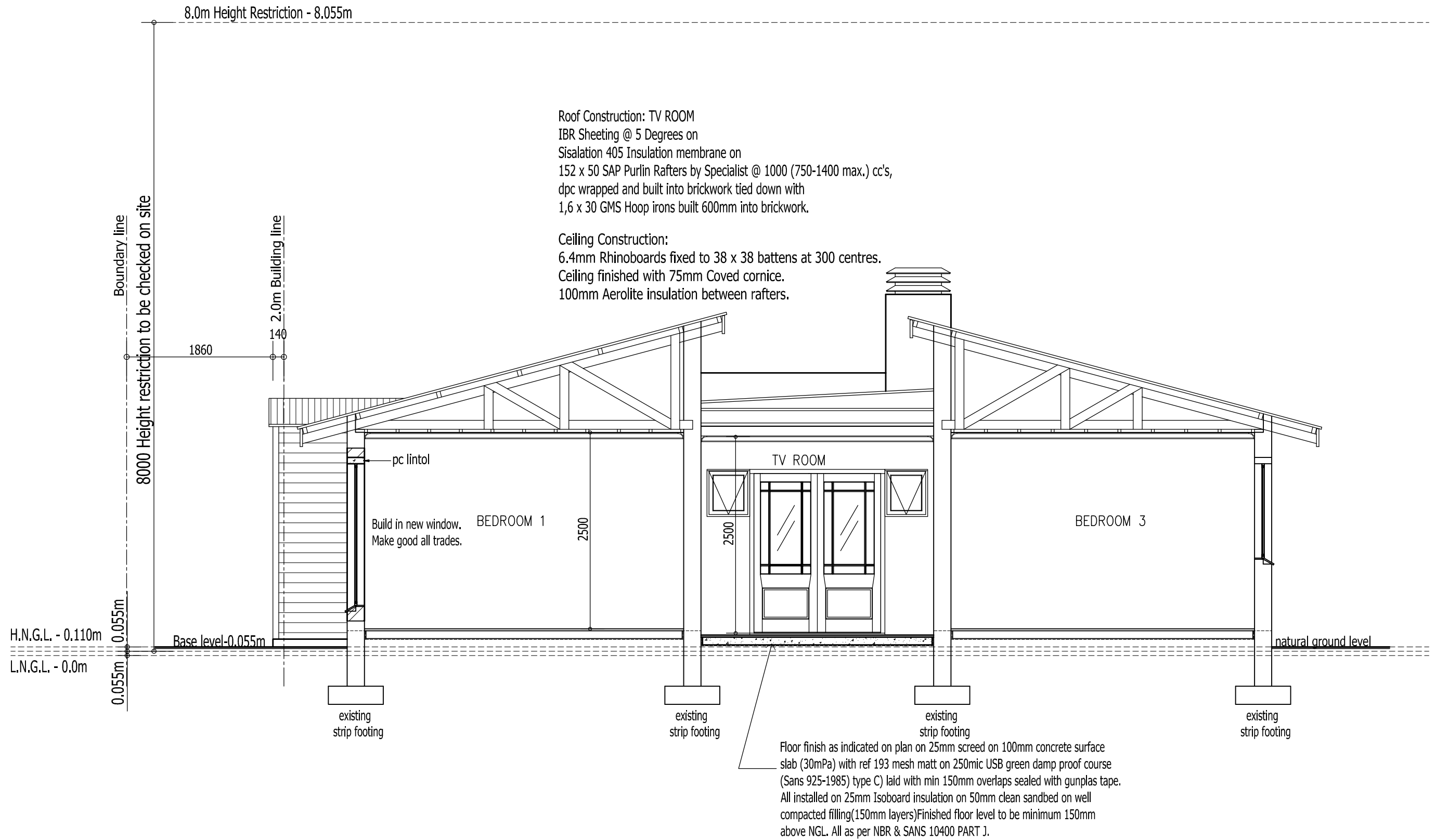
Floor Plan
 Scale 1:100

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PROJECT
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Section A-A - 1:50

PROJECT

ADDITION ON
ERF 160
MYRTLE STREET
SANDBAAL

CLIENT

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DRAWING

SECTION

DRAWING

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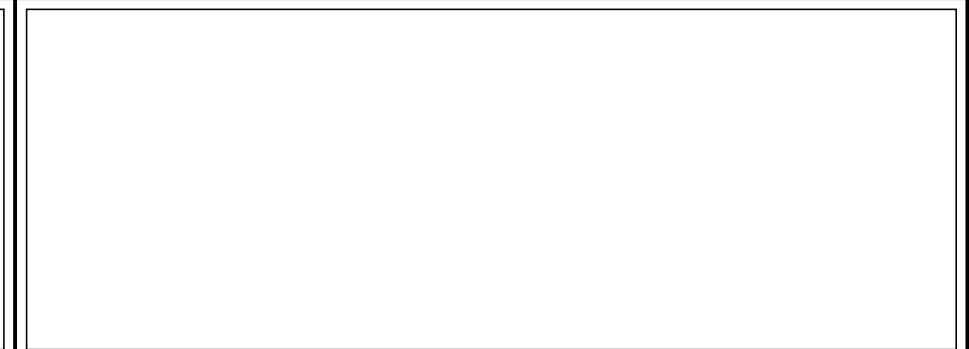
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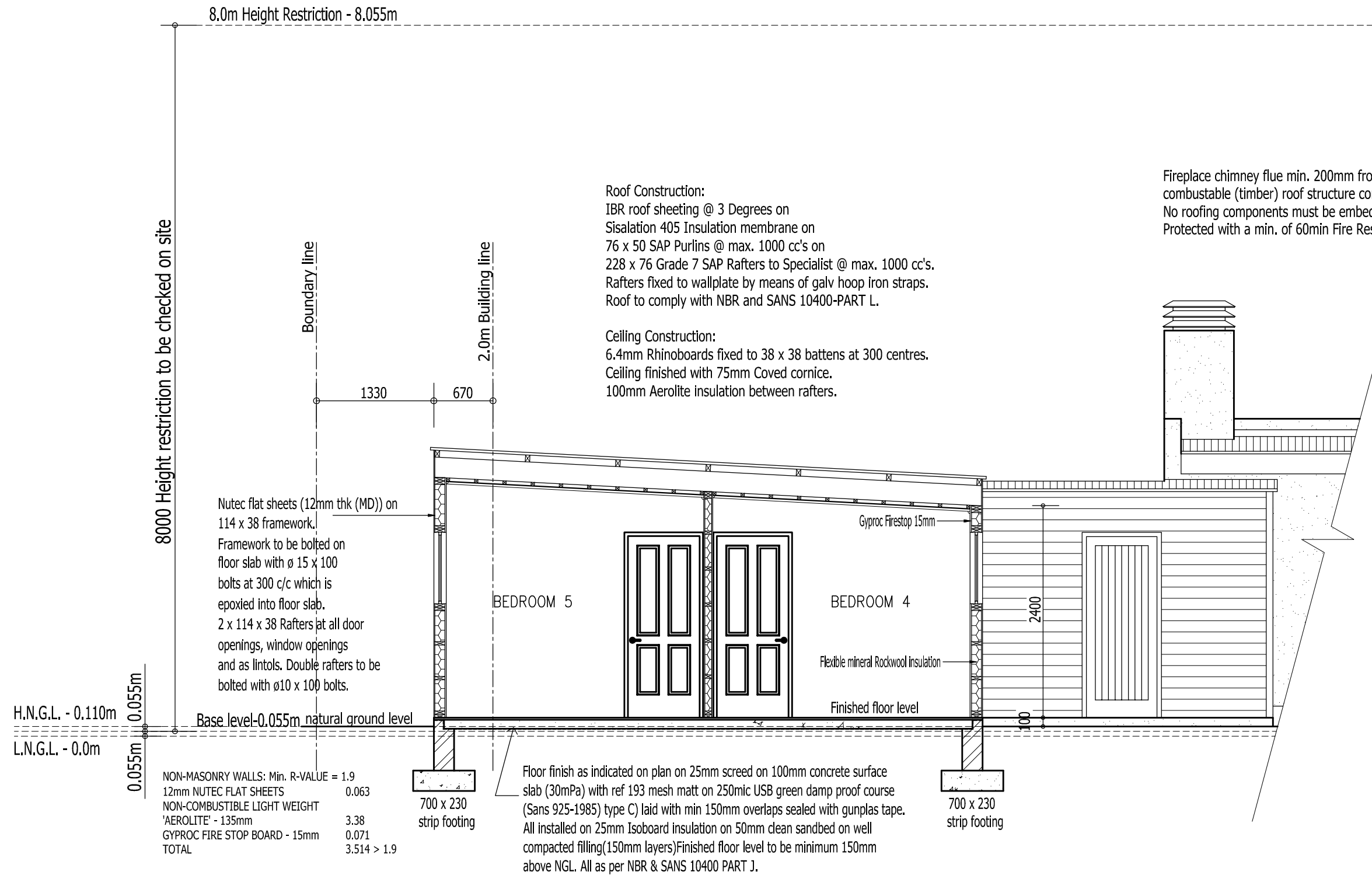
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Section B-B - 1:50

PROJECT

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SECTION

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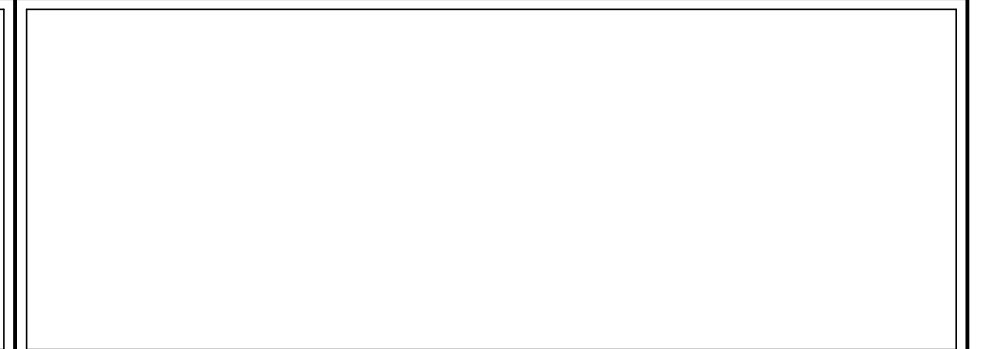
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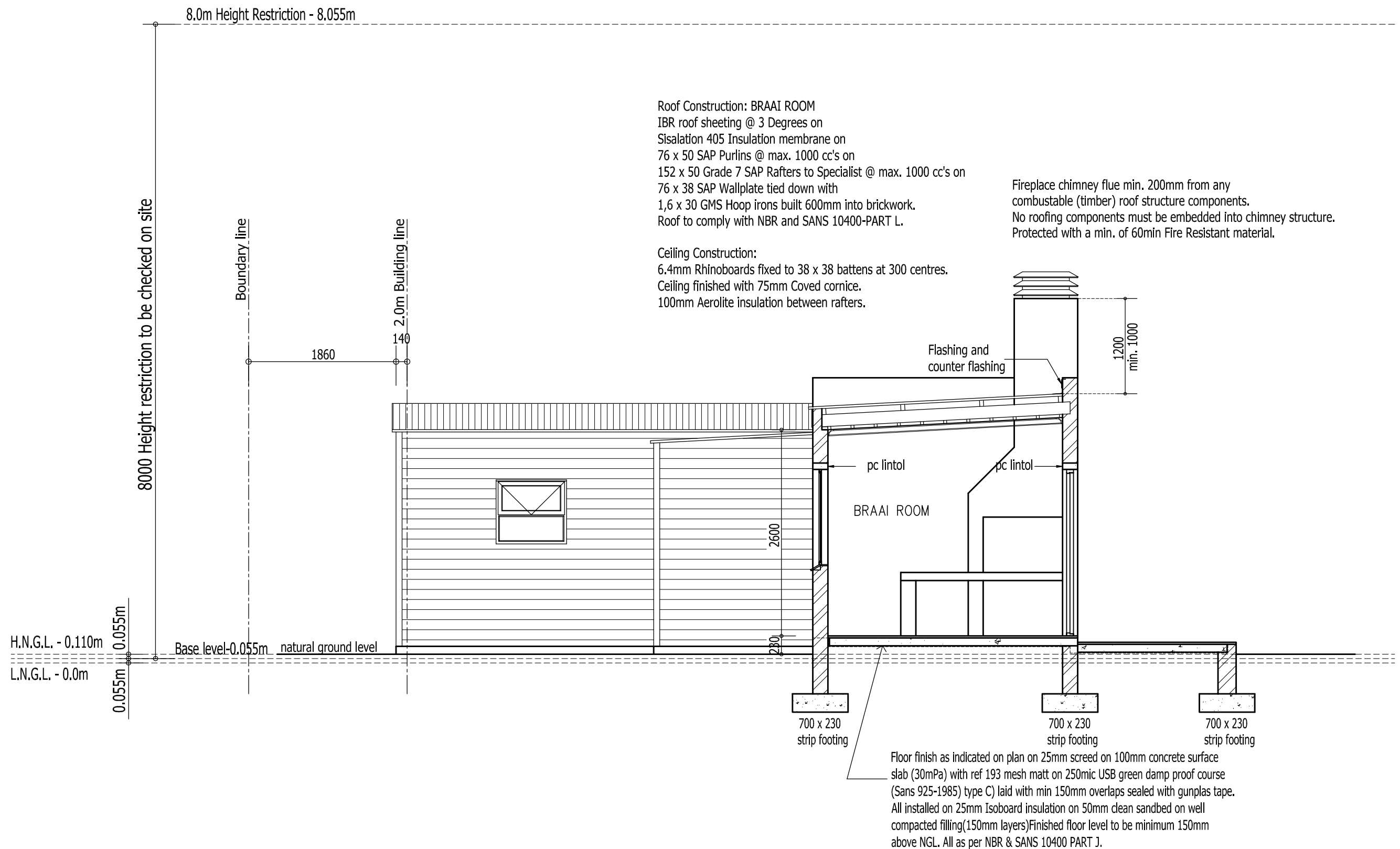
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Section C-C - 1:50

PROJECT

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SECTION

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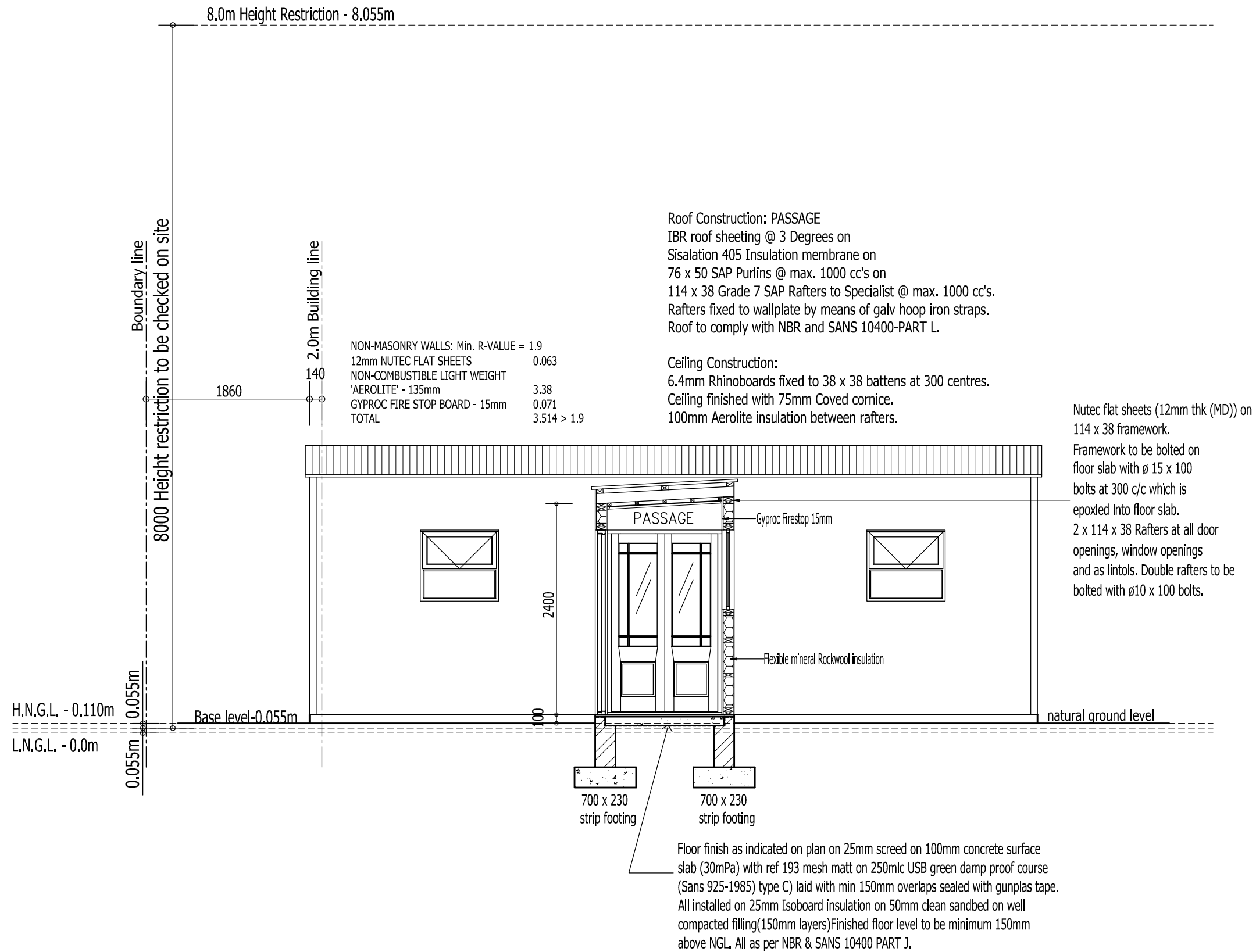
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Section D-D - 1:50

PROJECT

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8.0m Height Restriction - 8.055m

8000 Height restriction to be checked on site

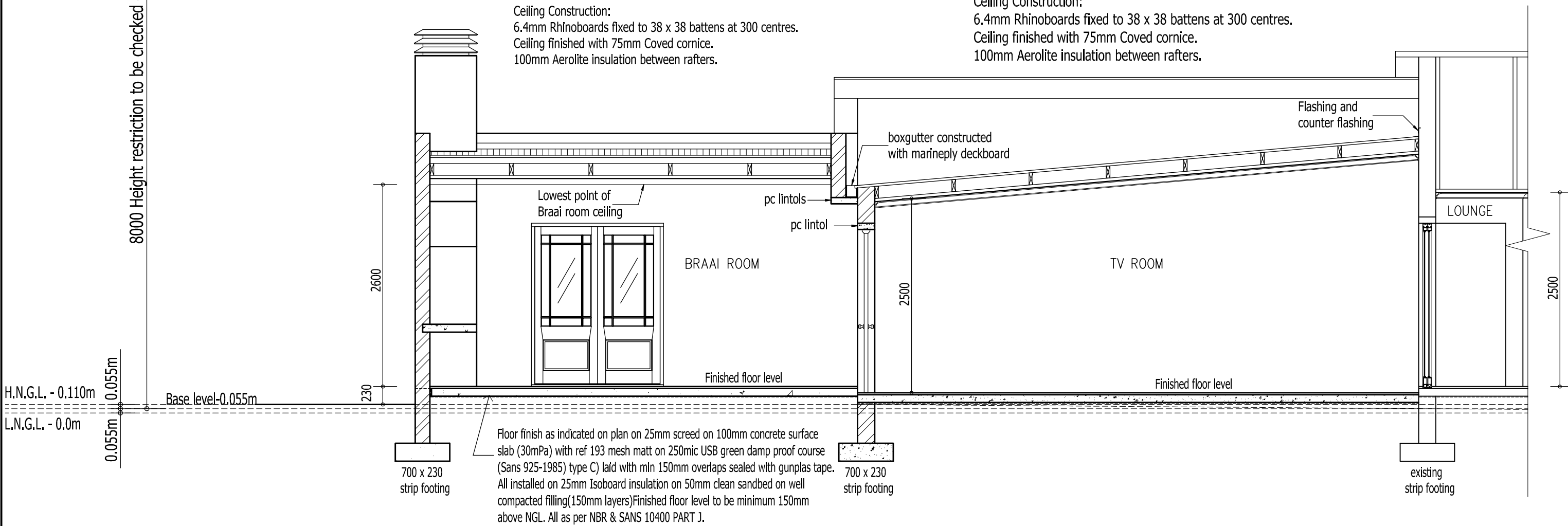
Fireplace chimney flue min. 200mm from any combustable (timber) roof structure components. No roofing components must be embedded into chimney structure. Protected with a min. of 60min Fire Resistant material.

Roof Construction: BRAAI ROOM
 IBR roof sheeting @ 3 Degrees on
 Sisalation 405 Insulation membrane on
 76 x 50 SAP Purlins @ max. 1000 cc's on
 152 x 50 Grade 7 SAP Rafters to Specialist @ max. 1000 cc's on
 76 x 38 SAP Wallplate tied down with
 1,6 x 30 GMS Hoop irons built 600mm into brickwork.
 Roof to comply with NBR and SANS 10400-PART L.

Ceiling Construction:
 6.4mm Rhinoboard fixed to 38 x 38 battens at 300 centres.
 Ceiling finished with 75mm Coved cornice.
 100mm Aerolite insulation between rafters.

Roof Construction: TV ROOM
 IBR Sheeting @ 5 Degrees on
 Sisalation 405 Insulation membrane on
 152 x 50 SAP Purlin Rafters by Specialist @ 1000 (750-1400 max.) cc's,
 dpc wrapped and built into brickwork tied down with
 1,6 x 30 GMS Hoop irons built 600mm into brickwork.

Ceiling Construction:
 6.4mm Rhinoboard fixed to 38 x 38 battens at 300 centres.
 Ceiling finished with 75mm Coved cornice.
 100mm Aerolite insulation between rafters.



Section E-E - 1:50

PROJECT
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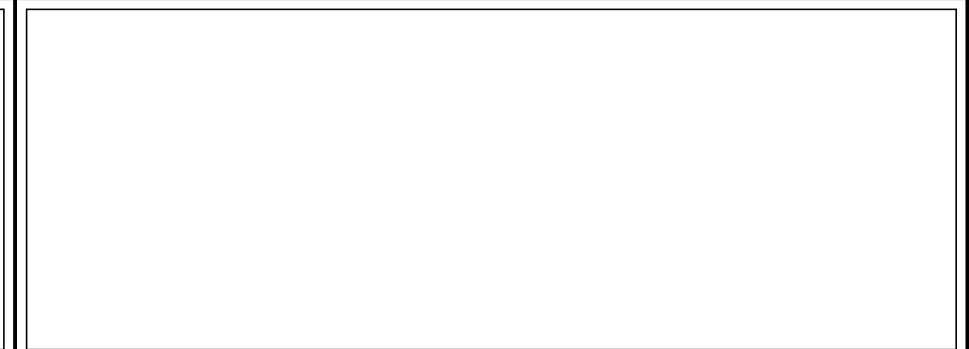
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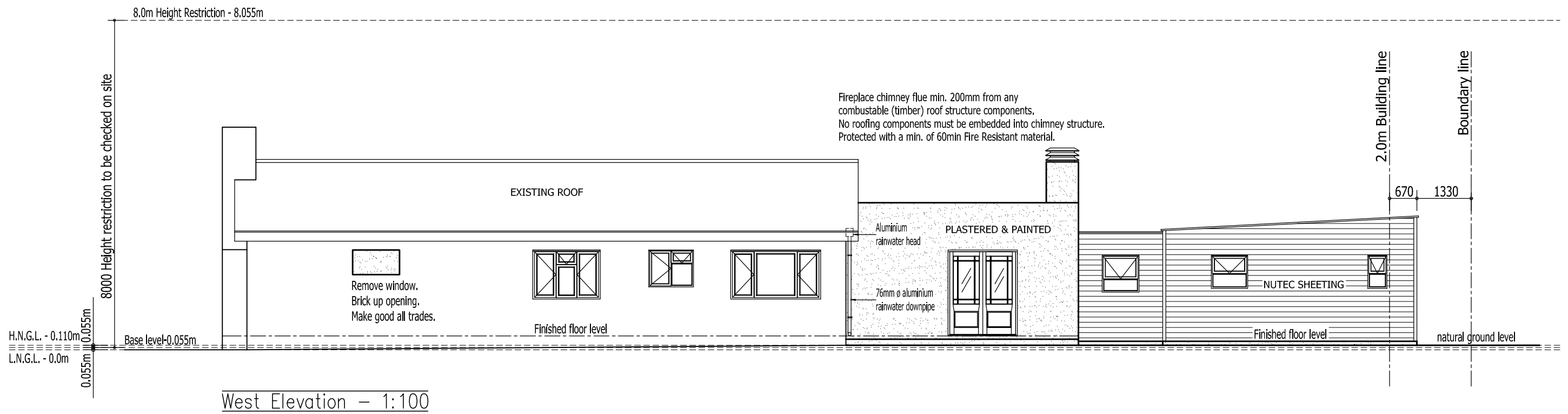
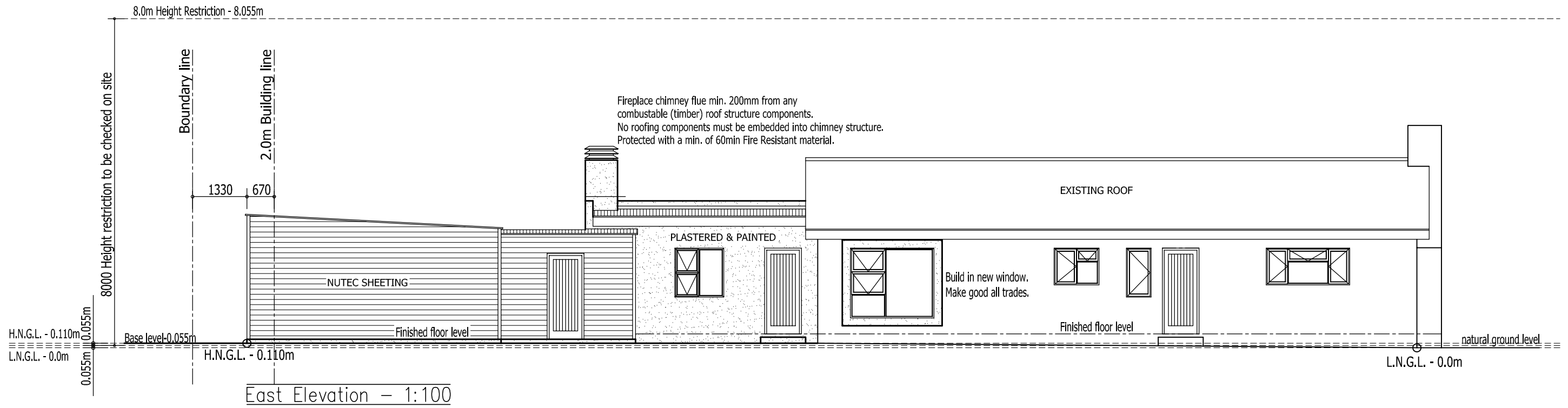
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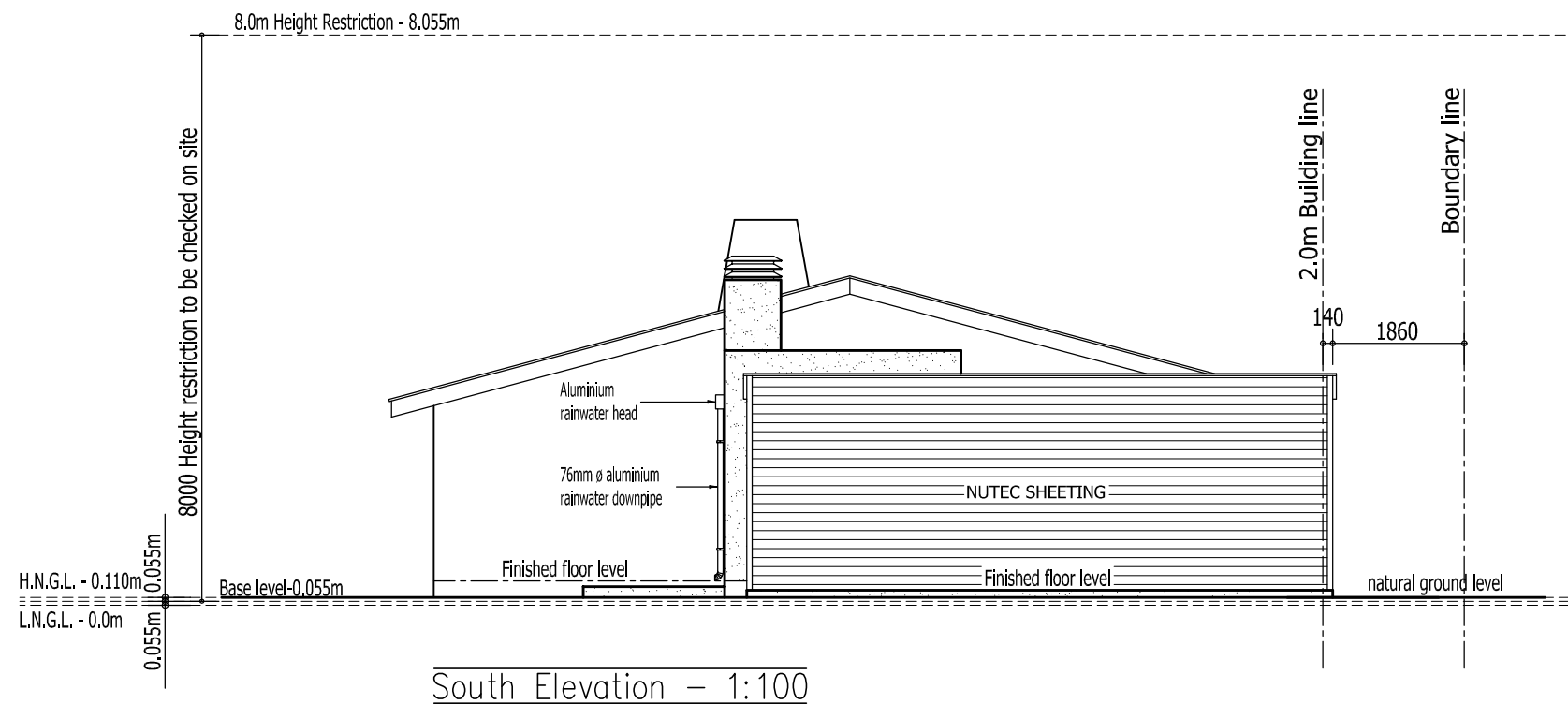
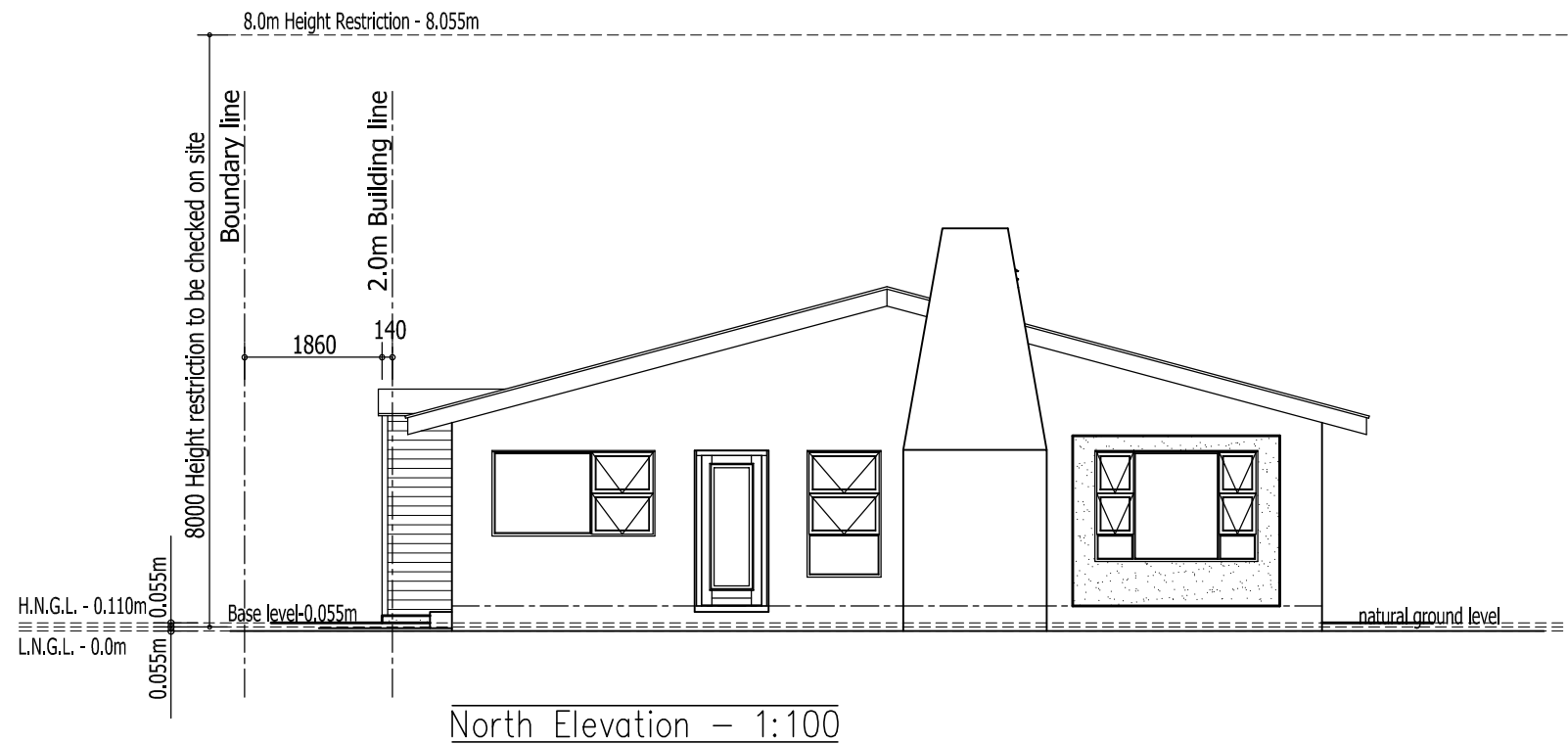
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1. To the best of my knowledge these plans are drawn to comply with owners and/ or builders specifications and any changes made on them after print are made will be done at the owners and/ or builders expense and responsibility.
2. The author of this plan is not responsible for any deviation whatsoever from the specification, design, notes or compliance in terms of the NBR and SANS 10400(Form 1 & 2)
3. The owner and contractor must obey all legislation of THE NBR, NHBC, HERITAGE WESTERN CAPE, ENVIRONMENTAL ASSESSMENT or NATURE CONSERVATION when applicable.
4. The contractor shall verify all dimensions and enclosed drawings.
5. The author of this drawing is not liable for errors once construction has begun.
6. While every effort has been made in the preparation of this plan to avoid mistakes, the author can not guarantee against human error.
7. Contractor to verify all dimensions and levels on site before commencing any work.
8. Use given dimensions, do not scale.
9. All work to comply with NBR and Local Authority requirements.

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All Contractors shall ensure that, before any work is put in hand, they comply with all the necessary Acts of Parliament of the Republic of South Africa.

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PROJECT

ADDITION ON
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MYRTLE STREET
SANDBAAI

CLIENT

J.A.T. RUST

DRAWING

ELEVATIONS

DRAWING

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