

ITEM NUMBER : C 13/03/11

**RECOMMENDATION FROM THE EXECUTIVE MAYOR: 02 MARCH 2011**

**MC 15/03/11 APPLICATION FOR DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985 : REMAINDER ERF 7499, FISH HOEK, 13 SIMON'S TOWN ROAD**

**AANSOEK OM AFWYKINGS INGEVOLGE DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, NO 15 VAN 1985: RESTANT ERF 7499, VISHOEK, SIMONSTADWEG 13**

**ISICELO SOTYESHELO LWEMIQATHANGO NGOKOMPOPOSHO WOCANGCISO LOKUSETYENZISWA KOMHLABA ONGUNOMB.15 WANGOWE-1985: INTSALELA YESIZA-7499, ESISE-FISH HOEK, 13 SIMON'S TOWN ROAD**

**RECOMMENDED** that Council confirm the decision made by the Spatial Planning, Environment and Land Use Management Committee, to recommend to the Competent Authority that the application for the Departures, to permit a total floor space of 179m<sup>2</sup> in lieu of 120m<sup>2</sup> for the Second Dwelling and to permit a total floor space of 186% of the site area in lieu of 66%, as set out in Section 2 of Annexure "A" to the report on the agenda, to allow for a loft to be added on Remainder Erf 7499, Fish Hoek, be refused.

**AANBEVEEL** dat die Raad die besluit geneem deur die komitee oor ruimtelike beplanning, omgewing en grondgebruikbestuur, om aan die bevoegde owerheid aan te beveel dat die aansoek om die afwykings, om 'n totale vloerruimte van 178 m<sup>2</sup> in plaas van 120 m<sup>2</sup> vir die tweede woning toe te laat en ook om 'n totale vloerruimte van 186% van die perseeloppervlakte in plaas van 66%, soos in artikel 2 van bylae "A" by die verslag op die agenda uiteengesit, toe te laat om vir die aanbouing van 'n solder op restant erf 7499, Vishoek voorsiening te maak, van die hand te wys, bevestig.

**KUNDULULWE** ukuba iBhunga maliqinisekise isigqibo esenziwe yiKomiti yoCwangciso lwamaBala, okusiNgqongileyo, noLawulo lokuSetyenziswa koMhlaba sokwenza isindululo kwiQumrhu lophatho lwezakhono sokuba kukhatywe isicelo soTyeshelo lwemiqathango ukuze kuvumeleke umlinganiselo uwonke womgangatho womhlaba oli-179 m<sup>2</sup> endaweni ye-120 m<sup>2</sup> kulungiselelwa iNdlu yokuhlala yesibini kwakhona kuvumeleke umlinganiselo uwonke womgangatho womhlaba oli-186% wommandla wesiza endaweni yama-66%, njengoko kuqulunqwe kwiCandelo-2 kwisiHlomelo-A kwingxelo ekwi-ajenda, ukuze kuvumele umhlathanyana ukuba wongezwe kwiNtsalela yeSiza-7499, esise-Fish Hoek.



**REPORT TO EXECUTIVE MAYOR  
2 MARCH 2011**

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- 1    **ITEM NUMBER :        MC 15/03/11**
- 2    **APPLICATION FOR DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985: REMAINDER ERF 7499 FISH HOEK, 13 SIMON'S TOWN ROAD**
- 2    **ISICELO NOTYESHELO LWEMIQATHANGO NGOKUNQINELANA NOMPOSHO WESICWANGCISO SOKUSETYENZISWA KOMHLABA ONGUNOMB 15 WANGO-1985: ISIZA 7499 E-FISH HOEK, 13 SIMON'S TOWN ROAD**
- 2    **AANSOEK OM AFWYKINGS INGEVOLGE DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, NO. 15 VAN 1985: RESTANT ERF 7499 VISHOEK, SIMONSTADWEG 13 169907/PA**

**LSU A8085/B0327**

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On 2011-01-31 the Spatial Planning, Environment and Land Use Management Committee (Spelum) considered the attached report dated 2010-11-23 when it resolved inter alia that

- 1    That the application for Departures, as set out in Section 1 of Annexure A, for Remainder Erf 7499 Fish Hoek, **BE REFUSED.**
- 2    **TO RECOMMEND** to the Competent Authority that the application for Departures to permit a total floor space of 179 m<sup>2</sup> in lieu of 120 m<sup>2</sup> for the Second Dwelling and to permit a total floor space of 186% of the site area in lieu of 66%, as set out in Section 2 of Annexure "A" to the report, to allow for a loft to be added on Remainder Erf 7499 Fish Hoek, **BE REFUSED.**
- 3    **TO RECOMMEND** that the above resolution 2 **BE CONFIRMED** by Council and that no rights accrue until Council has so resolved

The Departures in resolution 2 above are due to the Second Dwelling departing from the conditions laid down by the Provincial Government of the Western Cape (PGWC) when giving the Council the delegation to approve Second Dwellings. The Council does not have the delegation to exceed these parameters and thus the need to make a recommendation to the PGWC. As there is no specific

delegation relating to who can make such a recommendation to the PGWC, Spelum is authorized to make the recommendation, subject to full Council confirming, varying or revoking the recommendation.

**3 RECOMMENDATION FROM THE SPATIAL PLANNING, ENVIRONMENT AND LAND USE MANAGEMENT COMMITTEE: 31 JANUARY 2011 (SPEL05/01/11)**

That the decision made by the Spatial Planning, Environment and Land Use Management Committee, **TO RECOMMEND** to the Competent Authority that the application for the Departures, to permit a total floor space of 179m<sup>2</sup> in lieu of 120m<sup>2</sup> for the Second Dwelling and to permit a total floor space of 186% of the site area in lieu of 66%, as set out in Section 2 of Annexure "A" to the report, to allow for a loft to be added on Remainder Erf 7499 Fish Hoek, **BE REFUSED**;

**BE CONFIRMED** by Council.

**3 AANBEVELING VAN DIE KOMITEE OOR RUIMTELIKE BEPLANNING, OMGEWING EN GRONDGEBRUIKBESTUUR: 31 JANUARIE 2011 (SPEL05/01/11)**

Dat die besluit deur die komitee oor ruimtelike beplanning, omgewing en grondgebruikbestuur om by die bevoegde owerheid **AAN TE BEVEEL** dat die aansoek om afwykings ten einde die totale vloerruimte van 179 m<sup>2</sup> in plaas van 120 m<sup>2</sup> vir die tweede woning en 'n totale vloerruimte van 186% van die perseeloppervlakte in plaas van 66% toe te laat, soos uiteengesit in deel 2 van bylae A by die verslag, om vir die aanbouing van 'n solder op restant erf 7499 **VISHOEK** voorsiening te maak, **VAN DIE HAND GEWYS WORD**;

deur die Raad **BEKRAGTIG WORD**.

**3 ISINDULULO ESIFUNYENWE KWIKOMITI YOCWANGCISO LWEMIHLABA, ULAWULO LOKUSINGQONGILEYO NOSETYENZISO-MHLABA: 31 JANUWARI 2011 (SPEL05/01/11)**

Ukuba isigqibo esenziwe yiKomiti yoCwangciso lweMihlaba, uLawulo lokuSingqongileyo noloSetyenziso-mhlaba, **SOKUPHAKAMISA** kwiZiphathamandla eziFanelekileyo ukuba **MASIKHATYWE** isicelo sokutyeshela imiqathango yosetyenziso-mhlaba, kulungiselelwa ukwandiswa kobungakanani bomgangatho ophелеleyo ofikelela kwi-179m<sup>2</sup> endaweni ye-120m<sup>2</sup> kulungiselelwa iNdawo yokuHlala yeSibini kunye nokuvumela ubungakanani bomgangatho ophелеleyo ofikelela kwi-186% wendawo yesiza endaweni ye-66%, njengoko kubonisiwe kwiCandelo 2 lesiHlomelo "A" kule ngxelo, kulungiselelwa ukuba kwandiswe indawo ephantsi kophahla kwiNtsalela yeSiza 7499 eFish Hoek,

**MASIQINISEKISWE** liBhunga.

REPORT TO THE SPATIAL PLANNING, ENVIRONMENT  
AND LAND USE MANAGEMENT COMMITTEE



APPLICATION NO 169907  
FILE REFERENCE LUM/35/7499  
AUTHOR P Absolon  
TEL NO 021 710 8236  
SECTION HEAD P Hoffa  
TEL NO 021 710 8270  
DISTRICT Southern  
SUBCOUNCIL South Peninsula  
WARD 61  
WARD COUNCILLOR N Holderness  
REPORT DATE 2010-11-23

ITEM NO *SPEL 18/12/10*

APPLICATION FOR DEPARTURES IN TERMS OF THE LAND USE PLANNING  
ORDINANCE NO 15 OF 1985: REMAINDER ERF 7499 FISH HOEK, 13 SIMON'S  
TOWN ROAD

ISICELO NOTYESHELO LWEMIQATHANGO NGOKUNGQINELANA  
NOMPOPOSHO WESICWANGCISO SOKUSETYENZISWA KOMHLABA  
ONGUNOMB 15 WANGO-1985: ISIZA 7499 E-FISH HOEK, 13 SIMON'S TOWN  
ROAD

AANSOEK OM AFWYKINGS INGEVOLGE DIE ORDONNANSIE OP  
GRONDGEBRUIKBEPLANNING, NO. 15 VAN 1985: RESTANTE ERF 7499  
VISHOEK, SIMON'S STADWEG 13

1 DECISION AUTHORITY

	RECOMMENDATION	DECISION
SUBCOUNCIL		
SPELUM	√	√
PEPCO		
MAYCO		
COUNCIL		
PGWC		√

**Delegations:**

SPELUM is empowered to exercise a power, function or duty conferred on Council in terms of the following laws and legal instruments:

the Land Use Planning Ordinance No 15 of 1985 (LUPO)...

in cases where such power, function or duty has been delegated to the City Manager, an Executive Director, a Director, a Subcouncil or to PEPCO. Provided that should SPELUM exercise this power, it shall report thereon to the next Council meeting and Council shall either confirm, vary or revoke such decision and no rights shall accrue until Council has so resolved.

b(1) In cases where an application forms part of a land use proposal which includes other applications in terms of the Ordinance or related planning legislation, and the power to grant or refuse these applications has been delegated to different decision makers within Council, and it is desirable that all applications be considered by one decision maker, SPELUM has the power to grant or refuse or recommend on all applications, provided that the power to name streets shall remain with Subcouncil.

## **2 EXECUTIVE SUMMARY**

### **2.1 Application / Development proposal**

Application for Departures, as set out in Annexure A, relating to building lines maximum height and floor space, in order to do extensions to a dwelling house in accordance with the Site Development Plan (SDP) attached as Annexure C.

### **2.2 Background**

2.2.1 This application was advertised by means of Council's standard letters of no objection and by registered mail in December 2008. Due to errors in the identification of the departures, the application was readvertised by Council in April 2010.

2.2.2 Some of the departures are due to the Second Dwelling departing from the conditions laid down by the Provincial Government of the Western Cape (PGWC) when giving the Council the delegation to approve Second Dwellings. This Council does not have the delegation to exceed these parameters and thus the need to make a recommendation to PGWC in this regard. As there is no specific delegation relating to who can make such a recommendation, SPELUM is authorized to make the recommendation, subject to full Council confirming, varying or revoking the recommendation. The departure relating to the height of the building, however, is delegated to this Council and thus ordinarily the Subcouncil has the authority to make the decision in this regard. However, it is clearly desirable for all applications to be considered by one decision-maker, and thus SPELUM has the power to grant or refuse and recommend on all applications.

2.2.3 The building on the subject property currently contains 2 dwelling units, one on each floor. It is important to note that building plans as far back as 1929 reflects this situation. The Fish Hoek Town Planning Regulations, which only permit one dwelling as of right on a Single Residential zoned property, only came into effect in 1984.

### **2.3 Recommended decision**

For approval, subject to conditions.

## 2.4 Property & general information

Erf / Farm no	Remainder Erf 7499 Fish Hoek
Extent	205m <sup>2</sup>
Registered owner	L H W Gray Trust
Applicable Zoning scheme	Fish Hoek
Current zoning	Single Residential
Current land use	Residential
Title Deed numbers	T5889/1981
Any unauthorised land use / building work	N/A
Previous approvals granted	N/A
Special / Conservation area	No
Subject to SAHRA / PHRA	Yes
Applicant	B L Gray
Application submission date	28 November 2008

## 2.5 Public participation

		YES	NO	DATES / No RECEIVED / COMMENT
Advertising	Press		✓	
	Gazette		✓	
	Notices	✓		2010-04-08
	Ward councillor	✓		2010-04-08
	Community organisation(s)	✓		2010-04-08
	Public meeting		✓	
Response	Objections	✓		4
	Objection petition		✓	
	No objections		✓	
Interview request	Applicant		✓	
	Objector	✓		

## 2.6 Annexures

Annexure A	Departures & conditions
Annexure B	Locality and advertising plan
Annexure C	Site Development Plan
Annexure D	Title deed
Annexure E	Conveyancer's certificate
Annexure F	Letter from Department of Transport & Public Works
Annexure G	Record of Decision from Heritage Western Cape
Annexure H	Applicant's motivation
Annexure I	Objections
Annexure J	Applicant's response to the objections
Annexure K	Branch comments
Annexure L	List of relevant parties

## 3 LEGAL REQUIREMENTS

This application is being considered in terms of the Land Use Planning Ordinance 15 of 1985.

**4 STAFF IMPLICATIONS**

Does your report impact on staff resources or result in any additional staffing resources being required?

No

Yes

**5 Environmental implications**

Does your report result in any of the following:

No

Yes (if yes, please select from list below by clicking on the relevant tick box)

Loss of or negative impact on natural space and/or natural vegetation, rivers, vleis or wetlands?  Loss of or negative impact on the city's heritage, cultural and scenic resources?

An increase in waste production or concentration, pollution or water usage?  Development or any construction within 500m of the coastline?

Does your activity comply with the National Environmental Management Act (NEMA)? (mark by clicking on the tick box)

Yes

No

Does your report complement and support the City's approved IMEP strategies? (if yes, please select from list below by clicking on the relevant tick box)

- |  |                          |                                  |                          |                                    |                          |
|--|--------------------------|----------------------------------|--------------------------|------------------------------------|--------------------------|
| Biodiversity Strategy and Biodiversity Network | <input type="checkbox"/> | Coastal Zone Management Strategy | <input type="checkbox"/> | Energy and Climate Change Strategy | <input type="checkbox"/> |
| Environmental Education and Training Strategy  | <input type="checkbox"/> | Heritage Management Strategy     | <input type="checkbox"/> | Air Quality Management Plan        | <input type="checkbox"/> |
| Integrated Waste Management Strategy           | <input type="checkbox"/> | Invasive Species Strategy        | <input type="checkbox"/> |                                    |                          |

Do the activities/actions arising from your report: (if yes, please select from list below by clicking on the relevant tick box)

Enhance Cape Town's unique environmental assets?  Negatively impact on Cape Town's unique environmental assets?

**6 FINANCIAL IMPLICATIONS**

None

**7 SUMMARY OF APPLICANT'S MOTIVATION**

The applicant's motivation of the proposed development (see Annexure H) may be summarised as follows:

- There are two existing self contained apartments on the subject property.
- It is proposed to build a lounge above the existing lounge on the top apartment.
- Each apartment has its separate entrance onto Simon's Town Road and consists of a lounge, bedrooms, bathrooms and kitchen.

## 8 SUMMARY OF OBJECTION

The objections received (see Annexure I) may be summarised as follows:

### 8.1 Objections from A K Jones (Erf 7529), M J Puttick (Erf 7531), R J Puttick (Erf 7531) and the Fish Hoek Valley Ratepayers & Residents Association

- The buildings are currently used as two separate dwellings and therefore the proposed addition is intended for a 3<sup>rd</sup> apartment.
- The proposal will contribute to over crowding and a dense population.
- The proposal will result in an increase of noise and vehicular traffic.
- The houses in the area generally have their own character and are visually appealing. The proposed extension will create a sterile box on top of the roof.
- The proposal will set a precedent.
- The proposal will block the views of the objectors.
- The increase in floor area is considered excessive.
- The new roof will not extend any higher than at present but the extent of the proposed alteration is in fact a third storey, and not a loft in the roof space.
- The building is on a prominent scenic route and the visual impact must be considered.
- No parking for the extension is provided.

## 9 SUMMARY OF APPLICANT'S RESPONSE

The applicant's response to the objections received (see Annexure J) may be summarised as follows:

- The house is ±80 years old and was built in accordance with town planning regulations at the time.
- There is no intention of creating a third apartment in the roof.
- There are a number of houses that are three levels high in the area.
- Many homes have additional lounges, playrooms, TV rooms or computer rooms.
- There is sleeping capacity for 6 people in the upper apartment. The lower apartment is occupied by the applicant and his wife.
- The objections that claim that the wall facing Simon's Town Road would create a "noise corridor", are unsubstantiated.
- The objectors state that the addition to the dwelling would set a precedent. There are many houses in the area that do not comply with the present regulation.
- The claim that the property is used as a guesthouse is incorrect. The property contains a self catering establishment which the applicant is entitled to operate.
- The new lounge will not transgress the building boundary on the Simon's Town Road side (south side) of the property. It would only be outside the



boundary on the north side, which cannot be seen from either of the objectors' properties and would not extend past the present building.

- The new lounge would not extend above the present roof and would not impair the view of the Putticks. From the Jones's house a small triangle may only just be seen above the roof of the existing house when looking towards the mountain above the Silvermine Valley.
- The proposed changes will not increase the number of occupants and therefore the current parking requirements will not change.
- There is currently a single garage and public parking outside the property. There is parking on the beach for beach goers.
- The drawings have been accepted by both the Council's Heritage Resource Section and Heritage Western Cape.
- The building materials will be stored in the garage.

## 10 PROPOSAL EVALUATION

### Character of the Area and Surrounding Land Uses

- 10.1 The area can be characterized as being an upper-middle income, urban, residential area with a range of erf sizes and a wide range of building forms, and with a fine urban grain. The area is further characterized by being sloping with good sea and mountain views. The surrounding land-use appears to be residential with sea to the north east and mountain to the south west. The subject property forms part of a row of erven located between Simon's Town Main Road to the south and the railway line and sea to the north.

### Description of the Subject Property

- 10.2 As can be seen from the SDP attached as Annexure C, the property contains a double storey building that dates from about 1929, with one dwelling occupying each of the 2 floors. From Simon's Town Main Road the building appears to be single storey. Neighbouring Erven 7500 and 15800 are in common ownership with the subject property and effectively function as garden for the subject property.

### Zoning

- 10.3 The subject property, as well as the surrounding properties, are zoned Single Residential. Erf 12780, to the north of the subject property, which contains railway lines, is zoned for Railway purposes. It is important to reiterate that despite the zoning of the subject property (which only permits one dwelling as of right) the building on the property has contained 2 dwellings on it since about 1929, whereas the Fish Hoek Zoning Scheme only became effective in 1984.

### Proposed Development

- 10.4 It is proposed to add a lounge to the topmost dwelling, as per the SDP attached as Annexure C. Although the roof will change somewhat, most of the additional floor will occur within the existing roof. The alterations will not increase the existing maximum height of the building measured to the top of the roof pitch. The additions will result in the floor area increasing by 25m<sup>2</sup>. This proposal

requires departures as set out in Annexure A. A departure is applied for to regularize the non conforming Second Dwelling. Further Departures, as set out in Annexure A, are required to relax building lines as set out in Annexure A.

### **Heritage**

- 10.5 As the existing building exceeds 60 years of age the proposal was referred to Heritage Western Cape which has issued a positive Record of Decision (see Annexure G). Council's Heritage Resources Section has also assessed this application and has no objection (see Annexure K). It has indicated that the alterations will have a minimal impact on the form and scale of the existing house and its context.

### **Traffic, Access and Parking**

- 10.6 This application has been assessed by the Department of Transport and Public Works, which has no objection subject to a non-compensation agreement for the portion of the new building work within 5m of the future road improvement line along Simon's Town Road, which is a Proclaimed Main Road (see Annexure F). Furthermore, Council's Directorate: Roads & Stormwater and the Transport Planning Branch have no objection to this application (see Annexure K).

### **Impact of the Proposal**

- 10.7 This Department is of the opinion that the impact of the proposal will be low for the following reasons:
- The extensions will occur directly above the existing building and will not be higher than the top ridge of the existing roof.
  - The scale of the proposed lounge is small and amounts to just  $\pm 25\text{m}^2$ .
  - There will be no negative impact regarding overlooking or loss of privacy.
  - The proposal does not affect the character of the area and will not negatively impact on the existing building from a heritage perspective.
  - Even though the structure exceeds the 2 storey height restriction, it complies with the 8m height restriction for Single Residential erven in terms of the Fish Hoek Zoning Scheme Regulations.

### **Regarding the Objections**

- 10.8 Some of the issues raised by the objectors have been addressed below, and the outstanding issues are dealt with below.
- 10.9 The proposed top floor will be interleading with the existing uppermost dwelling, and thus will not be able to function as a 3<sup>rd</sup> dwelling.
- 10.10 Due to the small size of the extension ( $\pm 25\text{m}^2$ ) it is not envisaged that this will result in an increase in noise or meaningful increase in traffic.
- 10.11 In terms of the Land Use Planning Ordinance each application must be assessed on its own merits, thus precedent cannot be used to refuse or approve an application.

**10.12** It must be noted that the topmost dwelling already exceeds the 120m<sup>2</sup> size for Second Dwellings. This limitation on Second Dwellings was only imposed in 1988, long after the building (with 2 dwellings) was built (around 1929). Effectively the building was built as and is a block of 2 flats, for which there is no limitation on the size of each flat. However, for the purpose of this application, the proposed building cannot be regarded as a block of flats (which would have required a rezoning application) as by definition a flat cannot exceed 2 levels.

## **11 COMPLIANCE WITH STRATEGIC OBJECTIVES**

Approval of this application does not affect Council's strategic objectives as articulated in the current IDP.

## **12 REASONS FOR RECOMMENDATION**

Reasons for the recommendation of approval of this application may be summarised as follows:

- The departures applied for will not have a negative impact on the amenities or character of the area.
- The scale of the extension is modest.
- The proposal has been assessed by the Department of Transport and Public Works, Council's Transport Planning Branch and the Heritage Resources Management Branch, all which have no objection to this application.
- This Department is of the opinion that this application will not result in a change to the character of the area or impact negatively on the streetscape.
- The height of the building will not be increased beyond the top ridge of the existing roof.
- The approval of this application does not impact on any existing rights and does not lack desirability, and thus complies with the approval requirements of the Land Use Planning Ordinance.

## **13 RECOMMENDATION**

In view of the above, it is recommended:

### **For decision by SPELUM:**

- A That subject to the approval of the Competent Authority of the departures as set out in Section 2 of Annexure A, the application for departures, as set out in Section 1 of Annexure A, for Remainder Erf 7499 Fish Hoek, **be approved** in terms of Section 15 of the Land Use Planning Ordinance No 15 of 1985, subject to the conditions attached in Annexure A.

### **For decision by SPELUM and confirmation by Council:**

- B That the application for departures as set out in Section 2 of Annexure A, for Remainder Erf 7499 Fish Hoek, **be supported** and that the Competent Authority be advised accordingly.

### 13 ISINDULULO

Ngokuphatelene noku kungentla, kundululwe:

#### Isigqibo sese-SPELUM:

A Ukuba ngokuxhomekeke ekuphunyezweni liQumrhu elijongene nezakhono, kotyeshelo lwemiqathango njengoko kuqulunqiwe kwiCandelo-2 lesiHlomelo-A, **makuphunyezwe** isicelo sotyeshelo lwemiqathango njengoko kuqulunqiwe kwiCandelo-1 lesiHlomelo-A, ngokujoliswe kwiNtsalela yeSiza-7499, esise-Fish Hoek, ngokungqinelana neCandelo-15 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985, ngokuxhomekeke kwimiqathango eqhotyoshelwe kwisiHlomelo-A.

#### Ukuba kwenziwe isindululo sisi-SPELUM neBhunga ngokupheleleyo:

B Ukuba **makuxhaswe** isicelo sotyeshelo lwemiqathango njengoko kuqulunqiwe kwiCandelo-2 lesiHlomelo-A, ngokujoliswe kwiNtsalela yeSiza-7499, esise-Fish Hoek, kwaye makwaziswe ngokufanelekileyo iQumrhu elijongene nezakhono.

### 13 AANBEVELING

In die lig van die bogenoemde, word daar aanbeveel:

Vir besluitneming deur SPELUM:

A Dat onderworpe aan die goedkeuring van die bevoegde owerheid van die afwykings soos in deel 2 van bylae A uiteengesit, die aansoek om afwykings, soos in deel 1 van bylae A uiteengesit, vir restant erf 7499, Vishoek, goedgekeur word ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, onderworpe aan die voorwaardes aangeheg in bylae A.

Vir aanbeveling deur SPELUM en volle Raad:

B Dat die aansoek om afwykings soos in deel 2 van bylae A uiteengesit, vir restant erf 7499, Vishoek, gesteun word en dat die bevoegde owerheid ooreenkomstig in kennis gestel word.

*[Handwritten Signature]*

DELEGATED OFFICIAL / SECTION HEAD /  
PRINCIPAL PLANNER

Comment:

NAME P. HOFFA

TEL 021 7108270

DATE 24/11/2010

*[Handwritten Signature]*

DISTRICT MANAGER

REPORT COMPLIANT WITH THE PROVISIONS OF  
COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS  
AND ALL LEGISLATION RELATING TO THE MATTER  
UNDER CONSIDERATION.

NON-COMPLIANT

NAME P. WATSON

Comment:

TEL 7108259

DATE 26.11.10