



**SPECIAL  
MEETING OF THE  
MUNICIPAL PLANNING TRIBUNAL  
(MPT)**

**A G E N D A**

**DATE:  
VENUE:  
TIME:**

**5 JUNE 2026  
VIRTUAL  
09:00**

# OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT  
Civic Centre  
HERMANUS  
7200

29 May 2026

**TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL**

**CONVENING NOTICE : SESSION OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)**

**NOTICE IS HEREBY GIVEN** that a **Special Meeting** of the **Municipal Planning Tribunal (MPT)** will be held virtually on **Friday, 5 June 2026** at **09:00** to consider the attached agenda.

**S MULLER**  
**CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL**

**Distribution:**

1. Mr S Müller (Chairperson)
2. Ms T de Waal (Vice-Chairperson)
3. Mr H Blignaut (Member)
4. Ms R Louw (Member)
5. Mr R Kuchar (Authorised Official)
6. Mr S van der Merwe (Principal Town Planner)
7. Mr B Minnaar (Town Planner)
8. Secretariat

**SPECIAL  
MUNICIPAL PLANNING TRIBUNAL  
(MPT)**

5 June 2026

**I N D E X**

**ITEM**

**PAGE  
NUMBER**

**APPLICATIONS FOR LEAVE OF ABSENCE**

<b>3.1</b>	<b>ERF 1735, 71 BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC</b>	<b>1</b>
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- 1. OPENING**
- 2. APPLICATIONS FOR LEAVE OF ABSENCE**
- 3. ITEM FOR CONSIDERATION**
- 3.1 ERF 1735, 71 BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC**

Report attached

## 3.1

**ERF 1735, 71 BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR REZONING AND DEPARTURE: MESSRS WRAP PROJECT OFFICE  
ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC**

1735 HSB (4409/2023)

B Minnaar

23 April 2026

(028) 313 8900

Hermanus Administration

**1. 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 3 November 2023 from Messrs WRAP Project Office on behalf of Terra Nuova Development CC, the owner of Erf 1735, Sandbaai. The application served at a Municipal Planning Tribunal meeting on 4 October 2024 and was resolved that the application be referred back to the applicant to submit a revised proposal. Subsequently a revised application in terms of the By-Law has been submitted 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 51 town houses and 83 flats (sectional title) on the property, and
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
  - relax the southern street building line 4m to 0m to accommodate the proposed refuse room, and
  - deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, and the Site Development Plan is attached as Annexure C.

**2. DECISION AUTHORITY**

Municipal Planning Tribunal

**3. BACKGROUND / SITE HISTORY**

Erf 1735, Sandbaai is zoned for Residential Zone 1: Single Residential purposes and measures 18000m<sup>2</sup> (1.8ha). The property is currently developed with a dwelling unit and various outbuildings. An initial application submitted applicable to the subject site on 3 November 2023. At an MPT meeting held on 4 October 2024, it was resolved that the application be referred back to the applicant to submit a revised land use planning application (attached as Annexure D) which is the purpose of this application.

#### 4. SUMMARY OF APPLICANT'S MOTIVATION

Only the main points of motivation are summarised as follows (the detailed report is attached as Annexure C):

- ❖ Erf 1735 Sandbaai, situated opposite the Whale Coast Mall in Bergsig Street, presents an excellent opportunity for a higher-density residential development in the growing suburb of Sandbaai.
- ❖ Terra Nuova Developments CC acquired Erf 1735 Sandbaai with the intention of developing it to address the high demand for residential units in the surrounding area.

<b>Amended Application and Proposal</b>
<p>Following the initial application, comments received from the municipality and surrounding community were carefully considered. A revised proposal was subsequently compiled to ensure that the development integrates more appropriately with the existing urban fabric than the original concept. The amended proposal reduces the overall massing of the development by introducing smaller townhouse units along the property boundaries and decreasing the number of apartment blocks.</p>

#### Project Summary

- ❖ Erf 1735, Sandbaai (hereafter referred to as the subject property) has an extent of 1,8Ha / 18 000m<sup>2</sup> and is currently zoned as Residential Zone 1: Single Residential. The subject property has been identified in the Growth Management Strategy as a suitable densification development area.
- ❖ This proposed development will consist of the following:
  - 83 flats;
  - 51 town houses;
  - Common areas (open spaces), and
  - Common areas (private roads with parking areas).
- ❖ Applications proposed:
  - **Rezoning** of the property from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4) to accommodate 51 town houses and 83 flats (sectional title) on the property, and
  - **Departures** to:
    - relax the southern street building line 4m to 0m to accommodate the proposed refuse room, and
    - deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development.
- ❖ The previous application proposed the subdivision of the property into two portions. The amended proposal, however, retains the entire property as a single entity, with the intention to demolish all existing structures to accommodate the proposed development.
- ❖ Furthermore, the proposal limits the building height along the boundaries to two storeys, with three-storey buildings permitted only in the centre of the site, away from adjoining properties.
- ❖ This design approach is intended to reduce the visual impact of the development on neighbouring properties. In addition, all proposed buildings will comply with the side building line requirements applicable to the intended zoning, thereby ensuring compatibility with the surrounding built environment.

- ❖ The amended proposal not only seeks to reduce building heights to two storeys near the boundaries, rather than the maximum three storeys permitted by the Overstrand Municipality Land Use Scheme (OMLUS) but also aims to lower the residential density along the perimeter of the property. These measures have been introduced to minimise potential impacts on adjacent properties and demonstrate the property owners' sensitivity to the surrounding context.
- ❖ This design approach is intended to mitigate concerns such as loss of sunlight and overdevelopment near neighbouring erven. As such, the proposed development will comply with the provisions of the OMLUS and is not expected to have a detrimental impact on the surrounding area.

### Population Growth

- ❖ The Overstrand Municipal Spatial Development Framework (OMSDF) includes population growth projections for the municipality's main areas. According to the OMSDF, Sandbaai experienced an average annual population growth rate of 7.0% between 2001 and 2011, increasing the population by 1,639 residents, from 2 463 to 4 102. The OMSDF further indicates that the Greater Hermanus area, which includes Sandbaai, requires the development of several thousand new dwelling units to accommodate projected population growth (OMSDF, p.28).

Table 1: Housing Need and estimated land area required (15du/ha)		
Year	Greater Hermanus Area	
	Total dwelling units (du) required	Estimated land area required (ha)
2011	3 892	256
2016	5 360	357
2021	7 127	475
2026	9 106	607
2031	11 234	749

Based on information obtained within the OMSDF (OMSDF, p28)

Table 2: Housing Need and estimated land area required (20du/ha)		
Year	Greater Hermanus Area	
	Total dwelling units (du) required	Estimated land area required (ha)
2011	3 892	195
2016	5 360	268
2021	7 127	356
2026	9 106	455
2031	11 234	562

Based on information obtained within the OMSDF (OMSDF, p28)

- ❖ These tables provide clear insights into the scale of housing demand in the Greater Hermanus area and the associated land requirements. Importantly, the proposed development will be situated within the existing urban edge of Hermanus. No additional land was incorporated into the urban edge during the review of the 2020 OMSDF, which underscores the importance of optimising available land within established urban areas such as Sandbaai.

- ❖ The development proposal for Erf 1735 Sandbaai seeks to make efficient use of land by delivering 134 residential units at a density of approximately 74.44 dwelling units per hectare (du/ha). This figure has been reduced from the previous proposal of 148 units at over 90 du/ha. The motivation for maintaining a higher density is to address the pressing demand for housing in the Hermanus and Sandbaai area while limiting the need for further land expansion. This approach supports the principles of sustainable development by maximising land use efficiency within the existing urban footprint.

### **Reduction of Density**

- ❖ The reduction of density was a decision informed by feedback from the municipality and members of the public, as well as a careful reassessment of the site's relationship with the surrounding built environment. Lowering the number of units helps to soften the overall impact of the development, reduce the bulk and scale of buildings along sensitive boundaries, and improve compatibility with adjacent residential properties. The revised density also allows for more meaningful landscaping, increased open space within the development, and better opportunities for light and ventilation between buildings.
- ❖ In this way, the proposal seeks to find a middle ground between the need for higher-density residential development and the importance of preserving the character and amenities of the existing urban area. The proposed layout and design demonstrate sensitivity to neighbouring properties while still supporting the overarching spatial development goals of the Overstrand Municipality. Ultimately, the amended proposal contributes to a more sustainable and integrated urban form, delivering much-needed housing without compromising the liveability or identity of the Sandbaai area.

### **Design and Layout**

- ❖ The development proposal for the subject property adopts an adapted and context-sensitive layout. Careful consideration has been given to ensuring that both the design and layout integrate seamlessly into the surrounding residential fabric of Sandbaai.
- ❖ The proposal is to have access to the development being obtained from End Street and egress being obtained from Bergsig Street. There are also a pedestrian access and egress proposed on Bergsig Street, which will allow the residents quick access to the mall.
- ❖ **Flats**
  - Three apartment blocks are positioned in the central portion of the site to minimise their visual impact from adjacent properties. These blocks are arranged in a U-shape to optimise natural light penetration and internal open space. Refer to **Plan 5**, the SDP and **Annexure C** for the Architect's drawings and 3D renders. Each apartment block will be fitted with a lift and connected by covered walkways, ensuring accessible and convenient circulation throughout the development. The design of the flat blocks has been carefully considered to reduce the perceived bulk of the buildings and maintain compatibility with the surrounding built environment.

- Two of the apartment blocks will incorporate ground-level parking below the first floor, which allows the development to meet parking requirements while making efficient use of the site. The third block has been designed with parking positioned separately from the building to allow for the introduction of ground-floor garden units. These units not only enhance the residential character of the development but also offer future homeowners a greater variety of housing options, catering to different lifestyle needs.
- This approach ensures that the development is both functionally efficient and visually compatible with its surroundings. It contributes positively to the aesthetic and spatial quality of the neighbourhood, while also promoting liveability, accessibility, and choice within the local housing market.



Figure 1: Internal Street Scene and 3D render of the proposed flats

#### ❖ Town Houses

- The proposed layout includes three townhouse components, each grouped together in a single structure along the side boundaries of the property, thereby creating a softer interface with neighbouring single-family dwellings.
- Each townhouse will be provided with two dedicated parking bays, one of which will be a secure, lockable garage. The townhouses will be designed in a cohesive architectural style, with visual breaks along the boundary to avoid a continuous built edge and to maintain a sense of openness. The townhouses will offer a mix of, two-, and three-bedroom units, catering to a wide range of household sizes and lifestyle needs.
- The overall design of the residential units is modern and functional, incorporating open-plan living areas and maximising natural light through appropriate orientation and window placement. Sufficient on-site parking will be provided, consisting of a combination of covered and open bays for both residents and visitors. The parking areas have been carefully positioned to reduce their visual impact and preserve the aesthetic appeal of the development as a whole.



Figure 2: Internal Street Scene and 3D render of the proposed townhouses

❖ **Development Proposal (Units)**

TOWN HOUSES		
Block Type	Type of Units	Number of Units
Townhouses (Duplex)	1 Bedroom units (40m <sup>2</sup> )	12
	1 Bedroom units (44m <sup>2</sup> )	12
Total Number of Units		27

FLATS		
Block Type	Type of Units per block	Number of units
Flats (Simplex next to Bergsig Street)	1 Bedroom units (40m <sup>2</sup> )	12
	1 Bedroom units (44m <sup>2</sup> )	12
Total number of Units (Simplex)		24

FLATS		
Block Type	Type of Units per block	Number of units
Block A	1 Bedroom units	15
	2 Bedroom units	18
Total Units in Block A		33

FLATS		
Block Type	Type of Units per block	Number of units
Block B	1 Bedroom units	11
	2 Bedroom units	14
Total Units in Block B		25

FLATS		
Block Type	Type of Units per block	Number of units
Block C	1 Bedroom units	11
	2 Bedroom units	14
Total Units in Block C		25

TOTAL DEVELOPMENT UNIT BREAKDOWN		
Flats	1 Bedrooms units	24
	1 Bedroom units	37
	2 Bedroom units	46
Townhouses	Bedroom units	9
	3 Bedroom units	18
Total Units		134

- The proposed development seeks to enhance the property through the introduction of a diverse range of unit types, as previously described. The townhouses and flats will be limited to two storeys, with a maximum height of 8m. All these units are strategically positioned along the side boundaries of the property to create a transition in scale between the proposed development and neighbouring single-family dwellings.
- The higher-density flat blocks are positioned centrally within the site, set back approximately 28m from the nearest property boundaries. This layout was deliberately chosen to reduce the visual impact of the larger buildings on surrounding properties and to ensure that the massing of the development is more respectful of its residential context.
- This stepped approach to building height, transitioning from three-storey flat blocks in the centre of the site to two-storey townhouses along the edges, ensures a gradual and harmonious integration with the existing built environment. By concentrating height and density away from the boundaries, the proposal effectively mitigates bulk and scale concerns, thereby promoting a more balanced urban form.
- The amended proposal aims to reduce the overall bulk of the development while still providing much-needed residential accommodation. The proposed layout creates a cohesive and visually appealing urban environment, where building heights are modulated to respond to their immediate context. The central flat blocks, limited to three storeys, are set back significantly, while the townhouses and flats (simplex) units are situated along the lateral and northern street boundaries respectively at 4.5m and 4m, in full compliance with the applicable building line requirements as prescribed by the OMLUS.
- Furthermore, the property owners have confirmed their commitment to adhering to the building line along the boundaries, reinforcing their intention to limit the impact of the development on adjacent properties, with the exception of the Southern Street building line to accommodate the refuse room. This, combined with the tiered layout of the proposed buildings, ensures that the visual and spatial impact on neighbouring properties is minimised.
- Overall, the objective of the amended application is to establish a well-integrated, high-quality residential development that contributes positively to the surrounding landscape. The proposed architecture and site layout aim to strike a careful balance between increased residential density and sensitivity to the existing urban character. The attention to detail in the elevations and the step-down design approach reflect a clear commitment to creating a development that is not only functional but also contextually appropriate and visually pleasing.

**Open Space Provision**

- ❖ In an effort to exceed these minimum requirements and to create a high-quality, liveable environment, the proposed development incorporates approximately 2,069m<sup>2</sup> of functional open space. This represents 11.49% of the total developable area, exceeding the minimum 10% provision required by the OMLUS.

- ❖ The inclusion of this generous open space allocation offers a wide range of benefits to both the future residents and the broader surrounding community. Firstly, it provides ample room for outdoor recreational activities and communal amenities, thereby supporting an active, healthy, and socially connected lifestyle. The open space has been designed as a cohesive, functional area that may include features such as walking paths, landscaped gardens, children’s play zones, braai facilities, and informal gathering areas. These shared spaces encourage interaction among residents and help build a sense of community within the development.
- ❖ In addition to the functional benefits, the open space also contributes significantly to the aesthetic value and overall spatial quality of the development. By maintaining a balance between built form and open areas, the layout achieves a sense of openness that helps to mitigate any perception of overdevelopment or density. The green spaces serve as visual relief and soften the urban environment, promoting a calm and attractive setting for residents.

### **Sectional Title Scheme**

- ❖ Following the approval of the land use application, construction of the development will commence. Once the buildings have reached a suitable stage, specifically when they can be surveyed in accordance with the Sectional Titles Act (STA), a Sectional Plan will be submitted to the Surveyor-General for approval. Thereafter, the sectional title scheme will be registered at the Deeds Registry Office.
- ❖ The development will be owned and managed in terms of the Sectional Titles Act, and as such, specific terminology associated with sectional title schemes becomes applicable to the proposed development.

### **Section**

- ❖ With reference to the proposed development, each residential units, garage, and parking bay will constitute a “section” as defined in the Act.

### **Common Property**

- ❖ In the context of this development, the common property will comprise the shared open spaces, roads, circulation routes, lift systems, gatehouse, refuse area, and other shared infrastructure or amenities, as determined in the registered Sectional Plan.

### **Exclusive Use Areas**

- ❖ In this development, possible Exclusive Use Areas could include gardens for ground-floor units, carports, covered parking bays, and balconies.

### **Body Corporate**

- ❖ Once the sectional title scheme is registered, a Body Corporate will be established in accordance with the Sectional Titles Act. The Body Corporate is comprised of all owners of sections within the development and is responsible for:
  - The management and maintenance of common property
  - Financial administration (e.g. levies, budgeting, and reserve funds)
  - Implementation of scheme rules
  - Ensuring compliance with the STA and any rules adopted by the Body Corporate

- ❖ Any purchaser of a unit (section) will automatically become a member of the Body Corporate and will hold an undivided share in the common property. The extent of each owner's share is determined according to the participation quota as calculated under the Act.
- ❖ This form of property ownership ensures collective responsibility for the management and upkeep of the shared spaces, without requiring the creation of individual land units. All common areas will be subject to the rules and management processes established by the Body Corporate, as per the provisions of the Sectional Titles Act.

### **House Rules**

- ❖ It is important to emphasise that all owners and tenants within the proposed development will be bound by the constitution and house rules of the Body Corporate, which will be established in terms of the Sectional Titles Act. These mechanisms will ensure proper and ongoing management of the development.
- ❖ Effective management is in the best interest of all residents. Poor maintenance or rule enforcement would not only affect the surrounding area but also negatively impact the value and appeal of the development itself, thereby diminishing property values and investment returns for individual owners. As such, it is anticipated that the Body Corporate will act in a proactive and diligent manner to preserve the quality, order, and aesthetic standards of the scheme.
- ❖ The conduct rules will include several measures such as the following:
  - Noise;
  - Vehicles, and
  - Laundry.

### **Zoning Compliance**

- ❖ The development plan for the subject property, aims to optimise the available land by yielding a total of 134 residential units, resulting in a proposed residential density of approximately 74.44 Du/Ha. The primary objective behind this proposal, and the associated request for a departure from the applicable density provision, is to address the housing demand in the Greater Hermanus and Sandbaai area without increasing urban sprawl or requiring the allocation of additional land. This objective is consistent with broader sustainable development principles and municipal policy directives.
- ❖ In particular, the proposal supports densification within the urban edge, thereby aligning with the Overstrand Municipality's legislative framework and forward planning instruments, including the OMSDF. As referenced in Section 12.3.3 of this report, the proposed density complies with the intent of the OMSDF and related policy documents, which continue to guide development despite not being formally incorporated into the zoning scheme. This property has also been identified for higher-density development and is one of the last remaining properties in Sandbaai where such development remains feasible, refer to the alignment with the Overstrand Municipal Spatial Growth Management Strategy in Section 12.
- ❖ While the proposed density exceeds the 50 Du/Ha limit prescribed in Section 6.3.2 of the OMLUS, the proposal is otherwise consistent with the regulations applicable to General Residential Zone 3: Flats (GR4) and the broader intent of the spatial framework. Several mitigation measures have been incorporated into the design to limit the impact of increased density on the surrounding area. These include:
  - Locating the three-storey buildings centrally within the site and setting them back approximately 28m from the boundaries;

- Providing two-storey townhouse units along the periphery (lateral boundaries) to soften the transition between the development and adjacent properties;
- Adhering to the building lines and development parameters outlined in Section 6.4.2 of the OMLUS, which relate specifically to GR4 zoned properties.
- ❖ Importantly, the proposed density is not considered atypical or excessive when compared to other developments within Sandbaai. For instance, the De Zandt development, located within the same suburb, includes a range of densities, from 17 to 75 Du/Ha. The highest densities within De Zandt are located on properties similarly zoned: Flats (GR4) and did not require a departure from Section 6.3.2, as their densities were deemed consistent with the broader development framework.
- ❖ It is also relevant to note that Erf 1735 Sandbaai, like De Zandt, forms part of a larger, established urban area. The proposed development can thus be considered a logical extension of existing residential typologies in Sandbaai, where a mix of lower- and higher-density development coexists harmoniously. The range of densities in De Zandt, from 17 to 75 Du/Ha, demonstrates that such variation is already embedded in the area's spatial character.
- ❖ In light of the above, the request for a departure from the density provision is necessary to facilitate a development that is both contextually appropriate and compliant with the relevant policies. The proposed layout and form are consistent with recent trends in Sandbaai and reflect a rational response to the limited availability of land for urban expansion. The departure request is not merely a deviation from the scheme parameters but a measured adjustment that enables compact, efficient land use in accordance with the municipality's strategic planning objectives.

#### **Land Use Environment**

- ❖ Upon a thorough analysis of the locality and zoning plan, it has been identified that the subject property proposed for development is strategically located in a prime position. The location offers a range of benefits, including its proximity to the main distributor road that leads towards the popular tourist destination of Hermanus.
- ❖ Additionally, the property is situated adjacent to the Whale Coast Mall, which provides residents with easy access to a top-class shopping experience. This proximity to a major shopping center is a significant advantage for the proposed development, as it offers residents the convenience of having all their daily needs met within a short distance from their home. Moreover, the location of the property is within walking distance of many local amenities, including restaurants, cafes, and recreational facilities, which further adds to its appeal.

#### **Title Deed**

- ❖ The title deed (T49782/2022) of the property was scrutinized, and upon further examination, it was found that there are no title deed conditions that could potentially hinder the proposed development.

#### **Zoning**

- ❖ the subject property is Residential Zone 1: Single Residential (SR1) the proposal is that the property be rezoned to General Residential Zone 3: Flats (GR4).

**Notification of Intent to Develop**

- ❖ Section 38 of the National Heritage Resources Act contains the following provisions, and the proposed development will necessitate that a Notice of Intent to Develop to Heritage Western Cape is submitted.
- ❖ An NID was submitted to Heritage Western Cape and in the Record of Decision confirmed no heritage impacts are present.

**Services****❖ Electrical and Water**

- The proposed development of Erf 1735, Sandbaai will require the connection of essential municipal services, namely water, electricity, and sewerage, to the Overstrand Municipality's existing infrastructure networks. As part of the formal application process, all service connection requests will be subject to technical review by the relevant internal engineering departments. These departments will assess the proposed demands and provide input regarding the capacity and any upgrades or contributions required.
- To support this process, a bulk water capacity analysis was undertaken by GLS Consulting (Pty) Ltd, confirming that sufficient capacity exists within the municipal water supply network to accommodate the proposed development. The findings indicate that the anticipated impact on the network is minimal and within acceptable limits.
- In addition to adhering to the engineering requirements, the property owners have committed to making financial contributions towards the upgrading of bulk infrastructure where necessary. This commitment ensures that the proposed development does not place undue pressure on municipal services and that sufficient infrastructure capacity is available to serve both the development and the surrounding community.

**❖ Sewage**

- The Sandbaai area currently lacks a formal full bore municipal sewage system and relies on conservancy tanks to manage wastewater. These tanks are connected to an existing municipal small bore wastewater network that only accommodates black water, while solids remain in the tanks and must be periodically removed through servicing.
- To ensure that the proposed development complies with engineering requirements, it is proposed that a communal conservancy tank be installed to serve all units within the development. This proposal is subject to approval by the Overstrand Municipality and will be designed in accordance with applicable engineering standards to ensure long-term viability and operational efficiency.
- The implementation of a communal system will bring several advantages. It will significantly reduce the maintenance burden and servicing costs associated with multiple individual tanks. Centralised management will also allow for better monitoring and scheduling of waste removal, ensuring consistent and reliable sanitation for all residents. Furthermore, a communal tank system promotes better hygiene and reduces the risk of individual tank failures or environmental contamination, thereby supporting improved health outcomes within the development.

- Importantly, the communal system will be designed in line with municipal guidelines and best practices, ensuring that it is safe, effective, and sustainable. Should a formal sewage system be introduced to Sandbaai in the future, the development can be adapted accordingly. For now, the proposed solution provides a practical and responsible approach to wastewater management that meets the needs of both the development and the broader community.
- ❖ Solid Waste
  - The proposed development will include a refuse room of adequate size, ensuring that the waste generated from the land unit can be stored for a week. This will comply with the Overstrand Municipality's by-laws, which require a refuse storage facility to be of sufficient size (32m<sup>2</sup>) and designed in a manner that is architecturally compatible with the surrounding structures.
  - It should also be noted the refuse room will be connected to the water and sewer to ensure the area can be kept clean and always sanitised and to be compliant in terms of 17.4.1 of the OMLUS.
  - The refuse room will also be located adjacent to a public street (End Street) or in a position that provides acceptable access to a refuse collection vehicle. These measures ensure that the proposed development is executed in a manner that is safe, aesthetically pleasing, and in compliance with the necessary regulations.
- ❖ **Traffic, Access, and Egress**
  - Access and Egress
    - To ensure smooth traffic flow and to minimise congestion along surrounding streets, vehicular access and egress to the subject property will be split between End Street and Bergsig Street. The proposed access point on End Street will offer approximately 20m of stacking distance, exceeding the minimum requirement set out in the Traffic Impact Statement (TIS). The egress onto Bergsig Street will allow for 12m of stacking distance, providing ample space for vehicles to exit without causing backlogs onto the public roadway.
    - Both the access and egress points will be controlled by a security gate system, which will regulate vehicle flow and prevent congestion from spilling over into the surrounding streets. This design significantly improves traffic safety and efficiency, enhancing safety for both pedestrians and motorists by reducing the likelihood of queuing or bottlenecks near the entrances.
  - Traffic
    - To assess the potential impact of the proposed development on the surrounding road network, the property owners appointed a professional traffic engineer to compile a Traffic Impact Statement (TIS). The TIS, provides a comprehensive evaluation of anticipated traffic volumes and patterns resulting from the proposed development.

- The TIS confirms that no upgrades to the existing external road network are required to accommodate the development. However, it offers a series of engineering recommendations to ensure optimal functionality and traffic flow within the internal road network. These recommendations have been considered and incorporated into the revised site development layout, ensuring that the internal circulation system is both efficient and safe.

### **Environmental Considerations**

- ❖ The proposed development has been designed with a clear commitment to environmental responsibility and sustainability, despite its location within a fully urbanised area. The property is situated within the existing urban edge and is not located within any environmentally sensitive area, such as a wetland, Critical Biodiversity Area, or the Environmental Protection Overlay Zone (EMOZ) as defined by the Overstrand Municipality's planning instruments. Consequently, the development does not trigger any listed activities under the National Environmental Management Act (NEMA), and no Environmental Impact Assessment (EIA) is required.
- ❖ Although the site has not been classified as a wetland, the water table and potential subterranean water movement is noted. The development will include the installation of an agri-drain (sub-soil drainage system) along the western boundary wall. This system is designed to intercept and redirect subsurface water away from neighbouring properties and will be fully integrated with the internal stormwater management network, which connects to a detention dam that will be designed and installed by civil engineers. This ensures that the development does not increase runoff or create any flooding risk for surrounding properties.
- ❖ In summary, while the subject property is located within an urbanised context and does not fall within an environmentally sensitive zone, appropriate environmental considerations have been incorporated into the development design. These measures demonstrate a responsible approach to stormwater, biodiversity, and landscape management, ensuring that the development contributes positively to the overall urban environment without compromising ecological integrity

### **Need and Desirability**

- ❖ Socio-Economic Impact
  - The proposed development is expected to contribute positively to the local socio-economic context. During the construction phase, it will create short-term employment opportunities, benefiting local contractors, labourers, and service providers. Once completed, the addition of 134 residential units will attract new households to the area, which will in turn stimulate local spending and support the growth of surrounding commercial nodes, including the nearby Whale Coast Mall and smaller retail centres.
  - Furthermore, the development will broaden the range of housing options available, aimed at middle-income households. This will contribute to improved housing affordability and accessibility, helping to address the significant demand for well-located, secure residential opportunities in the Greater Hermanus area.
  - The increased number of rate-paying households will also contribute to the municipal rates base, enabling the municipality to invest further in infrastructure and service delivery. In this way, the proposed development supports both economic development and the social integration of new residents into the broader Sandbaai community.

- ❖ Compatibility with Surrounding Uses
  - The proposal to establish a residential development on the subject property is highly compatible with the surrounding land uses. The area is predominantly residential in character, and the proposed development will represent a logical and seamless extension of the existing residential fabric.
  - The layout and scale of the proposed development have been carefully designed to respect the character of the surrounding neighbourhood. Building form, density, and placement have been considered to ensure minimal visual intrusion and to maintain the residential nature of the area.
  - Moreover, the development aligns with the municipality's spatial development policies, which encourage the consolidation of urban areas and the efficient use of land within existing urban footprints. The proposal supports this objective by introducing a land use that is consistent with its surroundings and compatible with existing infrastructure and services.
  - By reinforcing the existing residential context and integrating with the surrounding neighbourhood, the development will contribute positively to the built environment, without introducing any conflicting land uses.
- ❖ Impact on Safety, Health, and Wellbeing of the Surrounding Community
  - The proposed development is not anticipated to negatively impact on the safety, health, or general wellbeing of the surrounding community. On the contrary, it is expected to contribute positively by introducing new residents to the area, potentially stimulating local investment, and supporting the long-term vitality of the neighbourhood.
- ❖ Impact on Heritage
  - The subject property is not listed in the OM Heritage Register. A NID was submitted, and the Record of Decision indicated there is no impact on heritage.
- ❖ Impact on Views
  - While the protection of scenic views is often a concern in residential settings, South African case law has consistently confirmed that there is no legal entitlement to a view. Views are regarded as a personal amenity or "source of delight," but not a protected right inherent in land ownership. Accordingly, aesthetic considerations such as views are not determinative in land use decision-making.
  - Notwithstanding the above, the proposed development has been sensitively designed to minimise any adverse visual impacts. The buildings along the property boundaries will be limited to two storeys in height, with any three-storey components restricted to the centre of the site. This approach creates a stepped built form that respects the scale of adjacent properties and reduces the visual prominence of the development.
  - In addition, the layout has been amended to comply with applicable side and rear building lines under the OMLUS, further contributing to visual integration with the surrounding built environment.
- ❖ Impact on Sunlight
  - The development has been carefully designed to avoid overshadowing of neighbouring properties. All buildings adjacent to external boundaries will be set back at least 4,5m, providing adequate separation to preserve access to direct sunlight. Furthermore, the restriction of three-storey structures to the interior portion of the site ensures that the height of buildings near adjoining properties remains modest.

- The amended site layout includes a reduction in the height and density of buildings along the perimeter, which serves to mitigate any potential loss of daylight or overbearing impacts on adjacent dwellings. As such, the development remains compliant with OMLUS parameters and will not result in a loss of sunlight or undue shadowing.
- ❖ Impact on Character
  - The proposal is consistent with the strategic objectives of the municipality to promote compact urban form and encourage the optimal use of serviced land within the urban edge. The area is identified as appropriate for densification, and the development responds directly to this policy intent by contributing to the delivery of additional housing opportunities in a sustainable location.
  - The proposed design will support a balanced neighbourhood character by incorporating a variety of unit types, internal landscaping, pedestrian pathways, and adequate internal open spaces. This creates a high-quality living environment that complements the existing urban grain while addressing contemporary housing needs.
  - Moreover, the proposal includes extensive security measures, such as a gated entrance, optical surveillance, and controlled access, which will foster a sense of safety and order within the estate, benefitting not only future residents but also enhancing the broader area's overall sense of wellbeing.
  - Densification of this nature can also result in broader community benefits, such as reduced pressure for outward urban expansion, more efficient use of infrastructure, and potential improvements to housing affordability. By integrating well with existing residential developments and enhancing the functionality of the site, the proposed development will contribute positively to the long-term evolution of the neighbourhood.
  - Surrounding Property Values: The primary objective of the proposed development is to provide additional housing opportunities and to attract new residents to one of Hermanus' most desirable and accessible residential areas. The site is located within a designated densification zone, and the proposal is fully aligned with the applicable municipal policies and spatial development frameworks.
  - Property values are influenced by a wide range of factors, including location, accessibility, noise levels, proximity to amenities, and overall neighbourhood character. Given that these aspects will be maintained, or in some cases enhanced, by the proposed development, there is no credible basis to suggest that property values will decline as a result.
  - On the contrary, it is expected that a well-designed and well-managed development often contribute positively to the desirability of an area. By introducing a range of housing options, improving the streetscape, and optimising the use of existing infrastructure, the proposed development has the potential to enhance the long-term appeal and investment value of the surrounding area.

#### **Compliance with Policies and Regulations**

- ❖ The subject property is not located within the EMOZ.
- ❖ The subject property is not located within the HPOZ.
- ❖ SDF

- The OMSDF was formulated with extensive input from state departments, stakeholders, and the public to address the pressing need for adequate housing options in response to a growing population. The proposed residential development is consistent with the OMSDF's objectives, particularly its focus on accommodating housing demand in the Sandbaai area, which forms part of the Greater Hermanus region. As reflected in Tables 3 and 4 of the OMSDF, population growth throughout Overstrand continues to rise, with Sandbaai experiencing similar demographic trends.
  - To respond effectively to this growth, the proposed development will introduce 134 additional dwelling units within the Sandbaai (Hermanus) area. This aligns with the projected population increases identified in Table 2.7 on page 25 of the OMSDF. The proposal addresses a specific, highly sought-after segment of housing demand, contributing meaningfully to the availability of much-needed residential options in both Hermanus and Sandbaai.
  - By aligning with the OMSDF, this application supports the Overstrand Municipality's mandate to provide sufficient and diverse housing opportunities. The development adheres to the principles and objectives outlined in the framework, facilitating sustainable growth and ensuring that residential expansion within Sandbaai and the greater Hermanus area is well-planned and in harmony with the municipality's broader spatial vision.
- ❖ OMGMS
- On 27 May 2020, the Overstrand Municipal Council formally adopted the OMSDF, 2020. Concurrently, the Council rescinded the previous Overstrand Municipal Spatial Growth Management Strategy (OMGMS) of 2010.
  - Although the OMGMS was officially rescinded in 2020, the Overstrand Municipality's Town Planning Department continues to reference the document as a valuable guideline in their planning processes.
  - The subject property is situated within Planning Unit 6, which extends between the R43 and End Street, as illustrated in the figure 4:

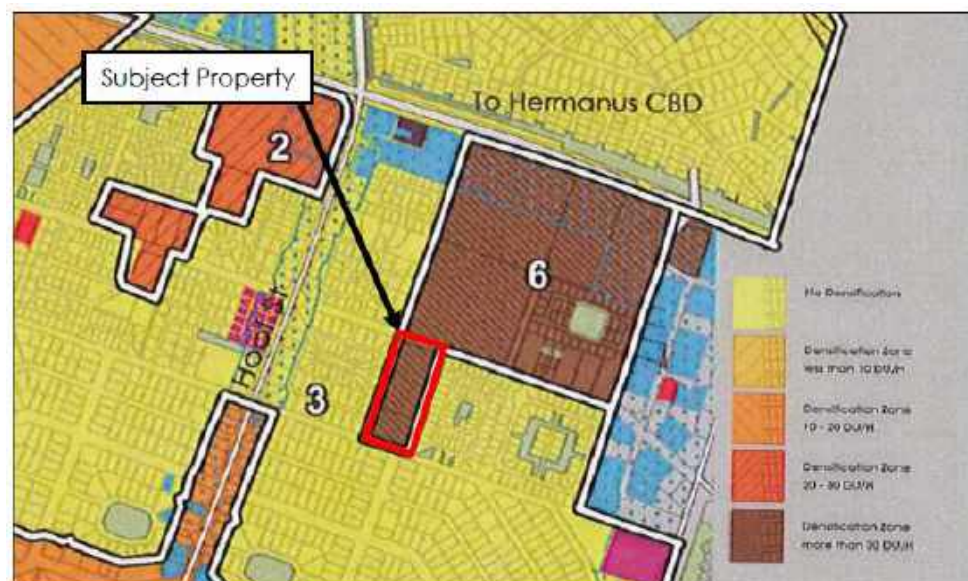


Figure 4: Extract OMGMS – Hermanus West

- The proposed development aligns with the densification zone designation for the subject property, which supports densities more than 30 dwelling units per hectare. The OMSDF advises that the former Overstrand Municipal Growth Management Strategy (OMGMS) continue to be used as a guideline for development decisions.
- Originally, Planning Unit 6 was planned to accommodate approximately 690 dwelling units. This target is however no longer achievable as a significant portion of the area has since been converted to commercial and industrial uses, thereby reducing the land available for residential development. Refer to figure 5:



Figure 5: Planning Unit 6

- The diagram depicted in Figure 5 illustrates that the proposed development on the Remainder of Erf 1735, Sandbaai, represents the final residential development opportunity within Planning Unit 6. While the original vision for Planning Unit 6 was to accommodate 690 dwelling units, this is no longer achievable, as a significant portion of the area has since been converted to commercial and industrial uses.
- Nevertheless, the proposed higher-density residential development on Erf 1735 Sandbaai will help to alleviate some of the housing demand in the area. Currently, Planning Unit 6 falls short of the targeted density of 35.2 Du/Ha as outlined in the OMGMS. The development proposal aims to increase the residential density in this unit, moving it closer to the prescribed density target and thereby contributing to more efficient land use and sustainable urban growth.

- Planning Unit 6 spans an extent of 19.6 hectares, and the proposed development of 134 additional dwelling units would only bring the density up to 9.03 Du/Ha, far below the targeted density.
- In addition to density, the proposed development's height, planned to be up to 9.0m and three storeys high in the central portion of the site, also aligns with the guidelines set out in the OMGMS. The OMGMS further specifies that the preferred housing typology for Planning Unit 6 is two- to three-storey walk-up buildings (classified as D6), which corresponds directly with the development proposal. The property owners have deliberately identified this site to accommodate such two- and three-storey structures.
- The table below provides a clear comparison of densities from other notable developments in Hermanus located outside the CBD, illustrating that the proposed density for this project is within the established range of recent developments in the area.

Development Name	Total Units	Erf Extent (m <sup>2</sup> )	Du / ha
Belle on Main	42	3103	135
Silver Oaks	50	4461	112
Oak Terrace	50	3286	152
2-on-Main	20	2456	81

- These developments were identified because they are located within the same or lower densification zones as the proposed development and involve similar residential typologies, making them relevant points of comparison. It is also acknowledged that many of these developments are situated close to Hermanus's central business district (CBD), the primary commercial and economic hub of the town. Similarly, the proposed development benefits from its strategic location near key commercial and business areas, including the Whale Coast Mall and an adjacent industrial zone, which is designated as a "Business/Industrial Node" within the OMSDF.
- This proximity to well-established commercial and employment nodes provides a strong justification for allowing a higher residential density. Higher densities near such hubs promote sustainable urban growth by supporting public transport viability, encouraging walkability, and reducing reliance on private vehicles. This in turn helps to reduce traffic congestion and carbon emissions, aligning with broader municipal and provincial sustainability goals.
- Moreover, higher-density developments in locations close to commercial centres optimise the efficient use of existing infrastructure and services such as roads, water, electricity, and social amenities. This reduces the need for costly expansion of infrastructure networks and helps the municipality to manage growth in a fiscally responsible manner.
- Allowing increased density also supports economic vibrancy by increasing the local population base that patronises nearby shops, businesses, and community facilities. This creates a positive feedback loop where residential growth sustains commercial investment, which in turn enhances amenities and services for residents.

- Furthermore, the proposed development's density falls within the ranges of comparable, already approved developments, demonstrating that it is neither unprecedented nor out of scale for the area. Given that the subject property is one of the few remaining parcels suitable for higher density within this zone, permitting the proposed density will assist in addressing the housing demand efficiently without contributing to urban sprawl.
- The combination of the site's strategic location adjacent to key commercial and industrial nodes, the efficient utilisation of infrastructure, and the alignment with sustainability and economic objectives provides a sound basis for permitting the proposed higher density. This approach supports the municipality's spatial development goals while responding to critical housing needs in the Hermanus area.

### Planning Principles

- ❖ Planning Principles will be discussed in point 10.2 of this report.

## 5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	30 October 2025	05 December 2025
Notices	Yes	28 October 2025	05 December 2025
Internal Departments	Yes	29 October 2025	05 December 2025
Ward councillor	Yes	29 October 2025	05 December 2025
Total comments	<b>FOURTY (40) OBJECTIONS</b>		
Total letters of support	<b>NONE</b>		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			<b>Yes</b>
Was the application processed correctly (if no, elaborate below):			<b>Yes</b>
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			<b>Yes</b>

## 6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Local Heritage and Aesthetics Committee	13/11/2025	No objection.
Building Control Department	18/11/2025	No objection.
Environmental Management Services Department	05/12/2025	No objection.

Engineering Department: Report.	Services Services	10/03/2026	Refer to Services Report (attached as Annexure G).
Heritage Western Cape		10/02/2026	Refer to ROD (attached as Annexure H).

## 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

40 Objections (which translates to sixty-six (66) objection points) were received during the public participation process. A list of the commenters' objections is attached as Annexure E.

The applicant was awarded the opportunity to respond to the objections. The response to the objections summarises the main objection points (attached as Annexure F).

The objections are discussed and responded to below:

### OBJECTION

#### POINT 1

#### **Allegation that the Proposed Density Is Excessive or "Out of Line"**

#### **RESPONSE FROM APPLICANT**

*The objection that the proposed density of approximately 74.44 Du/Ha is excessive or unprecedented in Hermanus is factually incorrect. As demonstrated in the application motivation and comparative analysis, several approved developments within Hermanus and Sandbaai reflect similar or higher densities, particularly where sites are located within identified densification zones and in proximity to commercial and employment nodes.*

*The subject property is located within Planning Unit 6, an area expressly identified for densification in the OMSDF and previously guided by the OMGMS. While parts of Planning Unit 6 have since transitioned to commercial and industrial uses, this does not negate the remaining residential densification obligation. On the contrary, it reinforces the need for remaining residential land to absorb a greater share of housing demand, particularly where infrastructure and accessibility already exist.*

*The proposed density is therefore contextually justified and consistent with the spatial intent for the area.*

#### **RESPONSE FROM TOWN PLANNER**

The subject site is proposed to be rezoned to General Residential Zone 3: Flats (GR4) which limits the development potential to 50du/ha in terms of the Scheme. In contrast, the subject site is located in the density area that permits the development to exceed 30du/ha. The increased density evaluation does consider context of the relevant policy, legislation, and character of the area.

The increased density of approximately 24.44du/ha is considered favourably for the following reasons:

- The subject site is located in one of the last remaining erven that could possibly consider a dense residential development as per the OMGMS.
- The proposed design of the residential development does not encroach the applicable development parameters. The only development parameter that is infringed is the density of 50du/ha and the refuse area (located over the 4m street building line along End Street).
- The design of the proposal conforms to the setback and 8m height requirements of the neighbouring properties with increased height (the flats) proposed in the centre of the development.

### **OBJECTION**

#### **POINT 2**

#### **Use of 20 Du/Ha as a “Norm”**

#### **RESPONSE FROM APPLICANT**

*An assertion was made that Sandbaai has an established density norm of 20 Du/Ha is not supported by the OMSDF or the guideline document OMGMS. This figure reflects low-density single residential areas, not properties identified for medium- to higher-density residential development.*

*The application explicitly seeks rezoning to General Residential Zone 4, which allows flats, townhouses, and walk-up buildings at higher densities. Comparing the proposal to surrounding SR1 developments is therefore a false equivalence and does not reflect the applicable planning framework. This proposal aligns with the municipality's own policy documents that propose and support higher infill densification development within the urban edge.*

*It is also important to note that the neighbouring developments contain both Single Residential and General Residential Zone 1 & 2: Town Housing and not just single residential properties as was stated by some of the objectors.*

#### **RESPONSE FROM TOWN PLANNER**

As stipulated in the response to objection point 1, the subject site is located within one of the last remaining high density area allocations in terms of the OMGMS. This density in terms of the policy makes provision for the subject property to accommodate density that exceed 30du/ha.

The Scheme in terms of the proposed zoning makes provision for the site to develop a 50du/ha residential development. Therefore, the notion of a 20du/ha being a norm is false when considering the context, relevant policy, and legislation.

### **OBJECTION**

#### **POINT 3**

#### **Population Calculations and Alleged “Overcrowding”**

**RESPONSE FROM APPLICANT**

*The objections rely on worst-case occupancy assumptions, using maximum bedroom occupancy allowances to derive inflated and unrealistic population figures. In established planning practice, developments are not assessed on theoretical maximum occupancy, but rather on reasonable, standardised occupancy assumptions that are consistently applied by municipalities and professionals. In this instance, the assumptions used are conservative and fully aligned with accepted municipal norms.*

*It is important to emphasise that infrastructure capacity assessments, traffic analyses, and municipal services planning are not undertaken on speculative or hypothetical population scenarios. Instead, these assessments are based on recognised planning ratios, empirical data, and professional engineering methodologies.*

*In this regard:*

- Infrastructure capacity assessments confirm that the existing municipal networks are capable of supporting the proposed development, subject to standard conditions and developer contributions.*
- The Traffic Impact Statement confirms that the surrounding road network can safely and efficiently accommodate the anticipated traffic generated by the development, with no upgrades to the external road network required.*
- Engineering inputs confirm that water, sewerage, stormwater, and electrical services can be provided in a manner consistent with municipal requirements, again subject to conditions and prescribed contributions.*

*These findings are substantiated through formal, professionally prepared reports, compiled in accordance with standard engineering and planning methodologies and reviewed by the relevant municipal departments. They therefore carry significantly greater evidentiary weight than speculative assumptions or subjective concerns.*

*Accordingly, claims of “overpopulation” are not supported by any technical evidence and do not demonstrate a material risk or impact arising from the proposed development. Such claims are speculative in nature and do not provide a defensible basis for refusing or limiting the application.*

**RESPONSE FROM TOWN PLANNER**

The current residential development proposal reduces the density in comparison to the previous residential development proposal. The current number of dwelling units proposed is 134 (resulting in a density of 74.44du/ha) in comparison to the previous application with 148 dwelling units (resulting in a density of ±90du/ha) which is considered more acceptable due to revised design of the development complying with the relevant development parameters.

The revised design and number of dwelling units have been considered favourably from an engineering perspective when reviewing the impact of the current development on infrastructure capacity, impact on traffic, impact on water, sewerage, stormwater, and electrical services.

The application was furnished with technical reports and assessments which comply with standard engineering and planning requirements which have been reviewed by the relevant municipal departments. It is therefore agreed with the applicant that the claims of overpopulation are only speculation and is unfounded.

### **OBJECTION**

#### **POINT 4**

### **Comparison with Monte Mare and Other Adjacent Developments**

#### **RESPONSE FROM APPLICANT**

*Repeated comparisons to Monte Mare are misleading and do not constitute a valid planning comparison. Monte Mare is a single-typology residential development, approved under a different zoning scheme, and developed within a distinct planning context. Its approval parameters, density, and built form were informed by site-specific considerations that are not directly transferable to other properties.*

*By contrast, Erf 1735 occupies a fundamentally different spatial and policy position. The site is located in a different planning unit identified as a high density area that has been transformed into a designated Business/Industrial Node, which, in terms of adopted spatial planning principles, supports higher residential densities to promote efficient land use, reduce travel distances, and optimise existing infrastructure. In addition, Erf 1735 also represents the last remaining residentially developable properties within Planning Unit 6, where much of the land has already transitioned to non-residential uses. This places a greater obligation on the remaining residential land to meaningfully contribute towards accommodating housing demand.*

*Planning decisions are therefore not made by imposing a uniform density benchmark across unrelated properties, nor by replicating approvals granted in materially different contexts. Each application must be assessed on its own planning merits, taking into account location, zoning intent, surrounding land uses, infrastructure capacity, policy alignment, and the extent to which impacts are mitigated through design.*

*In this case, the proposed density on Erf 1735 is directly informed by its strategic location, policy designation, and the municipality's broader densification objectives, and cannot be evaluated by comparison to developments such as Monte Mare, which arise from a different planning context altogether.*

#### **RESPONSE FROM TOWN PLANNER**

Section 2.5 of the approved development guidelines for Monte Mare that the municipality has on file, stipulates the following: "Single and double storey houses are only permitted on stands as per the site development plan. Loft rooms and mezzanine floors are not permitted unless by special approval of the HOA and will only be allowed in exceptional circumstances at the HOA's sole discretion." The SDP that the guidelines refer to permit erven 1865-1871 to develop double storey houses. These houses are situated along the perimeter boundary adjacent to the subject property.

The architectural guidelines for Ocean Breeze that the municipality has on file does not make reference to parameters to enable double storey buildings, but it does stipulate that the development parameters contained in the guidelines are in addition to the following:

1. Any restrictions imposed in terms of conditions of title;
2. Town planning schemes, and
3. National or any other building regulations.

The town planning scheme at the time that Ocean Breeze was approved (Section 8 of Ordinance 15 of 1985) made provision for the group housing (Residential Zone II) to accommodate 2-storeys.

The current application on Erf 1735, proposes two-storey units (8m high- measured from base level) along the lateral boundary line adjacent to both Monte Mare and Ocean Breeze residential developments. Further to this, flats are proposed in the centre of the site that complies with the 9m height restriction (measured from base level). The various buildings mentioned previously, indicate a gradual height increase from the lateral and street boundary lines. Furthermore, all three developments are subject to a 3m permitter building line which is complied. This revised design proposal creates a seamless integration with the surrounding developments in terms of density and spatial character.

### **OBJECTION**

#### **POINT 5**

#### **Allegation That Density Is Driven by “Developer Greed”**

#### **RESPONSE FROM APPLICANT**

*Assertions regarding the motives of the property owners or developer are irrelevant in the assessment of a land use application. Planning legislation and established decision-making practice require that applications be evaluated on objective and measurable criteria, not on subjective assumptions or perceived intent. The proper method is whether the proposal:*

- *Complies with the applicable planning policies and land use framework,*
- *Is technically supportable by professional reports and specialist inputs,*
- *Appropriately mitigates potential impacts on surrounding properties and infrastructure, and*
- *Advances the strategic objectives of the municipality.*

*The amended proposal clearly satisfies these criteria and demonstrates a good-faith response to municipal and public input. Importantly, the revisions are not superficial but constitute measurable and substantive design changes aimed at reducing impact and improving contextual compatibility.*

*These amendments include, inter alia:*

- *A reduction in the total number of units compared to the previous submission, resulting in a lower overall density;*
- *The introduction of two-storey development along all external boundaries, providing a softer interface with neighbouring properties;*

- *The confinement of three-storey building components to the centre of the site, away from common boundaries, thereby reducing visual bulk and overlooking;*
- *An increase in the provision of communal open space, exceeding the minimum requirements prescribed by the land use scheme.*

*Collectively, these changes represent a clear and deliberate effort to balance the need for residential densification with sensitivity to the surrounding area. They directly contradict the assertion that no meaningful concessions were made and instead demonstrate that the proposal has been refined to address identified concerns while still fulfilling its intended planning objectives.*

*The amended proposal therefore reflects a considered and policy-compliant outcome, rather than an inflexible or insensitive approach to development.*

### **RESPONSE FROM TOWN PLANNER**

The objection point relating to density has been resolved in the responses to objection points 1, 2 and 3. The objector's allegation of "developer greed" will not be responded to since it does not provide any constructive means to evaluating the application or recommendation.

The revised land use planning application proposes to reduce the number of dwelling units, and the design of the application complies with the municipality's densification objectives.

As mentioned in the response to objection point 4, the revised application proposes a design layout that seamlessly integrates the double storey townhouses with the permitted heights of the adjacent development buildings on the perimeter. Furthermore, the proposed height increases to the centre of the subject site (applicable to the flats) which remain compliant with the relevant scheme parameters.

### **OBJECTION**

#### **POINT 6**

#### **Claim That Density Should Be Absorbed Elsewhere (e.g. Fisherhaven)**

### **RESPONSE FROM APPLICANT**

*The suggestion that higher-density residential development should be confined only to "new land" outside existing neighbourhoods is fundamentally contrary to established planning legislation and adopted spatial policy, including SPLUMA, the OMSDF, and broader national planning principles. These policy frameworks explicitly prioritise:*

- *Infill development within existing urban areas,*
- *The efficient use of existing infrastructure and services, and*
- *The containment of urban sprawl.*

*Directing higher-density development away from serviced, accessible urban areas and into peripheral greenfield locations would undermine the core objectives of spatial sustainability and spatial efficiency. Such an approach would result in increased infrastructure costs, longer travel distances, greater dependence on private vehicles, and unnecessary pressure on undeveloped land.*

*In contrast, the proposed development is located within an established urban area, in close proximity to existing commercial, employment, and transport nodes. It is precisely in such locations that higher-density development is encouraged, as it enables municipalities to maximise return on existing infrastructure investments while reducing long-term operational and maintenance costs.*

*Deferring density to the urban periphery would also conflict with the principles of spatial justice, as it would disproportionately affect lower- and middle-income households by increasing travel times and reducing access to employment opportunities and services. For these reasons, the promotion of compact, well-located urban development is a cornerstone of modern planning practice and is clearly articulated in adopted policy.*

*Accordingly, the proposal to accommodate higher density on Erf 1735 represents a policy-compliant and strategically sound response to housing demand. It aligns with the intent of national, provincial, and municipal planning frameworks and does not support the notion that densification should be displaced to undeveloped land outside existing neighbourhoods.*

#### **RESPONSE FROM TOWN PLANNER**

The objectors claim that higher density residential developments should be absorbed elsewhere (such as Fisherhaven) is noted. The proposal to densify the current site is in line with various legislation and policies as stipulated below:

1. The Overstrand Municipality SDF promotes infill development, efficient use of existing infrastructure and services, as well as the containment of urban sprawl.
2. The OMGMS, under the planning units 6 which the subject site is located in, proposes high density residential development.
3. The Scheme under the proposed zoning enables higher density (50du/ha) for the area and the By-Law makes provision to deviate from the applicable development parameters.

Taking note of the above, the development proposes a higher density in relation to the 50du/ha. Furthermore, the only departure proposed to deviate from the applicable zoning parameters is to accommodate the large refuse area over the street building line along End Street. With that said, the proposal complies with all the relevant development parameters under the proposed new zoning. Therefore, the increased density proposed is considered favourable due to the compliance with the Scheme development parameters (relating to height, building lines, setbacks etc.) and the strategic planning for the area (SDF and OMGMS).

Due to the compliance being met with regards to the applicable policies and legislation, the application is in line with the SPLUMA Principles that will be discussed in section 10.2 of this report.

#### **OBJECTION**

##### **POINT 7**

#### **Departure of the OMLUS density regulations justification**

**RESPONSE FROM APPLICANT**

*The requested departure from the 50 Du/Ha density provision is necessary, reasonable, and aligned with applicable planning policy. The subject property is located within a designated densification zone, where increased residential density is anticipated and supported. While the OMGMS is applied as a guideline document, the strict application of the 50 Du/Ha limitation would contradict the spatial intent expressed therein, particularly within areas identified for intensified residential development. Furthermore, several comparable developments within Hermanus and Sandbaai have been approved at similar or higher densities, especially where sites are well located in relation to commercial nodes, transport routes, and existing infrastructure.*

*The proposal also incorporates a range of mitigation measures that materially reduce potential impacts, including stepped building heights, reduced massing along external boundaries, increased setbacks, and open space provision exceeding minimum requirements. In addition, the development makes a meaningful contribution to addressing the ongoing housing demand within a constrained urban area where limited land remains available for residential development. Departures are an explicit mechanism within the OMLUS, intended to provide flexibility where the rigid application of scheme provisions would undermine broader spatial objectives. In this instance, the departure facilitates a balanced, policy-consistent outcome that supports sustainable urban growth and efficient land use.*

**RESPONSE FROM TOWN PLANNER**

The By-Law makes provision for the departure of development parameters. The applicant has therefore submitted an application to accommodate this departure to increase the density of the subject site in line with the strategic policies of the municipality (OMGMS).

The application complies with all the relevant development parameters apart from the density restriction and the departure to accommodate a 35m<sup>2</sup> refuse area (since the location of the refuse area makes it operationally efficient).

Noting that the application complies with all the relevant development parameters and that the proposal incorporates including stepped building heights, reduced massing along external boundaries, increased setbacks, and open space provision exceeding minimum requirements, the proposal is considered favourably since all the relevant requirements have been met.

**APPLICANT'S CONCLUSION ON DENSITY OBJECTIONS****RESPONSE FROM APPLICANT**

While the proposed density represents an intensification of land use, it is:

- Policy-supported;
- Technically assessed;
- Contextually appropriate;
- Mitigated through design, and
- Necessary to address documented housing demand.

The objections raised do not demonstrate that the proposal is inappropriate in planning terms, nor do they outweigh the substantial public interest considerations supporting approval.

#### **RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on the density objections is noted.

#### **OBJECTION**

##### **POINT 8**

#### **Objection relating to flats and GR4 zoning**

#### **RESPONSE FROM APPLICANT**

*Objections have been raised to the proposed rezoning to General Residential Zone 4 (GR4), primarily on the basis that flats are allegedly incompatible with the surrounding built environment, which largely comprises townhouses and lower-density residential developments. While it is acknowledged that much of the immediate surrounding area is developed under GR2 zoning, this does not preclude the consideration of GR4 zoning where the spatial context, policy framework, and site-specific characteristics support a higher-density residential use.*

*The subject property is strategically located adjacent to a designated Business/Industrial Node, in close proximity to the Whale Coast Mall and major distributor routes. In terms of the OMSDF and broader spatial planning principles, such locations are specifically identified as appropriate for higher-density residential development, including flats. The proposal therefore does not represent an arbitrary zoning request, but rather a policy-aligned response to the site's location, accessibility, and role within the broader Sandbaai urban structure.*

*It is further important to note that GR4 zoning permits both flats and townhouses, allowing for a mixed residential typology. The proposal deliberately incorporates townhouses along the boundaries to create a sensitive interface with neighbouring properties, while positioning the flat components within the interior of the site. This approach ensures contextual integration rather than incompatibility.*

#### **RESPONSE FROM TOWN PLANNER**

Sandbaai has various dwelling unit compositions and land uses. The erven located between the R43, and Bergsig Street comprise of a business use, industrial use, and town houses. The erven located between Bergsig Street and End Street comprise of townhouses. And the properties located between End Street and the Sandbaai coastline are normal residential dwelling units.

In view of the above, the property is located between Bergsig Street and End Street which comprise of townhouses. The application proposes to rezone the property to GR4 to accommodate both townhouses as well as flats. The design of the proposal seamlessly integrates the various heights of the various buildings which complies with the development parameters relating to height. The effect that the GR4 zoning has is to accommodate both townhouses and flats as a primary land use right as well as to accommodate the proposed density to be inline with the future planning of the area.

**OBJECTION****POINT 9****Clarification Regarding “Simplexes” and Building Typology****RESPONSE FROM APPLICANT**

*Objections referring to the boundary units as “blocks of flats” are factually incorrect and reflect a misunderstanding of the proposed built form. The units proposed along the site boundaries are two-storey townhouses (duplexes) and are not stacked flats. Each unit has its own ground-floor footprint and independent vertical circulation, and they do not share the characteristics of flat buildings as contemplated under the land use scheme.*

*In this regard, the proposed townhouses fully comply with the definition of town housing as set out by the Overstrand Municipality, namely:*

*“Town housing” and “town housing scheme” mean a row or group of linked, attached or detached dwelling units which are designed and built as a harmonious architectural entity of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided or be sold individually in some other manner.*

*The boundary units meet this definition in all respects. They are designed as a harmonious architectural entity, each unit has a ground floor, and the scale and typology are consistent with town housing commonly found in transitional residential areas. Their placement along the boundaries is intentional and forms part of the mitigation strategy to create a lower-scale, softer interface with neighbouring properties, thereby reducing visual bulk, perceived density, and overlooking.*

*The flat components of the development are clearly limited and strategically located. Flats are confined to three blocks situated within the interior of the site and along Bergsig Street, where the surrounding context is more urban in nature and less sensitive than the internal boundaries shared with adjacent residential estates. Importantly, the three-storey flat blocks are set back approximately 28 metres from common boundaries, ensuring that their height and massing do not dominate or visually overwhelm neighbouring properties.*

*This deliberate spatial separation, combined with stepped building heights, building line compliance, and landscaping, directly addresses concerns relating to privacy, height, and visual dominance. The development therefore does not present an indiscriminate mix of flats and townhouses, but rather a carefully structured layout that places higher-intensity elements where they are most appropriate and lower-intensity typologies where sensitivity to neighbouring properties is required.*

*Accordingly, the characterisation of the boundary units as flats is incorrect, and the overall layout demonstrates a considered response to both the planning framework and the surrounding built environment.*

**RESPONSE FROM TOWN PLANNER**

The explanation by the applicant is agreed with regarding the definition of simplex units in relation to townhouse definition.

**OBJECTION**** POINT 10****Building Height and Three-Storey Development****RESPONSE FROM APPLICANT**

*Numerous objections focus on the presence of three-storey buildings, with calls for the development to be limited to two storeys throughout. While the concerns regarding height are noted, it is important to clarify that:*

- *A maximum height of three storeys and 9.0 metres is permitted under the proposed zoning and is consistent with the guidance contained in the OMGMS for Planning Unit 6.*
- *Three-storey development is not proposed along the site boundaries. All boundary-facing buildings are limited to two storeys, ensuring a compatible interface with adjacent developments.*
- *The three-storey components are confined to the centre of the property, where their visual and privacy impacts are substantially reduced.*

*The assertion that three-storey buildings are entirely foreign to Sandbaai is therefore not supported when assessed in the context of policy, zoning intent, and the site's location adjacent to non-residential land uses.*

**RESPONSE FROM TOWN PLANNER**

The three-storey height (9m height) is not proposed for the entire development. The dwelling units located along the applicable building lines are two-storey in height which is in line with the permitted development height of the adjacent properties. The property is then also proposed to be developed with three-storey flats located in the centre of the property. This stepped building height seamlessly integrates the development with the surrounding gated estates.

**OBJECTION**** POINT 11****Privacy and Overlooking Concerns****RESPONSE FROM APPLICANT**

*Concerns regarding overlooking and loss of privacy have been carefully considered and addressed through a range of deliberate design responses and mitigation measures incorporated into the proposal. These include:*

- *The strategic positioning of flat blocks away from common boundaries, ensuring that higher buildings are centrally located and do not directly abut neighbouring properties;*
- *The orientation of balconies and habitable room windows to limit direct overlooking into neighbouring private open spaces;*
- *The retention of existing mature trees along shared boundaries, which already provide a level of natural screening;*

- *Additional tree planting and landscaping to enhance visual buffers and further mitigate overlooking and perceived bulk;*
- *Full compliance with prescribed building lines and setbacks applicable to the proposed zoning.*

*It is important to note that planning law does not guarantee an absolute right to unobstructed views or complete visual privacy. Rather, the test is whether reasonable and proportionate measures have been taken to mitigate potential impacts. In this regard, the proposal demonstrates a high degree of sensitivity to surrounding properties.*

*Furthermore, it is relevant to highlight that townhouses developed on separate erven are routinely permitted to be constructed closer to common boundaries than the setbacks proposed in this development. In many conventional town housing and single residential developments, buildings may be positioned at 3.0m or less from side boundaries, subject to zoning parameters. By contrast, the proposed development adheres to larger setbacks and a stepped height approach, particularly where higher buildings are involved.*

*When assessed against what could reasonably be developed on the site in terms of existing zoning rights, the proposal represents a more controlled and mitigated outcome in terms of privacy and overlooking. The combination of building placement, setbacks, height transitions, and landscaping ensures that potential impacts are reduced to an acceptable level and do not constitute a planning basis to refuse the application.*

#### **RESPONSE FROM TOWN PLANNER**

The notion of overlooking is not cause for concern since the dwelling units are setback to comply with both the 3m and 4.5m lateral building lines. The proposed dwelling units located along the lateral building lines have heights that are similar in comparison with the permitted dwelling unit heights of the adjacent residential estates.

Furthermore, the flats that have a 9m height restriction are located  $\pm 28$ m from the common boundaries.

With the stepped building heights and the compliance with the lateral building lines, the notion of privacy is unfounded since the proposal will be in line with the applicable development parameters.

#### **OBJECTION**

##### **POINT 12**

#### **Character and Aesthetic Compatibility**

#### **RESPONSE FROM APPLICANT**

The character of Sandbaai is not uniform, but rather comprises a range of residential typologies, densities, and built forms, particularly along its interfaces with commercial and industrial land uses. The proposed development reflects this transitional character and does not seek to replicate low-density suburban typologies in a location specifically identified for densification.

Aesthetic preference is inherently subjective and cannot, on its own, form a defensible basis for refusal. The proposal has been designed with articulated massing, stepped heights, landscaping, and varied building forms to reduce visual dominance and avoid a monolithic appearance.

#### **RESPONSE FROM TOWN PLANNER**

The revised development proposal seamlessly integrates the various dwelling unit typologies and heights with architectural features that reduce impact of visual dominance to avoid monolithic appearances.

Furthermore, the development is proposed to have internal roads, landscaping and open spaces which exceeds the minimum requirements that enhance the aesthetic appearance of the site.

#### **OBJECTION**

##### **POINT 13**

#### **Management and Sectional Title Concerns**

#### **RESPONSE FROM APPLICANT**

*Concerns regarding the long-term management of a sectional title scheme, levy affordability, and potential future maintenance issues are speculative and fall outside the scope of land use planning. The establishment and management of a body corporate are governed by the Sectional Titles legislation, which provides mechanisms to ensure proper management, financial planning, and maintenance of common property.*

*Furthermore, the presence of modern infrastructure such as lifts, backup power, and shared services is not unique to this development and is routinely accommodated in contemporary residential estates throughout the Overstrand and wider Western Cape.*

#### **RESPONSE FROM TOWN PLANNER**

The management of the development and the sectional title concerns are noted.

#### **OBJECTION**

##### **POINT 14**

#### **Conclusion on Flats and GR4 Objections**

#### **RESPONSE FROM APPLICANT**

*While objections to flats and three-storey buildings are noted, the proposal has been carefully structured to respond to its context, comply with policy, and mitigate impacts. The GR4 zoning is appropriate given the site's location, accessibility, and role in addressing housing demand. The amended design clearly demonstrates a balanced approach, combining townhouses and flats in a manner that respects neighbouring properties while fulfilling municipal densification objectives.*

*The objections raised do not demonstrate that the proposed zoning or building height is inappropriate in planning terms, nor do they outweigh the substantial policy, spatial, and public interest considerations supporting the application, as the proposal fully complies with technical, environmental, and planning requirements.*

#### **RESPONSE FROM TOWN PLANNER**

The conclusion on the flats and GR4 objections are noted.

#### **OBJECTION**

##### **POINT 15**

**Objection point relating to affordability and target market.**

#### **RESPONSE FROM APPLICANT**

*Objections relating to affordability rely on the incorrect assumption that housing provided in response to municipal objectives must be accessible to all income groups or must specifically cater for employees working within the adjacent mall or immediate area. This is not the test applied in land use planning. Municipal housing objectives seek to broaden the range of housing opportunities across multiple market segments, including entry-level, gap-market, and mid-market buyers.*

*The proposed development explicitly provides a range of unit types and price points, including:*

- 1. One-bedroom flats priced from approximately R1.3–R1.4 million,*
- 2. Two-bedroom flats in the lower-to-mid price range,*
- 3. Higher-end townhouses positioned along the boundaries to integrate with the surrounding residential fabric.*

*This mix directly supports market diversity and inclusion, rather than a single homogenous product. The fact that not all residents employed in the immediate vicinity may qualify for a bond does not render the development unaffordable or misaligned with municipal objectives. Housing markets function across regional catchments, not solely within walking distance employment nodes.*

*Importantly, the proposed price points fall well below many recently approved residential developments in Sandbaai and Hermanus, where unit prices routinely exceed R3 million. The development therefore contributes to improving affordability relative to prevailing market trends, rather than exacerbating exclusion.*

#### **RESPONSE FROM TOWN PLANNER**

The objection to affordability and target market is noted.

#### **OBJECTION**

##### **POINT 16**

**Market Demand and Unsold Flats**

**RESPONSE FROM APPLICANT**

*References to unsold flats currently listed on property platforms do not constitute reliable planning evidence. Property listings reflect short-term market dynamics, pricing strategies, timing, and individual seller circumstances, rather than long-term structural housing demand.*

*Municipal planning decisions are informed by:*

- 1. Adopted spatial frameworks,*
- 2. Population growth projections,*
- 3. Housing demand modelling, and*
- 4. The strategic need to diversify housing supply within accessible urban areas.*

*The OMSDF confirms an ongoing and growing demand for additional dwelling units within the Greater Hermanus area. The existence of units currently on the market does not negate this demand, nor does it undermine the legitimacy of providing new, well-located housing options.*

**RESPONSE FROM TOWN PLANNER**

The point relating to market demand and unsold flats on property platforms do not constitute reliable evidence of the actual demand for additional dwelling units within the area of Overstrand.

**OBJECTION**** POINT 17****Applicants' conclusion on Affordability****RESPONSE FROM APPLICANT**

*The proposed development provides a balanced, policy-aligned housing response that improves affordability relative to prevailing market conditions, broadens access to a well-located area, and contributes meaningfully to addressing documented housing demand.*

*The objections do not demonstrate that the proposal is inappropriate in planning terms, nor do they justify refusal or downscaling of a development that aligns with adopted spatial objectives and the public interest.*

**RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on affordability is noted.

**OBJECTION**** POINT 18****Objection relating to Spatial Justice**

**RESPONSE FROM APPLICANT**

*The interpretation of spatial justice advanced in the objections is overly narrow and misconstrues the intent of the principle. Spatial justice does not require housing to be free, subsidised, or accessible to every income group within a single development. Rather, it seeks to:*

- *Improve access to opportunities;*
- *Reduce spatial exclusion, and*
- *Enable more people to live closer to services, employment, and amenities.*

*The proposed development advances spatial justice by enabling moderate-income households to access a well-located area that would otherwise remain inaccessible if limited to low-density, high-value housing typologies only. Without densification, land in Sandbaai would continue to be consumed by large, expensive units, further entrenching exclusivity.*

*With regard to finishes and quality, land use planning does not regulate internal finishes or market positioning. However, the architectural design, scale, landscaping, and interface treatment ensure that the development integrates appropriately with its surroundings, irrespective of internal specification.*

**RESPONSE FROM TOWN PLANNER**

The applicant's response that stipulates that spatial justice does not require housing to be free, subsidised, or accessible to every income group within a single development is agreed with.

**OBJECTION**** POINT 19****Alleged Wetland Status and Requirement for an Environmental Impact Assessment****RESPONSE FROM APPLICANT**

*Claims that the subject property constitutes a wetland, or that an Environmental Impact Assessment (EIA) is required, are not supported by any regulatory or specialist evidence. The property is located within the existing urban area, is not identified as a wetland or critical biodiversity area in the OMSDF or associated environmental mapping and does not fall within an Environmental Management Overlay Zone.*

*In terms of NEMA and the EIA Regulations, an EIA is triggered only where listed activities occur within identified sensitive environments or where thresholds are exceeded. The proposed development does not trigger any listed activities requiring environmental authorisation. Historical anecdotal references to seasonal water presence or prior land conditions do not, in themselves, confer wetland status in law.*

*Accordingly, the absence of an EIA does not constitute an omission but rather reflects compliance with the applicable legislative framework.*

**RESPONSE FROM TOWN PLANNER**

The development was not flagged by the Overstrand Municipality Environmental Management Services Department.

**OBJECTION**** POINT 20****Water Table and Groundwater Concerns****RESPONSE FROM APPLICANT**

*It is acknowledged that parts of Sandbaai experience seasonally high groundwater levels, which is a known condition within the broader area and not unique to the subject property. This condition does not preclude development and is routinely addressed through appropriate engineering design.*

*To mitigate potential impacts, the proposal includes the installation of a sub-soil drain / agri-drain system along the western boundary, designed to intercept and manage groundwater movement in a controlled manner. This system will be integrated with the internal stormwater network and linked to the municipal system, subject to municipal approval.*

*Concerns regarding interference with groundwater flow, boundary walls, or neighbouring swimming pools are therefore addressed through engineering controls, not left unmanaged. Final design and construction will be subject to approval by the Overstrand Municipality's engineering departments, ensuring that the system is safe, effective, and compliant with required standards.*

**RESPONSE FROM TOWN PLANNER**

The response by the applicant is noted and agreed with. Furthermore, the issues relating to the high-water table and ground water concerns have been mitigated and supported by the Engineering Services Department.

**OBJECTION**** POINT 21****Stormwater Management****RESPONSE FROM APPLICANT**

*The proposed development will be required to comply with the municipality's stormwater management standards. Stormwater will be managed on-site through a combination of attenuation and controlled discharge.*

*The assertion that End Street lacks stormwater infrastructure does not negate the municipality's ability to require appropriate stormwater design as part of the development approval. No development may proceed without approved stormwater management plans, and any upgrades required to accommodate additional runoff will be implemented at the developer's cost.*

*Concerns regarding increased runoff as a result of coverage are therefore addressed through engineering design and municipal oversight, not through speculative assumptions.*

#### **RESPONSE FROM TOWN PLANNER**

The applicant has adequately responded to this objection point relating to stormwater management. Furthermore, the Engineering Services Department has supported the development proposal.

#### **OBJECTION**

##### **POINT 22**

#### **Gas Supply and Fire Safety**

#### **RESPONSE FROM APPLICANT**

*Objections relating to piped gas and fire risk are noted, but it is important to clarify that gas installations are governed by strict national safety standards and building regulations. The location, storage, and distribution of gas infrastructure will be subject to:*

- *SANS standards,*
- *Building plan approval processes,*
- *Fire safety and emergency access requirements.*

*Gas cylinders or centralised systems will be housed in compliant, ventilated enclosures and designed to minimise risk. Emergency access, evacuation routes, and fire safety measures will be incorporated into the final building plans and approved by the relevant authorities prior to construction.*

*Concerns about hypothetical evacuation scenarios, while understandable, do not reflect a planning or regulatory basis to refuse the application. Similar systems operate safely in numerous residential estates throughout the Overstrand and Western Cape.*

#### **RESPONSE FROM TOWN PLANNER**

This objection point will be dealt with at building plan phase.

#### **OBJECTION**

##### **POINT 23**

#### **Borehole Use and Water Management**

#### **RESPONSE FROM APPLICANT**

*The proposed borehole is intended solely for common-area irrigation and forms part of a water-wise landscaping strategy. Its use will not involve uncontrolled abstraction, nor will it result in continuous or excessive watering. Borehole use is subject to regulatory controls and must comply with applicable water use legislation.*

*The introduction of alternative water sources reduces reliance on municipal potable water and is consistent with sustainability objectives.*

#### **RESPONSE FROM TOWN PLANNER**

Borehole use and water management must comply with the application water usage legislation.

#### **OBJECTION**

##### **POINT 24**

#### **Biodiversity and Wildlife**

#### **RESPONSE FROM APPLICANT**

*Despite the absence of any statutory environmental sensitivity, the property owners have committed to conducting a manual fauna sweep prior to construction to relocate any small wildlife encountered. This measure demonstrates a responsible and precautionary approach, even where not legally required.*

#### **RESPONSE FROM TOWN PLANNER**

The Environmental Management Services Department provided no objection to the application. Furthermore, the additional measures proposed by the property owners are noted.

#### **OBJECTION**

##### **POINT 25**

#### **Conclusion on Environmental Objections**

#### **RESPONSE FROM APPLICANT**

*The environmental objections raised are largely based on anecdotal history, speculation, and hypothetical risk scenarios, rather than regulatory triggers or technical evidence. The proposal complies with environmental legislation, does not require an EIA, and incorporates appropriate engineering and management measures to address groundwater, stormwater, fire safety, and sustainability considerations.*

*Environmental matters raised do not demonstrate a material planning or environmental risk that would justify refusal of the application. All relevant aspects will remain subject to detailed design approval and municipal oversight, ensuring protection of both the environment and neighbouring properties.*

#### **RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on environmental objections is noted.

#### **OBJECTION**

##### **POINT 26**

#### **Compliance with Open Space Requirements**

**RESPONSE FROM APPLICANT**

*Objections have been raised suggesting that the provision of approximately 11.49% communal open space is insufficient or non-compliant for a development of this nature. This assertion is incorrect. The OMLUS requires a minimum of 10% communal open space for developments of this zoning category, excluding parking, roads, and service areas. The proposed development exceeds this requirement, providing a larger quantum of open space than is prescribed.*

*It is important to emphasise that compliance with statutory minimum standards is the primary planning test. There is no adopted municipal policy or guideline prescribing a higher mandatory percentage of communal open space for developments of this scale within the Overstrand Municipality. The claim that the proposal is “significantly below accepted amenity standards” is therefore not supported by any adopted planning instrument.*

**RESPONSE FROM TOWN PLANNER**

The provision of the Scheme requires a minimum of 10% open spaces, the application proposes ±11.49% open space, which is a minor increase from the standard requirement, however proposal remains compliant with the minimum provisions.

**OBJECTION**** POINT 27****Scale of Open Space Relative to Site Size****RESPONSE FROM APPLICANT**

*The suggestion that the open space provision is inadequate because of the site’s size misunderstands the nature of proportional standards. Planning controls operate on percentage-based thresholds precisely to ensure equity across different site sizes. Smaller sites are not required to provide disproportionately larger open spaces than larger sites; rather, they must comply with the same proportional standard.*

*The argument that open space would be unusable if all residents used it simultaneously is hypothetical and not a recognised planning assessment criterion. Communal open space is intended to function as a shared amenity, used at different times and for varied purposes, not as a space designed to accommodate all residents concurrently.*

**RESPONSE FROM TOWN PLANNER**

This objection is a duplication of objection point 26.

**OBJECTION**** POINT 28****Quality, Distribution and Function of Open Space**

**RESPONSE FROM APPLICANT**

*The assessment of open space is not limited to percentage alone, but also considers quality, usability, and integration. The proposed communal open spaces are:*

- 1. Centrally located and accessible,*
- 2. Landscaped to provide passive recreational opportunities,*
- 3. Designed to function as usable green areas rather than residual land.*

*The proposal does not rely on a single small area to serve the entire development, but rather incorporates distributed landscaped areas, pedestrian routes, and green buffers throughout the site. This approach enhances usability and avoids over-concentration of activity in one location.*

**RESPONSE FROM TOWN PLANNER**

Applicant is correct when stating that the proposal does not rely on a single small area to serve the entire development, but rather incorporates distributed landscaped areas, pedestrian routes, and green buffers throughout the site. This approach enhances usability and avoids over-concentration of activity in one location.

**OBJECTION**** POINT 29****Noise and Amenity Concerns****RESPONSE FROM APPLICANT**

*Concerns regarding potential noise arising from the use of communal open spaces are noted. However, such concerns are largely speculative and do not constitute a defensible basis for refusal. Communal open space is a normal and anticipated component of residential living, particularly within an urban context. The presence of children playing, residents walking, or limited social interaction within shared spaces does not amount to an unreasonable nuisance but rather reflects ordinary residential activity.*

*The proposed communal open spaces are located both internally within the development and some space are positioned adjacent to neighbouring properties. Their design and location, together with landscaping and boundary treatments, assist in mitigating potential noise spill-over beyond the site. Importantly, the scale and function of the proposed open spaces are intended for passive recreation, not organised events, or high-intensity activities.*

*Furthermore, all owners, occupiers, and future tenants within the development will be subject to the body corporate constitution and house rules, which provide an effective and enforceable mechanism to regulate behaviour and protect residential amenity. It is well recognised that poor management would negatively affect not only surrounding properties but also the development itself and the long-term value of the units. As such, the body corporate has a vested interest in ensuring appropriate conduct and effective management.*

To address potential noise concerns, the constitution and/or house rules will include provisions similar to the following:

- “(1) An owner, occupier and/or tenant must be cognisant of the close proximity of the sections to one another and must not allow any persistent and unreasonable noise levels to disturb other owners, occupiers, and/or tenants.*
- (2) An owner, occupier and/or tenant must not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.*
- (3) Excessive noise must be avoided from 22:00 to 08:00 Sunday to Thursday, and between 23:00 to 08:00 on Friday and Saturday.*
- (4) Owners, occupiers, and/or tenants must take every effort that they and/or their visitors arriving or departing to do so with little disturbance to other owners, occupiers, and/or tenants.*
- (5) Radios, musical instruments, CD players, record players, television sets, Bluetooth speakers etc., must be used in such a manner so as not to be heard in adjoining units or on the common property.*
- (6) Power tools and other noise-producing equipment if operated outside the times stipulated above must cause minimum nuisance to other owners, occupiers, and/or tenants.”*

and

*“Vehicles*

- (1) Any person/s entering the scheme must obey all signs and road markings containing directions for the use and parking of vehicles on the common property.*
- (2) No unlicensed person may drive any vehicle on the common property.*
- (3) No hooters may be sounded within the scheme or outside the security gate, other than in an emergency.*
- (4) No slamming of vehicle door/s.*
- (5) No revving of engines excessively.*
- (6) No vehicle radio and/or sound system may be set at a volume audible outside the vehicle.”*

*These measures provide clear, enforceable standards for acceptable behaviour and are commonly applied in sectional title developments to successfully manage noise and protect residential amenity.*

*In conclusion, the proposed development incorporates both design-based mitigation and management-based controls to address noise-related concerns. When assessed in context, the potential for noise impacts is neither excessive nor unusual for a residential development of this nature and does not justify refusal or further reduction of the proposal.*

## **RESPONSE FROM TOWN PLANNER**

The noise concerns are mitigated by means of the rules proposed for the entire development. Furthermore, these noise concerns are of a normal residential nature which is applicable to all residential estates. Therefore, the objection should not be a cause to refuse the application.

## **OBJECTION**

 **POINT 30**

## Landscaping and Retention of Existing Trees

### RESPONSE FROM APPLICANT

*Objections suggesting that existing trees cannot be retained are premature and do not take into account the detailed design and construction processes that follow land use approval. The property owners have committed to a considered landscaping and tree retention strategy, which seeks to balance development requirements with the preservation of existing vegetation where feasible.*

*In this regard, the owners commit to:*

- 1. Retaining mature trees along boundary areas where feasible, particularly where such trees contribute to visual screening, privacy, and the softening of the interface between the proposed development and neighbouring properties;*
- 2. Supplementing existing vegetation with additional planting, including indigenous and climate-appropriate species, to ensure that effective screening and landscaping objectives are achieved even in instances where individual trees cannot be retained due to construction or servicing constraints.*

*It is recognised that not all existing trees can be preserved without compromising structural safety, building footprints, or engineering requirements. However, the landscaping approach is not limited to tree retention alone but rather focuses on achieving equivalent or improved landscaping outcomes through a combination of retained vegetation, new planting, and structured landscape design.*

*Detailed landscaping plans will be prepared as part of the subsequent design and implementation phase and will be subject to municipal approval and enforcement as a condition of approval. These plans will ensure that landscaped areas are properly established, maintained, and integrated into the overall development layout.*

*The objective is therefore not to preserve every existing tree at all costs, but to deliver a well-landscaped, visually softened development that enhances amenity, maintains privacy, and contributes positively to the character of the area. This approach aligns with accepted planning practice and ensures that environmental and visual considerations are responsibly addressed in the final development.*

### RESPONSE FROM TOWN PLANNER

The commitment by the property owner to retain existing trees and vegetation is noted.

### OBJECTION

#### POINT 31

## Infrastructure and Amenity Facilities

### RESPONSE FROM APPLICANT

*References to the size of ancillary facilities such as the refuse room and storage areas require clarification.*

*These facilities form part of the communal property of the development and are provided to support the day-to-day functioning and management of the scheme. While they are located within areas designated as communal space for the development, their inclusion is intentional and appropriate, as they serve an essential operational role and contribute to the orderly and efficient use of the site.*

*The sizing of these facilities is based on functional requirements and applicable municipal standards, ensuring that they are adequate for the scale of the development without being excessive or intrusive. Their provision does not detract from the usability of the communal open space, nor does it compromise the overall amenity of the development. Instead, they are integrated in a manner that balances operational needs with landscaping and recreational space.*

*The development does not propose a large or intensive recreational building commonly associated with a “clubhouse.” Rather, it focuses on providing functional, well-maintained communal facilities that are appropriate to the nature, scale, and residential character of the development. This approach ensures that communal space is used efficiently and responsibly, while still meeting the amenity needs of residents and complying with applicable planning and management requirements.*

#### SPLUMA Liveability and Sustainability

*The proposal complies with SPLUMA principles relating to liveability and sustainability by:*

- *Providing compliant and usable communal open space,*
- *Integrating landscaping and green buffers,*
- *Locating higher-density housing in a serviced, accessible urban area,*
- *Reducing pressure on peripheral greenfield land.*

*There is no basis to conclude that the development undermines liveability simply because it introduces a higher density than adjacent low-density complexes. Density, when appropriately designed and mitigated, is not inherently incompatible with quality living environments.*

#### **RESPONSE FROM TOWN PLANNER**

The communal spaces proposed serve as functional communal spaces. Furthermore, the creation of a large refuse room at the entrance of the site along End Street constitutes an acceptable standard for the operational services which do not detract from the functional open spaces.

#### **OBJECTION**

##### **POINT 32**

#### **Conclusion on Open Space and Landscaping Objections**

#### **RESPONSE FROM APPLICANT**

*The proposed development meets and exceeds statutory open space requirements, provides usable and well-located communal amenities, and incorporates landscaping measures that mitigate visual and amenity impacts.*

*The objections raised are largely speculative, subjective, or based on expectations that exceed adopted planning standards.*

*Accordingly, the objections relating to open space, landscaping, and amenity provision do not demonstrate non-compliance with planning policy nor justify refusal or reduction of the proposed development.*

#### **RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on open space and landscaping objections is noted.

#### **OBJECTION**

##### **POINT 33**

#### **Building Height and Roof Form**

#### **RESPONSE FROM APPLICANT**

*Objections relating to building height, roof form, or potential future additions are noted. The proposal complies with the height parameters applicable to the proposed zoning, and three-storey buildings are not proposed along any common boundary. Instead, they are deliberately located within the interior of the site to minimise visual dominance and overlooking.*

*Any rooftop installations such as solar panels or lift overruns will be subject to building regulations and municipal approval and cannot be used to create additional storeys or bulk. The final roof forms and building envelopes will be controlled through the building plan approval process.*

#### **RESPONSE FROM TOWN PLANNER**

The building height complies with the relevant height requirements, and the Building Control Department has no objection to the application which results in no objection with the roof form.

#### **OBJECTION**

##### **POINT 34**

#### **Light Pollution**

#### **RESPONSE FROM APPLICANT**

*Concerns regarding light pollution have been acknowledged and addressed through specific mitigation measures incorporated into the proposal, including:*

- 1. Use of shielded, downward-facing light fittings to limit light spill;*
- 2. Selection of low-intensity, warm-colour lighting rather than high-glare fittings;*
- 3. Installation of timers and motion sensors to ensure lighting is activated only when necessary;*
- 4. Use of landscaping and boundary treatments to screen and soften light sources.*

*These measures ensure that external lighting meets safety and security needs without causing unreasonable light intrusion into neighbouring properties.*

**RESPONSE FROM TOWN PLANNER**

The mitigating measures incorporated into the proposal are considered to reduce the impact of the “so-called” light pollution.

**OBJECTION**** POINT 35****Boundary Walls and Interface Treatment****RESPONSE FROM APPLICANT**

*Boundary walls and interface treatments will be addressed as part of the detailed design and building plan approval process. All boundary walls are existing, and it is important to note that there will be no attachment of buildings, carports, or structures to neighbouring boundary walls. All such elements will be independently constructed and subject to municipal approval.*

**RESPONSE FROM TOWN PLANNER**

All boundary walls are existing. Amendments to the boundary wall to accommodate the proposed development will be subject to building plan scrutiny. Furthermore, the application proposal was forwarded to the Local Heritage and Aesthetics Committee which had no objection to the application.

**OBJECTION**** POINT 36****Views and Visual Impact****RESPONSE FROM APPLICANT**

*The proposed development will result in a change to the existing visual environment. Such change is, however, anticipated and supported within a designated densification area where policy expressly encourages more efficient use of well-located urban land. Visual change alone does not constitute a planning harm, nor is there a legal entitlement to the preservation of existing views. Planning assessments instead focus on whether a development results in an unreasonable or unacceptable visual impact, taking into account zoning rights, scale, context, and mitigation measures.*

*The amended proposal has been carefully designed to manage visual impact through a graduated and sensitive built form response. Building heights step down toward the site boundaries, with two-storey connected townhouses forming the interface with neighbouring developments and three-storey components limited to the centre of the site. This stepped massing approach ensures that the development does not appear abrupt or dominant when viewed from surrounding properties and streets.*

*In addition, generous setbacks, compliance with prescribed building lines, and the retention and reinforcement of boundary landscaping contribute to softening the visual presence of the development. Mature trees and additional planting along boundary areas will further screen-built form and reduce visual intrusion over time. When combined, these measures ensure that the development does not present as monolithic, overbearing, or visually intrusive, but rather as a well-integrated residential environment that responds appropriately to its urban context.*

*When assessed holistically and against applicable planning policy, the visual impacts of the proposed development are considered acceptable, proportionate, and consistent with the intended character and evolution of the area.*

#### **RESPONSE FROM TOWN PLANNER**

The revised application proposes improved visual impact, density reduction, and compatibility with the surrounding Sandbaai area (being the normal residential erven, group housing erven as well as the business and industrial zoned erven). This improvement is due to the application complying with the applicable building line parameters (apart from the refuse room situated along End Street), compliance with the height restriction as well as the stepping of the building heights.

The visual impact has therefore been mitigated since the heights of the buildings adjacent to the other residential estates and the buildings along Bergsig Street have been limited to two-storeys which is in line with the surrounding character. The only increase in height is the flats located in the centre of the property that are proposed to be three-storeys which is in line with the proposed new zonings height restriction.

#### **OBJECTION**

##### **POINT 37**

#### **Requirement for Additional Studies**

#### **RESPONSE FROM APPLICANT**

*Requests for additional sightline, shadow, or visual impact studies are noted. However, such studies are not prescribed requirements under the applicable planning framework. The proposal complies with zoning controls relating to height, coverage, and setbacks, which are the recognised mechanisms for managing visual and sunlight impacts.*

#### **RESPONSE FROM TOWN PLANNER**

The response by the applicant is agreed with. The relevant building line, heights, coverage, and setbacks have been complied with. Therefore, no additional studies relating to visual impacts are required.

#### **OBJECTION**

##### **POINT 38**

#### **Conclusion on privacy, overlooking, light pollution, boundary treatment, and visual impact**

**RESPONSE FROM APPLICANT**

*The amended proposal demonstrates that reasonable, policy-aligned mitigation measures have been implemented to address privacy, overlooking, light pollution, and visual impact. The objections raised rely largely on speculative assumptions or subjective expectations that exceed what planning legislation seeks to protect.*

*When assessed holistically, the development represents a balanced and defensible planning outcome that responds to housing demand while respecting the surrounding context.*

**RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on privacy, overlooking, light pollution, boundary treatment and visual impact is noted.

**OBJECTION**** POINT 39****General Approach to Services Assessment****RESPONSE FROM APPLICANT**

*Objections relating to infrastructure capacity are noted. It is important to clarify that land use applications are not approved in isolation from engineering oversight. All service connections, upgrades, and mitigation measures are subject to review and approval by the relevant internal municipal engineering departments. A development may only proceed once the municipality is satisfied that sufficient capacity exists or that appropriate upgrades and contributions are secured as conditions of approval.*

*The proposal therefore does not bypass infrastructure constraints, nor does it rely on assumptions. Engineering feasibility is assessed through a regulated, phased process, and approvals are conditional upon compliance with municipal requirements.*

**RESPONSE FROM TOWN PLANNER**

The Engineering Services Department has supported the application with the additions of a TIS (attached as Annexure I) and GLS (attached as Annexure J) reports. It is therefore considered that the application meets all the requirements of the Engineering Services Department.

**OBJECTION**** POINT 40****Sewerage and Conservancy Tank System****RESPONSE FROM APPLICANT**

*It is acknowledged that Sandbaai does not currently have a conventional waterborne sewer system and relies on conservancy tanks connected to a small-bore network. In response, a communal conservancy tank is proposed for the development, subject to approval by the Overstrand Municipality.*

*The size, location, and servicing frequency of the communal tank will be determined by engineering design standards and municipal requirements, not arbitrary assumptions. The system will be designed to safely accommodate anticipated flows, with servicing schedules aligned to municipal operational capacity. Concerns regarding tanker access, frequency, and capacity will be addressed through engineering design and conditions of approval.*

*The proposal to consolidate multiple individual tanks into a single managed system is considered an improvement over dispersed individual systems, reducing maintenance risk and improving operational efficiency. Failure scenarios are not unique to this development and are managed through standard municipal emergency response protocols applicable to all conservancy-based systems in the area.*

#### **RESPONSE FROM TOWN PLANNER**

In addition to this objection, reference is made to the response relating to the previous objection point regarding services. The proposed application is accepted and supported by the Engineering Services Department.

#### **OBJECTION**

##### **POINT 41**

#### **Stormwater Management and Water Table**

#### **RESPONSE FROM APPLICANT**

*Claims that the site constitutes a wetland are not supported as mentioned previously. The property is located within an existing urban area, is not identified as a wetland or Environmental Protection Overlay Zone and does not trigger an Environmental Impact Assessment under applicable legislation.*

*That said, the presence of a seasonally high-water table has been acknowledged and addressed. The proposed stormwater management strategy includes:*

- *Installation of sub-soil drainage and agri-drains along the western boundary;*
- *On-site attenuation measures to control runoff;*
- *Controlled discharge into the municipal stormwater system, subject to engineering approval.*

*Stormwater systems are designed based on prescribed return periods and rainfall intensities, not anecdotal flood events. The final stormwater design will be prepared by a professional engineer and approved by the municipality prior to construction. Development will not proceed unless municipal engineers are satisfied that downstream impacts are mitigated.*

#### **RESPONSE FROM TOWN PLANNER**

It is noted that the subject property and the Sandbaai area is subject to a high-water table and require proper stormwater management. The adjacent residential estates were and is also subject to this high-water table and stormwater concern when they were developed. The mitigating measures provided by the applicant and the relevant GLS report were accepted by the Engineering Services Department.

**OBJECTION**** POINT 42****Water Supply****RESPONSE FROM APPLICANT**

*A water capacity analysis has been undertaken by GLS Consulting (Pty) Ltd, and the findings indicate that the proposed development can be accommodated without unacceptable impact, subject to standard conditions and contributions. The appointment of a professional consultant by the developer does not undermine the credibility of the assessment, as all findings are independently reviewed and accepted or rejected by the municipality.*

*In addition, the development incorporates water-wise measures, including:*

- *Borehole supply for irrigation of common areas;*
- *Water-efficient fittings;*
- *Reduced reliance on potable water for landscaping.*

*Municipal water conservation directives apply equally to all developments and residents, and compliance will be enforced through municipal mechanisms.*

**RESPONSE FROM TOWN PLANNER**

The GLS report provided with the application is supported by the Engineering Services Department. Furthermore, the Engineering Services Department in their services report stipulated that the upgrading of the water and sewer must be done in accordance with the mater plan/GLS Report.

**OBJECTION**** POINT 43****Electricity Supply and Backup Power****RESPONSE FROM APPLICANT**

*Electricity supply capacity will be assessed and approved by the relevant municipal department prior to connection. Any required upgrades will be implemented at the developer's cost.*

*Backup power systems are proposed to support essential services during outages. These systems will be designed in compliance with applicable standards, including appropriate housing, ventilation, and acoustic mitigation where required. Generator noise, fire safety, and placement are addressed at the building plan approval stage and are subject to strict regulation.*

*The provision of gas for selected appliances reduces reliance on the electrical grid and forms part of a broader resilience strategy.*

**RESPONSE FROM TOWN PLANNER**

The objection regarding the electrical supply and backup power has been queried by the Electrical Department, however, the concerns raised were resolved and supported by the Services Report.

**OBJECTION**** POINT 44****Refuse Management****RESPONSE FROM APPLICANT**

*The refuse room size has been calculated based on functional requirements and municipal standards, not comparisons to private garages. Refuse removal will occur in accordance with municipal schedules, and the refuse room will be ventilated, enclosed, and managed to prevent odours and pest issues.*

*Centralised refuse management is standard practice in developments of this nature and is subject to municipal inspection and compliance monitoring.*

**RESPONSE FROM TOWN PLANNER**

The refuse room proposed is supported by the Waste management Department. The Departure regarding the increase size of the refuse room and the position thereof over the street building line along End Street is supported which will be easily accessible to the municipal waste collection services.

**OBJECTION**** POINT 45****Emergency Access and Fire Safety****RESPONSE FROM APPLICANT**

*Emergency access, fire separation, evacuation routes, and fire safety systems are regulated through the building plan approval process and enforced by the fire department. These requirements apply irrespective of density and are mandatory conditions prior to occupation.*

*Gas installations, backup power systems, and lift infrastructure are all subject to statutory compliance and inspection.*

**RESPONSE FROM APPLICANT**

Several mitigating measures have been proposed such as gas installations, backup power systems and lift infrastructure must all comply with the relevant SANS legislation and will form part of the building plan evaluation process.

**OBJECTION**** POINT 46****Allegations of Infrastructure Collapse****APPLICANTS RESPONSE**

*Assertions that the development will inevitably lead to infrastructure failure are speculative and unsupported by technical evidence. If existing infrastructure were incapable of supporting any additional development, the municipality would not permit new connections.*

*Importantly, the developer is required to contribute financially to bulk infrastructure, ensuring that the municipality is not burdened with unfunded service upgrades. These contributions benefit the broader area, not only the proposed development.*

**TOWN PLANNERS' RESPONSE**

It is agreed that the allegations of infrastructure collapse are speculative. The developer will be required to contribute financially to bulk infrastructure services which is standard for these types of developments. Furthermore, the bulk infrastructure contributions ensures that sufficient funds are available to contribute to service upgrades for the area.

**OBJECTION**** POINT 47****Request for Additional Studies****RESPONSE FROM APPLICANT**

*Requests for a "full independent Municipal Services Capacity Assessment" are noted. However, the municipality already performs this function internally as part of its statutory mandate. Additional third-party studies are not required unless identified by the municipality, as necessary.*

**RESPONSE FROM TOWN PLANNER**

Additional assessments relating to municipal service capacity is not required since the municipal Engineering Services Department has supported the proposal. In the event that additional assessments are required, the Municipal Engineering Services Department would have requested additional assessments to be conducted prior to providing their support of the application.

**OBJECTION**** POINT 48****Conclusion on Services and Infrastructure****RESPONSE FROM APPLICANT**

*The proposed development has been responsibly planned within the context of existing infrastructure constraints. All services are subject to municipal approval, engineering design, and enforceable conditions. The objections raised rely largely on worst-case assumptions and anecdotal experience rather than recognised planning and engineering standards.*

*When assessed through the correct statutory and technical processes, the development is considered serviceable, manageable, and compliant, with appropriate safeguards in place to protect both future residents and the surrounding community.*

**RESPONSE FROM APPLICANT**

The applicant's conclusion on Services and Infrastructure is noted.

**OBJECTION**** POINT 49****Traffic Assessment Methodology****RESPONSE FROM APPLICANT**

*Objections alleging that the Traffic Impact Statement is inaccurate or misleading are noted. The Traffic Impact Statement was prepared by a suitably qualified professional engineer and follows accepted engineering and municipal traffic assessment methodologies. Traffic assessments are not based on anecdotal observations but on measured traffic counts, accepted trip generation rates, and engineering modelling, which are then reviewed by the Municipality's traffic and engineering departments.*

*Traffic studies do not rely on isolated worst-case scenarios such as peak holiday congestion or speculative assumptions about maximum vehicle ownership. Instead, they assess average weekday peak conditions, which is standard practice and required to ensure consistency and comparability across developments. Holiday congestion in Sandbaai is a regional and seasonal phenomenon, driven primarily by tourism, schools, and commercial activity, and cannot reasonably be attributed to a single residential development.*

**RESPONSE FROM APPLICANT**

It is agreed with the applicant that the Traffic Impact Statement was prepared by a suitably qualified professional engineer and follows accepted engineering and municipal traffic assessment methodologies. Traffic assessments are not based on anecdotal observations but on measured traffic counts, accepted trip generation rates, and engineering modelling, which are then reviewed by the Municipality's traffic and engineering departments.

**OBJECTION**** POINT 50****Trip Generation and Vehicle Ownership Assumptions****RESPONSE FROM APPLICANT**

*Claims that each dwelling unit will generate two vehicles or that the development will result in “catastrophic” traffic impacts are speculative and unsupported by planning or engineering standards. The Traffic Impact Statement applies conservative and accepted vehicle ownership and trip generation rates based on unit mix and size. Importantly:*

- *Not all units will generate peak-hour trips simultaneously;*
- *Smaller one-bedroom units typically generate fewer trips than family homes;*
- *Trip distribution is spread across multiple directions and times of day.*

**RESPONSE FROM TOWN PLANNER**

The trip generation details provided in the TIS has been accepted by the Engineering Services Department.

**OBJECTION**** POINT 51****Access Arrangement and Road Network Function****RESPONSE FROM APPLICANT**

*The proposed access strategy deliberately splits access and egress between End Street and Bergsig Street to distribute traffic load and avoid concentrating movements at a single point. This approach improves operational efficiency and safety compared to a single access arrangement.*

*End Street functions as a local street and is capable of accommodating the anticipated increase in traffic associated with the development. The Traffic Impact Statement confirms that no widening or structural upgrading of End Street is required to support the proposal. Concerns regarding the inability to widen End Street are therefore not relevant, as no widening is proposed or required.*

*Bergsig Street is classified as a higher-order urban road and already accommodates traffic associated with the mall, schools, and industrial uses. The proposed development represents a marginal increase relative to existing background traffic, and the Traffic Impact Statement confirms that this increase can be accommodated without unacceptable operational impact.*

**RESPONSE FROM TOWN PLANNER**

The response by the applicant is agreed with and the traffic flow for the development has been proposed in such a manner to reduce possible congestion.

**OBJECTION**** POINT 52****Existing Congestion and Regional Traffic Conditions****RESPONSE FROM APPLICANT**

*It is acknowledged that Bergsig Street and the Main Road experience congestion during peak periods. However, this congestion is pre-existing and primarily attributable to:*

- 1. The Whale Coast Mall;*
- 2. Schools and school-related traffic;*
- 3. Regional through-traffic and delivery vehicles;*
- 4. Holiday and seasonal tourism peaks.*

*General planning principles does not require new developments to resolve existing area-wide congestion unrelated to the site. The test is whether the development materially worsens conditions, which the Traffic Impact Statement confirms it does not.*

*Reliance on De Zandt's infrastructure upgrades is not an avoidance of responsibility but reflects cumulative planning within the broader road network. Each development is assessed individually, and this proposal meets the applicable thresholds.*

**RESPONSE FROM TOWN PLANNER**

It is noted that there are issues relating to the traffic congestion and peak school hour traffic due to the Curro school, the Whale Coast Mall, seasonal tourism peak time, and the school-related traffic. Master plans for the upgrading of traffic from the R43 and Sandbaai is in the pipeline however there are mitigating measures which are put in place for the De Zandt residential development to assist in reducing the school peak time traffic by extending the access of De Zandt to End Street.

Further upgrading will take place to resolve peak time traffic and the "land-locked" notion of Sandbaai.

**OBJECTION**** POINT 53****Parking Provision and Boundary Parking****RESPONSE FROM APPLICANT**

*Parking provision within the development complies with municipal requirements and has been carefully designed to be accommodated on-site. Parking areas along boundary interfaces are screened and setback, and any covered parking structures will be subject to building plan approval, including height, design, and material considerations.*

*No parking structures will be attached to neighbouring boundary walls, and all parking layouts remain fully within the subject property.*

**RESPONSE FROM TOWN PLANNER**

The development complies with the parking requirements. The response by the applicant is therefore agreed with.

**OBJECTION**** POINT 54****Pedestrian Safety and Non-Motorised Transport****RESPONSE FROM APPLICANT**

*Concerns regarding pedestrian movement are noted. Pedestrian activity along Bergsig Street is already a function of the mall, schools, and surrounding residential developments. The proposed development includes controlled access points, internal walkways, and a pedestrian gate to facilitate safe internal movement.*

*Any further pedestrian infrastructure requirements identified by the Municipality may be imposed as conditions of approval. The absence of formal pavements in certain streets is a broader municipal infrastructure matter and cannot reasonably be attributed to this development alone.*

**RESPONSE FROM TOWN PLANNER**

The proposed development complies with all the relevant requirements. Additional access setbacks to the development have been proposed by the Engineering Department which will be included as a condition of approval. However, pedestrian safety and non-motorised transport along Bergsig Street is the responsibility of the municipality and not the developer.

**OBJECTION**** POINT 55****Requests for Additional Traffic Studies****RESPONSE FROM APPLICANT**

*Requests for a new or independent traffic assessment are noted. However, the Municipality is the competent authority to determine whether additional information is required. The submitted Traffic Impact Statement meets the standard requirements for developments of this nature and has been prepared in accordance with accepted engineering practice.*

*Further studies are not warranted unless specifically requested by the Municipality following its technical review.*

**RESPONSE FROM TOWN PLANNER**

The applicant is correct when stating that additional/further studies is unwarranted. The Engineering Services Department has supported the application and the TIS by means of the Services Report.

**OBJECTION**** POINT 56****Conclusion on Traffic and Parking****RESPONSE FROM APPLICANT**

*The traffic and parking objections are largely based on worst-case assumptions, anecdotal experience, and regional congestion issues rather than accepted planning and engineering criteria. The Traffic Impact Statement demonstrates that:*

- 1. The road network can accommodate the proposed development;*
- 2. Access arrangements are appropriate and safe;*
- 3. Parking is adequately provided on-site;*
- 4. The development will not result in unacceptable traffic impacts.*

*When assessed objectively and in accordance with municipal standards, the proposed development represents a manageable and acceptable traffic outcome within an established urban area.*

**RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on traffic and parking is noted.

**OBJECTION**** POINT 57****Housing Need and Planning Basis****RESPONSE FROM APPLICANT**

*Objections questioning the existence of housing need or the financial capacity of prospective buyers are noted. It is important to clarify that land use planning assessments do not require a market survey of individual buyers' financial circumstances. Housing need is assessed through adopted municipal and provincial spatial frameworks, population growth trends, and housing supply indicators, all of which confirm sustained demand for additional residential opportunities within the Greater Hermanus and Sandbaai area.*

*The OMSDF explicitly identifies Sandbaai as part of the Greater Hermanus growth area and acknowledges a significant shortfall in dwelling units over the medium to long term. The proposed development responds directly to this policy context by providing additional housing within the existing urban footprint, rather than extending development into peripheral or environmentally sensitive areas.*

*The presence of listings on private property platforms does not negate housing demand. Listings reflect market turnover and pricing, not unmet demand, and do not account for unit type, size, location, or accessibility. Planning authorities do not determine housing need based on online listings, but on policy-led growth projections and spatial planning objectives.*

**RESPONSE FROM TOWN PLANNER**

This objection is a duplication of the objection points 15, 16 and 17 which were responded to. The strategic documentation of the Overstrand Municipality provides a measure to enable the provision of additional dwelling units / residential properties. The developer on their own initiative provides a range of housing typologies to cater for the Sandbaai community. Therefore, market surveys and individual buyers' financial circumstances cannot be a valid objection to refuse the application for additional dwelling units.

**OBJECTION**** POINT 58****Affordability and Target Market****RESPONSE FROM APPLICANT**

Concerns regarding affordability have been considered. The proposed development provides a range of unit types and price points, from smaller one-bedroom flats through to larger townhouses. This approach is consistent with accepted planning principles aimed at promoting housing diversity and inclusivity, rather than delivering a single, uniform product.

Affordability in planning terms does not equate to subsidised housing or free allocation of units. It refers to broadening access to the housing market by providing units at price points lower than those typically found in newer Sandbaai developments, which predominantly cater to the medium to higher-end market. Entry-level housing in coastal towns such as Hermanus is, by necessity, relative to local market conditions and land values.

The fact that not every resident employed at the mall or in the immediate area may qualify for a bond does not invalidate the planning rationale. Housing markets operate across a spectrum, and developments are not required to cater exclusively to one income group to meet planning objectives.

**RESPONSE FROM TOWN PLANNER**

This objection is a duplication of the previous objection point 56 which has been responded to.

**OBJECTION**** POINT 59****Socio-Economic Impact of Construction****RESPONSE FROM APPLICANT**

Objections suggesting that construction activity will impose an undue burden on the municipality through migrant labour are speculative and not supported by evidence. Construction employment is temporary in nature, and labour accommodation arrangements are governed by labour legislation and contractor responsibilities.

There is no planning basis to assume that temporary construction workers will permanently settle in the area or that this development will create an additional housing obligation for the municipality.

Furthermore, while some construction materials may be sourced from regional suppliers, local service providers typically benefit from labour, logistics, accommodation, maintenance, and ancillary services during construction. These impacts are well recognised in planning assessments and form part of the short-term economic benefit of development.

### **RESPONSE FROM TOWN PLANNER**

The construction of the development regarding to the labourers appointed has no relevance to this application.

### **OBJECTION**

#### **POINT 60**

### **Long-Term Economic Contribution**

### **RESPONSE FROM APPLICANT**

*The long-term socio-economic impact of the development arises from:*

1. *Increased municipal rates and service charges;*
2. *Additional population supporting local businesses and services;*
3. *More efficient use of existing infrastructure within the urban area.*

*Arguments that residents would “spend money at the mall regardless of where they live” overlook the fundamental planning principle that population growth must be spatially accommodated. Housing people closer to employment nodes, services, and retail facilities reduces travel distances, supports local economies, and aligns with spatial efficiency objectives.*

### **RESPONSE FROM TOWN PLANNER**

The response by the applicant is agreed with. The development will contribute to additional rates and service charges, additional population to support local business and services.

### **OBJECTION**

#### **POINT 61**

### **Perceptions of Social Decline**

### **RESPONSE FROM APPLICANT**

*Assertions linking higher density housing to social decline, crime, noise, or reduced property values are generalised and unsupported by planning evidence. Density alone is not a determinant of social outcomes. Well-designed, well-managed residential developments across Hermanus and the Overstrand demonstrate that higher density can coexist with stable, desirable neighbourhoods.*

*Such assumptions are subjective in nature and do not constitute a valid planning consideration.*

#### **RESPONSE FROM TOWN PLANNER**

The notion that the application will promote social decline is speculative. The development of another gated residential estate will operate and be managed similar to the surrounding residential development estates that already exist.

#### **OBJECTION**

##### **POINT 62**

#### **Equity and Spatial Planning Objectives**

#### **RESPONSE FROM APPLICANT**

*References to spatial justice and equity have been misunderstood in the objections. The planning intent is not to impose social change “at the expense” of existing residents, but to ensure that growth is accommodated fairly, efficiently, and sustainably within the urban area, as required by adopted spatial policy.*

*Failure to provide additional housing in well-located areas would exacerbate exclusion, increase commuting distances, and shift growth pressure to peripheral locations. The proposed development seeks to balance growth with mitigation, rather than displacing it elsewhere.*

#### **RESPONSE FROM TOWN PLANNER**

The intent of the application is not to resolve housing need (subsidised housing). The application will address the need for additional residential dwelling units (sectional title) in the Sandbaai area. The additional dwelling units proposed by the development will accommodate a range of housing typologies as well as to meet a range of potential buyers' income/affordability.

#### **OBJECTION**

##### **POINT 63**

#### **Access-Related Objection**

#### **RESPONSE FROM APPLICANT**

*The objection relating to the location of the entrance has been noted. As confirmed in the Traffic Impact Assessment, the split access arrangement between End Street and Bergsig Street was selected to distribute traffic, improve safety, and reduce congestion. This configuration has been professionally assessed and is supported by the traffic engineer and municipal review process.*

#### **RESPONSE FROM TOWN PLANNER**

The response to the objection by the applicant is noted and agreed with. Specialist assessments have been conducted to ensure that the development proposal reduces any possible impact on access, egress, and manoeuvring concerns.

**OBJECTION****POINT 64****Conclusion on Socio-Economic Impact and Housing Need****RESPONSE FROM APPLICANT**

*The objections raised rely largely on assumptions about market behaviour, affordability, and social outcomes rather than on adopted planning policy or technical evidence. The proposed development aligns with the OMSDF, responds to identified housing demand, supports economic activity, and contributes to spatial efficiency within the Sandbaai area.*

*From a planning perspective, the socio-economic impacts of the development are appropriate, manageable, and consistent with municipal objectives, and do not provide a basis for refusal of the application.*

**RESPONSE FROM TOWN PLANNER**

The applicant's conclusion on socio-economic impact and housing need is noted.

**OBJECTION****POINT 65****Objections relating to security****RESPONSE FROM APPLICANT**

*Comments relating to security concerns have been noted. However, the objections do not provide any factual or evidence-based reasons demonstrating how the proposed development would result in a deterioration of security for adjacent properties. Generalised assumptions regarding the behaviour, age, or gender of future occupants are speculative, subjective, and not a relevant planning consideration.*

*Land use planning assessments are based on design, management, and enforceable controls, not on conjecture about the personal characteristics of future residents. The suggestion that residents of higher-density housing are inherently prone to aggressive or criminal behaviour is unfounded and cannot be relied upon in evaluating a land use application.*

*It is important to clarify that any boundary wall is the responsibility of the owner on whose land it is constructed. Where a boundary wall straddles a property boundary, responsibility is shared between the adjoining owners. This principle also applies to any electric fencing. The proposed development will not rely on the boundary walls of neighbouring complexes for security purposes unless formal agreement is in place. Where required, new boundary walls and electric fencing will be constructed entirely within the subject property and maintained by the homeowners' association.*

*Security is a critical consideration in the South African context, and the owners, who are also the developers, have taken a proactive and comprehensive approach. The development will be undertaken using established local construction teams, and a professional security firm will be appointed during the construction phase.*

*This firm will be responsible for securing the site, controlling access, and ensuring that contract workers remain on the premises during working hours, thereby preventing unauthorised movement into surrounding neighbourhoods.*

*Following completion, it is anticipated that the same or a similar professional security provider will continue to manage security within the development during the initial operational phase, until the body corporate is formally established and has held its first annual general meeting. This ensures continuity of security management during the critical transition period.*

*The completed development will incorporate multiple layers of security, including:*

- 1. Controlled access points with access control systems for residents, staff, and visitors;*
- 2. Optical surveillance cameras providing 24-hour monitoring of common areas and access points;*
- 3. Electric perimeter fencing where required;*
- 4. Managed entry and exit points to prevent unauthorised access.*

*These measures are standard in contemporary residential developments and are specifically intended to enhance safety not only for residents of the development, but also for neighbouring properties. A well-secured, access-controlled residential estate does not increase crime risk; on the contrary, it often reduces opportunistic crime in the surrounding area.*

*Finally, the long-term management of security, common property, and resident conduct will fall under the authority of the body corporate, which is legally empowered to enforce rules, appoint professional managing agents, and maintain security infrastructure. Poor management would negatively affect the value and liveability of the development itself, providing a strong incentive for effective governance.*

*In conclusion, the security concerns raised are not supported by evidence and rely on assumptions that fall outside the scope of land use planning. The proposed development incorporates robust, professionally managed security measures that are appropriate to its scale and context and do not present a risk to surrounding properties.*

#### **RESPONSE FROM TOWN PLANNER**

The concerns relating to security is speculative as mentioned by the applicant. The residential development will be subject to the establishment of a body corporate which will also establish rules in relation (but not limited) to security, noise, and vehicle safety.

Furthermore, the proposal will accommodate controlled access and egress, 24-hour surveillance monitoring, electric fencing, and management of unauthorised access. It is therefore considered that the concerns raised are adequately addressed.

**OBJECTION**** POINT 66****Objection relating to property values and neighbourhood character****RESPONSE FROM APPLICANT**

*It is important to clearly distinguish between substantiated, evidence-based planning considerations and subjective or emotive assertions. The underlying objective of the proposed development is to introduce additional housing opportunities in a well-located, accessible part of Sandbaai, in line with the applicable spatial frameworks and the municipality's forward-planning policies. The subject property is located within a designated densification zone, where increased residential intensity is not only anticipated but actively encouraged by adopted policy.*

*Concerns raised regarding a potential decline in property values are largely speculative in nature and are not supported by any objective valuation evidence, market analysis, or empirical data. No professional valuation reports, sales analyses, or comparative studies have been submitted demonstrating that developments of a similar nature have resulted in a measurable reduction in surrounding property values. As such, these assertions cannot be afforded determinative weight in the assessment of the application.*

*Property values are influenced by a wide range of factors, including location, accessibility, proximity to services and employment nodes, neighbourhood safety, quality of design, management of developments, and overall market conditions. The subject property is situated adjacent to a major retail and employment node, close to key distributor routes, and within an established urban area. These locational attributes are widely recognised as positive value drivers rather than detractors.*

*The suggestion that higher-density or more affordable housing inevitably leads to neighbourhood degradation, crime, or reduced property values is not supported by planning or valuation practice. Density in itself is not a determinant of property value. Poor design, lack of management, and inadequate infrastructure are the factors typically associated with negative outcomes. The proposed development has been carefully designed to mitigate these risks through stepped building heights, controlled access, comprehensive security measures, on-site parking, landscaped buffers, and body corporate governance.*

*References to the development being likened to a "ghetto," "slum," or similar characterisations are emotive and inappropriate in the context of land use planning. Such terminology reflects personal perceptions rather than objective planning impacts and does not constitute a valid basis for refusing a development that complies with policy, zoning intent, and technical requirements.*

*Concerns regarding retirees and long-standing residents are understood; however, planning legislation does not provide protection against change where such change is policy-led, reasonable, and appropriately mitigated. Urban areas evolve over time, and the introduction of new housing typologies does not amount to an erosion of rights or an unreasonable imposition on existing residents. Importantly, the proposal does not remove or diminish existing zoning rights of neighbouring properties.*

*It is also relevant to note that well-planned residential developments frequently stabilise or enhance surrounding property values by improving land utilisation, introducing new infrastructure investment, increasing demand for local services, and reinforcing the attractiveness of an area. The development does not introduce incompatible land uses, commercial activity, or industrial operations, but remains residential in nature, consistent with the broader character of Sandbaai.*

*Assertions that the proposal will set a “dangerous precedent” are misplaced. Each land use application is assessed on its own merits, within its specific policy and spatial context. Approval of this application would not automatically permit similar developments elsewhere, particularly where sites are not located within designated densification zones or lack comparable locational attributes.*

*The concern that rental units will negatively affect property values is similarly speculative. Rental tenure is a normal component of urban housing markets and is not a planning ground for refusal. Well-managed sectional title schemes with a mix of ownership and rental units are commonplace and do not inherently undermine neighbourhood stability or property values.*

*In conclusion, while concerns about property values are acknowledged, they are not supported by objective evidence and rely heavily on assumptions about density, tenure, and future residents. The proposed development is policy-aligned, well-located, and designed with mitigation measures that address scale, interface, security, and amenity. When assessed against accepted planning and valuation principles, the proposal does not present a credible risk of devaluing surrounding properties and may, over time, contribute positively to the overall desirability and vitality of the Sandbaai area.*

#### **RESPONSE FROM TOWN PLANNER**

The property is located within a densification area as indicated in the municipality's strategic planning for the area. The application is therefore in line with this notion.

The concerns relating to the decline in property values are speculative. Furthermore, property values are influenced by a range of factors including location, accessibility, proximity to services and employment nodes, neighbourhood safety, quality of design, management of developments, and overall market conditions.

The suggestion that higher density leads to neighbourhood degradation, crime or reduced property values is also speculative. The development, as mentioned previously, will be subject to the establishment of a body corporate which will establish rules which each property owner must comply with. Any further references made to a ghetto or slum is also speculation and will not be entertained.

Various housing typologies are proposed which can accommodate various potential buyers in different financial income groups as well as different stages in their life. The subject property is not restricted to the development of retirees, however the concern relating to the long-standing residents that may be retirees is understood.

Each application is evaluated and approved/refused on their own merit. The application proposed is considered favourably since the rezoning of the property to accommodate a higher density falls in line with the strategic planning for the area.

**APPLICANTS' CONCLUSION TO OBJECTIONS RECEIVED**

The proposed development on Erf 1735, Sandbaai has been comprehensively assessed against the applicable planning legislation, municipal policies, spatial frameworks, and technical requirements. The application aligns with the objectives and intentions of the OMSDF, the OMLUS, and broader spatial planning principles that promote compact, efficient urban form, infill development, and the accommodation of population growth within the existing urban footprint.

The objections received during the public participation process have been carefully considered and addressed in detail. While the concerns raised are acknowledged, the majority are based on speculative assumptions, emotive perceptions, or subjective expectations, rather than on substantiated planning, engineering, environmental, or valuation evidence. Where legitimate issues were raised, these have been responded to through design amendments, technical assessments, and enforceable mitigation measures.

Concerns relating to density, height, visual impact, privacy, traffic, infrastructure capacity, security, environmental considerations, and property values have all been evaluated against accepted planning and technical standards. Submitted reports confirm that the development can be accommodated without unacceptable impact on the surrounding road network or municipal services, subject to standard conditions and developer contributions. The amended design demonstrates a clear effort to reduce bulk and perceived intensity through stepped building heights, increased setbacks, internalisation of higher-density components, enhanced landscaping, and controlled access.

Importantly, the proposed development remains residential in nature and is located within a designated densification area where higher residential intensities are not only anticipated but required to meet projected housing demand. The development does not introduce incompatible land uses, does not extend the urban edge, and does not erode the lawful development rights of neighbouring properties.

Objections relating to social behaviour, future occupants, tenure type, or perceived decline in neighbourhood character and property values fall outside the scope of land use planning and are not supported by objective evidence. Planning decisions must be grounded in policy compliance, technical feasibility, and the public interest, rather than on speculative outcomes or resistance to change within an evolving urban environment.

The proposal incorporates appropriate mitigation measures, is subject to ongoing municipal oversight through conditions of approval and will be managed through a body corporate structure with enforceable rules governing common property, behaviour, and security. These mechanisms provide assurance that the development will function responsibly and sustainably over the long term.

In conclusion, when assessed holistically and objectively, the proposed development represents a balanced, policy-aligned, and sustainable planning outcome. The objections raised, whether individually or collectively, do not demonstrate grounds to refuse or materially constrain the application. The development responds appropriately to housing demand, supports spatial efficiency, and contributes positively to the future growth and viability of Sandbaai and the broader Overstrand area.

It is therefore concluded that the objections should not impede the approval of the application, and that the proposed development warrants favourable consideration, subject to appropriate conditions of approval.

#### **RESPONSE FROM TOWN PLANNER**

The applicant's conclusion to the objections received is noted.

#### **8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS**

See paragraph 7 above.

#### **9. MUNICIPAL ASSESSMENT OF COMMENTS**

See paragraph 7 above.

#### **10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

##### **10.1 Background**

N/A

##### **10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

The application is considered consistent in the following manner from a town planning perspective:

##### Spatial Justice

The application will not perpetuate spatial development injustices. The application proposes various housing typologies that will accommodate various income groups and buyers within various stages of their life.

##### Spatial sustainability

The application is located within the urban edge and will not lead to urban sprawl. No natural habitat is impacted upon, and it will have no negative influence on the natural environment.

##### Efficiency

The application to rezone that property to allow a higher density is considered favourably since it will be in line with the strategic planning for the area. Furthermore, the proposed development with the higher density will be subject to additional bulk infrastructure contributions which will enable the municipality to utilise these funds to upgrade necessary bulk infrastructure where needed. Therefore, the application also seeks to optimize the use of the property in terms of municipal services and infrastructure.

##### Spatial resilience

The development of the property will ensure that the existing resource (land) is used to its maximum in an affordable manner and in line with the Overstrand Municipality's forward planning documents regarding densification within the urban edge, but with an acceptable density.

Good administration

The application followed the required planning procedures, and the required public participation process has been followed.

**10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)**

Same as Point 10.2 above.

**10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable Policies**

The application to rezone the property to a higher density is in line with the strategic policy documentation of the Overstrand Municipality being indicted as a densification area (more than 30du/ha) of the OMGMS planning unit 6. Furthermore, the proposal to accommodate additional dwelling units is consistent with the SDF.

**10.5 (In)consistency with guidelines prepared by the Provincial Minister**

N/A

**10.6 Impact on municipal engineering services**

The existing services are available and have been viewed positively by the Engineering Department, although it indicates that certain infrastructure needs to be upgraded to accommodate the development, the costs of which will stem from the bulk infrastructures levies payable by the landowners.

Additional reports such as the TIS and GLS reports have been accepted by the Engineering Department in line with the master plans for the area.

**10.7 Outcomes of investigations/applications i.t.o other legislation**

The application does not trigger any listed activities in terms of Local or National legislation.

**10.8 Existing and proposed zoning comparisons and considerations**

The subject property will be zoned from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4). The application is in line with the proposed GR4 zoning apart for density and the building line departure to accommodate refuse area. The departures applicable is the following:

- relax the southern street building line 4m to 0m to accommodate the proposed refuse room, and
- deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development.

**11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

There are no restrictive clauses registered against the title deed of the property that prohibits the proposed development.

## 12. THE DESIRABILITY OF THE PROPOSAL

### REZONING AND DENSITY

The developments north of End Street predominantly consist of group housing developments and is regarded as the group housing hub of Sandbaai. Although the Growth Management Strategy proposes more than 30 units (unrestricted) per hectare together with development typologies for the planning unit within which the subject property falls, one must consider that the subject property is situated in the group housing hub of Sandbaai with established low density group housing developments. (The development typologies will be addressed in detail under this heading.) The densities of the surrounding group house developments are as follows (including Green Mountain Estate that consists of four blocks of flats):

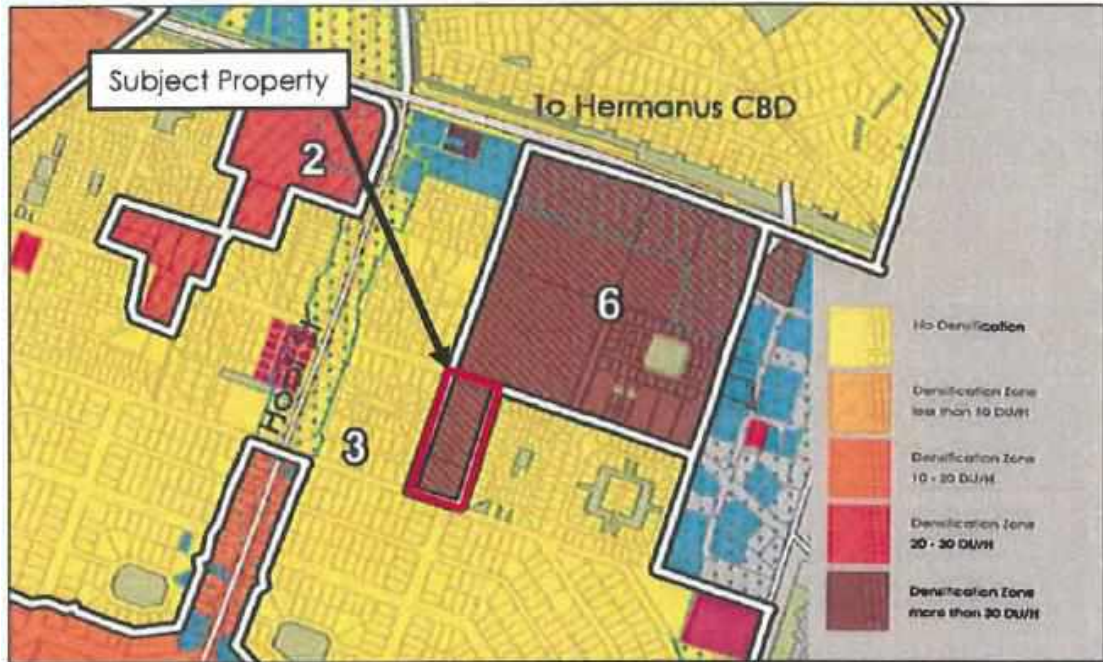
**EXISTING GROUP HOUSE DEVELOPMENTS IN THE GROUP HOUSING HUB OF SANDBAAI**

<b>DEVELOPMENT NAME</b>	<b>U/HA</b>
Mooizicht Gardens	±16 u/ha
Greenhaven	±19 u/ha
Monte Mare	±15 u/ha
Villa Anadia	±22 u/ha
Leisure Park	±19 u/ha
Mountain View	±30 u/ha
Carlane	±17 u/ha
The Avenues	±21 u/ha
Tambali Village	±22 u/ha
Ocean Breeze	±22 u/ha
Green Mountain Estate	±38 u/ha
Bergzicht	±13 u/ha
Green Mountain Villas	±12u/ha
Protea Park	±18 u/ha
Pebble Cove	±28 u/ha
Sun Dew Villas	±28 u/ha
Sandy Dunes	±38 u/ha

The above table is an extract from the previous application that serve at the MPT meeting on 4 October 2024 which indicates the dwelling units per hectare for each group housing development. It is evident that the density of the existing group houses has a much lower density in comparison to the current application. It must however be noted that these group housing developments are located in a lower densification area compared to the current application. The permitted density is restricted by both the zoning in terms of the Overstrand Municipality Land Use Scheme (Scheme) and the Overstrand Municipality Growth Management Strategy (OMGMS).

The densities of the various group housing development as per the OMGMS range from no densification to 30du/ha. The densities of the various group housing developments as per the Scheme development parameters limit the densification with regards to the actual density (being 35du/ha) and erf size (minimum erf size being 3000m<sup>2</sup>). The only outlier in this case is Green Mountain Estate which is permitted to accommodate 50du/ha in terms of the applicable zoning.

Noting the above, the subject property is proposed to be rezoned from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4). The permitted density in terms of the zoning permits the development to accommodate a density of 50du/ha. Furthermore, in terms of the OMGMS, the subject site is located in a densification area which permits the density to exceed 30du/ha. This is the last remaining site in the Sandbaai area which could accommodate the proposed densification of 74.44du/ha.



## DEPARTURES

The only departures proposed is that of the applicable density permitted in terms of the provisions of the Scheme being 50du/ha and the departure to accommodate the refuse area over the 4m street building line up to the erf boundary.

The development complies with all the relevant development parameters contained in the proposed zoning apart from the abovementioned departures.

- The proposed floor factor of 0.8 complies with the 1.5 floor factor requirement.
- The proposed coverage of 35.5% complies with the 80% coverage requirement.
- The proposed two-storey (8m) height of the buildings located along the building lines comply with the height requirement.
- The proposed three-storey (9m) height of the buildings located in the centre of the development complies the height requirement.
- The buildings are setback in accordance with the requirement 8m setback from the centreline of the abutting street.
- The 4.5m and 3m lateral building line is complied with.
- Both 4m street building lines have been complied with apart from the departure to accommodate the refuse room.
- The proposal provides communal open space of 11.49% which complies with the 10% requirement.

- 244 parking bays are provided which complies with the 238 parking bay requirement being 91,5 bays for the 1-bedroom units and 73 bays for the 2 & 3-bedroom units.

### **DEVELOPMENT DESIGN AND LAYOUT**

The proposal provides three forms of dwelling typologies which are townhouses, simplex flats and apartment block (flats) which are detailed below:

#### Town Houses

The town houses are located along both 4.5m lateral building lines which are double storey units with a garage and an open parking bay that complies with both the 3m and 4.5m lateral building lines.

#### Simplex Flats

The simplex flats are located along the 4m street building line of Bergsig Street which are single storey units on ground floor and first floor which complies. The ground and second floor units together both comply with the 8m and 9m height restriction.

#### Apartment Blocks (Flats)

There are three apartment blocks located in the centre of the development. These apartment blocks are three storeys which comply with the 9m height restrictions. However, two apartment blocks provide ground storey parking, and one apartment block provides additional flats on the ground storey.

#### Separate Garage Units

There is separate garage units located in the southeastern portion of the property that comply with the basic height requirement for garages.

#### Additional buildings and structures

The community centre, refuse room, gate house and access to the site is located in the southern western portion of the site. In addition, the egress is located in the north eastern portion of the property. These structures are single storey and will comply with the height restriction and setbacks applicable. It must be noted that additional departures have been applied for to accommodate the refuse area on the erf boundary. This position of the refuse area makes it easier for the operational services to perform their duties.

#### Conclusion

The above proposals result in a design that seamlessly integrates the stepping of the building heights with the residential buildings of the surrounding residential area from 8m along lateral portions of the site to 9m in the centre of the site.

Furthermore, the compliance with the various 3m, 4.5m and 4m setbacks of the building from the boundary of the erf create additional privacy, improve sunlight impacts on the adjacent properties and further improves the view corridor between the subject property and the adjacent group housing developments.

## HERITAGE

The applicant submitted an application to Heritage Western Cape for the notification of intent to develop (NID) which the Heritage Western Cape department confirmed that they do not have an objection to the proposed application.

## ENGINEERING SERVICES

The proposed development requires the connection of essential municipal services which include water, electricity, and sewerage to the municipality's existing infrastructure. Furthermore, the development must comply with the Engineering Services Departments minimum criteria relating to traffic, access, and Egress.

Noting the above, additional reports and assessments such as the TIS and GLS reports have been submitted to the Engineering Services Department in which they are in support of. In the Services Report provided by the Engineering Services Department, the department supported the application and the addendums thereto subject to the development upgrading according to the master plan, GLS Report, TIS conducted by Douw Lourens and the upgrading according to the stormwater management by the developer.

Additional improvements / upgrades must be implemented as recommended by the approved TIS report (as per the Services Report) namely:

- A dedicate exit for the development must be provided on Bergsig Street opposite the Whale Coast Mall.
- A four-way stop control must be implemented at the intersection created by Bergsig Street, the Mall access and the development's exit.
- Provision of a minimum of 18m stacking distance between the access booms or gates and the road edge.
- The capacity upgrades of the Sandbaai main Road/bergsis Street roundabout.
- The implementation of stop control at the Louis Trichard / End Street intersection.

## OVERLAY ZONES

The proposal does not fall within the EMOZ or the HPOZ overlay zones and therefore is compliant with the applicable legislation.

## CONCLUSION

Noting the above discussion, the revised development proposal is favourably considered for approval.

## 13. RECOMMENDATION

1. that the comments 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 1735, Sandbaai 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;

3. that the application for departure in terms of Section 16(2)(b) of the By-Law to:
  - (a) relax the southern street building line 4m to 0m to accommodate the proposed refuse room, and
  - (b) deviate from the applicable density provision from 50du/ha to 74.44du/ha to accommodate the proposed development,

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

4. that the approvals in 2. and 3., above, be subject to the following conditions:
  - (a) that the development be in line with *SDP-2022\_30\_100\_REV 1*, dated 24/09/2025;
  - (b) that building plans be submitted to the Building Control Office, and that all comments from the Building Department and Fire Department be complied with at that stage;
  - (c) that the conditions of the Engineering Services Department: Services Report (attached as Annexure G) must be complied with;
  - (d) 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.
  - (e) that house/conduct rules be approved by the body corporate of the development to ensure the management of common property.
5. 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; and
6. that the commenters be informed of their appeal right in terms of Section 78 of the By-Law with regard to the conditional approval in paragraph 2. and 3. above.

#### **14. REASONS FOR RECOMMENDATION**

##### Reasons for the decisions in paragraphs 2., 3., and 4. above

- ❖ The application has followed due procedure.
- ❖ The concerns raised by during public participation have been adequately addressed.
- ❖ All the relevant internal and external departments supported the application.
- ❖ 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 (apart from the departure to accommodate the refuse area and the increased density).
- ❖ The revised development complies with the applicable height and lateral building lines to enhance view corridors, improve sunlight impact, and reduces privacy.

- ❖ The stepping of the building heights seamlessly integrates the increased height of the apartment blocks located in the centre of the property.
- ❖ 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.

**15. ANNEXURES**

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Minutes of MPT meeting held on 4 October 2024
Annexure E:	Objections received
Annexure F:	Response from applicant on objections
Annexure G:	Services Report
Annexure H:	ROD: Heritage Western Cape
Annexure I:	TIS conducted by L de V Roodt
Annexure J:	GLS Report conducted by GLS Consulting (Pty) Ltd

**SIGNATURES****AUTHOR:**

Name: **B MINNAAR**

SACPLAN Reg No: **C/8630/2021**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**REGISTERED PLANNER:**

Name: **S VAN DER MERWE**

SACPLAN Reg No: **A/1850/2014**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# 1. Locality Plan Erf 1735 - Sandbaai

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





## MOTIVATION

### 1. ABBREVIATIONS

<b>OM</b>	Overstrand Municipality
<b>OMLUS</b>	Overstrand Municipality Land Use Scheme, 2020
<b>BY-LAW</b>	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
<b>PSDF</b>	Western Cape Provincial Spatial Development Framework, 2014
<b>OMSDF</b>	Overstrand Municipality Spatial Development Framework, 2020
<b>DU</b>	Dwelling Unit
<b>Du/Ha</b>	Dwelling Units per hectare

### 2. PROPERTY DETAILS

<b>Property Information</b>	Erf 1735, Sandbaai
<b>Extent</b>	1,8Ha / 18 000m <sup>2</sup>
<b>Current zoning</b>	Residential Zone 1: Single Residential
<b>Owners</b>	Terra Nuova Developments CC  (Refer <b>Annexure A</b> for the <b>Closed Corporation Resolution</b> and <b>Power of Attorney</b> ).

### 3. BACKGROUND AND INTENT

Erf 1735 Sandbaai, situated opposite the Whale Coast Mall in Bergsig Street, presents an excellent opportunity for a higher-density residential development in the growing suburb of Sandbaai. Located within the Greater Hermanus area, Sandbaai is a relatively new neighbourhood situated just a short distance from Hermanus Central and to the east of Onrus. It is also easily accessible from Cape Town, with a drive of just over an hour to the entrance of Sandbaai and the Hemel-en-Aarde Valley.

Terra Nuova Developments CC acquired Erf 1735 Sandbaai with the intention of developing it to address the high demand for residential units in the surrounding area.

#### Amended Application and Proposal

Following the initial application, comments received from the municipality and surrounding community were carefully considered. A revised proposal was subsequently compiled to ensure that the development integrates more appropriately with the existing urban fabric than the original concept. The amended proposal reduces the overall massing of the development by introducing smaller townhouse units along the property boundaries and decreasing the number of apartment blocks.



## MOTIVATION

### Residential housing market

The relocation of people to coastal areas presents a significant advantage for the municipality, as it drives the development of improved infrastructure and amenities. However, the Overstrand Municipality is currently under increasing pressure to provide adequate housing options in response to ongoing population growth.

Sandbaai has experienced steady population growth in recent years, primarily due to its central location and affordable housing. The suburb offers a peaceful and laid-back coastal lifestyle, which is a key attraction for families seeking to escape the congestion of urban centres.

In addition, Sandbaai's proximity to quality medical facilities and schools in Hermanus, along with excellent retail offerings, further enhances its appeal. Convenient access to airports also ensures that residents benefit from strong transportation links to other parts of South Africa.

Criteria typically considered by individuals relocating:

- Affordable and secure estate living, with effective access control to match or exceed their previous accommodation standards;
- Preferably new and modern residential units;
- Access to high-speed internet, such as fibre or satellite connections; and
- Communal recreational facilities.

It has also been observed that many individuals are choosing to retire or semi-retire at a younger age, giving rise to the trend of "multi-generational living." This refers to developments accommodating people at various life stages, ranging from young families to semi-retired and retired individuals, within the same residential community.

## 4. PROCESS AND PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

### 4.1 PROJECT SUMMARY

Erf 1735, Sandbaai (hereafter referred to as the subject property) has an extent of 1,8Ha / 18 000m<sup>2</sup> (Refer **Plan 1 – Locality Plan**) and is currently zoned as Residential Zone 1: Single Residential. The subject property has been identified in the Growth Management Strategy as a suitable densification development area.

This proposed development will consist of the following:

- 83 Flats;
- 51 Town Houses;
- Common areas (Open Spaces); and
- Common areas (Private Roads with parking areas).

**Refer to Section 4.2.7 for definitions of common area.**

The previous application proposed the subdivision of the property into two portions. The amended proposal, however, retains the entire property as a single entity, with the intention to demolish all existing structures to accommodate the proposed development.



## MOTIVATION

The rezoning of the subject property will introduce additional residential opportunities into the Sandbaai housing market. The proposed zoning and development morphology are, however, consistent with broader development trends observed across other areas of the Overstrand Municipality.

### 4.2 LAND DEVELOPMENT APPROVAL REQUIRED

Approval of the following is required for the implementation of this development:

- **Rezoning** of Erf 1735, Sandbaai from Residential Zone 1: Single Residential to General Residential Zone 3: Flats (GR4) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (**Plan 4: Proposed Zoning Plan**).

As previously mentioned, the original proposal sought to utilise only a portion of the property for development. In contrast, the revised proposal intends to develop the entire property. It should be noted that, if the proposal is approved, a separate application will be submitted for the demolition of all existing structures on the property.

The property owners have carefully considered the design of the development to minimise any potential impact on the views and character of the surrounding area. For example, the proposed flats will be located towards the interior of the site, while single-family townhouse units will be positioned along the side boundaries.

Furthermore, the proposal limits the building height along the boundaries to two storeys, with three-storey buildings permitted only in the centre of the site, away from adjoining properties. This design approach is intended to reduce the visual impact of the development on neighbouring properties. In addition, all proposed buildings will comply with the side building line requirements applicable to the intended zoning, thereby ensuring compatibility with the surrounding built environment.

The amended proposal not only seeks to reduce building heights to two storeys near the boundaries, rather than the maximum three storeys permitted by the Overstrand Municipality Land Use Scheme (OMLUS) but also aims to lower the residential density along the perimeter of the property. These measures have been introduced to minimise potential impacts on adjacent properties and demonstrate the property owners' sensitivity to the surrounding context.

This design approach is intended to mitigate concerns such as loss of sunlight and overdevelopment near neighbouring erven. As such, the proposed development will comply with the provisions of the OMLUS and is not expected to have a detrimental impact on the surrounding area.

#### 4.2.1 Population growth in Sandbaai and Hermanus

The Overstrand Municipal Spatial Development Framework (OMSDF) includes population growth projections for the municipality's main areas. According to the OMSDF, Sandbaai experienced an average annual population growth rate of 7.0% between 2001 and 2011, increasing the population by 1,639 residents, from 2 463 to 4 102. The OMSDF further indicates that the Greater Hermanus area, which includes Sandbaai, requires the development of



## MOTIVATION

several thousand new dwelling units to accommodate projected population growth (OMSDF, p.28).

Table 1: Housing Need and estimated land area required (15du/ha)		
Year	Greater Hermanus Area	
	Total dwelling units (du) required	Estimated land area required (ha)
2011	3 892	256
2016	5 360	357
2021	7 127	475
2026	9 106	607
2031	11 234	749

Based on information obtained within the OMSDF (OMSDF, p28)

Table 2: Housing Need and estimated land area required (20du/ha)		
Year	Greater Hermanus Area	
	Total dwelling units (du) required	Estimated land area required (ha)
2011	3 892	195
2016	5 360	268
2021	7 127	356
2026	9 106	455
2031	11 234	562

Based on information obtained within the OMSDF (OMSDF, p28)

These tables provide clear insights into the scale of housing demand in the Greater Hermanus area and the associated land requirements. Importantly, the proposed development will be situated within the existing urban edge of Hermanus. No additional land was incorporated into the urban edge during the review of the 2020 OMSDF, which underscores the importance of optimising available land within established urban areas such as Sandbaai.

The development proposal for Erf 1735 Sandbaai seeks to make efficient use of land by delivering 134 residential units at a density of approximately 74.44 dwelling units per hectare (du/ha). This figure has been reduced from the previous proposal of 148 units at over 90 du/ha. The motivation for maintaining a higher density is to address the pressing demand for housing in the Hermanus and Sandbaai area while limiting the need for further land expansion. This approach supports the principles of sustainable development by maximising land use efficiency within the existing urban footprint.

### Reduction of Density

The reduction of density was a decision informed by feedback from the municipality and members of the public, as well as a careful reassessment of the site's relationship with the surrounding built environment. Lowering the number of units helps to soften the overall impact of the development, reduce the bulk and scale of buildings along sensitive boundaries, and improve compatibility with adjacent residential properties. The revised density also allows for more meaningful landscaping, increased open space within the development, and better opportunities for light and ventilation between buildings.

In this way, the proposal seeks to find a middle ground between the need for higher-density residential development and the importance of preserving the character and amenities of



## MOTIVATION

the existing urban area. The proposed layout and design demonstrate sensitivity to neighbouring properties while still supporting the overarching spatial development goals of the Overstrand Municipality. Ultimately, the amended proposal contributes to a more sustainable and integrated urban form, delivering much-needed housing without compromising the liveability or identity of the Sandbaai area.

### 4.2.2 Design and Layout

The development proposal for the subject property, as illustrated in **Plan 5** of the Site Development Plan (SDP), adopts an adapted and context-sensitive layout. Careful consideration has been given to ensuring that both the design and layout integrate seamlessly into the surrounding residential fabric of Sandbaai.

The proposal is to have access to the development being obtained from End Street and egress being obtained from Bergsig Street. There is also a pedestrian access and egress proposed on Bergsig Street, which will allow the residents quick access to the mall.

#### Flats

Three apartment blocks are positioned in the central portion of the site to minimise their visual impact from adjacent properties. These blocks are arranged in a U-shape to optimise natural light penetration and internal open space. Refer to **Plan 5**, the SDP and **Annexure C** for the Architect's drawings and 3D renders. Each apartment block will be fitted with a lift and connected by covered walkways, ensuring accessible and convenient circulation throughout the development. The design of the flat blocks has been carefully considered to reduce the perceived bulk of the buildings and maintain compatibility with the surrounding built environment.

Two of the apartment blocks will incorporate ground-level parking below the first floor, which allows the development to meet parking requirements while making efficient use of the site. The third block has been designed with parking positioned separately from the building to allow for the introduction of ground-floor garden units. These units not only enhance the residential character of the development but also offer future homeowners a greater variety of housing options, catering to different lifestyle needs.

This approach ensures that the development is both functionally efficient and visually compatible with its surroundings. It contributes positively to the aesthetic and spatial quality of the neighbourhood, while also promoting liveability, accessibility, and choice within the local housing market.

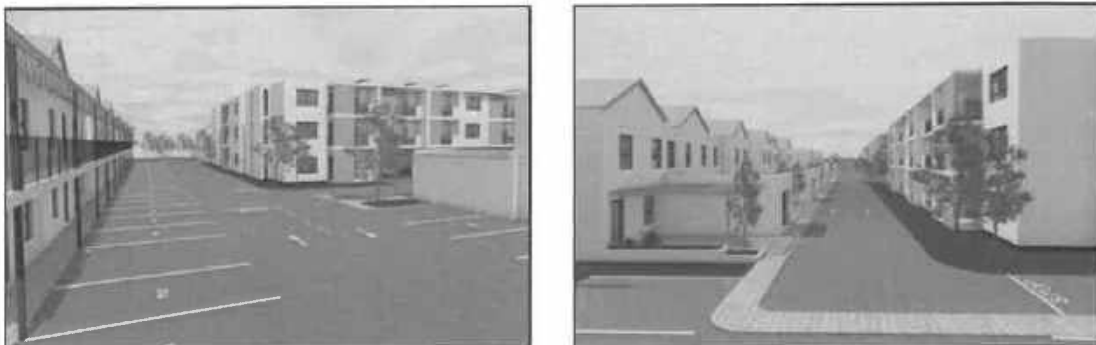


Figure 1: Internal Street Scape and 3D render of the proposed flats



## MOTIVATION

### Townhouses and Flats

The proposed layout includes three townhouse components, each grouped together in a single structure along the side boundaries of the property, thereby creating a softer interface with neighbouring single-family dwellings.

Each townhouse will be provided with two dedicated parking bays, one of which will be a secure, lockable garage. The townhouses will be designed in a cohesive architectural style, with visual breaks along the boundary to avoid a continuous built edge and to maintain a sense of openness. The townhouses will offer a mix of, two-, and three-bedroom units, catering to a wide range of household sizes and lifestyle needs.

The overall design of the residential units is modern and functional, incorporating open-plan living areas and maximising natural light through appropriate orientation and window placement. Sufficient on-site parking will be provided, consisting of a combination of covered and open bays for both residents and visitors. The parking areas have been carefully positioned to reduce their visual impact and preserve the aesthetic appeal of the development as a whole.



Figure 2: Internal Street Scape and 3D render of the proposed townhouses

TOWNHOUSE		
Block Type	Type of Units	Number of units
Townhouses (Duplex)	2 Bedroom units (80m <sup>2</sup> )	9
	3 Bedroom units (95m <sup>2</sup> )	18
Total number of duplexes		27

FLATS		
Block Type	Type of Units	Number of units
Flats (Simplex next to Bergsig Street)	1 Bedroom units (40m <sup>2</sup> )	12
	1 Bedroom units (44m <sup>2</sup> )	12
Total number of Units (Simplex)		24
Block Type	Type of Units per block	Number of units
Block A	1 Bedroom units	15
	2 Bedroom units	18



## MOTIVATION

Total Units in Block A		33
Block Type	Type of Units per block	Number of units
Block B	1 Bedroom units	11
	2 Bedroom units	14
Total Units in Block B		25
Block Type	Type of Units per block	Number of units
Block C	1 Bedroom units	11
	2 Bedroom units	14
Total Units in Block C		25

<b>Flats</b>	1 Bedrooms units	24
	1 Bedroom units	37
	2 Bedroom units	46
<b>Townhouses</b>	2 Bedroom units	9
	3 Bedroom units	18
<b>Total Units</b>		<b>134</b>

The proposed development seeks to enhance the property through the introduction of a diverse range of unit types, as previously described. The townhouses and flats will be limited to two storeys, with a maximum height of 8m. All these units are strategically positioned along the side boundaries of the property to create a transition in scale between the proposed development and neighbouring single-family dwellings.

The higher-density flat blocks are positioned centrally within the site, set back approximately 28m from the nearest property boundaries. This layout was deliberately chosen to reduce the visual impact of the larger buildings on surrounding properties and to ensure that the massing of the development is more respectful of its residential context.

This stepped approach to building height, transitioning from three-storey flat blocks in the centre of the site to two-storey townhouses along the edges, ensures a gradual and harmonious integration with the existing built environment. By concentrating height and density away from the boundaries, the proposal effectively mitigates bulk and scale concerns, thereby promoting a more balanced urban form.

To illustrate the architectural vision of the development, Annexure C includes the building elevations, which showcase the design language, proportions, and aesthetic detailing of the proposed structures. These elevations reflect the careful design considerations made to ensure the development complements its surroundings. While the proposed buildings maintain a unified architectural character, they also acknowledge the diverse architectural styles present in the surrounding area. It is important to note that there are no existing architectural guidelines that govern development in this neighbourhood, and the surrounding properties exhibit a range of styles. As such, the proposed development seeks to contribute positively to this architectural diversity while maintaining a coherent identity.

The amended proposal aims to reduce the overall bulk of the development while still providing much-needed residential accommodation. The proposed layout creates a cohesive and visually appealing urban environment, where building heights are modulated



## MOTIVATION

to respond to their immediate context. The central flat blocks, limited to three storeys, are set back significantly, while the townhouses and flats (simplex) units are situated along the lateral and northern street boundaries respectively at 4.5m and 4m, in full compliance with the applicable building line requirements as prescribed by the OMLUS.

Furthermore, the property owners have confirmed their commitment to adhering to the building line along the boundaries, reinforcing their intention to limit the impact of the development on adjacent properties, with the exception of the Southern Street building line to accommodate the refuse room. This, combined with the tiered layout of the proposed buildings, ensures that the visual and spatial impact on neighbouring properties is minimised.

Overall, the objective of the amended application is to establish a well-integrated, high-quality residential development that contributes positively to the surrounding landscape. The proposed architecture and site layout aim to strike a careful balance between increased residential density and sensitivity to the existing urban character. The attention to detail in the elevations and the step-down design approach reflect a clear commitment to creating a development that is not only functional but also contextually appropriate and visually pleasing.

### Affordability

A key objective of the proposed development is to respond to the increasing demand for more affordable, well-located housing within the Greater Hermanus area, close to paces of work. As housing pressure continues to grow due to population influx there is a clear need for residential opportunities that are both financially accessible and suitable for a range of household types.

The proposed development offers a mix of one-, two-, and three-bedroom units, including both flats and townhouses, which allows for a variety of price points and tenure options. This mix has been carefully considered to ensure that the development is accessible to a broad spectrum of income groups, including:

- Young professionals and first-time homebuyers seeking secure, fibre-connected accommodation in close proximity to economic opportunities;
- Retirees and semi-retired individuals wishing to downscale to low-maintenance homes within an established, amenity-rich coastal town;
- Small to medium-sized families who require proximity to schools, shops, medical services, and recreational areas, but who are priced out of the freestanding housing market;
- Buy-to-let investors targeting long-term rental income or short-stay rentals, capitalising on Sandbaai's growing appeal and location.

By integrating compact, energy-efficient, and secure homes with shared infrastructure and centralised services (such as solar-assisted hot water systems and gas reticulation), operational costs for residents will be significantly reduced. This ensures long-term affordability not just in terms of the purchase price, but also in ongoing monthly costs such as utilities and levies.



## MOTIVATION

The proposal is thus in direct response to the Municipality's strategic goal of increasing access to housing opportunities within the existing urban footprint, particularly where infrastructure is already in place and where densities can be responsibly increased.

### 4.2.3 Development Features

The proposed development incorporates several key features aimed at enhancing the quality of life, convenience, and wellbeing of future residents. These features have been carefully integrated into the design to reflect contemporary lifestyle expectations while promoting sustainability and community interaction.

One of the notable sustainability features is an existing borehole on-site, which will be used for irrigating common areas. This water-wise solution supports environmentally responsible landscaping practices by reducing reliance on municipal water supply and encouraging efficient water use. In doing so, the development promotes long-term sustainability and contributes positively to broader environmental goals.

In addition to the focus on resource conservation, the development also prioritises resident wellbeing through the inclusion of several outdoor spaces. These amenities provide an accessible and inviting space for physical activity, encouraging residents to maintain a healthy and active lifestyle. Moreover, it fosters a sense of community by offering a shared space where neighbours can interact and engage socially.

To further enhance modern living, all residential units within the development will be fibre ready. This ensures that residents have access to high-speed internet, enabling seamless connectivity for work, communication, entertainment, and access to online services. The inclusion of fibre-optic infrastructure not only meets current digital demands but also future-proofs the development, ensuring that it remains aligned with evolving technological advancements and resident expectations.

Collectively, these features contribute to a well-rounded, future-focused residential environment that is both functional and appealing, supporting a high standard of living within a sustainable and connected community.

### 4.2.4 Green Solutions

The developer of the proposed residential estate is committed to promoting long-term environmental sustainability and minimising the development's ecological footprint through the implementation of a range of green infrastructure solutions. Central to this commitment is the integration of innovative water and energy systems that will contribute meaningfully to both environmental performance and resident wellbeing.

One of the key sustainability initiatives is the introduction of an efficient hot water systems. These systems are designed to heat water through sustainable ways such as solar power, thereby significantly reducing overall energy consumption.

In addition to the hot water systems, the estate will provide piped gas to every unit for use with appliances such as stoves. This reliable and efficient energy source will further reduce the estate's reliance on electricity and help to mitigate the impact of increased energy demand on the local grid.



## MOTIVATION

To ensure resilience during periods of load shedding or unexpected electricity outages, backup power systems will also be installed. These systems will guarantee a continuous power supply to essential services, ensuring that residents experience minimal disruption to their daily lives. This feature also enhances the estate's attractiveness by offering a level of convenience and reliability that aligns with modern residential expectations.

Overall, the estate's sustainable design approach reflects a broader vision of environmental responsibility. By prioritising renewable and alternative energy sources, reducing unnecessary consumption, and incorporating efficient infrastructure, the proposed development sets a strong example of how contemporary residential projects can contribute to a greener and more sustainable future. These features not only benefit the natural environment but also enhance the overall quality of life, comfort, and affordability for the estate's future residents.

### 4.2.5 Lock-up-and-go

The proposed development offers modern lock-up-and-go units, specifically designed with convenience, low maintenance, and security in mind. These units are ideal for residents with active lifestyles or those who travel frequently, providing them with the freedom to leave their homes for extended periods without concern for safety or upkeep.

To ensure maximum security, the estate will feature a comprehensive security strategy. This includes electric perimeter fencing that serves as a strong physical and visual deterrent to potential intruders. In addition, the development will be equipped with high-resolution optical surveillance cameras strategically positioned to provide 24/7 monitoring of the entire property. These surveillance systems will be supported by an integrated access control system, ensuring that only authorised residents and personnel can enter the estate. Together, these measures create a secure living environment that prioritises residents' peace of mind.

The lock-up-and-go concept not only enhances security but also contributes to the overall convenience of the development. The units are designed for minimal upkeep, allowing residents to simply lock their doors and leave without the burden of ongoing maintenance concerns. This feature is particularly attractive to seasonal residents, frequent travellers, and professionals seeking a secure, low-maintenance lifestyle.

In essence, the lock-up-and-go offering within the estate provides residents with a worry-free living experience, combining state-of-the-art security infrastructure with the flexibility of a low-maintenance home. By supporting a lifestyle of mobility and ease, the estate meets the needs of a growing segment of the residential market looking for safe, convenient, and modern living environments.

### 4.2.6 Open Space Provision

The OMLUS sets out specific requirements for communal open space in higher-density residential development. In terms of the OMLUS, the following applies:

- “ i. Every block of flats, residential building or hotel in this zone must have access to an outdoor living area and will provide communal open space but excludes parking, service yards and roads.*
- ii. Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.”*



## MOTIVATION

In an effort to exceed these minimum requirements and to create a high-quality, liveable environment, the proposed development incorporates approximately 2,069m<sup>2</sup> of functional open space. This represents 11.49% of the total developable area, exceeding the minimum 10% provision required by the OMLUS.

The inclusion of this generous open space allocation offers a wide range of benefits to both the future residents and the broader surrounding community. Firstly, it provides ample room for outdoor recreational activities and communal amenities, thereby supporting an active, healthy, and socially connected lifestyle. The open space has been designed as a cohesive, functional area that may include features such as walking paths, landscaped gardens, children's play zones, braai facilities, and informal gathering areas. These shared spaces encourage interaction among residents and help build a sense of community within the development.

In addition to the functional benefits, the open space also contributes significantly to the aesthetic value and overall spatial quality of the development. By maintaining a balance between built form and open areas, the layout achieves a sense of openness that helps to mitigate any perception of overdevelopment or density. The green spaces serve as visual relief and soften the urban environment, promoting a calm and attractive setting for residents.

From a broader sustainability perspective, the integration of well-considered open space aligns with contemporary urban design principles that prioritise liveability, wellness, and environmental stewardship. The proposed layout reflects a conscious decision to go beyond compliance, demonstrating a commitment to creating a development that is not only functional and efficient, but also socially and environmentally responsive.

By allocating a significant and well-designed portion of the property to communal open space, the proposed development sets a high standard for residential living and positively contributes to the character and identity of the area. The benefits of this approach will extend beyond the development itself, enhancing the surrounding urban fabric and fostering a sense of pride among residents and neighbours alike.

### 4.2.7 Sectional Title Scheme

Following the approval of the land use application, construction of the development will commence. Once the buildings have reached a suitable stage, specifically when they can be surveyed in accordance with the Sectional Titles Act (STA), a Sectional Plan will be submitted to the Surveyor-General for approval. Thereafter, the sectional title scheme will be registered at the Deeds Registry Office.

The development will be owned and managed in terms of the Sectional Titles Act, and as such, specific terminology associated with sectional title schemes becomes applicable to the proposed development.

### Section

Under the Sectional Titles Act, a "section" refers to a part of a building that has clearly defined three-dimensional boundaries (i.e. it has a floor, walls, and a roof). While legal and technical definitions may be complex, in practical terms, a section is a defined space that can be



## MOTIVATION

individually owned. It can be a residential flat, a garage, a storeroom, an office, or even a delineated parking bay—so long as its boundaries are precisely recorded.

The boundaries of a section typically extend to the midpoint of the walls, floor, and ceiling that separate one section from another or from the common property.

With reference to the proposed development, each residential units, garage and parking bay will constitute a “section” as defined in the Act.

### Common Property

Common property refers to all parts of the property that are not demarcated as individual sections on the approved Sectional Plan. Ownership of common property is shared among all sectional title owners, in proportion to their participation quota (typically based on the size of the section owned).

Examples of common property include:

- Roads and internal driveways
- Walkways, passages, and staircases
- Lifts
- Garden and recreational areas
- Gatehouse and refuse rooms
- All land upon which the buildings are situated

In the context of this development, the common property will comprise the shared open spaces, roads, circulation routes, lift systems, gatehouse, refuse area, and other shared infrastructure or amenities, as determined in the registered Sectional Plan.

### Exclusive Use Areas

Exclusive Use Areas (EUAs) are portions of the common property that are designated for the exclusive use of a specific unit owner. While legally still part of the common property, these areas are reserved for the use and enjoyment of one owner only and are either allocated through a rule in the sectional title scheme or formally registered.

Typical examples include:

- Private garden areas
- Carports or allocated parking bays
- Balconies
- Store rooms

In this development, possible Exclusive Use Areas could include gardens for ground-floor units, carports, covered parking bays, and balconies.

### Body Corporate

Once the sectional title scheme is registered, a Body Corporate will be established in accordance with the Sectional Titles Act. The Body Corporate is comprised of all owners of sections within the development and is responsible for:



## MOTIVATION

- The management and maintenance of common property
- Financial administration (e.g. levies, budgeting, and reserve funds)
- Implementation of scheme rules
- Ensuring compliance with the STA and any rules adopted by the Body Corporate

Any purchaser of a unit (section) will automatically become a member of the Body Corporate and will hold an undivided share in the common property. The extent of each owner's share is determined according to the participation quota as calculated under the Act.

This form of property ownership ensures collective responsibility for the management and upkeep of the shared spaces, without requiring the creation of individual land units. All common areas will be subject to the rules and management processes established by the Body Corporate, as per the provisions of the Sectional Titles Act.

### House Rules

It is important to emphasise that all owners and tenants within the proposed development will be bound by the constitution and house rules of the Body Corporate, which will be established in terms of the Sectional Titles Act. These mechanisms will ensure proper and ongoing management of the development.

Effective management is in the best interest of all residents. Poor maintenance or rule enforcement would not only affect the surrounding area but also negatively impact the value and appeal of the development itself, thereby diminishing property values and investment returns for individual owners. As such, it is anticipated that the Body Corporate will act in a proactive and diligent manner to preserve the quality, order, and aesthetic standards of the scheme.

The conduct rules will include several measures such as the following:

#### Noise

- An owner, occupier and/or tenant must be cognisant of the close proximity of the sections to one another and must not allow any persistent and unreasonable noise levels to disturb other owners, occupiers and/or tenants.
- An owner, occupier and/or tenant must not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.
- Excessive noise must be avoided from 22:00 to 08:00 Sunday to Thursday, and between 23:00 to 08:00 on Friday and Saturday.
- Owners, occupiers and/or tenants must take every effort that they and/or their visitors arriving or departing to do so with little disturbance to other owners, occupiers and/or tenants.
- Radios, musical instruments, CD players, record players, television sets, Bluetooth speakers etc., must be used in such a manner so as not to be heard in adjoining units or on the common property.
- Power tools and other noise-producing equipment if operated outside the times stipulated above must cause minimum nuisance to other owners, occupiers and/or tenants."



## MOTIVATION

### Vehicles

- Any person/s entering the development must obey all signs and road markings containing directions for the use and parking of vehicles on the common property.
- No unlicensed person may drive any vehicle on the common property.
- No hooters may be sounded within the scheme or outside the security gate, other than in an emergency.
- No slamming of vehicle door/s.
- No revving of engines excessively.
- No vehicle radio and/or sound system may be set at a volume audible outside the vehicle."

### Laundry

- Every owner, occupier and/or tenant is strictly prohibited from drying clothes on balconies.
- Dedicated drying yards will be provided. These areas will be discreetly screened behind 2.1m high boundary walls to ensure that they are not visible from neighbouring properties or public areas.
- No washing lines will be permitted on common property that is not properly screened.
- Every owner, occupier and/or tenant is strictly prohibited from using their balcony as a storage area. The design will ensure that balconies retain their aesthetic function.

#### 4.2.8 Departures

- **Departures** from the 4m Street Building Line (End Street) to 0m, to allow the proposed refuse room in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

In terms of Section 16.1.1(a)(x) of the OMLUS, a refuse room is a general encroachment permitted, and the requirements are the following:

*"(x) a refuse room that has a footprint not exceeding 5 m<sup>2</sup> and, if covered, a roof height not exceeding 3,0 m or as required by the Municipality in terms of 17.4;"*

As 5m<sup>2</sup> refuse room would not be compliant in terms of 17.4.1 of the OMLUS, which requires 0,5m<sup>2</sup> per 100m<sup>2</sup>. The development is proposing a 32m<sup>2</sup> refuse room that will be more than sufficient.

The refuse room will be developed in line with the general requirements set out within Section 17.4 of the OMLUS that are:

- Be of sufficient size to accommodate the refuse generated from the land unit for one week;
- Be designed in a manner that is architecturally compatible with the surrounding structures and screen refuse bins from public view; and
- Comply with any other reasonable conditions the Municipality may impose relating to access, health, pollution control, safety or aesthetics.



## MOTIVATION

The proposal is to have a 32m<sup>2</sup> refuse room located within the street building line next to end street to allow for ease of servicing by the municipality as indicated in Section 17.4.1(b) is a requirement. Refer to the figure 3:

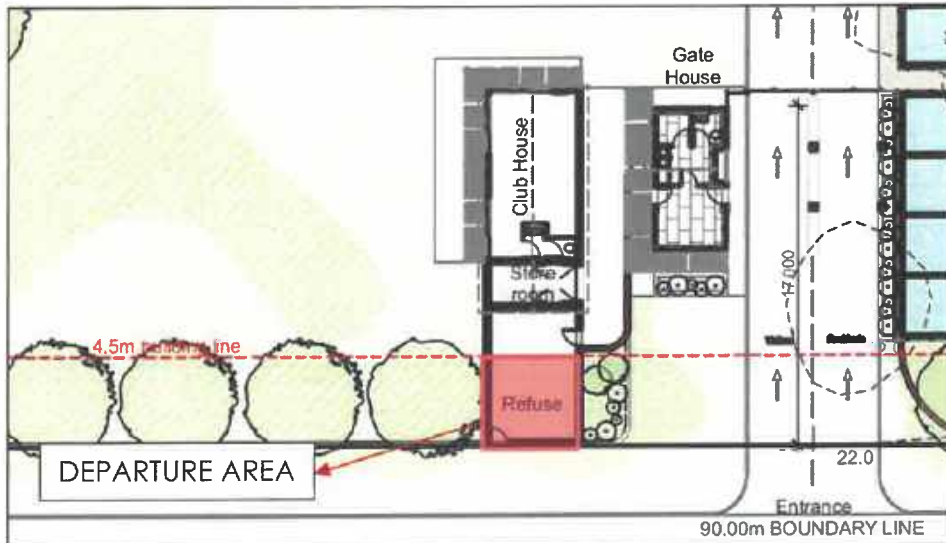


Figure 3: Proposed refuse room

- **Departure from the provisions of the zoning scheme** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As requested by the OM, a departure from the provisions of the zoning scheme is required to accommodate the proposed development. The intended zoning, General Residential Zone 3: Flats (GR4), permits flats, town houses in terms of Section 6.3.2, and residential buildings as primary uses of the OMLUS. The proposed development includes a combination of flats and townhouses. The townhouses, as proposed, have been designed to comply with the development parameters set out in Section 6.3.2, in accordance with the OM's request.

However, the development parameters typically applicable to General Residential Zone 3: Flats (GR4) are outlined in Section 6.4.2 of the OMLUS. A contradiction arises in the application of Sections 6.3.2 and 6.4.2, specifically regarding whether the development parameters for townhouses in GR4 should align with those set out under GR2 (Section 6.3.2) or GR4 (Section 6.4.2).

To address this apparent inconsistency, the comparative tables below are used to assess the applicable development parameters and determine which provisions are most appropriate for the proposed layout.

It is important to note that Section 6.3.2 of the OMLUS outlines the development parameters for General Residential Zone 2: Town Housing (GR2), while Section 6.4.2 applies to General Residential Zone 3: Flats (GR4). The overlap in terminology and zoning provisions has necessitated clarification through the proposed departure.



### MOTIVATION

Development Parameter	Section 6.3.2 of the OMLUS	Applicable / Not Applicable
a) Density	<ul style="list-style-type: none"> <li>- The maximum gross density in this zone is 50 units a hectare.</li> <li>- A minimum erf size of 3000 m<sup>2</sup> is applicable for densification.</li> </ul>	Applicable
b) Coverage	The maximum coverage for all buildings on the land unit is 65%.	Not Applicable
c) Height	The maximum height of a building (other than flats), measured from the base level to the top of the structure, is 8,0 m, provided that the maximum height for flats, measured from the base level to the top of the structure, is 9,0 m.	<p>The town houses proposed will adhere to these heights.</p> <p>Flats being proposed is aligned with the development parameters of Section 6.3.2(c) and Section 6.4.2(c), refer to table below and Section 8.</p>
d) Building lines on the perimeter of a town housing development	<ul style="list-style-type: none"> <li>(i) The building line on the perimeter of the property is 3,0 m, and</li> <li>(ii) The general building line exemptions of 16.1 apply.</li> </ul>	Building lines of 4,5m is being adhered to.
e) Building lines within the town housing site	<p>The following building lines apply within a town housing site:</p> <ul style="list-style-type: none"> <li>(i) The street building lines on internal roads are 1,0 m, provided that garages must be set back at least 5,0 m from the road kerb;</li> <li>(ii) The lateral and rear building line is 1,0 m;</li> <li>(iii) A garage may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary; and</li> <li>(iv) The general building line exemptions of 16.1 apply.</li> </ul>	This is noted and adhered to.
f) Parking	<ul style="list-style-type: none"> <li>(i) Parking and access shall be provided on the land unit in accordance with 17.1; and</li> <li>(ii) Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two.</li> </ul>	This is noted and adhered to.



## MOTIVATION

g) Internal roads	The minimum internal road reserve width is 8,0 m, provided that the Municipality may require a greater road reserve width where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.	Not Applicable  No formal road is being created, driving surface as explained in section 4.2.7 above is part of the common property.
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As mentioned, Section 6.4.2 are the development parameters for the zoning General Residential Zone 3: Flats (GR4) that is being applied for.

Development Parameter	Section 6.4.2 of the OMLUS	Applicable / Not Applicable			
a) Density	A minimum erf size of 3000 m <sup>2</sup> is applicable for densification.	Applicable  Refer to Section 8.			
b) Floor factor and coverage	Allowed Floor Factor – 1.5 Allowed Coverage – 80%	Applicable  Refer to Section 8.			
c) Height	<p>The maximum height of a building, measured from the base level to the top of the structure, is determined in accordance with the bulk zone as specified in the table below:</p> <table border="1" data-bbox="467 1167 746 1272"> <tr> <td data-bbox="467 1167 746 1205">Bulk Zone 2 (GR4)</td> </tr> <tr> <td data-bbox="467 1205 746 1243">9,0 m</td> </tr> <tr> <td data-bbox="467 1243 746 1272">3 Storeys</td> </tr> </table>	Bulk Zone 2 (GR4)	9,0 m	3 Storeys	Applicable  Refer to Section 8.
Bulk Zone 2 (GR4)					
9,0 m					
3 Storeys					
d) Setback	<p>(i) The Municipality may require an 8,0 m setback from the centreline of the abutting street, provided that the Municipality may permit stoeps to be located within the setback line.</p> <p>(ii) The general provisions of 16.2 apply.</p>	Applicable  Refer to Section 8.			
e) Building lines	<p>(i) The street building line is 4,0 m.</p> <p>(ii) The side building line is 4,5 m, provided that where a fourth storey is provided, the Municipality may require the fourth storey to be set back 6,0 m from the property boundary.</p> <p>(iii) The rear building line is 3,0 m, provided that where a fourth storey is provided, the Municipality may require the fourth storey to be set back 6,0 m from the property boundary.</p> <p>(iv) The general building line exemptions of 16.1 apply.</p>	Applicable  Refer to Section 8.			
f) Open space	(i) Every block of flats, residential building or hotel in this zone must have access to an	Applicable			



**MOTIVATION**

	<p>outdoor living area and will provide communal open space but excludes parking, service yards and roads.</p> <p>(ii) Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.</p>	Refer to Section 8.												
g) Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Units</th> <th>Parking Required</th> <th>Bays</th> </tr> </thead> <tbody> <tr> <td>1-Bedroom Units</td> <td>1.5</td> <td></td> </tr> <tr> <td>2-Bedroom Units</td> <td>2</td> <td></td> </tr> <tr> <td>3-Bedroom Units</td> <td>2</td> <td></td> </tr> </tbody> </table>	Units	Parking Required	Bays	1-Bedroom Units	1.5		2-Bedroom Units	2		3-Bedroom Units	2		<p>Applicable</p> <p>Refer to Section 8.</p>
Units	Parking Required	Bays												
1-Bedroom Units	1.5													
2-Bedroom Units	2													
3-Bedroom Units	2													
h) Screening	Screening must be provided in accordance with 16.7.	Not Applicable												

The development plan for the subject property, aims to optimise the available land by yielding a total of 134 residential units, resulting in a proposed residential density of approximately 74.44 Du/Ha. The primary objective behind this proposal, and the associated request for a departure from the applicable density provision, is to address the housing demand in the Greater Hermanus and Sandbaai area without increasing urban sprawl or requiring the allocation of additional land. This objective is consistent with broader sustainable development principles and municipal policy directives.

In particular, the proposal supports densification within the urban edge, thereby aligning with the Overstrand Municipality's legislative framework and forward planning instruments, including the OMSDF. As referenced in Section 12.3.3 of this report, the proposed density complies with the intent of the OMSDF and related policy documents, which continue to guide development despite not being formally incorporated into the zoning scheme. This property has also been identified for higher-density development and is one of the last remaining properties in Sandbaai where such development remains feasible, refer to the alignment with the Overstrand Municipal Spatial Growth Management Strategy in Section 12.

While the proposed density exceeds the 50 Du/Ha limit prescribed in Section 6.3.2 of the OMLUS, the proposal is otherwise consistent with the regulations applicable to General Residential Zone 3: Flats (GR4) and the broader intent of the spatial framework. Several mitigation measures have been incorporated into the design to limit the impact of increased density on the surrounding area. These include:

- Locating the three-storey buildings centrally within the site and setting them back approximately 28m from the boundaries;
- Providing two-storey townhouse units along the periphery (lateral boundaries) to soften the transition between the development and adjacent properties;
- Adhering to the building lines and development parameters outlined in Section 6.4.2 of the OMLUS, which relate specifically to GR4 zoned properties.



## MOTIVATION

Importantly, the proposed density is not considered atypical or excessive when compared to other developments within Sandbaai. For instance, the De Zandt development, located within the same suburb, includes a range of densities, from 17 to 75 Du/Ha. The highest densities within De Zandt are located on properties similarly zoned: Flats (GR4) and did not require a departure from Section 6.3.2, as their densities were deemed consistent with the broader development framework.

It is also relevant to note that Erf 1735 Sandbaai, like De Zandt, forms part of a larger, established urban area. The proposed development can thus be considered a logical extension of existing residential typologies in Sandbaai, where a mix of lower- and higher-density development coexists harmoniously. The range of densities in De Zandt, from 17 to 75 Du/Ha, demonstrates that such variation is already embedded in the area's spatial character.

In light of the above, the request for a departure from the density provision is necessary to facilitate a development that is both contextually appropriate and compliant with the relevant policies. The proposed layout and form are consistent with recent trends in Sandbaai and reflect a rational response to the limited availability of land for urban expansion. The departure request is not merely a deviation from the scheme parameters but a measured adjustment that enables compact, efficient land use in accordance with the municipality's strategic planning objectives.

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## 5. LAND USE ENVIRONMENT

Upon a thorough analysis of the locality and zoning plan (**refer to Plan 1 – Locality Plan & Plan 2 – Zoning Plan**), it has been identified that the subject property proposed for development is strategically located in a prime position. The location offers a range of benefits, including its proximity to the main distributor road that leads towards the popular tourist destination of Hermanus.

Additionally, the property is situated adjacent to the Whale Coast Mall, which provides residents with easy access to a top-class shopping experience. This proximity to a major shopping center is a significant advantage for the proposed development, as it offers residents the convenience of having all their daily needs met within a short distance from their home. Moreover, the location of the property is within walking distance of many local amenities, including restaurants, cafes, and recreational facilities, which further adds to its appeal.

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## 6. TITLE DEED

The title deed (T49782/2022) of the property (refer **Annexure B**) was scrutinized, and upon further examination, it was found that there are no title deed conditions that could potentially hinder the proposed development.

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## 7. ZONING

The following zoning parameters were assessed in conjunction with GR4 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:



**MOTIVATION**

The **current zoning** of the subject property is Residential Zone 1: Single Residential (SR1) the proposal is that the property be rezoned to General Residential Zone 3: Flats (GR4):

<b>GENERAL RESIDENTIAL ZONE 3: FLATS (GR4)</b>						
<b>Primary use</b>	<b>Use of the property</b>	<b>Proposal</b>	<b>Comply/ deviate</b>			
<b>Consent uses which may be applied for</b>	<p><b>Flats and Town House in accordance with 6.3.2</b> and Residential Buildings</p> <p>Crèche, Day Care Centre, Home Occupation, Hotel, Institution, Place of Assembly, Place of Instruction, Place of Worship, Retirement Village, Tourist Accommodation and Transmission Apparatus.</p>	<p>Flats and Townhouses</p> <p>N/A</p>	<p>Applied and motivated</p> <p>N/A</p>			
<b>Development Parameters</b>						
<b>Density</b>	A minimum erf size of 3000 m <sup>2</sup> is applicable for densification	The property has an extent of 1,8 ha.	Comply			
<b>Floor factor and coverage</b>	<p>Allowed Floor Factor – 1.5</p> <p>Allowed Coverage – 80%</p>	<p>Proposed Floor Factor – 0,80</p> <p>Proposed Coverage – 35,5%</p>	Comply			
<b>Height</b>	<p>The maximum height of a building, measured from the base level to the top of the structure, is determined in accordance with the bulk zone as specified in the table to follow:</p> <table border="1" style="margin-left: 20px;"> <tr> <td>Bulk Zone 2 (GR4)</td> </tr> <tr> <td>9,0 m</td> </tr> <tr> <td>3 Storeys</td> </tr> </table>	Bulk Zone 2 (GR4)	9,0 m	3 Storeys	<p><u>Proposed</u></p> <p>Two Storey – 8,0m</p> <p>Three Storey – 9,0m</p> <p>As mentioned above the proposal is to minimize the effect of the 3 storeys on the neighbouring properties by placing them in the middle of the development.</p>	Comply
Bulk Zone 2 (GR4)						
9,0 m						
3 Storeys						
<b>Setback</b>	<p>i. The Municipality may require an 8,0 m setback from the centreline of the abutting street, provided that the Municipality may permit stoeps to be located within the setback line.</p> <p>ii. The general provisions of 16.2 apply.</p>	<p>i. No buildings (except for the guard house and refuse room) is being proposed within the setback being mentioned here.</p> <p>ii. Noted.</p>	Comply			
<b>Building lines</b>	<p>i. The street building line is 4,0 m.</p>	<p>i. Departure Required:</p>	Applied for and motivated			



**MOTIVATION**

	<p>ii. The side building line is 4,5 m, provided that where a fourth storey is provided, the Municipality may require the fourth storey to be set back 6,0 m from the property boundary.</p> <p>iii. The rear building line is 3,0 m, provided that where a fourth storey is provided, the Municipality may require the fourth storey to be set back 6,0 m from the property boundary.</p> <p>iv. The general building line exemptions of 16.1 apply.</p>	<ul style="list-style-type: none"> <li>• <b>Departure</b> from the Southern 4m Street Building Line to 0m to allow the proposed refuse room.</li> <li>ii. No fourth storey is being proposed.</li> <li>iii. Comply</li> <li>iv. No general encroachments are being applied for.</li> </ul>							
<p><b>Open space</b></p>	<p>i. Every block of flats, residential building or hotel in this zone must have access to an outdoor living area and will provide communal open space but excludes parking, service yards and roads.</p> <p>ii. Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.</p> <p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <table border="1" data-bbox="901 1131 1013 1803"> <thead> <tr> <th>Units</th> <th>Parking Bays Required</th> </tr> </thead> <tbody> <tr> <td>1-Bedroom Units</td> <td>1.5</td> </tr> <tr> <td>2 &amp; 3-Bedroom Units</td> <td>2</td> </tr> </tbody> </table>	Units	Parking Bays Required	1-Bedroom Units	1.5	2 & 3-Bedroom Units	2	<p>A total of 2069m<sup>2</sup> is being provided throughout the development.</p> <p>2069m<sup>2</sup> x 100 = 206 900          206 900/ 18000m<sup>2</sup> = 11,49% Open Space</p>	<p>Comply</p>
Units	Parking Bays Required								
1-Bedroom Units	1.5								
2 & 3-Bedroom Units	2								
<p><b>Parking</b></p>	<table border="1" data-bbox="805 459 941 996"> <thead> <tr> <th>Number of Units</th> <th>Parking Bays Required</th> </tr> </thead> <tbody> <tr> <td>61 x 1-Bedroom Units</td> <td>91,5</td> </tr> <tr> <td>73 x 2 &amp; 3 Bedroom Units</td> <td>146</td> </tr> </tbody> </table> <p>237,5 (238) Parking Bays required  <b>244 Parking Bays provided</b></p> <p>Blocks A and B will have parking on the ground floor below the first-floor flats.</p>	Number of Units	Parking Bays Required	61 x 1-Bedroom Units	91,5	73 x 2 & 3 Bedroom Units	146	<p>Comply</p>	<p>Comply</p>
Number of Units	Parking Bays Required								
61 x 1-Bedroom Units	91,5								
73 x 2 & 3 Bedroom Units	146								
<p><b>Screening</b></p>	<p>Screening must be provided in accordance with 16.7.</p>	<p>N/A</p>	<p>N/A</p>						
<p><b>Density</b></p>	<p><b>Development Parameters of 6.3.2</b></p> <p>i. The maximum gross density in this zone is 50 units a hectare.</p> <p>ii. A minimum erf size of 3000 m<sup>2</sup> is applicable for densification.</p>	<p>i. Proposed density of 74,44 du/ha</p> <p>ii. The property has an extent of 1,8ha.</p>	<p>i. Applied and motivated</p> <p>ii. Comply</p>						



## MOTIVATION

### 8. NOTIFICATION OF INTEND TO DEVELOP (NID)

Section 38 of the National Heritage Resources Act, contains the following provisions and the proposed development will necessitate that a Notice of Intent to Develop to Heritage Western Cape is submitted:

*“Heritage resources management  
38.*

- (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—*
- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
  - b) the construction of a bridge or similar structure exceeding 50 m in length;*
  - c) any development or other activity which will change the character of a site*
    - i. **exceeding 5 000 m<sup>2</sup> in extent**; or*
    - ii. involving three or more existing erven or subdivisions thereof; or*
    - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
    - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;*
  - d) **the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent**; or*
  - e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,*

An NID was submitted to Heritage Western Cape and if the Record of Decision confirmed no heritage impacts are present. Refer **Annexure E: Heritage – Record of Decision**

### 9. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

#### **Electricity and Water**

The proposed development of Erf 1735, Sandbaai will require the connection of essential municipal services, namely water, electricity, and sewerage, to the Overstrand Municipality's existing infrastructure networks. As part of the formal application process, all service connection requests will be subject to technical review by the relevant internal engineering departments. These departments will assess the proposed demands and provide input regarding the capacity and any upgrades or contributions required.

To support this process, a bulk water capacity analysis was undertaken by GLS Consulting (Pty) Ltd, confirming that sufficient capacity exists within the municipal water supply network to accommodate the proposed development. The findings indicate that the anticipated impact on the network is minimal and within acceptable limits. (Refer to **Annexure F**)

In addition to adhering to the engineering requirements, the property owners have committed to making financial contributions towards the upgrading of bulk infrastructure where necessary. This commitment ensures that the proposed development does not place



## MOTIVATION

undue pressure on municipal services and that sufficient infrastructure capacity is available to serve both the development and the surrounding community.

These proactive measures reflect a responsible and sustainable development approach, where the long-term serviceability of the area is considered alongside the proposed intensification. The proposed infrastructure contributions will not only enable the development but also benefit the broader Sandbaai community by improving service reliability and future-proofing the local infrastructure network.

This collaborative and forward-thinking infrastructure strategy underlines the development's commitment to sustainable urban growth and its integration into the existing urban fabric of Sandbaai.

### **Sewage**

The Sandbaai area currently lacks a formal full bore municipal sewage system and relies on conservancy tanks to manage wastewater. These tanks are connected to an existing municipal small bore wastewater network that only accommodates black water, while solids remain in the tanks and must be periodically removed through servicing.

To ensure that the proposed development complies with engineering requirements, it is proposed that a communal conservancy tank be installed to serve all units within the development. This proposal is subject to approval by the Overstrand Municipality and will be designed in accordance with applicable engineering standards to ensure long-term viability and operational efficiency.

The implementation of a communal system will bring several advantages. It will significantly reduce the maintenance burden and servicing costs associated with multiple individual tanks. Centralised management will also allow for better monitoring and scheduling of waste removal, ensuring consistent and reliable sanitation for all residents. Furthermore, a communal tank system promotes better hygiene and reduces the risk of individual tank failures or environmental contamination, thereby supporting improved health outcomes within the development.

Importantly, the communal system will be designed in line with municipal guidelines and best practices, ensuring that it is safe, effective, and sustainable. Should a formal sewage system be introduced to Sandbaai in the future, the development can be adapted accordingly. For now, the proposed solution provides a practical and responsible approach to wastewater management that meets the needs of both the development and the broader community.

### **Solid Waste**

The proposed development will include a refuse room of adequate size, ensuring that the waste generated from the land unit can be stored for a week. This will comply with the Overstrand Municipality's by-laws, which require a refuse storage facility to be of sufficient size (32m<sup>2</sup>) and designed in a manner that is architecturally compatible with the surrounding structures.

It should also be noted the refuse room will be connected to the water and sewer to ensure the area can be kept clean and always sanitised and to be compliant in terms of 17.4.1 of the OMLUS.



## MOTIVATION

The refuse room will also be located adjacent to a public street (End Street) or in a position that provides acceptable access to a refuse collection vehicle. These measures ensure that the proposed development is executed in a manner that is safe, aesthetically pleasing, and in compliance with the necessary regulations.

### Traffic, Access and Egress

#### Access and Egress

To ensure smooth traffic flow and to minimise congestion along surrounding streets, vehicular access and egress to the subject property will be split between End Street and Bergsig Street. The proposed access point on End Street will offer approximately 20m of stacking distance, exceeding the minimum requirement set out in the Traffic Impact Statement (TIS). The egress onto Bergsig Street will allow for 12m of stacking distance, providing ample space for vehicles to exit without causing backlogs onto the public roadway.

Both the access and egress points will be controlled by a security gate system, which will regulate vehicle flow and prevent congestion from spilling over into the surrounding streets. This design significantly improves traffic safety and efficiency, enhancing safety for both pedestrians and motorists by reducing the likelihood of queuing or bottlenecks near the entrances.

#### Traffic

To assess the potential impact of the proposed development on the surrounding road network, the property owners appointed a professional traffic engineer to compile a Traffic Impact Statement (TIS). The TIS, attached as **Annexure D**, provides a comprehensive evaluation of anticipated traffic volumes and patterns resulting from the proposed development.

The TIS confirms that no upgrades to the existing external road network are required to accommodate the development. However, it offers a series of engineering recommendations to ensure optimal functionality and traffic flow within the internal road network. These recommendations have been considered and incorporated into the revised site development layout, ensuring that the internal circulation system is both efficient and safe.

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## 10. ENVIRONMENTAL CONSIDERATIONS

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The proposed development has been designed with a clear commitment to environmental responsibility and sustainability, despite its location within a fully urbanised area. The property is situated within the existing urban edge and is not located within any environmentally sensitive area, such as a wetland, Critical Biodiversity Area, or the Environmental Protection Overlay Zone (EMOZ) as defined by the Overstrand Municipality's planning instruments. Consequently, the development does not trigger any listed activities under the National Environmental Management Act (NEMA), and no Environmental Impact Assessment (EIA) is required.

The proposal reaffirms a strong commitment to landscaping and green preservation throughout the site. Existing mature vegetation will be retained where possible, and additional planting will be incorporated into the final landscape design to enhance the visual



**MOTIVATION**

appeal and ecological quality of the development. This approach aligns with the broader community’s preference for maintaining greenery within the built environment.

Although the site has not been classified as a wetland, the water table and potential subterranean water movement is noted. The development will include the installation of an agri-drain (sub-soil drainage system) along the western boundary wall. This system is designed to intercept and redirect subsurface water away from neighbouring properties and will be fully integrated with the internal stormwater management network, which connects to a detention dam that will be designed and installed by civil engineers. This ensures that the development does not increase runoff or create any flooding risk for surrounding properties.

In addition, prior to the commencement of site clearing or construction, a manual sweep of the property will be undertaken to identify and safely relocate any wildlife. This precautionary measure reflects the property owner’s intention to undertake the development in a respectful and environmentally conscious manner, even though the property is not located within a designated conservation area.

In summary, while the subject property is located within an urbanised context and does not fall within an environmentally sensitive zone, appropriate environmental considerations have been incorporated into the development design. These measures demonstrate a responsible approach to stormwater, biodiversity, and landscape management, ensuring that the development contributes positively to the overall urban environment without compromising ecological integrity.

**11. NEED AND DESIRABILITY**

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law can be illustrated as follow:

**Need and desirability.**

The need for the land use application arises from the necessity to align the property with the proposed development objectives and to ensure full compliance with applicable land use and zoning requirements. To achieve this, the property owners are required to apply for the rezoning, enabling the development to proceed in accordance with the desired layout and use parameters.

<p>Socio-economic impact</p>	<p>The socio-economic impact of a residential development refers to the potential influence it may have on the social and economic dynamics of the surrounding area. This includes considerations such as population growth, employment opportunities, household income levels, housing affordability, property values, and the increased demand for local services and amenities including schools, shops, and healthcare facilities.</p> <p>The proposed development is expected to contribute positively to the local socio-economic context. During the construction phase, it will create short-term employment opportunities, benefiting local contractors, labourers, and service providers. Once completed, the addition of 134</p>
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## MOTIVATION

	<p>residential units will attract new households to the area, which will in turn stimulate local spending and support the growth of surrounding commercial nodes, including the nearby Whale Coast Mall and smaller retail centres.</p> <p>Furthermore, the development will broaden the range of housing options available, aimed at middle-income households. This will contribute to improved housing affordability and accessibility, helping to address the significant demand for well-located, secure residential opportunities in the Greater Hermanus area.</p> <p>The increased number of rate-paying households will also contribute to the municipal rates base, enabling the municipality to invest further in infrastructure and service delivery. In this way, the proposed development supports both economic development and the social integration of new residents into the broader Sandbaai community.</p>
<p>Compatibility with surrounding uses</p>	<p>The proposal to establish a residential development on the subject property is highly compatible with the surrounding land uses. The area is predominantly residential in character, and the proposed development will represent a logical and seamless extension of the existing residential fabric.</p> <p>The layout and scale of the proposed development have been carefully designed to respect the character of the surrounding neighbourhood. Building form, density, and placement have been considered to ensure minimal visual intrusion and to maintain the residential nature of the area.</p> <p>Moreover, the development aligns with the municipality's spatial development policies, which encourage the consolidation of urban areas and the efficient use of land within existing urban footprints. The proposal supports this objective by introducing a land use that is consistent with its surroundings and compatible with existing infrastructure and services.</p> <p>By reinforcing the existing residential context and integrating with the surrounding neighbourhood, the development will contribute positively to the built environment, without introducing any conflicting land uses.</p>
<p>Impact on the external engineering services</p>	<p>Refer Section 9.</p>
<p>Impact on safety, health and wellbeing of the surrounding community</p>	<p>The proposed development is not anticipated to negatively impact on the safety, health, or general wellbeing of the surrounding community. On the contrary, it is expected to contribute positively by introducing new residents to the area, potentially stimulating local investment and supporting the long-term vitality of the neighbourhood.</p>



## MOTIVATION

	<p>To promote a safe and secure environment, a professional security firm will be appointed to safeguard the property during the construction phase. Measures will be taken to ensure that contract workers remain within the designated construction area during working hours. This proactive approach reduces the likelihood of unauthorised movement in the surrounding neighbourhood and promotes general peace of mind for nearby residents.</p> <p>Following the completion of construction, the development will feature several permanent security features. These include access control through a gated entrance, ensuring that only residents and authorised visitors can enter the premises. Optical surveillance cameras will be installed to provide 24-hour monitoring of key areas, further enhancing safety within the development.</p> <p>In addition, perimeter security will be managed through appropriate fencing and, where necessary, electric fencing will be installed in accordance with municipal by-laws and safety standards. Responsibility for ongoing security management will transition to the homeowners' association upon the completion and occupation of the development.</p> <p>These initiatives demonstrate a clear commitment to establishing a secure, well-managed residential environment that contributes positively to the health and wellbeing of both future residents and the broader Sandbaai community.</p>
Impact on heritage	The subject property is not listed in the OM Heritage Register. A NID was submitted, and the Record of Decision indicated there is no impact on heritage.
Impact on the biophysical environment	Refer to Section 10.
Traffic impacts, parking, access and other transport related considerations	Refer to Section 9.

### **Impact on views, sunlight and character of the area**

The surrounding area is primarily residential in nature, comprising a mix of single residential and group housing developments. While the proposed development will introduce a higher residential density, this outcome aligns with the spatial vision and planning principles set out in the municipal spatial development frameworks, which promote infill and densification in strategically located urban areas.

The proposed increase in density through the development of an additional 134 dwelling units may result in a change to the visual character of the immediate vicinity. This impact is however not considered inappropriate, as the subject property is located within a built-up environment that already includes comparable forms of medium- to high-density



**MOTIVATION**

development. The development will thus represent a natural extension of the existing built fabric, consistent with the intended urban character of the precinct.

Views

While the protection of scenic views is often a concern in residential settings, South African case law has consistently confirmed that there is no legal entitlement to a view. Views are regarded as a personal amenity or “source of delight,” but not a protected right inherent in land ownership. Accordingly, aesthetic considerations such as views are not determinative in land use decision-making.

Notwithstanding the above, the proposed development has been sensitively designed to minimise any adverse visual impacts. The buildings along the property boundaries will be limited to two storeys in height, with any three-storey components restricted to the centre of the site. This approach creates a stepped built form that respects the scale of adjacent properties and reduces the visual prominence of the development.

In addition, the layout has been amended to comply with applicable side and rear building lines under the OMLUS, further contributing to visual integration with the surrounding built environment.

<p>Privacy</p>	<p>The property owners have taken specific steps to minimise any potential impact on neighbouring properties, and the amended development reflects a considered response to these concerns.</p> <p><u>Proposed Mitigation and Amended Design</u></p> <p>The revised layout includes the introduction of lower-density townhouses along the common boundaries with the adjacent Monte Mare and Ocean Breeze developments. These units have been deliberately positioned and scaled to reduce overlooking and to create a more sensitive interface with neighbouring properties.</p> <p>In addition to the revised building layout, further mitigation will be achieved through landscaping measures. The existing mature trees along the boundary with Monte Mare and Ocean Breeze will be retained as far as possible to serve as a natural screen. Supplementary planting will also be undertaken, including the addition of new trees and vegetation, to enhance privacy and provide effective visual buffering between the developments.</p> <p>These measures reflect the property owners' commitment to responding to community input and ensuring that the proposed development integrates respectfully with its surroundings.</p>
<p>Light Pollution</p>	<p>The proposed development will incorporate several design and management measures to minimise its impact on the surrounding environment. The intention is to preserve the character of the night-time landscape and avoid unnecessary disturbance to neighbouring properties and local wildlife.</p> <p>Firstly, shielded outdoor lighting fixtures will be used throughout the development. These fixtures are specifically designed to direct light</p>



## MOTIVATION

	<p>downwards and limit the amount of light emitted into the sky or adjacent areas. This approach significantly reduces glare and light spillage, ensuring that lighting is focused only where it is needed.</p> <p>In addition, all outdoor lighting will make use of low-intensity, energy-efficient light bulbs with warm colour temperatures. These bulbs are preferred over high-intensity, blue-rich white lights, which are known to contribute more significantly to light pollution. The use of warmer lighting not only reduces visual impact but also enhances the aesthetic appeal of the development at night.</p> <p>To further mitigate unnecessary light emissions, lighting fixtures will be fitted with timers or motion sensors. This will ensure that lights are only activated, when necessary, such as during periods of movement or after dark, and will automatically switch off during periods of inactivity or low usage. This measure contributes both to energy efficiency and to the reduction of light trespass.</p> <p>Lastly, the landscaping design will include tree and vegetation buffering, which will serve as a natural barrier around the site. Strategic planting of trees, shrubs, and other greenery will help to shield lighting from view and reduce the overall dispersion of light beyond the development boundaries.</p> <p>Through the implementation of these practical measures, the proposed development will maintain a sensitive approach to night-time lighting and will not contribute significantly to light pollution in the area.</p>
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### Sunlight

The development has been carefully designed to avoid overshadowing of neighbouring properties. All buildings adjacent to external boundaries will be set back at least 4.5m, providing adequate separation to preserve access to direct sunlight. Furthermore, the restriction of three-storey structures to the interior portion of the site ensures that the height of buildings near adjoining properties remains modest.

The amended site layout includes a reduction in the height and density of buildings along the perimeter, which serves to mitigate any potential loss of daylight or overbearing impacts on adjacent dwellings. As such, the development remains compliant with OMLUS parameters and will not result in a loss of sunlight or undue shadowing.

### Character

The proposal is consistent with the strategic objectives of the municipality to promote compact urban form and encourage the optimal use of serviced land within the urban edge. The area is identified as appropriate for densification, and the development responds directly to this policy intent by contributing to the delivery of additional housing opportunities in a sustainable location.

The proposed design will support a balanced neighbourhood character by incorporating a variety of unit types, internal landscaping, pedestrian pathways, and adequate internal



## MOTIVATION

open spaces. This creates a high-quality living environment that complements the existing urban grain while addressing contemporary housing needs.

Moreover, the proposal includes extensive security measures, such as a gated entrance, optical surveillance, and controlled access, which will foster a sense of safety and order within the estate, benefitting not only future residents but also enhancing the broader area's overall sense of wellbeing.

Densification of this nature can also result in broader community benefits, such as reduced pressure for outward urban expansion, more efficient use of infrastructure, and potential improvements to housing affordability. By integrating well with existing residential developments and enhancing the functionality of the site, the proposed development will contribute positively to the long-term evolution of the neighbourhood.

**Surrounding Property Values:** The primary objective of the proposed development is to provide additional housing opportunities and to attract new residents to one of Hermanus' most desirable and accessible residential areas. The site is located within a designated densification zone and the proposal is fully aligned with the applicable municipal policies and spatial development frameworks.

Property values are influenced by a wide range of factors, including location, accessibility, noise levels, proximity to amenities, and overall neighbourhood character. Given that these aspects will be maintained, or in some cases enhanced, by the proposed development, there is no credible basis to suggest that property values will decline as a result.

On the contrary, it is expected that a well-designed and well-managed development often contribute positively to the desirability of an area. By introducing a range of housing options, improving the streetscape, and optimising the use of existing infrastructure, the proposed development has the potential to enhance the long-term appeal and investment value of the surrounding area.

### **Target Market**

As previously indicated, there is a significant demand for housing in the Hermanus area, particularly within the entry-level and first-time buyer segments. This demand has been exacerbated by the limited availability of affordable housing opportunities. Many recent residential developments in the Sandbaai area have focused predominantly on the higher-end market, making it increasingly difficult for individuals and families with modest incomes to secure suitable housing within their budget.

In response to this identified need, the development proposal seeks to directly address the demand in the entry-level market segment. The plan includes the construction of 37 one-bedroom flats priced at approximately R1.4 million. To add an additional product on the market 24 one-bedroom flats (Simplex) will be available with exceptional mountain views along the northern street building line. In addition, 46 two-bedroom flats are proposed, with pricing from R1.6 million. These units offer increased space and functionality, making them ideal for individuals or small families seeking practical and affordable living options.

To further broaden market appeal, the proposal includes 27 townhouses positioned along the outer boundaries of the site. These townhouses, priced from R2.4 million, are intended for



## MOTIVATION

buyers seeking a more premium living experience. Each unit will include access to a private garden, providing a lifestyle offering that aligns with neighbouring single-family residences.

By offering a mix of unit types and a diverse pricing range, the proposed development is designed to accommodate a wide spectrum of potential homeowners. This approach not only responds to current housing market dynamics but also promotes socio-economic diversity and inclusivity within the Sandbaai community.

### **Economic impact**

The proposed development will generate both short- and long-term economic benefits for the surrounding area and the Overstrand Municipality.

#### **Short-Term Impact:**

Following approval, the construction phase of the project will commence, creating employment opportunities for local contractors, artisans, and labourers. This will provide a direct income stream to residents of Hermanus and the broader municipal area, thereby stimulating the local economy during the development phase.

#### **Long-Term Impact:**

Once completed and occupied, the development will increase the municipal tax base. Based on a conservative estimate of two persons per dwelling unit, the development is expected to accommodate approximately 268 new residents. This influx of people will bring increased consumer spending to the area, including expenditure on food, fuel, personal services, and other local goods and services, thereby supporting existing businesses and encouraging further economic activity.

In addition to the broader economic benefits, the development will generate significant municipal revenue:

- Estimated annual basic service charges: ±R1 950 000.00
- Estimated annual property rates (based on entry-level values): ±R1 160 000
- Bulk services contribution payable by the developer: ±R9.9 million

These financial contributions will assist the Municipality in maintaining and upgrading infrastructure, and in supporting service delivery for the broader community.

### **Opportunity cost**

In the context of land use planning, opportunity cost refers to a situation where a development proposal may result in the devaluation of neighbouring properties or the loss of existing land use rights for interested and affected parties following approval. In this instance, however, the proposed development in Sandbaai is not expected to negatively impact any adjacent landowners or their rights.

On the contrary, the proposal aligns with the spatial planning policies and frameworks applicable to the area, as detailed in Section 13 below. By responding directly to the documented housing demand, the development supports the Municipality in fulfilling its planning obligations and contributes towards meeting the broader needs of the community in a responsible and sustainable manner.



## MOTIVATION

### 12. COMPLIANCE WITH POLICIES AND REGULATIONS

#### 12.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the EMOZ.

#### 12.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within the HPOZ.

#### 12.3 Spatial Planning Policies

The consistency of this proposed development with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

<b>Provincial Spatial Development Framework - PSDF</b>
<p>The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.</p> <p>Throughout the PSDF the importance of developing integrated and sustainable settlements as an objective of the framework is highlighted. The PSDF also provides a settlement agenda which addresses the full spectrum of Western Cape settlements irrespective of their size from metropolitan Cape Town to the smallest hamlets.</p>
<b>Overstrand Municipal Spatial Development Framework - OMSDF</b>
<p>The Municipal Spatial Development Framework is a sectoral component of the IDP (Integrated Development Plan) that, in terms of the MSA (Municipal Systems Act), 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.</p>

The PSDF and OMSDF are frameworks to be interpreted on a local level. National policies, such as the National Development Plan, National Spatial Development Frameworks etc. provide guidelines on several important aspects which includes human settlements. To focus on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.

##### 12.3.1 Provincial Spatial Development Framework - PSDF

To ensure that the proposed residential development aligns with the PSDF and the broader objectives of the provincial human settlement policies, the proposal has been evaluated against the relevant policy objectives.



## MOTIVATION

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns	<p>The proposed development is located on the southern side of Bergsig Street, consistent with the area's designated densification strategy. The site has been carefully selected to integrate seamlessly into the existing urban fabric of Sandbaai, allowing future residents convenient access to a range of established amenities. Notably, a dedicated pedestrian access is proposed to connect the development directly to the nearby Whale Coast Mall, further promoting walkability and connectivity.</p> <p>This objective is met through the thoughtful siting of the development and the emphasis on accessibility and integration with the surrounding neighbourhood. The proposal also supports a strong sense of place by prioritising quality of life, enhancing the character of the area, and introducing a new node of activity that contributes positively to the broader Sandbaai settlement pattern.</p>
Improve accessibility at all scales	<p>The subject property enjoys strategic accessibility to both Hermanus and the broader Cape Town metropolitan area via the main distributor routes serving the region. This locational advantage supports the efficient movement of people and goods at both local and regional scales.</p> <p>The proposed development has been carefully designed to integrate with the existing road network of Sandbaai, contributing to the expansion of the urban area in a manner that promotes connectivity. Its location ensures convenient access to key urban centres, services, and economic opportunities, thereby supporting the principle of improved accessibility across all scales of settlement planning.</p>
Promote an appropriate land use mix and density in settlements	<p>The primary land use of the proposed development is residential, thoughtfully designed to respond to the needs of the growing population in Sandbaai. In addition to providing a variety of housing typologies, the development incorporates strategically placed open spaces that promote residents' access to nature and recreational amenities.</p> <p>This balanced approach supports a healthy urban environment by combining appropriate residential densities with green communal areas, contributing to both social wellbeing and environmental sustainability. The proposal aligns with municipal objectives to achieve sustainable densification while maintaining a high quality of life through integrated land use planning.</p>
Ensure effective and equitable social services and facilities	<p>As Hermanus serves as a regional service centre, as identified by the PSDF, it is crucial to ensure that the proposed development has efficient access to the range of social services and facilities available in the area.</p>



## MOTIVATION

	<p>The subject property benefits from well-established and recently upgraded road networks that provide seamless connectivity to Hermanus and its surrounding facilities. This ensures that future residents will have equitable access to essential services such as healthcare, education, retail, and community amenities, supporting their social wellbeing and integration within the broader region.</p>
--	--

### 12.3.2 Overstrand Municipal Spatial Development Framework - OMSDF

The OMSDF is a pivotal guiding document for spatial planning within the municipality. It is developed in accordance with national, provincial, and municipal legislation, policies, and plans, including SPLUMA, LUPA, municipal by-laws, the PSDF, and the IDP. The primary purpose of the OMSDF is to provide clear direction for sustainable and appropriate land use within the urban edge, ensuring that new developments align with the municipality's shared spatial vision.

The OMSDF was formulated with extensive input from state departments, stakeholders, and the public to address the pressing need for adequate housing options in response to a growing population. The proposed residential development is consistent with the OMSDF's objectives, particularly its focus on accommodating housing demand in the Sandbaai area, which forms part of the Greater Hermanus region. As reflected in Tables 3 and 4 of the OMSDF, population growth throughout Overstrand continues to rise, with Sandbaai experiencing similar demographic trends.

To respond effectively to this growth, the proposed development will introduce 134 additional dwelling units within the Sandbaai (Hermanus) area. This aligns with the projected population increases identified in Table 2.7 on page 25 of the OMSDF. The proposal addresses a specific, highly sought-after segment of housing demand, contributing meaningfully to the availability of much-needed residential options in both Hermanus and Sandbaai.

By aligning with the OMSDF, this application supports the Overstrand Municipality's mandate to provide sufficient and diverse housing opportunities. The development adheres to the principles and objectives outlined in the framework, facilitating sustainable growth and ensuring that residential expansion within Sandbaai and the greater Hermanus area is well-planned and in harmony with the municipality's broader spatial vision.

### 12.3.3 OVERSTRAND MUNICIPAL SPATIAL GROWTH MANAGEMENT STRATEGY, 2010 (OMGMS)

On 27 May 2020, the Overstrand Municipal Council formally adopted the OMSDF, 2020. Concurrently, the Council rescinded the previous Overstrand Municipal Spatial Growth Management Strategy (OMGMS) of 2010.

Although the OMGMS was officially rescinded in 2020, the Overstrand Municipality's Town Planning Department continues to reference the document as a valuable guideline in their planning processes.

The subject property is situated within Planning Unit 6, which extends between the R43 and End Street, as illustrated in the figure 4:



## MOTIVATION

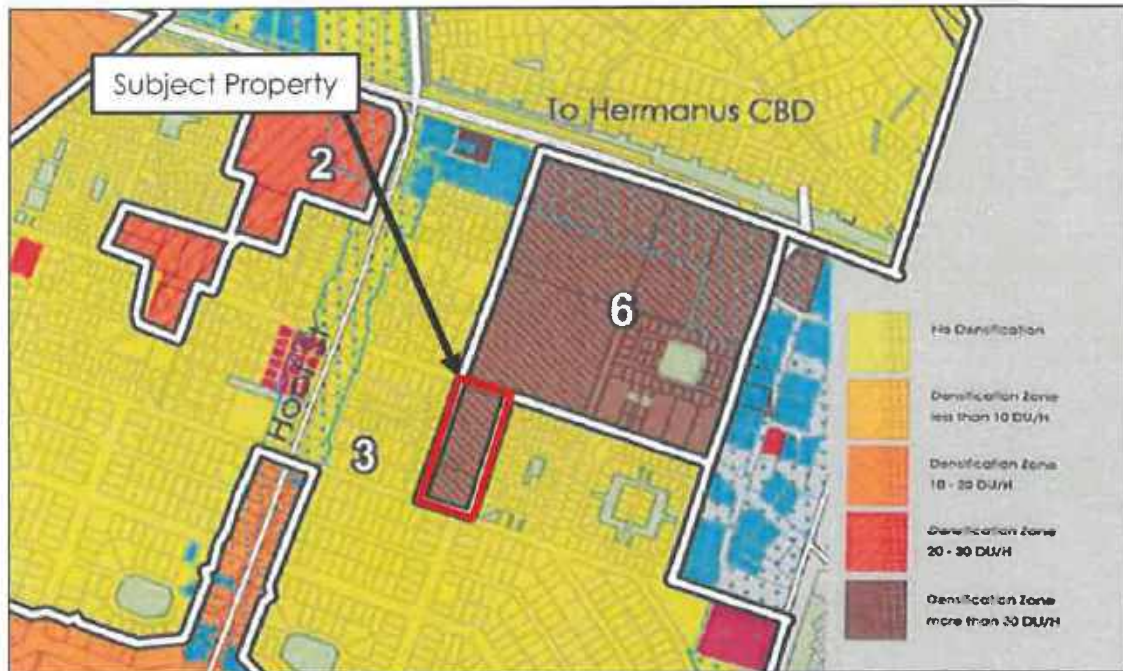


Figure 4: Extract OMGMS – Hermanus West

The proposed development aligns with the densification zone designation for the subject property, which supports densities more than 30 dwelling units per hectare. The OMSDF advises that the former Overstrand Municipal Growth Management Strategy (OMGMS) continue to be used as a guideline for development decisions.

Originally, Planning Unit 6 was planned to accommodate approximately 690 dwelling units. This target is however no longer achievable as a significant portion of the area has since been converted to commercial and industrial uses, thereby reducing the land available for residential development. Refer to figure 5:



## MOTIVATION



Figure 5: Planning Unit 6

The diagram depicted in Figure 5 illustrates that the proposed development on the Remainder of Erf 1735, Sandbaai, represents the final residential development opportunity within Planning Unit 6. While the original vision for Planning Unit 6 was to accommodate 690 dwelling units, this is no longer achievable, as a significant portion of the area has since been converted to commercial and industrial uses.

Nevertheless, the proposed higher-density residential development on Erf 1735 Sandbaai will help to alleviate some of the housing demand in the area. Currently, Planning Unit 6 falls short of the targeted density of 35.2 Du/Ha as outlined in the OMGMS. The development proposal aims to increase the residential density in this unit, moving it closer to the prescribed density target and thereby contributing to more efficient land use and sustainable urban growth.



## MOTIVATION

OMGMS Proposal – Planning Unit 6	
Extent	19,6 Ha
Proposed Dwelling Units	690 Du
Proposed Density	35,2 Du/Ha

Planning Unit 6 spans an extent of 19.6 hectares, and the proposed development of 134 additional dwelling units would only bring the density up to 9.03 Du/Ha, far below the targeted density.

Current Situation - Planning Unit 6	
Extent	19,6 Ha
Existing Dwelling Units:	45 Du (Sandy Cove)
Proposed Development Dwelling Units:	134 Du
Total Proposed Dwelling Units:	177 Du
<b>Proposed Density</b>	<b>9,03 Du/Ha</b>

In addition to density, the proposed development's height, planned to be up to 9.0m and three storeys high in the central portion of the site, also aligns with the guidelines set out in the OMGMS. The OMGMS further specifies that the preferred housing typology for Planning Unit 6 is two- to three-storey walk-up buildings (classified as D6), which corresponds directly with the development proposal. The property owners have deliberately identified this site to accommodate such two- and three-storey structures.

The table below provides a clear comparison of densities from other notable developments in Hermanus located outside the CBD, illustrating that the proposed density for this project is within the established range of recent developments in the area.

Development Name	Total Units	Erf Extent (m <sup>2</sup> )	Du / ha
Belle on Main	42	3103	135
Silver Oaks	50	4461	112
Oak Terrace	50	3286	152
2-on-Main	20	2456	81

These developments were identified because they are located within the same or lower densification zones as the proposed development and involve similar residential typologies, making them relevant points of comparison. It is also acknowledged that many of these developments are situated close to Hermanus's central business district (CBD), the primary commercial and economic hub of the town. Similarly, the proposed development benefits from its strategic location near key commercial and business areas, including the Whale Coast Mall and an adjacent industrial zone, which is designated as a "Business/Industrial Node" within the OMSDF.

This proximity to well-established commercial and employment nodes provides a strong justification for allowing a higher residential density. Higher densities near such hubs promote sustainable urban growth by supporting public transport viability, encouraging walkability, and reducing reliance on private vehicles. This in turn helps to reduce traffic congestion and carbon emissions, aligning with broader municipal and provincial sustainability goals.



## MOTIVATION

Moreover, higher-density developments in locations close to commercial centres optimise the efficient use of existing infrastructure and services such as roads, water, electricity, and social amenities. This reduces the need for costly expansion of infrastructure networks and helps the municipality to manage growth in a fiscally responsible manner.

Allowing increased density also supports economic vibrancy by increasing the local population base that patronises nearby shops, businesses, and community facilities. This creates a positive feedback loop where residential growth sustains commercial investment, which in turn enhances amenities and services for residents.

Furthermore, the proposed development's density falls within the ranges of comparable, already approved developments, demonstrating that it is neither unprecedented nor out of scale for the area. Given that the subject property is one of the few remaining parcels suitable for higher density within this zone, permitting the proposed density will assist in addressing the housing demand efficiently without contributing to urban sprawl.

The combination of the site's strategic location adjacent to key commercial and industrial nodes, the efficient utilisation of infrastructure, and the alignment with sustainability and economic objectives provides a sound basis for permitting the proposed higher density. This approach supports the municipality's spatial development goals while responding to critical housing needs in the Hermanus area.

### 13. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided by. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

#### **Spatial Justice**

Spatial justice in land use planning refers to creating a fair and equitable distribution of resources and amenities to all members of society, regardless of their social and economic status. In South Africa, historical spatial planning practices have created significant imbalances, with certain areas designated for specific communities and deprived of necessary resources and infrastructure.

This proposed residential development aims to address this imbalance by providing housing options for all members of the community, irrespective of their socioeconomic status. The development has been strategically located with good access to both Hermanus and Cape Town, ensuring residents have access to employment, education, and other essential services.

By providing access to nature through specifically placed open spaces, the development also prioritises the well-being and quality of life of its residents. It is hoped that this development will contribute towards a more just and equitable society by addressing historical spatial imbalances and ensuring all community members have access to essential resources and amenities.

#### **Spatial Sustainability and Efficiency**

Spatial sustainability pertains to planning proposals that aim to establish communities that are both environmentally and economically sustainable. The proposed residential



## MOTIVATION

development intends to contribute to the economic development of the Sandbaai area by increasing tax revenue collectible by the Overstrand Municipality, as highlighted in Section 12. The development seeks to establish residential units in an area that is strategically located, with convenient access to the Whale Coast Mall and major distributor routes leading to Hermanus and other towns within the Overberg and Western Cape regions.

The proposed development is expected to have a positive impact on the local economy by providing new job opportunities during construction and beyond. The increased housing density will also create greater demand for local goods and services, potentially benefiting local businesses. Additionally, the development's proximity to key commercial and transportation hubs can improve access to services and amenities, enhancing residents' quality of life and promoting economic growth.

Overall, this proposed development aligns with the principles of spatial sustainability by contributing to the social, economic, and environmental well-being of the Sandbaai area and the wider Overstrand Municipality.

### **Spatial Resilience**

This proposal is not in conflict with any spatial planning policies or other Overstrand Municipality regulations, which is a hallmark of resilience. The policies identified earlier in Section 12 are guided by a higher hierarchy of several policies and legislation with which the proposal is aligned.

### **Good Administration**

The Overstrand Municipality has a credible track record of good administration, particularly regarding the method of public participation. Public participation forms an integral part of the land use planning process. It provides people who may be affected by the proposal an opportunity to comment, raise concerns, or make suggestions that may lead to an improved outcome benefiting all parties. Comments received will be reviewed and considered, after which they will be addressed accordingly.



## RECOMMENDATION

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### 14. CONCLUSION

The proposed development is fully aligned with the spatial frameworks, legislation, and policies of the OM, particularly the OMSDF. This framework acknowledges the growing demand for residential development across the region, driven by the projected population increase in the coming years. By responding proactively to this demand, the development supports the municipality's broader vision for sustainable growth and housing provision.

This development aims to accommodate approximately 134 new families, thereby bringing fresh vitality and socio-economic benefits to the Overstrand area. It is designed in accordance with the principles of spatial sustainability, which emphasise creating resilient, viable communities capable of thriving in the long term. Far from being an intrusive or incompatible addition, the proposal has been carefully designed to minimise any adverse impact on the surrounding environment, including views, sunlight access, and the existing character of the neighbourhood. In this regard, the development is not only compatible with but also complementary to the Sandbaai area, enhancing its role within the broader urban fabric and contributing meaningfully to the revitalisation and growth of the town.

The location of the development significantly reinforces its suitability. Situated in close proximity to the Whale Coast Mall and key distributor routes that connect to Hermanus and other major centres within the Overberg and Western Cape regions, it offers convenient and accessible residential opportunities. This strategic positioning makes the development particularly attractive to families and individuals seeking quality living spaces with easy access to essential amenities, employment hubs, and transportation networks.

In addition to social and spatial benefits, the proposed development promises a positive economic impact for the OM. The increase in residential units will translate into higher property rates and service charges, thus generating additional municipal revenue. This revenue can be reinvested into the local infrastructure and services, further supporting the municipality's objective of fostering sustainable economic growth and improving quality of life for all residents.

In summary, the proposed development is a thoughtfully planned, well-located project that successfully balances growth with environmental and social considerations. It aligns seamlessly with the OM's spatial vision and policy framework, and will contribute substantially to meeting the housing demand, enhancing community vitality, and supporting sustainable development within Sandbaai and the wider Overberg region.

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### 15. RECOMMENDATION

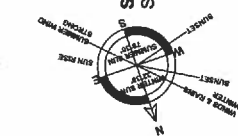
Based on the abovementioned motivation, it is recommended that the following be approved:

**15.1 Rezoning** of Erf 1735, Sandbaai from Residential Zone 1: Single Residential to General Residential Zone 3: Flats (GR4) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



## RECOMMENDATION

- 15.2 Permanent Departure** from the Southern 4m Street Building Line to 0m to allow the proposed refuse room in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 15.3 Permanent Departure from the provisions of the zoning scheme** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



**SITE DEVELOPMENT PLAN**  
Scale 1:600

Description	Square Meters	Amount
Gate House	20m <sup>2</sup>	
Refuse Area	32m <sup>2</sup>	
Community Building	35m <sup>2</sup>	
Store Room	9m <sup>2</sup>	
Garages	17m <sup>2</sup>	32
<b>Total Units</b>		
		27

Description	Square Meters	Amount
Flats (Simplex)		
1 Bedroom Unit	44m <sup>2</sup>	12
1 Bedroom Unit	40m <sup>2</sup>	24
<b>Total Units</b>		
		33

Description	Square Meters	Amount
<b>Block A</b>		
2 Bedroom Unit A	90m <sup>2</sup>	12
2 Bedroom Unit B	87m <sup>2</sup>	6
1 Bedroom Unit A	58m <sup>2</sup>	12
1 Bedroom Unit B	57m <sup>2</sup>	3
<b>Total</b>		
		33

Description	Square Meters	Amount
<b>Block B</b>		
2 Bedroom Unit A	90m <sup>2</sup>	10
2 Bedroom Unit B	87m <sup>2</sup>	4
1 Bedroom Unit A	58m <sup>2</sup>	8
1 Bedroom Unit B	57m <sup>2</sup>	3
<b>Total</b>		
		25

Description	Square Meters	Amount
<b>Block C</b>		
2 Bedroom Unit A	90m <sup>2</sup>	10
2 Bedroom Unit B	87m <sup>2</sup>	4
1 Bedroom Unit A	58m <sup>2</sup>	8
1 Bedroom Unit B	57m <sup>2</sup>	3
<b>Total</b>		
		25

**GENERAL NOTES:**  
ALL RELEVANT DETAIL, LEVELS DIMENSIONS SETTING OUT POSITIONS ARE TO BE CHECKED BY THE CLIENT. DISCREPANCIES ARE TO BE BROUGHT TO THE ARCHITECT'S ATTENTION IMMEDIATELY. READ IN CONJUNCTION WITH ENGINEER'S DRAWINGS. CONTRACTOR TO KEEP FULL SET OF DRAWINGS ON SITE TO VERIFY ALL LEVELS AND DIMENSIONS ON SITE. ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ERRORS RESULTING FROM MISINTERPRETATION OF THE DRAWINGS.

Christian Davel - Professional Architect  
SACAP Registration - PrArch 38855809

**SKAAL** As Indicated  
**GETEKEN** Christian Davel  
**INGESIEEN** Daleen Holloway  
**DATUM** 09/07/2025

Unit 4, Myrtle House  
2 Church Street, Hermanus 7200  
Daleen Holloway - PrArch T  
SACAP Registration - PrArch 38855809  
daleen@hollowayndavel.com  
0718 502 6645

**SCALE** THIS DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS STAMPED ACCORDINGLY  
**DATE** FOR COUNCIL

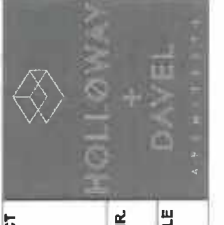
www.hollowayndavel.com  
Christian Davel - PrArch  
SACAP Registration - PrArch 38855809  
christiaan@hollowayndavel.com  
082 923 3515

**PROJECT STATUS:** PROJECT PROPOSED NEW MULTY STOREY RESIDENTIAL DEVELOPMENT on ERF 1735, 71 END STREET, SANDBAAB for Nautilus Development

**TEK. NO.** SDP\_2022\_30\_100\_REV 1  
**TITEL** SITE PLAN

**DRWG. NR.** PROJECT 18000m<sup>2</sup> required (10% of 18000m<sup>2</sup>)

**IF IN DOUBT ASK DONT ASSUME**



**4. ITEMS FOR CONSIDERATION****4.1****ERF 1735, 71 BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR REZONING, SUBDIVISION, AND DEPARTURE: MESSRS  
WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC****1735 HSB 4409/2023****(H Boshoff)****H van der Stoep****(028) 313 8900****Hermanus Administration****07 August 2024****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 3 November 2023 (final amended application) from Messrs WRAP Project Office on behalf of Terra Nuova Development CC, the owner of Erf 1735, Sandbaai, 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 Subdivisional Area Zone (SA) to accommodate a Residential Zone 1: Single Residential (SR1) erf and a General Residential Zone 3: Flats (GR4) erf;
- ❖ **subdivision** in terms of Section 16(2)(d) of the By-Law to subdivide the property in two portions to create one (1) Residential Zone 1: Single Residential erf, namely Portion A ±1600m<sup>2</sup> in extent, and one (1) General Residential Zone 3: Flats (GR4) erf, namely the Remainder ±1.64ha in extent, to accommodate the following on the said Remainder:
  - seven (7) blocks of flats consisting of a total of one hundred and forty eight (148) sectional title apartment units with associated amenities;
  - communal open spaces;
  - communal road and parking;
  - a communal clubhouse;
  - a covered gate and guardhouse; and
  - a refuse room;
- ❖ **departure** in terms of Section 16(2)(b) of the By-Law to:
  - relax the northern street building line of the abovementioned Remainder portion from 4m to 0m to accommodate thirty-four (34) carports for the apartment units;
  - relax the western lateral building line of the abovementioned Remainder portion from 4.5m to 1m to accommodate four (4) carports for the apartment units;

3

**MINUTES : MUNICIPAL PLANNING TRIBUNAL****4 OCTOBER 2024**

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- relax the southern street building line of the abovementioned Remainder portion from 4m to 3.25m to accommodate a covered gate and guardhouse;
- relax the western lateral building line of the abovementioned Remainder portion from 4.5m to 0m to accommodate a covered gate and guardhouse; and to
- relax the southern street building line of the abovementioned Remainder portion from 4m to 0m to accommodate a refuse room

**RESOLVED:**

that the item be referred back.

**RESPONSIBLE OFFICIAL :****H VAN DER STOEP**

Erf Number	First Name	IN TIME / LATE	SUPPORT / OBJECTION	EMAIL	Address Line 1	Address Line 2	City	ZIP Code
1	1690 R Coquillon Mooizicht Garden Home Owners Association	In time	<b>OBJ</b>	<a href="mailto:richardcoquillon@gmail.com">richardcoquillon@gmail.com</a>	14 Bergzicht, Bergsig Street		SANDBAAI	7200
2	2374 Johan Burger	In time	<b>OBJ</b>	<a href="mailto:mercers@forbes.com">mercers@forbes.com</a>				
3	1900 Francois du Plooy	In time	<b>OBJ</b>	<a href="mailto:burger01@gmail.com">burger01@gmail.com</a>	1876 Monte Mare, Bergsig Street		SANDBAAI	7200
4	1876 J.L Celliers & BG Bisset	In time	<b>OBJ</b>	<a href="mailto:francois@fdpass.co.za">francois@fdpass.co.za</a>	1867 Monte Mare		SANDBAAI	7200
5	1867 R Pitchers	In time	<b>OBJ</b>	<a href="mailto:bev.bisset58@gmail.com">bev.bisset58@gmail.com</a>	26 Ocean Breeze	79 End Street	SANDBAAI	7200
6	2340 Dr Etienne Human	In time	<b>OBJ</b>	<a href="mailto:roslyn@ascca.co.za">roslyn@ascca.co.za</a>	62 Mooizicht Gardens		SANDBAAI	7200
7	2681 Margarete Reifarh	In time	<b>OBJ</b>	<a href="mailto:ehuman@mweb.co.za">ehuman@mweb.co.za</a>	PO Box 2076		HERMANUS	7200
8	2330 Deborah Roberts	In time	<b>OBJ</b>	<a href="mailto:preifarh@mweb.co.za">preifarh@mweb.co.za</a>	19 Mooizicht Gardens	Bergsig Street	HERMANUS	7200
9	1873 Willie Auret	In time	<b>OBJ</b>	<a href="mailto:ianroes@gmail.com">ianroes@gmail.com</a>	1873 Monte Mare		SANDBAAI	7200
10	1869 Neil Robert Marinus	In time	<b>OBJ</b>	<a href="mailto:deb.roberts@mweb.co.za">deb.roberts@mweb.co.za</a>	1869 Monte Mare	Bergsig Street	SANDBAAI	7200
11	1875 C Keevy	In time	<b>OBJ</b>	<a href="mailto:wpauret@gmail.com">wpauret@gmail.com</a>	19 Drommedaris Road		SOMERSET WEST	
12	1310 Kate Niemantinga (2nd obj)	In time	<b>OBJ</b>	<a href="mailto:robmar@telkomsa.net">robmar@telkomsa.net</a>				
13	1888 Barbara Mitton	In time	<b>OBJ</b>	<a href="mailto:chris.keevy@telkomsa.net">chris.keevy@telkomsa.net</a>	1888 Monte Mare	Bergsig Street	SANDBAAI	7200
14	2320 Stephen Porter	In time	<b>OBJ</b>	<a href="mailto:kateniemantinga@gmail.com">kateniemantinga@gmail.com</a>	PO Box 2037		HERMANUS	7200
15	1892 Susan Mercer	In time	<b>OBJ</b>	<a href="mailto:mittonb@inafrica.co.za">mittonb@inafrica.co.za</a>	9 Mooizicht Gardens	Bergsig Street	SANDBAAI	7200
16	1892 JP Saayman	In time	<b>OBJ</b>	<a href="mailto:portersteve064@gmail.com">portersteve064@gmail.com</a>	1892 Monte Mare	Bergsig Street	SANDBAAI	7200
17	1863 JJ Olivier	In time	<b>OBJ</b>	<a href="mailto:mercers@forbes.com">mercers@forbes.com</a>	1863 Monte Mare	Bergsig Street	SANDBAAI	7200
18	Sharon Maybery	In time	<b>OBJ</b>	<a href="mailto:jomar.saayman@gmail.com">jomar.saayman@gmail.com</a>				
19				<a href="mailto:leonroos@webmail.co.za">leonroos@webmail.co.za</a>				
20				<a href="mailto:srmaybery@gmail.com">srmaybery@gmail.com</a>				

21	1864	ZN & MM Roos	In time	<b>OBU</b>	<a href="mailto:leontroos@webmail.co.za">leontroos@webmail.co.za</a>	1864 Monte Mare	Bergsig Street	SANDBAAI	7200
22	1865	Rochelle Linney	In time	<b>OBU</b>	<a href="mailto:rochellelinney@gmail.com">rochellelinney@gmail.com</a>	1865 Monte Mare	Bergsig Street	SANDBAAI	7200
23	1865	John & Rochelle Linney	In time	<b>OBU</b>	<a href="mailto:rochellelinney@gmail.com">rochellelinney@gmail.com</a>	1865 Monte Mare	Bergsig Street	SANDBAAI	7200
24	1888	Kate Niemandtinga (1st obj)	In time	<b>OBU</b>	<a href="mailto:kateniemandtinga@gmail.com">kateniemandtinga@gmail.com</a>	1888 Monte Mare	Bergsig Street	SANDBAAI	7200
25	2784	Janet O'Neill	In time	<b>OBU</b>	<a href="mailto:janetoneill3@msn.com">janetoneill3@msn.com</a>	31 Ocean Breeze	End Street	SANDBAAI	7200
26	2818	Maurits Vosloo	In time	<b>OBU</b>	<a href="mailto:marinier.jeandre@gmail.com">marinier.jeandre@gmail.com</a>	63 Ocean Breeze	End Street	SANDBAAI	7200
27	1866	Phillip Blumenthal	In time	<b>OBU</b>	<a href="mailto:phillipblumenthal@gmail.com">phillipblumenthal@gmail.com</a>	1866 Monte Mare	Bergsig Street	SANDBAAI	7200
28	2775	Marlene van de Coolwijk	In time	<b>OBU</b>	<a href="mailto:mvdcoolwijk@gmail.com">mvdcoolwijk@gmail.com</a>	Rothnick Croft	155 Main Road	HERMANUS	7200
29	2351	John Robertson	In time	<b>OBU</b>	<a href="mailto:john.robertson@goldfields.com">john.robertson@goldfields.com</a>	50 Mooizicht Gardens	Bergsig Street	HERMANUS	7200
30	2788	E Rossouw	In time	<b>OBU</b>	<a href="mailto:mahaidoo8@gmail.com">mahaidoo8@gmail.com</a>	34 Ocean Breeze	End Street	HERMANUS	7200
31	2364	Helen Henzen	In time	<b>OBU</b>	<a href="mailto:helenhenzen@gmail.com">helenhenzen@gmail.com</a>				
32	1461	Erna Dry	In time	<b>OBU</b>	<a href="mailto:erna@hermanus.co.za">erna@hermanus.co.za</a>	59 Ocean Breeze	End Street	HERMANUS	7200
33	2765	Mervyn Edwards	In time	<b>OBU</b>	<a href="mailto:edwardsma40@gmail.com">edwardsma40@gmail.com</a>	12 Ocean Breeze	End Street	HERMANUS	7200
34	2806	Jeandre Marinier	In time	<b>OBU</b>	<a href="mailto:marinier.jeandre@gmail.com">marinier.jeandre@gmail.com</a>	51 Ocean Breeze	End Street	HERMANUS	7200
35	1649	HE Jonas	In time	<b>OBU</b>	<a href="mailto:hcsmith777@gmail.com">hcsmith777@gmail.com</a>	17 Bergzicht	Bergsig Street	SANDBAAI	7200
36	1673	Carol Smith	In time	<b>OBU</b>	<a href="mailto:hcsmith777@gmail.com">hcsmith777@gmail.com</a>	54 Bergzicht	Bergsig Street	SANDBAAI	7200
37		John Cornell	In time	<b>OBU</b>	<a href="mailto:cornellpost@yahoo.com">cornellpost@yahoo.com</a>	16 Ocean Breeze	End Street	SANDBAAI	7200
38	2763	Cindy Steyn	In time	<b>OBU</b>	<a href="mailto:cindy.steyn@marsh.com">cindy.steyn@marsh.com</a>	6 Jacaranda Close	Blouvaik Street	RANDPARK RIDGE	
39		Gerrit Coetzee	In time	<b>OBU</b>	<a href="mailto:gcoetzee@overstrand.gov.za">gcoetzee@overstrand.gov.za</a>				
40	778	Clair Rossiter	In time	<b>OBU</b>	<a href="mailto:clairrossiter@gmail.com">clairrossiter@gmail.com</a>	80 End Street		SANDBAAI	7200

119

Note: collab checked 10 Dec 2025

OBJ (IN TIME)	40
OBJ (LATE)	0
SUPPORT (IN TIME)	0
SUPPORT (LATE)	0
	<hr/>
	40

	<p><b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b>  <b>TOWN &amp; SPATIAL PLANNING</b>  <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b></p> <p><small>E-mail to relevant person mentioned in the notice: <a href="mailto:hermanus@overstrand.gov.za">hermanus@overstrand.gov.za</a> / <a href="mailto:planning@overstrand.gov.za">planning@overstrand.gov.za</a>              16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900</small></p>
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**APPLICATION DETAILS**

Application erf number: 4409/2023 APP ID:  
 How did you receive notice of the application? E-MAIL

**STATE YOUR INTEREST IN THE APPLICATION:**

OWNER

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
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**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

See attached -

Feel free to continue on separate page(s).

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (prev): JL CELLIERS + B G BISSEL Your erf number: 1867  
 Company/Trust details: -  
 Postal address: 1867 MONTE WARE  
SANDBAAN, HERMANUS  
 Contact details: Cell: 083 309 0285  
 E-mail address: Ben.Bissel58@gmail.com  
 Signature: [Signature] Date: 04.12.2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comments) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

## **Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai**

**BG Bisset and JL Celliers  
1867 Monte Mare  
Sandbaai**

**The revised proposal is as ludicrous as the previous one. We acknowledge that the proposal is intended to sway public opinion on the benefits of the project, and contains many subjective opinions that would appear to make the public want to believe in a fairy tale.**

**In fact, the whole proposal is a last ditch effort by a greedy developer who is only interested in maximising the financial reward for himself, with no conscience for his legacy to the Hermanus community, a legacy which will have far-reaching consequences for this beautiful town.**

**The creation of a modern-day ghetto, and once built cannot be undone, the responsibility will fall squarely on the shoulders of Overstrand Municipality to resolve all issues. The “promise” of more money in terms of increased rates collectible from the development, needs to be balanced out by the reduction of value of properties in the area due to the ghettos proximity, and the increased cost to OM to manage the fall-out from increased pressures on the infrastructure and the policing of such a high density area.**

**The population of Hermanus has grown over recent years due to many families wishing to escape the crime ridden concrete jungles of cities.**

**The 2 tables showing population growth in the Greater Hermanus Area for densities of 15 and 20/ha, do not give any indication of the financial capabilities. Are these figures for low-cost housing?**

**Is there a proper survey which has been completed? Are the proposed dwellings on erf 1735 appropriate? Considering the lack of information, the development could be a huge White Elephant, and eventually we will have a Hillbrow on our doorstep.**

**The development of 134 units reduces to 74.44du which is still totally out of line with the surrounding properties. The author agrees that the suburb offers a peaceful and laid-back coastal lifestyle, which will be totally destroyed should the development proceed as proposed.**

**While we appreciate the offer to keep the properties on the boundaries to 2 storeys and flats located to give a step down effect, due to the size of the property it will have very little effect on the ugly duckling in a pond of swans, definitely does not integrate seamlessly.**

### **1. Density**

**The development of this monstrous ghetto is in response to the lack of residential land in Area 6 which is the direct effect of having rezoned the Mall property and the new commercial developments along Bergsig street. Is this ghetto supposed to re-align the residential figures for area 6? The Mall plays a major part in the lives of the Sandbaai residents, it contributes to our lifestyle in Sandbaai, and one of the major reasons that Sandbaai has become the place**

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everybody wants to live. Look at the bigger picture, not just at area 6. People travel from Bettys Bay and Caledon to do shopping at the Mall.

The development of 134 units reduces to 74.44du/ha, which is still totally out of line with the surrounding properties.

Compute the numbers to actual physical people:

1 bed units (61 @ 2 adults	122	
2 bed units (55) @ 2 adults + 2 children	220	
3 bed units (18) @ 2 adults + 4 children	108	
Total physical humans on 1.8ha	450	EXCLUDING service staff and visitors
(WC allows for 2 people per bedroom)		

The proposal talks about multi-generational living, I cannot believe that any mature adult would willingly want to purchase a property where screaming children and babies will be part of daily living, there will be no space to escape the noise.

Area 6 has justifiably become more of a commercial hub than a residential hub, and should be exempt from previously published residential targets.

Page 19 mentions a departure from the density provision, because De Zandt has densities ranging from 17 to 75du/ha. What a cheek, DEFINITELY NO.

## 2. Flats

Apart from the 3 blocks of flats in the middle of the property, the so-called simplexes along Bergsig street are actually 3 blocks of 8 flats = 24 FLATS. A simplex is a 1 storey building, not 1 piled on top of another.

3 storey flats are the biggest problem with the proposal, and reduction to 2 storey may assist with reducing the horrific density. Visually it will also be more appealing. Page 17 contains comments on the 4<sup>th</sup> storey and the building line. Would developer add an additional storey at a later date?

The balconies of the flats will either be on the east or west side of the building, looking directly over the neighbouring properties. We paid a substantial price for our properties to enable us to have privacy in our back gardens. Now we have no privacy, and have an added security risk to the entire estate, a birds eye view for potential criminals.

## 3. Affordability

We have mentioned previously that the population growth figures tabled do not adequately cover the needs of prospective buyers nor their financial means to qualify for a bond.

To qualify for a bond of R2.4m would require approx R68000pm joint income, with repayments of approx R24 000pm. This alone would almost disqualify anybody that works in the mall from meeting the qualifying criteria. The target market appears to be "young professionals", but in my opinion, the product available would not be suitable for them.

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To qualify for a bond of R1.4m requires an income of approx R47 000pm with a repayment of R14 000pm.

To state that the proposal is a direct response to OM's strategic goal appears to be a little far-fetched considering the amount of land there is to work with. Personally it smacks of greed, with no conscience for the outcome.

#### 4. Green solutions

Thank you for caring about the environment, however, piped gas to every unit has very real fire potential. Where will these gas cylinders be housed? Has any thought been given to an evacuation necessitated by fire? 450 panicking people, some being children, trying to escape a fire.....

The back-up power systems to be installed for power outages, where will this be installed. Are we talking about an industrial sized generator? What about the noise? Will the generator room be soundproofed?

Do you have a system that will keep all the residents warm in winter? Or must they just make use of electrical/gas heaters? And the fire risk associated with gas heaters in the sardine cans they will be living in? I have not been able to find any reference to emergency procedures which must deserve attention considering the density.

#### 5. Open space

Although some may be impressed by the generous 11.49% open space when only 10% is the required amount, the smaller the land, the less actual land is required to make a big difference. Lets hope that all 450 people don't want to use the open space at the same time. I have to comment on fostering of sense of pride among residents and neighbours, we already have a sense of pride, which you are threatening.

#### 6. Laundry

There is to be drying yards, screened behind 2.1m boundary walls, however, I have not been able to locate these on any drawings.

#### 7. Departures

Comment on Rubbish room of 32 sqm, an average double garage is 36 sqm. Imagine the smell and flies in summer with that quantity of rubbish, in a complex with a target market that will have young families (baby nappies).

Having studied both the GR2 and GR4, although the GR4 enables flats to be built, GR2 is more in line with the existing neighbourhood, no flats. Had the flats been erected previous to the surrounding complexes, the complexes would have a different design to obviate the height of the flats. The coverage of GR2 at 65% which is nicely livable vs GR4 80% coverage and overcrowding, this is where greed comes in.

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The comparison to the De Zandt development is ridiculous. They have 40ha not 1.8ha, and are building a whole area, not intruding on existing residents and trying to convince them that the development will be advantageous to all residents in Sandbaai.

#### 8. Sewerage

The construction of 1 conservancy tank may sound like a good idea, however I was unable to find any measurements for this tank, nor where it would be located. This tank would also alleviate the need for tankers to negotiate the roadways in the complex. However, should the tank fail, there is going to be a whole lot of s&t hitting the fan. How often will the tanker services be required to keep the tank at the right levels for so many residents? How long will it take for the tanker to clear what will have to be a huge tank? Does OM have sufficient vehicles to be able to service all other residences and a high density complex as this. With a target market of younger generations, how many nappies will be clogging up their system?

#### 9. Traffic

The traffic survey conducted does not appear to be accurate, with only 1 days readings used to update an old survey periodically. Traffic volumes for particularly school going children are hectic, both early morning and at end of school times. Bergsig Road is utilized for deliveries to the mall and the industrial area.

Based on the number of units to be developed

If each unit only has 1 vehicle, the traffic will increase by 134 vehicles every day using an already congested roadway. At 1.5 vehicles per unit, the volume increases to 201 additional vehicles. Based on the demographics of the typical owner/resident of such a complex, a conservative 50% will need to transport school children at peak hours, hence 100 extra vehicles using the school route, which includes the circle intersection at Main and Bergsig road and/or the intersections in Schulphoek Road.

Based on experience of living in the area, I am in total agreement with the TIA regarding the congestion at the circle of Bergsig and Main, although the assessment appears to be of the opinion that Erf 1735 will not impact on the traffic volumes and congestion. As residents of Monte Mare, we often rely on the kindness of motorists to allow us into the traffic, which proves their statement incorrect. A proper assessment is required.

Should OM agree to the rezoning and approval of the proposal, it will become their responsibility to resolve the congestion, which will surely come at quite a price. Reliance on the De Zandt development of the road infrastructure and piggy-backing off them is used to sweep the problem under the carpet.

Both Main road and Bersig street are urban class 3 roads (minor arterial road). End street is Class 5 local street. Is a local street designed to take the traffic of potentially 268 vehicles per day? Both in terms of the width of the road, and the depth of the construction of the roadway?

#### 10. Socio-economic impact

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Everybody knows that a construction site will attract migrant labour, which will need to have accommodation, which will become the responsibility of OM. However on completion of the construction, probably 50% of the labour force will not return to their homes, and will be seeking accommodation here, again OM will have to supply the accommodation. The increased spend at various shops because of the project cannot be compared to the cost to OM. It is the norm for large construction projects to source materials from major centres because of the volumes and costings at bulk prices that they will achieve. Local service providers will only see a very small volume of increase.

The increased economic impact from residents in new development is disingenuous, whether these residents reside on erf 1735 or at a nearby location, doesn't make any difference, they will still utilize the retail options at the mall. The same logic is applied to the increased rates to OM.

#### 11. Compatibility with surrounding uses

The Erf is already zoned for Residential, but GR4 flats should be declined as it is incompatible with the surrounding area.

#### 12. Impact on safety, health and wellbeing

The proposal alludes to appropriate fencing and electric fencing where necessary, however, I have not been able to find any information regarding the boundary walls of Erf 1735. Are you planning to use the existing walls of other complexes?

Living in such close proximity to so many people will potentially lead to aggressive behaviour from residents due to frustrations which will build up. Arguments that may arise between 2 people will escalate to a crowd. With so little space available, there is no reprieve from an irritating neighbor and small inconsequential episodes could become heated and lead to physical violence, again to be resolved by OM. The flats would probably be occupied by young verile men with attitude, trying to prove themselves, testosterone pumping to prove their worth. More mature men would try to accommodate situations, but not young males.

#### 13. Impact on views

The writer suggests that 134 units MAY result in a change to the visual character but is not considered inappropriate! It will definitely result in a change, it will stick out like a sore thumb, visible long before you enter the area, turning a suburb into a city, and I am unable to find any development in the larger surrounding area that is similar. All 4 developments mentioned on page 37 are on the outskirts of the CBD and should not be mistaken for the suburb of Sandbaai.

14. Although privacy on the boundaries may have been addressed, the balconies of 3 blocks of flats face westwards, giving an excellent birds eye view of our entire complex and exposing us to security risks. Eastwards Ocean breeze is also similarly affected.

I cannot envision what mature trees will be big enough to act as a screen, as the majority of the trees visible from my property are Australian Myrtle and Port Jackson. To establish proper screening will require large trees, and Im not sure if there will be sufficient sunlight for these trees to grow due to the compactness of all the buildings proposed for erf 1735.

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### 15. Light pollution

Please ensure that the rules for the body corporate include the specification for the light bulbs to be used.

### 16. Sunlight

I have been unable to find any reference to the boundary wall, whether you intend to erect your own boundary wall, or use Monte Mare boundary wall. Depending on the intended height of the wall, sunlight could be affected. As mentioned above, with the density of proposed buildings, residents of erf 1735 may also only have limited sunlight.

### 17. Surrounding property values

With a potential 450 humans residing on 1.8ha there will be noise, both from people and from vehicle start-ups, particularly in winter. The over population of Erf 1735 by so many people can be likened to Hillbrow/ a ghetto/ slum area. Nothing in the proposal is going to not be detrimental to my property value. To support the local municipality is to be applauded, but to condemn existing residents to having to deal with the fall-out of a greedy developer is not justified and should not be condoned. Ultimately, OM will be held responsible and be blamed for allowing the proposed development to take place.

### 18. Sustainable development by maximising land use

While agreeing with this principle, the destruction of the peaceful laid-back coastal lifestyle by erecting a concentration camp in the area is just an excuse to grab as much financially as possible, but it suits the developer to “use” these terms to enable his own profitability

### 19. Housing need

Although the housing need growth figures are included, there is no indication of the financial ability of the quoted numbers. Can those seeking housing afford to purchase any of the properties? A more comprehensive analysis of the demographics of those seeking housing is actually required to establish the financial capability of house seekers. Can the young professionals afford to purchase a 1 bedroom flat for R1.4m, and would they be prepared to live in a Ghetto? Property 24 has 34 listings for apartments/flats, how was the need for flats established? Was a survey done on the need for flats?

20. Municipality’s strategic goal of increasing access to housing opportunities where densities can be responsibly increased would now appear to have become the responsibilities of the homeowners of Sandbaai. The blame for area 6 not achieving the density figures required is due to the rezoning of the majority of Area 6. The Mall and the surrounding retail shops are appreciated by the residents, and to expect that the area could still achieve a ridiculous population density is ludicrous, especially when it comes at the expense of ratepayers. The slack in the du for area 6 needs to be absorbed by the surrounding areas that all enjoy the facility of having the mall.

The proposal is in direct response to OM strategic goal of increasing access to housing opportunities where densities can be responsibly increased. Opinion is that having rezoned the mall and “shopping centres” to commercial use in area 6 it suits developer to “use” this to his

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advantage of maximising his potential profit and appearing to be “helping” OM out of a situation.

The majority of area 6 is zoned for commercial use, not residential. If you consider the greater Sandbaai area, yes it is mostly residential serviced by great commercial facilities. The establishment of a ghetto does not fit in seamlessly to the existing area of more affluent complexes, and does not respect existing complexes and will detrimentally affect the visual character of the area. With the rezonning for the commercial ventures, you are using the opportunity to cover up for OM to readdress the loss of land for residential purposes to push the numbers up for area 6.

#### 21. Parking

Parking for 16 (check the number on map) has been allocated against our boundary wall at 1867. Our existing boundary wall is approx 2m. Are these parkings to be covered with shadecloth? The norm for shadecloth is 2.4m high. Clarification is required.

#### 22. Services

Was GLS Consulting paid by the developer to do the water capacity analysis? Minimal impact! We have just received notification from OM to use water sparingly, yet an additional 134 units will have minimal impact, what rubbish. Do we look that stupid!

In winter when its really cold there is not going to be an additional strain on the Eskom feed? Apart from gas heaters, these residents wont have access to fireplaces to keep them warm, and with the density of buildings surrounding units they will probably have minimal sunshine on their units, requiring heaters to keep them warm. Does Eskom have the capacity to provide the additional requirements that will be needed. Where are the assessments?

#### 23. Environmental considerations

Older residents of Hermanus remember Sandbaai as being a wetland, and to having seen people rowing canoes in the area, but its not a wetland! Comment is made about the installation of the agri-drain along the boundary. Again no engineers report is available. As a resident of Monte Mare we are well aware of the water table and are most concerned about interference with the flow of water, both as concerns our boundary wall, and for residents who have swimming pools. With an 80% coverage, the potential exists that we could have damage to our properties because of the disturbance to the existing water table levels. Even digging near our boundary wall could disturb the foundations of our wall causing severe problems.

Whilst we fully support the use of the water for the gardens, where will the excess water be pumped to? I have not seen any storm water drainage systems in End Street, will the systems be able to cope with the increased flow of water, without an engineers report the quantity is not determinable.

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## **Conclusion**

**It quite clear that the proposal will use any excuse to justify its development. A used car salesman couldn't do better. A proposal based on figures that do not prove that this type of complex is what investors want. He has tried to justify a white elephant and talks about socio-economic equality. WHO IS GOING TO BUY A FLAT IN YOUR COMPLEX?**

**GR4 MUST BE DECLINED, it is motivated by greed with no social conscience, the planned project has nothing to offer either its residents nor the local Municipality.**

**The approval of GR4 could potentially have far reaching consequences for the Municipality, and with greed appearing to be the principle motivator for the proposed development, the Municipality runs the risk of being held accountable.**

**My suggestion for the land use would be for 1,2 and 3 bed units designed as duplexes or 2 storey simplexes where residents would want to reside. A reduction of density as per GR2 at 65% where there is space for people to live comfortably. If the product offering was so appealing, why are there always flats available for sale at Holiday Club?**

**The altruistic proposal is for self gain, not for the benefit of residents, municipality or potential new entrants to the property market.**

**GR4 MUST BE DECLINED AS THERE IS THE POTENTIAL OF A 4TH STOREY BEING ADDED AT A LATER STAGE.**

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**Alida Conradie**

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**From:** Alida Conradie  
**Sent:** Monday, 24 November 2025 15:53  
**To:** 'Kate N'  
**Subject:** Erf 1735, Sandbaai - Acknowledgement

Tracking:	Recipient	Delivery	Read
	'Kate N'		
	Enquiries	Delivered: 2025/11/24 15:53	Read: 2025/11/24 15:54

Good day

Receipt is hereby acknowledged of your objection. Your objection will be forwarded to the applicant for comment and further communication will be addressed to you in due course.

**KINDLY REGARD THIS EMAIL AS YOUR FORMAL ACKNOWLEDGEMENT.**

Kind Regards

**Alida Conradie**

*Administrative Officer, Town- and Spatial Planning*  
*Directorate: Planning & Development, Overstrand Municipality, Hermanus*  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)

**From:** Kate N <kateniemantinga@gmail.com>  
**Sent:** Monday, 24 November 2025 09:38  
**To:** Alida Conradie <alida@overstrand.gov.za>  
**Subject:** Objection: applicatin for rezoning and Departures

I hereby submit my formal objection to the rezoning and departure application for **Erf 1735, Bergsig Street, Sandbaai**, as advertised in the **Village News on 31 October 2025**.

In terms of rezoning, this is **not** a minor rezoning request. It's a **transformational land-use change** that can profoundly affect: Traffic, Parking, Privacy, Noise, Light/overshadowing, Property values, Neighbourhood character, Stormwater and sewer capacity, Emergency access, Visual impact, Safety and congestion, Pedestrian flow.

In terms of the departure, the developer has severely understated the proposed density. The proposed rezoning and development for Erf 1735 represents a significant increase in density compared to the existing Single Residential Zone 1 (SR1) character of the area. The applicant calculates a density of 74.44 dwelling units per hectare (DU/ha) based on the total erf area of 1.8 ha; however, when considering the actual development footprint of 1.64 ha, the effective density rises to approximately 81.7 DU/ha. Furthermore, based on the proposed unit mix, the development could accommodate an estimated 329 residents on the site, equating to roughly 183–201 people per hectare depending on whether the total erf or developed portion is considered. This projected population is substantially higher than what the surrounding low-density SR1 area is designed to accommodate, and is likely to place significant pressure on traffic, parking, municipal services, and

the character of the neighbourhood. The development therefore constitutes a marked over-intensification of the site, incompatible with the intended land-use character of the area

Kind regards

Katherine Niemantinga

1888 Monte Mare, Bergsig Street, Hermanus

0722958447

Munisipale Bestuurder  
Overstrand Munisipaliteit  
Hermanus

Munisipale Kennisgewing Nr. 224/2025

Erf 1735, Bergsigstraat 71, Sandbaai: Aansoek om Hersonerings en Afwykings.

Hiermee my, JP Saayman, 1892 Monte Mare, Bergsigstraat, Sandbaai, direk aangrensend met Erf 1735, my kommentaar, kritiek en moontlike voorstelle/oplossings. Dit dra ook die goedkeuring weg van enkele van die 60 huis eienaars in Monte Mare.

Hierdie voorstel in vergelyking met die vorige een, van Munisipale Kennisgewing 194/2023, is n definitiewe meer aanvaarbare verbetering.

Die uitleg op die erf van die dorps huise teen die grens mure langs en die woonstelle aan die binnekant sal nie so n negatiewe invloed op die omgewing en direkte aangrensende komplekse he nie.

Daar is egter nog steeds besware wat aandag verg en onder die volgende 3 punte opgebring word.

- 1) Die inwoners getal vir die vorige voorstel was 504 en met die huidige voorstel is dit nou 450 ( Bereken teen 2 per 1 slaapkamer-, 4 per 2 slaapkamer- en 6 per 3 slaapkamereenhede) wat nog steeds die gevoel skeep van oorbevolking. Minder as 400 inwoners sal n meer aanvaarbare

getal wees. Die geraasbesoedeling sal baie meer beperk word. ( Erf 1735 se oppervlakte is +/- 40% van die van Monte Mare waar ons inwoners getal 360 inwoners maks mag wees)

Seer sekerlik kan gedeeltes van die woonstel blok tot 2 verdiepings beperk word om die toelaatbare getal tot onder 400 af te bring.

Die ontwikkelaar sal nog steeds genoeg profyt maak en kan selfs n prys aanpassing maak op die oorblywende eenhede.

Ook sal die aantal voertuie meer beperk word wat by punt 2 bespreek word.

2)Die ontwikkeling laat toe vir 237 voertuie op die perseel(1.5 voertuie per 1 slaapkamer eenheid en 2 voertuie per 2 en 3 slaapkamer eenhede).

Toegang na Erf 1735 vir voertuie kan slegs vanaf Endstraat geskied en vertrek uit Erf 1735 slegs in Bergsigstraat in.

Sandbaai het slegs 2 hoof ingange en uitgange na die R43, by Engen robot, Hoofstraat en CTM robot, Skulphoekstraat.

Huidiglik is die verkeer in en uit Sandbaai n nagmerrie agv die Mall{uitstekende Mall), Curro skool, Hoofstraat wat nou n besigheids straat tot by Aftree oord is en dan die grootste aantal inwoners van Sandbaai wat in en uit Sandbaai daaglik moet beweeg.

Dan die pad, parallel met die R43, tussen Hoofstraat en Skulphoekstraat is Bergsigstraat, met al die komplekse, die Mall se toegange en besighede wat die meeste verkeer dra.

Met hierdie addisionele voertuie wat daaglik bygevoeg gaan word by die bestaande vekeer, gaan dit definitief groot probleme veroorsaak veral op Bergsigstraat.

Daar sal definitief gekyk moet word na oplossings.

N moontlike oplossing sal wees om n addisionele toegang tot die R43 aan te bring. Ideale plek sal wees n aansluiting vanaf die verkeerssirkel by Curro Skool na die R43 wat nie groot kostes sal wees nie. Baie verkeer uit en na Sandbaai sal hierdeur weggeneem word vanaf die ander twee toegange.

Verdere oplossing kan wees n volle verkeerssirkel op die R43 voor die Mall waar die slipways vandag is. Dit sal help dat verkeer wat nie van Sandbaai kom of nie in Sandbaai toe gaan nie, die Mall verlaat via die nuwe verkeerssirkel en dus n baie groot verkeers verligting op Bergsigstraat uitoefen. Terselfdertyd sal ook die verkeers probleem huidiglik vanaf die Mall na die dorp se kant toe dan nie die verkeer op die pad voor Hi Q, CTM en Toyota na Skulphoekstraat so belemmer nie.

- 3) Geskoei op die inwoner getalle te Erf 1735 van 450 sal die voete verkeer oor Bergsigstraat die hoogte inskiet.

Die rede is dat Erf 1735 reg teenoor die Mall se ingang is vanaf Bergsigstraat kant. Met die voetgangers hek in die grensmuur van Erf 1735 aan Bergsigstraat kant is inkopies gouer en gemakliker om te voet na die Mall te stap as wat dit sal wees om per voertuig te ry en dan n groot draai terug te ry via Bergsigstraat, Hoofstraat en dan Endstraat ingang. Voete verkeer tesame met die huidige voetgangers van die aangrensende komplekse sal ook n definitiewe invloed op die verkeers vloei in Bergsigstraat he soos ook met moontlike nadelige nagevolge gedurende spits tye.

Ek stel voor dat n voetbrug oorweeg word om die probleem te oorkom.

Ten laaste sal waardeer as die ontwikkeling beperk kan word tot n meer aanvaarbare inwoner getal deur van die woonsteleenhede te beperk om oorbevolking te verhoed wat n definitiewe invloed op aangrensende eiendom waardes en lewens styl sal he.

Dankie

JP Saayman

1892 Monte Mare

Bergsigstraat

Sandbaai

0832843500

[jomar.saayman@gmail.com](mailto:jomar.saayman@gmail.com)



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

16 Poterson Street | PO Box 20 HERMANUS, 7200 | Tel: 028 313 8900  
 info@overstrand.gov.za / alida@overstrand.gov.za

**APPLICATION DETAILS**

Application erf number:

4409/2023

APP ID:

How did you receive notice of the application?

email

6512130010093

**STATE YOUR INTEREST IN THE APPLICATION:**

Owner of property adjacent to 1735 - Monte Mare

TICK RELEVANT BOX



OBJECTION



COMMENT

SUPPORT

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

see attachment

Feel free to continue on separate page(s).

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (PRINT)

Your erf number:

Company/Trust details:

Postal address:

Contact details:

Cell:

E-mail address:

Signature:

Date:

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public process must be in writing and addressed to the person mentioned in the notice within the time stated in the notice.

## **OBJECTION TO PROPOSED DEVELOPMENT ERF 1735 - SANDBAAI**

My objection to the proposed development is with regards to the following:

- 1) Zoning to General Residential Zone 3: Flats (GR4) which results in the high density.
- 2) Height Restriction – flats.

Both of the above factors have resulted in the amendment from a previous proposal. However, it still does not strike a fair balance between what is permitted and as to where it is located in the existing built environment.

### **HIGH DENSITY**

- 1) The proposed density requirement, is not in keeping with density requirements of the adjacent existing developments, this will have a negative impact on the value of existing home owner's investments, due to overall massing on the site.
- 2) The built environment surrounding, Erf 1735, appears to be zoned General Residential Zone 2: Town Housing (GR2), which is in keeping with the area. The issue with the proposed development, is the requested zoning to General Residential Zone 3: Flats (GR4), permits flats and town houses. The flats do not integrate well with the surrounding built environment, with regards to height and density.
- 3) The permissible density is 50 Du/Ha, the proposed developments residential density will be 74.44 Du/Ha. This will create additional pressure for both the existing residence and future residence, with regards to traffic, noise and the general peacefulness, that is a key attraction to the area of Sandbaai.
- 4) "the suburb offers a peaceful and laid back coastal lifestyle, which is key attraction for families seeking to escape the congestion of urban centres". By increasing the density of the proposed development, the very thing that Sandbaai offers, peacefulness and uncongested traffic, will no longer apply and just become another urban centre.
- 5) "developments accommodating people at various life stages". Retirees prefer single storey dwelling units and quietness. Young families require more communal recreational areas and are relatively noisy. It may not be a good idea to combine various life stages. What about animals, dogs/cats? No mention of pets in the House Rules.
- 6) There may be a shortage of accommodation but that does not mean that massing is the solution. The demand for accommodation is largely due to the present standards (the permissible density requirement) which prevents overcrowding and creates the peaceful, coastal lifestyle.
- 7) "Based on a conservative estimate of two persons per dwelling unit, the development is expected to accommodate approximately 268 new residents". This is a very conservative estimate, as some units have 2 to 3 bedrooms, of which two persons per bedroom are permitted, therefore up to 900 people can reside on the proposed development.

### **HEIGHT RESTRICTION**

- 1) Due to the proposed rezoning to General Residential Zone 3: Flats (GR4), which permits flats, will affect the views of the surrounding properties and affect the visual character of the immediate vicinity. Therefore, the existing height restriction are of great importance, so that all properties can enjoy the same benefits the views offer. The unobstructed views of the mountains, are what attracts potential buyers.

**CONCLUSION**

I do not object to Erf 1735 being developed but the development must integrate with the existing built environment, to the benefit of all homeowners and to ensure that Sandbaai remains a sort after location.

Therefore, I object to the Application for Rezoning of Erf 1735, Sandbaai.

Name.....

Address.....

Signature.....

**Willie Auret**  
1869 Monte Mare  
Bergsig Street  
SANDBAAI  
082 870 5145  
wpauret@gmail.com

**Alida Conradie**  
Administrator, Town & Spatial Planning Department  
Overstrand Municipality  
16 Patterson Street  
HERMANUS  
7200

**30 November 2025**

**RE: Objection to Proposed Development on Erf 1735 Bergsig Street, Sandbaai**

As a resident of unit 1869 in Monte Mare Complex, I hereby raise my written objection for the proposed Development of Erf 1735.

In principle, the larger Sandbaai community is not against the development of Erf 1735 for residential purposes. However, we have a serious objection of the scale and density of the development.

My objections are based on the following:

9. SERVICES

Traffic, Access and Egress

I would like to remind you of the following:

- The traffic congestion during peak hours when exiting the Monte Mare housing complex. Residents struggle to exit the complex to turn right into Bergsig Street.
- Traffic in Bergsig Street came to an absolute standstill when cars could not exit or enter the mall from Bergsig Street during peak holiday season.
- Sandbaai Main Road was at times so congested that no cars could pass the traffic circle at Main Road and Bergsig street.

- Can you imagine how the additional traffic from 148 units will increase the load on Bergsig Street.
- The developers decreased the number of housing units but in exchange they suggested that both End Street and Bergsig Street will be used as access roads to the complex.
- The developers stated that a comprehensive road traffic report proves that Bergsig Street can handle an increased traffic load. The report was certainly not conducted during peak hours or during peak holiday season.

#### 10. ENVIRONMENTAL CONSIDERATIONS

##### Erf 1735 acts as a water reservoir for the “overflow” from the Whale Coast Mall

The developers acknowledged that the water table and potential subterranean water movement has been noted. The installation of an agri-drain along the western boundary wall sounds good on paper, but will it handle a heavy downpour like the storm that hit Sandbaai in the summer of 2011/12? The combination of a high water table that acts as a reservoir from the Whale Coast Mall overflow together with the high housing density and parking bays will aggregate the problem. The capacity of the planned detention dam will not be able to hold water of this 1.8ha piece of land especially when more than 50mm of rain fall in an hour like it happened in 2011/12. The detention dam can fill up in a few hours and there is no storm water system in End Street that will be able to discharge such a large volume of water.

Seasonal rising water tables escalate all the time and will have a serious impact on the stability of the adjacent boundary walls of Monte Mare and Ocean Breeze. The developers of Monte Mare and Ocean Breeze (the same developers as erf 1735) did not design the boundary walls to withstand water fluctuations of such a nature.

I sincerely trust that Overstrand municipality will down-scale this development to such an extent that the already congested traffic will not increase the traffic flow. Furthermore, this 1.8ha piece of waterlogged land does not have the capacity to withstand the pressure of 148 housing units. **Should this development be approved and water damages are causing damages to infrastructure Overstrand will not be able to say: “we did not foresee this”. Any judge will refer to lessons learned or not learned when the 9 (Nege) Ster Retirement Village was built in 2011/12 and emergency water pumps had to be installed to discharge the water for months.**

Best regards



Willie Auret  
1869 Monte Mare



**Google Earth Image 1: January 2014**  
*Water accumulated on the bottom right corner before the Whale Coast Mall was built.*



**Google Earth Image 2: November 2014**

Water was channelled to the bottom left corner when construction started at the Whale Coast Mall.  
The natural "overflow" is now channelled in direction of Erf 1735.

**Google Earth Image 3: 15 April 2023**

Water "over flow" from Whale Coast Mall towards Erf 1735. Take note of the location of the Pond near Monte Mare's eastern boundary wall.



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number: 1866 Monte Mare APP ID: 4409/2023  
How did you receive notice of the application? email

**STATE YOUR INTEREST IN THE APPLICATION:**

Objection to proposed development on Erf 1735 Bergsig Street, Sandbaai - submitted by P Blumenthal, 1866 Monte Mare, Bergsig Street, Sandbaai

TICK RELEVANT BOX

**OBJECTION**

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

1. We request the proof/findings of the intensive market research undertaken of the higher density 90DH/H group housing. Erf 1735 is one third of the land size of Monte Mare which has 60 units and a 127 residents. Potential number of residents to be accommodated on erf1735 will be 5 times that of Monte Mare. We object to this High Density development alongside Monte Mare which is upmarket single storey complex. It does have 5 d/storey units which overlook the Main Road and End street, these do not border on another complex invading their privacy and safety. The proposed d/storey and triple storey flats will completely overlook onto our properties with no consideration of our privacy or your "sensitivity" as stated.
2. The many carparks shown do not suggest a "pleasing aesthetics" in the centre of the plan. You are immediately drawn to car pollution and noise. Suggesting traffic congestion on both End Street and Bergsig Road, where there is already a huge gridlock at peak hours. Two schools in Bergsig Road and The Whale Coast Mall is already a problem and especially during Christmas and Easter holidays. Proof is needed of the flow of traffic!
3. Motivation Page 2 "Sandbaai has experienced steady population growth in recent years, primarily due to its central location and affordable housing. The suburb offers a peaceful and laid-back coastal lifestyle, which is a key attraction for families seeking to escape the congestion of urban centres."

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT) Phillip Blumenthal Your erf number: 1866 MM

**Company/Trust details:**

Postal address: 1866 Monte Mare, Bergsig Street, Sandbaai 7200

Contact details: Cell: 0828084113

E-mail address: PHILLIPBLUMENTHAL@GMAIL.COM

Signature:

*PH Blumenthal* Text here

Date: 17 Nov 25

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

OVERSTRAND MUNICIPALITY MUNICIPAL

NOTICE NO. 224/2025

ERF 1735, 71 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING AND DEPARTURES

I, Johan Burger as owner of erf 1900 Monte Mare, submit this objection to the proposed rezoning.

Traffic impact: currently the main road leading up to Bergsig street is gridlocked for at least 40 minutes on school days. During holiday season on public holidays, the road is almost inaccessible. Allowing a higher density development will only contribute to this problem. The Sandbaai Mall entrance will be almost inaccessible -this will affect all road users.

Substantially raised noise levels - with a higher density as proposed, there will be more noise. This is not limited to human noise but also cars etc.

All complexes in the vicinity of Erf 175 are single storey town houses with the exception of 5 double storey houses in MM located near end and main streets. Any development on erf 1735 must maintain this character. To accommodate the proposed density, double/triple storey buildings will have to be erected. This will also negatively impact the privacy of all surrounding complexes.

The high population of retirees in the area are owners/investors who have invested their life savings in town house complexes for the security it offers. All these investors lives will be radically changed should this plan be approved. These established communities pay their rates and services and maintain their properties to ensure the property value is never compromised. Allowing an increase in density will result in more affordable housing segment that will lower the property values of surrounding properties. This is our main concern and the municipality has an obligation to ensure that development does not impact negatively on the property values of existing residents. Denser lower costing housing development also lures more rentals that come with additional problems.

We are aware that there is a high housing need in the Overstrand. We propose that higher density developments be planned elsewhere and developed on NEW allocated land e.g. the planned housing extensions at Fisherhaven. There high density developments can be accommodated without affecting existing estates since it is a completely new neighbourhood. It is not acceptable to enforce high density development next to property owners living in complexes that have been there for 20+ years. Resident and owners live in peace and quiet in the surrounding complexes next to erf 1735. This will be forever lost if a high density development is approved.

Mr. Johan Burger

[jburger01@gmail.com](mailto:jburger01@gmail.com)

**Alida Conradie**

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**From:** Gerrit  
**Sent:** Wednesday, 29 October 2025 13:55  
**To:** Alida Conradie  
**Subject:** RE: Erf 1735, 71 Bergsig Street, Sandbaai - PUBLIC PARTICIPATION - Notification to potentially affected property owner

Hi Alida

I support the development, but object to the entrance is from End Street Sandbaai. For the residence that stay opposite the suggested entrance as I do will be negatively affected with the increase in traffic right at my front door. The entrance must rather be from Bergsig street.

Regards

**Gerrit Coetzee**  
Building Control Officer  
Directorate: Planning & Development  
Overstrand Municipality

T: +27 (0) 28 313 8085 M: 0829242908 E: [gcoetzee@overstrand.gov.za](mailto:gcoetzee@overstrand.gov.za)

**Overstrand Municipality**

A 1 Magnolia Street, Hermanus, 7200 | P P.O Box 20, Hermanus, 7200

T +27 (0) 28 313 8000 | F +27 (0) 28 312 1894

E [enquiries@overstrand.gov.za](mailto:enquiries@overstrand.gov.za) | W [www.overstrand.gov.za](http://www.overstrand.gov.za)

Vision Statement: "To be a centre of excellence for the community"



BEFORE PRINTING THIS E-MAIL  
*please consider the environment*

**From:** Alida Conradie <[alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)>  
**Sent:** Tuesday, 28 October 2025 15:51  
**Cc:** Alida Conradie <[alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)>  
**Subject:** Erf 1735, 71 Bergsig Street, Sandbaai - PUBLIC PARTICIPATION - Notification to potentially affected property owner

To whom it may concern

**ERF 1735, 71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING AND DEPARTURES: WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS**

**You are regarded as a potentially affected property owner.**

Attached please find a self-explanatory notice for your attention.

Sections 47 & 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning application. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing difficulties in service delivery experienced by the South African Post Office, and as per the aforesaid Council resolution, **NO** registered mail/letters will be forwarded in the interim period.

Kindly regard this email as your formal notification of such land use application. Kindly provide your comment, objection, or representations, if any, directly to Alida Conradie ([alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **05 December 2025**.

Also note that the notice will be available at the Town & Spatial Planning Department, and on the municipal webpage at the following link: <https://www.overstrand.gov.za/en/documents/town-planning/land-use-planning-applications>.

***Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed / used in the (application) process.***

Kind Regards

**Alida Conradie**

*Administrative Officer, Town- and Spatial Planning*

*Directorate: Planning & Development, Overstrand Municipality, Hermanus*

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Peterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900
	<b>APPLICATION DETAILS</b>

Application erf number: 1735

APP ID:

How did you receive notice of the application?

BY EMAIL FROM THE HOA

**STATE YOUR INTEREST IN THE APPLICATION:**

WE ARE AFFECTED BY THE TRAFFIC ALONG BERGSIG ROAD

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

We are not in favour of this development.

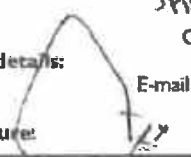
Our primary concern for this development is the density of housing on such a small plot. Even though the number of units has been reduced, there are still far too many units planned and should be reduced to fewer than 100 units. There is no need for such a condensed residential development in Sandbaai. We reside in Bergsig Street, Sandbaai, and we have observed a significant increase in traffic volume along this road, particularly during the morning and late-afternoon peak periods. The road is already experiencing frequent congestion, with delays becoming increasingly common for residents entering or leaving the neighborhood. The situation is further compounded by the high number of large vehicles travelling along Bergsig Street and Sandbaai Main Road, which adds to both the congestion and the overall complexity of the traffic flow.

In light of these existing pressures, we are concerned that placing the primary exit of the proposed new complex onto Bergsig Street will further intensify traffic congestion, increase safety risks, and place additional strain on an already overburdened road network.

We believe that alternative access points or traffic-flow solutions should be explored to minimize the impact on local residents and promote safer, more efficient movement throughout the area. This could also be achieved by just building fewer units.

Another concern is the strain the development will place on existing storm water and sewerage systems.

*Feel free to continue on separate page(s)...*

<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>	
Name & surname (PRINT)	MR RICHARD COQUILLON
Your erf number:	1690
Company/Trust details:	
Postal address:	14 BERGZICHT, BERGSIG STREET SANDBAAI 7200
Contact details:	Cell: 083 4110532
E-mail address:	richard.coquillon@gmail.com
Signature:	
Date:	04/12/2025
<small>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.</small>	

Dear Directorate: Planning and Development,

Re. Erf 1735, Berg St., Sandbaai.

You must be cognisant of the fact that the northern section of Sandbaai is almost completely covered by security com-

plexes with thousands of people crammed into those complexes with almost no public open spaces reserved for

recreation and relaxation which gives rise to socially unhealthy circumstances which I am sure they taught you at

university. To cram the amount of infrastructure and consequently people into such a relatively small space (re

Erf 1735) is, to say the least, absolutely ridiculous and borders on the absurdity compared to concentrations in surroun-

ding housing complexes. It would have a much more positive outlook, taking into consideration the environment and

the general well-being of the residents of Sandbaai if that area (Erf 1735) was to be reserved for a space where

children in the area can play ball in safety, the elderly can relax under the shade of trees with water trickling into a fish

pond.

Thank you for your consideration.

Kind regards.

John Cornell.

	<p align="center"><b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b>  <b>TOWN &amp; SPATIAL PLANNING</b>  <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b></p> <p align="center"><small>E-mail to relevant person stipulated on the notice: <a href="mailto:apostol@overstrand.gov.za">apostol@overstrand.gov.za</a> / <a href="mailto:jids@overstrand.gov.za">jids@overstrand.gov.za</a>  16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900</small></p>
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## APPLICATION DETAILS

Application erf number: 1461 HOUSE STAND NO 2514

APP ID:

How did you receive notice of the application? OCEAN BREEZE HOME OWNERS ASSOCIATION.

## STATE YOUR INTEREST IN THE APPLICATION:

OCEAN BREEZE RESIDENT

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
REASONS FOR OBJECTION / COMMENT / SUPPORT:			

- LOSS OF PRIVACY
- LOSS OF SECURITY
- INCREASE IN TRAFFIC IN END STREET
- NOISE.
- BLOCKS OF FLATS (3 STORIES) WILL REDUCE VALUE OF OCEAN BREEZE PROPERTIES
- IF THE FLATS ARE BEING BUILT IN THE CENTRE OF THE PROPERTY, DOUBLE STORY WOULD AT LEAST ENSURE MORE PRIVACY.

Feel free to continue on separate page(s)...

## PERSONAL INFORMATION (To be completed in full – Compulsory)

Name &amp; surname (PRINT) ERNA DRY Your erf number: 1461

Company/Trust details: OWNER IN OCEAN BREEZE ESTATE.

Postal address: OCEAN BREEZE ESTATE NO. 59, END STREET, SANDBAAI, HERMANUS  
7200

Contact details: Cell: 084 206 7702

E-mail address: ERNA@HERMANUS.CO.ZA

Signature: 

Date: 7.11.2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

Our Reference : 1497/4  
 Your Reference: 1735 HSB

2025-12-04

Directorate : Planning and Development  
 Town and Spatial Planning  
 P.O. Box 20  
 Hermanus  
 7200

Email : alida@overstrand.gov.za

Attention : Mr. B. Minnaar

Dear Sir,

**OBJECTION : ERF 1735 SANDBAAI TOWNSHIP  
 (71 BERGSIG STREET)  
 APPLICATION FOR REZONING AND DEPARTURE**

With reference to the subject amended application as submitted by WRAP  
 PROJECT OFFICE, herewith my comments/objection;

**1. BACKGROUND**

- **F.J. du Plooy is the registered property owners of erf 2771 Sandbaai Township, which is situated in the Ocean Breeze Complex, directly adjacent to the subject property abutting it on the eastern side.**
- **Erf 2271 Sandbaai was purchased during 2008 directly from the property developer, ±17 years ago.**
- **I am in principle not opposed to residential densification, which is physically compatible with the current land use structure dealt in a responsible and sensible manner, harmonising with the existing surrounding developments as well as with the greater Sandbaai Area.**
- **It is my professional opinion that developing the subject undeveloped property, will be very positive for the greater Sandbaai area and for business in general.**

**Town and Regional Planning Practitioners**  
**Environmental Assessment**  
**Property Development**

- 22 JAN SMUTS AVENUE FOREST TOWN ☒ 85108 EMMARENTIA 2029 • TEL 011 568 8329
- CELL 082 600 3174
- e-mail francois@fdpass.co.za

## 2. POSITIVE COMMENTS

- I congratulate the property developer that with the amended rezoning application the majority of concerns and fears were addressed in a very positive manner.
- The aesthetic view and overall physical appearance of the proposed development is in very good balance between the scale of economy and with the property market.

**However, I am of the opinion there need to take fine tuning place of certain critical aspects, such as maximum permissible density (units/ha), height namely, the 3<sup>rd</sup> floor of the central block of flats. privacy, height/quality of the eastern and western boundary walls.**

## 3. GROUNDS OF OBJECTION/ISSUES TO BE ADDRESSED FURTHER

### 3.1 Density (Units/Ha)

- To increase the density of 50 dwelling units/ha for this area up to 74,44 dwelling units/ha at this specific locality (taking the current density of the adjacent residential developments into account is a very large leap in density.
- The overall scale of the proposed development is therefore too high to be compatible with the surrounding residential complexes.
- It is proposed that if a compromise could be reached between 50 d/u and 75 d/u, namely  $125 \div 2$ , which represents **62,5 dwelling units**, this will create a scenario that is much more in character with the surrounding residential developments.

### 3.2 Height of central block of flats, specifically the 3<sup>rd</sup> floor

- If the density (du/ha) of 74,44 be decreased to **62,5du/ha** as proposed above, it will not be necessary to provide parking on ground floor level under the central block of flats, it will not be necessary to erect a third floor.
- By doing this, it is possible to decrease the central 3 floor building, to be in line with the other 2 storey buildings.
- This will automatically have the affected that the total number of flats be reduced from **83 to ±70 flats** which will decrease the total number of units to be erected on the site **±121 in total**.

### 3.3 PRIVACY

- If the scaling down of density and height, as well as the decrease in the proposed number of units be considered, the privacy of the directly adjacent residential developments on the eastern side (Ocean Breeze) and western side (Monte Mare), will improve a lot.

### 3.4 **Height and Quality of the Eastern and Western Perimeter Boundary Walls**

- If the height of the envisaged double storey town house development is taken into account, it is proposed that a minimum height of **2,5 meters** be imposed for the perimeter boundary walls. This will definitely minimize the physical /visible impact of the double storey development.
- It is also proposed that the finishes and quality of the perimeter walls (facing the existing complexes), will match the existing walls of the current complexes.

## 4. **CONCLUSION**

- **It is my submission that the proposed application for rezoning be approved subject to the above-mentioned aspects to be considered and taken into account as conditions of approval.**

Thank you.

Regards,

*Francis du Plooy*  
**Pr. Pln. RTPI**  
**A/027/1985**


**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**
**LAND USE PLANNING APPLICATION RESPONSE FORM**

 E-mail to relevant person stipulated on the notice: [lorissa@overstrand.gov.za](mailto:lorissa@overstrand.gov.za) / [allia@overstrand.gov.za](mailto:allia@overstrand.gov.za)  
 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:

1735 SANDBAAR

APP ID:

224

How did you receive notice of the application?

BY EMAIL

**STATE YOUR INTEREST IN THE APPLICATION:**

RESIDENTS AT OCEAN BREEZE END STREET.

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

PLEASE SEE ACCOMPANYING DOCUMENT.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name &amp; surname (PRINT)

MERVYN EDWARDS

Your erf number:

2785

Company/Trust details:

Postal address:

12 OCEAN BREEZE  
END STREET SANBARI 7200

Contact details:

Cell: 082 820 3326

E-mail address: EDWARDSMAYLO@GMAIL.COM

Signature:

M Edwards

Date:

7/11/25

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

**RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT**

We are the owners of Erf 2765 (Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith our objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. We are not opposed to the residential development of Erf 1735; our objection is to the proposed development aesthetically unpleasing multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

Our concern is with regard to the following issues:

**Traffic:**

The entrance to the proposed development will be in End Street and the exit in Bergsig Street. The additional road traffic associated with the proposed number of units will without doubt have an extremely negative impact on the traffic flow not only in End Street and Bergsig Street, but, also in the Main Road, Schulphoek Road, Schneider Street, Myrtle Street and Long Street.

Main Road and Schulphoek Road are the only roads providing access and egress to Sandbaai.

At peak periods there are high volumes of vehicular and pedestrian traffic in all the roads mentioned. In many of those roads sidewalks (road verges) are not suitable for pedestrian traffic.

Traffic flow is also hampered in Main Road due to many vehicles accessing Sandbaai from the R43 then turning right into Bergsig, no doubt to offload or pickup scholars at CURRO.

In the Main Road both during the morning and afternoon peak periods the the build up of traffic can reach from the R43 down to past the circle at Bergsig. Similarly, in Schulphoek Road the backup of traffic reaches as far as the new Suzuki showrooms. At peak periods vehicles can be seen impeding traffic flow in Schulphoek and East End Street, both by children being dropped off for school and homeowners picking up workers. Traffic flow is also hampered by pedestrians not giving way to vehicular traffic in Schulphoek. On numerous occasions traffic flow in Schulphoek Road is hampered by heavy vehicles loading cement, or waiting to load cement.

Access to Main Road to and from End Street is also hampered by work seekers congregating on the sidewalks of the main road.

Pedestrian traffic in End Street will increase at peak periods, morning and afternoon. Since there is no proper provision for pedestrian traffic, either in East End Street, End Street or Schneider Street, pedestrians use the roads to walk on which in itself creates problems for motorists.

**Infrastructure:**

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of the proposed units will have a major impact on the function, and maintenance of the existing infrastructure. It is doubtful that the current Sandbaai infrastructure will be able to sustain such high-density development.

**Noise and light pollution:**

Both the additional traffic, as well as the addition of a high-density development will cause a drastic rise in noise and light pollution with significant impact on the Ocean Breeze units facing the proposed multi-story blocks.

**Social and security matters:**

It is realistic to assume that high-density, single bedroom units will be a cheaper financial option. Unfortunately, this option is often accompanied by related social issues and lifestyle choices that do not necessarily align with the norms and type of lifestyle Sandbaai residents support and are accustomed to. Furthermore, the large amount of earth and construction work required for this type of over-development will likely introduce many unchecked casual workers to the area, providing those with nefarious intent, direct access to the Ocean Breeze western boundary wall, and allowing for an easy security breach into our security complex.

**Impact on the suburban charm of Sandbaai and its property values:**

The intended development of a multi-story, high-density housing complex (124 units planned) is in complete contrast to the peaceful suburban ambiance of Sandbaai. It does not align with the quiet, low-density, residential character of the suburb, and will therefore have an undoubted negative impact on the "look and feel" and general charm of the neighbourhood. This, as well as the fact that adjacent properties will lose their mountain view; will have a detrimental effect on Bergsig Street and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Trusting that the Municipality will give serious consideration regarding this objection to allowing the proposed development to go ahead, which would undoubtedly set a precedent and soon our lovely town will just become another coastal high-rise development void of its original charm.

Name: Mervyn A Edwards

Signature: 

Name: Adrienne M A Edwards

Signature: 

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b>	
	E-mail to relevant person stipulated on the notice: <a href="mailto:lor@overstrand.gov.za">lor@overstrand.gov.za</a> / <a href="mailto:elinda@overstrand.gov.za">elinda@overstrand.gov.za</a> 14 Paterson Street / PO Box 70 HERMANUS, 7200 / Tel: 028 313 8900	

<b>APPLICATION DETAILS</b>		
Application erf number:	<b>ERF 1735, SAMBAAI</b>	APP ID: <b>KN224-2025</b>
How did you receive notice of the application?	<b>EMAIL</b>	

**STATE YOUR INTEREST IN THE APPLICATION:**

**OWNER OF PROPERTY ADJACENT / BERGSIQ ROAD**

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

- HIGH DENSITY (NARROW SITE) WITH 3-STOREY HIGH BLOCKS IN THE MIDDLE
- PRACTICAL FACILITIES FOR HIGH DENSITY LIVING (SERVICE YARDS, WASTE)
- LOADS ON INFRASTRUCTURE (CURRENT) SEWERAGE, STORMWATER ROADS
- LANDSCAPING / GREEN AREAS? AS FOUND IN ALL ADJACENT, LOW DENSITY COMPLEXES
- TRAFFIC IMPACT ONTO BERGSIQ STREET

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b>	
Name & surname (PRINT):	<b>HELEN HENZEN</b> <span style="float: right;">Your erf number <b>2364</b></span>
Company/Trust details:	—
Postal address:	
Contact details:	Cell <b>0825607785</b>
	E-mail address <b>helenhenzen@gmail.com</b>
Signature:	Date:

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comments) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

	<p><b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b>  <b>TOWN &amp; SPATIAL PLANNING</b>  <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b></p> <p><small>E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a>          16 Paterson Street / PO Box 28 HERMANUS, 7200 / Tel: 020 317 8900</small></p>
<b>APPLICATION DETAILS</b>	

Application erf number: **1735** APPID: \_\_\_\_\_  
 How did you receive notice of the application? **WHATSAPP**

**STATE YOUR INTEREST IN THE APPLICATION:**

**HOUSE OWNER IN MOOIZICHT GARDENS (no 19) ERF 2330 AND CONCERNED/WORRIED ABOUT DEVELOPMENTS**

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION	COMMENT	SUPPORT
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

**IT IS EASY TO DEVELOP A PLOT AND LEAVE THE ISSUES FOR FUTURE OWNERS**

**PROJECT PLAN AS BASED ON EXCESSIVE NRS OF HOUSES ON THE TERRAIN**

**DEGRADATION OF NEIGHBOURHOOD / REDUCED VALUE OF MY OWN HOUSE**

**TRAFFIC CONCERNS / CONGESTION NEAR THE MALL AND IN BERSIG STREET**

**SEWAGE SYSTEM OVERLOAD / STORMWATER DRAINAGE**

**PROPOSAL IS INCONSISTENT WITH RESIDENTIAL NATURE**  
Feel free to continue on separate page(s)... **IN THIS NEIGHBOURHOOD**

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (given) **SAN ROES / MARTIE SMIT** Your erf number: **2330**

Company/Trust details:

Postal address: **19 MOOIZICHT GARDENS ERF 2330  
 BERGSIG STREET SANDBAAI**

Contact details: Cell: **064 9346118**  
 E-mail address: **ROES @ GMAIL . COM**

Signature:  Date: **3/12/2025**

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**Alida Conradie**

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**From:** Chris Keevy <chris.keevy@telkomsa.net>  
**Sent:** Tuesday, 02 December 2025 16:27  
**To:** Alida Conradie  
**Subject:** OBJECTION TO DEVELOPMENT APPLIVATION OF ERF 1735

**Importance:** High

OBJECTION TO DEVELOPMENT APPLICATION OF ERF 1735, BERGSIGHT STRAAT 72, SANDBAAI.  
 02 DECEMBER 2025

We herby submit our objection to the proposed development of erf 1735.

- 1 The proposed development was rejected during the first application. Despite a few minor adjustments the impact of so many units on a relative small piece of land remains a major concern. The norm in Sandbaai has been 20 units per hectare or in this case a maximum of 36 housing units on 1,81 hectare.
- 2 The proposed development of 51 townhouses and 83 flats are totally unacceptable:
  - a. Based on experience as former owner of an estate agency, this will have a negative impact on properties in the surrounding gated complexes as well as single residential properties in End street.
  - b. The proposed entrance from Bergsight street (almost next to the existing 3-way stop and entrance to the Whale Coast Mall) will create a major traffic bottleneck.
  - c. The exit into End street will create a similar problem where traffic from Erf 1735 will have to enter into Main Road and contribute to the already existing traffic at the Main Road / Bergsight Street.
  - d. Taking into account the increase in traffic when the already approved De Zandt is folly developed, this would create an unbearable situation.
  - e. Monitoring traffic flow on the effected streets from 07h00 tp 09h00 and again from 12h00 to 14h00 during the school terms and during peak holiday season confirm the current situation. Add to this the De Zandt traffic

As Sandbaai Property owners we have a direct interest as the impact of the development will impact on our access to the R42 main road leading from Hermanus to the N2 and it will also impact on our access to the Whale Coast Mall.

As an alternative the Overstrand Municipality could should inform all Sandbaai property owners by email of the application. A large number of property owners not staying in Sandbaai permanently are not aware of this application.

Kind regards

M Keevy  
 Erf 1745  
 Sandbaai  
 Mobile: 084 527 7428

C Keevy (Keevy Squared (Pty) Ltd) Copy of Power of attorney available.  
 Erf 1310  
 Sandbaai  
 Mobile: 083 630 2454



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number: 1735 Sandbaai APP ID: 4409/2023  
How did you receive notice of the application? email

**STATE YOUR INTEREST IN THE APPLICATION:**

An immediate and affected neighbour

TICK RELEVANT BOX

**OBJECTION**

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

As an immediate neighbour we will lose all our privacy in our garden, lounge, study and bedroom.  
This is a privacy and noise invasion.  
Our property values will devalue and our municipal rates will remain unchanged and pose a problem for future resale.  
High density is incompatible with the intended land use and character of the area.  
The traffic report given is inadequate and incomplete and has collected data during the quietest possible times.  
The property is a natural vlei in winter and home to some wildlife. Where is the environmental impact study?

This is not a minor rezoning request - it is a transformational land use change that can profoundly impact  
Traffic, Parking, privacy, noise, light/overshadowing, neighbourhood character, stormwater and sewer  
capacity, emergency access, visual impact, safety and congestion and pedestrian flow.

I also do not believe the proposed density numbers have been calculated properly, as they take the full extent of the land which means the proposed density can potentially be much higher than proposed.

As a municipal rate payer I do not believe the municipality would be acting in our best interests by allowing this inappropriate development to proceed.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT) John and Rochelle Linney

Your erf number: 1865

**Company/Trust details:**

Postal address: 1865 Monte Mare, Bergsig Street, Sandbaai

Contact details: Cell: 0842622119

E-mail address: [rochellelinney@gmail.com](mailto:rochellelinney@gmail.com)

Signature:

*Rochelle Linney*

Date: 2025/11/26

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**Alida Conradie**

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**From:** Alida Conradie  
**Sent:** Thursday, 27 November 2025 07:41  
**To:** Rochelle Linney  
**Subject:** Erf 1735, Sandbaai

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Rochelle Linney	
	Enquiries	Delivered: 2025/11/27 07:41

Good day

Receipt is hereby acknowledged of your objection. Your objection will be forwarded to the applicant for comment and further communication will be addressed to you in due course.

*KINDLY REGARD THIS EMAIL AS YOUR FORMAL ACKNOWLEDGEMENT.*

Kind Regards

**Alida Conradie**

*Administrative Officer, Town- and Spatial Planning  
 Directorate: Planning & Development, Overstrand Municipality, Hermanus  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)*

**From:** Rochelle Linney <rochellelinney@gmail.com>  
**Sent:** Wednesday, 26 November 2025 12:56  
**To:** Alida Conradie <alida@overstrand.gov.za>  
**Subject:** Erf1735

I hereby submit my formal objection to the rezoning and departure application for **Erf 1735, Bergsig Street, Sandbaai**, as advertised in the **Village News on 31 October 2025**.

In terms of rezoning, this is **not** a minor rezoning request. It's a **transformational land-use change** that can profoundly affect: Traffic, Parking, Privacy, Noise, Light/overshadowing, Property values, Neighbourhood character, Stormwater and sewer capacity, Emergency access, Visual impact, Safety and congestion, Pedestrian flow.

In terms of the departure, the developer has severely understated the proposed density. The proposed rezoning and development for Erf 1735 represents a significant increase in density compared to the existing Single Residential Zone 1 (SR1) character of the area. The applicant calculates a density of 74.44 dwelling units per hectare (DU/ha) based on the total erf area of 1.8 ha; however, when considering the actual development footprint of 1.64 ha, the effective density rises to approximately 81.7 DU/ha. Furthermore, based on the proposed unit mix, the development could accommodate an estimated 329 residents on the site, equating to roughly 183–201 people per hectare depending on whether the total erf or developed portion is considered. This projected population is substantially higher than what the surrounding low-density SR1 area is designed to accommodate, and is likely to place significant pressure on traffic, parking, municipal services, and

the character of the neighbourhood. The development therefore constitutes a marked over-intensification of the site, incompatible with the intended land-use character of the area

Kind regards  
Rochelle Linney  
1865 Monte Mare, Sandbaai  
0842622119

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> <small>E-mail to relevant person stipulated in the notice: <a href="mailto:jacobs@overstrand.gov.za">jacobs@overstrand.gov.za</a> / <a href="mailto:info@overstrand.gov.za">info@overstrand.gov.za</a>  16 Poterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900</small>
<b>APPLICATION DETAILS</b>	

Application erf number: **2806 : PLAN 21675** APP ID:

How did you receive notice of the application? **Ocean Breeze Home Owners Association**

**STATE YOUR INTEREST IN THE APPLICATION:**

**Property Owner in Ocean Breeze Estate**

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

- Ocean Breeze Estate as well as the rest of residential areas are maximum 2 storey buildings. 3 Storey flats would reduce value of surrounding properties.
- I agree to 2 storey buildings, BUT NOT 3 storeys.
- Loss of privacy
- Loss of privacy
- Loss of security
- Noise levels will go up.
- Traffic will be worse. At times we battle to get out of End Str. and Main road. The infrastructure of the roads are not sufficient.
- 3 Storeys will be a real disruption in the Sandbaai residential area.
- If the 3 storey flats are reduced to 2 levels it would be acceptable.

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>	
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Name & surname (PRINT) **JEANDRÉ MARINIER** Your erf number: **2806**

Company/Trust details: **OWNER IN OCEAN BREEZE ESTATE**

Postal address: **OCEAN BREEZE ESTATE No 51, END STREET, SANDBAAI, HERMANUS 7200**

Contact details: Cell: **060 676 8652**

E-mail address: **marinier.jeandre@gmail.com**

Signature: 

Date: **9 November 2025**

Please note that in terms of the Promotion of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> <small>E-mail to relevant person stipulated on the notice: <a href="mailto:forstra@overstrand.gov.za">forstra@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a>          16 Peterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900</small>	
	<b>APPLICATION DETAILS</b>	

Application erf number: Erf 1735 Sandbaai APP ID: MN 224

How did you receive notice of the application? Email from Hermanus Property Management


**STATE YOUR INTEREST IN THE APPLICATION:**

Owner of Erf 1875, Monte Mare, Sandbaai

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

See attached comment.

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>	
Name & surname (PRINT)	Neil Robert Marinus <span style="float: right;">Your erf number: 1875</span>
Company/Trust details:	N/A
Postal address:	19 Drommedaris Road, Somerset West
Contact details:	Cell: 083 452 7400
	E-mail address: robmar@telkomsa.net
Signature:	 <span style="float: right;">Date: 3/12/2025</span>
<small>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.</small>	

Herewith my, N R Marinus, 1875 Monte Mare, Bergsig Road, Sandbaai, comment on the on the rezoning of Erf 1735, Bergsig Road, Sandbaai.

The present proposal is an improvement on the previous Municipal Notice 194/2023 proposal. The layout of the Townhouses on the perimeter and the flats in the central area definitely considers the direct impact of the visual and noise intrusion on the adjacent complexes that the previous proposal would have had.

However :

In the previous proposal the approximate number of people accommodated would have been about 500. In the new proposal this would appear to be about 450 people. Considering (Erf 1735 is 40% of the area of Monte Mare) and comparing it to the density of people resident in Monte Mare (350) this calculates to be

Monte Mare	$350/100 = 3,5$ per area
Original proposal	$500/40 = 12,5$ per area
New Proposal	$450/40 = 11,25$ per area

If one considers that 10 per area would be acceptable then a reasonable amount of people would calculate to

Consideration	$40 * 10 = 400$ people
---------------	------------------------

This amount of people would lead to the noise and intrusion factor increasing almost threefold.

Vehicles:

Another factor would be the number of vehicles per complex.

Assuming that Monte Mare has 2,5 cars per unit there would be 150 cars in the complex. It has been said that Erf 1735 could have 237 cars for the complex.

The main access to Sandbaai is via Bergsig Road and Main road from the R43. The traffic on these roads is already heavy and this additional traffic would exacerbate the current problems on these roads.


It would be appreciated if these factors be favourably considered so that the environment is not adversely affected in the Sandbaai area.

Yours Sincerely,

N R Marinus,

1875 Monte Mare

Sandbaai.

		<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b>	
		E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900	
<b>APPLICATION DETAILS</b>			
Application erf number:	1735	APP ID:	
How did you receive notice of the application?	Email		
<b>STATE YOUR INTEREST IN THE APPLICATION:</b>			
I am a homeowner in Mooizicht Gardens, Bergsig Street			
<input type="checkbox"/> TICK RELEVANT BOX <input checked="" type="checkbox"/> OBJECTION <input type="checkbox"/>			
<b>REASONS FOR OBJECTION</b>			
<b>Objection re proposed development at 71 Bergsig Street.</b>			
I strongly object to the amount of homes (136) that are proposed to be built on this small section of land.			
As it is the amount of traffic on this road is a lot, especially the big trucks, and now there will be hundreds more Cars a day exiting onto Bergsig street. The water and sewerage infrastructure may not cope with the pressure of so many new homes. The sewers block up when it rains heavily as it is and the road has been flooded on occasion. Also, flats are going to significantly affect the view which we paid for in many homes, not just in Mooizicht Gardens. It will be an eye sore on the landscape. Green mountain estate in End Street is only two stories and it looks awful and very out of place, so how will three look!			
The price of the homes in Bergsig street may reduce significantly with this blight on the landscape, never mind that it is lower cost housing which will most probably be rented out . I have no objection to single story homes being built that are similar to the complexes in Bergsig street and surrounding areas. Over 130 homes is far too many and the builder is just being greedy. End Street is a reasonably quiet street now it's going to have 100s of cars daily on the road the same as Bergsig street. I do not approve that this land be rezoned for flats or for the street building line to be moved to 0m, so refuse room can be built .			
<i>Feel free to continue on separate page(s)...</i>			
<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>			
Name & surname (PRINT)	Susan Mercer	Your erf number:	2320
Company/Trust details:	N/A		
Postal address:	9 Mooizicht gardens, Bergsig Street, Sandbaai		
Contact details:	Cell:	0827878386	
	E-mail address:	merciers@forbes.com	
Signature:	<i>Susan Mercer</i>	Date:	1/12/25
Please note that in terms of the Protection of consent to your name, surname, contact details representation received as a result of a public notice and comment(s) may be disclosed/used in the application process. Any objection, process must be in writing and addressed to the person mentioned in the notice period stated in the notice. agree and comment or within the time			



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number: 1735

APP ID:

How did you receive notice of the application? email

**STATE YOUR INTEREST IN THE APPLICATION:**

I am an affected homeowner

TICK RELEVANT BOX



**OBJECTION**

X

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

I live in Mooizicht Gardens in Bergsig street and I strongly object to the proposed development at 71 Bergsig st for the following reasons:

Bergsig st is already busy with traffic and even though only the exit of said development will be in this street, it will compound the traffic problem.

A 3 story block of flats is not part of the aesthetics of Sandbaai.

The 3 complexes surrounding this development will have compromised views and so the value of our properties will diminish

The above mentioned complexes are fairly 'up market' as are all the complexes in Bergsig st and to erect an 'affordable' housing complex here, will affect our property values

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT)

Your erf number:

Company/Trust details:

Postal address:

Contact details:

Cell:

E-mail address:

Signature:

Date:

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**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:	1735	APP ID:	
How did you receive notice of the application?	Email		

**STATE YOUR INTEREST IN THE APPLICATION:**

I am writing on behalf of Mooizicht Gardens Home Owners Association. I am the Chairperson and have been asked to submit this objection on behalf of the home owners.

TICK RELEVANT BOX



**OBJECTION COMMENT SUPPORT**

**REASONS FOR OBJECTION:**

**Objection re proposed development at 71 Bergsig Street.**

Dear Sir/Madam,

See next page

*Feel free to continue on separate page(s)...*

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

<b>Name &amp; surname (PRINT)</b>	Mooizicht Garden Home Owners Association	Your erf number:	2374
<b>Company/Trust details:</b>	N/A		
<b>Postal address:</b>	Mooizicht Gardens, Bergsig Street, Sandbaai		
<b>Contact details:</b>	Cell:	0827878386	
	E-mail address:	merciers@forbes.com	
<b>Signature:</b>		<b>Date:</b>	4/12/25

Please note that in terms of the Protection of consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, process must be in writing and addressed to the person mentioned in the notice and comment or representation received as a result of a public notice period stated in the notice. agree and comment or within the time

Dear Sir/Madam,

I am writing on behalf of the MGHOA in my capacity of chairperson. We formally object as a residents association and stakeholder in the Sandbaai community to the proposed development of high-density flats adjacent to established residential complexes along Bergsig Street, specifically in relation to the application concerning Erf 1735.

While we support responsible development and inclusive housing solutions, this particular proposal raises several serious concerns that warrant reconsideration:

The proposed multi-storey flats will directly overlook existing homes, compromising the privacy and tranquility of residents in adjacent complexes. The scale and density of the development are incompatible with the character of the surrounding low-rise, owner-occupied properties. The three Storey flats will block the views of some residents who specifically bought because of the view.

The application includes over 140 units. This will inevitably lead to further congestion and noise on Bergsig street and End Street. Given that its so close to the mall there could also be additional concerns that there is no proper place to cross creating safety hazards, and frustration for existing and new residents.

The application requests significant departures from building line regulations, including reducing the northern street building line from 4m to 0m for carports. Such deviations set a concerning precedent and erode the planning protections that residents rely on.

The introduction of transient or short-term tenants in high-density flats may disrupt the established community culture and negatively affect property values in adjacent complexes.

We respectfully request that the Overstrand Municipality:

- Reassess the scale and density of the proposed development
- Require a comprehensive traffic and infrastructure impact assessment
- Engage further with affected residents and trustees of adjacent complexes before any approvals are granted
- Uphold existing zoning and building line regulations to protect community integrity.

We do not have a problem with single Storey homes that fit with the current landscape and design in most of Sandbaai.

Your Sincerely

Susan Mercer  
Chairperson MGHOA

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b>
	<small>E-mail to relevant person stipulated on the notice: <a href="mailto:lorretta@overstrand.gov.za">lorretta@overstrand.gov.za</a> / <a href="mailto:ajlda@overstrand.gov.za">ajlda@overstrand.gov.za</a>          16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 318 8900</small>

## APPLICATION DETAILS

Application erf number: **4409/2023** APP ID: \_\_\_\_\_  
 How did you receive notice of the application? **VIA HPM email (leongroos@webmail.co.za)**

## STATE YOUR INTEREST IN THE APPLICATION:

**JJ Olivier** **erfnaar 1863.**

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input checked="" type="checkbox"/>	SUPPORT <input type="checkbox"/>
REASONS FOR OBJECTION / COMMENT / SUPPORT:			

1. 'n Besliste NEE vir die hersonering van Erf 1735.
2. Geen verslapping van boulyn nie. Munisipale reëls geld vir ons almal. Ons gaan geen privaatheid meer hê nie.
3. Ontwikkelbaar se berekening van hoeveelheid inwoners en motors van voorgestelde ontwikkeling, is absoluut belaglik. 134 woon eenhede met 1 motor per eenheid, is alreeds 134 voertuie en die meeste gesinne besit 2 voertuie. So om te sê dat dit geen uitwerking op die alreeds besige verkeer gaan hê nie, is absolute snert. Dink weer, papier is geduldig!
4. MM se grondoppervlakte is 2 1/2 keer groter as erf 1735, met 60 eenhede teenoor 134 beplande eenhede. MM het ± 127 inwoners; Erf 1735 gaan minstens 450 hê. 2 persone per kamer bereken. Oorpopulasie met gevolge.
5. Hersonering se effek op MM en Sandbaai inwoners: Goedkoop, lae koste behuising, oorbevolking, geraas, bakleiery, inbrake, dalende huispryse, roegmerrie verkeer en geen privaatheid vir MM se inwoners nie.
6. Effek op ontwikkelbaar: Instroming van geld, geld en nogmaals geld.

Feel free to continue on separate page(s).

## PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (name) **J.J. Olivier.** Your erf number: **1863**

Company/Trust details: **NVT**

Postal address: **Monte Mare 1863. Bergsigstraat.**

Contact details: Cell: **06 74989352**

Email address: **-**

Signature: 

Date: **17.11.2025**

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, name, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

## Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai, Dec 2025

The revised proposal is as ludicrous as the previous one. We acknowledge that the proposal is intended to sway public opinion on the benefits of the project and contains many subjective opinions that would appear to make the public want to believe in a fairy tale.

In fact, the whole proposal is a last-ditch effort by a greedy developer who is only interested in maximising the financial reward for himself, with no conscience for his legacy to the Hermanus community, a legacy which will have far-reaching consequences for this beautiful town.

The creation of a modern-day ghetto, and once built cannot be undone, the responsibility will fall squarely on the shoulders of Overstrand Municipality to resolve all issues. The "promise" of more money in terms of increased rates collectible from the development, needs to be balanced out by the reduction of value of properties in the area due to the ghettos proximity, and the increased cost to OM to manage the fall-out from increased pressures on the infrastructure and the policing of such a high-density area.

The population of Hermanus has grown over recent years due to many families wishing to escape the crime ridden concrete jungles of cities.

The 2 tables showing population growth in the Greater Hermanus Area for densities of 15du/ha and 20du/ha, do not give any indication of the financial capabilities. Are these figures for low-cost housing?

Is there a proper survey which has been completed? Are the proposed dwellings on erf 1735 appropriate? Considering the lack of information, the development could be a huge White Elephant, and eventually we will have a Hillbrow on our doorstep.

The development of 134 units reduces to 74.44du/ha which is still totally out of line with the surrounding properties. The author agrees that the suburb offers a peaceful and laid-back coastal lifestyle, which will be totally destroyed should the development proceed as proposed.

While we appreciate the offer to keep the properties on the boundaries to 2 storeys and flats located to give a step-down effect, due to the size of the property it will have very little effect on the ugly duckling in a pond of swans, definitely does not integrate seamlessly.

### 1. Density:

The development of this monstrous ghetto is in response to the lack of residential land in Area 6 which is the direct effect of having rezoned the Mall property and the new commercial developments along Bergsig Street. Is this ghetto supposed to re-align the residential figures for area 6? The Mall plays a major part in the lives of the Sandbaai residents, it contributes to our lifestyle in Sandbaai, and one of the major reasons that Sandbaai has become the place everybody wants to live. Look at the bigger picture, not just at area 6. People from the farming communities and small towns travel from all over the Overberg to do shopping at the Mall.

The development of 134 units reduces to 74.44du/ha is still totally out of line with the surrounding properties.

Compute the numbers to actual physical people:

1 bed units (61 @ 2 adults 122

2 bed units (55) @ 2 adults + 2 children 220

3 bed units (18) @ 2 adults + 4 children 108

Total physical humans on 1.8ha 450 EXCLUDING service staff and visitors

(WC allows for 2 people per bedroom)

The proposal talks about multi-generational living, I cannot believe that any mature adult would willingly want to purchase a property where screaming children and babies will be part of daily living, there will be no space to escape the noise.

Area 6 has justifiably become more of a commercial hub than a residential hub and should be exempt from previously published residential targets.

## 2. Flats:

Apart from the 3 blocks of flats in the middle of the property, the so-called simplexes along Bergsig Street are actually 3 blocks of 8 flats = 24 FLATS. A simplex is a 1 storey building, not 1 piled on top of another.

3 storey flats are the biggest problem with the proposal, and reduction to 2 storey may assist with reducing the horrific density. Visually it will also be more appealing.

The balconies of the flats will either be on the east or west side of the building, looking directly over the neighbouring properties. We paid a substantial price for our properties to enable us to have privacy in our back gardens. Now we have no privacy and have an added security risk to the entire estate, a birds eye view for potential criminals.

## 3. Affordability:

We have mentioned previously that the population growth figures tabled do not adequately cover the needs of prospective buyers nor their financial means to qualify for a bond.

To qualify for a bond of R2.4m would require approx R68 000pm joint income, with repayments of approx R24 000pm. This alone would almost disqualify anybody that works in the mall from meeting the qualifying criteria. The target market appears to be "young professionals", but in my opinion, the product available would not be suitable for them.

To qualify for a bond of R1.4m requires an income of approx R47 000pm with a repayment of R14 000pm.

To state that the proposal is a direct response to OM's strategic goal appears to be a little far-fetched considering the amount of land there is to work with. Personally it smacks of greed, with no conscience for the outcome.

## 4. Green solutions:

Thank you for caring about the environment, however, piped gas to every unit has very real fire potential. Where will these gas cylinders be housed? Has any thought been given to an evacuation necessitated by fire? 450+ panicking people, some being children, trying to escape a fire.....

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The back-up power systems to be installed for power outages, where will this be installed? Are we talking about an industrial sized generator? What about the noise? Will the generator room be soundproofed?

Do you have a system that will keep all the residents warm in winter? Or must they just make use of electrical/gas heaters? And the fire risk associated with gas heaters in the sardine cans they will be living in? I have not been able to find any reference to emergency procedures which must deserve attention considering the density.

#### 5. Open space:

Although some may be impressed by the generous 11.49% open space when only 10% is the required amount, the smaller the land, the less actual land is required to make a big difference. Lets hope that all 450 people don't want to use the open space at the same time. I have to comment on fostering of sense of pride among residents and neighbours, we already have a sense of pride, which you are threatening.

#### 6. Laundry:

There is to be drying yards, screened behind 2.1m boundary walls, however, I have not been able to locate these on any drawings.

#### 7. Departures:

Comment on Rubbish room of 32 sqm, an average double garage is 36 sqm. Imagine the smell and flies in summer with that quantity of rubbish, in a complex with a target market that will have young families (baby nappies).

Having studied both the GR2 and GR4, although the GR4 enables flats to be built, GR2 is more in line with the existing neighbourhood, no flats. Had the flats been erected before the surrounding complexes, the complexes would have a different design to obviate the height of the flats. The coverage of GR2 at 65% which is nicely livable vs GR4 80% coverage and overcrowding, this is where greed comes in.

The comparison to the De Zandt development is ridiculous. They have 40ha not 1.8ha, and are building a whole area, not intruding of existing residents and trying to convince them that the development will be advantageous to all residents in Sandbaai.

#### 8. Sewerage:

The construction of 1 conservancy tank may sound like a good idea, however I was unable to find any measurements for this tank, nor where it would be located. This tank would also alleviate the need for tankers to negotiate the roadways in the complex. However, should the tank fail, there is going to be a whole lot of s\*&t hitting the fan. How often will the tanker services be required to keep the tank at the right levels for so many residents? How long will it take for the tanker to clear what will have to be a huge tank? Does OM have sufficient vehicles to be able to service all other residences and a high-density complex as this. With a target market of younger generations, how many nappies will be clogging up their system?

#### 9. Traffic:

The traffic survey conducted does not appear to be accurate, with only 1 day's readings used to update an old survey periodically. Traffic volumes for particularly school going children are hectic,

both early morning and at end of school times. Bergsig Street is utilized for deliveries to the mall and the industrial area.

Based on the number of units to be developed:

If each unit only has 1 vehicle, the traffic will increase by 134 vehicles every day using an already congested roadway. At 1.5 vehicles per unit, the volume increases to 201 additional vehicles.

Based on the demographics of the typical owner/resident of such a complex, a conservative 50% will need to transport school children at peak hours, hence 100 extra vehicles using the school route, which includes the circle intersection at Main and Bergsig Street and/or the intersections in Schulphoek Road.

Based on experience of living in the area, I am in total agreement with the TIA regarding the congestion at the circle of Bergsig and Main, although the assessment appears to be of the opinion that Erf 1735 will not impact on the traffic volumes and congestion. As residents of Monte Mare, we often rely on the kindness of motorists to allow us into the traffic, which proves their statement incorrect. A proper assessment is required.

Should OM agree to the rezoning and approval of the proposal, it will become their responsibility to resolve the congestion, which will surely come at quite a price. Reliance on the De Zandt development of the road infrastructure and piggy-backing off them is used to sweep the problem under the carpet.

Both Main Road and Bergsig Street are urban class 3 roads (minor arterial road). End street is Class 5 local street. Is a local street designed to take the traffic of potentially 268 vehicles per day? Both in terms of the width of the road, and the depth of the construction of the roadway?

#### 10. Socio-economic impact:

Everybody knows that a construction site will attract migrant labour, which will need to have accommodation, which will become the responsibility of OM. However on completion of the construction, probably 50% of the labour force will not return to their homes, and will be seeking accommodation here, again OM will have to supply the accommodation. The increased spend at various shops because of the project cannot be compared to the cost to OM. It is the norm for large construction projects to source materials from major centres because of the volumes and costings at bulk prices that they will achieve. Local service providers will only see a very small volume of increase.

The increased economic impact from residents in new development is disingenuous, whether these residents reside on erf 1735 or at a nearby location, doesn't make any difference, they will still utilize the retail options at the mall. The same logic is applied to the increased rates to OM.

#### 11. Compatibility with surrounding uses:

The Erf is already zoned for Residential, but GR4 flats should be declined as it is incompatible with the surrounding area.

#### 12. Impact on safety, health and wellbeing:

The proposal alludes to appropriate fencing and electric fencing where necessary, however, I have not been able to find any information regarding the boundary walls of Erf 1735. Are you planning to use the existing walls of other complexes?

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Living in such close proximity to so many people will potentially lead to aggressive behaviour from residents due to frustrations which will build up. Arguments that may arise between 2 people will escalate to a crowd. With so little space available, there is no reprieve from an irritating neighbor and small inconsequential episodes could become heated and lead to physical violence, again to be resolved by OM. The flats would probably be occupied by young virile men with attitude, trying to prove themselves, testosterone pumping to prove their worth. More mature men would try to accommodate situations, but not young males.

### 13. Impact on views:

The writer suggests that 134 units MAY result in a change to the visual character but is not considered inappropriate! It will definitely result in a change, it will stick out like a sore thumb, visible long before you enter the area, turning a suburb into a city, and I am unable to find any development in the larger surrounding area that is similar. All 4 developments mentioned on page 37 are on the outskirts of the CBD and should not be mistaken for the suburb of Sandbaai.

14. Although privacy on the boundaries may have been addressed, the balconies of 3 blocks of flats face westwards, giving an excellent bird's eye view of our entire complex and exposing us to security risks. Eastwards, Ocean breeze is also similarly affected.

I cannot envision what mature trees will be big enough to act as a screen, as the majority of the trees visible from my property are Australian Myrtle and Port Jackson – alien invaders. To establish proper screening will require large trees, and I'm not sure if there will be sufficient sunlight for these trees to grow due to the compactness of all the buildings proposed for erf 1735.

### 15. Light pollution:

Please ensure that the rules for the body corporate include the specification for the light bulbs to be used.

### 16. Sunlight:

I have been unable to find any reference to the boundary wall, whether you intend to erect your own boundary wall, or use Monte Mare boundary wall. Depending on the intended height of the wall, sunlight could be affected. As mentioned above, with the density of proposed buildings, residents of erf 1735 may also only have limited sunlight.

### 17. Surrounding property values:

With a potential 450 humans residing on 1.8ha there will be noise, both from people and from vehicle start-ups, particularly in winter. The overpopulation of Erf 1735 by so many people can be likened to Hillbrow/ a ghetto/ slum area. Everything in the proposal will be detrimental to my property value. To support the local municipality is to be applauded, but to condemn existing residents to having to deal with the fall-out of a greedy developer is not justified and should not be condoned. Ultimately, OM will be held responsible and be blamed for allowing the proposed development to take place.

### 18. Sustainable development by maximising land use:

While agreeing with this principle, the destruction of the peaceful laid-back coastal lifestyle by erecting a concentration camp in the area is just an excuse to grab as much financially as possible, but it suits the developer to "use" these terms to enable his own profitability

#### 19. Housing need:

Although the housing need growth figures are included, there is no indication of the financial ability of the quoted numbers. Can those seeking housing afford to purchase any of the properties? A more comprehensive analysis of the demographics of those seeking housing is actually required to establish the financial capability of house seekers. Can the young professionals afford to purchase a 1 bedroom flat for R1.4m, and would they be prepared to live in a Ghetto? Property 24 has 34 listings for apartments/flats, how was the need for flats established? Was a survey done on the need for flats?

20. Municipality's strategic goal of increasing access to housing opportunities where densities can be responsibly increased would now appear to have become the responsibilities of the homeowners of Sandbaai. The blame for area 6 not achieving the density figures required is due to the rezoning of the majority of Area 6. The Mall and the surrounding retail shops are appreciated by the residents, and to expect that the area could still achieve a ridiculous population density is ludicrous, especially when it comes at the expense of ratepayers. The slack in the du/ha for area 6 needs to be absorbed by the surrounding areas that all enjoy the facility of having the mall.

The proposal is in direct response to OM strategic goal of increasing access to housing opportunities where densities can be responsibly increased. Opinion is that having rezoned the mall and "shopping centres" to commercial use in area 6 it suits developer to "use" this to his advantage of maximising his potential profit and appearing to be "helping" OM out of a situation.

The majority of area 6 is zoned for commercial use, not residential. If you consider the greater Sandbaai area, yes it is mostly residential serviced by great commercial facilities. The establishment of a ghetto does not fit in seamlessly with the existing area of more affluent complexes and does not respect existing complexes and will detrimentally affect the visual character of the area. With the rezoning for the commercial ventures, you are using the opportunity to cover up for OM to readdress the loss of land for residential purposes to push the numbers up for area 6.

#### 21. Parking:

Parking for 16 (check the number on map) has been allocated against our boundary wall at 1867.

Our existing boundary wall is approx 2m. Are these parkings to be covered with shade cloth? The norm for shade cloth is 2.4m high. Clarification is required.

#### Conclusion:

It quite clear that the proposal will use any excuse to justify its development. A used car salesman couldn't do better. A proposal based on figures that do not prove that this type of complex is what investors want. He has tried to justify a white elephant and talks about socio-economic equality. WHO IS GOING TO BUY A FLAT IN YOUR COMPLEX?

**GR4 MUST BE DECLINED.** It is motivated by greed with no social conscience. The planned project has nothing to offer either its residents nor the local Municipality.

Submitted and signed by Johanna Jacoba Olivier.....(full name)

Signature: .....  ..... On 27.11. ....2025

7



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING  
LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [janeta@overstrand.gov.za](mailto:janeta@overstrand.gov.za) / [alisa@overstrand.gov.za](mailto:alisa@overstrand.gov.za)  
16 Paterson Street / PO Box 29 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number: **2784**

APP ID:

How did you receive notice of the application?

Home owner association at Ocean Breeze

**STATE YOUR INTEREST IN THE APPLICATION:**

I AM A PROPERTY OWNER IN OCEAN BREEZE

TICK RELEVANT BOX  OBJECTION  COMMENT  SUPPORT

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

THE NEW PROPERTIES ARE UP TO 3 STOREYS - THIS WILL MASSIVELY IMPACT ON MY PRIVACY. THEY WILL BE ABLE TO SEE DIRECTLY INTO MY BACK GARDEN, EVEN IF THE 3 STOREY PROPERTIES ARE TOWARDS THE MIDWIF.

NOISE LEVELS WILL SIGNIFICANTLY INCREASE

ALL THE PROPERTIES AND ESTATES AROUND US ARE MAXIMUM OF 2 STOREYS. NOTHING CLOSE BY IS 3 STOREYS.


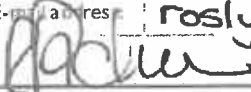
I STRONGLY OBJECT TO 3 STOREY BUILDING  
I WILL ACCEPT 2 STOREY IF I HAVE NO OPTIC

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (PRINT): **JANET O'NEILL** Your erf number: **2784**  
Company/Trust details: **OWNER OF PROPERTY IN OCEAN BREEZE**  
Postal address: **31 OCEAN BREEZE, END STREET, SANDBAAI, HERMANUS**  
Contact details: Cell: **066 593 4375**  
E-mail address: **janetoneill3@MSN.COM**  
Signature: *[Signature]* Date: **19.11.25**

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

		<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900	
<b>APPLICATION DETAILS</b>			
Application erf number: <b>1735</b>	<b>OCEAN BREEZE EST, END STR.</b>		APP ID:
How did you receive notice of the application?	<b>EMAIL FROM MALITA NIGRINI, BODY CORPORATE HOA</b>		
<b>STATE YOUR INTEREST IN THE APPLICATION:</b>			
<b>I AM A PROPERTY OWNER IN THE OCEAN BREEZE ESTATE AND I AM CONCERNED ABOUT NOISE POLLUTION AND MORE STRAIN ON PEAK HOUR TRAFFIC IN AND OUT OF SANDBAAI, AND NEGATIVE EFFECT ON NATURE.</b>			
TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT	SUPPORT
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			
<b>I STRONGLY OBJECT TO THE PROPOSED SECTIONAL TITLE DEVELOPMENT FOR erf 1735, 71 BERGSIG STREET.</b> <b>ONLY SINGLE DWELLING/FAMILY FREE-HOLD WILL BE COMPATIBLE WITH THE SURROUNDING BUILT ENVIRONMENT SECTIONAL TITLE HOMES/TOWN HOUSES/ DUPLEXES WILL NOT HAVE VISUAL BREAKS ALONG THE BOUNDARY AS THEY ARE ALL CONNECTED TO ONE ANOTHER, UNLIKE FREE-HOLD, STAND ALONE HOMES. SECTIONAL TITLE, SPECIFICALLY FLATS, PRONE TO NOISE POLLUTION. THE PROPOSED DENSITY EXCEEDS THE MAX GROSS DENSITY AND APPEARS EXCESSIVE. THERE IS A BUILD FOR FLATS ADVERTISED ON 'PROPERTY24' ON 40 MAIN ROAD SANDBAAI, CALLED 'WENDY'S'. WE HAVE A RIGHT TO PRIVACY.</b> <b>WILL THERE BE A TIME FRAME TO BUILD, OR WILL IT TAKE YEARS TO DEVELOP DIFFERENT PHASES, LIKE DE ZANOT LIFESTYLE ESTATE NEXT TO CURRO SCHOOL.</b> <b>PLEASE CONSIDER OUR OBJECTIONS. THANK YOU.</b>			
<b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b>			
Name & surname (PRINT):	<b>ROSLYN PITCHERS</b>	Your erf number:	<b>2779</b>
Company/Trust details:	—		
Postal address:	<b>26 OCEAN BREEZE 79 END STREET</b>		
Contact details:	Cell:	<b>082 882 0516</b>	
	E-mail address:	<b>roslyn@ascca.co.za</b>	
Signature:			Date: <b>04/12/25</b>
Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.			

TP: A. Theart



**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:

ERF 1735

APP ID:

4409/2023

How did you receive notice of the application?

HPM email

**STATE YOUR INTEREST IN THE APPLICATION:**

I own property in Monte Mare adjoining erf 1735.

TICK RELEVANT BOX



OBJECTION



COMMENT

SUPPORT

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

\* SEE 11 page Reasons Attached \*

OVERSTRAND MUNISIPALITEIT

REKORDBEHÊER

04 DEC 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

FILE NO. ERF 1735

Sandbaai

SCAN NO.

COLLABORATOR NO.

2923290

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (PRINT)

DEBORAH ROBERTS

Your erf number:

1873

Company/Trust details:

Postal address:

1873 MONTE MARE, SANDBAAI, HERMANUS

Contact details:

Cell:

083 319 3195

E-mail address:

deb.roberts@mweb.co.za

Signature:

*Deborah Roberts*

Date:

13-12-2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

TP

## Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai – submitted by D Roberts, 1873 Monte Mare, Sandbaai (referred to as MM for Monte Mare)

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Reasons for objecting to the proposed unheard-of and untested, high density, multi-storey group housing, inappropriately positioned between low density, single storey, upmarket townhouses:

In 2024 I submitted an 8 page in-depth analysis of the developer's first 'motivations', with the same sales talk and ridiculous claims as now appears once again in November 2025. I did not get any response from the developer or the Building Department. So much for public participation.

Now we start over again with the same unsubstantiated, repetitive marketing drivel which is a real insult to our collective intelligence. Let's just call it what it is: **PUTTING LIPSTICK ON A PIG**

To match the spirit of sales talk nonsense, I hereby re-submit my updated response from Feb 2024, now dated 3<sup>rd</sup> December 2025. Like them, I have just taken out a few items and moved things around a bit i.e. their smoke and mirrors approach.

It is important to note the financial benefits for the Overstrand Municipality. They have counted all the rands and cents very carefully. However, I would refer to the matter brought to the courts in 2015 where Sandy Cove owners tried unsuccessfully to object to the approvals of commercial, light industrial and in the case of the cement factory, heavy industrial surrounding their residential complex by the municipality. Their complaints of air pollution from the factory and dust generated from others, fell on deaf ears.

This same municipality now wants to sell neighbours of Erf 1735 down the river. At no point can any neighbour of this developed erf expect support from Overstrand Municipality. It will be over to the management company (generally appointed by the developer and therefore representing his interests for the duration of the build, and sometimes beyond) to manage the mayhem. The municipality will only be chasing its new income.

The revised proposal is as ludicrous as the previous one. We acknowledge that the proposal is intended to sway public opinion on the perceived benefits of the project, however it contains so many subjective, unsubstantiated claims. In effect it amounts to an attempt to con the public into believing high density living is the best investment.

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Aside from creating a threat to Sandbaai's peaceful neighbourhood and to the values of properties, should this development be approved, there is a serious risk that it could become a blueprint solution to 'address the ongoing housing shortage' in the future, regardless of whether sectional title schemes are an appropriate, affordable, form of ownership or lifestyle for the targeted entry level buyers. (Which it is not) There would be wide-reaching consequences, not only for immediate neighbours, but for Sandbaai suburb as a whole. All the attempts to reference comparative developments in the area set out in the developer's 'Motivation', could be used to justify the same radical densities in other new developments in the area. Buyers/investors will most certainly be driven away when confronted with this inappropriate megacomplex. This should be a warning beacon to the whole of Hermanus.

I submit this objection as an owner of a property in Monte Mare. Every owner at Monte Mare supports the objection to the proposed development of Erf 1735.

1. Erf 1735 is one third of the land size of MM, which has 60 units and 127 residents. The potential number of residents to be accommodated on Erf 1735, will be 5 times that of MM. This creation of overpopulated group housing in a thriving, established low density community is absolutely inappropriate.
2. 'Proposed development will only be 1m higher than allowable height of next-door properties'. To put this misleading claim in perspective, out of 390 homes in 7 complexes in Bergsig Street in the vicinity of Erf 1735, only 5 in MM are double storey (apex 8.3m only, not 9m). The 5 double storey houses in MM front onto End Street and Main Road, not Bergsig Street – see map below.

- completely out of the line of sight of Erf 1735. To quote this as a justification for building 6 blocks of three storey flats, is really ridiculous.

MM's 55 single residences have apex pitched roof heights of 5.3m, 4m lower than the 6 blocks of flats, with flat roofs 9m high and pitched roofs 8m high and buildings between 37.71m and 28.08m in length, noted in the 'Motivation' as just a small difference of 1m in height, is absurd. The overall effect of these monstrously high constructions next door to small simplex townhouses will be visible from miles around. Visitors approaching Hermanus will see this massive megacomplex clearly from the R43, in high conflict with the charming character of the town which is included in all marketing material available.



MM Double storey: .....

From Argon Street to the west, all the complexes in Bergsig Street in the immediate vicinity of Erf 1735 – Mooizicht Gardens, Sandy Cover, Ocean Breeze, Bergzicht, Protea Park, Monte Mare (excluding 5 homes) and Green Mountain Estate - are all single storey (simplex) townhouse developments.

3. Erf 1735 plans 6 three storey buildings of 84 flats, along with a two storey block of 24 flats on Bergsig Street (NOT simplexes, but separate flats on top of each other, and 27 Duplexes on neighbours' boundaries with a conservative estimate of 504 residents (SAME estimation as 2024), and at least 170 cars. The overwhelming effect of the high concentration of towering blocks of flats above neighbouring townhouses is absolutely inappropriate. Bear in mind that the estimate of residents is based on the Western Cape standard.
4. If the developer had been concerned about respecting the privacy of neighbours, he would at the very least have turned the duplex around to face inwards towards the monstrous 3 storey flats. Is there any wonder why he faced them out over the single storey neighbouring homes. No. That way, the residents can turn their back on the monstrosity and enjoy the privacy which they will be taking from all the bordering properties. The residents will live towards the boundaries which means noise will be directed into MM and neighbours.
5. The developer claims that by reducing the storeys to two on the side boundaries will positively affect the neighbours' views, are incorrect. The pitched roofs on the 2 storeys are only 1m lower than the 3<sup>rd</sup> storey flat roofs. The 6 three-storey buildings will block views and light; as will later be addressed page 4. MM would be happy to host a site inspection on MM ground by the developer to prove this. Bear in mind that positioning the 6 blocks of flats in the middle of the development will hardly put them out of sight. The erf is only 90m wide!!!!
6. The substantial number of solar panels needed for power will probably be mounted on the 3<sup>rd</sup> storey flat roofs, but they could well be mounted at a raised angle to maximise sunlight. This could add up to 800mm height, further blocking eastern and northern sunlight for MM and Ocean Breeze, as well as northern sunlight and views for private houses in End Street.

7. The 'proposed zoning and morphology are aligned with development trends in other areas of the OM'. This statement is both unsubstantiated and inaccurate. There are three lifestyle developments in the area – Beach Club; Mariners' Village and De Zandt. Not one of these high-end estates can be compared to what is proposed on Erf 1735. See below:



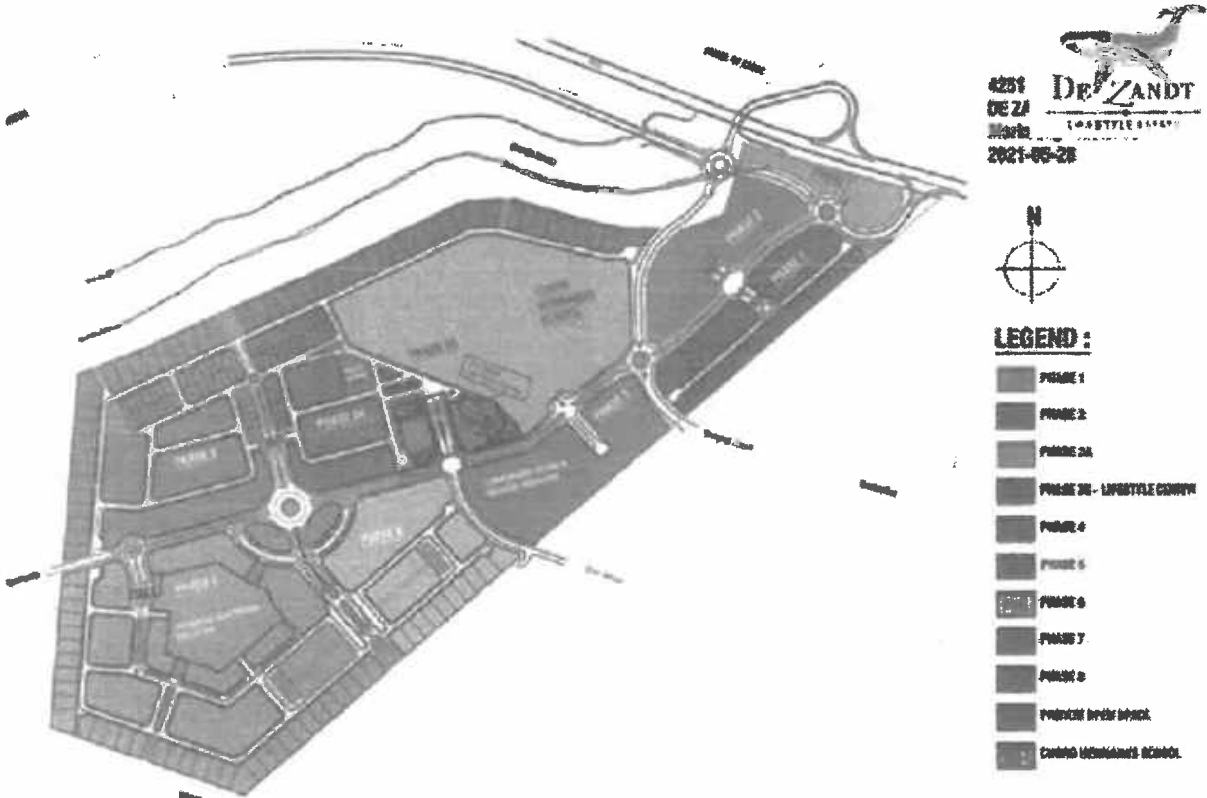
Green Mountain



Beach club



Mariners' Village



8. The fact that the muppet who drafted the Motivation" compares this small ( 1.8Ha or 1.6Ha with the open space included) overcrowded ghetto with the likes of De Zandt Lifestyle Estate which is located on 40Ha and incorporates schools, shops, restaurants, expansive open landscaped space, sporting facilities, swimming pools, retirement options and a wide variety of houses, townhouses and blocks of flats (nothing like the sardine can approach to design evidenced on this proposal) and so much more. Ridiculous that De Zandt is even mentioned.

9. Reference to Green Mountain Estate flats as '*existing higher density development*' justifying the density proposed on Erf 1735, is once again untrue. There are only four two storey blocks of 32 flats on land half the size of Erf 1735. See Google Map diagram below:



Green Mountain flats framed on left compared to Erf 1735 on right of picture.

10. Target market: to address housing demand.

Definitions/descriptions of the target market, as a justification for allowing this development, is confusing at best: Reference "*younger families, semi-retired and retired people*", '*entry level or first time buyers*', '*Sandbaai developments cater to higher end market, making it difficult for entry level market*'; '*in line with OMSDF addressing housing demand*'. This development seeks to increase density shortfall created in the mall development, to more than the planned 56 and 84DH/Ha. Reference is then made to '*creating fair and equitable distribution of resources and amenities to all members of society/community regardless of socioeconomic status*' and then reference to '*righting significant spatial imbalances created in the apartheid era. This development will contribute towards a more just and equitable society by addressing spatial imbalances*

So, there is a perceived need to increase the stock of flats, there is the need to address the housing shortage; there is a need to service first time/entry level buyers, the need to avoid extending the urban edge by changing the zoning and subdividing existing erven, and then the political motivation to create a more just and equitable society, at the expense of the established, low density townhouses. There is always a price to be paid for radical change and in so many instances, the ones forcing the changes are not affected in any way.

What follows are highlights which I have expanded on.

11. I start with Pg 38

12. 13. *Spatial justice*

13. "*refers to creating a fair and equitable distribution of resources and amenities to all members of society regardless of social and economic status*"

14. NOTE

15. The flats will start at R1.4 million and go up to well over R2.4million (not all estimated prices for the various properties have been shared..) If this equates to "creating a fair and equitable distribution of resources and amenities to all members of society regardless of social and economic status", they need to explain whether they plan on selling the sections or giving them away? Selling the properties will definitely not achieve this!

16. '*historical spatial planning practices have created significant imbalances with areas designated for specific communities and deprived of necessary resources and infrastructure*'

## 17. NOTE

18. South Africa has been a democracy for 31 years and for at least these last three decades, any person regardless of race, religion, community or whatever, can purchase property. Zero restrictions, other than they need to be able to afford it.

19. *'this development aims to address this imbalance by providing housing options for all members of the community irrespective of their socioeconomic status.'*

## 20. NOTE

21. Once again, is the developer planning on giving properties to all members of the community irrespective of whether they can afford to pay for it? How else will this development address anything else other than the greed of the developer and the Municipality?

22. *'providing access to nature through open spaces prioritizes well being and quality of life.'*

## 23. NOTE

24. How can 1.8Ha of which 90% is covered by roads, buildings, parking and structures, leaving a total of 10% of the erf, being anything from a pathway to the only garden in the south of the erf give access to "Nature"? Exactly how can any sane person describe these pockets of open space as "nature" for the benefit of the entire resident community (approximately 450 people)?

25. *'it is hoped that this development will contribute towards a more just and equitable society by addressing historical imbalances and ensuring all community members have access to essential resources and amenities.'*

## 26. NOTE

27. Repetition yet again. How can this development, which needs to be drastically rezoned to accommodate 134 units and hundreds of people, for the sole purpose of maximising the profits to be made by this developer and the profits to be made by the equally money hungry Overstrand Municipality, blatantly suggest that they are all driven by fixing historical imbalances of the far and distant past and to ensuring all community members have access to essential resources and amenities.

28. This presumption is utterly Utopian and arrogant, just like an imaginary wizard waving his wand and fixing all the wrongs in Hermanus.

## 29. AFFORDABILITY

30. Let's look at these wild claims from a more realistic perspective: Just who will be able to afford these properties? I used Oobas online calculation.

31. 1 bedroom flats *starting* price R1 400 000

32. Costs of buying one of these - No transfer duty because the developer is registered for VAT, but that just means your 15% contribution is built into the R1 400 000 ; conveyancing costs R38 022 for the transferring attorney, bond registration costs of R44 059 plus levies and rates payable in advance for 3 to 6 months, who knows what that will amount to.

33. On a 20 year bond at 10.25 interest with zero deposit, monthly bond payments will be R 13 743.

34. To afford this bond, calculated at 30% of income, the purchaser would have to earn between R40 000 to

35. R50 000 per month.

36. 2 bedroom flats *starting* price R1 600 000

37. No transfer duty because the developer is registered for VAT, but that just means your 15% contribution is built into the R1 600 000 ; conveyancing costs R40 379 for the transferring attorney, bond registration costs of R46 417 plus levies and rates payable in advance for 3 to 6 months, who knows what that will amount to?

38. Over 20 years at 10.25% interest with zero deposit, monthly bond payment will be R15 706

39. To afford this bond, calculated at 30% of income, the purchaser would have to earn between R52 000 to R60 000 per month.

40. 2 bedroom flats/duplexes *starting* from R2 400 000 – R23 557 monthly payment

41. No transfer duty because the developer is registered for VAT, but that just means your 15% contribution is built into the R2 400 000 ; conveyancing costs R50 444 for the transferring attorney, bond registration costs of R56 482 plus levies and rates payable in advance for 3 to 6 months, who knows what that will amount to?

42. Over 20 years at 10.25% interest with zero deposit, monthly bond payment will be R23 559.

43. To afford this bond, calculated at 30% of income, the purchaser would have to earn a minimum salary of R68 000 per month.
44. Missing in action are the starting costs for 3 bedroom flats, possibly R3 000 000.
45. OK so if we look at who is going to be able to afford to buy property, the average salaries in Hermanus create all sorts of problems, putting the two and three bedroom flats out of reach of the average resident in this town.
- Accountant R26 800
  - Sales Rep R35 700
  - Restaurant manager R17 400
  - Store manager R13 000
  - Office Admin R9 000 – R12 000
  - Sales Associate R4 900 – R9 100
  - Cook R6 000 – R10 000
46. In a further attempt to understand the need for such shockingly high-density group housing, it is impossible to establish how many buyers/investors are looking for flats, but there are currently approximately 11 000 people on housing waiting lists. However, bear in mind that flats costing over a million will be too expensive for people on housing lists. So, if this development does not address the housing shortage and there are already over 100+ flats available for buyers to purchase today, why should such a high density megacomplex ever be approved? The parties to most benefit will be the developer and the municipality, not the previously disadvantaged communities desperate for homes and definitely not the majority of elderly owners in neighbouring complexes.
- Furthermore, if the properties are bought by investors who are under pressure to fund bonds and who sublet, this development could flood the rental market, to the detriment of own values and those of other flats. There are obvious risks of overcrowding and overuse/demand for services/amenities, especially given the sheer scale of this development. Property management would inevitably become a real problem.
47. Developer's claimed ratio of 2 persons per flat is disingenuous. There will never be only 296 residents. According to Western Cape standards of 2 people per bedroom, there will be at least 504 residents or easily higher numbers, as occupation per room is virtually impossible to enforce.
48. Building lines. Claim that the building lines have been complied with. Not true. The duplex flats have gardens up to the boundary wall and each garden has a permanent structure – a wall and gate – which delineates exclusive use areas which do not equate to freehold ownership. No permanent structures may be erected on the building line. Well. In the case of MM the illustrious Municipality is happy to enforce that but turns a blind eye to the claim that there is no encroachment.
49. The refuse room (which will stink and attract flies/rats) right on End Street, will create bottle necks for pedestrians and vehicles.
50. Vehicles turned away from the entrance gate will not have space to turn around and will add to traffic issues.
51. No place to widen End Street without taking away street boundaries next to MM, Ocean Breeze and all the free-standing homes on the south side of End Street. If the street is widened by removing the street boundary next to MM wall, there will be substantial traffic noise created for adjoining properties.
52. Currently Main Road leading up to the circle on Bergsig Street is gridlocked for at least 40 minutes every school day. If one considers 170 vehicles entering and exiting several times a day, there cannot be any justification for claims that the roads can cope with extra traffic. Currently exiting and entering MM is a challenge. Is the municipality going to fund robots in Bergsig Street? This will hugely interrupt the traffic flow on the busiest street in Sandbaai.
53. The developers will use MM western brick wall and electric fencing. There is currently a low vibrecrete wall up against MM wall, but one presumes they will use the wall and fencing. There is certainly no suggestion that the developer will raise the wall and reinstall the electric fence so that it stands upright. How does MM ensure that maintenance and repairs to MM infrastructure will be done by Erf 1735 or that structures (carports/garages/garden walls) will not be attached

to said wall/electric fencing? Without any storage, this is potentially what could happen at some point. There are also substantial security risks in sharing a boundary wall and electric fencing with such a large population of residents.

54. To suggest that the patch of land set aside for open space on End Street will bring residents closer to nature is just laughable. That small space for over 500 people. There will be substantial noise generated from its use even it is just 10 children playing. Neighbours would definitely be affected.
55. There is also no mention of storage for scheme infrastructure which would impact on all the estimates of public open space. To call a room measuring 30m<sup>2</sup>, (the same size as the refuse room and less than the size of a double garage), for the use of 504+ residents a "club house", just beggars belief.
56. And where are the washing lines going to be placed and what will the effect be on the extent of public open space? A typical problem in all flats is balconies used for hanging washing and storing toys/bicycles/surf boards etc. No individual storage has been provided. This unsightly effect will occur and it will have a serious impact on the *aesthetics* which the developer mentions so many times.
57. The average apex height of a shade cloth cover for a parking bay is 2.4m. MM boundary wall is approximately 2m high, so residents will look straight onto shade cloth structures and then up at the buildings behind those. There is nothing enhancing or appealing with a view like this. Is the developer planning to install covers over parking bays and if so, what design? No structures may be attached to MM boundary wall. Should garages be built on parking bays, once again what design will be used and how will owners be prevented from attaching these structures to MM boundary wall? Corrugated iron roofs would be extremely unsightly for MM owners. There is real potential for inappropriate designs/structures and even greater impacts on immediate neighbours in MM.
58. The gate on Bergsig Street used by over 500 vehicles will not be policed so there is a real risk of poor security which will impact neighbours.
59. Loss of mountain and country views – Single storey houses will completely lose all their views of the mountains and countryside. Reminder – Rows of duplexes looking straight into MM entertainment areas as well as the 6 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on mountain and country views for MM single storey houses in the shadow of these huge buildings.
60. Loss of eastern sunlight in summer and northern sunlight in winter. MM homes will be in the shadow of these huge buildings.
61. Loss of privacy - flats substantially taller than single storey houses, looking straight down into these properties. Total loss of privacy.

MM has a row of nine houses from 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871 that share the western boundary with Erf 1735. *See map below*. All these erven each measure at least 675m<sup>2</sup>. Two of these properties have swimming pools (these and others are valued between R3.5 and R4.5mil) and they all have their entertainment areas in their back gardens. All these properties specifically, but other properties in MM as well, will lose their privacy and, with it, the enjoyment of their homes, the quality of their lifestyle and with definite negative impacts on their property values.



MM 9 houses directly affected.

62. Residents in the two storey duplexes will have clear views into MM through their windows. Also those in the 3<sup>rd</sup> storey flats will have the same views, but also further into the whole of MM.
63. Aside from reasons mentioned above, being exposed to neighbours' scrutiny on this scale constitutes a serious security risk for MM.
64. Extensive light pollution – entrance gates lights, road lights, parking lights, walkway lights, passage and stairwell lights, lights on balconies and inside flats and the pedestrian gate. The disturbance of lights burning all night will have a definite negative impact on the comfort and lives of MM residents 24/7. There are also resident Eagle Owls in MM which hunt at night. The lights will drive them away. And currently the night sky views seen from MM are really impressive. These views will also be lost to light pollution from Erf 1735.
65. Substantially raised noise levels – with 504+ residents including children, cars, outdoor play areas, braai area and balconies high above MM. There will be no effective controls on limiting noise. A notable selling point for buyers at MM has always been that it offers a peaceful and quiet environment. The noise will be overwhelming compared to what residents are accustomed to.
66. What about the Environmental impact Assessment and the fact that the erf has a highwater table? This area was part of a wetland before being developed. Who decided this? Is the developer just going to bore hole it up and water the gardens 24/7?
67. Over the boundary wall, residents at MM enjoy indigenous birdlife in their gardens. The raised noise levels will definitely create a major disturbance to these creatures.
68. Given that this project is all about quantity and not quality, there is no evidence that the developer has planned for landscaping/raised walls/interventions to limit noise and invasion of privacy for neighbours.
69. All the TV satellite dishes at MM are connected to the aerial on the top of the hill above Rotary Way. The six three storey buildings will definitely interrupt reception and potentially affect internet and cellphone reception from the same tower.
70. No mention is made of the quality of finishes. With these being more 'affordable' properties for first time/entry level buyers one can presume this will reflect in the quality of the finishes. From a price per square meter perspective, the values of neighbouring townhouses have high end prices per m<sup>2</sup>, given the sales prices achieved and the recently updated municipal values, substantially increased to reflect a 'market related price'. Erf 1735 development finishes should then match the quality of neighbouring properties if it is to fit 'seamlessly' into the neighbourhood as claimed by the developer.
71. Claimed high demand for flats/more affordable property does not explain why there are so many unsold flats in the same price range, unsold and still on the market - currently 95 flats for sale on Property 24. See table below: Please note that there is also no shortage of new developments, including flats; planned and approved.

<b>ASSESSMENT OF FLATS IN SAME PRICE CLASS AS PROPOSED ON Erf 1753</b>		
<b>Comparative flats currently on market in Hermanus on Property 24, unsold - 95</b>		
<b>Property details</b>	<b>Complex names</b>	<b>Number of units</b>
3 bed R1 350 000 79m <sup>2</sup> , 2 bed R950 000 45m <sup>2</sup>	Beach Club, Zwelihle	43
1 bed 1 bath 102m <sup>2</sup> R1 450 000	Onrus Trading Post, Onrus	8
2 bed 102m <sup>2</sup> R1 695 000	Onrus Close, Onrus 2 bed 101m <sup>2</sup> R1 700 000	102
2 bed 79m <sup>2</sup> R1 700 000	Golden Hind, Mariners Village, Westcliff	30
2 bed 55sqm to 60sqm	Endeavour, Mariner's Village Westcliff	36
TO BE BUILT	Ark Royal, Mariner's Village Westcliff	36
TO BE BUILT	Mayflower, Mariner's Village Westcliff	36
TO BE BUILT	Victory, Mariner's Village Westcliff	36
TO BE BUILT	Mary Rose, Mariner's Village Westcliff	36
R1 580 000 2 bed, 94m <sup>2</sup>	Driftwood Court 1035m <sup>2</sup> Sandbaai	8
From R1 995 000	Jacqui's Place 831m <sup>2</sup> , 5 left Sandbaai	?
2 bed R1 875 000 63m <sup>2</sup> ;	Oak Terrace Westcliff 1 bed R1 300 000 51m <sup>2</sup>	50

1 bed R1 200 000 55m2	Maggies Sandbaai Watsonia Park; 2 bed 61m2 R1 250 000 Sandbaai	8 38
2 bed 76m2 R1 600 000, R1 450 000	SS Green Mountain Sandbaai	32
TO BE BUILT	Shiraz – De Zandt, Sandbaai	96
TO BE BUILT	Merlot – De Zandt Sandbaai	48
TO BE BUILT	Malbec – De Zandt Sandbaai	48
TO BE BUILT	Grenache - De Zandt Sandbaai	48
TO BE BUILT	Zinfandel – De Zandt Sandbaai	48
TO BE BUILT	Muscat – De Zandt Sandbaai	48
TO BE BUILT	Featherlands Vermont	?
<b>Total number of flats in Hermanus</b>		<b>835 +</b>
<b>Neighbouring townhouse complexes</b>	<b>Property prices</b>	<b>Number of properties</b>
Ocean Breeze	R2 050 000, R2 250 000, R2 499 000	63
*Sandy Cove	R3 250 000, R2 650 000, R2 680 000	43
Protea Park	R2 675 000, R3 500 000	55
Mooizicht Gardens	R2 680 000, R2 995 000	69
Bergszicht	R2 695 000, R2 450, R2 215 000	57
Monte Mare	R2 650 000 Sold Dec 23	60
Green Mountain Close	R2 900 000 and R2 300 000	48
<b>Total single storey townhouses in immediate vicinity/line of sight of Erf 1735</b>		<b>395</b>

72. The Developer goes to great lengths to explain that the high-density development of the Whale Coast Mall took priority over housing. However, no mention is made of \*Sandy Cove, an upmarket townhouse development which forms part of that erf, with only low density coverage of 43 houses. So it seems different rules apply depending on whose narrative it is.
73. I also reference the court case in 2015 where Sandy Cove attempted to find justice. Call this Historic Injustice. They lost the case against the developer and municipality for approval of commercial, light industrial and heavy industrial (cement factory). As in this case, the community has been forced to accept dust, cement dust, noise, the effect of backing onto the refuse area for the mall (which REALLY stinks!) and the loss of privacy, light pollution and any hope of having residential neighbours.
74. This proves that if there are any negative issues originating in this sardine can development, neither the Overstrand Municipality nor the developer will assist.
75. The developer claims to add value to the bulk services in the area. The benefits to the Sandbaai community is not apparent. There are carefully calculated, detailed and impressive financial benefits to the Overstrand Municipality. Perhaps this is the important motivation for Town Planning to approve this development, but for the existing community, these benefits are of no interest/value. With any new development, there needs to be quantitative, verifiable proof that it will add value to the existing neighborhood. The law requires this.
76. Creating 'perceived value': By positioning this inappropriate megacomplex in between high-end, well maintained and designed townhouses with established gardens and facilities and in a thriving community, this gives the proposed development a *perceived value* in the minds of buyers. It seems logical that the value of properties inside the new development will be of the same quality as all existing neighbouring properties. If this development were to be placed in a less affluent area or in an open area where it stands alone, buyers' value perceptions would be very different. So the developer is both piggybacking off the neighbouring property values and at the same time, creating a threat to those existing property values. This is extremely unfair to all those people who have invested in their upmarket homes.
77. How large will the communal conservancy tank have to be to cater for 600+ residents spread over the 16 400m<sup>2</sup>? And what impact will the extra black water volume have on the existing

sewage lines? Given the potential for extremely unpleasant results of substantial overflows or burst pipes, this information is really important. There are existing problems already with inadequate sewage systems, as well as the problems created by load shedding, so this is a legitimate concern. The municipal sewage trucks have a maximum capacity of 6000l. Just how many trucks will be needed to empty the tank?

78. With all the extensive use of overblown praise and promises put forward by the developer, the potential issues for failure of the scheme have not been considered:

Sectional title schemes, especially with inexperienced/unsophisticated owners, need to be managed by a professional team. Owners could decide to do away with this substantial cost, even though it could affect the stability of the scheme. With expensive, sophisticated and high maintenance lifts, solar panels and backup systems, centralized water heaters, centralised gas supply lines and manned gates, to name a few, there is a real risk that levies could very quickly become unaffordable. Managing a sectional title community five times the size of MM in cramped conditions will be a serious challenge.

There is a real risk of an exceptionally large, failed scheme right up against the boundary wall at MM. Aside from the overwhelmingly massive visual appearance of all the buildings on Erf 1735, compared to single storey neighbouring townhouses, MM property values, so recently inflated for higher rates, would definitely be negatively impacted and quality of life marred.

In most sectional title schemes, the developers typically hold back a stock of flats/garages which they rent out until there is growth, to sell at a profit. Should the resident population comprise a high percentage of tenants, this will further exacerbate management and maintenance issues and create a further burden on the beleaguered neighbouring complexes.

It must also be remembered that since MM was built in 2004, all owners have had to comply with strict building regulations imposed by the same municipality which now wants to discard the rule book to favour the developer. One can appreciate that first time buyers urgently need housing options, but it is unreasonable to expect ratepayers and investors in established, well-maintained and high value properties to bear the risk of accepting an introduction of extremely high-density sectional title flats, in an area dominated by own title, single storey, upmarket townhouse complexes. The OM, which stands to benefit financially on multiple levels, will not provide any offers of interventions/dispute resolutions/support for the community of entry level buyers nor for neighbours when problems arise.

Sandbaai, and MM in particular, has a high population of retirees who have chosen to invest their life savings in townhouse complexes offering security and peaceful living. The complexes are all well-maintained and all rates/services are paid. These ratepayers/investors furthermore cannot afford to relocate. They also depend on stable growth in value of their greatest asset (substantial value increases applied regularly confirms that the municipality recognizes property growth and the same municipality benefits monthly when rates are paid into their coffers.) Young families have also chosen to live here for the same reasons, seeking a high quality of life, along with the schools and small-town lifestyle.

All these investors' lives will be radically changed should this plan be approved.

In its current state, these high-density plans and all the departures should never be approved, if the integrity of Sandbaai, the aesthetics and the existing community of ratepayers who have invested in the area, be considered. There can be no justification to demand that these investors, mostly retired, older and vulnerable people, should accept responsibility to be part of resolve housing shortages next door to their homes and to the detriment of their lives and property values, simply because municipal town planning is unable to come up with innovative plans for viable group housing schemes for disadvantaged communities.

The net effect of allowing an extremely high-density community, both on ground coverage and height above all neighbours, in an established, mostly retired population, is tantamount to tossing a hand grenade over the neighbours' walls and leaving these vulnerable people to deal with the fallout.

Deborah Roberts

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**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:

APP ID:

How did you receive notice of the application?

Via e-mail

**STATE YOUR INTEREST IN THE APPLICATION:**

I would please like to lodge my objection to the proposed development of ERF 1735 (134) dwelling units.

TICK RELEVANT BOX

**OBJECTION**

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

1. Based on the experience of the flooding that took place in Bergsig street earlier this year I am not convinced the infrastructure in this area would be able to support a development of this size namely water, electricity and the drainage system in this area.
2. Based on the assumption that at least 100 of the 134 flat owners will own a motor vehicle this will also result in more traffic congestion during business hours in an urban area that is already very busy.
3. Based on property development in the Sandbaai area over the last several years I am not convinced that this project would be aesthetically acceptable in relation to all the other housing projects that have been built.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT)

JOHN ROBERTSON

Your erf number:

2351

Company/Trust details:

Postal address:

NO 50 MOOIRICHT GARDENS, BERGSIG STREET  
SAND BAAI

Contact details:

Cell:

083 391 1915 (HELGAR400@G.MAIL.COM)

E-mail address:

JOHN.ROBERTSON@GOLDFIELDS.COM

Signature:

John Robertson

Date:

17-11-2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

①

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 20 HERMANUS, 7260 / Tel: 028 313 8900
	<b>APPLICATION DETAILS</b>

Application erf number: **4409/2023** APP ID: \_\_\_\_\_  
 How did you receive notice of the application? **VIA HPM email**


<b>STATE YOUR INTEREST IN THE APPLICATION:</b>
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**Z·N ROOS EIGENAAR VAN MONTE MARE 1864**  
**MM ROOS EIGENAAR VAN MONTE MARE 1864**

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input checked="" type="checkbox"/>	SUPPORT <input checked="" type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

1. In Besliste NEE vir die hersonering van Erf 1735.
2. Geen verslapping van boulyn nie. Munisipale reëls geld vir ons almal. Ons gaan geen privaatheid meer hê nie.
3. Ontwikkelaar se berckening van hoeveelheid inwoners en motors van voorgestelde ontwikkeling, is absoluut belaglik. 134 wooneenhede met 1 motor per eenheid, is alreeds 134 voertuie en die meeste gesinne besit 2 voertuie. So om te se dat dit geen uitwerking op die alreeds besige verkeer gaan hê nie, is absolute smert. Dink weer, papier is geduldig!
4. MM se grondoppervlak is 2½ keer groter as erf 1735, met 60 eenhede teenoor 134 beplande eenhede. MM het ± 127 inwoners; Erf 1735 gaan minstens 450 hê. 2 persone per kamer beteken Oorpopulasie met gevolge.
5. Hersonering se effek op MM en Sandbaai inwoners: Goedkoop, lae koste behuising, oorbevolking, geraas, bakleiery, inbrake, dalende huispryse, nagmerrie verkeer en geen privaatheid vir MM se inwoners nie.
6. Effek op ontwikkelaar: Instroming van geld, geld en nogmaals geld.

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b>	
Name & surname (FROM)	<b>ZN EN MM ROOS</b> Your erf number: <b>1864</b>
Company/Trust details:	<b>NVT</b>
Postal address:	<b>MONTE MARE 1864</b> <b>BERGSIGSTRAAT</b>
Contact details:	Cell: <b>0824962128 0849559383</b> E-mail address: <b>leontroos@webmail.co.za</b>
Signature:	 Date: <b>17/11/2025</b>
<small>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.</small>	

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	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b>
	<small>E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a>          16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900</small>

<b>APPLICATION DETAILS</b> Application erf number: <b>4409/2023</b>	APP ID:
How did you receive notice of the application? <b>email via HPM</b>	

<b>STATE YOUR INTEREST IN THE APPLICATION:</b>				
<b>Z.N. ROOS</b> Eienaar van Monte Maré 1864 <b>M.M. ROOS</b> Eienaar van Monte Maré 1864				
<table border="1"> <tr> <td>TICK RELEVANT BOX <input checked="" type="checkbox"/></td> <td>OBJECTION <input type="checkbox"/></td> <td>COMMENT <input checked="" type="checkbox"/></td> <td>SUPPORT <input type="checkbox"/></td> </tr> </table>	TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input type="checkbox"/>	COMMENT <input checked="" type="checkbox"/>	SUPPORT <input type="checkbox"/>
TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input type="checkbox"/>	COMMENT <input checked="" type="checkbox"/>	SUPPORT <input type="checkbox"/>	
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>				

7. Ironies genoeg dat dit dieselfde ontwikkelaar is wat MM gebou het en nou weer vir MM gaan benadeel.
8. 8 van die 9 huise teen die skeidingsmuur van MM en Erf 1735 behoort aan pensionarisse, waarvan ons een is. Soos hulle sê: Sod but true. Ongesien die beplande ontwikkeling van M.M. se skeidingsmuur gebruik gaan maak, kan MM se inwoners seker verwag dat die muur deur ontwikkelaar op sy onkoste verhoog gaan word met die elektriese heining bo-op. Vraag is net: Wie gaan die elektriese heining diens?
9. Verkeer by verkeersirkel in Bergsigstraat is alreeds in groot probleem. Met die groter hoeveelheid voertuie gaan dit onwouthoudbaar wees, want namiddae na 5 sal al Erf 1735 se inwoners vanaf Endstraat hulle kompleks moet ingaan en almal weer soggens by Bergsigstraat uitkom. Bergsigstraat hanteer baie voertuie asook swaar voertuie vanaf Kewako en munisipale lories.

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b>	
Name & surname (ewn) <b>Z.N. ROOS &amp; M.M. ROOS</b>	Your erf number: <b>1864</b>
Company/Trust details:	
Postal address: <b>Monte Maré 1864</b> <b>Bergsigstraat, SANDBAAI</b>	
Contact details:	Cell: <b>082 496 2128 ; 084 955 9383</b>
E-mail address: <b>leon.roos@webmail.co.za</b>	
Signature:  <b>Leon Roos</b>	Date: <b>17/11/2025</b>
<small>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.</small>	

③

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 28 HERMANUS, 7100 / Tel: 028 318 8900
	<b>APPLICATION DETAILS</b>

Application erf number: 4409/2023

APP ID:

How did you receive notice of the application? email via HPM

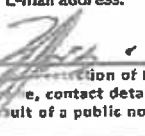
**STATE YOUR INTEREST IN THE APPLICATION:**

Z.N. Roos Eienaar van Monte Maré 1864  
 M.M. Roos Eienaar van Monte Maré 1864

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION	COMMENT	SUPPORT
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

10. Ontwikkelaar noem dat van die bestaande bome in Erf 1735 langs die skeidingsmuur tussen Erf 1735 en m.m., behoue gaan bly. Wat is grap! Dis groot bome en bosse en dit staan in spasie waar daar gebou moet word. Dis alreeds in 1,6 h erfie waarop honderde mense moet woon. Ek glo nie daar gaan plek vir groot, indien enige bome wees nie. Die vals inligting in hierdie verslag is genoeg om 'n mens siek te maak. Wonder hoeveel die ontwikkelaar vir die opsteller daarvan, betaal het. Hoop dit was vir hom die moeite werd om alles so te "sugarcoat".
11. Die waarde van ons eiendomme gaan verlaag, maar ons erfbelasting is kort gelede verhoog. Die munisipaliteit gaan dan seker ons erfbelasting verlaag?

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b>	
Name & surname (NAME)	Z.N. Roos & M.M. Roos
Your erf number:	1864
Company/Trust details:	
Postal address:	Monte Maré 1864 Bergsigstraat, SANDBAAN
Contact details:	Cell: 082 496 2128 ; 084 955 9383
E-mail address:	leonroos@webmail.co.za
Signature:	 MURROO
Date:	17/11/2025
<small>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.</small>	

## Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai, Dec 2025

The revised proposal is as ludicrous as the previous one. We acknowledge that the proposal is intended to sway public opinion on the benefits of the project and contains many subjective opinions that would appear to make the public want to believe in a fairy tale.

In fact, the whole proposal is a last-ditch effort by a greedy developer who is only interested in maximising the financial reward for himself, with no conscience for his legacy to the Hermanus community, a legacy which will have far-reaching consequences for this beautiful town.

The creation of a modern-day ghetto, and once built cannot be undone, the responsibility will fall squarely on the shoulders of Overstrand Municipality to resolve all issues. The "promise" of more money in terms of increased rates collectible from the development, needs to be balanced out by the reduction of value of properties in the area due to the ghettos proximity, and the increased cost to OM to manage the fall-out from increased pressures on the infrastructure and the policing of such a high-density area.

The population of Hermanus has grown over recent years due to many families wishing to escape the crime ridden concrete jungles of cities.

The 2 tables showing population growth in the Greater Hermanus Area for densities of 15du/ha and 20du/ha, do not give any indication of the financial capabilities. Are these figures for low-cost housing?

Is there a proper survey which has been completed? Are the proposed dwellings on erf 1735 appropriate? Considering the lack of information, the development could be a huge White Elephant, and eventually we will have a Hillbrow on our doorstep.

The development of 134 units reduces to 74.44du/ha which is still totally out of line with the surrounding properties. The author agrees that the suburb offers a peaceful and laid-back coastal lifestyle, which will be totally destroyed should the development proceed as proposed.

While we appreciate the offer to keep the properties on the boundaries to 2 storeys and flats located to give a step-down effect, due to the size of the property it will have very little effect on the ugly duckling in a pond of swans, definitely does not integrate seamlessly.

### 1. Density:

The development of this monstrous ghetto is in response to the lack of residential land in Area 6 which is the direct effect of having rezoned the Mall property and the new commercial developments along Bergsig Street. Is this ghetto supposed to re-align the residential figures for area 6? The Mall plays a major part in the lives of the Sandbaai residents, it contributes to our lifestyle in Sandbaai, and one of the major reasons that Sandbaai has become the place everybody wants to live. Look at the bigger picture, not just at area 6. People from the farming communities and small towns travel from all over the Overberg to do shopping at the Mall.

The development of 134 units reduces to 74.44du/ha is still totally out of line with the surrounding properties.

Compute the numbers to actual physical people:

1 bed units (61 @ 2 adults 122

2 bed units (55) @ 2 adults + 2 children 220

3 bed units (18) @ 2 adults + 4 children 108

Total physical humans on 1.8ha 450 EXCLUDING service staff and visitors

(WC allows for 2 people per bedroom)

The proposal talks about multi-generational living, I cannot believe that any mature adult would willingly want to purchase a property where screaming children and babies will be part of daily living, there will be no space to escape the noise.

Area 6 has justifiably become more of a commercial hub than a residential hub and should be exempt from previously published residential targets.

## 2. Flats:

Apart from the 3 blocks of flats in the middle of the property, the so-called simplexes along Bergsig Street are actually 3 blocks of 8 flats = 24 FLATS. A simplex is a 1 storey building, not 1 piled on top of another.

3 storey flats are the biggest problem with the proposal, and reduction to 2 storey may assist with reducing the horrific density. Visually it will also be more appealing.

The balconies of the flats will either be on the east or west side of the building, looking directly over the neighbouring properties. We paid a substantial price for our properties to enable us to have privacy in our back gardens. Now we have no privacy and have an added security risk to the entire estate, a birds eye view for potential criminals.

## 3. Affordability:

We have mentioned previously that the population growth figures tabled do not adequately cover the needs of prospective buyers nor their financial means to qualify for a bond.

To qualify for a bond of R2.4m would require approx R68 000pm joint income, with repayments of approx R24 000pm. This alone would almost disqualify anybody that works in the mall from meeting the qualifying criteria. The target market appears to be "young professionals", but in my opinion, the product available would not be suitable for them.

To qualify for a bond of R1.4m requires an income of approx R47 000pm with a repayment of R14 000pm.

To state that the proposal is a direct response to OM's strategic goal appears to be a little far-fetched considering the amount of land there is to work with. Personally it smacks of greed, with no conscience for the outcome.

## 4. Green solutions:

Thank you for caring about the environment, however, piped gas to every unit has very real fire potential. Where will these gas cylinders be housed? Has any thought been given to an evacuation necessitated by fire? 450+ panicking people, some being children, trying to escape a fire.....

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The back-up power systems to be installed for power outages, where will this be installed? Are we talking about an industrial sized generator? What about the noise? Will the generator room be soundproofed?

Do you have a system that will keep all the residents warm in winter? Or must they just make use of electrical/gas heaters? And the fire risk associated with gas heaters in the sardine cans they will be living in? I have not been able to find any reference to emergency procedures which must deserve attention considering the density.

#### 5. Open space:

Although some may be impressed by the generous 11.49% open space when only 10% is the required amount, the smaller the land, the less actual land is required to make a big difference. Lets hope that all 450 people don't want to use the open space at the same time. I have to comment on fostering of sense of pride among residents and neighbours, we already have a sense of pride, which you are threatening.

#### 6. Laundry:

There is to be drying yards, screened behind 2.1m boundary walls, however, I have not been able to locate these on any drawings.

#### 7. Departures:

Comment on Rubbish room of 32 sqm, an average double garage is 36 sqm. Imagine the smell and flies in summer with that quantity of rubbish, in a complex with a target market that will have young families (baby nappies).

Having studied both the GR2 and GR4, although the GR4 enables flats to be built, GR2 is more in line with the existing neighbourhood, no flats. Had the flats been erected before the surrounding complexes, the complexes would have a different design to obviate the height of the flats. The coverage of GR2 at 65% which is nicely livable vs GR4 80% coverage and overcrowding, this is where greed comes in.

The comparison to the De Zandt development is ridiculous. They have 40ha not 1.8ha, and are building a whole area, not intruding on existing residents and trying to convince them that the development will be advantageous to all residents in Sandbaai.

#### 8. Sewerage:

The construction of 1 conservancy tank may sound like a good idea, however I was unable to find any measurements for this tank, nor where it would be located. This tank would also alleviate the need for tankers to negotiate the roadways in the complex. However, should the tank fail, there is going to be a whole lot of s\*&t hitting the fan. How often will the tanker services be required to keep the tank at the right levels for so many residents? How long will it take for the tanker to clear what will have to be a huge tank? Does OM have sufficient vehicles to be able to service all other residences and a high-density complex as this. With a target market of younger generations, how many nappies will be clogging up their system?

#### 9. Traffic:

The traffic survey conducted does not appear to be accurate, with only 1 day's readings used to update an old survey periodically. Traffic volumes for particularly school going children are hectic,

both early morning and at end of school times. Bergsig Street is utilized for deliveries to the mall and the industrial area.

Based on the number of units to be developed:

If each unit only has 1 vehicle, the traffic will increase by 134 vehicles every day using an already congested roadway. At 1.5 vehicles per unit, the volume increases to 201 additional vehicles.

Based on the demographics of the typical owner/resident of such a complex, a conservative 50% will need to transport school children at peak hours, hence 100 extra vehicles using the school route, which includes the circle intersection at Main and Bergsig Street and/or the intersections in Schulphoek Road.

Based on experience of living in the area, I am in total agreement with the TIA regarding the congestion at the circle of Bergsig and Main, although the assessment appears to be of the opinion that Erf 1735 will not impact on the traffic volumes and congestion. As residents of Monte Mare, we often rely on the kindness of motorists to allow us into the traffic, which proves their statement incorrect. A proper assessment is required.

Should OM agree to the rezoning and approval of the proposal, it will become their responsibility to resolve the congestion, which will surely come at quite a price. Reliance on the De Zandt development of the road infrastructure and piggy-backing off them is used to sweep the problem under the carpet.

Both Main Road and Bergsig Street are urban class 3 roads (minor arterial road). End street is Class 5 local street. Is a local street designed to take the traffic of potentially 268 vehicles per day? Both in terms of the width of the road, and the depth of the construction of the roadway?

#### 10. Socio-economic impact:

Everybody knows that a construction site will attract migrant labour, which will need to have accommodation, which will become the responsibility of OM. However on completion of the construction, probably 50% of the labour force will not return to their homes, and will be seeking accommodation here, again OM will have to supply the accommodation. The increased spend at various shops because of the project cannot be compared to the cost to OM. It is the norm for large construction projects to source materials from major centres because of the volumes and costings at bulk prices that they will achieve. Local service providers will only see a very small volume of increase.

The increased economic impact from residents in new development is disingenuous, whether these residents reside on erf 1735 or at a nearby location, doesn't make any difference, they will still utilize the retail options at the mall. The same logic is applied to the increased rates to OM.

#### 11. Compatibility with surrounding uses:

The Erf is already zoned for Residential, but GR4 flats should be declined as it is incompatible with the surrounding area.

#### 12. Impact on safety, health and wellbeing:

The proposal alludes to appropriate fencing and electric fencing where necessary, however, I have not been able to find any information regarding the boundary walls of Erf 1735. Are you planning to use the existing walls of other complexes?

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Living in such close proximity to so many people will potentially lead to aggressive behaviour from residents due to frustrations which will build up. Arguments that may arise between 2 people will escalate to a crowd. With so little space available, there is no reprieve from an irritating neighbor and small inconsequential episodes could become heated and lead to physical violence, again to be resolved by OM. The flats would probably be occupied by young virile men with attitude, trying to prove themselves, testosterone pumping to prove their worth. More mature men would try to accommodate situations, but not young males.

### 13. Impact on views:

The writer suggests that 134 units MAY result in a change to the visual character but is not considered inappropriate! It will definitely result in a change, it will stick out like a sore thumb, visible long before you enter the area, turning a suburb into a city, and I am unable to find any development in the larger surrounding area that is similar. All 4 developments mentioned on page 37 are on the outskirts of the CBD and should not be mistaken for the suburb of Sandbaai.

14. Although privacy on the boundaries may have been addressed, the balconies of 3 blocks of flats face westwards, giving an excellent bird's eye view of our entire complex and exposing us to security risks. Eastwards, Ocean breeze is also similarly affected.

I cannot envision what mature trees will be big enough to act as a screen, as the majority of the trees visible from my property are Australian Myrtle and Port Jackson – alien invaders. To establish proper screening will require large trees, and I'm not sure if there will be sufficient sunlight for these trees to grow due to the compactness of all the buildings proposed for erf 1735.

### 15. Light pollution:

Please ensure that the rules for the body corporate include the specification for the light bulbs to be used.

### 16. Sunlight:

I have been unable to find any reference to the boundary wall, whether you intend to erect your own boundary wall, or use Monte Mare boundary wall. Depending on the intended height of the wall, sunlight could be affected. As mentioned above, with the density of proposed buildings, residents of erf 1735 may also only have limited sunlight.

### 17. Surrounding property values:

With a potential 450 humans residing on 1.8ha there will be noise, both from people and from vehicle start-ups, particularly in winter. The overpopulation of Erf 1735 by so many people can be likened to Hillbrow/ a ghetto/ slum area. Everything in the proposal will be detrimental to my property value. To support the local municipality is to be applauded, but to condemn existing residents to having to deal with the fall-out of a greedy developer is not justified and should not be condoned. Ultimately, OM will be held responsible and be blamed for allowing the proposed development to take place.

### 18. Sustainable development by maximising land use:

While agreeing with this principle, the destruction of the peaceful laid-back coastal lifestyle by erecting a concentration camp in the area is just an excuse to grab as much financially as possible, but it suits the developer to "use" these terms to enable his own profitability

#### 19. Housing need:

Although the housing need growth figures are included, there is no indication of the financial ability of the quoted numbers. Can those seeking housing afford to purchase any of the properties? A more comprehensive analysis of the demographics of those seeking housing is actually required to establish the financial capability of house seekers. Can the young professionals afford to purchase a 1 bedroom flat for R1.4m, and would they be prepared to live in a Ghetto? Property 24 has 34 listings for apartments/flats, how was the need for flats established? Was a survey done on the need for flats?

20. Municipality's strategic goal of increasing access to housing opportunities where densities can be responsibly increased would now appear to have become the responsibilities of the homeowners of Sandbaai. The blame for area 6 not achieving the density figures required is due to the rezoning of the majority of Area 6. The Mall and the surrounding retail shops are appreciated by the residents, and to expect that the area could still achieve a ridiculous population density is ludicrous, especially when it comes at the expense of ratepayers. The slack in the du/ha for area 6 needs to be absorbed by the surrounding areas that all enjoy the facility of having the mall.

The proposal is in direct response to OM strategic goal of increasing access to housing opportunities where densities can be responsibly increased. Opinion is that having rezoned the mall and "shopping centres" to commercial use in area 6 it suits developer to "use" this to his advantage of maximising his potential profit and appearing to be "helping" OM out of a situation.

The majority of area 6 is zoned for commercial use, not residential. If you consider the greater Sandbaai area, yes it is mostly residential serviced by great commercial facilities. The establishment of a ghetto does not fit in seamlessly with the existing area of more affluent complexes and does not respect existing complexes and will detrimentally affect the visual character of the area. With the rezoning for the commercial ventures, you are using the opportunity to cover up for OM to readdress the loss of land for residential purposes to push the numbers up for area 6.

#### 21. Parking:

Parking for 16 (check the number on map) has been allocated against our boundary wall at 1867.

Our existing boundary wall is approx 2m. Are these parkings to be covered with shadecloth? The norm for shadecloth is 2.4m high. Clarification is required.

#### Conclusion:

It quite clear that the proposal will use any excuse to justify its development. A used car salesman couldn't do better. A proposal based on figures that do not prove that this type of complex is what investors want. He has tried to justify a white elephant and talks about socio-economic equality. WHO IS GOING TO BUY A FLAT IN YOUR COMPLEX?

**GR4 MUST BE DECLINED.** It is motivated by greed with no social conscience. The planned project has nothing to offer either its residents nor the local Municipality.

Submitted and signed by .....  ..... ZEBULON NAFTALI ROOS (Full name)

MMRoos Martha Margaretha Roos

Signature:  ..... MWRoco ..... On 27/11 ..... 2025

7

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900
<b>APPLICATION DETAILS</b>	

Application erf number: ERF 1735 APP ID:

How did you receive notice of the application? email from Town and spatial planning

**STATE YOUR INTEREST IN THE APPLICATION:**

Affected property Owner

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION <input checked="" type="checkbox"/>	COMMENT <input type="checkbox"/>	SUPPORT <input type="checkbox"/>
<b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b>			

**1. Traffic and Road Safety**

Our road is already under considerable pressure with daily traffic, limited parking, and insufficient pedestrian infrastructure. The addition of 134 new residential units would significantly increase congestion and raise safety risks for pedestrians, cyclists, and existing residents. No clear plan appears to address the increased volume or necessary upgrades to local road networks.

**2. Infrastructure Capacity**

The current infrastructure — including sewage, stormwater drainage, and water supply — is not designed to accommodate such a substantial increase in demand. Without confirmed upgrades, the proposed density could lead to ongoing maintenance issues and service disruptions.

**4. Overdevelopment and Community Character**

The density and height of the proposed complex are not consistent with the surrounding residential area, which is primarily made up of single-family homes and low-density properties. Approving this project in its current form would permanently alter the character and aesthetic appeal of the neighbourhood.

**5. Property Value and Quality of Life**

A development of this magnitude may negatively affect surrounding property values and diminish the overall quality of life for existing residents due to noise, congestion, and loss of privacy.

*Feel free to continue on separate page(s)...*

<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>
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Name & surname (PRINT) Claire Rossiter Your erf number: 778

**Company/Trust details:**

Postal address: 80 End Street, Sandbaai, 7200

Contact details: Cell: 071 349 8105

E-mail address: [clairearossiter@gmail.com](mailto:clairearossiter@gmail.com)

Signature: 

Date: 29.10.2026

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

	<p align="center"><b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b>  <b>TOWN &amp; SPATIAL PLANNING</b>  <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b></p> <p align="center"><small>E-mail to relevant person stipulated on the notice: <a href="mailto:lgcass@overstrand.gov.za">lgcass@overstrand.gov.za</a> / <a href="mailto:ajida@overstrand.gov.za">ajida@overstrand.gov.za</a>  16 Potterton Street / PO Box 28 HERMANUS, 7200 / Tel: 028 313 8900</small></p>
<p align="center"><b>APPLICATION DETAILS</b></p>	

Application erf number: 2788

APP ID:

How did you receive notice of the application?

Email - HOC

**STATE YOUR INTEREST IN THE APPLICATION:**

I live in Ocean Breeze next to the new Complex

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION	<input checked="" type="checkbox"/> COMMENT	SUPPORT
<p align="center"><b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b></p>			

- Inca traffic in End Street and main Road.
  - Flats specifically - we don't have in the area and an complex with both duplexes and Flats won't work anyway
  - Privacy. 2/3 story Flats... Currently I have a view on mountain and privacy which is why I bought here recently.
  - How it will affect our properties' value in future.
  - Referat to Oak Terrace and Silver Oaks on opposite is irrelevant. It is in Central Hermanus and blocks of Flats (a mixture of different kinds of housing). No mention of proposal of how affect surrounding complexes and houses
  - SAND
- Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name &amp; surname (PART)

E. Rossouw

Your erf number:

Company/Trust details:

Postal address:

34 Ocean Breeze, End street

Contact details:

Cell: 0828925543

E-mail address:

mahalid608@gmail.com

Signature:



Date: 12/11/25

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a **MOBILE RECORDS** and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.





**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:

10 OCEAN BREEZ, 79 END STREET, SANDBAAI

APP ID:

How did you receive notice of the application?

FROM THE BODY CORPORATE ADMINISTRATORS

**STATE YOUR INTEREST IN THE APPLICATION:**

WE LIVE IN THE COMPLEX NEXT TO THE OPEN STAND

TICK RELEVANT BOX



**OBJECTION**

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

A BLOCK OF FLATS WILL BRING THE PROPERTY PRICES DOWN IN THE AREA AND DOES NOT BELONG IN AREA AND WILL BE AN EYSITE FOR THE AREA.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT)

CINDY STEYN

Your erf number:

2763

Company/Trust details:

Postal address:

5 JACARANDA CLOSE, BLOUVALK STREET, RANDPARK RIDGE, RANDBURG

Contact details:

Cell: 0836794155

E-mail address: cindy.steyn@marsh.com

Signature:

*Cindy Steyn*

Date:

30/1025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b>	
	E-mail to relevant person stipulated on the notice. <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900	

**APPLICATION DETAILS**

Application erf number: 1735 APP ID: File 22/64

How did you receive notice of the application? From our Ocean Breeze complex agent

**STATE YOUR INTEREST IN THE APPLICATION:**

I am an owner and resident of Ocean Breeze, situated immediately adjacent to the proposed development site. My home directly borders the perimeter boundary of the subject property and will therefore be materially and directly affected by the proposed development in terms of privacy, traffic, services capacity, and property value.

TICK RELEVANT BOX

**OBJECTION**

**COMMENT**

**SUPPORT**

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

Please see attached reasons for objection

*Feel free to continue on separate page(s)...*

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

Name & surname (PRINT) Marlene van de Coolwijk Your erf number: 2775

**Company/Trust details:**

Postal address: Rothnick Croft, 155 Main Road,  
Hermanus, 7200

Cell: 0824589647

**Contact details:**

E-mail address: [mvdcoolwijk@gmail.com](mailto:mvdcoolwijk@gmail.com)

Signature: *M van de Coolwijk*

Date: 12/11/2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such a free and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

To: Overstrand Municipality

Re: Formal Objection to the Proposed Development Application — File 22/64 – ERF 1735 – Sandbaai

### REASONS FOR OBJECTION

I reside at number 22 within the Ocean Breeze estate which shares a direct boundary with the proposed development site. I am therefore immediately and materially affected by the proposed land use change and intensity of development.

#### Non-Compliance with Existing Density Norms

The established density norm for residential developments within this precinct has consistently been a maximum of 20 dwelling units per hectare. The subject property measures approximately 1.8 hectares, which supports a logical maximum of ±36 units in line with surrounding developments.

The proposal for 134 units represents a significant and unjustified departure of nearly four times the established density and is inconsistent with the prevailing built environment character that has been deliberately planned and maintained in the area.

#### Incompatibility With Surrounding Urban Form and Character

The surrounding residential estates are medium-density, secure, and upmarket developments that collectively define the character and property value profile of the area. The proposed development, by virtue of its density and projected market positioning, would be incongruous with this established character and would negatively affect the amenity and desirability of the neighbourhood.

#### Traffic Impact and Road Safety Concerns

The proposed increase in dwelling units will generate a substantial rise in vehicle traffic on *End street and Bergsig street* which already function near capacity at peak times. No evidence has been provided of a satisfactory traffic impact assessment or of planned road upgrades to safely accommodate the increased volume.

#### Inadequate and Overburdened Municipal Services

The area's sewage and stormwater systems are currently under strain, particularly during winter months, due to the reliance on small-bore overflow infrastructure. The addition of approximately 134 new units would further overload an already inadequate system, leading to risk of overflow, environmental impact, and increased municipal maintenance failures. Given municipal budget and infrastructure upgrade priorities, it is unlikely that the necessary service upgrades will occur within any reasonable timeframe.

This proposed development, as currently envisaged, is incompatible with established planning norms, detrimental to the surrounding community, and unsupported by the available municipal services infrastructure. I therefore respectfully request that the Municipality decline the application, or alternatively require that it be substantially revised to align with prevailing density, character, service capacity, and environmental considerations.

I reserve the right to submit further information, participate in hearings, and receive notices of all proceedings regarding this application.

Sincerely,



Marlene van de Coolwijk

0824589647 | mvdcoolwijk@gmail.com

	<p align="center"><b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b>  <b>TOWN &amp; SPATIAL PLANNING</b>  <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b></p> <p align="center"><small>E-mail to relevant person stipulated on the notice: <a href="mailto:lorissa@overstrand.gov.za">lorissa@overstrand.gov.za</a> / <a href="mailto:ahiba@overstrand.gov.za">ahiba@overstrand.gov.za</a>  16 Paterson Street / PO Box 20 HERMANUS, 7208 / Tel: 028 313 8900</small></p>
<p align="center"><b>APPLICATION DETAILS</b></p>	

Application erf number: 2818

APP ID:

How did you receive notice of the application?

HOME OWNERS Association of Ocean Breeze

**STATE YOUR INTEREST IN THE APPLICATION:**

Property owner in Ocean Breeze Estate

TICK RELEVANT BOX <input checked="" type="checkbox"/>	OBJECTION	COMMENT	SUPPORT
<p align="center"><b>REASONS FOR OBJECTION / COMMENT / SUPPORT:</b></p>			

Our Estate as well as the residential areas are maximum 2 storey buildings.

I agree to 2 storey buildings but not 3 storeys.

Loss of privacy

Loss of Security

Noise levels will go up

I will accept 2 storey buildings only.

Feel free to continue on separate page(s)...

<p align="center"><b>PERSONAL INFORMATION (To be completed in full - Compulsory)</b></p>	
--	--

Name &amp; surname (PRINT)

Mauits Vosloo

Your erf number: 2818

Company/Trust details:

Owner in Ocean Breeze

Postal address:

63 Ocean Breeze, Lind Street  
Sandbaai, Hermanus

Contact details:

Cell:

073 899 0623

E-mail address:

Signature:



Date: 12/11/2025

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**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**

**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:	IN TERMS OF ERF 1735 -	APP ID:	
How did you receive notice of the application?	SOCIAL MEDIA.	APPLICATION,	SANDBAAI.

**STATE YOUR INTEREST IN THE APPLICATION:**

I AM THE OWNER OF PROPERTY, HOUSE N° 62, ERF 2340, MODIZICHT GARDENS, SANDBAAI AND CONCERNED ABOUT THESE DEVELOPMENTS.

TICK RELEVANT BOX:	<input checked="" type="checkbox"/> (OBJECTION) ✓	<input type="checkbox"/> COMMENT	<input type="checkbox"/> SUPPORT
--------------------	---	----------------------------------	----------------------------------

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

PLEASE REFER TO MY ATTACHED A4 PAGE, LIST OF ITEMS / ISSUES BEING MY SUMMARY OF CONCERNS AND REQUEST TO REJECT THE SUBJECT APPLICATION.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (PRINT)	DR ETIENNE H. HUMAN	Your erf number:	2340
Company/Trust details:	PRIVATE OWNERSHIP.		
Postal address:	POSTBOX AT ERF 2374 FOR 62 MODIZICHT GARDENS ERF 2340, BERGSIG STREET, SANDBAAI		
Contact details:	Cell:	083-655-3185	
	E-mail address:	E.HUMAN@MWEB.CO.ZA	
Signature:		Date:	3/12/2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

**Objection to Development Application for Erf 1735, Sandbaai****Date 3 December 2025****Summary of Objection Grounds**

- **Developers' short-term model:** Developers profit upfront and leave the community with the social degradation issues, long-term infrastructure and maintenance problems.
- **Excessive density:** Far exceeds the established  $\pm 20$  units/ha guideline, creating overcrowding on a small erf.
- **Area degradation risk:** High-volume residential complexes quickly degrade neighbourhood quality, security, and property values.
- **Incompatible location:** The development is squeezed between Mooizicht Gardens and Monte Mare, conflicting with the established character of these estates.
- **Traffic and safety concerns:** Entrance/exit on Bergsig Street will worsen congestion near the mall and the three-way stop.
- **Sewage system overload:** Existing small bore-based system already fails during winter; this development will overload it.
- **Stormwater drainage issues:** Sandbaai's outdated system cannot handle additional high-density runoff.
- **Precedent risk:** Approving such over-density invites future inappropriate developments.
- **No demonstrated need:** Similar high-density developments such as De Zandt still have empty units.
- **Community character impact:** Proposal is inconsistent with the residential nature of Sandbaai and will permanently downgrade the neighbourhood.

**Please consider the above as serious matters that will arise with the proposed development and not approve it.**

**Thanking you,  
Dr EH Human  
Erf 2340 Mooizicht Gardens  
Bergsig street,  
Sandbaai  
Tel 083-655-3185  
Email: Ehuman@mweb.co.za**





**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING  
LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [applications@overstrand.gov.za](mailto:applications@overstrand.gov.za) / [apps@overstrand.gov.za](mailto:apps@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

Application erf number:

1735

APP ID:

How did you receive notice of the application?

**STATE YOUR INTEREST IN THE APPLICATION:**

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

I HAVE OBJECTED PREVIOUSLY  
HOW CAN 134 UNITS BE ALLOWED, WHEREAS THE MAXIMUM SHOULD BE 36 UNITS AND I BELIEVE A LOW MARKET COMPLEX DOES NOT BENEFIT SANDBAAI. PROPERTY VALUES WILL DECREASE.

AS IS AT PRESENT, BERGSIJ ST FROM THE MALL IS CONGESTED MORNINGS, AFTERNOONS AND WHEN SCHOOLS ARE COMING OUT. THE CIRCLE IS THEN COMPLETELY BLOCKED NOW - ANOTHER "134" UNITS WILL BURDEN TRAFFIC EVEN MORE AND THIS AT THE 3WAY STOP!

FURTHERMORE, OUR WATER RESOURCES ARE STRETCHED TO THE LIMIT. ANOTHER "134" USERS??  
WHAT ABOUT SEWAGE AND WATER SYSTEMS? RIDICULOUS

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (PRINT)

MARGARETE REIFARTH

Your erf number: ~~2681~~ 2681

Company/Trust details:

Postal address:

P.O. BOX 2076  
HERMANUS 7200  
Cell: 083 258 7093

Contact details:

E-mail address: preifarth@mweb.co.za

Signature:

*M. Reifarth*

Date:

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process, and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.


**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**
**LAND USE PLANNING APPLICATION RESPONSE FORM**

E-mail to relevant person stipulated on the notice: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)  
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

**APPLICATION DETAILS**

**Application erf number:** ERF 1735, 71 BERGSIG STREET, SANDBAAI **APP ID:**

**How did you receive notice of the application?** Hermanus Property Management - managing agents of Monte Mare

**STATE YOUR INTEREST IN THE APPLICATION:**

I am the owner of 1884 Monte Mare, Bergsig Street and have what I believe are valid objections to the proposed

 TICK RELEVANT BOX 
**OBJECTION**

**COMMENT**

**SUPPORT**
**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

I understand the need for further housing in Hermanus however, I believe, that the proposed development will have a significant impact on the already stretched infrastructure of the town as a whole. Consider the flow of traffic within and to/from Sandbaai - the estimated additional number of cars that a development like this will bring will be nothing short of catastrophic. The proximity of Curro School and what is "effectively" the main entrance for Whale Coast Mall, (in Bergsig Street), already causes major congestion, particularly at peak times; this new load on the roads will, in my opinion cause total gridlock at certain points during the day. Simply insufficient roads to cater for the traffic flow.

There is also the impact upon the electricity supply, water supply, sewage system, waste collection etc. Adding this number of residents will directly add strain to each of these issues. It will also damage the general character of the Sandbaai area and could easily spike the already out of control crime rates.

The development in it's current form, with so many proposed residences will also have a direct impact on the value of properties in Monte Mare and the lifestyle of all those living there.

My proposal would be for a smaller number of houses or apartments, that the area can, at least to some degree, accommodate. Cramming the proposed number of people into the proposed area of land wrecks of developer greed. A development similar to Sundew Villas, Ocean Breeze, etc. would be more sympathetic to the area and more practical.

Feel free to continue on separate page(s)...

**PERSONAL INFORMATION (To be completed in full – Compulsory)**

**Name & surname (PRINT)** Stephen Porter **Your erf number:** 1884

**Company/Trust details:**

**Postal address:** PO Box 2037, Hermanus

**Contact details:** Cell: 072 810 0315   
E-mail address: portersteve064@gmail.com

**Signature:**
**Date:** 28 Nov 2025

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

**DIRECTORATE: PLANNING & DEVELOPMENT  
TOWN & SPATIAL PLANNING**  
LAND USE PLANNING APPLICATION RESPONSE FORM

**APPLICATION DETAILS**  
Application ref number: 1735 Sandbaai  APD  
How did you receive notice of the application? email

**STATE YOUR INTEREST IN THE APPLICATION:**

*Live in Bergsig street - Bergzicht complex.*

FOR OBJECTION  OBJECTION  COMMENT  SUPPORT  
**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

*Please we can hardly get into Bergsig road due to traffic. Traffic is horrendous with delivery trucks, Curro school and general traffic.*

*No!!*

**PERSONAL INFORMATION (To be completed in full - Compulsory)**

Name & surname (incl. company/trust details): HE Jonas Your ref number: 1649

Postal address: Bergzicht 17

Contact details: Cell: 0822112750

Signature: [Signature] Date: \_\_\_\_\_

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be viewed as a public person and as such your name appears on your name, surname, contact details and comments to be disclosed in the application process. Any objection, comment or representation received as a result of a public notice process will be in writing and addressed to the person mentioned in the notice within the time limit stated in the notice.

	<b>DIRECTORATE: PLANNING &amp; DEVELOPMENT</b> <b>TOWN &amp; SPATIAL PLANNING</b> <b>LAND USE PLANNING APPLICATION RESPONSE FORM</b> E-mail to relevant person stipulated on the notice: <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a> / <a href="mailto:alida@overstrand.gov.za">alida@overstrand.gov.za</a> 16 Poterson Street / PO Box 29 HERMANUS, 7200 / Tel: 028 313 8900
	<b>APPLICATION DETAILS</b>

Application erf number:

L409 / 2023

APP ID:

How did you receive notice of the application?

Email

**STATE YOUR INTEREST IN THE APPLICATION:**

cure at 1888 MATE MARE, Sandbaai

TICK RELEVANT BOX	OBJECTION	COMMENT	SUPPORT
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		

**REASONS FOR OBJECTION / COMMENT / SUPPORT:**

Various objection reasons are attached in the pages that follow.

See attached

Feel free to continue on separate page(s)...

<b>PERSONAL INFORMATION (To be completed in full – Compulsory)</b>
--

Name &amp; surname (PRINT)

KATHERINE NIEMANINGA

Your erf number:

1888

Company/Trust details:

Postal address:

 1888 MATE MARE, BERGSIG STREET,  
 Sandbaai.

Contact details:

Cell:

072 295 8447

E-mail address:

kateniemaninga@gmail.com

Signature:

Date:

2023/12/01

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To: Overstrand Municipal Planning Department / Town Planning Section

Re: FORMAL OBJECTION — Proposed Development on Erf 1735 Bergsig Street, Sandbaai

Submitted by: 1888 Monte Mare, Sandbaai

## OBJECTION

I hereby submit this objection as an owner in Monte Mare (MM) after reviewing the revised submission for Erf 1735, it remains my view that the application fails to satisfy the essential statutory requirements, it relies on materially unreliable information and is incompatible with the surrounding context and zoning intent.

The revisions do not address critical issues of traffic, density, privacy, infrastructure loading, and neighbourhood compatibility. Several aspects of the submitted technical reports are misleading or incomplete, raising concern about the reliability of the entire application.

### Summary of Concerns

Key technical reports — including the traffic impact assessment and population density calculations — contain material inaccuracies and understate real impacts.

There is no independent verification that critical municipal infrastructure (water, sewage, electricity, stormwater) can support a development of this intensity. It raises the question of what else may have been omitted or disguised in the application.

The proposed density and building massing are materially out of scale with the surrounding residential neighbourhood and are contrary to the Sandbaai character guidelines and general zoning scheme intent.

Pedestrian and non-motorised transport (NMT) impacts were not adequately assessed, despite statutory planning requirements to consider NMT safety under SPLUMA and national roads policy (see SPLUMA Sections 7(b), 7(c), 7(d) and 42(1)(c)).

Open space, parking, privacy, overshadowing, and neighbourhood character impacts remain unresolved.

For these reasons, approval cannot be granted in the current form.

### Detailed Grounds for Objection

#### 1. Misrepresentation of traffic conditions:

The traffic counts were conducted on dates that do not reflect the true situation (17 July 2023 was in fact a school holiday and a day in November 2024 was during exam periods where attendance at school is not required).

These data points cannot be considered representative peak weekday conditions, resulting in an underestimation of trip generation, queue lengths, and intersection stress.

Furthermore, the applicant failed to model holiday peak periods, which the Municipality is well aware produce severe congestion in Sandbaai.

**This constitutes a materially defective report, and the omission of peak-season modelling may indicate a deliberate attempt to downplay impacts.**

Remedy requested: A new, independent traffic assessment using school-term peaks, holiday peaks, pedestrian/NMT flows, and End Street capacity modelling.

2. Density and occupancy figures are materially understated:

The developer's occupancy assumptions (~1.9 persons per unit) are not aligned with national or provincial planning norms for 1-, 2- and 3-bedroom units.

Under SPLUMA's sustainability and efficiency principles, accurate population figures are essential for assessing infrastructure and service demand. Misstated density effectively invalidates all downstream analyses (traffic, water, sewer, electricity, refuse).

**Given the unit mix, a realistic occupancy rate would be 2.5–3 persons per unit, meaning actual population density is substantially higher than stated. The current figures therefore appear materially misleading, whether by error or omission.**

Remedy requested: Full disclosure of underlying assumptions, unit-by-unit occupancy modelling, and independent professional verification.

3. Infrastructure capacity not independently verified

The submission does not contain:

- a credible water demand analysis
- a sewage network capacity assessment (incl. pump station/stormwater impact)
- an electricity supply capacity report
- a stormwater management plan appropriate to a site with historic wetland characteristics

Given the questionable accuracy of the traffic and density data, the absence of verified infrastructure reports calls into question the entire integrity and completeness of the application.

Remedy requested: A full, independent Municipal Services Capacity Assessment, including water, sewer, stormwater, refuse, and electrical supply.

4. Excessive density and scale

The revised plan still proposes: 83 flats + 51 townhouses (134 total). On a site one-third the size of Monte Mare, which contains 60 homes.

The developer's unit reduction is negligible and does not change the core problem: the proposal is an over-intensification completely out of character with the surrounding single-storey neighbourhood.

Owners in Monte Mare are in agreement that we will agree to simplex/duplex but we do NOT want flats.

#### 5. Incompatibility with local character

The proposed built form (up to three storeys) is materially out of scale with the surrounding single-storey townhouse environment. This is inconsistent with:

- The neighbourhood character and built-form expectations
- The intent of the existing zoning scheme

SPLUMA's principle of spatial justice, which requires that densification be appropriate, context-sensitive, and not harmful to neighbouring properties

The reduction of merely 14 units is not substantive and does not address the incompatibility.

#### 6. Insufficient open space — non-compliance with accepted amenity standards

The provision of only 11.49% open space is significantly below what is considered acceptable for a development of this intensity. Amenity space is a key requirement under SPLUMA's liveability and sustainability principles.

#### 7. Overlooking, overshadowing, and privacy impacts — insufficient mitigation

Given the single-storey nature of Monte Mare's eastern boundary, the proposed two- and three-storey structures will result in:

- material overlooking
- loss of privacy
- reduced sunlight and garden usability

The drawings do not provide compliant sightline, shadow, or visual impact studies. This falls short of the reasonable and lawful expectations for an impact assessment of this nature.

#### 8. End Street and pedestrian safety impacts ignored

The applicant failed to address NMT safety despite:

- narrow roadway widths
- high daily pedestrian movement to/from Zwelihle
- lack of pavements or formalised crossings
- inadequate lighting

## 9. Absence of appropriate environmental assessment

Given historic wetland conditions, stormwater risks, and potential biodiversity impacts, the lack of an EIA is a material omission and inconsistent with the National Environmental Management Act (NEMA). Has a study of the water table on the property been conducted and how it will affect the surrounding neighbours?

### Relief Sought

I request that the Municipality:

Refuse the current application due to material deficiencies in the technical submissions, failure to meet SPLUMA development principles, and non-compliance with the Municipal Planning By-Law.

Require independent professional studies, including:

- A compliant Traffic Impact Assessment
- A pedestrian/NMT safety audit
- A full Environmental Impact Assessment and Water table study
- A municipal engineering services capacity report
- A privacy/overshadowing/view-impact assessment using 3D modelling

Require a substantive redesign that aligns with neighbourhood scale, provides adequate open space, and meets municipal parking standards.

Require full transparency in density and occupancy calculations.

Provide for a meaningful, minuted public participation process with Monte Mare and neighbouring complexes prior to further processing of the application.

### Conclusion

The revised submission is procedurally and substantively inadequate, relies on defective, inaccurate and misleading data. Approval in its current form would therefore be unlawful, irrational, and administratively unsound.

I respectfully request that the Municipality refuse the application until the fundamental shortcomings outlined above are properly addressed.

Yours sincerely,  
Kate Niemanfinga  
1888 Monte Mare, Sandbaai  
072 295 8447



Our Reference: 22/64  
Your Reference: 1735 HSB

17 December 2025

The Municipal Manager  
Overstrand Municipality  
P O Box 20  
**HERMANUS**  
7200

Attention: Mr B Minnaar

**ERF 1735 SANDBAAI: APPLICATION FOR REZONING AND DEPARTURE: RESPONSE TO OBJECTIONS**

A number of objections were received during the public participation process to the proposed consent use application on Remainder Erf 4771, Grotto Beach, Voëlklip, Hermanus. The objections have been carefully reviewed and grouped according to their main category.

This document provides a structured and comprehensive response to each category of objection. The purpose of the response is to clarify factual inaccuracies, address legitimate concerns, and demonstrate that the proposed development complies with all applicable legislation, planning policy frameworks, and environmental conditions.

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

Office 3, Oakwood,  
10 Dirkie Uys Street, Hermanus

PostNet Hermanus Suite 170  
Private Bag X16, Hermanus,  
7200

Tel: +27 (0)28 313 1411  
Email: [admin@wrapgroup.co.za](mailto:admin@wrapgroup.co.za)  
Web: [www.wrapgroup.co.za](http://www.wrapgroup.co.za)

**20** YEARS  
EST. 2002



## RESPONSE TO OBJECTIONS: DENSITY AND DEPARTURE OF THE ALLOWED DENSITY

- Allegation that the Proposed Density Is Excessive or "Out of Line"

The objection that the proposed density of approximately 74.44 Du/Ha is excessive or unprecedented in Hermanus is factually incorrect. As demonstrated in the application motivation and comparative analysis, several approved developments within Hermanus and Sandbaai reflect similar or higher densities, particularly where sites are located within identified densification zones and in proximity to commercial and employment nodes.

The subject property is located within Planning Unit 6, an area expressly identified for densification in the OMSDF and previously guided by the OMGMS. While parts of Planning Unit 6 have since transitioned to commercial and industrial uses, this does not negate the remaining residential densification obligation. On the contrary, it reinforces the need for remaining residential land to absorb a greater share of housing demand, particularly where infrastructure and accessibility already exist.

The proposed density is therefore contextually justified and consistent with the spatial intent for the area.

- Use of 20 Du/Ha as a "Norm"

An assertion was made that Sandbaai has an established density norm of 20 Du/Ha is not supported by the OMSDF or the guideline document OMGMS. This figure reflects low-density single residential areas, not properties identified for medium- to higher-density residential development.

The application explicitly seeks rezoning to General Residential Zone 4, which allows flats, townhouses, and walk-up buildings at higher densities. Comparing the proposal to surrounding SR1 developments is therefore a false equivalence and does not reflect the applicable planning framework. This proposal aligns with the municipality's own policy documents that propose and support higher infill densification development within the urban edge.

It is also important to note that the neighbouring developments contain both Single Residential and General Residential Zone 1 & 2: Town Housing and not just single residential properties as was stated by some of the objectors.

- Population Calculations and Alleged "Overcrowding"

The objections rely on worst-case occupancy assumptions, using maximum bedroom occupancy allowances to derive inflated and unrealistic population figures. In established planning practice, developments are not assessed on theoretical maximum occupancy, but rather on reasonable, standardised occupancy assumptions that are consistently applied by municipalities and professionals. In this instance, the assumptions used are conservative and fully aligned with accepted municipal norms.

It is important to emphasise that infrastructure capacity assessments, traffic analyses, and municipal services planning are not undertaken on speculative or hypothetical population scenarios. Instead, these assessments are based on recognised planning ratios, empirical data, and professional engineering methodologies.



In this regard:

- Infrastructure capacity assessments confirm that the existing municipal networks are capable of supporting the proposed development, subject to standard conditions and developer contributions.
- The Traffic Impact Statement confirms that the surrounding road network can safely and efficiently accommodate the anticipated traffic generated by the development, with no upgrades to the external road network required.
- Engineering inputs confirm that water, sewerage, stormwater, and electrical services can be provided in a manner consistent with municipal requirements, again subject to conditions and prescribed contributions.

These findings are substantiated through formal, professionally prepared reports, compiled in accordance with standard engineering and planning methodologies and reviewed by the relevant municipal departments. They therefore carry significantly greater evidentiary weight than speculative assumptions or subjective concerns.

Accordingly, claims of "overpopulation" are not supported by any technical evidence and do not demonstrate a material risk or impact arising from the proposed development. Such claims are speculative in nature and do not provide a defensible basis for refusing or limiting the application.

- Comparison with Monte Mare and Other Adjacent Developments

Repeated comparisons to Monte Mare are misleading and do not constitute a valid planning comparison. Monte Mare is a single-typology residential development, approved under a different zoning scheme, and developed within a distinct planning context. Its approval parameters, density, and built form were informed by site-specific considerations that are not directly transferable to other properties.

By contrast, Erf 1735 occupies a fundamentally different spatial and policy position. The site is located in a different planning unit identified as a high density area that has been transformed into a designated Business/Industrial Node, which, in terms of adopted spatial planning principles, supports higher residential densities to promote efficient land use, reduce travel distances, and optimise existing infrastructure. In addition, Erf 1735 also represents the last remaining residentially developable properties within Planning Unit 6, where much of the land has already transitioned to non-residential uses. This places a greater obligation on the remaining residential land to meaningfully contribute towards accommodating housing demand.

Planning decisions are therefore not made by imposing a uniform density benchmark across unrelated properties, nor by replicating approvals granted in materially different contexts. Each application must be assessed on its own planning merits, taking into account location, zoning intent, surrounding land uses, infrastructure capacity, policy alignment, and the extent to which impacts are mitigated through design.

In this case, the proposed density on Erf 1735 is directly informed by its strategic location, policy designation, and the municipality's broader densification objectives, and cannot be evaluated by comparison to developments such as Monte Mare, which arise from a different planning context altogether.



- Allegation That Density Is Driven by “Developer Greed”

Assertions regarding the motives of the property owners or developer are **irrelevant in the assessment of a land use application**. Planning legislation and established decision-making practice require that applications be evaluated on objective and measurable criteria, not on subjective assumptions or perceived intent. The proper method is whether the proposal:

- Complies with the applicable planning policies and land use framework,
- Is technically supportable by professional reports and specialist inputs,
- Appropriately mitigates potential impacts on surrounding properties and infrastructure, and
- Advances the strategic objectives of the municipality.

The amended proposal clearly satisfies these criteria and demonstrates a **good-faith response** to municipal and public input. Importantly, the revisions are not superficial, but constitute **measurable and substantive design changes** aimed at reducing impact and improving contextual compatibility.

These amendments include, inter alia:

- A **reduction in the total number of units** compared to the previous submission, resulting in a lower overall density;
- The introduction of **two-storey development along all external boundaries**, providing a softer interface with neighbouring properties;
- The **confinement of three-storey building components to the centre of the site**, away from common boundaries, thereby reducing visual bulk and overlooking;
- An **increase in the provision of communal open space**, exceeding the minimum requirements prescribed by the land use scheme.

Collectively, these changes represent a clear and deliberate effort to balance the need for residential densification with sensitivity to the surrounding area. They directly contradict the assertion that no meaningful concessions were made and instead demonstrate that the proposal has been refined to address identified concerns while still fulfilling its intended planning objectives.

The amended proposal therefore reflects a considered and policy-compliant outcome, rather than an inflexible or insensitive approach to development.

- Claim That Density Should Be Absorbed Elsewhere (e.g. Fisherhaven)

The suggestion that higher-density residential development should be confined only to “new land” outside existing neighbourhoods is fundamentally contrary to established planning legislation and adopted spatial policy, including SPLUMA, the OMSDF, and broader national planning principles. These policy frameworks explicitly prioritise:

- Infill development within existing urban areas,
- The efficient use of existing infrastructure and services, and
- The containment of urban sprawl.



Directing higher-density development away from serviced, accessible urban areas and into peripheral greenfield locations would undermine the core objectives of spatial sustainability and spatial efficiency. Such an approach would result in increased infrastructure costs, longer travel distances, greater dependence on private vehicles, and unnecessary pressure on undeveloped land.

In contrast, the proposed development is located within an established urban area, in close proximity to existing commercial, employment, and transport nodes. It is precisely in such locations that higher-density development is encouraged, as it enables municipalities to maximise return on existing infrastructure investments while reducing long-term operational and maintenance costs.

Deferring density to the urban periphery would also conflict with the principles of spatial justice, as it would disproportionately affect lower- and middle-income households by increasing travel times and reducing access to employment opportunities and services. For these reasons, the promotion of compact, well-located urban development is a cornerstone of modern planning practice and is clearly articulated in adopted policy.

Accordingly, the proposal to accommodate higher density on Erf 1735 represents a policy-compliant and strategically sound response to housing demand. It aligns with the intent of national, provincial, and municipal planning frameworks and does not support the notion that densification should be displaced to undeveloped land outside existing neighbourhoods.

- Departure of the OMLUS density regulations justification

The requested departure from the 50 Du/Ha density provision is necessary, reasonable, and aligned with applicable planning policy. The subject property is located within a designated densification zone, where increased residential density is anticipated and supported. While the OMLUS is applied as a guideline document, the strict application of the 50 Du/Ha limitation would contradict the spatial intent expressed therein, particularly within areas identified for intensified residential development. Furthermore, several comparable developments within Hermanus and Sandbaai have been approved at similar or higher densities, especially where sites are well located in relation to commercial nodes, transport routes, and existing infrastructure.

The proposal also incorporates a range of mitigation measures that materially reduce potential impacts, including stepped building heights, reduced massing along external boundaries, increased setbacks, and open space provision exceeding minimum requirements. In addition, the development makes a meaningful contribution to addressing the ongoing housing demand within a constrained urban area where limited land remains available for residential development. Departures are an explicit mechanism within the OMLUS, intended to provide flexibility where the rigid application of scheme provisions would undermine broader spatial objectives. In this instance, the departure facilitates a balanced, policy-consistent outcome that supports sustainable urban growth and efficient land use.

#### Conclusion on Density Objections

While the proposed density represents an intensification of land use, it is:

- Policy-supported,
- Technically assessed,



- Contextually appropriate,
- Mitigated through design, and
- Necessary to address documented housing demand.

The objections raised do not demonstrate that the proposal is inappropriate in planning terms, nor do they outweigh the substantial public interest considerations supporting approval.

## RESPONSE TO OBJECTIONS: FLATS AND GR4 ZONING

Objections have been raised to the proposed rezoning to **General Residential Zone 4 (GR4)**, primarily on the basis that flats are allegedly incompatible with the surrounding built environment, which largely comprises townhouses and lower-density residential developments. While it is acknowledged that much of the immediate surrounding area is developed under GR2 zoning, this does not preclude the consideration of GR4 zoning where the spatial context, policy framework, and site-specific characteristics support a higher-density residential use.

The subject property is strategically located adjacent to a designated **Business/Industrial Node**, in close proximity to the Whale Coast Mall and major distributor routes. In terms of the OMSDF and broader spatial planning principles, such locations are specifically identified as appropriate for **higher-density residential development**, including flats. The proposal therefore does not represent an arbitrary zoning request, but rather a policy-aligned response to the site's location, accessibility, and role within the broader Sandbaai urban structure.

It is further important to note that GR4 zoning permits both flats and townhouses, allowing for a **mixed residential typology**. The proposal deliberately incorporates townhouses along the boundaries to create a sensitive interface with neighbouring properties, while positioning the flat components within the interior of the site. This approach ensures contextual integration rather than incompatibility.

- **Clarification Regarding "Simplexes" and Building Typology**

Objections referring to the boundary units as "blocks of flats" are **factually incorrect** and reflect a misunderstanding of the proposed built form. The units proposed along the site boundaries are **two-storey townhouses (duplexes)** and are **not stacked flats**. Each unit has its own ground-floor footprint and independent vertical circulation, and they do not share the characteristics of flat buildings as contemplated under the land use scheme.

In this regard, the proposed townhouses fully comply with the definition of *town housing* as set out by the Overstrand Municipality, namely:

*"Town housing" and "town housing scheme" mean a row or group of linked, attached or detached dwelling units which are designed and built as a harmonious architectural entity of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided or be sold individually in some other manner.*

The boundary units meet this definition in all respects. They are designed as a **harmonious architectural entity**, each unit has a **ground floor**, and the scale and typology are consistent with town housing commonly found in transitional residential areas. Their placement along



the boundaries is intentional and forms part of the mitigation strategy to create a **lower-scale, softer interface** with neighbouring properties, thereby reducing visual bulk, perceived density, and overlooking.

The flat components of the development are **clearly limited and strategically located**. Flats are confined to **three blocks situated within the interior of the site and along Bergsig Street**, where the surrounding context is more urban in nature and less sensitive than the internal boundaries shared with adjacent residential estates. Importantly, the **three-storey flat blocks are set back approximately 28 metres from common boundaries**, ensuring that their height and massing do not dominate or visually overwhelm neighbouring properties.

This deliberate spatial separation, combined with stepped building heights, building line compliance, and landscaping, directly addresses concerns relating to privacy, height, and visual dominance. The development therefore does not present an indiscriminate mix of flats and townhouses, but rather a **carefully structured layout** that places higher-intensity elements where they are most appropriate and lower-intensity typologies where sensitivity to neighbouring properties is required.

Accordingly, the characterisation of the boundary units as flats is incorrect, and the overall layout demonstrates a considered response to both the planning framework and the surrounding built environment.

- **Building Height and Three-Storey Development**

Numerous objections focus on the presence of **three-storey buildings**, with calls for the development to be limited to two storeys throughout. While the concerns regarding height are noted, it is important to clarify that:

- A **maximum height of three storeys and 9.0 metres** is permitted under the proposed zoning and is consistent with the guidance contained in the OMGMS for Planning Unit 6.
- Three-storey development is **not proposed along the site boundaries**. All boundary-facing buildings are limited to **two storeys**, ensuring a compatible interface with adjacent developments.
- The three-storey components are **confined to the centre of the property**, where their visual and privacy impacts are substantially reduced.

The assertion that three-storey buildings are entirely foreign to Sandbaai is therefore not supported when assessed in the context of policy, zoning intent, and the site's location adjacent to non-residential land uses.

- **Privacy and Overlooking Concerns**

Concerns regarding overlooking and loss of privacy have been carefully considered and addressed through a range of deliberate design responses and mitigation measures incorporated into the proposal. These include:

- The **strategic positioning of flat blocks away from common boundaries**, ensuring that higher buildings are centrally located and do not directly abut neighbouring properties;
- The **orientation of balconies and habitable room windows** to limit direct overlooking into neighbouring private open spaces;
- The **retention of existing mature trees** along shared boundaries, which already provide a level of natural screening;



- **Additional tree planting and landscaping** to enhance visual buffers and further mitigate overlooking and perceived bulk;
- Full **compliance with prescribed building lines and setbacks** applicable to the proposed zoning.

It is important to note that planning law does not guarantee an absolute right to unobstructed views or complete visual privacy. Rather, the test is whether reasonable and proportionate measures have been taken to mitigate potential impacts. In this regard, the proposal demonstrates a high degree of sensitivity to surrounding properties.

Furthermore, it is relevant to highlight that **townhouses developed on separate erven are routinely permitted to be constructed closer to common boundaries** than the setbacks proposed in this development. In many conventional town housing and single residential developments, buildings may be positioned at 3.0m or less from side boundaries, subject to zoning parameters. By contrast, the proposed development adheres to **larger setbacks and a stepped height approach**, particularly where higher buildings are involved.

When assessed against what could reasonably be developed on the site in terms of existing zoning rights, the proposal represents a **more controlled and mitigated outcome** in terms of privacy and overlooking. The combination of building placement, setbacks, height transitions, and landscaping ensures that potential impacts are reduced to an acceptable level and do not constitute a planning basis to refuse the application.

- **Character and Aesthetic Compatibility**

The character of Sandbaai is not uniform, but rather comprises a **range of residential typologies**, densities, and built forms, particularly along its interfaces with commercial and industrial land uses. The proposed development reflects this transitional character and does not seek to replicate low-density suburban typologies in a location specifically identified for densification.

Aesthetic preference is inherently subjective and cannot, on its own, form a defensible basis for refusal. The proposal has been designed with articulated massing, stepped heights, landscaping, and varied building forms to reduce visual dominance and avoid a monolithic appearance.

- **Management and Sectional Title Concerns**

Concerns regarding the long-term management of a sectional title scheme, levy affordability, and potential future maintenance issues are speculative and fall outside the scope of land use planning. The establishment and management of a body corporate are governed by the **Sectional Titles legislation**, which provides mechanisms to ensure proper management, financial planning, and maintenance of common property.

Furthermore, the presence of modern infrastructure such as lifts, backup power, and shared services is not unique to this development and is routinely accommodated in contemporary residential estates throughout the Overstrand and wider Western Cape.

- **Conclusion on Flats and GR4 Objections**

While objections to flats and three-storey buildings are noted, the proposal has been **carefully structured to respond to its context**, comply with policy, and mitigate impacts. The GR4 zoning is appropriate given the site's location, accessibility, and role in addressing



housing demand. The amended design clearly demonstrates a balanced approach, combining townhouses and flats in a manner that respects neighbouring properties while fulfilling municipal densification objectives.

The objections raised do not demonstrate that the proposed zoning or building height is inappropriate in planning terms, nor do they outweigh the substantial policy, spatial, and public interest considerations supporting the application.

, as the proposal fully complies with technical, environmental, and planning requirements.

## RESPONSE TO OBJECTIONS: AFFORDABILITY AND TARGET MARKET

Objections relating to affordability rely on the incorrect assumption that housing provided in response to municipal objectives must be accessible to **all income groups** or must specifically cater for employees working within the adjacent mall or immediate area. This is not the test applied in land use planning. Municipal housing objectives seek to **broaden the range of housing opportunities across multiple market segments**, including entry-level, gap-market, and mid-market buyers.

The proposed development explicitly provides a **range of unit types and price points**, including:

- One-bedroom flats priced from approximately **R1.3–R1.4 million**,
- Two-bedroom flats in the lower-to-mid price range,
- Higher-end townhouses positioned along the boundaries to integrate with the surrounding residential fabric.

This mix directly supports **market diversity and inclusion**, rather than a single homogenous product. The fact that not all residents employed in the immediate vicinity may qualify for a bond does not render the development unaffordable or misaligned with municipal objectives. Housing markets function across **regional catchments**, not solely within walking distance employment nodes.

Importantly, the proposed price points fall well below many recently approved residential developments in Sandbaai and Hermanus, where unit prices routinely exceed R3 million. The development therefore contributes to **improving affordability relative to prevailing market trends**, rather than exacerbating exclusion.

- **Market Demand and Unsold Flats**

References to unsold flats currently listed on property platforms do not constitute reliable planning evidence. Property listings reflect **short-term market dynamics**, pricing strategies, timing, and individual seller circumstances, rather than long-term structural housing demand.

Municipal planning decisions are informed by:

- Adopted spatial frameworks,
- Population growth projections,
- Housing demand modelling, and
- The strategic need to diversify housing supply within accessible urban areas.



The OMSDF confirms an ongoing and growing demand for additional dwelling units within the Greater Hermanus area. The existence of units currently on the market does not negate this demand, nor does it undermine the legitimacy of providing new, well-located housing options.

### Conclusion on Affordability

The proposed development provides a **balanced, policy-aligned housing response** that improves affordability relative to prevailing market conditions, broadens access to a well-located area, and contributes meaningfully to addressing documented housing demand.

The objections do not demonstrate that the proposal is inappropriate in planning terms, nor do they justify refusal or downscaling of a development that aligns with adopted spatial objectives and the public interest.

## RESPONSE TO OBJECTIONS: SPATIAL JUSTICE

The interpretation of spatial justice advanced in the objections is overly narrow and misconstrues the intent of the principle. Spatial justice does **not** require housing to be free, subsidised, or accessible to every income group within a single development. Rather, it seeks to:

- Improve access to opportunities,
- Reduce spatial exclusion,
- Enable more people to live closer to services, employment, and amenities.

The proposed development advances spatial justice by enabling **moderate-income households** to access a well-located area that would otherwise remain inaccessible if limited to low-density, high-value housing typologies only. Without densification, land in Sandbaai would continue to be consumed by large, expensive units, further entrenching exclusivity.

With regard to finishes and quality, land use planning does not regulate internal finishes or market positioning. However, the architectural design, scale, landscaping, and interface treatment ensure that the development integrates appropriately with its surroundings, irrespective of internal specification.

## RESPONSE TO OBJECTIONS: BLUE FLAG / BEACH

- **Alleged Wetland Status and Requirement for an Environmental Impact Assessment**

Claims that the subject property constitutes a wetland, or that an Environmental Impact Assessment (EIA) is required, are **not supported by any regulatory or specialist evidence**. The property is located within the **existing urban area**, is not identified as a wetland or critical biodiversity area in the OMSDF or associated environmental mapping, and does not fall within an Environmental Management Overlay Zone.

In terms of NEMA and the EIA Regulations, an EIA is triggered only where listed activities occur within identified sensitive environments or where thresholds are exceeded. The proposed development does **not trigger any listed activities** requiring environmental



authorisation. Historical anecdotal references to seasonal water presence or prior land conditions do not, in themselves, confer wetland status in law.

Accordingly, the absence of an EIA does not constitute an omission, but rather reflects compliance with the applicable legislative framework.

- **Water Table and Groundwater Concerns**

It is acknowledged that parts of Sandbaai experience **seasonally high groundwater levels**, which is a known condition within the broader area and not unique to the subject property. This condition does not preclude development and is routinely addressed through appropriate engineering design.

To mitigate potential impacts, the proposal includes the installation of a **sub-soil drain / agri-drain system along the western boundary**, designed to intercept and manage groundwater movement in a controlled manner. This system will be integrated with the internal stormwater network and linked to the municipal system, subject to municipal approval.

Concerns regarding interference with groundwater flow, boundary walls, or neighbouring swimming pools are therefore addressed through **engineering controls**, not left unmanaged. Final design and construction will be subject to approval by the Overstrand Municipality's engineering departments, ensuring that the system is safe, effective, and compliant with required standards.

- **Stormwater Management**

The proposed development will be required to comply with the municipality's stormwater management standards. Stormwater will be managed on-site through a combination of attenuation and controlled discharge.

The assertion that End Street lacks stormwater infrastructure does not negate the municipality's ability to require appropriate stormwater design as part of the development approval. No development may proceed without approved stormwater management plans, and any upgrades required to accommodate additional runoff will be implemented at the developer's cost.

Concerns regarding increased runoff as a result of coverage are therefore addressed through engineering design and municipal oversight, not through speculative assumptions.

- **Gas Supply and Fire Safety**

Objections relating to piped gas and fire risk are noted, but it is important to clarify that **gas installations are governed by strict national safety standards** and building regulations. The location, storage, and distribution of gas infrastructure will be subject to:

- SANS standards,
- Building plan approval processes,
- Fire safety and emergency access requirements.

Gas cylinders or centralised systems will be housed in compliant, ventilated enclosures and designed to minimise risk. Emergency access, evacuation routes, and fire safety measures will be incorporated into the final building plans and approved by the relevant authorities prior to construction.



Concerns about hypothetical evacuation scenarios, while understandable, do not reflect a planning or regulatory basis to refuse the application. Similar systems operate safely in numerous residential estates throughout the Overstrand and Western Cape.

- **Borehole Use and Water Management**

The proposed borehole is intended **solely for common-area irrigation** and forms part of a water-wise landscaping strategy. Its use will not involve uncontrolled abstraction, nor will it result in continuous or excessive watering. Borehole use is subject to regulatory controls and must comply with applicable water use legislation.

The introduction of alternative water sources reduces reliance on municipal potable water and is consistent with sustainability objectives.

- **Biodiversity and Wildlife**

Despite the absence of any statutory environmental sensitivity, the property owners have committed to conducting a **manual fauna sweep prior to construction** to relocate any small wildlife encountered. This measure demonstrates a responsible and precautionary approach, even where not legally required.

- **Conclusion on Environmental Objections**

The environmental objections raised are largely based on **anecdotal history, speculation, and hypothetical risk scenarios**, rather than regulatory triggers or technical evidence. The proposal complies with environmental legislation, does not require an EIA, and incorporates appropriate engineering and management measures to address groundwater, stormwater, fire safety, and sustainability considerations.

Environmental matters raised do not demonstrate a material planning or environmental risk that would justify refusal of the application. All relevant aspects will remain subject to detailed design approval and municipal oversight, ensuring protection of both the environment and neighbouring properties.

## RESPONSE TO OBJECTIONS: OPEN SPACE, LANDSCAPING AND AMENITY PROVISION

- **Compliance with Open Space Requirements**

Objections have been raised suggesting that the provision of approximately **11.49% communal open space** is insufficient or non-compliant for a development of this nature. This assertion is incorrect. The OMLUS requires a **minimum of 10% communal open space** for developments of this zoning category, excluding parking, roads, and service areas. The proposed development **exceeds this requirement**, providing a larger quantum of open space than is prescribed.

It is important to emphasise that compliance with statutory minimum standards is the primary planning test. There is no adopted municipal policy or guideline prescribing a higher mandatory percentage of communal open space for developments of this scale within the Overstrand Municipality. The claim that the proposal is "significantly below accepted amenity standards" is therefore **not supported by any adopted planning instrument**.



- **Scale of Open Space Relative to Site Size**

The suggestion that the open space provision is inadequate because of the site's size misunderstands the nature of proportional standards. Planning controls operate on **percentage-based thresholds precisely to ensure equity across different site sizes**. Smaller sites are not required to provide disproportionately larger open spaces than larger sites; rather, they must comply with the same proportional standard.

The argument that open space would be unusable if all residents used it simultaneously is hypothetical and not a recognised planning assessment criterion. Communal open space is intended to function as a **shared amenity**, used at different times and for varied purposes, not as a space designed to accommodate all residents concurrently.

- **Quality, Distribution and Function of Open Space**

The assessment of open space is not limited to percentage alone, but also considers **quality, usability, and integration**. The proposed communal open spaces are:

- Centrally located and accessible,
- Landscaped to provide passive recreational opportunities,
- Designed to function as usable green areas rather than residual land.

The proposal does not rely on a single small area to serve the entire development, but rather incorporates **distributed landscaped areas**, pedestrian routes, and green buffers throughout the site. This approach enhances usability and avoids over-concentration of activity in one location.

- **Noise and Amenity Concerns**

Concerns regarding potential noise arising from the use of communal open spaces are noted. However, such concerns are **largely speculative** and do not constitute a defensible basis for refusal. Communal open space is a **normal and anticipated component of residential living**, particularly within an urban context. The presence of children playing, residents walking, or limited social interaction within shared spaces does not amount to an unreasonable nuisance, but rather reflects ordinary residential activity.

The proposed communal open spaces are located both **internally within the development** and some space are positioned adjacent to neighbouring properties. Their design and location, together with landscaping and boundary treatments, assist in mitigating potential noise spill-over beyond the site. Importantly, the scale and function of the proposed open spaces are intended for **passive recreation**, not organised events or high-intensity activities.

Furthermore, all owners, occupiers, and future tenants within the development will be subject to the **body corporate constitution and house rules**, which provide an effective and enforceable mechanism to regulate behaviour and protect residential amenity. It is well recognised that poor management would negatively affect not only surrounding properties but also the development itself and the long-term value of the units. As such, the body corporate has a vested interest in ensuring appropriate conduct and effective management.



To address potential noise concerns, the constitution and/or house rules will include provisions similar to the following:

*“(1) An owner, occupier and/or tenant must be cognisant of the close proximity of the sections to one another and must not allow any persistent and unreasonable noise levels to disturb other owners, occupiers and/or tenants.*

*(2) An owner, occupier and/or tenant must not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.*

*(3) Excessive noise must be avoided from 22:00 to 08:00 Sunday to Thursday, and between 23:00 to 08:00 on Friday and Saturday.*

*(4) Owners, occupiers and/or tenants must take every effort that they and/or their visitors arriving or departing to do so with little disturbance to other owners, occupiers and/or tenants.*

*(5) Radios, musical instruments, CD players, record players, television sets, Bluetooth speakers etc., must be used in such a manner so as not to be heard in adjoining units or on the common property.*

*(6) Power tools and other noise-producing equipment if operated outside the times stipulated above must cause minimum nuisance to other owners, occupiers and/or tenants.”*

&

*“Vehicles*

*(1) Any person/s entering the scheme must obey all signs and road markings containing directions for the use and parking of vehicles on the common property.*

*(2) No unlicensed person may drive any vehicle on the common property.*

*(3) No hooters may be sounded within the scheme or outside the security gate, other than in an emergency.*

*(4) No slamming of vehicle door/s.*

*(5) No revving of engines excessively.*

*(6) No vehicle radio and/or sound system may be set at a volume audible outside the vehicle.”*

These measures provide **clear, enforceable standards** for acceptable behaviour and are commonly applied in sectional title developments to successfully manage noise and protect residential amenity.

In conclusion, the proposed development incorporates both **design-based mitigation** and **management-based controls** to address noise-related concerns. When assessed in context, the potential for noise impacts is neither excessive nor unusual for a residential development of this nature and does not justify refusal or further reduction of the proposal.

### **Landscaping and Retention of Existing Trees**

Objections suggesting that existing trees cannot be retained are **premature** and do not take into account the detailed design and construction processes that follow land use approval. The property owners have committed to a **considered landscaping and tree retention strategy**, which seeks to balance development requirements with the preservation of existing vegetation where feasible.



In this regard, the owners commit to:

- **Retaining mature trees along boundary areas where feasible**, particularly where such trees contribute to visual screening, privacy, and the softening of the interface between the proposed development and neighbouring properties;
- **Supplementing existing vegetation with additional planting**, including indigenous and climate-appropriate species, to ensure that effective screening and landscaping objectives are achieved even in instances where individual trees cannot be retained due to construction or servicing constraints.

It is recognised that not all existing trees can be preserved without compromising structural safety, building footprints, or engineering requirements. However, the landscaping approach is not limited to tree retention alone, but rather focuses on achieving **equivalent or improved landscaping outcomes** through a combination of retained vegetation, new planting, and structured landscape design.

Detailed landscaping plans will be prepared as part of the **subsequent design and implementation phase** and will be subject to municipal approval and enforcement as a condition of approval. These plans will ensure that landscaped areas are properly established, maintained, and integrated into the overall development layout.

The objective is therefore not to preserve every existing tree at all costs, but to deliver a **well-landscaped, visually softened development** that enhances amenity, maintains privacy, and contributes positively to the character of the area. This approach aligns with accepted planning practice and ensures that environmental and visual considerations are responsibly addressed in the final development.

- **Infrastructure and Amenity Facilities**

References to the size of ancillary facilities such as the refuse room and storage areas require clarification. These facilities **form part of the communal property of the development** and are provided to support the day-to-day functioning and management of the scheme. While they are located within areas designated as communal space for the development, their inclusion is **intentional and appropriate**, as they serve an essential operational role and contribute to the orderly and efficient use of the site.

The sizing of these facilities is based on **functional requirements and applicable municipal standards**, ensuring that they are adequate for the scale of the development without being excessive or intrusive. Their provision does not detract from the usability of the communal open space, nor does it compromise the overall amenity of the development. Instead, they are integrated in a manner that balances operational needs with landscaping and recreational space.

The development does not propose a large or intensive recreational building commonly associated with a "clubhouse". Rather, it focuses on providing **functional, well-maintained communal facilities** that are appropriate to the nature, scale, and residential character of the development. This approach ensures that communal space is used efficiently and responsibly, while still meeting the amenity needs of residents and complying with applicable planning and management requirements.

### **SPLUMA Liveability and Sustainability**

The proposal complies with SPLUMA principles relating to liveability and sustainability by:



- Providing compliant and usable communal open space,
- Integrating landscaping and green buffers,
- Locating higher-density housing in a serviced, accessible urban area,
- Reducing pressure on peripheral greenfield land.

There is no basis to conclude that the development undermines liveability simply because it introduces a higher density than adjacent low-density complexes. Density, when appropriately designed and mitigated, is not inherently incompatible with quality living environments.

### Conclusion on Open Space and Landscaping Objections

The proposed development **meets and exceeds statutory open space requirements**, provides usable and well-located communal amenities, and incorporates landscaping measures that mitigate visual and amenity impacts. The objections raised are largely speculative, subjective, or based on expectations that exceed adopted planning standards.

Accordingly, the objections relating to open space, landscaping, and amenity provision do not demonstrate non-compliance with planning policy nor justify refusal or reduction of the proposed development.

### RESPONSE TO OBJECTIONS: PRIVACY, OVERLOOKING, LIGHT POLLUTION, BOUNDARY TREATMENT AND VISUAL IMPACT

- **Building Height and Roof Form**

Objections relating to building height, roof form, or potential future additions are noted. The proposal complies with the height parameters applicable to the proposed zoning, and **three-storey buildings are not proposed along any common boundary**. Instead, they are deliberately located within the interior of the site to minimise visual dominance and overlooking.

Any rooftop installations such as solar panels or lift overruns will be subject to building regulations and municipal approval and cannot be used to create additional storeys or bulk. The final roof forms and building envelopes will be controlled through the building plan approval process.

- **Light Pollution**

Concerns regarding light pollution have been acknowledged and addressed through specific mitigation measures incorporated into the proposal, including:

- Use of **shielded, downward-facing light fittings** to limit light spill;
- Selection of **low-intensity, warm-colour lighting** rather than high-glare fittings;
- Installation of **timers and motion sensors** to ensure lighting is activated only when necessary;
- Use of **landscaping and boundary treatments** to screen and soften light sources.

These measures ensure that external lighting meets safety and security needs without causing unreasonable light intrusion into neighbouring properties.



- **Boundary Walls and Interface Treatment**

Boundary walls and interface treatments will be addressed as part of the detailed design and building plan approval process. All boundary walls are existing and it is important to note that there will be no attachment of buildings, carports, or structures to neighbouring boundary walls. All such elements will be independently constructed and subject to municipal approval.

- **Views and Visual Impact**

The proposed development will result in a change to the existing visual environment. Such change is, however, anticipated and supported within a designated densification area where policy expressly encourages more efficient use of well-located urban land. Visual change alone does not constitute a planning harm, nor is there a legal entitlement to the preservation of existing views. Planning assessments instead focus on whether a development results in an unreasonable or unacceptable visual impact, taking into account zoning rights, scale, context, and mitigation measures.

The amended proposal has been carefully designed to manage visual impact through a graduated and sensitive built form response. Building heights step down toward the site boundaries, with two-storey connected townhouses forming the interface with neighbouring developments and three-storey components limited to the centre of the site. This stepped massing approach ensures that the development does not appear abrupt or dominant when viewed from surrounding properties and streets.

In addition, generous setbacks, compliance with prescribed building lines, and the retention and reinforcement of boundary landscaping contribute to softening the visual presence of the development. Mature trees and additional planting along boundary areas will further screen built form and reduce visual intrusion over time. When combined, these measures ensure that the development does not present as monolithic, overbearing, or visually intrusive, but rather as a well-integrated residential environment that responds appropriately to its urban context.

When assessed holistically and against applicable planning policy, the visual impacts of the proposed development are considered acceptable, proportionate, and consistent with the intended character and evolution of the area.

- **Requirement for Additional Studies**

Requests for additional sightline, shadow, or visual impact studies are noted. However, such studies are **not prescribed requirements** under the applicable planning framework. The proposal complies with zoning controls relating to height, coverage, and setbacks, which are the recognised mechanisms for managing visual and sunlight impacts.

## **Conclusion**

The amended proposal demonstrates that **reasonable, policy-aligned mitigation measures** have been implemented to address privacy, overlooking, light pollution, and visual impact. The objections raised rely largely on speculative assumptions or subjective expectations that exceed what planning legislation seeks to protect.



When assessed holistically, the development represents a **balanced and defensible planning outcome** that responds to housing demand while respecting the surrounding context.

## RESPONSE TO OBJECTIONS: SERVICES AND INFRASTRUCTURE CAPACITY

### • General Approach to Services Assessment

Objections relating to infrastructure capacity are noted. It is important to clarify that land use applications are **not approved in isolation from engineering oversight**. All service connections, upgrades, and mitigation measures are subject to review and approval by the relevant **internal municipal engineering departments**. A development may only proceed once the municipality is satisfied that sufficient capacity exists or that appropriate upgrades and contributions are secured as conditions of approval.

The proposal therefore does not bypass infrastructure constraints, nor does it rely on assumptions. Engineering feasibility is assessed through a **regulated, phased process**, and approvals are conditional upon compliance with municipal requirements.

### • Sewerage and Conservancy Tank System

It is acknowledged that Sandbaai does not currently have a conventional waterborne sewer system and relies on conservancy tanks connected to a small-bore network. In response, a **communal conservancy tank** is proposed for the development, subject to approval by the Overstrand Municipality.

The size, location, and servicing frequency of the communal tank will be determined by **engineering design standards and municipal requirements**, not arbitrary assumptions. The system will be designed to safely accommodate anticipated flows, with servicing schedules aligned to municipal operational capacity. Concerns regarding tanker access, frequency, and capacity will be addressed through engineering design and conditions of approval.

The proposal to consolidate multiple individual tanks into a **single managed system** is considered an improvement over dispersed individual systems, reducing maintenance risk and improving operational efficiency. Failure scenarios are not unique to this development and are managed through standard municipal emergency response protocols applicable to all conservancy-based systems in the area.

### • Stormwater Management and Water Table

Claims that the site constitutes a wetland are not supported as mentioned previously. The property is located within an **existing urban area**, is not identified as a wetland or Environmental Protection Overlay Zone, and does not trigger an Environmental Impact Assessment under applicable legislation.

That said, the presence of a **seasonally high-water table** has been acknowledged and addressed. The proposed stormwater management strategy includes:

- Installation of **sub-soil drainage and agri-drains** along the western boundary;
- On-site attenuation measures to control runoff;
- Controlled discharge into the municipal stormwater system, subject to engineering approval.



Stormwater systems are designed based on prescribed return periods and rainfall intensities, not anecdotal flood events. The final stormwater design will be prepared by a professional engineer and approved by the municipality prior to construction. Development will not proceed unless municipal engineers are satisfied that downstream impacts are mitigated.

- **Water Supply**

A water capacity analysis has been undertaken by GLS Consulting (Pty) Ltd, and the findings indicate that the proposed development can be accommodated without unacceptable impact, subject to standard conditions and contributions. The appointment of a professional consultant by the developer does not undermine the credibility of the assessment, as all findings are independently reviewed and accepted or rejected by the municipality.

In addition, the development incorporates **water-wise measures**, including:

- Borehole supply for irrigation of common areas;
- Water-efficient fittings;
- Reduced reliance on potable water for landscaping.

Municipal water conservation directives apply equally to all developments and residents, and compliance will be enforced through municipal mechanisms.

- **Electricity Supply and Backup Power**

Electricity supply capacity will be assessed and approved by the relevant municipal department prior to connection. Any required upgrades will be implemented at the developer's cost.

Backup power systems are proposed to support essential services during outages. These systems will be designed in compliance with applicable standards, including appropriate housing, ventilation, and acoustic mitigation where required. Generator noise, fire safety, and placement are addressed at the building plan approval stage and are subject to strict regulation.

The provision of gas for selected appliances reduces reliance on the electrical grid and forms part of a broader resilience strategy.

- **Refuse Management**

The refuse room size has been calculated based on functional requirements and municipal standards, not comparisons to private garages. Refuse removal will occur in accordance with municipal schedules, and the refuse room will be ventilated, enclosed, and managed to prevent odours and pest issues.

Centralised refuse management is standard practice in developments of this nature and is subject to municipal inspection and compliance monitoring.

- **Emergency Access and Fire Safety**

Emergency access, fire separation, evacuation routes, and fire safety systems are regulated through the building plan approval process and enforced by the fire department. These



requirements apply irrespective of density and are mandatory conditions prior to occupation.

Gas installations, backup power systems, and lift infrastructure are all subject to statutory compliance and inspection.

- **Allegations of Infrastructure Collapse**

Assertions that the development will inevitably lead to infrastructure failure are speculative and unsupported by technical evidence. If existing infrastructure were incapable of supporting any additional development, the municipality would not permit new connections.

Importantly, the developer is required to **contribute financially to bulk infrastructure**, ensuring that the municipality is not burdened with unfunded service upgrades. These contributions benefit the broader area, not only the proposed development.

- **Request for Additional Studies**

Requests for a “full independent Municipal Services Capacity Assessment” are noted. However, the municipality already performs this function internally as part of its statutory mandate. Additional third-party studies are not required unless identified by the municipality as necessary.

- **Conclusion on Services and Infrastructure**

The proposed development has been responsibly planned within the context of existing infrastructure constraints. All services are subject to municipal approval, engineering design, and enforceable conditions. The objections raised rely largely on worst-case assumptions and anecdotal experience rather than recognised planning and engineering standards.

When assessed through the correct statutory and technical processes, the development is considered **serviceable, manageable, and compliant**, with appropriate safeguards in place to protect both future residents and the surrounding community.

## RESPONSE TO OBJECTIONS: TRAFFIC, ACCESS AND PARKING

- **Traffic Assessment Methodology**

Objections alleging that the Traffic Impact Statement is inaccurate or misleading are noted. The Traffic Impact Statement was prepared by a suitably qualified professional engineer and follows accepted engineering and municipal traffic assessment methodologies. Traffic assessments are not based on anecdotal observations but on **measured traffic counts, accepted trip generation rates, and engineering modelling**, which are then reviewed by the Municipality's traffic and engineering departments.

Traffic studies do not rely on isolated worst-case scenarios such as peak holiday congestion or speculative assumptions about maximum vehicle ownership. Instead, they assess **average weekday peak conditions**, which is standard practice and required to ensure consistency and comparability across developments. Holiday congestion in Sandbaai is a **regional and seasonal phenomenon**, driven primarily by tourism, schools, and commercial activity, and cannot reasonably be attributed to a single residential development.



- **Trip Generation and Vehicle Ownership Assumptions**

Claims that each dwelling unit will generate two vehicles or that the development will result in “catastrophic” traffic impacts are speculative and unsupported by planning or engineering standards. The Traffic Impact Statement applies **conservative and accepted vehicle ownership and trip generation rates** based on unit mix and size.

Importantly:

- Not all units will generate peak-hour trips simultaneously;
- Smaller one-bedroom units typically generate fewer trips than family homes;
- Trip distribution is spread across multiple directions and times of day.

- **Access Arrangement and Road Network Function**

The proposed access strategy deliberately **splits access and egress** between End Street and Bergsig Street to distribute traffic load and avoid concentrating movements at a single point. This approach improves operational efficiency and safety compared to a single access arrangement.

End Street functions as a local street and is capable of accommodating the anticipated increase in traffic associated with the development. The Traffic Impact Statement confirms that no widening or structural upgrading of End Street is required to support the proposal. Concerns regarding the inability to widen End Street are therefore not relevant, as no widening is proposed or required.

Bergsig Street is classified as a higher-order urban road and already accommodates traffic associated with the mall, schools, and industrial uses. The proposed development represents a **marginal increase relative to existing background traffic**, and the Traffic Impact Statement confirms that this increase can be accommodated without unacceptable operational impact.

- **Existing Congestion and Regional Traffic Conditions**

It is acknowledged that Bergsig Street and the Main Road experience congestion during peak periods. However, this congestion is **pre-existing** and primarily attributable to:

- The Whale Coast Mall;
- Schools and school-related traffic;
- Regional through-traffic and delivery vehicles;
- Holiday and seasonal tourism peaks.

General planning principles does not require new developments to resolve existing area-wide congestion unrelated to the site. The test is whether the development **materially worsens conditions**, which the Traffic Impact Statement confirms it does not.

Reliance on De Zandt's infrastructure upgrades is not an avoidance of responsibility but reflects **cumulative planning** within the broader road network. Each development is assessed individually, and this proposal meets the applicable thresholds.



- **Parking Provision and Boundary Parking**

Parking provision within the development complies with municipal requirements and has been carefully designed to be accommodated on-site. Parking areas along boundary interfaces are screened and setback, and any covered parking structures will be subject to building plan approval, including height, design, and material considerations.

No parking structures will be attached to neighbouring boundary walls, and all parking layouts remain fully within the subject property.

- **Pedestrian Safety and Non-Motorised Transport**

Concerns regarding pedestrian movement are noted. Pedestrian activity along Bergsig Street is already a function of the mall, schools, and surrounding residential developments. The proposed development includes **controlled access points**, internal walkways, and a pedestrian gate to facilitate safe internal movement.

Any further pedestrian infrastructure requirements identified by the Municipality may be imposed as conditions of approval. The absence of formal pavements in certain streets is a broader municipal infrastructure matter and cannot reasonably be attributed to this development alone.

- **Requests for Additional Traffic Studies**

Requests for a new or independent traffic assessment are noted. However, the Municipality is the competent authority to determine whether additional information is required. The submitted Traffic Impact Statement meets the standard requirements for developments of this nature and has been prepared in accordance with accepted engineering practice.

Further studies are not warranted unless specifically requested by the Municipality following its technical review.

- **Conclusion on Traffic and Parking**

The traffic and parking objections are largely based on **worst-case assumptions, anecdotal experience, and regional congestion issues** rather than accepted planning and engineering criteria. The Traffic Impact Statement demonstrates that:

- The road network can accommodate the proposed development;
- Access arrangements are appropriate and safe;
- Parking is adequately provided on-site;
- The development will not result in unacceptable traffic impacts.

When assessed objectively and in accordance with municipal standards, the proposed development represents a **manageable and acceptable traffic outcome** within an established urban area.



## RESPONSE TO OBJECTIONS: SOCIO-ECONOMIC IMPACT AND HOUSING NEED

- **Housing Need and Planning Basis**

Objections questioning the existence of housing need or the financial capacity of prospective buyers are noted. It is important to clarify that land use planning assessments **do not require a market survey of individual buyers' financial circumstances**. Housing need is assessed through **adopted municipal and provincial spatial frameworks**, population growth trends, and housing supply indicators, all of which confirm sustained demand for additional residential opportunities within the Greater Hermanus and Sandbaai area.

The OMSDF explicitly identifies Sandbaai as part of the Greater Hermanus growth area and acknowledges a significant shortfall in dwelling units over the medium to long term. The proposed development responds directly to this policy context by providing additional housing **within the existing urban footprint**, rather than extending development into peripheral or environmentally sensitive areas.

The presence of listings on private property platforms does not negate housing demand. Listings reflect market turnover and pricing, not unmet demand, and do not account for unit type, size, location, or accessibility. Planning authorities do not determine housing need based on online listings, but on **policy-led growth projections and spatial planning objectives**.

- **Affordability and Target Market**

Concerns regarding affordability have been considered. The proposed development provides a **range of unit types and price points**, from smaller one-bedroom flats through to larger townhouses. This approach is consistent with accepted planning principles aimed at promoting **housing diversity and inclusivity**, rather than delivering a single, uniform product. Affordability in planning terms does not equate to subsidised housing or free allocation of units. It refers to **broadening access to the housing market** by providing units at price points lower than those typically found in newer Sandbaai developments, which predominantly cater to the medium to higher-end market. Entry-level housing in coastal towns such as Hermanus is, by necessity, relative to local market conditions and land values.

The fact that not every resident employed at the mall or in the immediate area may qualify for a bond does not invalidate the planning rationale. Housing markets operate across a spectrum, and developments are not required to cater exclusively to one income group to meet planning objectives.

- **Socio-Economic Impact of Construction**

Objections suggesting that construction activity will impose an undue burden on the municipality through migrant labour are speculative and not supported by evidence. Construction employment is **temporary in nature**, and labour accommodation arrangements are governed by labour legislation and contractor responsibilities. There is no planning basis to assume that temporary construction workers will permanently settle in the area or that this development will create an additional housing obligation for the municipality.



Furthermore, while some construction materials may be sourced from regional suppliers, local service providers typically benefit from **labour, logistics, accommodation, maintenance, and ancillary services** during construction. These impacts are well recognised in planning assessments and form part of the short-term economic benefit of development.

- **Long-Term Economic Contribution**

The long-term socio-economic impact of the development arises from:

- Increased municipal rates and service charges;
- Additional population supporting local businesses and services;
- More efficient use of existing infrastructure within the urban area.

Arguments that residents would “spend money at the mall regardless of where they live” overlook the fundamental planning principle that **population growth must be spatially accommodated**. Housing people closer to employment nodes, services, and retail facilities reduces travel distances, supports local economies, and aligns with spatial efficiency objectives.

- **Perceptions of Social Decline**

Assertions linking higher density housing to social decline, crime, noise, or reduced property values are **generalised and unsupported by planning evidence**. Density alone is not a determinant of social outcomes. Well-designed, well-managed residential developments across Hermanus and the Overstrand demonstrate that higher density can coexist with stable, desirable neighbourhoods.

Such assumptions are subjective in nature and do not constitute a valid planning consideration.

- **Equity and Spatial Planning Objectives**

References to spatial justice and equity have been misunderstood in the objections. The planning intent is not to impose social change “at the expense” of existing residents, but to ensure that growth is **accommodated fairly, efficiently, and sustainably** within the urban area, as required by adopted spatial policy.

Failure to provide additional housing in well-located areas would exacerbate exclusion, increase commuting distances, and shift growth pressure to peripheral locations. The proposed development seeks to balance growth with mitigation, rather than displacing it elsewhere.

- **Access-Related Objection**

The objection relating to the location of the entrance has been noted. As confirmed in the Traffic Impact Assessment, the split access arrangement between End Street and Bergsig Street was selected to **distribute traffic, improve safety, and reduce congestion**. This configuration has been professionally assessed and is supported by the traffic engineer and municipal review process.



• **Conclusion on Socio-Economic Impact and Housing Need**

The objections raised rely largely on **assumptions about market behaviour, affordability, and social outcomes** rather than on adopted planning policy or technical evidence. The proposed development aligns with the OMSDF, responds to identified housing demand, supports economic activity, and contributes to spatial efficiency within the Sandbaai area.

From a planning perspective, the socio-economic impacts of the development are **appropriate, manageable, and consistent with municipal objectives**, and do not provide a basis for refusal of the application.

### RESPONSE TO OBJECTIONS: SECURITY

Comments relating to security concerns have been noted. However, the objections do not provide any factual or evidence-based reasons demonstrating how the proposed development would result in a deterioration of security for adjacent properties. Generalised assumptions regarding the behaviour, age, or gender of future occupants are **speculative, subjective, and not a relevant planning consideration**.

Land use planning assessments are based on **design, management, and enforceable controls**, not on conjecture about the personal characteristics of future residents. The suggestion that residents of higher-density housing are inherently prone to aggressive or criminal behaviour is unfounded and cannot be relied upon in evaluating a land use application.

It is important to clarify that **any boundary wall is the responsibility of the owner on whose land it is constructed**. Where a boundary wall straddles a property boundary, responsibility is shared between the adjoining owners. This principle also applies to any electric fencing. The proposed development will not rely on the boundary walls of neighbouring complexes for security purposes unless formal agreement is in place. Where required, **new boundary walls and electric fencing will be constructed entirely within the subject property** and maintained by the homeowners' association.

Security is a critical consideration in the South African context, and the owners, who are also the developers, have taken a proactive and comprehensive approach. The development will be undertaken using established local construction teams, and a **professional security firm will be appointed during the construction phase**. This firm will be responsible for securing the site, controlling access, and ensuring that contract workers remain on the premises during working hours, thereby preventing unauthorised movement into surrounding neighbourhoods.

Following completion, it is anticipated that the same or a similar professional security provider will continue to manage security within the development during the initial operational phase, until the body corporate is formally established and has held its first annual general meeting. This ensures continuity of security management during the critical transition period.

The completed development will incorporate **multiple layers of security**, including:

- Controlled access points with access control systems for residents, staff, and visitors;
- Optical surveillance cameras providing 24-hour monitoring of common areas and access points;



- Electric perimeter fencing where required;
- Managed entry and exit points to prevent unauthorised access.

These measures are standard in contemporary residential developments and are specifically intended to enhance safety not only for residents of the development, but also for neighbouring properties. A well-secured, access-controlled residential estate does not increase crime risk; on the contrary, it often **reduces opportunistic crime in the surrounding area**.

Finally, the long-term management of security, common property, and resident conduct will fall under the authority of the body corporate, which is legally empowered to enforce rules, appoint professional managing agents, and maintain security infrastructure. Poor management would negatively affect the value and liveability of the development itself, providing a strong incentive for effective governance.

In conclusion, the security concerns raised are **not supported by evidence** and rely on assumptions that fall outside the scope of land use planning. The proposed development incorporates robust, professionally managed security measures that are appropriate to its scale and context and do not present a risk to surrounding properties.

## RESPONSE TO OBJECTIONS: PROPERTY VALUES AND NEIGHBOURHOOD CHARACTER

It is important to clearly distinguish between **substantiated, evidence-based planning considerations** and **subjective or emotive assertions**. The underlying objective of the proposed development is to introduce additional housing opportunities in a well-located, accessible part of Sandbaai, in line with the applicable spatial frameworks and the municipality's forward-planning policies. The subject property is located within a designated densification zone, where increased residential intensity is not only anticipated but actively encouraged by adopted policy.

Concerns raised regarding a potential decline in property values are largely **speculative in nature** and are not supported by any objective valuation evidence, market analysis, or empirical data. No professional valuation reports, sales analyses, or comparative studies have been submitted demonstrating that developments of a similar nature have resulted in a measurable reduction in surrounding property values. As such, these assertions cannot be afforded determinative weight in the assessment of the application.

Property values are influenced by a wide range of factors, including location, accessibility, proximity to services and employment nodes, neighbourhood safety, quality of design, management of developments, and overall market conditions. The subject property is situated adjacent to a major retail and employment node, close to key distributor routes, and within an established urban area. These locational attributes are widely recognised as **positive value drivers** rather than detractors.

The suggestion that higher-density or more affordable housing inevitably leads to neighbourhood degradation, crime, or reduced property values is not supported by planning or valuation practice. Density in itself is **not a determinant of property value**. Poor design, lack of management, and inadequate infrastructure are the factors typically associated with negative outcomes. The proposed development has been carefully designed to mitigate these risks through stepped building heights, controlled access, comprehensive security measures, on-site parking, landscaped buffers, and body corporate governance.



References to the development being likened to a “ghetto”, “slum”, or similar characterisations are emotive and inappropriate in the context of land use planning. Such terminology reflects personal perceptions rather than objective planning impacts and does not constitute a valid basis for refusing a development that complies with policy, zoning intent, and technical requirements.

Concerns regarding retirees and long-standing residents are understood; however, planning legislation does not provide protection against change where such change is **policy-led, reasonable, and appropriately mitigated**. Urban areas evolve over time, and the introduction of new housing typologies does not amount to an erosion of rights or an unreasonable imposition on existing residents. Importantly, the proposal does not remove or diminish existing zoning rights of neighbouring properties.

It is also relevant to note that well-planned residential developments frequently **stabilise or enhance surrounding property values** by improving land utilisation, introducing new infrastructure investment, increasing demand for local services, and reinforcing the attractiveness of an area. The development does not introduce incompatible land uses, commercial activity, or industrial operations, but remains residential in nature, consistent with the broader character of Sandbaai.

Assertions that the proposal will set a “dangerous precedent” are misplaced. Each land use application is assessed on its own merits, within its specific policy and spatial context. Approval of this application would not automatically permit similar developments elsewhere, particularly where sites are not located within designated densification zones or lack comparable locational attributes.

The concern that rental units will negatively affect property values is similarly speculative. Rental tenure is a normal component of urban housing markets and is not a planning ground for refusal. Well-managed sectional title schemes with a mix of ownership and rental units are commonplace and do not inherently undermine neighbourhood stability or property values.

In conclusion, while concerns about property values are acknowledged, they are **not supported by objective evidence** and rely heavily on assumptions about density, tenure, and future residents. The proposed development is policy-aligned, well-located, and designed with mitigation measures that address scale, interface, security, and amenity. When assessed against accepted planning and valuation principles, the proposal does not present a credible risk of devaluing surrounding properties and may, over time, contribute positively to the overall desirability and vitality of the Sandbaai area.

## Conclusion

The proposed development on Erf 1735, Sandbaai has been comprehensively assessed against the applicable planning legislation, municipal policies, spatial frameworks, and technical requirements. The application aligns with the objectives and intentions of the OMSDF, the OMLUS, and broader spatial planning principles that promote compact, efficient urban form, infill development, and the accommodation of population growth within the existing urban footprint.

The objections received during the public participation process have been carefully considered and addressed in detail. While the concerns raised are acknowledged, the majority are based on **speculative assumptions, emotive perceptions, or subjective**



**expectations**, rather than on substantiated planning, engineering, environmental, or valuation evidence. Where legitimate issues were raised, these have been responded to through **design amendments, technical assessments, and enforceable mitigation measures**.

Concerns relating to density, height, visual impact, privacy, traffic, infrastructure capacity, security, environmental considerations, and property values have all been evaluated against accepted planning and technical standards. Submitted reports confirm that the development can be accommodated without unacceptable impact on the surrounding road network or municipal services, subject to standard conditions and developer contributions. The amended design demonstrates a clear effort to reduce bulk and perceived intensity through stepped building heights, increased setbacks, internalisation of higher-density components, enhanced landscaping, and controlled access.

Importantly, the proposed development remains residential in nature and is located within a designated densification area where higher residential intensities are not only anticipated but required to meet projected housing demand. The development does not introduce incompatible land uses, does not extend the urban edge, and does not erode the lawful development rights of neighbouring properties.

Objections relating to social behaviour, future occupants, tenure type, or perceived decline in neighbourhood character and property values fall outside the scope of land use planning and are not supported by objective evidence. Planning decisions must be grounded in policy compliance, technical feasibility, and the public interest, rather than on speculative outcomes or resistance to change within an evolving urban environment.

The proposal incorporates appropriate mitigation measures, is subject to ongoing municipal oversight through conditions of approval, and will be managed through a body corporate structure with enforceable rules governing common property, behaviour, and security. These mechanisms provide assurance that the development will function responsibly and sustainably over the long term.

In conclusion, when assessed holistically and objectively, the proposed development represents a **balanced, policy-aligned, and sustainable planning outcome**. The objections raised, whether individually or collectively, do not demonstrate grounds to refuse or materially constrain the application. The development responds appropriately to housing demand, supports spatial efficiency, and contributes positively to the future growth and viability of Sandbaai and the broader Overstrand area.

It is therefore concluded that the objections should **not impede the approval of the application**, and that the proposed development warrants favourable consideration, subject to appropriate conditions of approval.

Yours faithfully

**T JANSEN**  
**PROFESSIONAL TOWN PLANNER (A/2858/2019)**

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:  
APPLICATION FOR REZONING & DEPARTURE: ERF 1735, SANDBAAI  
(4409/2023)**

Water	:	Upgrading according to master plan/GLS Report
Sewer	:	Upgrading according to master plan/GLS Report
Roads and Traffic	:	Upgrading according to TIS by Douw Lourens
Stormwater	:	Upgrading according to stormwater management plan by developer
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 79.400	= R 2 191 281.20
Sewerage	R 19 725.00 x 79.400	= R 1 566 165.00
Roads	R 8 845.00 x 133.00	= R 1 176 385.00
Stormwater	R 10 205.00 x 47.00	= R 479 635.00
Solid Waste	R 1 769.00 x 133.00	= R 235 277.00
<b>TOTAL (inclusive of VAT)</b>		<b>= R 5 648 743.20</b>

**Please note that the above figures:**

- 1.3 Are estimates which are subject to annual tariff adjustments.
- 1.4 Exclude bulk electricity costs. Please contact Overstrand Municipality's Electrical Division regarding the cost.
- 1.5 Exclude investigation levies and connection fees.

## 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:
  - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
  - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
  - 4.3 the insurance to be to an amount which shall not be less than that required by the SAACE;
  - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
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;

## 3

- 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 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:
  - 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;
  - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
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 Director: Infrastructure and Planning, 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;

## 4

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 will be required by the Chief Engineer: Infrastructure Services prior to the approval of any service plans;
15. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
16. that each subdivided erf be provided with individual water and sewer connections which comply with the standards of the Department: Operational Services (Hermanus).
17. that the sewer and water reticulation be provided/upgraded according to the report prepared by GLS consulting engineers and the Overstrand Master Sewer and Water Plans.
18. that the Body Corporate be responsible for the operational costs and maintenance of street lighting, electrical reticulation and metering and all internal services;
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 street lighting be provided and conform to municipal standards;
21. that the developer appoint 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;
22. 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;
23. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;

5

24. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided in line with the 2020 Overstrand Land Use Scheme.
25. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Chief Engineer: Infrastructure Services;
26. 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;
27. that the connection to the stormwater reticulation system be provided according to the stormwater master plan by, the developer;
28. that the stormwater system in Bergsig street may be upgraded by the developer;
29. that the following improvements/ upgrades be implemented as recommend by the approved TIS report:
  - a) A dedicated exit for the development must be provided on Bergsig Street opposite the Whale Coast Mall.
  - b) A four-way stop control must be implemented at the intersection created by Bersig Street, the Mall access and the development's exit.
  - c) Provision of a minimum of 18,0 m stacking distance between the access booms or gates and the road edge.
  - d) The capacity upgrades of the Sandbaai Main Road/Bersig Street roundabout.
  - e) The implementation of stop control at the Louis Trichard / End Street intersection.
30. 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;
31. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.

  
 RICARDO ANDREW

  
 DATE

**PRINCIPAL TECHNOLOGIST: DEVELOPMENT CONTROL**

**Our Ref:** HM / OVERBERG / OVERSTRAND / SANDBAAI / ERF 1734  
**Case No.:** 27141EJV0122  
**Enquiries:** Emily-Jane Vowles  
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**Thian Jansen**  
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**RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL DECISION**  
 In terms of Section 38(1) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape  
 Provincial Gazette 6061, Notice 298 of 2003

**NOTIFICATION OF INTENT TO DEVELOP: PROPOSED REZONING AND RESIDENTIAL DEVELOPMENT ON ERF 1735, END AND BERGSIG STREETS, SANDBAAI SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)**

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter. This matter was discussed at the Heritage Officers Meeting held on 9 February 2026.

You are hereby notified that, since there is no reason to believe that the proposed rezoning and residential development on Erf 1735, End and Bergsig Streets, Sandbaai will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Waseefa Dhansay  
 Assistant Director: Professional Services



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# **Traffic Impact Assessment**

**For the Subdivision and rezoning of  
Erf 1735, Sandbaai, Hermanus**

**Updated March 2026**

**CLIENT: Lighthouse Construction Erf 1735**

**COMPILED BY:**

**L de V Roodt Pr Eng PhD**

**Roodt Transport Safety Pty Ltd**

**21 Lucy Crescent, Stanhaven, Stanford, 7210**

**Cell (082) 575 3130**

**E-mail: [roodttransportsafety@gmail.com](mailto:roodttransportsafety@gmail.com)**



### Cover Letter

It is herewith certified that this Traffic Impact Assessment has been prepared according to requirements of the South African Traffic Impact and Site Traffic Assessment Manual THM 16 Volume 1 (COTO 2012) and Volume 2 (COTO 2014) and the South African Trip Data Manual TMH 17 (COTO 2013).

This traffic impact assessment is for Erf 1735, Sandbaai, Hermanus: Application for Subdivision and rezoning.

The traffic impacts of the proposed residential development were evaluated as per the appropriate guidelines and found to not significantly reduce the current operational indicators at the intersections affected by the trips generated. No road infrastructure improvements are required other than the accesses to the development. Network upgrades that will be required for the development of Remainder Erf 2834 De Zandt will in future reduce the traffic volumes at the roundabout at Bergsig Street // Sandbaai Main Road.

The report was compiled by

Dr Louis de Villiers Roodt Pr Eng FSAICE

ECSA registration 820425

BEng Civil, MEng Transportation, PhD Civil Engineering

082 575 3130

roodttransportsafety@gmail.com

Lucy Crescent 21 Stanford, 7210,

I declare that I have the requisite qualifications and experience to undertake this work. I thereby sign and certify the traffic assessment and take responsibility for the assessment. I declare that I have no conflict of interest with regard to this application and development.

A handwritten signature in black ink, appearing to read 'Louis Roodt', is written over a light blue horizontal line.

Signed Louis Roodt Pr Eng PhD

Date 10 March 2026

## Contents

1. BACKGROUND .....	5
2. DEVELOPMENT PROPOSAL.....	5
3. STUDY AREA .....	6
4. EXISTING TRANSPORT INFRASTRUCTURE .....	7
4.1 Route classification and descriptions .....	7
4.2 Bergsig Street // Sandbaai Main Road roundabout.....	8
5. TRANSPORT PLANNING.....	9
6. EXISTING TRAFFIC AND PERFORMANCE .....	10
6.1 Traffic in October 2023 .....	10
6.2 Traffic counts and observations November 2024.....	12
6.4 IMPACT OF CURRO SCHOOL AND DE ZANDT DEVELOPMENT PROPOSALS .....	13
7. BACKGROUND TRAFFIC DEMAND ESTIMATION .....	14
8. DEVELOPMENT TRIPS.....	15
8.2 Trip Generation.....	15
8.3 Trip Distribution.....	16
9. TRAFFIC IMPACT .....	17
9.1 New exit opposite the Mall access on Bergsig Street.....	17
9.2 Roundabout at Bergsig Street / Sandbaai Main Road .....	18
10. ACCESS, INTERNAL ROADS AND PARKING.....	23
11. PUBLIC AND NON-MOTORISED TRANSPORT .....	23
12. CONCLUSIONS.....	23
13. RECOMMENDATIONS .....	25
Appendix A: De Zandt Article in Hermanus Times 27 November 2024 .....	26

### List of Figures

Figure 1: Site development plan .....	6
Figure 2: Locality plan .....	7
Figure 3: Trip distribution (2026) .....	16
Figure 4: Conceptual layout of slip road at roundabout .....	22

### List of Tables

Table 1: Traffic volumes 2023 at Sandbaai Main Road / Bergsig Street .....	10
Table 2: LOS with 2023 traffic volumes Sandbaai Main Road / Bergsig Street (SIDRA) .....	10
Table 3: LOS with 2023 traffic volumes Sandbaai Main Road / Bergsig Street (AUTOJ) .....	11
Table 4: LOS with 2024 traffic volumes Sandbaai Main Road / Bergsig Street (AUTOJ) .....	12
Table 5: AM peak hour flows in March 2026 .....	13
Table 6: Trip generation.....	16
Table 7: LOS at access on Bergsig Street / Mall access with development (AUTOJ) .....	17
Table 8: LOS at Main Road // Bergsig Street roundabout 2023 and 2024 counts worst cases .....	19
Table 9: LOS at Main Road // Bergsig Street roundabout 2026 counts 5 minute peak .....	20
Table 10: LOS at Main Road // Bergsig Street roundabout 2026 counts with development .....	21
Table 11: LOS at Main Road // Bergsig Street roundabout 2026 counts + development + slip road....	22

## 1. BACKGROUND

Louis Roodt Pr Eng was appointed by the developer, Lighthouse Construction 1735, to update a Traffic Impact Assessment (TIA) that was done by Douw Louwrens in October 2023 for a proposed residential development on the Remainder of Erf 1735, Sandbaai, Overstrand Municipality. Credit is given to Douw Louwrens for sections quoted verbatim from his report.

Roodt compiled the updated TIA in November 2024, using 2024 traffic counts. The layout and number of units were reviewed and finalised in August 2025. The updated trip generation was used to revise the TIA and the date was changed to July 2025 amended August 2025.

The Overstrand Municipality Principal Technologist: Development Control, Mr Ricardo Andrew, commented on the land use change report, which included the TIA, submitted by Wrap Projects Office. The TIA was not accepted. Dr Roodt met with Mr Andrew on 13 February 2026 to discuss the issues. The main issues were the traffic count in November which could have been affected by the Curro School exams, the trip exit distribution which he wanted to be directed to the Sandbaai roundabout. The traffic at the roundabout was observed on 25 February and a new AM traffic count based on video recordings was done on 4 March 2026.

This 2026 TIA is based on the peak 5 minute flows at the roundabout, as it was observed that the roundabout functions well from 7:00 to about 7:25 when there is a peak inflow towards Curro School from north to west, with an outflow west to north following a short delay when learners are dropped off, an peak demand from the south. After the initial breakdown of flow, the queues on Bergsig west and Main Road south take some time to dissipate, with all queues dissipated by 7:55. The trips exiting from the proposed development on to Bergsig Street are routed around the roundabout, where the western approach functions with no delays. The meeting with Mr Andrew also clarified the Overstrand Municipalities approach to upgrades of road infrastructure and allocation of the roads bulk contributions: the development contribution funds are spent where the greatest needs are determined, preferably in the immediate vicinity of a specific development.

## 2. DEVELOPMENT PROPOSAL

The development is situated south of Bergsig Street, between Sandbaai Main Road and Schulphoek Street, to the south of the Bergsig Street access of Whale Coast Mall in Sandbaai. The development is bordered by Bergsig Street to the north and End Street to the south.

The application is for the rezoning and subdivision of R/Erf 1735 Sandbaai for 107 units in apartment blocks, and 27 one-, two- or three-bedroom townhouses. Please see the extract from the Site Development Plan (R/Erf 1735, Sandbaai, Holloway and Davel Architects, dated: 9 July 2025) as **Figure 1**.

A two-lane entrance / exit to the development is proposed from End Street, opposite Louis Trichardt Street and two-lane exit only is proposed on Bergsig Street opposite the Mall access.



Figure 1: Site development plan

### 3. STUDY AREA

The primary study area was determined to include the accesses to the development and high-order roads in the vicinity of the development. The following elements were included in the study area:

- Sandbaai Main Road (Minor Road 4008)
- Bergsig Street
- End Street
- The southern access of the Whale Coast Mall on Bergsig Street.

A secondary area and features that were observed and evaluated:

- Bergsig Street / Service Road 125 m east of the proposed exit
- Bergsig Street / Argon 400 m east of the proposed exit
- Bergsig Street / Schulphoek Road 560 m east of the proposed exit.

See **Figure 2**.



Figure 2: Locality plan

## 4. EXISTING TRANSPORT INFRASTRUCTURE

### 4.1 Route classification and descriptions

The existing transport infrastructure in the vicinity of the site was observed during site visits and a traffic counts November 2024. The roads discussed below are shown in the Locality Plan Figure 2.

Sandbaai Main Road is an urban Class 3 Minor Arterial (Provincial Minor Road 4008). The section between the R43 and Bergsig Street is a single-carriageway two-lane two-way road (surface 10.2 m, 3.7 m lanes and 1.4 m wide surfaced shoulders) and an urban cross section, including barrier kerbs and channels. Surfaced sidewalks, 1.5 m wide, are situated along both sides of the road between the Engen / Agrimark left in/out access and Bergsig Street. South of Bergsig Street, Sandbaai Main Road is a single-carriageway two-lane two-way road with an un-surfaced shoulder on the western side and a surfaced sidewalk (1.5 m wide) on the eastern side down to Dirkie Uys / Jimmy Smith Streets (890 m).

Bergsig Street forms part of the planned urban Class 3 minor arterial road to run parallel to the R43. East of Sandbaai Main Road / Bergsig Street is a single-carriageway two-lane two-way road with surfaced shoulders and an urban cross-section, including barrier kerbs and channels. Surfaced

sidewalks are situated along both sides of the road. Widths are similar to the northern section of Main Road. West of Sandbaai Main Road, Bergsig Street is a single-carriageway two-lane two-way road with un-surfaced shoulders up to the approach to the Curro Road Roundabout where it changes again to a single-carriageway two-way road with surfaced shoulders and an urban cross-section, including surfaced sidewalks along both sides. Accesses along these sections of Bergsig Street are confined to residential complexes. Bergsig Street is part of the cycle master plan

End Street is a Class 5 Local Street. It is a single-carriageway two-lane two-way road with a suburban cross-section. An un-surfaced sidewalk with edge beam is situated along the southern side of the road and an unsurfaced sidewalk mountable kerb along the northern side of the road. There are multiple direct property accesses off End Street. End Street is also part of the cycle path pmaster plan and this should be taken into account in detail design pf the entrance.

#### 4.2 Bergsig Street // Sandbaai Main Road roundabout

The previous TIA for this development that was done by Douw Lourens in 2023 distributed all the traffic from Erf R/1735 to the then proposed End Street access, resulting all the traffic using the Bergsig Street // Sandbaai Main Road roundabout.

This TIA confirmed that the roundabout was already over capacity. It, however, relied on the following (also see Section 5 Transport Planning):

*The Remainder Erf 2834 (De Zandt) Transport Impact Assessment (Deca Consulting Engineers dated June 2018) proposed the upgrade of the Sandbaai Main Road / Bergsig Street roundabout to accommodate two circulating lanes and additional short approach and exit lanes at the roundabout with the addition of Erf 2834's trips and increase in traffic volumes on Bergsig Street as a result of the proposed left in/out access off the R43.*

The Douw Lourens TIA was submitted, and a discussion was held with the Senior Manager: Operational Services (Mr Dennis Hendricks) regarding the proposed upgrading of the Bergsig Street/Main Road traffic circle.

*The Senior Manager: Operational Services indicated that the circle cannot be upgraded purely due to a lack of available road reserve/space. Further discussions were held with senior management of the Engineering Department who, in addition, indicated that the upgrading of the traffic circle in itself would most likely involve the expropriation of portions of adjacent residential erven – it will be investigated in future planning. In view of the aforesaid it is the opinion that the proposed development can therefore only contribute to worsen the current situation at the traffic circle."*

A preliminary design of a double lane roundabout was done by AVDM Engineers in March 2026, that could be considered. The option of adding a slip lane from west to north was investigated and will be reported on. This will take care of the long queue from Curro School, but may be made redundant if the development of De Sand, south of Curro School goes ahead and implement the road improvements proposed in their TIA, which will redirect traffic, including the bulk of the Curro School traffic more directly to and from the R43.

Additional exit trips from the development through the congested south approach to the roundabout were eliminated when the OM officials suggested having an exit only from Erf R/1735 on

Bergsig Street. This redirects 100% of the generated AM peak traffic to the roundabout. All the generated PM traffic the use the roundabout to enter the development via End Street, but the general demand on the roundabout is less in the PM peak due to the reduced school traffic.

## 5. TRANSPORT PLANNING

Transport planning is contained in the Overstrand Transport Master Plan (EFG / ICE Group 2015) for future transport infrastructure in the Overstrand Municipal area, including report by EFG Engineers on closing Onrus Main Road at the R43 and creating a new interchange east of the R43 bridge over the Onrus River. A route location study was conducted for the Hermanus CBD Link Road running parallel to the R43, connecting Fisherhaven through Hawston, Vermont, Onrusrivier, Sandbaai, and Mount Pleasant to Hermanus. Bergsig Street Extension / R43 Interchange

The Bergsig Street Extension / R43 Interchange plan proposes extending Onrus Main Road to Bergsig Street, incorporating it into the Hermanus Parallel Road. EFG Engineers' 2018 proposal involves extending Onrus Main Road to a new roundabout under the existing R43 bridge, connecting to R43 eastbound, R43 westbound, and Bergsig Street. Remainder Erf 2834 (De Zandt) developers plan to create a left in/out access off R43 westbound, providing an alternate route to Sandbaai and De Zandt development.

The extension of Onrus Main Road to Bergsig Street is expected to significantly increase traffic along this route. While the Overstrand Transport Master Plan designates Bergsig Street as a Class 3 road, sections have been built to Class 4 standards. When constructing new sections of the road, a design speed of 60 km/h with no direct property access, where feasible, is recommended. Additionally, establishing a road reserve of 20 meters is desirable.

In 2017, an access management plan for Bergsig Street was developed by Deca Consulting Engineers (dated August 22, 2017) to address the rationalization of existing substandard access points. The plan proposed two alternatives: one involved the creation of kerbed median islands with mini-roundabouts at key intersections, effectively converting most access points to left-in/left-out only. The second option suggested retaining the existing cross-section (without a median) while consolidating certain property accesses and closing others.

The Remainder of Erf 2834 (De Zandt) Transport Impact Assessment (Deca Consulting Engineers dated June 2018) proposed the upgrade of the Sandbaai Main Road / Bergsig Street roundabout to accommodate two circulating lanes and additional short approach and exit lanes at the roundabout with the addition of Erf 2834's trips and increase in traffic volumes on Bergsig Street as a result of the proposed left in/out access off the R43. No specific timelines for these improvements and upgrades are available as they depend on development progress.

An article in the Hermanus Times of 27 November 2024 indicates that phased development may start in 2025. See Appendix A.

I was not provided with a TIA for the Curro School. The school was under construction in the 1 July 2012 Google Earth images. The current traffic operations, especially at the Bergsig Street / Main Road roundabout, indicate that the school could not have been considered without a TIA, as the school traffic dominates the operations. The TIA for Erf 2834 De Zandt in 2018 accepted the school as a given. The school may have been approved, despite the anticipated impact on the roundabout, because it was accepted that the development on Erf 2834 would commence soon after 2018 and the new road network would carry the school traffic.

## 6. EXISTING TRAFFIC AND PERFORMANCE

### 6.1 Traffic in October 2023

For the 2023 TIA by Douw Lourens, traffic counts were done at the Sandbaai Main Road / Bergsig Street and Sandbaai Main Road / End Street intersections on Tuesday, 17 October 2023. The counts are summarised in Table 1 below. These counts were taken into account, as the counts may not have been affected by school exams as the counts done in November 2024.

Table 1: Traffic volumes 2023 at Sandbaai Main Road / Bergsig Street

		Sandbaai Main Road & Bergsig Street																8.AutoJ 1910 road					
		RR Roundabout, yield on all approaches																					
Volume (evu/h)		from North				from South				from West				from East				intersection					
AM	PM	road	left	str	right	LeS+R	road	left	str	right	LeS+R	road	left	str	right	LeS+R	road	left	str	right	LeS+R	total	
		104	349	522	976	52	483	182	716	129	49	6	185	75	152	195	362						2 298
		196	363	118	617	115	974	56	544	477	155	22	655	945	147	104	596						2 412

The affected intersections were analysed in 2023 using SIDRA software. These traffic simulation models calculate movements and intersection delays and assigns a service level based on the duration of the delay. A level of service A denotes an excellent service level with very little delay, whereas a level of service F represents over capacity, very long delays and a breakdown in operations. A level of service D is generally taken as the lowest acceptable standard.

The Main Road / End Street intersection currently operate at good service levels and the addition of development traffic does not reduce the LOS to significant extent. This intersection in not discussed in detail.

The approach from the west (Curro School) was not flagged as problematic using the 2023 traffic counts.

The 2023 results of the SIDRA analysis by Douw Lourens are summarised in Table 2.

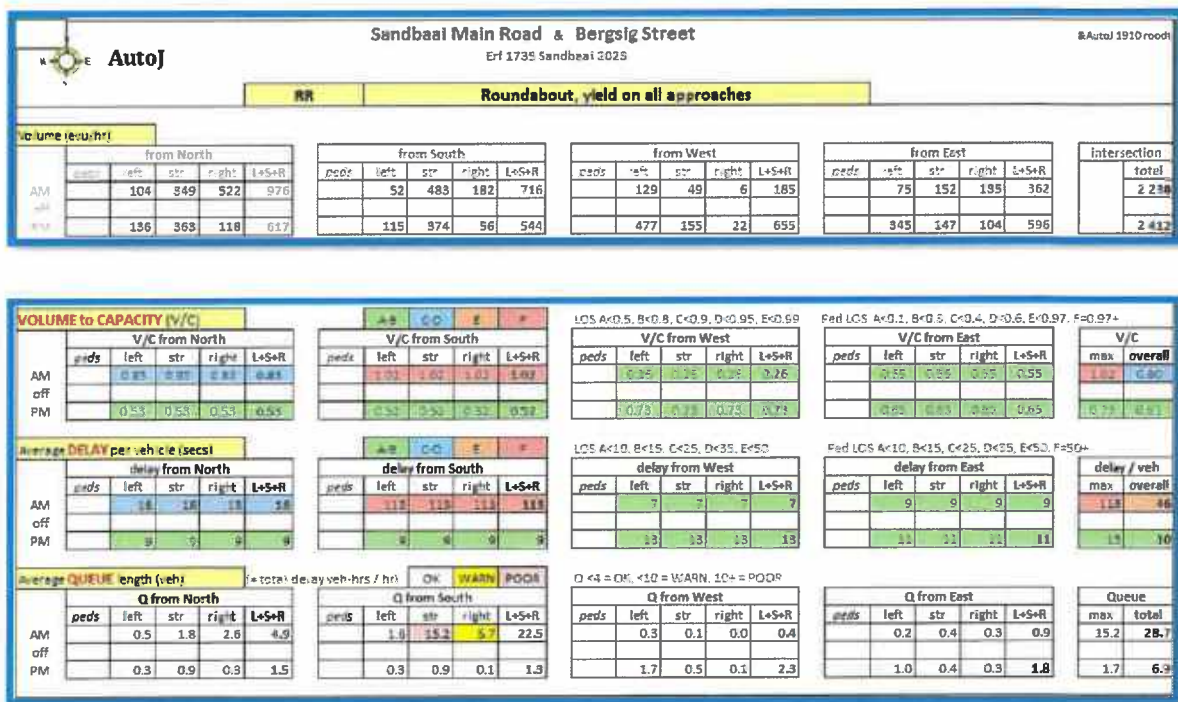
Table 2: LOS with 2023 traffic volumes Sandbaai Main Road / Bergsig Street (SIDRA)

Intersection	Control	Morning Peak Hour			Afternoon Peak Hour		
		Intersection LOS	Avg delay	LOS Worst movement	Intersection LOS	Avg delay	LOS Worst movement
Bergsig /Main	Roundabout	C	33.8	F	A	7.9	B
Main/ End	Stop Minor	A	3.1	C	A	2.1	C

The 2023 traffic counts were also used in a AUTOJ model and the results are similar, but given in more detail in Table 3.

Note: AUTOJ is a traffic intersection evaluation model developed by Dr John Sampson. It is based on the Highway Capacity Manual methodologies, and is calibrated for South African conditions.

Table 3: LOS with 2023 traffic volumes Sandbaai Main Road / Bergsig Street (AUTOJ)



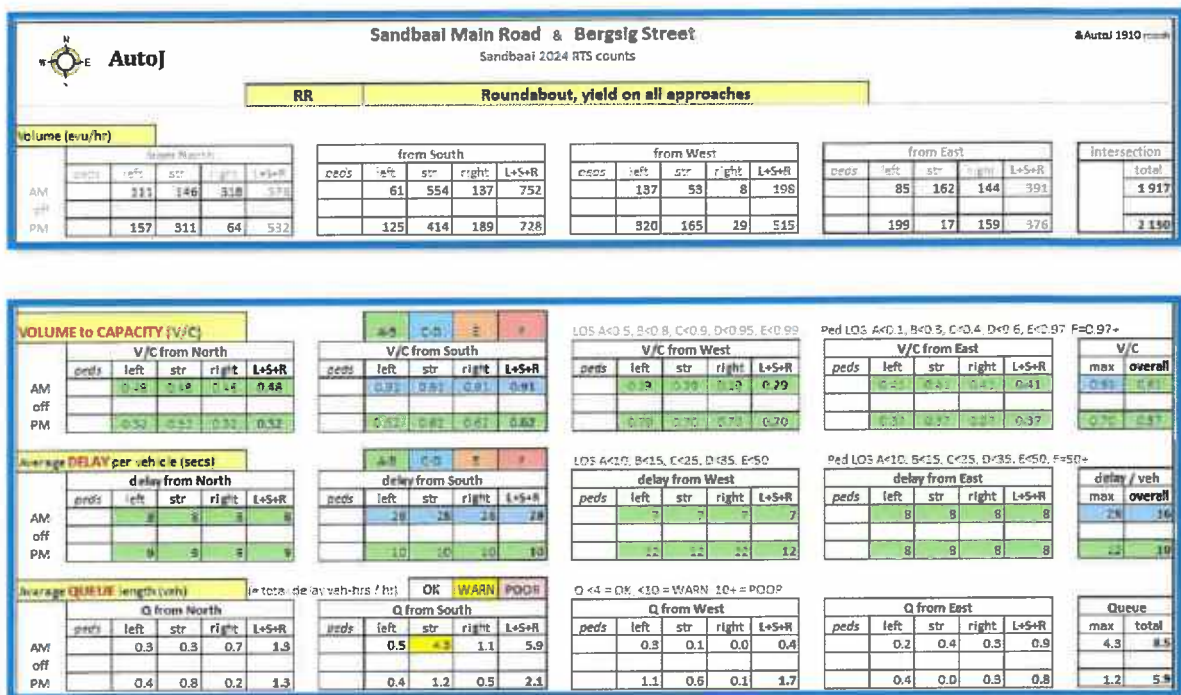
The Sandbaai Main Road / Bergsig Street roundabout have unacceptable long delay during the morning peak hour on the southern Sandbaai Main Road approach. This can be ascribed to the large volume of right-turning vehicles from the northern Sandbaai Main Road approach (from R43) onto Bergsig Street westbound in the direction of the Curro Hermanus School, cutting off access to the roundabout due to giving way to traffic from the right (on circulatory lane).

## 6.2 Traffic counts and observations November 2024

The 2024 traffic count was also used for operational analysis. See Table 4. It was noted that the traffic volumes, especially to the school, was lower. This could be explained by examinations in November, resulting in less early morning trips. (Note that this remark resulted in the non-approval of the TIA).

The worst performing approach is again from the south, but with the lower volumes, the approach operates at LOS D.

Table 4: LOS with 2024 traffic volumes Sandbaai Main Road / Bergsig Street (AUTOJ)



The Mall access was counted in the AM and PM peak periods on a Friday in 2024. The AM demand was limited, as the shops open at 9:00. The PM demand was significant, but queues are short and dissipate quickly. The AUTOJ modelling shows a LOS A (see Section 9.1).

The Mall access was counted again on 18 July 2025 as the access is now controlled by a Three-way STOP. The traffic flows were less than the 2024 counts. It was observed that the all way STOP control functions very well and no queues were observed.

Observations were made at the following intersections:

- The three-way STOP controlled T-junction of Bergsig Street and the service road on the east side of the Mall, giving access to Sandy Cove Estate. In 2024, very low demand was observed on the service road. It seemed that drivers regard the STOPs in Bergsig Street as unnecessary

as conflicting traffic is rare and they often do only a partial stop. Removing this STOP control was justified, and implemented by the municipality. In 2025 it was observed that moving the STOP control to the Mall access, where conflicting traffic due to movement to and from the Mall occurs, had lead to better driver behaviour as the control is more justified and credible.

- Bergsig Street/ Argon Avenue leads to the industrial areas south and north of the intersection. Low volumes of traffic were observed on Argon Avenue and the traffic on Bergsig Street was not impeded.
- Bergsig Street / Schulphoek Road is controlled by a roundabout. The traffic flows well and no significant queuing on the approaches were observed. The general observation is typical of LOS A/B. Two exceptional situations occurred in the AM peak when deliveries of aggregate to the Lenvalco concrete works were made. The deliveries were made using an articulated Heavy Goods Vehicle consisting of a truck-tractor with a 15 m tipper trailer. The truck drove up to the yield line of the roundabout, while a worker stopped vehicles coming from the west at a position that allowed the truck to reverse into the Lenvalco yard. One of the drivers aligned the trailer properly and managed to get off the road in a short time, but the other driver had to go back and forth a number of times to align the trailer. These deliveries obstructed flow in both east and west directions, but the queues were not significant and after the truck cleared the road, the queues dissipated within a minute.

6.3 Traffic counts March 2026 AM peak

The traffic was again counted on 4 March 2026 in the Am peak which is most problematic. The roundabout was videoed from 6:55 to 8:05, capturing the short-term peak within the peak hour. This was important, as the 5 minute peak around 7:30 results in queue that do not disperse until 7:50. The hourly traffic flows were lower than the previous counts, and it was decided to use the 55-minute peak, multiplied by 12 for an equivalent hourly flow for analysis. The 2026 hourly traffic count for the AM peak is shown in Table 5.

Table 5: AM peak hour flows in March 2026

		Sandbaai Main Road & Bergsig Street										AutoJ		Sandbaai March 2026		AutoJ 1910 rooet	
		DESIGN VOLUMES										type	V/C	delay	P <sub>i</sub>		
												RR	0.41	22	86%		
												best signal	n-s-w-e	0.95	767	31%	
BASE COUNT (veh/hr)		Volume must be one hour count. Check period, pk hour end time and date are correct.															
2026/03/04		from north			from south			from west			from east						
period	pk hr begin	nL	nS	nR	sL	sS	sR	wL	wS	wR	eL	eS	eR				
AM	07:00	93	176	383	12	376	38	297	153	6	40	79	156				

6.4 IMPACT OF CURRO SCHOOL AND DE ZANDT DEVELOPMENT PROPOSALS

From the observations, it is clear that the traffic congestion is primarily caused by the intense AM peak around 7:30 to 7:45, firstly on the south approach where vehicles from the north to west cut off

access to the roundabout, and secondly the vehicle returning from the west getting blocked by circulating traffic.

The Remainder of Erf 2834 (De Zandt) Transport Impact Assessment proposed the upgrade of the Sandbaai Main Road / Bergsig Street roundabout with the addition of Erf 2834's trips and increase in traffic volumes on Bergsig Street as a result of the proposed left in/out access off the R43. The R43 access has however not been implemented, and Erf 2834 has not been developed at this time. These proposed upgrades to the roundabout are however already required as a result of normal traffic growth in the area since 2018. The TIA for the development of Erf 2834 will have to be redone and cannot be approved without requiring a full access on the R43 to also serve the Curro School, as the roundabout is already over capacity.

## 7. BACKGROUND TRAFFIC DEMAND ESTIMATION

The TMH16 Traffic Impact Assessment Manual suggests that background traffic demand should be estimated for the design horizon and the planning horizon. The design horizon is the year when the development will be completed and the planning horizon is the year when the entire area in which the development is located, will be developed.

It is anticipated that the development will be completed by the end of 2027 which makes this the development horizon. The site is located in a developing suburban development environment, where high density residential estates are permitted north of End Street, but the scope for further densification is limited as only two open erven could be identified on Google Earth. As such the traffic for the 20-year planning horizon was not escalated using a growth percentage, but taken as the same as the design horizon due to saturation of the development potential of Sandbaai.

The more prominent development is that of Remainder Erf 2834 (De Zandt). The development has not progressed from 2018 and phasing and completion timeframes are uncertain. The Hermanus Times of 27 November 2024 indicated that development will start in 2025, but will be developed in phases. The latest articles and advertisements in the press indicates that townhouses in the Bird Song section are for sale. As provision of bulk services have not been started, the development horizon was taken as later than 2027. It was assumed that this development will only be permitted if access from the R43 will be provided by means of the proposed interchange at the Onrus River bridge, as the Bergsig Street / Main Road roundabout is already over capacity due to the Curro School.

In the 2023 TIA by Lourens, the background traffic for Sandbaai Main Road was estimated using the growth method.

*Background traffic demand is constituted of two components: percentage growth and traffic build-up from other developments. An annual traffic growth rate of 3,17% was obtained from the Western Cape Government Road Network Information System ([https://rnis.westerncape.gov.za/rnis/rnis\\_web\\_reports.main](https://rnis.westerncape.gov.za/rnis/rnis_web_reports.main)) for Sandbaai Main Road which was used to calculate the increase in traffic in the study area. No additional growth was applied.*

The traffic growth on Sandbaai Main Road is however independent of the R43 traffic growth as the R43 serves a regional need, while the Sandbaai Main Road serves a finite local area (excluding de Zandt) with limited growth potential.

The TMH 16 requires a planning horizon to be analysed, typically 20 years after the design horizon. It is proposed that such an analysis would be too complex as it will have to take the traffic and phasing of the future developments, including that on Erf 2835, and various road network upgrades into account. The size and residential nature of the proposed development on Erf 1735 is limited and its impact will be negligible in a 20-year scenario. As such, the 20-year planning horizon was not investigated.

## 8. DEVELOPMENT TRIPS

### 8.2 Trip Generation

This 2025 TIA was necessitated due to the proposed exit from Erf 1735 on Bergsig Street opposite the Mall access that changed the trip distribution. The revised trip distribution also affects other intersections. These are the Mall access and junctions and intersections to the east thereof.

Trip generation rates were obtained from the COTO TMH17 Trip Data Manual. The document indicates a rate of 0,65 trips per unit for the AM peak hour with a 25:75 in:out split and 0,65 trips per unit for the PM peak hour with a 70:30 in:out split for apartments and flats. These rates were applied to the proposed development.

220 Apartments and Flats									1 D/Unit	
Description	AM Peak	PM Peak	Friday PM	Midday	Evening	Saturday	Sunday	Factor A	Factor B	
Trip Rate	0.65	0.65				0.35	0.35			
% Heavy										
In/Out	25:75	70:30				50:50	50:50			

The trip generation for Townhouses is 0.85 trips in both peaks with AM peak hour split of 25:75 in:out and the PM peak hour split of 70:30 in:out split.

231 Townhouses (Simplexes and Duplexes)									1 D/Unit	
Description	AM Peak	PM Peak	Friday PM	Midday	Evening	Saturday	Sunday	Factor A	Factor B	
Trip Rate	0.85	0.85				0.45	0.45			
% Heavy										
In/Out	25:75	70:30				50:50	50:50			

The development's trip generation is summarised in Table 6.

Table 6: Trip generation

	Units	Trip rate	Trip	Split In	Split Out	Trips in AM	Trips out AM	Trips in PM	Trips out PM
Apartments AM	107	0.65	54	0.25	0.75	17	52		
Apartments PM	107	0.65	54	0.7	0.3			49	21
Townhouses AM	27	0.85	43	0.25	0.75	6	17		
Townhouses PM	27	0.85	43	0.7	0.3			16	7
					Total	23	69	65	28

### 8.3 Trip Distribution

In the 2025 TIA, the exiting trips were distributed along Bergsig Street using a directional split of 80% towards Hermanus CBD (to the east) and 20% towards the roundabout at Sandbaai Main Road. For this 2026 TAI, it was suggested that all exiting traffic in Bergsig Street be routed through the roundabout. The entering trips were distributed to the access in End Street after going through the roundabout.

The trip distribution is shown in *Figure 3*.



Figure 3: Trip distribution (2026)

### 9. TRAFFIC IMPACT

Trips generated by the proposed development were added to background 2025 traffic volumes to obtain total traffic volumes. The affected intersections were again analysed with the increased traffic volumes to determine the traffic impact of the development.. Total traffic volumes and service levels are shown in **Tables 7 and 8**.

#### 9.1 New exit opposite the Mall access on Bergsig Street

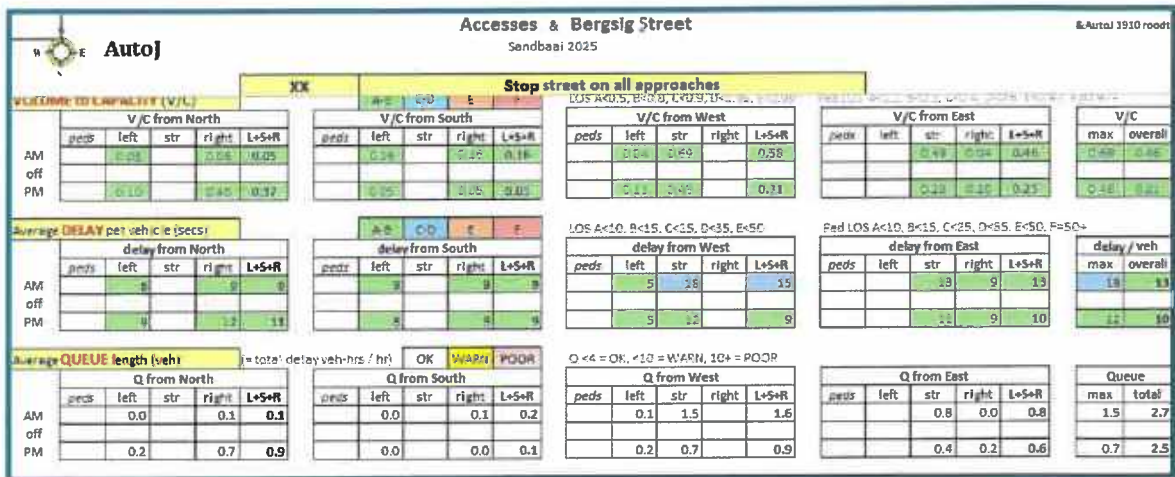
The current (2025) access is a T-junction on Bergsig Street with Three-way STOP control, which was implemented since the 2024 counts. The AM LOS A operations was confirmed with the AUTOJ model. The PM observations on a Friday revealed short bursts of queuing of the right turn movement from the Mall, that dissipated quickly. The PM LOS A is confirmed with the AUTOJ model.

The Three-way STOP junction PM peak was counted on 18 July 2025 to see the effect of the all-way stop that was implemented since the count in 2024. This count was in the school holiday and volumes may be affected by this. However, it was observed that there are many periods of no traffic demand and no queuing, confirming that there is excess capacity.

The new exit from the development was added to the network opposite the Mall access. The 73 AM and 29 PM trips from the development were accommodated by converting the current Three-way STOP to a Four-way STOP. The resulting operational performance as modelled in AUTOJ is at LOS A in AM and PM on all approaches.

Table 7: LOS at access on Bergsig Street / Mall access with development (AUTOJ)

		Accesses & Bergsig Street												Erf 1735 Sandbaai 2025		AutoJ 1910									
		XX Stop street on all approaches																							
Volume (pcu/h)		from North				from South				from West				from East				Intersection							
		reds	left	str	right	L+S+R	reds	left	str	right	L+S+R	reds	left	str	right	L+S+R	reds	left	str	right	L+S+R	total			
AM	18				26	44						61				364						217	18	235	716
PM	76				215	291						157				370						134	93	227	918



## 9.2 Roundabout at Bergsig Street / Sandbaai Main Road

The traffic volumes were counted by Douw Lourens in 2023 and by Louis Roodt in 2024. The Curro School to the west of the roundabout is a significant trip generator. The school has 115 staff members and 900 learners (2024). 20% comes to school by bus. (Source: School office). However, examinations for all grades take place from mid-November to school holiday and could be the explanation for the lower counts of 2024 compared to 2023, from specifically the AM north to west movement. As indicated earlier, the OM development control objected to the use of the 2024 counts. The AM count was redone on 4 March 2026, as this is the critical peak. The hourly traffic count, which can be verified from the video, indicated lower hourly volumes than in 2023 and 2024. This is despite the school now having 1045 learners (480 secondary, 375 primary and 190 preschool).

The AUTOJ model of the 2023 traffic volumes shows the south approach over capacity with a V/C of 1.02 and LOS F.

The AUTOJ model of the existing 2024 traffic AM volumes shows LOS B on the approach from the north and LOS D on the approach from south. One of the reasons for the specific problem from south is that vehicles from north to west (parents dropping-off learners at Curro) block the entry of vehicle from the south. The high volume of vehicles from Sandbaai on the south approach thus suffer the most. A short-term queue was observed on the approach from the west (parents returning from dropping-off learners at Curro), right at the end of the 7:45 to 8:00 interval. By then there was no traffic from the north going to the school that would have blocked entry from the south, so the traffic from the south now blocked the traffic from the west. This was not confirmed in the AUTOJ model, as the model evens out the short-term fluctuations. The change in operations from the addition of 24 + 5 = 29 AM vehicles on the roundabout cannot be detected with the model.

The AUTOJ model of the PM traffic operates at LOS A/B for the north, east and west approaches and the south approach at LOS C/D. The effect of 54 + 14 = 68 PM trips from the development routed through the roundabout cannot be detected.

No upgrades will be required to the existing infrastructure to accommodate the development. It can be concluded that the proposed development on Remainder Erf 1735 Sandbaai will have a low and localised transport impact.

Table 8: LOS at Main Road // Bergsig Street roundabout 2023 and 2024 counts worst cases

Volume (veh/hrs)		from North				from South				from West				from East				Intersection		
ped	left	str	right	L+S+R	ped	left	str	right	L+S+R	ped	str	right	L+S+R	ped	left	str	right	L+S+R	total	total
AM	108	253	420	782	53	519	160	731	133	53	7	193	99	157	140	396			2102	
PM	147	351	94	593	120	394	123	636	399	171	26	596	326	118	182	571			2895	

VOLUME to CAPACITY [V/C]					LOS A<0.5, B<0.8, C<0.9, D<0.95, E<0.99					Ped LOS A<0.1, B<0.3, C<0.4, D<0.6, E<0.67, F=0.57+					V/C	
AM	PM	left	str	right	ped	left	str	right	L+S+R	ped	left	str	right	L+S+R	max	overall
AM	PM	0.66	0.66	0.66	0.66	0.98	0.98	0.98	0.98	0.74	0.74	0.74	0.74	0.74	0.96	0.74
AM	PM	0.55	0.55	0.55	0.55	0.40	0.40	0.40	0.40	0.74	0.74	0.74	0.74	0.74	0.96	0.74

Average DELAY per vehicle (secs)					LOS A<10, B<15, C<25, D<35, E<50					Ped LOS A<10, B<15, C<25, D<35, E<50, F=50+					delay / veh	
AM	PM	left	str	right	ped	left	str	right	L+S+R	ped	left	str	right	L+S+R	max	overall
AM	PM	11	11	11	11	45	45	45	45	7	7	7	7	7	45	7
AM	PM	9	9	9	9	10	10	10	10	10	10	10	10	10	45	10

Average QUEUE length (veh)					Q <4 = OK, <10 = WARN, 10+ = POOR					Queue						
AM	PM	left	str	right	ped	left	str	right	L+S+R	ped	left	str	right	L+S+R	max	total
AM	PM	0.5	0.8	1.3	2.4	0.7	6.8	2.0	9.2	0.3	0.1	0.0	0.4	0.9	6.6	12.9
AM	PM	0.4	0.9	0.2	1.5	0.3	1.1	0.3	1.7	1.4	0.6	0.1	2.3	0.9	1.4	6.9

The 4 March 2026 traffic count showed lower hourly flows, but observation shows that there are no delays from 7:00 to 7:20. The turning volumes then increase and cut off access for specific approaches, leading to delays and queuing. It is the variation of traffic within the peak hour that is critical. The traffic video was captured in 1-minute intervals. These volumes were aggregated into 5-minute intervals, identifying the 7:30 to 7:35 interval as the highest flow. These volumes were multiplied by 12 to get equivalent hourly flows for analysis.

The result of the current traffic in the peak 5 minutes results in a realistic modelling of queueing and delay, therefore the LOS can be evaluated. The approach from the north is practically at capacity (V/C = 0.98), the approach from south is just over capacity (V/C = 1.02) and the approach from the west has a V/C for straight and right models at V/C = 0.8, but is in practice very unstable and results in queuing as observed. See Table 9.

Table 9: LOS at Main Road // Bergsig Street roundabout 2026 counts 5 minute peak

		RR	Roundabout, yield on all approaches																Intersection				
<b>Volume (veh/hr)</b>		from North				from South				from West				from East				total					
		peaks	left	str	right	+S+R	peaks	left	str	right	L+S+R	peaks	left	str	right	L+S+R	peaks	left	str	right	L+S+R	total	total
AM			51	153	789	993		13	331	182	526		356	205	13	574		38	89	267	395	8000	8000
off																							
PM			165	326	67	558		128	418	63	609		533	174	25	731		209	18	167	394	8000	8000
<b>Lanes</b>		L LSP				L LSP				L LSP				L LSP									
# lanes		1.0				1.0				1.0				1.0									
<b>Control</b>		from North				from South				from West				from East									
		peaks	left	str	right	peaks	left	str	right	peaks	left	str	right	peaks	left	str	right	peaks	left	str	right		
			yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield		
<b>VOLUME to CAPACITY (V/C)</b>		VIC from North				VIC from South				VIC from West				VIC from East				VIC					
		peaks	left	str	right	+S+R	peaks	left	str	right	+S+R	peaks	left	str	right	L+S+R	peaks	left	str	right	L+S+R	max	overall
AM			0.36	0.36	0.36	0.38		1.02	1.02	1.02	1.02		0.69	0.69	0.69	0.55		0.64	0.64	0.64	0.64	1.0	0.55
off																							
PM			0.49	0.45	0.43	0.49		0.53	0.53	0.53	0.53		0.61	0.50	0.50	0.69		0.40	0.40	0.40	0.40	0.50	0.55
<b>Average DELAY per vehicle (secs)</b>		delay from North				delay from South				delay from West				delay from East				delay / veh					
		peaks	left	str	right	+S+R	peaks	left	str	right	+S+R	peaks	left	str	right	L+S+R	peaks	left	str	right	L+S+R	max	overall
AM			58	58	58	58		111	111	111	111		8	16	16	11		11	11	11	11	11	51
off																							
PM			8	8	8	8		9	9	9	9		10	27	27	15		8	8	8	8	7	10
<b>Average QUEUE length (veh)</b> (= total delay veh-hrs / hr)		Q from North				Q from South				Q from West				Q from East				Queue					
		peaks	left	str	right	+S+R	peaks	left	str	right	+S+R	peaks	left	str	right	L+S+R	peaks	left	str	right	L+S+R	max	total
AM			0.8	2.4	12.7	15.9		0.4	10.2	8.8	16.2		0.8	0.9	0.1	1.7		0.1	0.3	0.8	1.2	12.7	35.0
off																							
PM			0.4	0.8	0.2	1.3		0.3	1.0	0.2	1.5		1.5	1.3	0.2	3.0		0.4	0.0	0.4	0.8	1.5	6.6

When the development traffic is added, routing all the traffic from the development through the roundabout, the V/C ratios for north = 1.0, south 1.09 and west 0.85. These changes are very slight, with LOS modelling F, F and D respectively. See Table 10.

Table 10: LOS at Main Road // Bergsig Street roundabout 2026 counts with development

		Sandbaai Main Road & Bergsig Street																AutoJ 1910 25-0-01					
		Sandbaai March 2026 5 min peak + dev																					
		RR. Roundabout, yield on all approaches																					
<b>Volume (evu/hr)</b>		from North				from South				from West				from East				Intersection					
		peads	left	str	right	+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	total	
AM			51	177	789	1017		13	331	182	526		356	205	13	574		38	89	340	468	####	
off																							
PM			165	394	67	626		128	418	63	609		533	174	25	731		209	18	196	423	####	
<b>Lanes</b>		L* LSR				L* LSR				L* LSR				L* LSR									
		10				10				10				10									
<b>Control</b>		from North				from South				from West				from East									
		peads	left	str	right	peads	left	str	right	peads	left	str	right	peads	left	str	right	peads	left	str	right		
		yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield	yield		
<b>VOLUME to CAPACITY (V/C)</b>		V/C from North				V/C from South				V/C from West				V/C from East				V/C					
		peads	left	str	right	+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	max	overall
AM			0.09	0.09	0.09	0.09		1.03	1.03	1.03	1.03		0.63	0.63	0.63	0.63		0.78	0.78	0.78	0.78	0.9	0.9
off																							
PM			0.55	0.55	0.55	0.55		0.54	0.54	0.54	0.54		0.93	0.93	0.93	0.93		0.48	0.48	0.48	0.48	0.5	0.5
<b>Average DELAY per vehicle (secs)</b>		delay from North				delay from South				delay from West				delay from East				delay / veh					
		peads	left	str	right	+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	max	overall
AM			82	82	82	82		226	226	226	226		20	20	20	20		15	15	15	15	226	85
off																							
PM			3	3	3	3		3	3	3	3		32	32	32	32		8	8	8	8	32	16
<b>Average QUEUE length (veh)</b>		Q from North				Q from South				Q from West				Q from East				Queue					
		peads	left	str	right	+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	peads	left	str	right	L+S+R	max	total
AM			1.2	4.0	18.0	23.1		0.8	20.8	11.4	33.0		2.0	1.1	0.1	3.2		0.2	0.4	1.4	1.9	20.8	61.2
off																							
PM			0.4	1.0	0.2	1.6		0.3	1.0	0.2	1.5		4.8	1.6	0.2	6.6		0.5	0.0	0.4	1.0	4.8	10.7

The option of a double circulatory lane on the roundabout was explored in the Deca and Lourens reports. To maintain the inscribed circle diameter, it would be necessary to expropriate the corners of the four properties. Reducing the inscribed circle diameter to the same as on the east side of the mall in Schulphoek Street, which is 16 m, will not avoid expropriation. The other option is a slip road from west to north, allowing the northbound trips on the western approach to flow freely, reduces the V/C ratio on the western approach to less than 0.5.

A conceptual layout is shown in Figure 4. The reason why this can work is that the north approach of Main Road is 10.2 m wide and can be split into 3 lanes. The cycle path would be relocated to the verge of the road, between the trees and erf boundaries, alternatively the current pedestrian walkway can be used for cycling and the pedestrian walkway moved to behind the trees.



Figure 4: Conceptual layout of slip road at roundabout

The effect of the slip road on the LOS of the western approach can be seen in Table 11.

Table 11: LOS at Main Road // Bergsig Street roundabout 2026 counts + development + slip road

RR		Roundabout, yield on all approaches																Intersection	
Volumerev/hrl		from North				from South				from West				from East				total	
AM		left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	0000	
off		51	177	789	1017	13	331	182	526	356	205	13	574	38	89	340	468	0000	
PM		165	394	67	626	128	418	63	609	533	174	25	731	209	18	196	423	0000	
Lanes		L' LSP				L' LSP				L' LSP				L' LSP					
Control		yield yield				yield yield				yield yield				yield yield					
VOLUME to CAPACITY (V/C)		VIC from North				VIC from South				VIC from West				VIC from East				VIC	
AM		left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	max	beeral
off		1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.45	0.45	0.45	0.45	0.78	0.78	0.78	0.78	1.00	0.66
PM		0.55	0.55	0.55	0.55	0.54	0.54	0.54	0.54	0.41	0.41	0.41	0.41	0.45	0.45	0.45	0.45	0.55	0.51
Average DELAY per vehicle (sect)		delay from North				delay from South				delay from West				delay from East				delay / veh	
AM		left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	max	beeral
off		80	80	20	82	226	226	226	226	8	8	8	8	15	15	15	15	226	83
PM		9	9	9	9	9	9	9	9	8	8	8	8	8	8	8	8	9	9
Average QUEUE length (veh)		Q from North				Q from South				Q from West				Q from East				Queue	
AM		left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	left	str	right	+S+R	max	total
off		1.2	4.9	19.0	23.1	0.8	20.8	11.4	33.0	0.8	0.5	0.0	1.3	0.2	0.4	1.4	1.9	20.8	53.4
PM		0.4	1.0	0.2	1.6	0.3	1.0	0.2	1.5	1.3	0.4	0.1	1.7	0.5	0.0	0.4	1.0	1.3	5.8

## 10. ACCESS, INTERNAL ROADS AND PARKING

The development will obtain entrance only from End Street opposite Louis Trichardt Street, approximately 280 metres from Sandbaai Main Road.

Stop control should be implemented on the Louis Trichardt Street approach leg, which is currently yield-controlled.

An exit only point will be provided on Bergsig Street opposite the Mall access. This intersection will then be Four-way STOP controlled, as proposed by the Traffic Engineering Section of the municipality.

The Site Development Plan indicates two entry lanes from End Street. Based on a maximum of 68 inbound trips during the afternoon peak hour, booms or access gates should be situated at least 17,0 metres from the edge of End Street. This should allow for a total stacking space of 34 metres.

A refuse area will be provided east of the access along the southern boundary of the site. A formal refuse embayment adjacent to the refuse area along End Street is not deemed necessary due to the low order of End Street and adequate sight distances along this section of the road. Refuse vehicles can stop along the un-surfaced verge of End Street to collect refuse.

Parking will be provided according to the 2020 Overstrand Municipality Land Use Scheme. There is sufficient space to provide the parking bays and manoeuvring space behind them.

## 11. PUBLIC AND NON-MOTORISED TRANSPORT

The proposed development is not expected to generate a considerable number of pedestrian trips on the surrounding road network. The access on the northern property boundary lines up with the access to the Mall. It is expected that residents can walk to the Mall for shopping. The proposed four-way stop will ensure safe crossings for pedestrians. Surfaced sidewalks are located along both sides of Bergsig Street adjacent to the property,

No other non-motorised or public transport improvements will be required.

## 12. CONCLUSIONS

From the Transport Impact Assessment, it can be concluded that

- The proposed development of Remainder of Erf R/1735 Sandbaai will have a low and localised transport impact specifically on the roundabout at Main Road and Bergsig Street. This roundabout is already at capacity on three approaches, due to the Curro School traffic..
- The application is for the rezoning and subdivision of Erf R/1735 Sandbaai and entails 107 apartments and 27 two and three-bedroom townhouse units;
- The development will obtain full access from End Street opposite Louis Trichard Street, approximately 280 metres east of Sandbaai Main Road and an exit only point on Bergsig Street, opposite the Whale Coast Mall;

- The development will generate 97 trips (24 in; 73 out) during AM peak and the reverse 97 trips (68 in; 29 out) during the afternoon peak hour;
- The Site Development Plan indicates sufficient space for the required off-street parking bays, to be finalised at building plan stage;
- The Site Development Plan indicates a two-way internal circulatory road 5,5 m wide, a minimum of 7,5-metre wide manoeuvring space behind each 2,5m x 5,0m parking bay;
- A refuse room will be located adjacent to the access off End Street. Refuse vehicles can stop along the un-surfaced verge of End Street to collect refuse;
- The proposed development is not expected to generate a considerable number of pedestrian trips on the surrounding road network.
- The traffic movements from the south at the Sandbaai Main Road / Bergsig Street roundabout currently operate at poor levels of service during the morning peak hour. The upgrading of the roundabout to two circulating lanes would result in expropriation due to space constraints;
- The imminent development of Remainder Erf 2834 (De Zandt) will be required to do several road network improvements that will reduce the traffic at the roundabout through more direct access from the R43;
- No upgrades will be required to existing transport infrastructure to accommodate the development by 2025;
- Development contributions can be used where the need is greatest in Overstrand, and the upgrading of the roundabout, should the de Zandt development net happen, can be done when this need is a priority.

### 13. RECOMMENDATIONS

The Traffic Impact Assessment recommendations made for the development of the Remainder of Erf R/1735 Sandbaai are summarised below.

- Upgrades to the Sandbaai Main Road / Bergsig Street roundabout are under consideration due to other proposed development. The capacity problems in existing morning peak-hour traffic are primarily due to the Curro School and this will be corrected when the Erf 2835 (de Zandt) development will take place in the form of network improvements. These improvements should not be a prerequisite for the approval of the development on Erf R/1735;
- Routing all the development traffic through the roundabout only slightly reduce the traffic performance;
- The development of De Zandt will create new road infrastructure that will divert a significant proportion of the Curro school traffic from the Sandbaai Main Road / Bergsig Street roundabout;
- A dedicated exit from development on Erf R/1735 on Bergsig Street opposite the Whale Coast Mall can be provided.
- The intersection so created by the exit, the Mall access and Bergsig Street will be Four-way STOP control.
- Stop control should be implemented on the Louis Trichardt Street approach leg to End Street, which is currently yield-controlled;
- Booms or access gates at the development's double entry lane access on End Street should be situated at least 18,0 metres from the edge of the road to provide for 2 times 18 = 34,0 metres of stacking space.

Appendix A: De Zandt Article in Hermanus Times 27 November 2024

**Advertorial**

*Hermanus Times 27 November 2024 p 14*

# De Zandt project will commence in 2025



Investing in South Africa can make sense and will reward the astute investor. Property as an investment class should be looked at with a medium- to long-term time horizon in mind.

Dalebrook Capital (Pty) Ltd as a global investment house identified the property market in the Western Cape region as being an outperforming region.

The Overberg with its quirky little towns is becoming increasingly popular as a destination for both local and foreign individuals, stated Dalebrook Capital's Director Jan van Staden, who is also CEO of its holding company, the IFSP Group. He says within the Overberg region Hermanus is the crown jewel and shows a demographic growth of just under 5% per annum.

As a resident, Van Staden personally has seen this growth over many years, and it came to his attention that local investors were hungry to invest in projects or developments close to home where such projects or developments can benefit the community in a positive way.

It has admittedly taken a while, but the Hermanus community will see lots of activity at De Zandt, commencing soon. The lifestyle development will span over five to seven years with multiple phases, including a retirement village, mixed residential accommodation as well as commercial developments.

At R3 billion the development is one of the largest in the Overberg region, has a lot of independent search, and surveying. The De Zandt development is expected to generate an internal rate of return of at least 20% per year.

Investing in property development is not for the faint-hearted, the IFSP group is extremely cautious in its approach to ensuring an alternative investment such as the De Zandt development fits in with the client's personal investment objectives.

Dalebrook Capital is involved in other property investments in the region through the IFSP Groups Cape Capital Property Fund. These investments include an industrial zoning in Botriver and a residential development in Gansbaai.

According to Van Staden, property investments in the Western Cape will achieve long-term investment growth of 3% above inflation (3% real return). Property as an asset class helps to diversify risk and creates stability within the investment portfolio with the bonus of enhanced income streams.

Dalebrook is extremely cautious in its approach to ensure that an alternative investment such as the De Zandt development fits in with the client's personal investment objectives.

For further information, contact André Strenkamp on 082 875 8819 or [andre@dalebrookcapital.co.za](mailto:andre@dalebrookcapital.co.za), or Van Staden on 082 784 7446 or email [jan@dalebrook-capital.co.za](mailto:jan@dalebrook-capital.co.za)

Jan van Staden, Director of Dalebrook Capital (Pty) Ltd and CEO of its holding company, the IFSP Group, gives his take on the De Zandt development for investors.



5 April 2024

The Director : Civil Engineering Services  
Overstrand Municipality  
P. O. Box 20  
HERMANUS  
7200

**Attention: Mr Dennis Hendriks**

Dear Sir,

**PROPOSED RESIDENTIAL DEVELOPMENT OF ERF 1735, SANDBAAI: CAPACITY ANALYSIS OF THE BULK WATER SERVICE**

The request by Mr Thian Jansen of WRAP for GLS Consulting (Pty) Ltd to investigate and comment on the bulk water supply of the proposed development (residential development on Erf 1735 in Sandbaai), refers.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Overstrand Municipality) dated June 2021.

The proposed development was not taken into consideration for the June 2021 master plan for the water network.

**1 WATER DISTRIBUTION SYSTEM**

**1.1 Distribution zone**

The master planning indicated that development on Erf 1735 should be accommodated within the existing Sandbaai reservoir zone. The proposed connection to the existing Sandbaai water system for the development can be made to the existing 100 mm Ø water pipe in Endstraat, as shown in Figure 1 attached.

The development is situated inside the water priority area.

GLS Consulting (Pty) Ltd

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## 1.2 Water demand

The original water analysis for the master plan was performed with a total annual average daily demand (AADD) for Erf 1075 of 1,3 kL/d.

For this re-analysis of the water master plan, the AADD and fire flows for the proposed development were calculated as follows:

• 56 x 1 bedroom units @ 0,25 kL/d/unit <sup>(1)</sup>	=	14,0 kL/d
• 80 x 2 bedroom units @ 0,30 kL/d/unit <sup>(1)</sup>	=	24,0 kL/d
• 12 x 3 bedroom units @ 0,35 kL/d/unit <sup>(1)</sup>	=	<u>4,2 kL/d</u>
	Total =	42,2 kL/d

<sup>(1)</sup> As per Table J.2 from Section J – Water Supply of “The Neighbourhood Planning and Design Guide” (So called “Red book”)

• Fire flow criteria (Moderate risk)	=	25 L/s @ 10 m
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## 1.3 Present situation

### 1.3.1 Reticulation network

The existing water network has sufficient capacity to accommodate the proposed development of Erf 1735 in Sandbaai.

### 1.3.2 Bulk supply

The 150 mm Ø bulk supply pipeline from the Hermanus bulk supply system to the Sandbaai reservoir is currently under pressure during the holiday season (flow velocity > 1,6 m/s during peak demand conditions) and requires upgrading in the near future. The hydraulic capacity of this pipeline is however sufficient to accommodate the development in the existing system and it is recommended that the development of Erf 1735 can be approved without upgrading of this pipeline.

### 1.3.3 Reservoir capacity

The criteria for the total reservoir volume used in the Overstrand Water Master Plan is 48 hours of the AADD (of the reservoir supply zone). The existing Sandbaai reservoir has a current storage capacity of approximately 47,7 hours of the total AADD of the reservoir zone.

With full development of the proposed development on Erf 1735 accommodated within the existing system, the reservoir storage capacity decreases to 46,0 hours of the total AADD supplied.

This is below the required 48 hours x AADD supply and additional storage capacity should be provided in the near future at the Sandbaai reservoir site.

It is however recommended that the development of Erf 1735 can be approved prior to the construction of additional storage capacity for Sandbaai as the storage capacity is only marginally below 48 hours x AADD supplied, and the storage reservoir is close to the water source, i.e. the Preekstoel Water Treatment Plant (WTP).



## 2 CONCLUSION

The developer of Erf 1735 in Sandbaai may be liable for the payment of a Development Contribution (DC) payment (as calculated by the Overstrand Municipality) for bulk water infrastructure as per Council Policy.

There is sufficient capacity in the existing water reticulation system to accommodate the proposed development.

We trust that you find this of value.

Yours sincerely

GLS CONSULTING (PTY) LTD  
REG. NO.: 2007/003039/07

A handwritten signature in black ink, reading 'PC Du Plessis'.

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Per: PC DU PLESSIS

cc. WRAP  
35 Duiker Street  
HERMANUS  
7200

Attention: Mr Thian Jansen

