



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

A G E N D A

**THIS MEETING HAS BEEN POSTPONED TO
FRIDAY, 4 OCTOBER 2024 AT 10:00**

DATE:	30 SEPTEMBER 2024
VENUE:	TOWN PLANNING COMMITTEE ROOM
TIME:	10:00

OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT
Civic Centre
HERMANUS
7200

19 September 2024

TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

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

NOTICE IS HEREBY GIVEN that the **Municipal Planning Tribunal (MPT)** will go into session on **Monday, 30 September 2024 at 10:00** in the **Town Planning Committee Room**, to consider the attached agenda.

H JANSER (MS)
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Ms H Janser (Chairperson)
2. Mr S Müller (Vice Chairperson)
3. Mr H Blignaut (Member)
4. Ms R Louw (Member)
5. Mr R Kuchar (Authorised Official)
6. Mr S van der Merwe (Senior Town Planner)
7. Ms H van der Stoep (Senior Town Planner)
8. Mr P Roux (Town Planner)
9. Mr H Olivier (Town Planner)
10. Mr B Minnaar (Town Planner)
11. Secretariat

MUNICIPAL PLANNING TRIBUNAL (MPT)

30 September 2024

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Report attached

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

07 August 2024

(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 (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 $\pm 1600\text{m}^2$ in extent, and one (1) General Residential Zone 3: Flats (GR4) erf, namely the Remainder $\pm 1.64\text{ha}$ 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;
 - 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

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 18000m² (1.8ha). The property is currently developed with a dwelling unit and various outbuildings.

4. SUMMARY OF APPLICANT'S MOTIVATION

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

- ❖ The property is situated opposite the Whale Coast Mall and presents a fantastic opportunity for a high-density residential project in the up-and-coming suburb of Sandbaai.
- ❖ To ensure retention of the existing dwelling house on the property, Terra Nuova Developments CC wants to subdivide a small portion of the subject property into a separate erf. The remaining portion of the property will be utilised for the development of residential units.
- ❖ The migration of people to coastal areas presents a significant advantage for the municipality as it drives the development of better infrastructure and amenities. However, the Overstrand Municipality is currently facing pressure to provide adequate housing options due to population growth.
- ❖ Sandbaai's proximity to quality medical facilities and schools in Hermanus, coupled with excellent retail experiences, adds to its appeal.
- ❖ The subject property has been identified in the Growth Management Strategy as a suitable densification development area.
- ❖ This proposed development on the Remainder will consist of 148 flats units, common areas (open spaces), and common areas (private roads with parking areas).
- ❖ The total extent of the developable property will be 16 400m² / 1,64ha.
- ❖ The proposal is aligned with development trends in other areas of the Overstrand Municipality.
- ❖ The design of the development will ensure that the development does not impact on the views of the surrounding area.
- ❖ The development will only be 1m higher than the allowable height of the next-door properties.

- ❖ The proposal is to reduce the height of the flats to two storeys instead of the allowable three storeys near the boundaries away from the boundaries to reduce the impact of the development and to ensure that surrounding properties do not experience any negative effects such as reduced sunlight. Three storeys will only be allowed in the centre of the property.
- ❖ The proposed buildings will adhere to the applicable side building lines that will ensure that the development is in keeping with the surrounding built environment.
- ❖ The Spatial Development Framework contains calculations on the population growth for the main areas in the Overstrand. The framework indicates that Sandbaai has experienced a population growth rate of 7,0% per annum between 2001 and 2011, increasing the population with 1639 to 4102. Housing need and estimated land area required (20du/ha) for the greater Hermanus area for 2026 is 9106 new dwelling units with an estimated required land area of 455ha.
- ❖ The development plan for the property aims to optimize the available space and yields 148 units with a density of approximately 90,24 dwelling units per hectare (Du/Ha). The primary objective of proposing a higher density is to limit the extent of additional land required while still meeting the high housing demand in the Hermanus and Sandbaai area.
- ❖ The development proposal adopts a block layout. However, careful consideration has been given to ensure that the design and layout of the development seamlessly fit into the surrounding residential area of Sandbaai. The proposal is to improve the property with 7 blocks of flats. The flats are designed to have ample light and were designed in a U-shape to achieve this.
- ❖ The development plan includes three different block types, each with a unique layout but utilizing the same unit layout that helps to ensure that the development integrates well with the surrounding residential area and adds to the overall aesthetic appeal of the neighbourhood.
- ❖ Blocks D, E and F will have parking located at ground floor below the first-floor flats to ensure the property is able to accommodate the required amount of on-site parking bays.
- ❖ Parking areas are strategically placed to minimize the impact on the overall aesthetic appeal of the development.
- ❖ The developer is committed to promote sustainability and reducing its environmental impact through a range of green solutions and the development's innovative water use system and solar power model will play a significant role in achieving these goals.
- ❖ Instead of each unit having its own hot water system, each building will have a central system that will heat water as required, reducing energy consumption by up to 60% that will result in significant cost savings for residents and contribute to the estate's overall sustainability objectives.
- ❖ Another sustainable feature of the estate is the provision of gas to every unit that will provide residents with a reliable and efficient source of energy while reducing the development's reliance on electricity and backup power will be supplied to ensure uninterrupted electricity supply in case of power outages.
- ❖ The developers have incorporated approximately 4589m² of open space in the proposed development that amounts to approximately 27.98% of the property's total developable space. The open space along the eastern boundary functions as one and has an extent of ±2479m² (15,1%).
- ❖ The presence of substantial open space will contribute to the aesthetic appeal and visual harmony of the development. The balance between built structures and open areas will create a sense of openness and spaciousness, mitigating the feeling of density that can sometimes accompany higher-density residential developments.

- ❖ The departure from the 4m street building line and 4,5m side building line to 0m and 1m is to allow for carports since the majority of the parking is uncovered.
- ❖ The proposed development's access and egress will be exclusively obtained from End Street and to manage traffic flow effectively, a covered gate area is proposed that requires the relaxation of the 4m street building line (End Street) to 3,25m and the 4,5m side building line to 0m.
- ❖ The proposed covered gatehouse deviates from the prescribed parameters and necessitates an application for departure from the street and side building line parameters. It is however not expected to negatively impact street users or neighbouring properties; as such gatehouses are common for developments of this size. The aesthetically appealing of the covered gatehouse will contribute to the development's overall visual attractiveness, creating a positive first impression for anyone entering the premises.
- ❖ It is proposed to have a 30m² refuse room located within the 4m street building line next to End Street to allow for ease of servicing by the municipality as required in terms of the land use scheme. The latter requires a relaxation of the street building line.
- ❖ The primary uses for the proposed General Residential Zone 3: Flats (GR4) zoning include flats and town house in accordance with 6.3.2 and residential buildings. Although no townhouses are being proposed, compliance with the development parameters of Section 6.3.2 of the OMLUS is required. In terms of the latter, amongst others, the following is prescribed:
 - The maximum gross density in this zone is 50 units a hectare - applicable.
 - A minimum erf size of 3000 m² is applicable for densification – applicable.
 - The maximum coverage for all buildings on the land unit is 65% - not applicable.
 - The maximum height of a building (other than flats), measured from the base level to the top of the structure, is 8,0m – no town houses proposed.
 - The building line on the perimeter of the property is 3,0m – not applicable.
 - The minimum internal road reserve width is 8,0m, 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 - no formal road is being created, driving surface is part of the common property.
- ❖ The proposed density is not predicted to be outside of the norm as several higher density developments have been approved in recent times. In comparison to other developments in the Sandbaai area, such as De Zandt, which did not necessitate a departure from the provisions of Section 6.3.2 of the OMLUS where the proposed densities range from 17 to 75 dwelling units per hectare. The highest density within the De Zandt development, at 75 dwelling units per hectare, is also associated with the General Residential Zone 3: Flats (GR4) sites, similar to the current proposal.
- ❖ This proximity to a major shopping centre 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.
- ❖ There are no title deed conditions that could potentially hinder the proposed development.
- ❖ Section 38 of the National Heritage Resources Act necessitates that a Notice of Intent to Develop need to be submitted to Heritage Western Cape.

- ❖ The applications for the water and electricity connections will undergo review by the respective internal engineering departments, which will offer feedback on the necessary requirements. Additionally, GLS Consulting (Pty) Ltd has conducted a capacity analysis for water in the area, and it is anticipated that the development will not adversely affect the existing network.
- ❖ It is proposed that a communal conservancy tank be installed to comply with engineering requirements that is subject to municipal approval.
- ❖ 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, which complies with the municipality's by-laws.
- ❖ To ensure smooth traffic flow and minimize congestion in any street, access and egress to the subject property will be gained from a controlled access with a stacking distance of 12 meters. This design feature will prevent overflow traffic from accumulating on the street, making it safer for both pedestrians and motorists.
- ❖ The proposed development will be accessed and egressed from End Street, which is not expected to be significantly impacted by the addition of 148 units and to ensure all possible impacts have been assessed the developers have appointed an engineer to conduct a traffic impact assessment (submitted with the application).
- ❖ From Bergsig Street there will be a pedestrian gate access to allow residents easy access to the commercial activities.
- ❖ The subject property is located within the existing urban area and not located in an environmentally important area.
- ❖ The proposed development has the potential to create jobs, increase the tax base for the local government, and contribute to economic growth as more individuals will be residing in the area.
- ❖ It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community.
- ❖ The majority of the surrounding properties comprise of single and/or group housing residential dwellings and the proposed development is likely to impact the views and character of the area to some extent. However, the area is designated for densification and residential development, and an additional 148 dwelling units would be in line with this vision. Therefore, the proposal will have an impact, but it is not considered to be out of character with the surrounding area.
- ❖ The property was earmarked for densification and will not be the only higher density development in the area. In fact, the Green Mountain Estate to the west end of the street is also an existing higher density development. Therefore, it can be concluded that this type of development is not out of character for the area, as similar developments have been undertaken in the surrounding area previously.
- ❖ Densification can often have positive impacts on the community, such as reducing urban sprawl and promoting efficient use of existing infrastructure. In addition, higher-density developments can help to create more affordable housing options, which can be a pressing issue in many areas.
- ❖ The development is not expected to have a negative impact on the surrounding area's views due to the fact that the development will be limited to the parameters set out in the Overstrand Land Use Scheme.

- ❖ The development is not expected to have any negative impacts on the sunlight of the surrounding properties or individuals. The blocks of flats will be situated 4,5 meters away from the property boundary, providing ample space and ensuring that the buildings do not obstruct sunlight. Further, the proposal includes a reduction in the height of the buildings, with only two storeys being constructed closer to the boundary instead of the maximum three storeys allowed by the land use scheme. This step has been taken to reduce the visual impact of the development and to ensure that surrounding properties do not experience any negative effects such as reduced sunlight.
- ❖ The proposal for the subject property aims to address the housing demand in the entry-level market segment.
- ❖ The subject property is not located within the Environmental Management Overlay Zone.
- ❖ The subject property is not located within the Heritage Protection Overlay Zone.
- ❖ The development is consistent with the applicable spatial development documentation.
- ❖ In term of the Overstrand Municipal Spatial Growth Management Strategy, 2010 (OMGMS), the subject property is located within Planning Unit 6 with a densification zone of more than 30 units per hectare. Planning Unit 6 was originally intended to accommodate 690 dwelling units, but this is no longer feasible as much of the area has been converted for commercial and industrial use.
- ❖ Planning Unit 6 spans an extent of 19.6 hectares, and the proposed development of 148 additional units would only bring the density up to 9,84 du/ha that is far below the targeted density.
- ❖ The OMGMS specifies the proposed housing typology for planning unit 6 as two and three-story walk-up buildings (D6), which corresponds with the proposed development since the property owners have identified the site for accommodating two and three-story flats. It's important to note that the OMGMS indicates the density of this housing typology (D6) to range between 56 and 84 dwelling units per hectare which is slightly less than what is being applied for.
- ❖ The proposal complies with the 5 planning principles as set out in SPLUMA.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	15 December 2023	09 February 2024
Notices	Yes	11 December 2023	09 February 2024
Internal Departments	Yes	19 December 2023	09 February 2024
Ward councillor	Yes	19 December 2023	09 February 2024
Total comments	SIXTY NINE (INCLUDING ONE PETION WITH 72 SIGNATORIES)		
Total letters of support	EIGHT		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

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

Name	Date received	Summary of comments
Building Department	19/12/2023	No objection. The building plan application must comply with all applicable law.
Local Heritage	20/12/2023	No objection to town planning application. Plans to be submitted to Overstrand Heritage and Architectural Committee for comment.
Heritage Western Cape	31/07/2024 (date of receipt from applicant)	Attached as Annexure F.
Fire Department	21/12/2024	No objection subject to compliance with the provisions of SANS 10400 A: 2016, 10400-T: 2020 and the By-Law relating to Community Fire Safety.
Waste Management	09/01/2024	No objection from Solid Waste Planning.
Environmental Management Services	05/02/2024	This office has no objection to this application.
Engineering Services	09/04/2024	Attached as Annexure G.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

Sixty nine (69) comments (including a petition with 72 signatories) as well as eight (8) letters in support of the proposal were received. A list of the commenters' (objectors), as well as the commenters in support of the application, is attached as Annexure I.

The main points of comment are addressed as follows (the detailed comments are attached as Annexure E).

Point 1 of comments

Impact and capacity of infrastructure

RESPONSE OF APPLICANT

The property owners engaged in pre-application discussions with the Overstrand Municipality's Engineering Department regarding the availability of bulk infrastructure and capacities. Subsequently, the application was forwarded to the same department, who requested that their preferred service providers be appointed to provide a services capacity report on the capacity of bulk water provision.

The Engineering Department indicated that they have sufficient information with regard the sewage network and bulk capacity to make recommendations.

The comments raised have been noted, and concerns regarding the potential negative impacts the proposed development will have on services are unfounded.

The property owners will be required to pay bulk services contribution levies, which will fund any upgrades to these existing networks, if required. These upgrades will address concerns raised by objectors and are intended to benefit not only the proposed development but the entire area, including futureproofing the network.

Concerns were also raised regarding the additional volume of sewage that will be entering the network. The property will be equipped with a communal conservancy tank, designed to the engineering standards and approval from the Overstrand Municipality. The tank will be connected to the existing small-bore system in Sandbaai, while also being serviced regularly as required. This will ensure a safe, effective, and sustainable system for the long-term benefit of the Sandbaai community.

Stormwater will be directed to a detention pond located within the open space area in the proposed development to facilitate sufficient cleaning of the stormwater and drainage into the soil. The adequate sloping and storage capacity of the soil will be determined by the project civil engineer.

RESPONSE OF TOWN PLANNER

A report from GLS Consulting regarding the capacity of the bulk water service to the proposed development was received on 5 April 2024. The report was addressed to the Engineering Department of the municipality. The conclusion of the report is that there is sufficient capacity in the existing water reticulation system to accommodate the proposed development.

The attached engineering department's report indicate that a bulk levy towards water infrastructure will be payable. The report also addresses all required services and indicate that adequate services/infrastructure is available for the development.

Point 2 of comments

Impact on traffic, pedestrians, road surface, construction vehicles, and number of vehicles.

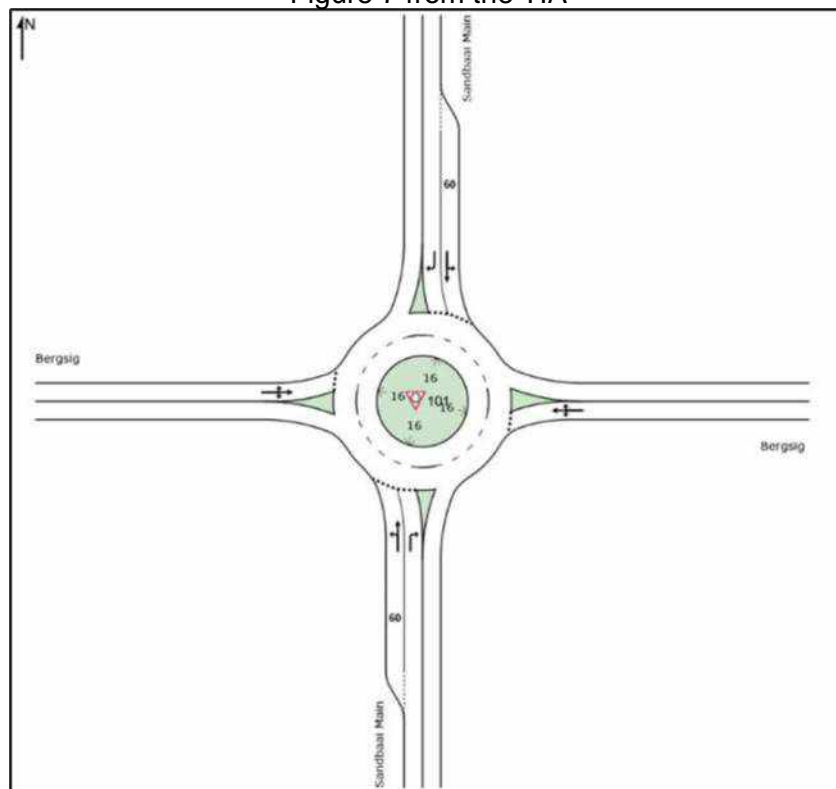
RESPONSE OF APPLICANT

A Traffic Impact Assessment (TIA) was conducted by Douw Louwrens, B.Eng (Civil), and certified to have been prepared according to the requirements of the South African Traffic Impact and Site Traffic Assessment Manual. The TIA was necessary to ensure that the existing street network may accommodate the traffic generated by the proposed development.

The TIA was included in the application and made available to the public for review. It concluded that, *"except for the upgrades already required at the Sandbaai Main Road / Bergsig Street roundabout, 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"*.

If required by the municipality, the property owners will contribute from the bulk infrastructure contribution levies, to upgrade the existing roundabout at Sandbaai Main Road / Bergsig Street. Please refer to the figure below:

Figure 7 from the TIA



Pedestrians

End Street has a proclaimed road reserve of 15.74 meters, with a road surface of only 6.0 meters. This leaves 9.74 meters of sidewalk available for pedestrian movement.

This design ensures that traffic and pedestrians are not required to occupy the same space, thereby enhancing safety for both. It is noted that there are no formal kerbs established which is not uncommon in Sandbaai.

The second point of concern was the pedestrian gate located on Bergsig Street. There are two existing traffic calming measures currently in place - the raised crossing between Bergzicht and Monte Mare, and the new stop sign at the edge of the Whale Coast Mall property. Both of these will aid in allowing pedestrians to cross the street when it is safe to do so.

Road Surface

Objectors expressed concerns that the road surface may not withstand the additional traffic generated by the proposed development. It is important to note that the roads bordering the development are public streets, owned by the municipality and that any maintenance of the road in the future will be their responsibility. The bulk services contribution levy payable by the developer includes a contribution for the additional load on existing streets.

Construction Vehicles

Concerns were raised that construction vehicles will be blocking and parking in the existing road, but due to the extent of the property, it is possible to accommodate several construction vehicles on-site and it is not expected that this will be an issue.

Number of vehicles

Several objectors have inaccurately indicated the number of vehicles that will be present on-site. There is a requirement for 268 parking bays based on the number of units. At this stage, it is impossible to determine if all these parking bays will be utilized. The parking requirements are being adhered to, but it is worth noting that there may be instances where a two-bedroom unit is occupied by an owner with only one vehicle, thus potentially reducing the actual number of vehicles on-site.

It will never be the case that 500 vehicles will be on-site, as the property physically cannot accommodate such a large number of vehicles.

RESPONSE OF TOWN PLANNER

The applicant's response is noted. It should be mentioned that the issues raised has mostly been addressed in the report of engineering services, and should the development be approved, a detailed (standard) services agreement will be entered into between the developers and the municipality that will address all the required issues pertaining to the proposed development.

It is important to note that a discussion was held with the Senior Manager: Operational Services regarding the proposed upgrading of the Bergsig Street/Main Road traffic circle as proposed by the applicant (refer to the above illustration). 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.

Point 3 of comments

Privacy

RESPONSE OF APPLICANT

The developers have always been mindful of the potential impact that the development may have on neighbouring properties and therefore various measures have been implemented into the design to minimize this impact.

Firstly, the orientation of the buildings has been carefully planned to align with the streets, ensuring that they do not directly overlook neighbouring properties. It is important to emphasize that no windows of the units face the neighbouring properties.

The developers understand that occupants on balconies may have a diagonal view into neighbouring properties.

MITIGATION #1: In response to the concerns raised, the owners propose to retain as many existing trees as possible along the boundary of the proposed development and Monte Mare & Ocean Breeze. Additionally, the owners intend to landscape the property by adding new trees to ensure that all neighbouring properties are covered and screened, thereby addressing privacy concerns.

MITIGATION #2: Implementing solid balustrades on the balconies which will enhance privacy from certain angles, effectively addressing both noise and visual obstruction of the units from neighbouring properties.

MITIGATION #3: The balconies will also be installed with privacy screens and the final designs will include these additional protrusions to secure the neighbours' and owners' privacy.

RESPONSE OF TOWN PLANNER

Although the blocks of flats will be situated 4.5m from the group house developments at both sides of the subject property and that it is proposed that those sections of the blocks of flats that faces the lateral building lines will be reduced in height from the allowable 9m to 8m to further minimise any possible claims of invasion of privacy, and regardless of all the proposed mitigating measures, it is maintained that due to the bulkiness of the proposed development, the rights of adjacent property owners will still be impacted upon.

Point 4 of comments**Density to high**

RESPONSE OF APPLICANT

The owners purchased the property after numerous discussions with the municipality and through various iterations, some of which proposed higher densities and three storeys throughout the entire development.

The owners scaled down their proposal, which is regarded to be in line with municipal guidelines and legislation. The interest in the property arose due to its location and allowed density, as indicated in the guideline document: Overstrand Municipal Spatial Growth Management Strategy, 2010 (OMGMS).

As carefully detailed in the application, the proposal aligns with the density allowed in the OMGMS, as there is no limitation in terms of density, as the planning unit in which the property is located allows for "more than 30" dwelling units per hectare (Du/Ha).

As outlined in the report, the entire planning unit was proposed to accommodate 690 dwelling units. However, this is no longer feasible due to the transformation of the majority of the area into businesses - (Whale Coast Mall) and industrial zones.

There were also objections received claiming that the proposed density is higher than any other development in Hermanus, which is factually incorrect. The table below provides an indication of other developments in Hermanus:

Development Name	Total units	Extent	Du/ha
Belle on Main	42	3103	135
Silver Oak	50	4461	112
Oak Terrace	50	3286	152
2-on-Main	20	2456	81

Additionally, as mentioned in the application the proposed De Zandt development is Sandbaai, also has higher density areas that equals 75 dwelling units per hectare.

The primary objective behind proposing this higher density is to minimize the requirement for additional land, while still addressing the significant housing demand in the Hermanus and Sandbaai area. The goal is to maximize the allowable density and to reduce land requirements, which is a critical aspect of sustainable development and reducing urban sprawl.

RESPONSE OF TOWN PLANNER

The whole of the planning unit was proposed for gross densities of 30 or more units per hectare in terms of the growth management strategy. However, one must consider that the proposal for ± 90 u/ha for the planning unit within which the subject property falls, is totally out of character of the group housing hub of Sandbaai with an established low density character. The densities of the surrounding group house developments are as follows (including Green Mountain Estate that consists of four blocks of flats):

DEVELOPMENT NAME	U/HA
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	± 12 u/ha
Protea Park	± 18 u/ha
Pebble Cove	± 28 u/ha
Sun Dew Villas	± 28 u/ha
Sandy Dunes	± 38 u/ha

The properties that the applicant refers to are situated close to the CBD of Hermanus whilst the De Zandt development is situated approximately 4km from the CBD of Hermanus at the western edge of Sandbaai adjacent to the group housing hub of Sandbaai. The developments that the applicant refers to are situated much closer to the CBD area of Hermanus where higher density developments are the norm. These erven have historic approved densities and is established flat developments along the main road of Hermanus within an area with mixed land uses, and not within a predominant residential suburb.

The current approved land uses for the De Zandt (Sandbaai township extension), together with the densities are as follows:

Zoning	Area	No of erven	No of dwelling units	Density du/ha	Average erf size
Residential Zone 1	5.7511ha	149	149	26	386 ²
Residential Zone 1 - Retirement Village	2.8083ha	47	47	17	598m ²
General Residential Zone 1	0.8124ha	29	27	33	280m ²
General Residential Zone 3 Bulk Zone 2	10.4920ha	16	785	75	6550m ²
General Residential Zone 3 Bulk Zone 2 - Retirement Village	4.0283ha	12	237	59	3357m ²
General Residential Zone 3 Bulk Zone 2 - Frail Care & Dementia	2.1019ha	1	164 (328 rooms)	78	21019m ²
Business Zone 3	2.4952ha	2	50	20	12476m ²
Open Space Zone 2	0.5100ha	3			1655m ²
Open Space Zone 3	0.4925ha	11			448m ²
Transport Zone 2	10.0055ha	5			20013m ²
Total	39.4846ha	275	1459	37	1436m ²

The applicant states that the De Zandt development has a higher density that equals to 75 dwelling units per hectare. The applicant, however, is clearly selective in its statement by only referring to individual high density erven oppose to referring to the development as a whole that on average has a much lower density. The fact of the matter is that the De Zandt development is one development that includes high density erven and low density erven and more importantly it covers an area of approximately 39.5ha with a density of $\pm 37u/ha$ opposed to 1.64ha land unit with a proposed density of $\pm 90u/ha$ which density difference cannot be justified at all by the applicant. Important, the De Zandt development is regarded as a township extension of Sandbaai, whilst the proposed development on the subject property is regarded as pure infill development. The applicant's statement to the densities in the De Zandt development is therefore misleading to say the least.

Further, the average density of the developments closer to the CBD that the applicant refers to above, cannot be compared to the Sandbaai group house developments above with an average density of a mere $\pm 22u/ha$ that is a much lower density than those developments the applicant refers to.

In terms of the 2010 Growth Management Strategy document, the proposed development is classified E6 Housing Typology and proposes 56 du/ha for two storey flats and 84 du/ha for three storey flats. The proposed development will have a density of ± 90.24 u/ha that is completely out of character with the current average density of the above developments in Sandbaai. Except for the mall, the area is developed with low density group house schemes that gives the area a sense of place. Such a high density development will impact on the tranquillity and character of the predominant established residential area. Seven blocks of flats will be out of character with the area since it will not fit in with the existing surrounding developments. An application for a group house development on the subject property, with a proposal of a slightly higher than the average density of the existing group housing hub, would likely fit in more satisfactorily with the surrounding built environment.

Various pre-liminary meetings were held with the developers and the applicant and it was clearly indicated during these meetings that consideration must be given to the immediate adjacent and surrounding group house developments prior to an application to develop the subject property is submitted. The latter was conveyed due to the type and densities of the surrounding developments.

Point 5 of comments

Property values

RESPONSE OF APPLICANT

It's crucial to distinguish between unsubstantiated remarks and statements based on facts. The underlying objective of the proposal is to introduce additional housing options and attract new residents to one of Hermanus' most sought-after and accessible neighbourhoods. The properties are situated within the densification zone, presenting an ideal opportunity for a unique development that aligns with the municipality's legislation and forward planning policies.

Therefore, statements suggesting that a development of this nature could adversely impact property values in the surrounding area lack any real substance. It's important to approach this proposal with an understanding of its potential positive contributions.

Several factors influence property values, such as location, noise pollution, the economy, neighbourhood type, comparable homes, and proximity to shops, businesses, and schools. None of these factors are expected to be negatively impacted by the proposed development.

However, the proposed development aims to enhance the overall appeal and attractiveness of the neighbourhood by introducing additional housing options and amenities. Well-planned developments can contribute positively to the overall desirability of an area, which can have a favourable impact on property values over time.

The owners have also carefully considered the comments received and potential impacts such as traffic, construction activities, and privacy concerns. Mitigation measures have been incorporated into the response to objections that will minimize these impacts and ensure that surrounding properties and the broader neighbourhood are not affected.

RESPONSE OF TOWN PLANNER

The applicant states that several factors influence property values, but that none of these factors are expected to be negatively impacted by the proposed development. However, the applicant's proposal proposes a higher building denser development with smaller units, etc. The applicant does not elaborate on its said statements, and it is therefore the opinion that all of these factors that it stipulates do influence property values.

However, the applicant's statement of presenting an opportunity to create a unique development, is contrary to its development proposal to maximize the density of the development and by developing seven blocks of flats of which the architecture does not even fit in with the existing surrounding group house developments. The proposed development will therefore not enhance the overall attractiveness of the neighbourhood as stated by the applicant, but rather have the opposite effect.

Point 6 of comments

Management / Washing lines / Balconies

RESPONSE OF APPLICANT

The comments relating to the management and or negative impact that the proposed units will have, are noted. It should be reiterated that all owners and future tenants will need to adhere to a body corporate constitution and house rules.

If the property is not well managed, it may affect not only the surrounding area but also the development itself which in turn would have a negative impact on the property itself and the investment made by individual owners.

The house rules will contain a stipulation that clothing under no circumstances will be allowed to be dried on the balconies. There will be drying yards located behind the boundary wall height of 2,1m which means it will not be visible from any neighbouring properties.

The house rules will contain the following or similar stipulation:

An owner, occupier and/or tenant must not, without the prior written consent of the trustees:

- (a) erect washing lines or similar on the common property;*
- (b) hang laundry or other items in a section or any exclusive use area allocated to it, if the articles are visible from another section or the common property, or from outside the scheme,*
- (c) carpets, mats, brooms, mops or any other cleaning apparatus may not be shaken, dusted or beaten over balconies or through windows, and*
- (d) an owner, occupier and/or tenant must not erect their own washing lines or tie washing lines to balcony railings.*

RESPONSE OF TOWN PLANNER

It is agreed with the applicant that management/body corporate will be responsible for the “housekeeping” of the development by introducing house/conduct rules. The management of the overall behaviour of owners and tenants are similar to the functions of a home owners’ association of a group house development who must strictly enforce behaviour rules.

Point 7 of comments

Light pollution

RESPONSE OF APPLICANT

The following methods will be used to limit light pollution from the new development:

1. Use of Shielded Fixtures

Outdoor lighting fixtures will be installed that are designed to direct light downward and reduce the amount of light emitted into the sky or surrounding areas. Shielded fixtures will help prevent light from spreading unnecessarily.

2. Selecting Proper Light Bulbs

Low-intensity, energy-efficient light bulbs with warm colours instead of high-intensity, blue-rich white lights will be used. This will reduce the overall brightness and minimizes the impact of artificial light on the night sky.

3. Timers and Motion Sensors

Timers or motion sensors will be installed on outdoor lighting fixtures to ensure that lights are only activated when needed. This will help to reduce unnecessary light emission during off-peak hours or when no activity is detected.

4. Tree and Vegetation Buffering

Landscaping techniques such as the planting of trees, shrubs, and other vegetation will be used to create natural barriers that will help to shield outdoor lighting from view and minimize light pollution.

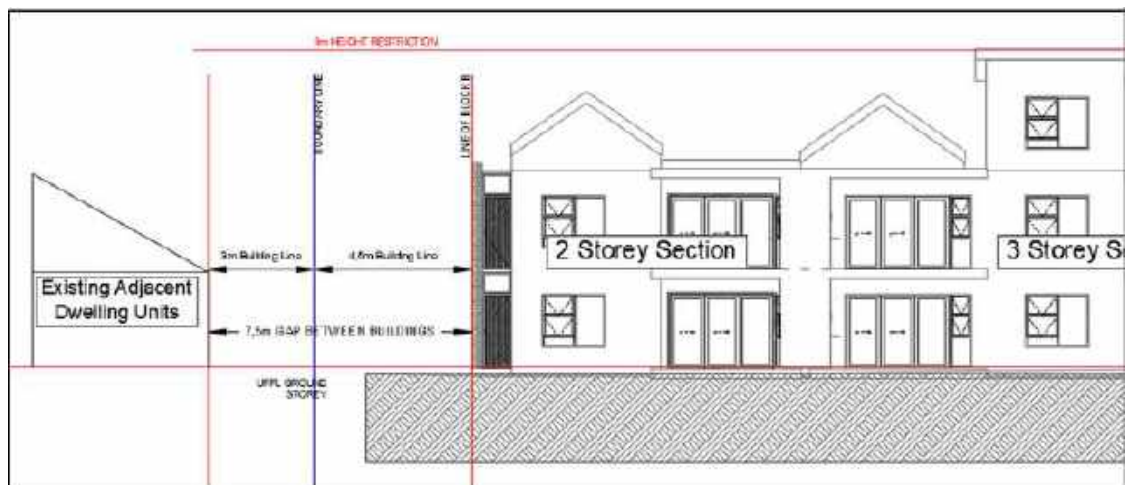
RESPONSE OF TOWN PLANNER

The response of the applicant is noted and the proposal to mitigate any form of light pollution is agreed with.

Point 8 of comment**Height**

RESPONSE OF APPLICANT

The proposed development aligns with all zoning development parameters. The decision was made by the owners to reduce the height of the buildings, limiting them to two storeys closer to the boundary instead of the maximum three storeys permitted by the Overstrand Land Use Management Scheme which demonstrates the owners' awareness of the potential impact that the development may have. This measure has been taken to minimize the impact of the development and ensure that surrounding properties do not experience any adverse effects. It is acknowledged that the majority of surrounding properties are single-storey dwellings, which is why the figure below illustrates a single-storey dwelling in relation to the buildings proposed within the development.



The figure clearly illustrates that the difference is not as extreme as indicated by the objectors. It must be kept in mind that the single storey structure illustrated above is aligned with the definition of a single storey in terms of the Overstrand Land Use Management Scheme.

It should be reiterated that these surrounding developments have the right to develop a second storey without any consultation with neighbours, as it is permitted in terms of the Overstrand Land Use Management Scheme. (It is acknowledged that their respective Homeowners' Association and architectural guidelines need to be consulted).

Furthermore, there are no windows facing, or overlooking these neighbouring properties from the third floor. This concern of the surrounding owners has already been considered during the design of these units.

Additionally, the height of the flats enables the owners to achieve the desired density, ensuring that the development can be offered at a reasonable price to first-time buyers and individuals seeking suitable accommodation.

The step-down approach not only reduces the height but also enables the owners to incorporate pitched roofs, which aesthetically align better with the surrounding area. This approach addresses privacy concerns while sacrificing some development space for the owners.

RESPONSE OF TOWN PLANNER

The applicant indicates that the development parameters as set out in the land use scheme will be maintained for the blocks of flats and that mitigating factors will be implemented such as a step down approach at the lateral boundaries of the property. However, the pure nature (mass) of the development is of severe concern regardless of the mitigating measures that the applicant proposes. Although the development parameters for the blocks of flats will be maintained, the bulkiness of seven blocks of flats along the lateral boundaries of the property will create a feeling of height “suffocation” for surrounding property owners. A much more scaled down application should have eliminate any such impacts.

The statement of the applicant that the development aligns with the zoning parameters is misleading as the applicant is also applying for a rezoning to allow for higher densities.

The applicant states that to change to a zoning to suit their needs, is to achieve its desired density. The impact of the latter statement is to be discussed in the evaluation section of this submission.

Point 9 of comment

Sunlight

The concept of the right to light is regarded as a type of easement, where one property benefits from a right enjoyed over the land of another. In this context, the right to light easement refers to the entitlement to enjoy natural light passing over someone else's land and entering specified spaces in a building, such as windows, skylights, and glass roofs.

While South Africa does not have a specific law entitling individuals to direct sunlight, the property owners acknowledge the change in character as the neighbouring properties have become accustomed to the vacant property next to their properties. It is important to note that sunlight and light patterns shift throughout the day and year, and the acknowledgement is made that, although there will be an impact on the area, all property owners will still receive their fair share of light as the sun moves. This recognition aims to address concerns about potential impact while acknowledging the dynamic nature of sunlight distribution.

RESPONSE OF TOWN PLANNER

The applicants' response is noted and agreed with, as well as the response that neighbouring property owners have become accustomed to the vacant property next to their properties. However, due to the bulkiness of the proposed development certain abutting property owners may experience some sort of darkening effect of their properties, but it is the opinion that it will only occur during certain times of the day.

Point 10 of comment

Aesthetics

RESPONSE OF APPLICANT

The comments have been duly noted, and it's essential to emphasize that while the provided 3D renders offer a preliminary illustration into the development's visual concept, they are by no means definitive representations of its final appearance.

As the project progresses, attention will be given to selecting the most appropriate paint colours, materials for construction, landscaping features, road surfacing options, and roofing materials. These decisions will be made with careful consideration of not only aesthetic appeal but also functionality, sustainability, and compatibility with the surrounding environment.

Furthermore, the pitched roofs incorporated into the two-storey sections were specifically designed to harmonize with the aesthetics of the surrounding area. This deliberate architectural choice aims to seamlessly integrate the new development into the existing neighbourhood, ensuring visual continuity and enhancing the overall appeal of the area. By mirroring the design elements commonly found in nearby structures, such as pitched roofs, the development contributes to a cohesive and visually pleasing streetscape.

The comparison made by the objector between the proposed development layout and the layout of Auschwitz extermination camp during World War II is highly inappropriate and offensive. Such comparisons trivialize the atrocities of the Holocaust and show a lack of sensitivity towards the historical significance of such events. Furthermore, making comparisons of this nature is not only factually inaccurate but also culturally insensitive. It disregards the profound significance of historical events and fails to acknowledge the suffering of those affected by them. It's essential to maintain a respectful and thoughtful approach when expressing concerns or objections about proposed projects, focusing on factual and relevant considerations based on desirability, rather than resorting to insensitive comparisons.

RESPONSE OF TOWN PLANNER

Although some of the comments made is not relevant and may also be offensive, it is the opinion that the current architecture of the buildings as portrayed in the application is far from being aesthetically appealing and will certainly detract from the character of the area regardless of the various mitigation measures that the applicant proposes. Should the application be approved, a condition must be imposed that the aesthetical appearance of the buildings must be revisited, and alternative designs must be submitted to the Aesthetical Committee for comment and final approval of an acceptable design style.

Point 11 of comment**Refuse**

RESPONSE OF APPLICANT

The refuse room complies with the requirements set out in Chapter 17.4 of the Overstrand Land Use Scheme. It is a requirement to position the refuse room close to the street, which will provide the municipality easy access to the refuse that needs to be removed on collection days.

It should be noted that the municipality may require the owners to provide an embayment for refuse removal vehicles to its satisfaction.

There is also not a requirement that each property needs to be provided a wheely bin. The size of the refuse room aligns with the municipal requirements.

RESPONSE OF TOWN PLANNER

The applicant's response is legally correct and agreed with, thus no further comment is offered on these points of comment.

Point 12 of comments**Parking**

RESPONSE OF APPLICANT

The proposed development complies with the parking requirements outlined in the Overstrand Land Use Scheme. While there is no specific requirement for visitor parking, it's essential to highlight that the engineering department has requested additional parking to be situated in close proximity to the clubhouse and refuse room.

Additionally, these additional parking areas can serve a dual purpose by accommodating visitor parking needs. Please refer to the clubhouse parking plan for further details.

RESPONSE OF TOWN PANNER

The applicant's response is noted. The Engineering Department did not object to the parking layout or the proposed number of parking bays to be provided. No off-site parking is allowed in any event and a condition to this effect must be imposed should the application be approved.

For information purposes the number of parking bays required for the whole development is calculated as follows:

56 X 1 Bedroom Units X 1.5	= 84 parking bays required.
80 X 2 Bedroom Units X 2	= 160 parking bays required.
12 X 3 Bedroom Units X 2	= <u>24 parking bays required.</u>
Total no. of parking bays required	<u>268</u>
Total no of parking bays provided	<u>273</u> (as reflected on the SDP)

Point 13 of comments**Pedestrian gate**

RESPONSE OF APPLICANT

The pedestrian gate will be secured with an access control system which may include biometrics that will only allow access to authorised pedestrians. As mentioned before, the raised crossing between Bergzicht and Monte Mare, and the new stop sign at the edge of the mall's property, will aid in allowing pedestrians to cross the street if it is safe to do so.

RESPONSE OF TOWN PLANNER

The applicant's response is noted and agreed with.

Point 14 of comments**Noise pollution**

RESPONSE OF APPLICANT

The comment related to noise is noted, it should however be reiterated that all owners and future tenants will need to adhere to the provisions of the body corporate constitution and house rules.

If the property is not properly managed, it will affect not only the surrounding area but also the development itself and the owners of the units. The following or similar stipulations will be included in the constitution and/or guidelines:

- (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.”*

This will address the majority of concerns related to noise.

It should be noted that according to the Traffic Impact Assessment, approximately 96 trips will be generated, with 72 exiting and 24 entering in the mornings. In the afternoon, 96 trips will be generated, with 67 entering and 29 exiting.

Additionally, it's essential to recognize that the activities of residents within the development, including vehicle movement, won't occur simultaneously. People have diverse schedules, with some leaving for work or errands earlier in the day while others may depart later. Moreover, the distribution of parking spaces throughout the development ensures that vehicles are dispersed rather than concentrated in one area. This thoughtful planning helps mitigate any potential impact on traffic congestion or noise disturbance, contributing to a more harmonious living environment for residents and surrounding property owners.

In addition to the above, the Overstrand Municipality has by-laws that also assist with the management of noise.

MITIGATION #5

Landscaping plays a crucial role in mitigating noise pollution from the proposed development. As mentioned above, incorporating landscaping along the perimeter can act as natural sound barriers, with dense vegetation such as evergreen trees, shrubs, and bushes effectively absorbing and blocking high-frequency noise. The property owner undertakes to retain as many of the existing mature trees as possible, while careful planning of plant placement is essential, positioning taller vegetation closer to noise sources like roads or common areas to intercept sound waves.

Additionally, a variety of plant species should be selected to optimize noise attenuation, considering factors such as growth habit and foliage density.

Evergreen trees and shrubs will be prioritized in the landscape design, as they maintain foliage year-round, providing consistent noise reduction. Living walls or green screens are also steps that can be taken, combining densely planted vegetation with structural support to effectively block and absorb sound waves while enhancing the development's aesthetic appeal.

RESPONSE OF TOWN PLANNER

The applicant's response is noted and concurred with. It is agreed with the applicant that management/body corporate will be responsible for the "housekeeping" of the development by introducing house/conduct rules to mitigate any elevated noises. The management of the overall behaviour of owners and tenants are similar to the functions of a home owners' association of a group house development who must strictly enforce behavioural rules. In addition, should the application be approved, the applicant must submit its proposed development plans to the local Heritage and Aesthetics Committee for comment prior to the formal submission of its building plans, which plans must also include proper landscaping to the satisfaction of the municipality. Heritage Western Cape indicated that it has no comment on the application subject to certain requirements -see letter attached as Annexure F.

Point 15 of comments

Environment, wetland

RESPONSE OF APPLICANT

The proposal maintains the commitment to landscape the property, ensuring that the greenery remains as far as possible, as the objectors have become accustomed to.

It's important to address the comments suggesting that the property is situated in or on a wetland, as such claims are unfounded. There are no wetlands present on the property. Therefore, any concerns regarding potential disruption to wetland ecosystems are not applicable to this development proposal.

The subject property is located within the existing urban area and not located in an environmentally important area. Furthermore, the property is also not located within the Environmental Protection Overlay Zone (EMOZ) as motivated within the application report. Therefore, the proposed development does not require an environmental impact assessment.

Additionally, concerns were raised of the water table and how this development will have an impact thereon. The developer will install an agri-drain or sub-soil drain along the Western boundary wall to prevent any sub-terranean water from draining through to the neighbouring properties.

This will be done as part of the civil construction works and will tie in with the stormwater network inside the complex and outside to the municipal stormwater system.

A manual sweep of the grounds will be done before any development activities take place to save and relocate any wildlife.

RESPONSE OF TOWN PLANNER

The applicant's response is noted and agreed with. In addition, Environmental Management of the municipality unconditionally supports the application – see its comment attached as Annexure H. Should the application be approved, a landscaping plan must be submitted together with the formal building plans for comment by the municipality's horticulturist.

Point 16 of comments

Security

RESPONSE OF APPLICANT

Comments related to security concerns are noted, but no reasons are provided how the new development will have a negative impact on security of these adjacent properties.

It is important to note that any shared boundary walls are the responsibility of the owner on whose land it is located. If the wall is built on both properties, then both owners are responsible for the wall. This includes electric fencing.

Security is always a major concern in South Africa and the owners are developers and will develop the property themselves with their existing, local construction teams. The owners have appointed a security firm to secure the premises during construction and to keep contract workers from leaving the construction premises during normal working hours. This security firm will probably take over the security of the developed complex for the first year thereafter, until the body corporate has held its first annual general meeting.

The owners indicated that where required, new electric fencing will be erected that will be the responsibility of the body corporate / management as security is one of the top priorities of the development. Future individual owners and occupants of the development will receive the highest security that will include optical surveillance cameras that provide 24/7 monitoring of the entire property. The access control system will ensure that only authorized residents/staff or visitors have access to the estate, further enhancing its security.

RESPONSE OF TOWN PLANNER

The applicant's response is noted and concurred with since proper security management is proposed. No further comment is offered.

Point 17 of comments**Social matters**

RESPONSE OF APPLICANT

While the concerns raised by some objectors are understood, it's important to approach these issues with sensitivity and respect for all members of the community. The insinuation that high-density housing options may attract individuals with undesirable lifestyles or social issues could be interpreted as discriminatory and unjust. Every individual deserves equal treatment and respect, regardless of their socioeconomic status or housing choices.

It's essential to avoid perpetuating stereotypes or stigmatizing certain groups of people based on their housing preferences. Creating a welcoming and inclusive community means embracing diversity and providing opportunities for all residents to thrive, regardless of their background or circumstances.

Instead of making assumptions, it is encouraged that all stakeholders engage in constructive dialogue and work together to find solutions that benefit the entire community. By fostering understanding and empathy, a stronger and more inclusive neighbourhood where everyone feels valued and respected, can be build.

RESPONSE OF TOWN PLANNER

The applicant's comments and response are noted.

Point 18 of comments**Housing**

RESPONSE OF APPLICANT

Requests were made to provide the cost of the units being proposed, but due to ever-changing building costs, it is impossible to determine at this stage what the final asking price will be.

Some of the units will be for first-time buyers, catering for a market not currently served in Hermanus. It is not a low-cost housing project, as many objectors are concerned about. Rather, it is a development that will provide housing options in different price ranges, but also providing opportunity for first time home buyers to enter the market.

The body corporate and owners will always ensure that the number of persons permanently residing in each unit does not exceed 2 (two) persons for a 1 (one)-bedroom unit, 4 (four) persons for a 2 (two)-bedroom unit, or 6 (six) persons for a 3 (three)-bedroom unit.

RESPONSE OF TOWN PLANNER

It cannot be confirmed whether or not the applicant's comments are correct as no detail is provided on sales prices. The statement of the applicant that the development caters for first time buyers, catering for a market not currently being served for in Hermanus, is misleading, and are speculative as no pricing is provided in order to do comparisons.

Point 19 of comments**Public participation process**

The public participation process was conducted in accordance with the requirements outlined in the Overstrand Municipal Planning By-Law. Site notices were erected and displayed for 2 months and emails were sent out to all possible interested and affected parties.

Public meetings, feedback sessions, and consultations are not mandated components of the public participation process. The applicant fulfilled all necessary public participation requirements.

RESPONSE OF TOWN PLANNER

A proper public process was followed as legally required and prescribed in the 2020 Overstrand Municipality Amendment By-Law on Municipal Land Use Planning.

Point 20 of comments**Historical preservation**

RESPONSE OF APPLICANT

Comments with reference to the heritage significance are not relevant.

A Notice of Intent to Develop has been submitted to the Heritage Western Cape due to the extent of the property and the record of decision was submitted to the municipality.

RESPONSE OF TOWN PLANNER

The response of the applicant is factual. A copy of Heritage Western Cape's record of decision is attached as Annexure F.

Point 21 of comments**Affordability**

RESPONSE OF APPLICANT

The proposed development meets the needs of a diverse population and is focused on creating more affordable housing options within the area. It is further motivated within the application that the proposed development's densification aims to promote affordable housing options.

Furthermore, the application addressed the target market of the application: *"the proposed development aims to address the housing demand in the entry-level market segment."*

RESPONSE OF TOWN PLANNER

The proposal is indeed diverse in the sense that one to three bedroom units are proposed to allow for housing opportunities for all segments of the population. However, no price categories are provided, thus it is not substantiated by the applicant.

The applicant again reiterated the achievement of desired densities as opposed to achieving desirability in the context of space and location.

Point 22 of comments**Amenities**

APPLICANT'S RESPONSE

As previously mentioned within this document, all future owners and tenants will need to adhere to the body corporate constitution and house rules, which includes rules regarding washing and the use of washing lines and dry yards.

A clubhouse is not a requirement for this proposed development but is an additional feature that the owners have added to the proposed development for enjoyment of all future owners and tenants. Therefore, the size is not to be a concern of the objector.

Furthermore, to the amenities, the proposed clubhouse will be surrounded by a significant open space for communal enjoyment. The Overstrand Land Use Scheme contains the requirements regarding communal area of concern which states that the development must have access to an outdoor living area and needs to provide communal open space that does not include parking, service yards or roads. The Overstrand Land Use Scheme further requires that the communal open space must consist of at least 10% of the extent of the subject property, accommodating outdoor recreational/garden areas. Therefore, the application addressed the Open Space provision in *Section 4.3.6* of the report. It concludes that the portion of the development allocated to open space/communal area amounts to at least 27% of the property's total developable space which is a hallmark of significance. This space may be utilised for various purposes, such as walking, landscaped gardens, children's play area, or communal gathering spots which will enhance the overall quality of life for the residents. The space is adequate for children to play and run around.

RESPONSE OF TOWN PLANNER

The applicant's response is noted and agreed with.

Point 23 of comments

Building lines

The existing street building line of the property is 4m and the proposed zoning also has a street 4m building line and not an 8m building line.

Parking is allowed within the building line, but if carports are erected, a departure from the building line is required. The objector's proposal of parking bays covered with temporary structures, such as vegetation, may not be viable for the developer. Carports are engineered to withstand various weather conditions, especially the winds experienced in the Western Cape.

These proposed carports will provide adequate protection for vehicles and temporary structures such as those covered in vegetation, may not offer the same level of structural integrity, posing potential safety hazards and maintenance challenges. However, as previously mentioned, mitigating measures of softening the visual impact will be investigated and implemented, such as planting trees along the boundary wall of the development.

Furthermore, it is important to note that should approval be received for the proposed departure, no buildings will be allowed within the 4m and 4,5m building line other than the carports applied for. The risk of other structure being built along or on the Monte Mare east boundary will not be a concern as this will not be allowed.

RESPONSE OF TOWN PLANNER

The applicant's response is agreed with. It further proposes mitigating measures to soften the visual impact along the boundary wall where the carports are proposed within the street building line by the planting of trees. The majority of carports are proposed along the northern street building line of the property being 34 carports and 4 individual carports along the western boundary of the property. The impact thereof would be minimal to the property owners of the developments along the lateral boundaries of the property.

CONCLUSION BY APPLICANT

The objections raised to the proposal have provided the owners opportunity to address some of the concerns and to take proactive steps to address them. In the spirit of community acceptance and collaboration, the property owners have proposed a series of mitigation measures aimed at alleviating potential impacts and enhancing the overall suitability of the development.

Firstly, the implementation of new boundary walls (where possible) and new electric fencing signifies a commitment to bolstering security measures, safeguarding both the development and its surrounding community. This proactive approach aims to mitigate security risks and ensure peace of mind for residents.

Furthermore, landscaping along boundaries serves a dual purpose of enhancing aesthetics and mitigating potential nuisances. By strategically incorporating greenery and natural elements, the property owners seek to create a visually appealing buffer zone that contributes to a harmonious coexistence with neighbouring properties while also including additional privacy screens along the balconies.

In addition, the selection of appropriate lighting fixtures, including shielded fixtures, warm light bulbs, and motion sensors where feasible, underscores a commitment to minimizing light pollution and enhancing nighttime ambiance. This thoughtful consideration not only promotes environmental sustainability but also contributes to the well-being and comfort of residents.

Lastly, the proposal to install solid balcony balustrades speaks to a commitment to privacy and safety, ensuring that residents can enjoy outdoor spaces with peace of mind and tranquillity.

Considering the responsive mitigation measures taken by the property owners to address objections and mitigate potential impacts, it is recommended that the planning application be approved as submitted. By incorporating these mitigation measures, it is recommended that the planning application be approved as submitted.

The developer is providing more communal space than required for the proposed development hence some of the parking being provided on the boundary of the property which is allowed. Should the carports not be allowed, the parking will still be allocated within its current position.

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 prolong spatial development injustices.

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 will 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 proposed primary uses are in line with the land uses in terms of the Land Use Scheme. It is however inconsistent with the development parameters (building lines) as set out in the Land Use Scheme, as well as the Growth Management Strategy. It is consistent with the Spatial Development Framework.

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.

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 General Residential Zone 3: Flats (GR4). Should the rezoning be approved, the development parameters of the Overstrand Land Use Scheme, 2020 will apply, except for the departures being applied for.

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

DEVELOPMENT NAME	U/HA
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

DENSITIES OF DEVELOPMENTS THAT THE APPLICANT REFERS TO

Development Name	Total units	Extent	Du/ha
Belle on Main	42	3103	135
Silver Oak	50	4461	112
Oak Terrace	50	3286	152
2-on-Main	20	2456	81

The properties that the applicant refers to are situated close to the CBD of Hermanus whilst the De Zandt development is situated approximately 4km from the CBD of Hermanus at the western edge of Sandbaai adjacent to the group housing hub of Sandbaai. The developments that the applicant refers to are situated much closer to the CBD area of Hermanus where higher density developments are the norm. These erven in any vent have historic approved densities and is established flat developments along the main road of Hermanus within an area with mixed land uses, and not within a predominant residential suburb. The densities of the developments that the applicant refers to above cannot be compared to the Sandbaai group house developments with an average density of a mere ±22u/ha.

The current approved land uses for the De Zandt (Sandbaai township extension), together with the densities are as follows:

Zoning	Area	No of erven	No of dwelling units	Density du/ha	Average erf size
Residential Zone 1	5.7511ha	149	149	26	386 ²
Residential Zone 1 - Retirement Village	2.8083ha	47	47	17	598m ²
General Residential Zone 1	0.8124ha	29	27	33	280m ²
General Residential Zone 3 Bulk Zone 2	10.4920ha	16	785	75	6550m ²
General Residential Zone 3 Bulk Zone 2 - Retirement Village	4.0283ha	12	237	59	3357m ²
General Residential Zone 3 Bulk Zone 2 - Retirement Village Frail Care & Dementia	2.1019ha	1	164 (128 rooms)	78	21019m ²
Business Zone 3	2.4952ha	2	50	20	12476m ²
Open Space Zone 2	0.5100ha	3			1655m ²
Open Space Zone 3	0.4925ha	11			448m ²
Transport Zone 2	10.0065ha	5			20013m ²
Total	39.4846ha	275	1459	37	1436m ²

The applicant states that the De Zandt development has a higher density that equals to 75 dwelling units per hectare. The applicant, however, is clearly selective in its statement by only referring to individual high density erven within the De Zandt development oppose to calculating the density of the development as a whole that has a much lower density. The fact of the matter is that the De Zandt development is one development that includes high density erven as well as low density erven, and more notably it covers an area of approximately 39.5ha with a density of $\pm 37u/ha$ opposed to a 1.64ha land unit with a proposed density of $\pm 90.24u/ha$ which density difference cannot be justified at all by the applicant. The applicant's statement regarding the densities in the De Zandt development is therefore misleading.

Although the applicant motivates that Planning Unit 6 was originally planned to accommodate 690 dwelling units one must consider that Planning Unit 6 is approximately 190 000m² (19ha) in extent and with a planned densification at the time of 690 dwelling units, calculates to approximately 36 dwelling units per hectare which is still significantly lower than the proposal on the table. The applicant further motivates that the original densification proposal for the planning unit is no longer feasible due to the transformation of the majority of the area into businesses and industrial uses, but it still does not warrant the applicant's extreme high density proposal in an existing low density developed area.

Further, regardless of whether the Overstrand Growth Management Strategy also indicates that the Planning Unit 6 allows for a density of 30u/ha or more, one can confidently debate that pushing the density up more than threefold ($\pm 90.24\text{u/ha}$) in the remaining undeveloped portion of this planning unit is a significant densification on a 1.64 ha portion versus a 19ha land parcel. The applicant's attention was further drawn to Chapter 6.3.2(a)(i) of the 2020 Overstrand Municipality Land Use Scheme that prescribes a maximum gross density of 50u/ha for General Residential Zone 2: Town Housing, which is also a density of nearly double the existing density in the area, but more acceptable than 90u/ha. It is important to note that the applicant did not apply to deviate from the said density limitation as set out in Chapter 6.3.2(a)(i) of the Overstrand Land Use Scheme. Further, the original planned density of Planning unit 6 of 30u/ha was taken over the whole unit as if it was undeveloped. The planning unit being approximately 19ha in extent with a density of $\pm 90\text{u/ha}$ (the proposal) would have been 4.7 dwelling units per hectare, and 30u/ha (as prescribed for the planning unit), would have been $\pm 1.6\text{u/ha}$ that is extremely lower than the proposal of $\pm 90\text{u/ha}$ on a 1.64ha remainder of the planning unit. The applicant failed to address these facts.

It is important to note that the De Zandt development is regarded as a township extension of Sandbaai, whilst the proposed development on Erf 1735 is regarded as pure infill development within the boundaries of Sandbaai and not on the edge of Sandbaai as De Zandt to create an extension.

In terms of the 2010 Growth Management Strategy document, the proposed development is classified E6 Housing Typology and proposes 56 du/ha for two storey flats and 84 du/ha for three storey flats. The proposed development will be two and three storey habitable flats, thus 56du/ha is the density proposed in the document that is much lower than the $\pm 90.24\text{u/ha}$ that the applicant proposes. The low density group house schemes of Sandbaai gives the area a "sense of place", but with an excessive high density development amidst the low density developments would only destroy the existing "sense of place". Such a high density development will definitely impact on the tranquillity of the predominant established residential area and will be out of character with established built environment. A group house development on the subject property, with a slightly higher than the average density of the existing group housing hub, would likely fit in more satisfactorily with the surrounding built environment.

The applicant's statement of presenting an opportunity to create a unique development, is contrary to its development proposal for the development of seven blocks of flats of which the architecture does not even fit in with the existing surrounding group house developments or the character of the area regardless of the various mitigation measures that the applicant proposes. The proposed development will therefore not enhance the overall attractiveness of the neighbourhood as stated by the applicant, but rather have the opposite effect.

The statement of the applicant that the development caters for first time buyers, catering for a market not currently being served for in Hermanus, is misleading, and are speculative as no pricing is provided in order to do any comparisons.

Further, the applicant comments that the proposed development meets the needs of a diverse population and is focused on creating more affordable housing options within the area and that it is further motivated within the application that the proposed development's densification aims to promote affordable housing options. The proposal is indeed diverse in the sense that one to three bedroom units are proposed to allow for housing opportunities for all segments of the population. However, no price categories are provided, thus it is not substantiated by the applicant, and the applicant again reiterated the achievement of desired densities as opposed to achieving desirability in the context of space and location.

Various pre-liminary meetings were held with the developers and the applicant and it was clearly indicated during these meetings that consideration must be given to the immediate adjacent and surrounding group house developments prior to an application to develop the subject property is submitted. The latter was conveyed due to the type and densities of the surrounding developments.

The applicant further motivates the excessive high density by stating that the primary objective behind the proposed higher density, is to minimise the requirement for additional land while still addressing the significant housing demand in Hermanus and Sandbaai. In addition, it states that the subject property is the last remaining parcel where higher density developments can be considered. Its point is agreed with to some extent, but to propose such a high density development on the remaining parcel of planning unit 6, does not make sense from a town planning perspective. Further, such a high density development amidst an existing low density group housing hub would only be to the detriment of the area and should not be supported at all.

Although the applicant states that the blocks of flats will be situated 4.5m from the group house developments at both sides of the subject property and the fact that it is further proposed that those sections of the blocks of flats that faces the lateral boundaries will be reduced in height from the allowable 9m to 8m to further minimise any possible claims of invasion of privacy, it is reiterated that due to the bulkiness of the proposed development, the rights of adjacent property owners will be affected once the flats have been constructed. The applicant also states that the development parameters as set out in the land use scheme will be maintained for the blocks of flats and that various mitigating factors will be implemented such as a step down approach at the lateral boundaries of the property. However, it is reiterated that the pure nature (mass) of the development is of severe concern regardless of the mitigating measures that the applicant proposes. Although the development parameters for the blocks of flats will be maintained, the bulkiness of seven blocks of flats along the lateral boundaries of the property will create a feeling of "suffocation" for the surrounding property owners once developed. Further, due to the bulkiness of the proposed development certain abutting property owners may experience some sort of darkening effect of their properties during certain times of the day.

It is important to note that discussions were held with the Senior Manager: Operational Services and senior management of the Engineering Department of the municipality regarding the current undesirable traffic congestion issues at the Bergsig Street/Main Road traffic circle, as well as the possibility of the future upgrading thereof. From the said discussions it became apparent that no short-term solutions exist due to a lack of available road reserve/space that would most likely involve the possible expropriation of portions of adjacent properties. Thus, to accommodate such a high density development on the subject property will significantly worsen the current unresolved situation (traffic congestion) at the traffic circle at the cost of the public.

The subdivision of the property can be entertained since it is the intention of the previous owner to retain that section of the subject property that is developed with its dwelling unit and outbuildings for its personal use as a single residential erf. The portion of the mother property to be retained is approximately 1600m² in extent and will not detract from the character of the area although the adjacent development to the west of the new land unit is a group house development with the majority of erven having relatively large erf sizes of between 675m² and 700m².

It is further evident from the large number of negative comments that were received from the public, that the proposed high density development does not meet the approval of the public, which sentiment should be respected under the current circumstances.

In view of the above evaluation, it would be senseless to evaluate the desirability of the departure application to entertain the proposed carports, a guard house and a refuse structure that encroach building lines since the development of the remainder (bulk) of the property is not supported.

The title deed of the property does not contain any restrictive clauses that prohibit the proposed development.

In view of the above and author's responses on the points of comments, the application can from a town planning point of view, not be supported at all.

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 Subdivisional Area Zone (SA) to accommodate a Residential Zone 1: Single Residential (SR1) erf and a General Residential Zone 3: Flats (GR4) erf; **not be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(d) of the By-Law for the subdivision of Erf 1735, Sandbaai in two portions, namely Portion A $\pm 1600\text{m}^2$ in extent, and a Remainder $\pm 1.64\text{ha}$ in extent, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(d) of the By-Law for the subdivision of Erf 1735, Sandbaai in two portions to create a Remainder $\pm 1.64\text{ha}$ in extent, to accommodate the following on the said Remainder:
 - even (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 communal clubhouse;
 - a covered gate and guardhouse; and
 - and a refuse room,**not be approved** in terms of the provisions of Section 61 of the By-Law;
5. that the application for 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 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,**not be approved** in terms of the provisions of Section 61 of the By-Law;
6. that the approval in 3., above, be subject to the following conditions:
 - (a) that the approval does not absolve the landowner/s from compliance with any other relevant legislation, and
 - (b) that all other applicable development parameters as prescribed in the relevant Zoning Scheme be complied with.

7. 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
8. 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 3. above.

14. REASONS FOR RECOMMENDATION

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

- ❖ The application has followed due procedure.
- ❖ Although the growth management strategy proposes more than 30 units (unrestricted) per hectare 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 house developments.
- ❖ The high density developments that the applicant refers to is situated close to the CBD area of Hermanus where higher density developments are the norm and has no relevance to the area under discussion. Further, these densities cannot be compared to the Sandbaai group housing developments with an average density of a mere $\pm 22\text{u/ha}$ that is a much lower density than those developments the applicant refers to.
- ❖ The applicant states that the De Zandt development has higher density areas that equals 75 dwelling units per hectare. The applicant, however, is clearly selective in its statement by only referring to individual high density erven within De Zandt oppose to calculating the density of the development as a whole that has a much lower density. The fact of the matter is that the De Zandt development is one development that includes high density erven as well as low density erven, and more notably it covers an area of approximately 39.5ha with a density of $\pm 37\text{u/ha}$ opposed to a 1.64ha land unit with a proposed density of $\pm 90.24\text{u/ha}$ which density difference cannot be justified at all by the applicant. The applicant's statement regarding the densities in the De Zandt development is therefore misleading.
- ❖ Regardless of whether the Overstrand Growth Management Strategy indicates that the Planning Unit 6 allows for a density of 30u/ha or more, one can confidently debate that pushing the proposed density up more than threefold ($\pm 90.24\text{u/ha}$) in the remaining undeveloped portion of this planning unit is a significant densification on a 1.64 ha portion versus an original 19ha land parcel. The applicant's attention was drawn to Chapter 6.3.2(a)(i) of the 2020 Overstrand Municipality Land Use Scheme that prescribes a maximum gross density of 50u/ha for General Residential Zone 2: Town Housing, which is also a density of nearly double the existing density in the area. The original planned density of Planning unit 6 of 30u/ha was taken over the whole unit as if it was undeveloped. The original planning unit being approximately 19ha in extent with a density of $\pm 90\text{u/ha}$ (the proposal) would have calculated to 4.7 dwelling units per hectare, and 30u/ha (as prescribed for the planning unit), would have been $\pm 1.6\text{u/ha}$ that is extremely lower than the proposal of $\pm 90\text{u/ha}$ on a 1.64ha undeveloped remainder of the planning unit. The applicant failed to address these facts. The applicant further did not apply to deviate from the said density limitation as set out in Chapter 6.3.2(a)(i) of the Overstrand Land Use Scheme.

- ❖ The De Zandt development is regarded as a township extension of Sandbaai, whilst the proposed development on Erf 1735 is regarded as pure infill development within the boundaries of Sandbaai and not on the edge of Sandbaai as De Zandt to create an extension of the township.
- ❖ In terms of the 2010 Growth Management Strategy document, the proposed development is classified as a E6 Housing Typology and proposes 56 du/ha for two storey flats and 84 du/ha for three storey flats. The proposed development will be two to three storey habitable flats, thus 56du/ha is the density proposed in the document that is much lower than the proposed $\pm 90.24u/ha$.
- ❖ The statement of the applicant that the development aligns with the zoning parameters is misleading as the applicant is also applying for a rezoning to allow for higher densities.
- ❖ The low density group house schemes in Sandbaai gives the area a “sense of place”, but an excessive high density development amidst the low density developments would only destroy the existing “sense of place”. Such a high density development will definitely impact on the tranquillity of the predominant established residential area and will be out of character with established built environment. A group house development on the subject property, with a slightly higher than the average density of the existing group housing hub, would likely fit in more satisfactorily with the surrounding built environment.
- ❖ The applicant’s statement/comment of presenting an opportunity to create a unique development, is contrary to its development proposal for the development of seven blocks of flats of which the architecture does not even fit in with the existing surrounding group house developments or the character of the area regardless of the various mitigation measures that the applicant proposes. The proposed development will therefore not enhance the overall attractiveness of the neighbourhood as stated by the applicant, but rather have the opposite effect.
- ❖ To accommodate such a high density development on the subject property will significantly worsen the current unresolved situation (traffic congestion) at the Bergsig Street/Main Road traffic circle at the cost of the public.
- ❖ The statement of the applicant that the development caters for first time buyers, catering for a market not currently being served for in Hermanus, is misleading, and are speculative as no pricing is provided in order to do any comparisons.
- ❖ The applicant states that the proposed development meets the needs of a diverse population and is focused on creating more affordable housing options within the area and that the proposed development’s densification aims to promote affordable housing options. The proposal is indeed diverse in the sense that one to three bedroom units are proposed to allow for housing opportunities for all segments of the population. However, no price categories are provided for comparison, thus it is not substantiated by the applicant, and the applicant again reiterated the achievement of desired densities as opposed to achieving desirability in the context of space and location.
- ❖ The applicant motivates the excessive high density by stating that the primary objective behind the proposed higher density, is to minimise the requirement for additional land while still addressing the significant housing demand in Hermanus and Sandbaai. In addition, it states that the subject property is the last remaining parcel where higher density developments can be considered. Its point is agreed with to some extent, but to propose such a high density development on the remaining parcel of planning unit 6, does not make sense from a town planning perspective. Further, such a high density development amidst an existing low density group housing hub would only be to the detriment of the area and may affect property values negatively.

- ❖ Although the applicant states that the blocks of flats will be situated 4.5m from the group house developments at both sides of the subject property and the fact that it is further proposed that those sections of the blocks of flats that faces the lateral boundaries will be reduced in height from the allowable 9m to 8m to further minimise any possible claims of invasion of privacy, it is reiterated that due to the bulkiness of the proposed development, the rights of adjacent property owners will be affected once the flats have been constructed. The applicant also states that the development parameters as set out in the land use scheme will be maintained for the blocks of flats and that various mitigating factors will be implemented such as a step down approach at the lateral boundaries of the property. However, it is reiterated that the pure nature (mass) of the development is of severe concern regardless of the various mitigating measures that the applicant proposes and the bulkiness of seven blocks of flats along the lateral boundaries of the property will create a feeling of “suffocation” for the surrounding property owners once developed. Further, due to the bulkiness of the proposed development certain abutting property owners may experience some sort of a darkening effect of their properties during certain times of the day.
- ❖ Various pre-liminary meetings were held with the developers and the applicant and it was clearly indicated during these meetings that consideration must be given to the immediate adjacent and surrounding group house developments prior to an application to develop the subject property is submitted. The latter was conveyed due to the type and densities of the surrounding developments.
- ❖ It is evident from the large number of negative comments that were received from the public that the proposed high density development does not meet the approval of the public, which sentiment should be respected under the current circumstances.
- ❖ The application is regarded as being undesirable from a town planning point of view.

Reason for decision in paragraph 3. above

- ❖ The subdivision of the property can be entertained since it is the intention of the previous owner to retain that section of the subject property that is developed with a dwelling unit and outbuildings for its personal use as a single residential erf.
- ❖ The portion of the mother property to be retained is approximately 1600m² in extent and will not detract from the character of the area although the adjacent development to the west of the new land unit is a group house development with the majority of erven having relatively large erf sizes of between 675m² and 700m².

Reasons for decision in paragraph 5. above

- ❖ It would be senseless to evaluate the desirability of the departure application to entertain carports, a guard house and a refuse structure that encroach building lines if the development of the remainder (bulk) of the property is not supported.

15. ANNEXURES

- Annexure A: Locality Plan
Annexure B: Motivation Report
Annexure C: Subdivision and Site Development Plan
Annexure D: Objections/comment received (including petition)
Annexure E: Comment from applicant on objections
Annexure F: Comment: Heritage Western Cape
Annexure G: Services Report
Annexure H: Comment: Environmental Section
Annexure I: List of the commenters' (objectors), as well as the commenters in support of the application

SIGNATURES**REGISTERED PLANNER:**

Name: **H VAN DER STOEP**

SACPLAN Reg No: **A/1708/2013**

Signature: _____

Date: _____

1. Locality Plan Erf 1735 - Sandbaai

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Project Office
Team Planning & Project Management





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1. ABBREVIATIONS

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

2. PROPERTY DETAILS

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

3. BACKGROUND AND INTENT

The Erf 1735 Sandbaai, situated opposite the Whale Coast Mall, presents a fantastic opportunity for a high-density residential project in the up-and-coming suburb of Sandbaai. Located in the Greater Hermanus area, Sandbaai is a relatively new neighbourhood that lies just a short distance from Hermanus Central and is positioned to the east of Onrus. Additionally, it's easily accessible from Cape Town, taking just over an hour's drive to reach the entrance of Sandbaai and the Hemel-en-Aarde Valley.

Terra Nuova Developments CC acquired Erf 1735 Sandbaai with the purpose of developing it to meet the high demand for residential units in the surrounding area. To ensure retention of the existing dwelling house on the property, Terra Nuova Developments CC wants to subdivide a small portion of the subject property into a separate erf. The remaining portion of the property will be utilised for the development of residential units.

Residential housing market

The impact of the pandemic forced many people to work from home and this brought about change in the South African housing market and created a wave of South Africans "semigrating," to the Western Cape. Quoting Dr Andrew Golding of Pam Golding: "If you can live and work anywhere, it makes sense to live somewhere with a better quality of life in a more desirable location."

The migration of people to coastal areas presents a significant advantage for the municipality as it drives the development of better infrastructure and amenities. However, the Overstrand



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Municipality is currently facing pressure to provide adequate housing options due to population growth.

Sandbaai has witnessed a steady growth in its population over the past few years, mainly because of its central location and affordable housing options. It offers a peaceful and laid-back coastal lifestyle, which is a significant attraction for families looking to move away from the hustle and bustle of urban centres.

In addition to this, Sandbaai's proximity to quality medical facilities and schools in Hermanus, coupled with excellent retail experiences, adds to its appeal. The easy access to airports also ensures that residents have convenient transportation links to other parts of South Africa.

The criteria for housing of people moving to the Western Cape includes items such as:

- Affordable and safe estate living with good security and access control to replace the accommodation type they were used to;
- Preferably new and modern residential units;
- High speed internet such as fibre or satellite internet; and
- Communal recreational facilities.

It was found that people are also retiring and semi-retire younger which brought about "multi-generational living" where people of all ages and stages of their life such as younger families, semi-retired and retired people live in the same development.

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 000m² (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 on the Remainder will consist of the following:

- 148 flats;
- Common areas (Open Spaces); and
- Common areas (Private Roads with parking areas).

Refer to Section 4.2.7 for definitions of common area.

The proposal is to subdivide the existing property into two properties, the first will retain the existing dwelling unit and the second will accommodate the development mentioned above.

The total extent of the developable property will be 16 400m² / 1,64ha. The rezoning and subdivision of the subject property will introduce more residential opportunities into the housing market in Sandbaai. The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality.



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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 Subdivisional Area (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (**Plan 5: Proposed Zoning Plan**).
- **Subdivision** of Erf 1735, Sandbaai into one (1) Residential Zone 1: Single Residential erf, ± 1600 m² and one (1) General Residential Zone 3: Flats (GR4) erf, ± 16400 m² in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The purpose of this subdivision is to retain the existing dwelling unit on Portion A as mentioned above. (Refer **Plan 4 – Subdivision Plan**)

Table 1: Proposed Subdivision		
Erf 1735, Sandbaai	Residential Zone 1: Single Residential	18 000m ² / 1,8ha
Portion A (a Portion of Erf 1735, Sandbaai)	Residential Zone 1: Single Residential	$\pm 1 600$ m ²
Remainder of Erf 1735, Sandbaai	General Residential Zone 3: Flats (GR4)	$\pm 16 400$ m ² / 1,64ha

Once the proposed subdivision is completed, the extent of the Remainder of Erf 1735, Sandbaai will be $\pm 16 400$ m² / 1,64ha that is being proposed to be utilised for the residential development. It should be noted that once the land use application is approved, application will be made for approval of the demolition of all the structures on the Remainder Portion.



Figure 1: 3D Renders of the proposed development



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The property owners have taken steps in the design of the development to ensure that the proposed development does not impact the views of the surrounding area. For example, the proposed development will only be 1m higher than the allowable height of the next-door properties. The proposal is to reduce the height of the flats to two storeys near the boundaries, while three storeys will be allowed only in the centre of the property, away from the boundaries. This change will reduce the impact of the development on the surrounding area. Additionally, the proposed buildings will adhere to the side building lines applicable to the proposed zoning, which will ensure that the development is in keeping with the surrounding built environment.

The proposal to reduce the height of the buildings, to only have two storeys closer to the boundary instead of the maximum three storeys allowed by the OMLUS, exhibits the awareness of the property owners of any potential impacts the development may have. This step has been taken to reduce the impact of the development and to ensure that surrounding properties do not experience any negative effects such as reduced sunlight. The proposed development will, therefore, be in compliance with the OMLUS and will not have a detrimental effect on the surrounding area.

The structures in the centre of the blocks will only be 1m higher than what is allowed on the adjacent properties.

See figure below for an illustration:



Figure 2: Illustration of the step-down proposal.

The blue line in figure 2 illustrates the boundary line between the subject property and the adjacent properties. It is not predicted that the proposed structures with a 7.5m gap between them and the existing developments will have a detrimental effect on any surrounding properties. The gap between the structures should provide enough space to ensure that sunlight reaches the adjacent properties without significant obstruction.

Blocks A, B and C will step down to two storeys on the western side of the property while Blocks D, E, F and G will step down to two storeys on the eastern side of the property. Refer to **Plan 6 of the SDP and Annexure D – Architect's Plans**.



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4.2.1 Population growth in Sandbaai and Hermanus

The OMSDF contains calculations on the population growth for the main areas in the Overstrand Municipality. The OMSDF indicates that Sandbaai was experiencing a population growth rate of 7,0% per annum between 2001 and 2011, increasing the population with 1639 to 4102. The information contained within the OMSDF indicates that the Greater Hermanus which includes Sandbaai, requires several thousand dwelling units to be built to accommodate the projected population growth. (OMSDF, p28).

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)

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)

The two tables provided offer valuable insights into the required number of dwelling units for the Greater Hermanus area, and the extent of additional developable land required. Notably, the proposed development will take place within the existing urban edge of the Hermanus area, as no additional land was included in the urban edge when the 2020 OMSDF was reviewed. This means that the proposed densification will occur in areas like Sandbaai that are already developed.

The development plan for Erf 1735 Sandbaai aims to optimize the available space and yields 148 units with a density of approximately 90,24 dwelling units per hectare (Du/Ha). The primary objective of proposing a higher density is to limit the extent of additional land required while still meeting the high housing demand in the Hermanus and Sandbaai area. The aim is to maximize the allowable density and reduce the land requirement, which is a crucial aspect of sustainable development.



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4.2.2 Design and Layout

The development proposal for the subject property, illustrated in **Plan 6 of the SDP and Annexure D – Architect's Plans**, adopts a block layout. However, careful consideration has been given to ensure that the design and layout of the development seamlessly fit into the surrounding residential area of Sandbaai. The proposal is to improve the property with 7 blocks of flats. The flats were designed to have ample light and were designed in a U-shape to achieve this. Each block of flat will be fitted with a lift and will be linked with walkways to ensure adequate access.

To achieve this objective, the development plan includes three different block types, each with a unique layout but utilizing the same unit layout. This approach helps to ensure that the development integrates well with the surrounding residential area and adds to the overall aesthetic appeal of the neighbourhood. The block types were carefully designed to minimize the visual impact of the development, particularly when viewed from neighbouring properties. Blocks D, E and F will have parking located on the ground floor below the first-floor flats to ensure the property is able to accommodate the required amount of parking bays on-site.

Moreover, the proposed development features a mix of one, two, and three-bedroom units, catering to a broad range of household sizes and requirements. The overall design of the units is modern and functional, with ample natural light and open-plan living areas. Additionally, the proposed development includes sufficient parking, with a mix of covered and open parking bays available for residents and visitors. The parking areas have been strategically placed to minimize their impact on the overall aesthetic appeal of the development.

Block Type	Type of Units per block	Number of units
Block A	1 Bedroom units	10
	2 Bedroom units	14
	3 Bedroom units	2
Total Units in Block A		26

Block Type	Type of Units per block	Number of units
Block B	1 Bedroom units	10
	2 Bedroom units	14
	3 Bedroom units	2
Total Units in Block B		26

Block Type	Type of Units per block	Number of units
Block C	1 Bedroom units	10
	2 Bedroom units	14
	3 Bedroom units	2
Total Units in Block C		26



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Block Type	Type of Units per block	Number of units
Block D	1 Bedroom units	7
	2 Bedroom units	10
	3 Bedroom units	2
Total Units in Block D		19
Block Type	Type of Units per block	Number of units
Block E	1 Bedroom units	7
	2 Bedroom units	10
	3 Bedroom units	2
Total Units in Block E		19

Block Type	Type of Units per block	Number of units
Block F	1 Bedroom units	7
	2 Bedroom units	10
	3 Bedroom units	2
Total Units in Block F		19

Block Type	Type of Units per block	Number of units
Block G	1 Bedroom units	5
	2 Bedroom units	8
	3 Bedroom units	0
Total Units in Block G		13

1 Bedroom units	56
2 Bedroom units	80
3 Bedroom units	12
Total Units	148

The proposed development aims to enhance the property by introducing seven structures, each capable of accommodating multiple unit types as indicated above. These structures will be three storeys high (9.0m) at the centre of the property, strategically designed to step down towards the edges. This approach is taken to minimize the visual impact on the surrounding area and ensure a harmonious integration with the existing environment.

To provide a visual representation of the proposed development, **Annexure C** presents the elevations, showcasing the architectural design and aesthetic appeal of the structures. These elevations demonstrate the thoughtful consideration given to the overall appearance and blending of the development within its surroundings.

By incorporating the three-storey design and the gradual reduction in height towards the property boundaries, the proposed structures are intended to maintain a cohesive architectural character while respecting the scale and visual aspects of the neighbouring properties.

The objective of the development is to create a visually pleasing and well-integrated residential complex that contributes positively to the overall landscape of the area. The



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proposed elevations showcase the attention to detail and design principles that have been applied to ensure a cohesive and aesthetically pleasing outcome.

Furthermore, the property owners have agreed to adhere to the 4.5m building line, which is in line with the development parameters as set out within the OMLUS. This approach combined with the step-down approach of the development, will help to mitigate the visual impact on the neighbouring properties.

4.2.3 Development Features

The proposed development boasts several attractive features aimed at enhancing the lifestyle and wellbeing of its future residents. Among these features is a borehole installed on site for common-area irrigation. This eco-friendly solution will facilitate water-wise landscaping, reducing water consumption and promoting sustainability.

In addition to the focus on environmental sustainability, the development also prioritizes physical fitness by offering an outdoor gym for residents to exercise and stay active. This amenity not only promotes a healthy lifestyle but also encourages community engagement and social interaction.

Furthermore, all units within the development will be fibre-ready, providing residents with high-speed internet access and seamless connectivity. This modern feature will enable residents to stay connected to the wider world, access online services, and enjoy a digitally enabled lifestyle. The fibre-optic infrastructure will also future-proof the development, ensuring that residents have access to the latest technologies and services.

4.2.4 Green Solutions

The developer of the proposed residential development is committed to promoting sustainability and reducing its environmental impact through a range of green solutions. The development's innovative water use system and solar power model will play a significant role in achieving these goals.

The proposed shared hot water system is an example of how the estate plans to achieve its sustainability goals. Instead of each unit having its own hot water system, each structure will have a central system that will heat water as required, reducing energy consumption by up to 60%. This will result in significant cost savings for residents and contribute to the estate's overall sustainability objectives.

Another sustainable feature of the estate is the provision of gas to every unit for appliances. This will provide residents with a reliable and efficient source of energy while reducing the estate's reliance on electricity.

Furthermore, backup power will be supplied to ensure uninterrupted electricity supply in case of power outages. This feature will provide peace of mind for residents, ensuring that their daily activities are not disrupted during power outages.

Overall, the estate's commitment to green solutions is an essential step towards creating a more sustainable future. By prioritizing renewable energy sources, reducing wastage, and



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promoting efficiency, the estate sets an example for others to follow in building sustainable communities. These sustainable features will not only benefit the environment but also contribute to the well-being and quality of life of its residents.

4.2.5 Lock-up-and-go

The estate offers lock-up-and-go units that are designed with convenience and security in mind. The properties come equipped with a range of features that make it easy for residents to leave their homes for extended periods without worrying about the safety of their property.

To ensure maximum security, the development will have electric perimeter fencing that will act as a deterrent to potential intruders. In addition, the development will be equipped with optical surveillance cameras that provide 24/7 monitoring of the entire property. The access control system will ensure that only authorized personnel and residents have access to the estate, further enhancing its security.

The lock-up-and-go feature is particularly beneficial for residents who lead busy lives or travel frequently. They can rest easy knowing that their homes are secure and protected by state-of-the-art security systems.

Moreover, the lock-up-and-go feature adds to the convenience of the homes. Residents can simply lock their doors and leave, without worrying about maintaining their property during their absence. This feature is especially useful for those who value a hassle-free lifestyle or who travel frequently.

In summary, the lock-up-and-go feature of the estate offers residents peace of mind, convenience, and security. With its state-of-the-art security systems and easy-to-maintain properties, residents can enjoy a worry-free lifestyle and focus on the things that matter to them.

4.2.6 Open Space Provision

The OMLUS has the following requirement:

- " 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."*

In an effort to go beyond the minimum development requirements and create a truly exceptional living environment, the property owners have incorporated approximately 4589m² of open space into the proposed development. This generous allocation amounts to approximately 27.98% of the property's total developable space. The open space along the eastern boundary functions as one and has an extent of ±2479m² (15.1%).

The inclusion of such a significant amount of open space brings several benefits to the development and its future residents. Firstly, it provides ample room for recreational activities and outdoor amenities, promoting an active and healthy lifestyle. This open space can be



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utilized for various purposes, such as walking paths, landscaped gardens, children's play areas, or communal gathering spots (braai facilities), enhancing the overall quality of life for the residents.

Moreover, the presence of substantial open space contributes to the aesthetic appeal and visual harmony of the development. The balance between built structures and open areas creates a sense of openness and spaciousness, mitigating the feeling of density that can sometimes accompany higher-density residential developments. The integration of green spaces also fosters a closer connection with nature, promoting a sense of well-being.

By dedicating a significant portion of the property to open space, the proposed development demonstrates a commitment to creating a balanced and sustainable living environment. The benefits of such an approach extend beyond the immediate residents, positively impacting the surrounding community and fostering a sense of pride.

4.2.7 Sectional Title Scheme

After approval of the application, construction will start, and once the buildings have reached a stage where it can be surveyed in terms of the Sectional Titles Act, the Sectional Plan will be submitted to the Surveyor General for approval and the sectional title scheme will be registered at the Deeds Registry Office. The development will be owned and operated as allowed in terms of the Sectional Titles Act. As a result, there are terminology that needs to be linked to the development proposal itself:

Section

The Sectional Title Act provides a definite answer, but it is hidden in technical language. Without discussing the legal-technical aspects, in order for something to be a 'section' in a sectional title scheme, it generally has to have four walls and a roof. In other words, the space must have definitive three-dimensional boundaries (floor, walls, ceiling) so that it can be clearly established where the owner's ownership begins and where it ends. A section can however also be a parking space, delineated by four co-ordinates.

Similarly, an enclosed garage, a lockable storeroom or an office could be sections in a sectional title scheme. In terms of the Sectional Titles Act the boundary of a section reaches to the middle of the floor, the middle of the walls and the middle of the ceiling board that separates the ceiling cavity from the rooms below.

With reference to the development itself, a section would be all the flats and parking bays/units.

Common Property

Common property is owned as an undivided share by (and may generally be used by) all the owners in the scheme. Anything that has not been labelled as a 'section' on the sectional plan, is common property, which includes the land that sections are built upon. Typical examples of common property are lifts, corridors, all of the land on which the scheme is built, recreational and entertainment facilities. Any part of the common property in a scheme will either be just 'plain old common property' or it could be a part of the common property



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reserved for the exclusive use of the owner of a particular unit in the scheme. The larger the section owned by a particular owner, the larger that owner's undivided share in the common property.

With reference to the development itself, the common property would be the open spaces, the roads, the passages/walkways leading to the units, the stairs, the lift, the gatehouse, the refuse room and any other areas as determined when the sectional title scheme is registered.

Exclusive Use Areas

'An area of the common property that is set aside for the exclusive use of one owner of a unit in a building. Typical of this would be a garden area, a carport, a storeroom, balcony or garage. To qualify as an exclusive use area, the part of the common property allocated for the use of individual owners would have to be noted in some way.'

With reference to the development itself, exclusive use areas would be possible garden area, carports and / or covered carports and balconies.

Body Corporate

A Body Corporate would be established as required by the Sectional Titles Act. Body Corporate is established to manage the interests of its members (all owners of sections), which includes the management of all common property etc.

Any person that becomes an owner of a section within the proposed developed would be required to become part of the body corporate. The body corporate shall provide control, regulation, management, administration, use and enjoyment of the sections and common property.

In layman's terms all owners of the sections will become co-owners of the common property. The percentage undivided share will be calculated as indicated within the Sectional Titles Act. Thus, it is not required to have individual land units as the common property will be controlled by the rules set out by the body corporate as allowed in terms of the STA.



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4.2.8 Departures

- **Departures** from the 4m Street Building Line & 4.5m Side Building Line to 0m and 1m, to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Majority of the parking is being proposed to be uncovered, the property owners have requested to include an application to allow covered parking bays encroaching on both the street and side building line as illustrated in figure 3:



Figure 3: Departures



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Proposed Departures	
Departure from Northern 4m Street Building Line to 0m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.	Applicable Carports: 1 - 34
Departure from Western 4,5m Side Building Line to 1m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.	Applicable Carports: 35, 91, 129 & 186

The final proposed design for the carports will be submitted to the Overstrand Municipality's Building Control Department to obtain approval. Additionally, the coverage calculation will also be included to ensure the development complies with the development parameters as set out within the OMLUS.

- **Departures** from the 4m Street Building Line (End Street) to 3,25m & 4,5m Side Building Line to 0m, to allow the proposed covered gate and guardhouse in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As mentioned in Section 10 of the report, the proposed development's access and egress will be exclusively obtained from End Street. To manage traffic flow effectively, a covered gate area is being proposed. According to Section 16.1.1(a)(iv) of the OMLUS, a covered gatehouse is permissible within street building lines, provided it adheres to specific parameters, namely being up to 5m² in size and having a maximum height of 3m.

However, in the current proposal, it is suggested to exceed both of these parameters. The intention is to have a fully covered gate area, enhancing the overall aesthetics of the entrance and creating an inviting visual appeal. Moreover, this covered area will serve a functional purpose by providing shelter for the guards stationed at the gate. This will enable them to welcome visitors to the development in all weather conditions while performing security checks when required.

The enhanced design of the covered gate area goes beyond mere compliance with regulations; it focuses on creating a welcoming and secure environment for both residents and visitors. The aesthetically appealing structure will contribute to the development's overall visual attractiveness, creating a positive first impression for anyone entering the premises.

In addition to the improved aesthetics, the covered gate area also enhances the security measures of the development. Having guards stationed at the entrance provides an added layer of safety and control, ensuring that only authorized personnel and visitors gain access to the premises.

Overall, the proposal to exceed the prescribed parameters for the covered gate area aims to offer a comprehensive solution that balances functionality, aesthetics, and security. If not



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only adds value to the development but also aligns with the vision of creating a safe, inviting, and visually appealing living environment for all residents and visitors. Refer to the figure 4:

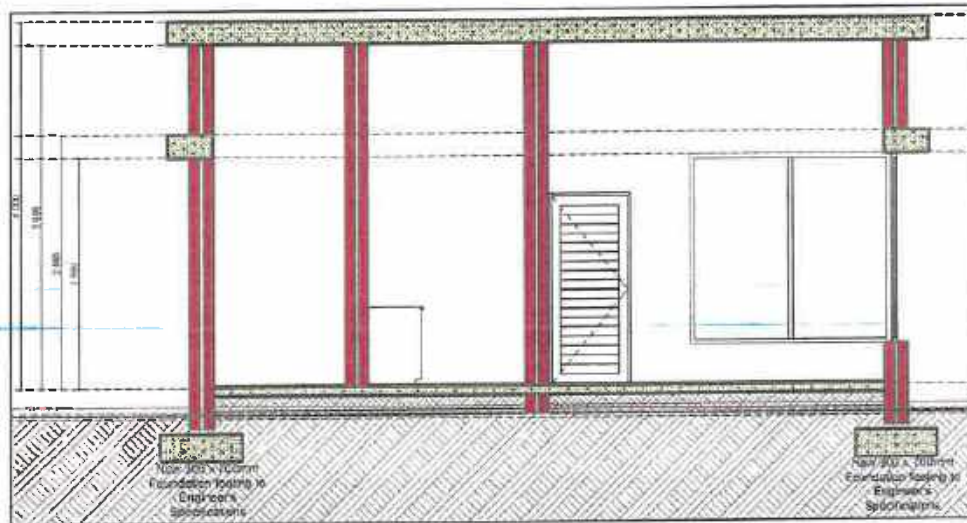


Figure 4: Proposed Gate House Section

As the entire gate area is proposed to be covered and will have a height of 4.06m. The total covered area equates to 163,5m², 51m² of which encroaches on the street and side building lines as illustrated in the SDP Inset (Plan 7), refer below to an extract:

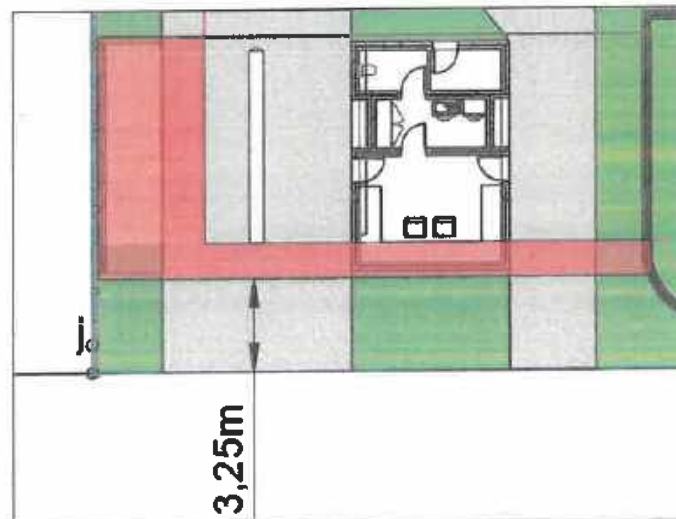


Figure 5: Proposed encroachment

The proposed covered gate area deviates from the prescribed parameters, necessitating an application for departure from the street and side building line parameters. It is however not expected to negatively impact street users or neighbouring properties, as such gatehouses are common for developments of this size. The design will ensure compatibility with the surroundings, emphasizing security and controlled access while complementing the overall aesthetics of the development. The covered gate area aims to enhance safety and



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convenience for residents without compromising the well-being of the community or neighbouring properties.

- **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 m² and, if covered, a roof height not exceeding 3,0 m or as required by the Municipality in terms of 17.4;"

As 5m² refuse room would not be compliant in terms of 17.4.1 of the OMLUS, which requires 0,5m² per 100m². The development has a proposed Floor Area of approximately 6063,4m² and it equates to a minimum of 30m² to be provided as a refuse room.

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.

The proposal is to have a 30m² 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 6:

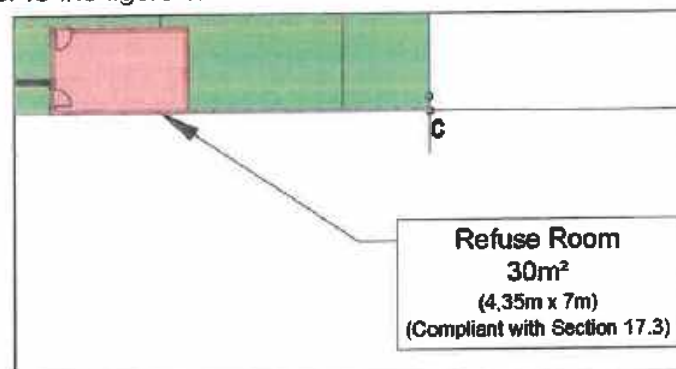


Figure 6: Proposed refuse room



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- **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 per the OM's request, a departure from the provisions of the zoning scheme is required.

The primary uses for the proposed zoning General Residential Zone 3: Flats (GR4) include flats and **town house in accordance with 6.3.2** and residential buildings. Although no townhouses are being proposed, compliance with the development parameters of Section 6.3.2 of the OMLUS is requested by the OM.

The development parameters for the proposed zoning, General Residential Zone 3: Flats (GR4), are outlined in Section 6.4.2 of the OMLUS. Since these two sections of the OMLUS appear to be contradictory, the tables below were used in an attempt to determine the development parameters that will govern the proposed development.

It's important to note that Section 6.3.2 contains the development parameters for General Residential Zone 2: Town Housing (GR2). While this zoning is not being applied for, and the allowed uses are not being sought, the OM is requesting that certain aspects of the development parameters be adhered to in the current application.

Development Parameter	Section 6.3.2 of the OMLUS	Applicable / Not Applicable
a) Density	(i) The maximum gross density in this zone is 50 units a hectare. (ii) A minimum erf size of 3000 m ² is applicable for densification.	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.	No town houses being proposed. 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.
d) Building lines on the perimeter of a town housing development	(i) The building line on the perimeter of the property is 3,0 m, and (ii) The general building line exemptions of 16.1 apply.	Not Applicable Application is not being made for a "Town housing development"



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e) Building lines within the town housing site	The following building lines apply within a town housing site: (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; (ii) The lateral and rear building line is 1,0 m; (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 (iv) The general building line exemptions of 16.1 apply.	Not Applicable Application is not being made for a "Town housing development/site"
f) Parking	(i) Parking and access shall be provided on the land unit in accordance with 17.1; and (ii) Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two.	Not Applicable Application is not being made for a "Town housing development/site"
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.

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 ² 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	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: <table border="1" data-bbox="491 1776 754 1877"> <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	Applicable Refer to Section 8.
Bulk Zone 2 (GR4)					
9,0 m					
3 Storeys					



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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>	<p>Applicable</p> <p>Refer to Section 8.</p>								
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>	<p>Applicable</p> <p>Refer to Section 8.</p>								
f) Open space	<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>Applicable</p> <p>Refer to Section 8.</p>								
g) Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <table border="1" data-bbox="491 1328 991 1496"> <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-Bedroom Units</td> <td>2</td> </tr> <tr> <td>3-Bedroom Units</td> <td>2</td> </tr> </tbody> </table>	Units	Parking Bays Required	1-Bedroom Units	1.5	2-Bedroom Units	2	3-Bedroom Units	2	<p>Applicable</p> <p>Refer to Section 8.</p>
Units	Parking Bays Required									
1-Bedroom Units	1.5									
2-Bedroom Units	2									
3-Bedroom Units	2									
h) Screening	<p>Screening must be provided in accordance with 16.7.</p>	<p>Not Applicable</p>								

The development plan for Erf 1735 Sandbaai aims to optimize the available space and yields a total of 148 units, resulting in a density of approximately 90.24 dwelling units per hectare (Du/Ha). The primary objective behind proposing this higher density is to minimize the requirement for additional land while still addressing the significant housing demand in the Hermanus and Sandbaai area. The goal is to maximize the allowable density and reduce land requirements, which is a critical aspect of sustainable development and reducing urban sprawl.

As previously mentioned, the only aspect of Section 6.3.2 that requires departure is the allowable density of 50 units per hectare. Section 13.3.3 also confirms that the proposed



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density aligns with relevant guideline documents that are still as policies. This area was designated for higher density, and this property is the last remaining parcel where higher density developments can be considered.

While the proposed density exceeds the 50 units per hectare limit stipulated in Section 6.3.2, it is in alignment with other regulations of the OM. Several measures have been taken to minimize the impact of the proposed development on the surrounding area. These measures include stepping back the three-story section of the development and adhering to the building lines specified in Section 6.4.2 of the OMLUS.

The proposed density is also not predicted to be outside of the norm as several higher density developments have been approved in recent time. In comparison to other developments in the Sandbaai area, such as De Zandt, which did not necessitate a departure from the provisions of Section 6.3.2 of the OMLUS, the proposed densities range from 17 to 75 dwelling units per hectare. The highest density within the De Zandt development, at 75 dwelling units per hectare, is also associated with the General Residential Zone 3: Flats (GR4) sites, similar to the current proposal.

The request for a departure from the provisions of the zoning scheme is necessary to facilitate the consideration of the application. As explained earlier, the proposed development aligns with the characteristics of the area and is in line with the trend of other recent developments that have also proposed higher densities due to the limited available developable space in the Sandbaai area.



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5. APPLICATION

Considering the above, application is made for the following:

- 5.1 **Rezoning** of Erf 1735, Sandbaai from Residential Zone 1: Single Residential to Subdivisional Area (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (**Plan 5: Proposed Zoning Plan**).
- 5.2 **Subdivision** of Erf 1735, Sandbaai into one (1) Residential Zone 1: Single Residential erf, $\pm 1600 \text{ m}^2$ and one (1) General Residential Zone 3: Flats (GR4) erf, 16400 m^2 in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.3 **Departure** from the Northern 4m Street Building Line to 0m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.4 **Departure** from the Western 4,5m Side Building Line to 1m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.5 **Departure** from the Southern 4m Street Building Line to 3,25m to allow the proposed covered gate and guardhouse in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.6 **Departure** from the Western 4,5m Side Building Line to 0m to allow the proposed covered gate and guardhouse in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.7 **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.

6. 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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7. TITLE DEED

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

8. 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:



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The current zoning of the subject property is Residential Zone 1: Single Residential (SR1) the proposal that Portion A will remain zoned as SR1: **RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL (SR1)**

	Use of the property
Primary uses	Crèche, Dwelling House, Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.
Consent uses that may be applied for	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building and Intensive Horticulture.

The proposal is to utilise the Remainder of Erf 1735 – Sandbaai for General Residential Zone 3: Flats (GR4) purposes:

GENERAL RESIDENTIAL ZONE 3: FLATS (GR4)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Flats and Town House in accordance with 6.3.2 and Residential Buildings	Flats	Applied for and motivated
Consent uses which may be applied for	Crèche, Day Care Centre, Home Occupation, Hotel, Institution, Place of Assembly, Place of Instruction, Place of Worship, Retirement Village, Tourist Accommodation and Transmission Apparatus.	N/A	N/A
Development Parameters			
Density	A minimum erf size of 3000 m ² is applicable for densification	The proposed subdivided property will have an extent of 1,64 ha.	Comply
Floor factor and coverage	Allowed Floor Factor – 1.5 Allowed Coverage – 80%	Proposed Floor Factor – 0,36 Proposed Coverage – 36,16%	Comply
Height	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: Bulk Zone 2 (GR4) 9,0 m 3 Storeys	The proposal is to construct 3 storey – 9,0m flats. As mentioned in 4.2.2 the proposal is to minimize the effect of the 3 storeys on the neighbouring properties.	Comply



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<p>Setback</p>	<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>No buildings (except for the guard house and refuse room) is being proposed within the setback being mentioned here.</p>	<p>Comply</p>
<p>Building lines</p>	<p>i. Comply</p> <p>ii. No fourth storey is being proposed.</p> <p>No departures are required for any of the block of flats, only departures for the carport are being applied for:</p> <ul style="list-style-type: none"> • Departure from Northern 4m Street Building Line to 0m to allow carports; • Departure from Western 4,5m Side Building Line to 1m to allow carports; • Departure from the Southern 4m Street Building Line to 3,25m to allow the proposed covered gate and guardhouse; • Departure from the Western 4,5m Side Building Line to 0m to allow the proposed covered gate and guardhouse; and • Departure from the Southern 4m Street Building Line to 0m to allow the proposed refuse room. <p>iii. Comply</p> <p>iv. No general encroachments are being applied for.</p>	<p>Applied for and motivated</p>	<p>Comply</p>



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<p>Open space</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. 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>A total of 4129,7m² is being provided throughout the development. 4589m² x 100 = 458 900 458 900 / 16400m² = 27,98% Open Space The open space along the eastern boundary functions as one and has an extent of ±2479m² (15.1%).</p>	<p>Comply</p>																
<p>Parking</p>	<p>Parking and access shall be provided on the land unit in accordance with 17.1.</p> <table border="1" data-bbox="671 1272 836 1769"> <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-Bedroom Units</td> <td>2</td> </tr> <tr> <td>3-Bedroom Units</td> <td>2</td> </tr> </tbody> </table>	Units	Parking Bays Required	1-Bedroom Units	1.5	2-Bedroom Units	2	3-Bedroom Units	2	<p>Parking Requirements:</p> <table border="1" data-bbox="639 528 804 994"> <thead> <tr> <th>Number of Units</th> <th>Parking Bays Required</th> </tr> </thead> <tbody> <tr> <td>56 x 1-Bedroom</td> <td>56 x 1.5 = 84</td> </tr> <tr> <td>80 x 2-Bedroom</td> <td>80 x 2 = 160</td> </tr> <tr> <td>12 x 3-Bedroom</td> <td>12 x 2 = 24</td> </tr> </tbody> </table> <p>268 required Parking Bays 274 Parking Bays provided</p>	Number of Units	Parking Bays Required	56 x 1-Bedroom	56 x 1.5 = 84	80 x 2-Bedroom	80 x 2 = 160	12 x 3-Bedroom	12 x 2 = 24	<p>Comply</p>
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<p>Screening</p>	<p>Screening must be provided in accordance with 16.7.</p>	<p>Blocks D, E and F will have parking on the ground floor below the first-floor flats.</p>	<p>N/A</p>																
<p>Density</p>	<p>i. The maximum gross density in this zone is 50 units a hectare. ii. A minimum erf size of 3000 m² is applicable for densification.</p>	<p>Development Parameters of 6.3.2 i. Proposed density of 90.24 du/ha ii. The proposed subdivided property will have an extent of 1,64 ha.</p>	<p>i. Applied for and motivated ii. Comply</p>																



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9. 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 m² 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 m² in extent**; or
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.

An NID will be submitted to Heritage Western Cape. Upon receipt, the Record of Decision will be submitted to the Overstrand Municipality.

10. 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 the subject property will require the connection of essential services, such as electricity and water, to the OM networks. The applications for these connections will undergo review by the respective internal engineering departments, which will offer feedback on the necessary requirements. Additionally, GLS Consulting (Pty) Ltd has conducted a capacity analysis for water in the area, and it is anticipated that this development will not adversely affect the existing network.

Moreover, the property owners have committed to contributing to the bulk infrastructure within the surrounding vicinity to ensure that the development is adequately supported by the necessary infrastructure. These measures reflect a thoughtful approach to ensuring that the proposed development is sustainable and supported by the required infrastructure.

This approach not only benefits the property owners but also the broader community in the surrounding area. The upgrade of bulk services to support the development will benefit the



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broader community, ensuring that they have access to the necessary infrastructure required to support their daily needs. In this way, the proposed development has been designed to benefit not only the property owners but also the broader community in the surrounding area.

Sewage

Currently, the Sandbaai area lacks a formal sewage system and relies on conservancy tanks to manage wastewater. These conservancy tanks are then connected to an existing wastewater network that accommodates only black water while the solids remain and need to be serviced. It is being proposed that a communal conservancy tank be installed in the area to comply with engineering requirements. This proposal is subject to approval by the Overstrand Municipality. Additionally, GLS Consulting (Pty) Ltd has conducted a capacity analysis for water in the area, and it is anticipated that this development will not adversely affect the existing network.

Implementing a communal conservancy tank system would bring several benefits to the proposed development. Firstly, it would reduce the maintenance costs associated with individual conservancy tanks, which can be costly and time-consuming to maintain. Additionally, a communal system would ensure that all residents have access to reliable and safe sanitation services. This would improve the overall quality of life in the development and promote better health outcomes.

It is important to note that the installation of a communal conservancy tank system must meet engineering standards and receive approval from the relevant authorities. This will ensure that the system is safe, effective, and sustainable for the long-term benefit of the Sandbaai 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 (4,35m x 7m = 30m²) and designed in a manner that is architecturally compatible with the surrounding structures.

The proposed development will have a floor area of approximately 6063,4m². The requirement is that for each 100m² of floor area equates to 0,5m² required for a refuse room. A total extent of 30m² is provided. 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.



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Access and Egress

To ensure smooth traffic flow and minimize congestion in any street, access and egress to the subject property will be gained from a controlled access with a stacking distance of 12 meters. This design feature will prevent overflow traffic from accumulating on the street, making it safer for both pedestrians and motorists.

The proposed development will be accessed and egressed from End Street, which is not expected to be significantly impacted by the addition of 148 units. To ensure all possible impacts have been assessed the property owners have appointed an engineer to conduct a traffic impact assessment, refer **Annexure E**.

From Bergsig Street there will be a pedestrian gate access to allow residents easy access to the commercial activities (Refer to Plan 6: Street Network Plan).

11. ENVIRONMENTAL CONSIDERATIONS

The subject property is located within the existing urban area and not located in an environmentally important area.

12. 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 was a result of addressing all the land use requirements and ensuring the property can meet the development requirements which the property owners are proposing. In order to achieve this, the property owners are required to apply for subdivision and rezoning.

Socio-economic impact	<p>The socio-economic impact of a residential development refers to the potential effects it may have on the social and economic aspects of the surrounding area.</p> <p>This includes factors such as population growth, employment opportunities, income levels, housing affordability, property values, and demand for local services and amenities such as schools, shops, and healthcare facilities.</p> <p>The proposed development has the potential to create jobs, increase the tax base for the local government, and contribute to economic growth as more individuals will be residing in the area.</p>
Compatibility with surrounding uses	<p>The proposal to establish a residential development in the area is highly compatible since it would seamlessly</p>



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	extend the existing land use and activities in the surrounding area.
Impact on the external engineering services	Refer Section 9.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community. In fact, the proposed project has the potential to provide a number of benefits to the community, such as increasing the number of residents that may in the future draw in new development potential as an increase in the population may create new opportunities.
Impact on heritage	The subject property is not listed in the OM Heritage Register. A NID will still be submitted, and Record of Decision obtained to ensure the proposal is compliant as mentioned above.
Impact on the biophysical environment	It is not anticipated that the proposed development will have any negative impact on the biophysical environment.
Traffic impacts, parking, access and other transport related considerations	Refer to Section 9.

Impact on views, sunlight and character of the area

The majority of the surrounding properties comprise single and/or group housing residential dwellings and the proposed development is likely to impact the views and character of the area to some extent. However, the area is designated for densification and residential development, and an additional 148 dwelling units would be in line with this vision. Therefore, the proposal will have an impact, but it is not considered to be out of character with the surrounding area.

Views

It is important to consider the impact of any proposed development on the surrounding area, especially when it comes to the preservation of views. However, in the case of the subject property, the proposed development is not expected to have a negative impact on the surrounding area's views. This is due to the fact that the development will be limited to the parameters set out in the OMLUS.

Furthermore, the property owners have taken steps to ensure that the proposed development does not impact the views of the surrounding area. For example, the proposed development will step back to two storeys closer to the boundary, which will reduce the visual impact of the development on the surrounding area. Additionally, the development will adhere to the side building lines applicable to the proposed zoning, which will ensure that the development is in keeping with the surrounding built environment.

Overall, it is evident that the property owners have considered the potential impact of the proposed development on the surrounding area and have taken measures to mitigate any negative effects. This will ensure that the development is in harmony with the surrounding built environment and will not detract from the area's natural beauty.



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Sunlight

The proposed development is not expected to have any negative impact on the sunlight of surrounding properties or individuals. The blocks of flats will be situated 4,5 meters away from the property boundary, providing ample space and ensuring that the buildings do not obstruct sunlight.

Additionally, the proposal includes a reduction in the height of the buildings, with only two storeys being constructed closer to the boundary instead of the maximum three storeys allowed by the OMLUS. This step has been taken to reduce the visual impact of the development and to ensure that surrounding properties do not experience any negative effects such as reduced sunlight. The proposed development will, therefore, be in compliance with the OMLUS and will not have a detrimental effect on the surrounding area. Refer to the elevations attached as **Annexure C**.

Refer to figure 2 for an illustration. The blue line in figure 2 illustrates the boundary line between the subject property and the adjacent properties. It is not predicted that the proposed structures with a 7.5m gap between them and the existing developments will have a detrimental effect on any surrounding property owners. The gap between the structures should provide enough space to ensure that sunlight reaches the adjacent properties without significant obstruction.

Character

The proposed development aims to increase the residential density for the area. It should be noted that the property was earmarked for densification and will not be the only higher density development in the area. In fact, the Green Mountain Estate, which is located to the west end of the street, is also an existing higher density development. Therefore, it can be concluded that this type of development is not out of character for the area, as similar developments have been undertaken in the surrounding area previously.

Moreover, densification can often have positive impacts on the community, such as reducing urban sprawl and promoting efficient use of existing infrastructure. In addition, higher-density developments can help to create more affordable housing options, which can be a pressing issue in many areas.

In summary, the proposed development's densification aims to improve the efficient use of the existing infrastructure and promote affordable housing options. The previous development of similar nature in the area also supports the idea that it will not be out of character for the area.

Target Market

As previously mentioned, there is a high demand for housing in the Hermanus area, particularly for entry-level or first-time buyers. This demand has been further exacerbated by the limited supply of affordable housing opportunities. Many recent housing developments in the Sandbaai area, have catered to the higher-end market, making it difficult for individuals in the entry-level market to find suitable housing options within their budget.

Recognizing this need, the proposal for the subject property aims to address the housing demand in the entry-level market segment. The development plan includes the construction of 56 single-bedroom units priced at approximately R1.3 million. Additionally, the proposal



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includes 80 two-bedroom units priced between R1.55 million and R1.6 million. These units provide a step-up in terms of size and functionality, catering to individuals or small families who require a bit more space.

To cater to those seeking a higher-end living experience, the development proposal also includes 12 exclusive three-bedroom units priced at R2.4 million. These units are designed to offer a luxurious and spacious living environment for those who are willing to invest in a higher-end property. By offering a range of unit types and price points, the proposed development aims to provide housing options that are accessible to a wide range of buyers, particularly those in the entry-level market. This approach not only addresses the current housing demand but also promotes inclusivity and socio-economic diversity within the Sandbaai area.

The mentioned price points can only be achieved on the density proposed in the development proposal as the margins are already very low.

Economic impact

The proposed development will have both a short- and long-term economic impact on the surrounding area and the Overstrand Municipality.

In the short term, once the approval has been received the construction phase will commence, creating construction jobs and providing income to several residents of the Hermanus and the municipal area in general. Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Calculated at a ratio of only 2 people per dwelling unit, the **residential additionality** was calculated at **296** which means that the development will bring at least 296 new people to Sandbaai/Hermanus. These people will spend money the surrounds on various items such as food, petrol, restaurant, repairs etc, contributing to the local economy.

Based on this investment the additional **basic charges** payable to the Municipality will be approximately **R 1 100 000 per annum**.

The **annual rates payable** to the Overstrand from the development, calculated at the entry level value of dwellings in the development, will be approximately **R 750 000 per annum**.

The **bulk services levy** that the developer will need to pay to the Overstrand Municipality is approximately **R 8 300 000**.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved.

However, the proposed development in Sandbaai is not expected to negatively impact any surrounding landowners. In fact, the development is aligned with the spatial plans as discussed below in Section 13. By meeting the projected housing demand, the development will enable the local municipality to fulfil its obligations and ensure that the needs of the community are met.



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13. COMPLIANCE WITH POLICIES AND REGULATIONS

13.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the EMOZ.

13.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within the HPOZ.

13.3 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:

PSDF
<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>
OMSDF
<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.

13.3.1 PSDF

To ensure the proposed residential development is in line with the PSDF, the Provincial settlement policy objectives, the proposed development was evaluated in terms of the 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 will be situated on the southern side of Bergsig Street, which is in line with the densification strategy for the area. It was essential to incorporate the development into the existing Sandbaai urban area and provide the future residents with access to all the necessary amenities available in the area. A pedestrian access is being proposed for residents of the development to gain easy access to the Whale Coast Mall.</p> <p>This objective was achieved by selecting an appropriate location for the development and ensuring that the residents will have easy access to the surrounding area. Furthermore, the development emphasizes the importance of wellbeing and creates a new place of attraction in the Sandbaai area.</p>
Improve accessibility at all scales	<p>The subject property boasts sufficient accessibility to both the Cape Town and Hermanus areas, through the main distributor routes in the area.</p> <p>The proposed development was designed to seamlessly integrate with the Sandbaai area, forming part of the extended urban area and allowing for easy access to larger towns and cities.</p>
Promote an appropriate land use mix and density in settlements	<p>The primary land use of the proposed development is residential, and it has been designed with a focus on providing access to nature through strategically placed open spaces.</p>
Ensure effective and equitable social services and facilities	<p>With Hermanus being a regional service centre as indicated by the PSDF, the importance to ensure access to the area is important.</p> <p>There are adequate road networks between the proposed development and Hermanus which have been upgraded recently.</p>

13.3.2 OMSDF

The Overstrand Municipal Spatial Development Framework (OMSDF) is a crucial document that provides guidelines for spatial development in the municipality. It is developed based on national, provincial and municipal planning legislation, policies and plans such as SPLUMA, LUPA, By-Laws, PSDF and the IDP. The purpose of the OMSDF is to provide direction for appropriate spatial development land uses within the urban edge and ensure that the development proposal aligns with the shared spatial vision.

The OMSDF was drafted with inputs from state departments and the public to provide adequate housing options for the increasing population. The proposed residential development is in line with the OMSDF, which focuses on addressing the housing demand, including the Sandbaai area, which is considered part of the Greater Hermanus area.



MOTIVATION

According to Table 3 and 4 of the OMSDF, the population growth in the whole Overstrand is increasing, and Sandbaai is no exception.

To meet the growing demand for housing, the proposed development will add 148 dwelling units to the Sandbaai (Hermanus) area. The increase in the population is based on the growth identified in Table 2.7 on page 25 of the OMSDF. The proposed development addresses the small but highly sought demand identified by the OMSDF and will be welcomed by the high demand housing market in the Hermanus and Sandbaai areas.

The application is aligned with the OMSDF, which will enable the Overstrand Municipality to respond to the future housing demand and ensure adequate residential options are available within the Sandbaai/Hermanus area. The OMSDF sets out the principles and objectives that the proposed development aims to meet, ensuring that the policy requirements are met, and that the development proposal synchronises with the shared spatial vision of the municipality.

13.3.3 OVERSTRAND MUNICIPAL SPATIAL GROWTH MANAGEMENT STRATEGY, 2010 (OGMS)

On the 27th of May 2020 the Municipal Council adopted the OMSDF, (Overstrand Spatial Development Framework, 2020), in the same instance rescinded the following:

- Overstrand Municipal Spatial Growth Management Strategy, 2010;

Although the OMSDF was rescinded in 2020, the Overstrand Municipality's Town Planning Department still utilise the document as a 'guideline'.

The subject property is located within Planning Unit 6 which runs between the R43 to End Street, see figure below:



Figure 7: Extract OMSDF – Hermanus West



MOTIVATION

The proposed development is consistent with the densification zone in which the property is situated, as the area is designated for a density of more than 30 dwelling units per hectare. The OMSDF recommends that the OMGMS be used as a guideline for development.

Planning Unit 6 was originally intended to accommodate 690 dwelling units, but this is no longer feasible as much of the area has been converted for commercial and industrial use.

Refer to figure 8:

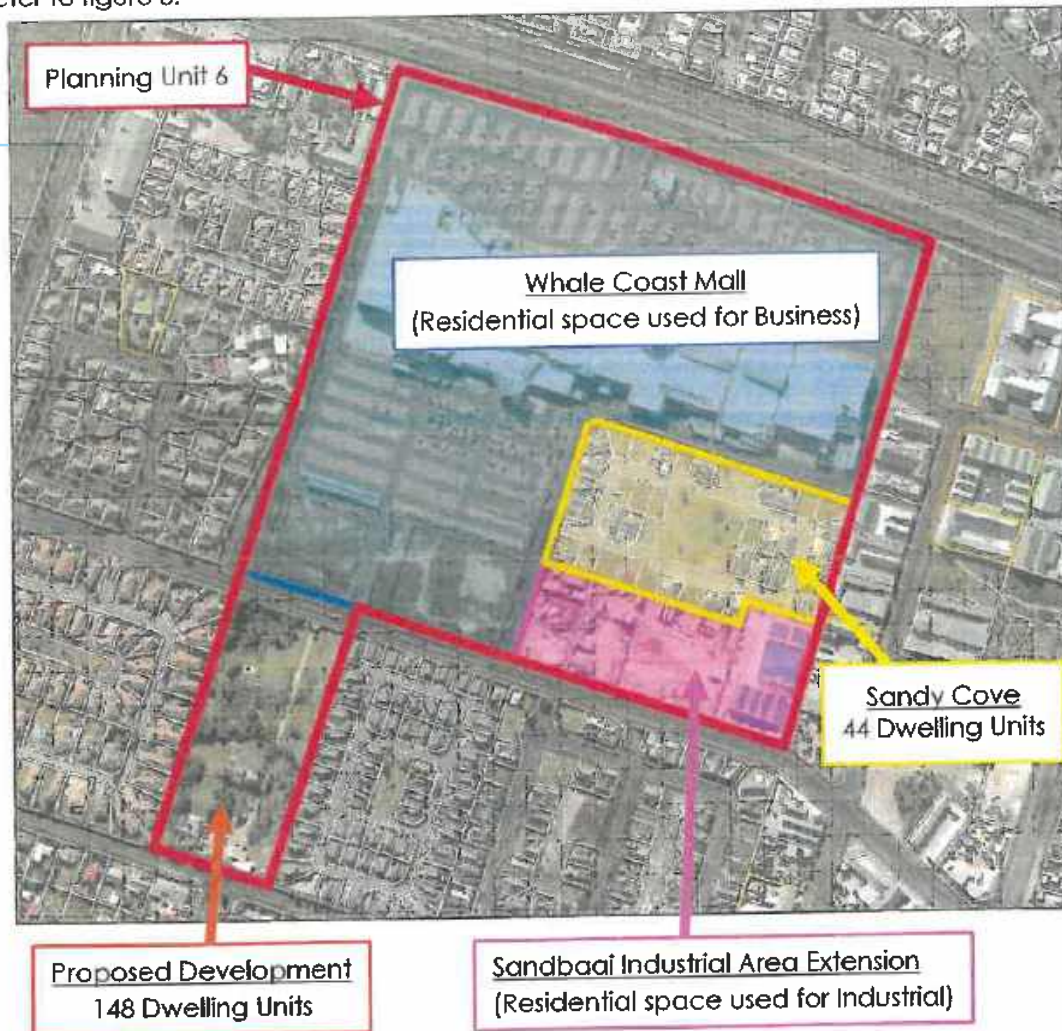


Figure 8: Planning Unit 6

The diagram depicted in figure 8, demonstrates that the proposed development for the Remainder of Erf 1735, Sandbaai, is the final residential development that can be accommodated in Planning Unit 6. Although the original proposal for Planning Unit 6 was to accommodate 690 dwelling units, it is no longer feasible due to the transformation of the majority of the area into businesses and industrial zones. However, the proposed higher



MOTIVATION

density development in the Remainder of Erf 1735, Sandbaai, will provide a certain extent of relief to the housing demand in the area.

The development proposal seeks to increase the density of Planning Unit 6, which currently falls short of the 35.2 dwelling units per hectare (Du/Ha) density specified in the OMGMS.

OGMS 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 148 additional dwelling units would only bring the density up to 9.84 Du/Ha, far below the targeted density.

Current Situation - Planning Unit 6	
Extent	19,6 Ha
Existing Dwelling Units:	45 Du (Sandy Cove and Portion A)
Proposed Development Dwelling Units:	148 Du
Total Proposed Dwelling Units:	193 Du
Proposed Density	9,84 Du/Ha

In addition to density, the proposed development's height, which is planned to be 9.0 meters and three storeys high in the centre of the development, also aligns with the OMGMS. Furthermore, the OMGMS specifies the proposed housing typology for planning unit 6 as two and three-story walk-up buildings (D6), which corresponds with the proposed development since the property owners have identified the site for accommodating two and three-story flats. It's important to note that the OMGMS indicates the density of this housing typology (D6) to range between 56 and 84 dwelling units per hectare which is slightly less than what is being applied for.

14. 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, the apartheid era created significant spatial imbalances, with certain areas designated for specific racial groups 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, regardless of their socioeconomic status. The



MOTIVATION

development has been strategically located with good access to both Hermanus and Cape Town, ensuring that residents have access to employment, education, and other essential services.

By providing access to nature through specifically placed open spaces, the development also prioritizes 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 that all members of the community 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 development is intended to contribute to the economic development of the Sandbaai area by increasing the tax revenue that can be collected by the Overstrand Municipality, as highlighted in Section 14. 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 the construction phase and beyond. The increased housing density will also create more demand for local goods and services, potentially benefiting local businesses. Additionally, the development's location close to key commercial and transportation hubs can improve access to services and amenities, enhancing the quality of life for residents 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 OM regulations which is a hallmark of resilience. The policies identified earlier in Section 16.1 are guided by a higher hierarchy of several policies and legislation that the proposal is aligned with.

Good administration

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process.

The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



EVALUATION & RECOMMENDATION

15. EVALUATION

The proposed development aligns with the spatial frameworks, legislation, and policies of the OM, specifically the OMSDF, which recognizes the need for residential developments throughout the region due to the projected increase in population over the coming years.

The development aims to accommodate 148 new families and bring new life into the Overstrand area, which will have a positive impact on not only Sandbaai but the whole region. This is in line with the principles of spatial sustainability, which seeks to create viable communities that can thrive over the long term.

Moreover, the proposed development is not viewed as an undesirable development that is out of context with the surrounding area. On the contrary, it has been designed to have minimal impact on the area's views, sunlight, and character. The development will become an integral part of the Sandbaai area and contribute to the revitalization of the town.

The location of the proposed development is also a significant factor in its motivation. The development is situated in an area where there is access to the Whale Coast Mall and located close to distributor routes that lead to Hermanus and other towns in the Overberg and Western Cape. This makes it an attractive option for families and individuals who are looking for convenient and accessible residential options in the area.

Finally, the proposed development will provide an economic boost for the OM through increased tax revenue. This is in line with the OM's goals of promoting sustainable economic growth in the region. Overall, the proposed development is a well-designed and thoughtfully planned project that aligns with the principles of spatial sustainability and will contribute to the long-term viability of the Sandbaai area and the Overberg region as a whole.

16. RECOMMENDATION

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

- 16.1 **Rezoning** of Erf 1735, Sandbaai from Residential Zone 1: Single Residential to Subdivisional Area (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (**Plan 5: Proposed Zoning Plan**).
- 16.2 **Subdivision** of Erf 1735, Sandbaai into one (1) Residential Zone 1: Single Residential erf and one (1) General Residential Zone 3: Flats (GR4) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.3 **Departure** from the Northern 4m Street Building Line to 0m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



EVALUATION & RECOMMENDATION

- 16.4 Departure** from the Western 4,5m Side Building Line to 1m to allow carports in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.5 Departure** from the Southern 4m Street Building Line to 3,25m to allow the proposed covered gate and guardhouse in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.6 Departure** from the Western 4,5m Side Building Line to 0m to allow the proposed covered gate and guardhouse in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.7 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.
- 16.8 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.

4. Subdivision Plan
Erf 1735 - Sandbaai

Property Extent - 18 000m²

Proposed Subdivision

Remainder - ±16 400m²

Portion A - ±1600m²

	Transport Zone 2: Road and Parking
	Residential Zone 1: Single Residential
	Business Zone 1: General Business Bulk Zone 1
	General Residential Zone 1: Town Housing
	General Residential Zone 2: Town Housing
	Transport Zone 2: Road and Parking (Private)
	Open Space Zone 3: Private Open Space
	General Residential Zone 3: Flats (GRC)

Plan date: 2023/11/20
Plan number: 22/64/002

Plan prepared by: Ntlan Jansen

All distances are approximate and subject to a survey

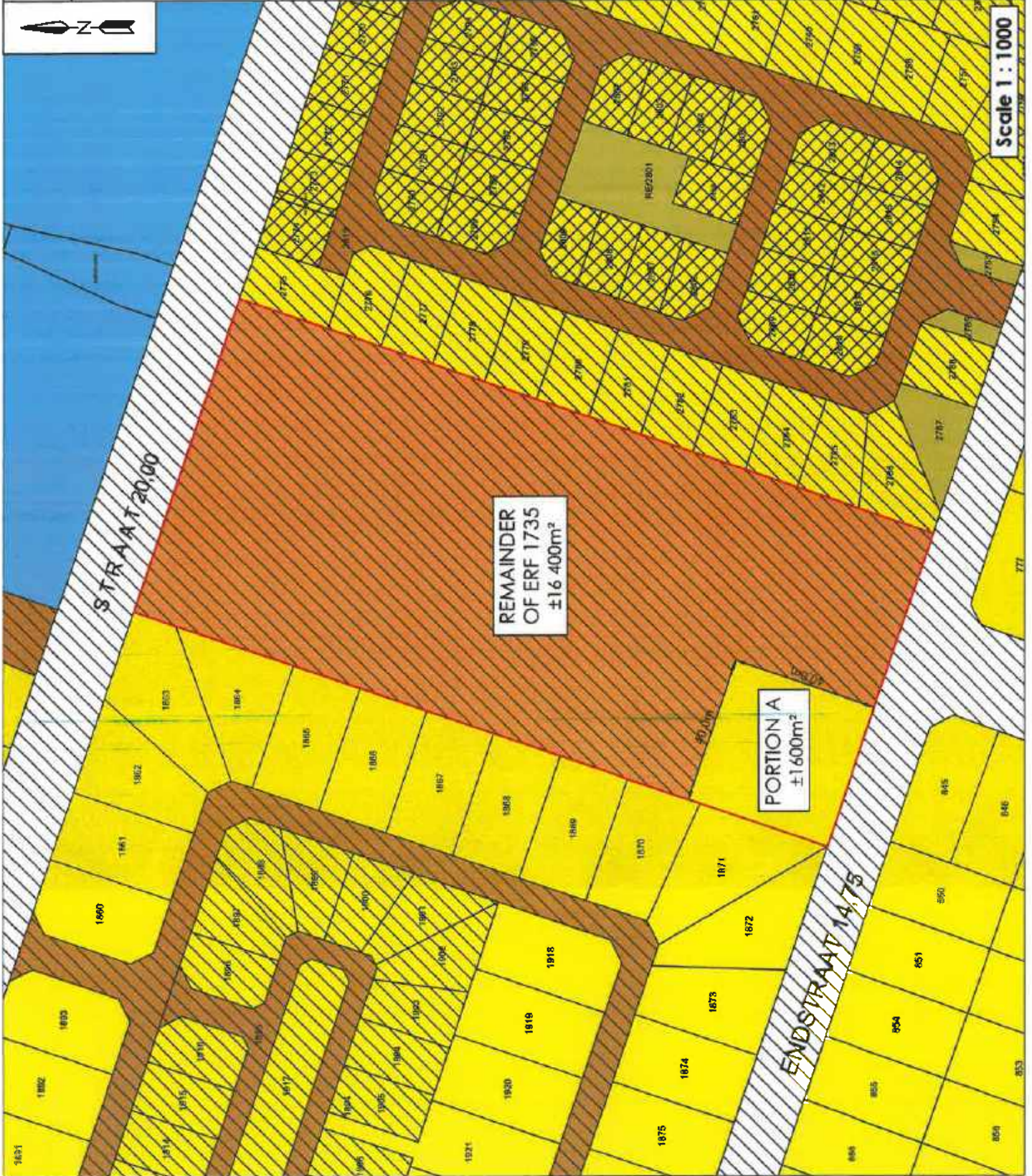
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

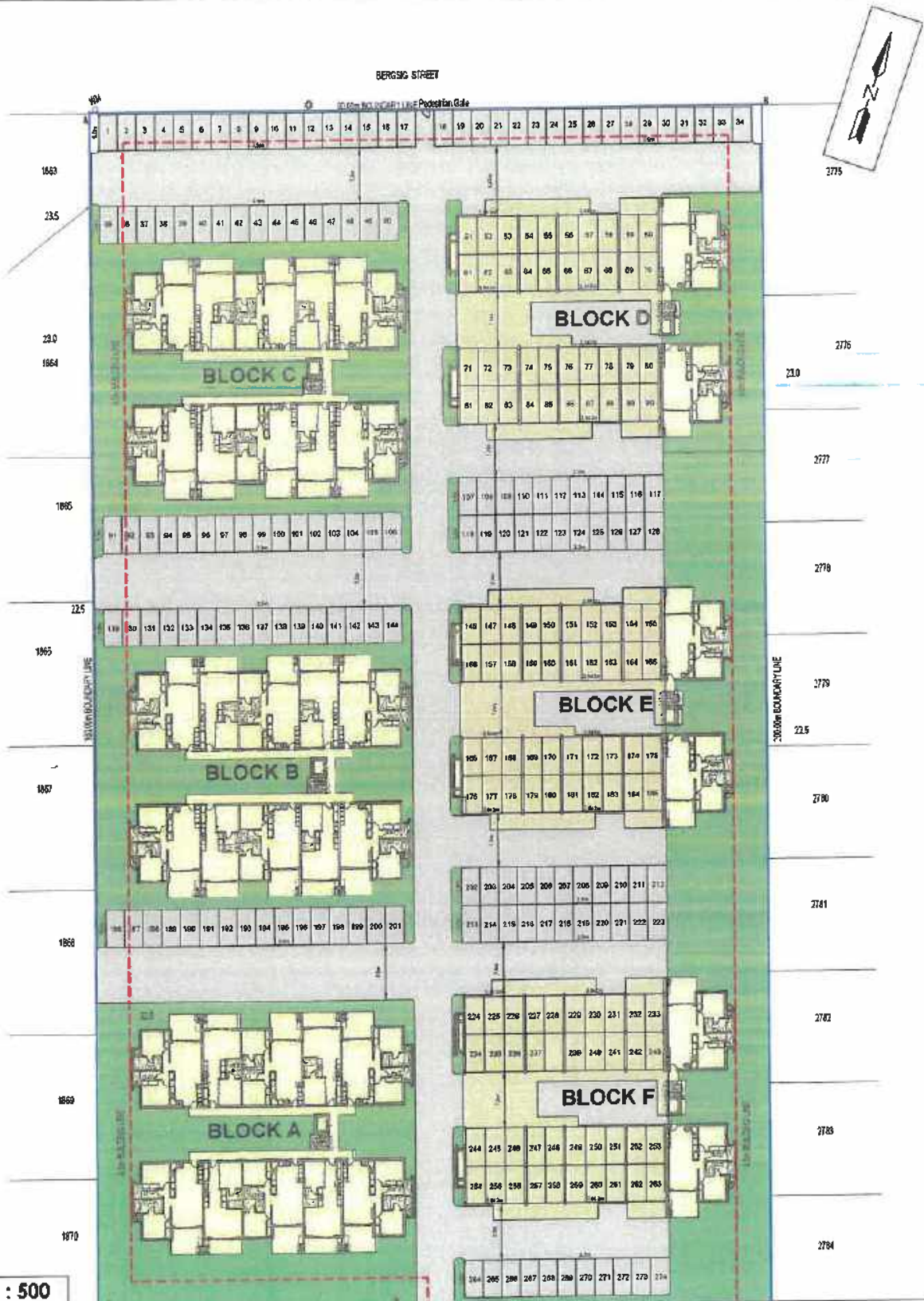
Unit 8, Standard House, Corner of Royal and Dribe Uys Street Hermanus, 7200

Project Office
Team Planning & Project Management

WRAP



7. SITE DEVELOPMENT PLAN INSET - REMAINDER OF ERF 1735, SANDBAAI

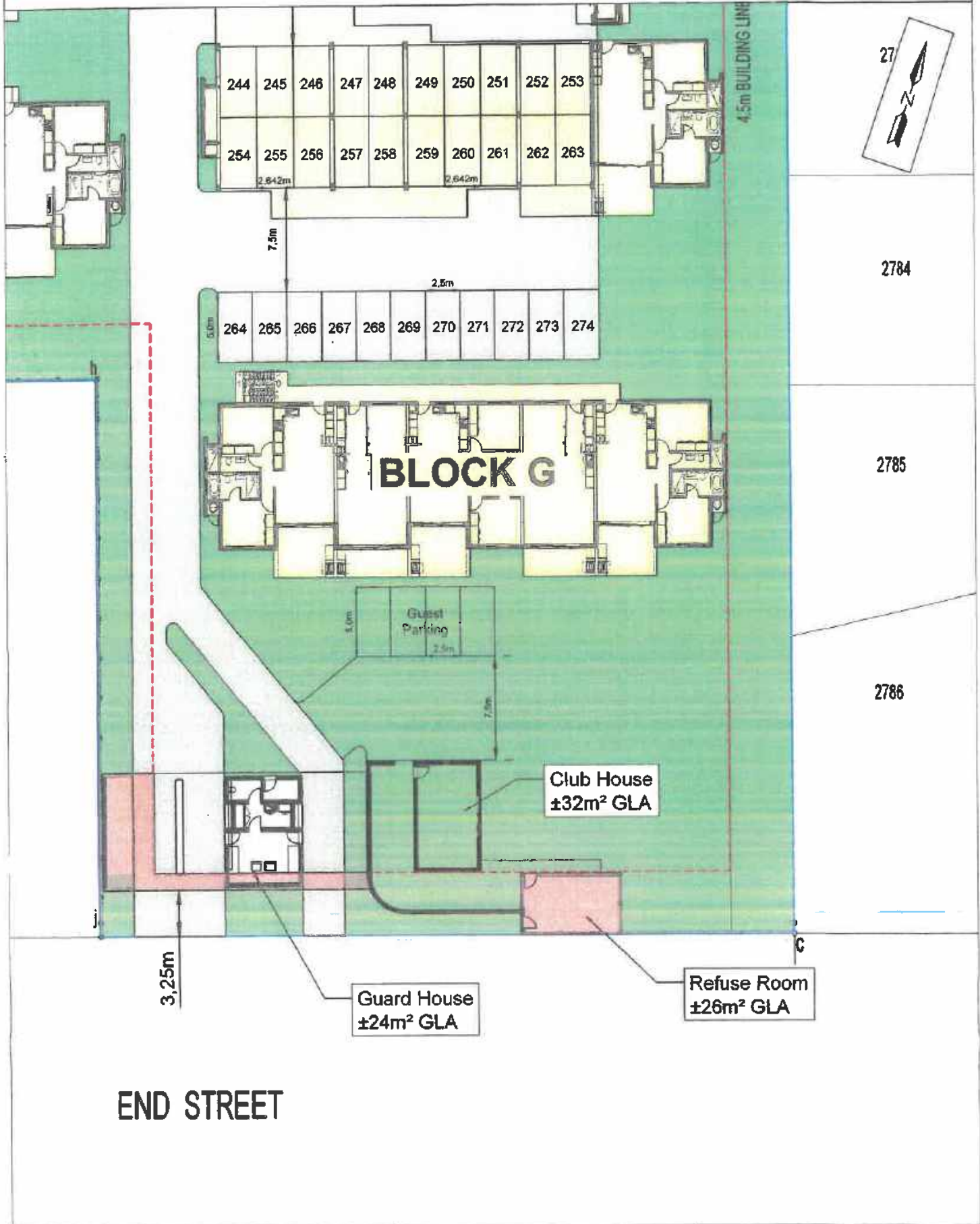


Scale 1 : 500

Plan prepared by: Thlan Jansen
 Based on plans provided by Holloway + Davel Architects
 All distances are approximate and subject to a survey
 Tel: 028 313 1411
 Email: admin@wrapgroup.co.za
 Unit B, Standard House,
 Corner of Royal and Orlia-Uys Street, Hermanus, 7200
 Plan Number - 22/64(001)
 2023/05/16



7. SITE DEVELOPMENT PLAN INSET - REMAINDER OF ERF 1735, SANDBAAI



Scale 1 : 250

Plan prepared by: Thion Jansen
Based on plans provided by Holloway + Davei Architects

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za










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

Plan Number - 22/64(001)
2023/05/16



Project Office
Town Planning & Project Management

5. Proposed Zoning Plan

-  Transport Zone 2: Road and Parking
-  Residential Zone 1: Single Residential
-  Business Zone 1: General Business Bulk Zone 1
-  General Residential Zone 1: Town Housing
-  General Residential Zone 2: Town Housing
-  Transport Zone 2: Road and Parking (Private)
-  Open Space Zone 3: Private Open Space
-  General Residential Zone 3: Flats (GR3)
-  Subdivisional Area

Plan prepared by: Thian Jansen

All distances are approximate and subject to a survey

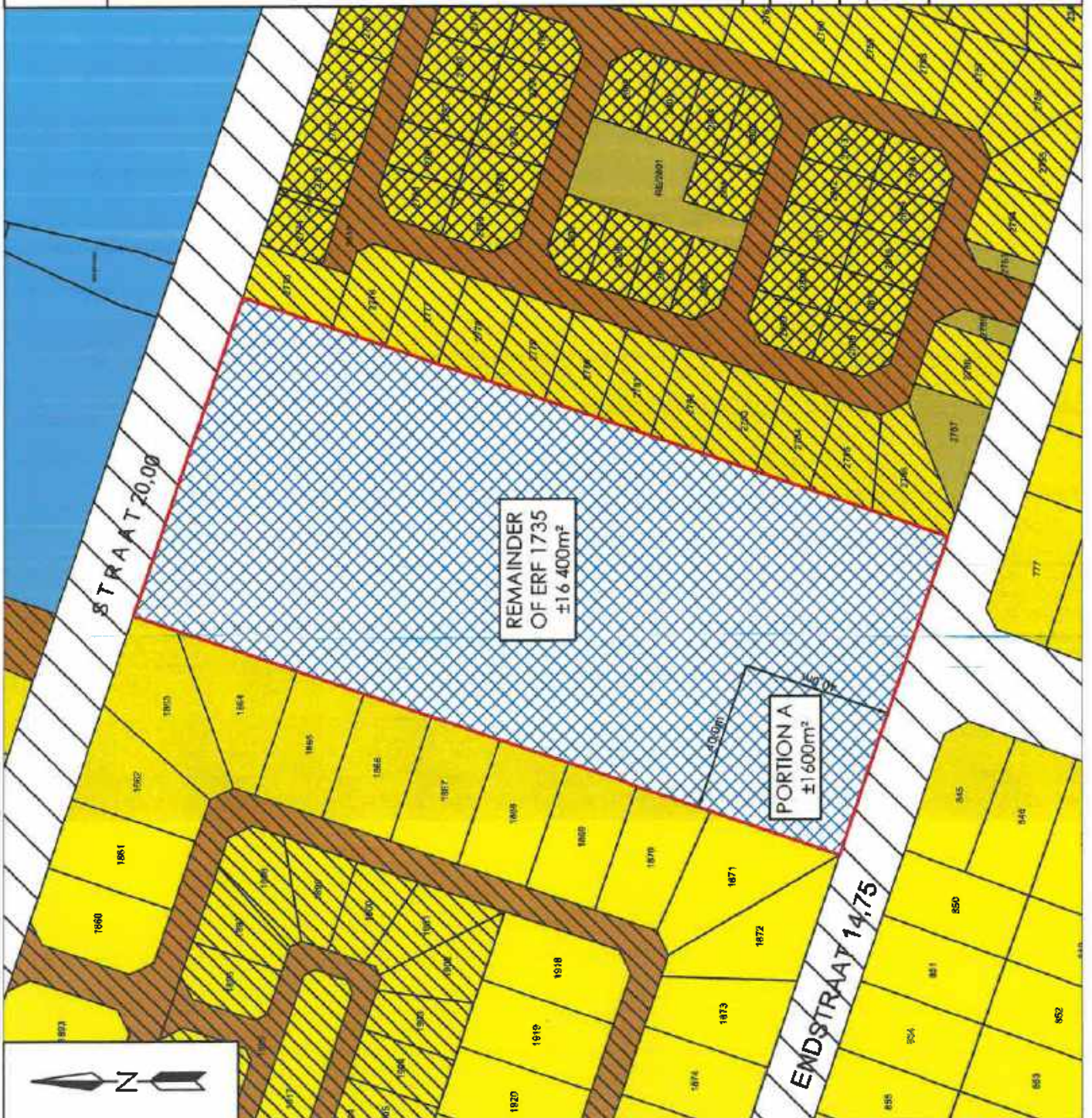
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



Project Office
York Planning & Project Management



Alida Conradie

1735 HSB

From: Georgina Buckmaster
Sent: Friday, 09 February 2024 18:39
To: Alida Conradie
Subject: Objection to erf 1735 development.

Dear Alicia,

Further to my visit to your office this morning, as promised my objection to the above mentioned proposal before your stated cutoff time of midnight tonight, I hereby as the Sandbaai resident and owner of erf 128, 18 Kusweg Sandbaai register my objection owing to the added load on already over loaded infrastructures locally. Included but not limited to, roads, sewerage and water provisions.

Yours sincerely
 Georgina Buckmaster
 Sent from my iPad



TP. n. Theakle
 (17.01.2024)

FILE NO.	1735
	Sandbaai ✓
SCAN NO.	Georgina
COLLABORATOR NO.	1995378

TP

Alida Conradie

1735 HSB

From: Roy Groenewald
 Sent: Friday, 09 February 2024 19:07
 To: Alida Conradie
 Subject: Erf 1735 Bergsig str

This project has the potential to bring the whole of Sandbaai and the Mall down. The reasons given that it will advance people's lives is very weak.

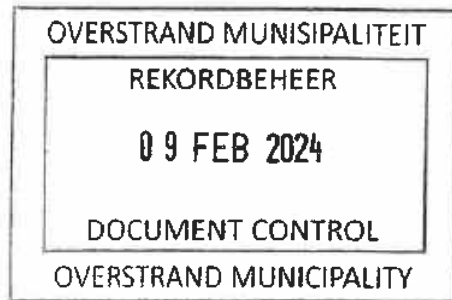
Notwithstanding that infrastructure, privacy and traffic will be problematic.

This project is high risk flats that can easily be taken over by rental mafia overnight which will no doubt sink Hermanus.

Save Hermanus and reject the application.

Kind regards

Roy. O B O The Sandbaai Ratepayers Association.



TR. D. Hoek
 (H. Ollie)

FILE NO.	Erf 1735 ✓
	Sandbaai
SCAN NO.	Roy
COLLABORATOR NO.	1995350

1995350

TR

TP. N. Theart
(H. Ollie)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
09 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Alida Conradie

From: [redacted]
Sent: Friday, 09 February 2024 15:34
To: Alida Conradie
Cc: uythovenrob@gmail.com
Subject: Objection to proposed development on Erf 1735 Bergsig Street, Sandbaai

Importance: High

FILE NO. Erf 1735
Sandbaai ✓
SCAN NO. Rob
COLLABORATOR NO. 1995340

Good afternoon,

As a resident of Leisure Park, we do object as that can happen next to Leisure Park as well and we do not want this at all.

So totally disagree with the proposed development on Erf 1735.

Reasons for objecting to proposed unheard-of high density of 90DH/H group housing, inappropriately located between low density, single storey upmarket townhouses:

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, regardless of whether sectional title schemes are an appropriate form of ownership or lifestyle for targeted entry level buyers. There would be wide-reaching consequences, not only for immediate neighbours, but for Sandbaai suburb as a whole. Buyers/investors will most certainly be driven away when confronted with this inappropriate megacomplex.

1. Erf 1735 plans thirteen, three storey buildings, with 148 flats and a conservative estimate of 507 residents, and at least 268 cars, with a shocking density of 90.84DU/H. The overwhelming effect of the high concentration of block buildings, towering above neighbouring townhouses is absolutely inappropriate.
2. Currently Main Road leading up to the circle on Bergsig Street is gridlocked for at least 40 minutes every school day. If one considers the following - 2 bedroom x 80 families, 3 bedroom x 12 families = 92 families with at least one school child per family estimated. How will at least 92 more cars be able to get out of the complex and drive to schools every morning on this same street? The only other option will be to drive through Zwelihle on Schulphoek Road and join the traffic gridlock there, but at great personal risk given the crime levels. Alternatively, if children travel to school in taxis or buses, End/Bergsig streets will become even more congested.
3. 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 have a serious impact on the aesthetics which the developer mentions so many times.
4. Residents in the two storey flats (8m high) will have clear views into MM through their flat windows and from balconies, over the boundary wall which only measures 2m. Also those in the 3rd storey flats (9m high) will have the same views, but also further into the whole of MM. Aside from reasons mentioned above, being exposed to neighbours' scrutiny on this scale constitutes a serious security risk for MM.
5. Extensive light pollution – entrance gates lights, road lights, parking lights, walkway lights, passages and stairwell lights, lights on balconies and inside flats, the pedestrian gate. The disturbance of lights burning all night will have a definite negative impact of the comfort and lives of MM

TP.

residents. There are resident Eagle Owls 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.

6. Substantially raised noise levels – with 504+ residents including children, cars, outdoor play areas, braai areas, balconies and passageways high above MM. There will be no 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.

Please confirm receipt of the Objection sent by email 09-02-2024 15.33

Thanks in advance.

Kind regards

Rob van Uythoven
Leisure Park 81,
Bersig Street
7200 Sandbaai

Objection to the proposed development of Erf 1735, Sandbaai

Contents

Residential Housing Market..... 1

Affordability..... 1

Human Density..... 1

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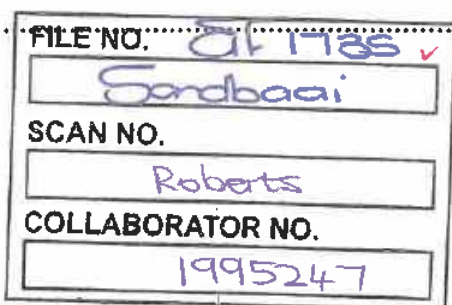
Traffic congestion..... 2

High density housing in a High Risk Area..... 2

Conclusion..... 3



TP. D. Theak
(H. Divia)



Residential Housing Market.

The residential housing market in Sandbaai has already been established as being single dwelling units and single and duplex units in security complexes. The perception that high density dwellings is now more desirable since the pandemic is utterly misleading and nothing than a figment of the imagination of the originator of the document. **There is no scientific study** that indicates that Sandbaai is now prone for higher density development, based on the motivation submitted for the approval of the land use. It is amazing that the author of this document did not ascertain the level of connectivity in Sandbaai as to motivate his/her semi-grating where people can live and work anywhere. It is clear that from the beginning of this document, the author is window dressing the application to confuse the true intent.

Affordability.

Affordability of dwelling units are not only being determined by the design and size of the unit. It is also influenced by the location of the development. The proposed development may seem to affordable on its own, but would be detrimental to the surrounding areas. The existing home owners who border on this development are the peoples who's property value will decrease as a result of a undesirable development right next to them. **This would be deceitful to approve the development at the cost of already established home owners who bought their properties on face value at the time.**

Human Density.

A reasonable estimate of the population in the proposed area would be approximately 590 people. It far exceeds any population density of the surrounding areas and therefore the

Handwritten mark

nuisance factor will increase. It is contemplated that young and upcoming families will be housed there, which is far different from the neighboring estates. You may as well consider building a nursery school right in the middle of Golden Harvest retirement village. The impact on the surrounding areas would just be detrimental and quite frankly, undesirable. It would be unnecessary for me to explore or trying to mention all the negative factors that are associated with this kind of high density occupation. I would accept that the reader of this document is well conversed in those kind of annoyances.

Water usage and the production of waste water.

An estimate of water consumption during the morning hours would not be less than 16kl. At a seventy percent rate of sewage production, an estimate of 11.2kl will have to be accommodated in the smallbore pipe system that is deployed in Sandbaai. We already have huge difficulties with the system as it is at present, especially during the rainy season when a substantial number of households are being flooded with sewage. Sandbaai is notorious for this problem, and although this has been on the IDP for the past 9 years or longer, nothing has been done about the situation to alleviate the problem. Adding an additional 11kl of grey water during a small time window. Will not only exacerbate the issue, it may cause a huge outflow of sewage in areas that never experienced it. This is unacceptable that this is even considered until the problem in Sandbaai as a community has been addressed and appropriately and permanently solved.

Traffic congestion.

Sandbaai has experienced a dramatic increase in traffic volumes over the past few years. This was already notable during the construction phase of the mall. Currently, Main Road from the R43 interchange up to Jimmy Smit street and Bergsig Street, from Curro School to Schulphoek road, are extremely congested during the morning, midday and afternoon hours. Additional vehicles are already being added to the traffic volumes in Sandbaai with the construction of apartments in Green Haven and other single dwellings in Sandbaai. Adding an additional 200 or more vehicles would bring the entire traffic flow to a halt, for far longer than what is anticipated and acceptable. What aggravates it even more is the single lane roundabout in the Main Street/Bergsig Street crossing as well as the elevate platform constructed across the entrances of Bergzicht and Monte Mare.

The traffic flow design in Main Road in the area of Agri Mark, is also problematic. Entering Main Road from Tambali Village or from Agri Mark during peak traffic hours is virtually impossible. Adding any additional traffic to the already over utilized, single lane road will simply increase the irritation levels and increase the risk of severe motor vehicle accidents.

High density housing in a High Risk Area.

Recently, a facility to store LPG gas and fill empty containers at the site was approved at 17 Argon street. Although we trust that all mitigating solutions, best practice and international

norms and standards were considered when this site was constructed, it does not declare that there will never be an incident.

The following is of concern when approving high density occupation in an area in close proximity of a hazardous materials:

- Fire fight equipment
- The amount of fire extinguishers.
- Adequate spacing of hydrants and water pressure.
- Escape routes
- Where would the assembly point(s) be.
- Keeping a record of who would possibly be at "home" during an incident.
- Who would take responsibility.
- Access to the area and access for external firefight vehicles.

Conclusion.

As a property owner in Sandbaai for the past 9 years, and being involved in the community, I am of the opinion that the proposed development should not be approved at all.

The above mentioned items are by no means exhaustive at all, since I am working on a time constrained to submit my objection.

Please receive this from:

JC Roberts

14 Belladonna street

Sandbaai

Alida Conradie

1735 HSB

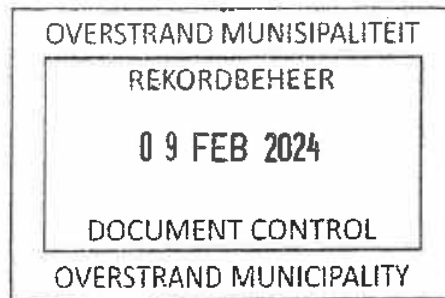
From: Helen Potgieter
Sent: Friday, 09 February 2024 10:21
To: Alida Conradie
Subject: Obejection to erf 1735 development
Attachments: Objection to Erf 1735 development.pdf

Dear Alida

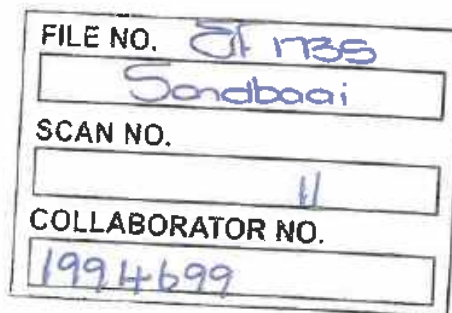
Please find my written objection as a resident (erf 132, 14 Kusweg) of Sandbaai living nearby to the proposed development.

Reasons for objecting to proposed unheard-of high density of 90DH/H group housing, inappropriately located between low density, single storey upmarket townhouses, Waldorf School and comparing of Complexes already in the pipeline and unsold flats in already existing complexes: * More pressure on the water shortage in Sandbaai* More pressure on the out dated sewerage systems, shown as proof in Schulphoek Rd where sewerage are seen running on almost a daily basis as well as the overflow from Preekstoel.* More water, collected by roofs, in the storm water system that runs in open pipe system. EG the Dirt Rd section Schulphoek rd where residents have flooded gardens after heavy rains on their properties. Video available on request.*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, regardless of whether sectional title schemes are an appropriate form of ownership or lifestyle for targeted entry level buyers. There would be wide-reaching consequences, not only for immediate neighbours, but for Sandbaai suburb as a whole. Buyers/investors will most certainly be driven away when confronted with this inappropriate megacomplex. OR is it an OMs plan to eventually move residents from Zwe into Sandbaai?

Regards
Helen Potgieter



TP. A. Theak...
(H. Olivier)



p

Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai – submitted by Helen Potgieter, erf 132 Sandbaai .

Reasons for objecting to proposed unheard-of high density of 90DH/H group housing, inappropriately located between low density, single storey upmarket townhouses , Waldorff School and comparing of Complexes already in the pipe line and unsold flats in already existing complexes:

- * More pressure on the water shortage in Sandbaai
- * More pressure on the out dated sewerage systems, shown as proof in Schulphoek Rd where swerage are seen running on allmost a daily basis as well as the overflow from Preekstoel.
- * More water, collected by roofs, in the storm water system that runs in open pipe system. EG the Dirt Rd section Schulphoek rd where residents have flooded gardens after heavy rains on their properties. Video available on request.
- *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, regardless of whether sectional title schemes are an appropriate form of ownership or lifestyle for targeted entry level buyers. There would be wide-reaching consequences, not only for immediate neighbours, but for Sandbaai suburb as a whole. **Buyers/investors will most certainly be driven away when confronted with this inappropriate megacomplex. OR is it a OMs plan to move eventually residents from Zwe into Sandbaai?**

AS Property Owner in Sandbaai I Object

1. Erf 1735 is one third of the size of MM, which has 60 units and 127 residents. The potential number of residents accommodated on Erf 1735, will be 5 times that of MM.
2. *'Proposed development will only be 1m higher than allowable height of next-door properties'.*
Of the 60 units in MM, maximum of 5 are double storey with a roof apex height of 8.3m. These front onto End Street and Main Road – see map below: To compare the 5.3m apex height of the pitched roofs of MM's 55 single residences, with thirteen blocks of flats with flat roofs 9m high and pitched roofs 8m high, between 37.71m and 28.08m in length, as just a small difference of 1m in height, is absurd.



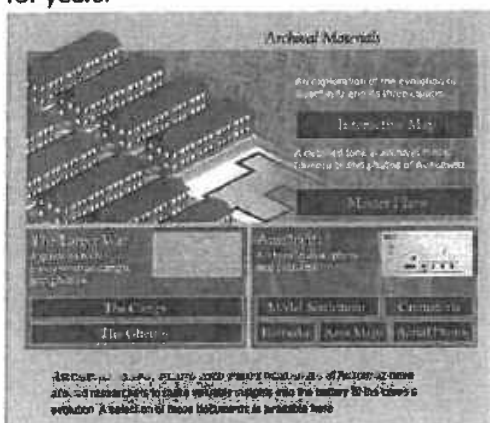
MM Double storey houses

3. From Argon St, all the complexes in Bergsig Street in the immediate vicinity of Erf 1735 – Mooizicht, Ocean Breeze, Bergzight, Protea Park and Green Mountain Estate - are all single storey townhouse developments.
4. Erf 1735 plans thirteen, three storey buildings, with 148 flats and a conservative estimate of 507 residents, and at least 268 cars, with a shocking density of 90.84DU/H. The overwhelming effect of the high concentration of block buildings, towering above neighbouring townhouses is absolutely inappropriate.
5. The developer claims that by reducing the storeys to two on the sides will positively affect the neighbours' views, are incorrect. The pitched roofs on the 2 storeys are only 1m lower than the 3rd storey flat roofs. The thirteen, 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.
6. The substantial number of solar panels needed for power will probably be mounted on the 3rd storey flat roofs, but they could well be mounted at a raised angle to maximise sunlight. This could add up to 800mm height to the 9m, further blocking eastern and northern sunlight and views for MM and Ocean Breeze, as

10. Target market: "90.24DU/H addresses housing demand". Definition/description of the target market is confusing at best: Reference pg. 2 "younger families, semi-retired and retired people", pg 9 '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" pg32 This development seeks to increase density shortfall created in the mall development, to more than the planned 56 and 84 DH/H pg 35. '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* pg 35 'This development will contribute towards a more just and equitable society by addressing spatial imbalances...pg 36 However reference reverts to it being an attractive option for families and individuals looking for convenient and accessible residential options.

It is impossible to establish how many legitimate buyers referred to in the beginning of point 10 above are looking for flats vs people on housing lists, (please refer to the analysis of flats currently unsold on the market in this price class and the volume of planned apartment developments being built, or to be built). There are currently approximately 11 thousand people on housing waiting lists. The target market is then not the buyer market as referred to above, but an attempt to address *spatial imbalances* etc for previously disadvantaged communities. And that this should happen in the middle of established higher end townhouse complexes is simply not justifiable. The one point missing in action, with all the widely different definitions of target market/justification for extremely high density living pointed out above, is whether buyers will see this as an investment opportunity vs housing opportunity. All the neighbouring townhouses were purchased as expensive investment homes.

11. Pg 30 – Developer's claimed ratio of 2 persons per flat is disingenuous. There will never be only 296 residents. According to WC standards of 2 people per bedroom, there will be at least 504 residents. Occupation numbers will in any event, be virtually impossible to enforce, so the numbers could easily be higher.
12. The block layout apparently ensures that it 'seamlessly fits into the surrounding area'. After long Google searches, Erf 1735 development bears an uncanny resemblance to the layout of Auschwitz extermination camp, WW 2. See comparison diagrams below: Erf 1735 plan is simply the maximum number of blocks of flats possible, to house the maximum number of residents, all squeezed into the plot, up to and beyond, side and street boundaries and height restrictions which have been imposed and complied with by all neighbours for years.



Concentration camp layout



Figure 1: 20 Renders of the proposed development

Erf 1735

13. Traffic impact assessment Annex E was not provided to affected neighbours. Claims that 'there are adequate road networks, upgraded recently'. Pg 32. Main entry/exit to development, End Street, has not been

upgraded since it was tarred. End Street is only 5.7m wide with no pavements, no yellow line space and already has high pedestrian traffic from Zwelihle. Another unsubstantiated claim.

14. The refuse room right on street will create bottle necks for pedestrians and vehicles.
15. Vehicles turned away from the entrance gate will not have space to turn around.
16. No place to widen End Street without taking away MM, Ocean Breeze and all the free-standing homes on south side of End Street. If the street is widened by taking away the street boundary next to MM wall, there will be substantial traffic noise created for MM.
17. Currently Main Road leading up to the circle on Bergsig Street is gridlocked for at least 40 minutes every school day. If one considers the following - 2 bedroom x 80 families, 3 bedroom x 12 families = 92 families with at least one school child per family estimated.
How will at least 92 more cars be able to get out of the complex and drive to schools every morning on this same street? The only other option will be to drive through Zwelihle on Schulphoek Road and join the traffic gridlock there, but at great personal risk given the crime levels.
Alternatively, if children travel to school in taxis or buses, End/Bergsig streets will become even more congested.
18. Will the developers use MM western wall and electric fencing? (There is currently a vibcrete wall up against MM wall.) Or will the developer erect their own wall and electric fencing on that boundary? How does MM ensure that maintenance and repairs to MM infrastructure will be done by Erf 1735 or that structures (carports/garages) will not be attached to said wall/electric fencing? There is also a security risk in sharing a boundary wall.
19. *"Communal outdoor recreational/garden areas as one functional space"*. Open space of 4589m² or 27% of total space, eastern boundary (functions as one) approximately 2479m²/15.1%. There is no mention of washing lines or storage for scheme infrastructure which would impact on all the estimates of public open space. To state that a room/"club house" measuring 30m², (the same size as the refuse room and less than the size of a double garage), for the use of 504+ residents, just beggars belief.
20. 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 have a serious impact on the *aesthetics* which the developer mentions so many times.
21. Parking bays 268, Visitors bays 6. City of Cape Town zoning scheme regulations set out the required number of visitors' parking bays as one visitor's parking bay per four units. This would translate into 37 visitors' bays, which suggests that the 6 bays are insufficient. If vehicles are parked outside the complex, this will create traffic issues.
22. Average apex height of a shade cloth cover for a parking bay is 2.4m. MM boundary wall is 2m high, so residents will look straight onto shade cloth structures and then the buildings behind that. Is the developer planning to install covers over parking bays and if so, what design and will the structures be attached to MM boundary wall? Should garages be built on parking bays, once again what design will be used and will these structures be attached to MM boundary wall. Corrugated iron roofs would be just as unsightly for MM owners. There is real potential for inappropriate designs/structures and greater impacts on immediate neighbours in MM.
23. Pedestrian Gate – 'easy access' but nothing about security? MM security could well also be compromised. Irresponsible foot traffic could also cause major problems on Bergsig Street. There are already stops and crossings which interfere with the traffic flow, but another pedestrian crossing will only create further flow problems.
24. Loss of mountain and country views – Single storey houses will completely lose all their views of the mountains and countryside. Reminder – 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on mountain and country views for single storey houses in the shadow of these huge buildings.
25. Loss of eastern sunlight in summer and northern sunlight in winter. 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on sunlight for single storey houses in the shadow of these huge buildings.

26. Loss of privacy - flats substantially taller than single storey houses, looking straight down into these properties. 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on privacy for single storey houses overlooked by these huge buildings.

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 675m². Two of these properties have swimming pools (these and several 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.

27. Residents in the two storey flats (8m high) will have clear views into MM through their flat windows and from balconies, over the boundary wall which only measures 2m. Also those in the 3rd storey flats (9m high) will have the same views, but also further into the whole of MM. Aside from reasons mentioned above, being exposed to neighbours' scrutiny on this scale constitutes a serious security risk for MM.
28. Extensive light pollution – entrance gates lights, road lights, parking lights, walkway lights, passages and stairwell lights, lights on balconies and inside flats, the pedestrian gate. The disturbance of lights burning all night will have a definite negative impact of the comfort and lives of MM residents. There are resident Eagle Owls 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.
29. Substantially raised noise levels – with 504+ residents including children, cars, outdoor play areas, braai areas, balconies and passageways high above MM. There will be no 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.
30. There has been no Environmental impact Assessment done. This area was part of a wetland before being developed.
31. 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.
32. 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 and to create appealing communal areas on the inside and street boundaries (where these have not already been cut back).
33. All the TV satellite dishes at MM are connected to the aerial on the top of the hill above Rotary Way. The thirteen three storey buildings will interrupt this and potentially affect cellphone reception to the same tower.
34. Demolition of buildings on Portion A – There is no information on what they plan to use this property for, considering that it also shares a boundary with MM.
35. 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: There is also no shortage of new developments planned.

ASSESSMENT OF FLATS IN SAME PRICE CLASS AS PROPOSED ON Erf 1753		
Comparative flats currently on market in Hermanus on Property 24, unsold - 95		
Property details	Complex names	Number of units
	Beach Club, Zwelihle	43
1 bed 1 bath 102m ² R1 450 000	Onrus Trading Post, Onrus	8
2 bed 102m ² R1 695 000	Onrus Close, Onrus 2 bed 101m ² R1 700 000	102
	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 ²	Driftwood Court 1035m ² Sandbaai	8
From R1 995 000	Jacqui's Place 831m ² , 5 left Sandbaai	?
2 bed R1 875 000 63m ² ;	Oak Terrace Westcliff 1 bed R1 300 000 51m ²	50
	Maggie Sandbaai	8
1 bed R1 200 000 55m ²	Watsonia Park; 2 bed 61m ² R1 250 000 Sandbaai	38
2 bed 76m ² R1 600 000, R1 450 000	SS Green Mountain Sandbaai	32
	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	?
Total number of flats in Hermanus		835 +
Neighbouring townhouse complexes	Property prices	Number of properties
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 harcourts	?
Mooizicht Gardens	R2 680 000, R2 995 000	69
Bergsicht	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

36. 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 low density coverage and only 43 houses. So it seems different rules apply depending on whose narrative it is.
37. The developer claims to add value to the bulk services in the area. The benefits to the Sandbaai community is not explained in concrete terms. There are detailed and impressive financial benefits to the Overstrand Municipality set out in great detail. Perhaps this is an important motivation for Town Planning to approve this development, but this is of no interest to the MM community.
38. How large will the communal conservancy tank have to be to cater for 600+ residents spread over the 16 400m²? And what impact will the extra black water volume have on the existing sewage lines? Given the potential for extremely unpleasant results of overflows or burst pipes, this information is really important.
39. With all the 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 reduce 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 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 a radical introduction of extremely high-density sectional title flats, in an area dominated by single storey, upmarket townhouse complexes. The OM which stands to benefit financially on several levels will not provide any 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 the stable growth in value of their greatest asset (substantial value increases applied six months ago confirmed that the municipality recognizes property growths and the same municipality benefits monthly when new 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, should the integrity of Sandbaai and the existing community of ratepayers who have invested in the area, be considered.

The net effect allowing an extremely high-density community, both on ground coverage and height above all neighbours, is tantamount to tossing a hand grenade over the neighbours' walls and leaving these investors to deal with the fallout.

Submission signed on 07 February 2024 in Sandbaai, Hermanus.



.....
Helen Potgieter
14 Kusweg Sandbaai

OVERSTRAND MUNICIPALITY

9 FEBRUARY 2024

MUNICIPAL NOTICE NO. 194/2023

ERF 1735, BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

We Mr. J BURGER and Mrs. JW BURGER as owner and residents of erf 1900 Monte Mare, **oppose** the proposed subdivision, departures and rezoning of erf 1735.

The rezoning and subdivision will negatively affect the lives of the residents on the adjoining properties, the greater Sandbaai area and specifically Monte Mare where we own a property. We do not oppose development in Sandbaai or Greater Hermanus but do not approve the proposed densification format in the specific location.

1. The proposed densification zoning is not consistent with the current zoning character of the complexes in the Sandbaai area.

Ocean Breeze, Bergzicht, Mooizicht, Protea Park, and Green Mountain Estate (to name a few) are all single storey townhouse developments. We **strongly propose** that the zoning be kept in line with the current residential Zoning 1 character of the neighbourhood for the well-being and enjoyment of the existing residents. If the proposed densification format is allowed, it will set a precedent for similar densification complexes in areas not suitable for it, anywhere in the greater Hermanus area. Houses will be taken down and replaced with blocks of flats. This will completely alter the character of residential areas to the detriment of the residents. We have seen that in many student towns where blocks of flats are erected between residential areas to accommodate the need for student housing. A town like Potchefstroom is a very good example of this.

2. Which development trends are being referred to in the proposed development and rezoning (p.2)? Please indicate the area or even where this densification is currently being applied? There is currently NO complex with this densification or

character in the greater Sandbaai area (or greater Hermanus area) and even new developments that are under way (near Curro and at the circle in End Street) are not near the densities that are being proposed.

3. The densification will result in the following guaranteed negative impacts:

- impacts of noise (85 household with cars, their friends, visitors, children, contractors)
- congestion of traffic especially at End Street (it is already very dire during peak hours with Curro School in the area)
- heightened security risks due to visibility directly into the Monte Mare complex properties.
- visual impact and loss of privacy of the whole Monte Mare complex (and other complexes)
- Our biggest concern: negative effect on the resell value of Monte Mare properties and the negative impact on return financial investments made by existing owners. The Overstrand Municipal valuation roll marks the values (*just* the Monte Mare properties that is on the boundary with erf 1735) as:

1863 = R2,475, 000

1864 = R2,670, 000

1865 = R2,695,000

1866 = R2,705,000

1867 =R2,155,000

1868 = R2,815,000

1869 = R2,570,000

1870 = R2,155,000

1871 = R2,460, 000

My own property is valued at R1,930,000, inner circle (bought in 2019 from family, previously owned by our parents since 2008). Note: Most properties sell for much more than the valuation. You are welcome to ask estate agents that recently sold properties in the Monte Mare for these figures.

These property values reflect the true investment made by owners and the value of properties within Monte Mare. Three, if not more, of the properties mentioned

above had big outer extensions/alterations done in the last 2-4 years. All these alterations have a positive effect on the Monte Mare complex property values as a whole and indicate owners' willingness to enhance their property values. We are very concerned that owners will stop doing these alterations because of the foreseen negative impacts expected. The result is a downward spiral and the complex as a whole will suffer as a result.

4. No mentioning is made of the fountain and wet area (possible wetland) on the erf. We want this aspect to be further investigated and assessed for possible geohydrological impacts and possible negative effect on the green space, fauna especially, on the property. There is an abundance of fauna on the erf. We kindly refer to a similar situation that was present at the southeastern boundary of the Onrus Negester development. We want the same level of sensitivity applied to any development being proposed on erf 1735.

Monte Mare is an upmarket complex and a sought-after complex for return investment value, offering peaceful living. It is well managed and held in high regard with all estate agents.

We do not want to live next door to a complex with the *guaranteed* negative impacts as foreseen above as a direct result of the densification of the property.

Kind Regards

Mr. J. Burger & Mrs. JW Burger

Owner and residents of Monte Mare 1900

Alida Conradie

From: Dave Lang
Sent: Friday, 09 February 2024 12:08
To: Alida Conradie
Subject: Development on erf 1375 ⁷ 1735

Good day,

This development is out of place and certainly not acceptable for Sandbaai.

I would be an invasion of the privacy of the adjacent and other complexes due to its height.

The development will lead to increased traffic, infrastructure congestion and noise, disturbing the tranquil ambience of Sandbaai.

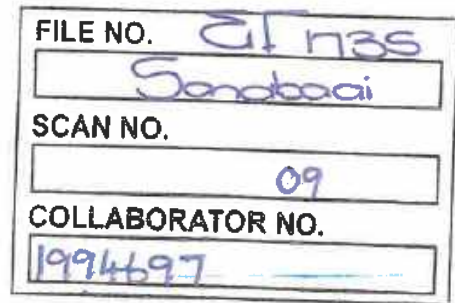
Should this development be approved by Council, it will open the way for further similar ones being built on other open stands in Sandbaai, which is definitely not acceptable.

I totally object to this development being approved.

D A Lang

56 Leisure Park
Bergsig St
Sandbaai

*TP. D. Thearle
(I.D. Olivier)*



09 FEB 2024
TP

Alida Conradie

From: Dave Lang
Sent: Friday, 09 February 2024 11:48
To: Alida Conradie
Subject: Objection to proposed development on Erf 1735

Good day

I hereby place a strong objection to the above development on erf 1735.

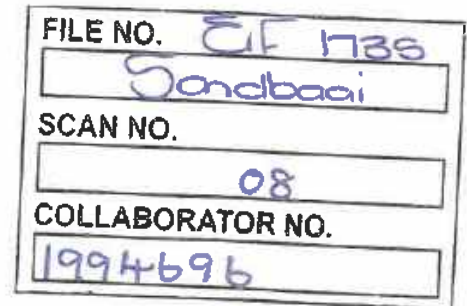
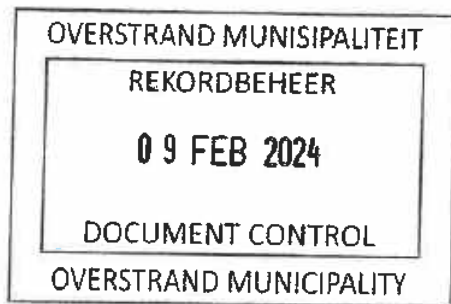
This development is absolutely out of keeping with the surrounding residential area of Sandbaai and will increase the population density resulting in noise, higher traffic flow and further congest an already overburdened infrastructure.

To have a flat block of three storeys next to complexes of mostly single and a few double storey houses is ridiculous, as the top floor flats will then be able to easily overlook the complexes around and invade their privacy.

The placement of this development is totally unacceptable and inappropriate in this area. Furthermore, the positioning of the buildings on the erf looks like the deserted town of Pripyat near Chernobyl was used as a model.

Again, I strongly object to this development on Erf1375.

M P Lang
56 Leisure Park
Bergsig St
Sandbaai



TP. N. Theobald
(Id. Alida)

4201 1511 E
70

Alida Conradie

1735 HSB

From: Reifarth
 Sent: Friday, 09 February 2024 09:57
 To: Alida Conradie
 Subject: ERF 1735 OBJECTION

Good day

Although I am not an immediate neighbour of this new development, I wish to strongly object to the proposed 147 flats on THREE STOREYS.

Sandbaai is already now bowing under pressure, be it water and water sanitation. Besides this, the traffic in Bergsig Street is at this stage already a nightmare, try and get into the circle at Main Road.

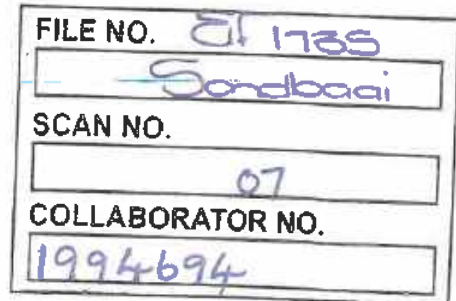
The developer should stick to his original plan, but again money is all that counts, albeit to the detriment of the our community.

Yours faithfully

Margaret Reifarth
 6 Booth Close
 Sundew Villas
 Sandbaai



TP. D. Theat
 (H. Olivier)



P

Alida Conradie

From: Wilna Verdoodt
Sent: Thursday, 08 February 2024 15:14
To: Alida Conradie
Cc: bev.bisset58@gmail.com
Subject: Strong Objection to Development Proposal on Erf 1735, Adjacent to Monte Mare

To Whom It May Concern,

I, Wilna Verdoodt, owner of the property located at 1889 Monte Mare, hereby express my emphatic objection against the proposed development on Erf 1735, adjacent to my residence.

My decision to invest in property in Hermanus, specifically at Monte Mare, was motivated by the town's unique charm and tranquil ambiance. Hermanus has long been cherished for its serene environment, offering residents and visitors alike a reprieve from the urban hustle and bustle. The absence of high-rise structures has been a defining feature of the landscape, contributing to its allure. It's crucial to note that there are no other 3-storey buildings in Hermanus, and even 2-storey buildings are rare.

The proposed development on Erf 1735 poses a direct threat to the cherished character of our neighborhood. Introducing multi-storey buildings in such close proximity to Monte Mare not only undermines the aesthetic appeal of the area but also disrupts the peaceful atmosphere that attracted residents like myself in the first place.

Furthermore, the proposed development raises significant concerns regarding privacy and security. Multi-storey structures provide elevated vantage points that could compromise the privacy of residents in neighboring properties. Moreover, increased foot traffic associated with the development poses a potential security risk to our complex.

Additionally, the anticipated rise in traffic resulting from the new development would exacerbate existing congestion issues on our narrow streets. Hermanus's infrastructure is ill-equipped to handle such a surge in traffic, further detracting from the quality of life for residents.

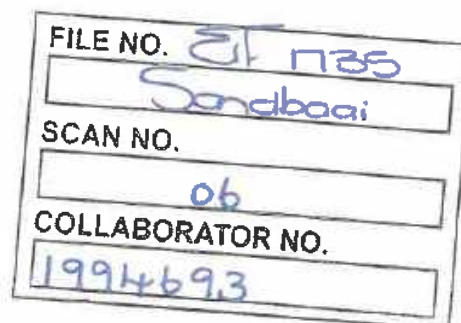
In light of these concerns, I strongly oppose the proposed development on Erf 1735. I urge the relevant authorities to reconsider this proposal and prioritize the preservation of the peaceful and harmonious environment that defines our neighborhood.

Sincerely,
Wilna Verdoodt

Owner, 1889 Monte Mare



*TP. N. Olivier
(N. Olivier)*



8 FEB 2024

TP.

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
09 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Robyn Diederichs
57 Ocean Breeze
79 End Street
Sandbaai, Hermanus
7200

9 February 2024

Overstrand Municipality
Town Planning
Hermanus
7200

Att : Mnr H Boshoff

By Email

FILE NO. <u>EF 1735</u> ✓
<u>Sandbaai</u>
SCAN NO. <u>Robyn</u>
COLLABORATOR NO. <u>1994632</u>

TP - D. Theart
(H. Olliver)

Dear Sir

RE: OBJECTION TO SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2812 (No.57 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

R

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

Schulphoek Mixed Use Development :

There is already a planned housing Development with high density flats planned at Schulphoek to address the needs of the existing housing list database. It is therefore definitely unacceptable to have 2 such Developments in such close proximity.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Yours faithfully



ROBYN DIEDERICHS

OVERSTRAND MUNICIPALITY

We, the undersigned, Monte Mare Estate residents, respectfully petition that the Overstrand Municipality not approve the proposal of Erf 1735, 71 Bergsig Street, Sandbaai because it is inconsistent with the neighbourhood for the following reasons:

1. The proposed development is a high density development amid a peaceful suburban area with very few double storey buildings.
2. The increase in population density would put a strain on our already overburdened infrastructure, leading to increased traffic congestion, noise pollution, and strain on our public services.
3. Owners have already invested heavily in the area to secure the type of lifestyle a complex offers, particularly for the elderly.
4. The purchase of property is the most important investment, and this proposed development will instantly devalue all property in the area.

NAME	ADDRESS	PHONE NO	SIGNATURE
Matthier van Bijen	1905 Monte Mare		<i>[Signature]</i>
Arri van Bijen	1905 Monte Mare		<i>[Signature]</i>
Gladys Smit	1907 Monte Mare		<i>[Signature]</i>
John Smit	1907 Monte Mare		<i>[Signature]</i>
Jan Crodde	1908 Monte Mare		<i>[Signature]</i>
Felicja Pelsson	1908 Monte Mare		<i>[Signature]</i>
Dirk Walker	1909 Monte Mare		<i>[Signature]</i>
Sanja Kessler	1909 Monte Mare		<i>[Signature]</i>
JACK PROCTOR	1914 MONTE MARE		<i>[Signature]</i>
René Proctor	1914 Monte Mare		<i>[Signature]</i>
WILMA VERDOOT	1889 MONTE MARE		<i>[Signature]</i>
Dervald Venter	1878 MONTE MARE		<i>[Signature]</i>
SHAVONNE VENTER	1878 MONTE MARE		<i>[Signature]</i>
Ben Biesel	1867 MONTE MARE		<i>[Signature]</i>

TP. n/steek
(M. Olivier)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
08 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. St 1735
Sandbaai
SCAN NO.
13
COLLABORATOR NO.
1994019

- 0 FEB 2024

TP

OVERSTRAND MUNICIPALITY

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3. Owners have already invested heavily in the area to secure the type of lifestyle a complex offers, particularly for the elderly.
4. The purchase of property is the most important investment, and this proposed development will instantly devalue all property in the area.

NAME	ADDRESS	PHONE NO	SIGNATURE
MM. ROOS	1864 Monte Mare		MM Roos
ZN ROOS	1864 Monte Mare		ZN Roos
H. Bliviel	1863 Monte Mare		H. Bliviel
M. BOUIC	1861 Monte Mare		M. Bouic
C. Bouic	1861 Monte Mare		C. Bouic
J.C. du Plessis	1862 Monte Mare		J.C. du Plessis
A.S. du Plessis	1862 Monte Mare		A.S. du Plessis
M.M.R. LINNEY	1865 Monte Mare		M.M.R. Linney
A. D. LINNEY	1865 Monte Mare		A. D. Linney
J.P. Saayman	1892 Monte Mare		J.P. Saayman
M. J. Saayman	1892 Monte Mare		M. J. Saayman
N. Matoti	1891 Monte Mare		N. Matoti
K. Matoti	" "	" "	K. Matoti
K. Niematiga	1888 Monte Mare		K. Niematiga

OVERSTRAND MUNICIPALITY

We, the undersigned, Monte Mare Estate residents, respectfully petition that the Overstrand Municipality not approve the proposal of Erf 1735, 71 Bergsig Street, Sandbaai because it is inconsistent with the neighbourhood for the following reasons:

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3. Owners have already invested heavily in the area to secure the type of lifestyle a complex offers, particularly for the elderly.
4. The purchase of property is the most important investment, and this proposed development will instantly devalue all property in the area.

NAME	ADDRESS	PHONE NO	SIGNATURE
C. Lombard	1823 Monte Mare		C. Lombard
H.P. Lombard	"	"	H. Lombard
CHRISTIE	1885 Monte Mare		Christie
E. Hutterling	1885 Monte Mare		E. Hutterling
F. DU PLOOY	1876 Monte Mare		F. Du Plooy
W. du Plooy	1876 Monte Mare		W. du Plooy
T. van Dyk	1872 Monte Mare		T. van Dyk
J. Lutterling	1860 Monte Mare		J. Lutterling
Solanie Lutterling	1860 Monte Mare		Solanie Lutterling
Y. BOONKUIJ	1868 Monte Mare		Y. Boonkuij
G. BOONKUIJ	" "		G. Boonkuij
W.P. AURET	1869 Monte Mare		W.P. Auret

OVERSTRAND MUNICIPALITY

We, the undersigned, Monte Mare Estate residents, respectfully petition that the Overstrand Municipality not approve the proposal of Erf 1735, 71 Bergsig Street, Sandbaai because it is inconsistent with the neighbourhood for the following reasons:


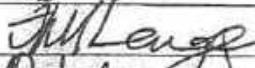
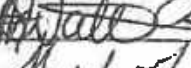
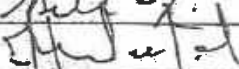
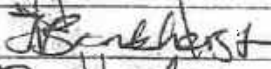
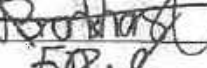
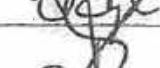
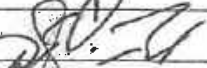
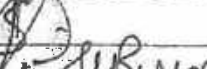
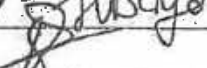
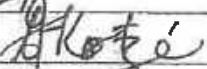

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NAME	ADDRESS	PHONE NO	SIGNATURE
Conie Theron	Monte Mare 1916		C. Theron
CURIS THORN	"	"	C. Theron
ELLEN THURN	" 1918		E. Theron
ANDREW MOORE	1879 Monte Mare		A. Moore
DERGUS MOORE	1879 Monte Mare		D. Moore
Jean Grant	1893 " "		J. Grant
Philip Blymenthal	1866 Monte Mare		P. Blymenthal
M. Blaauw	1901		M. Blaauw
G. Blaauw	"	"	G. Blaauw
S. Paizes	1902		S. Paizes
Evan Zyl	1904		E. Zyl
Duan Zyl	1904		D. Zyl
J. DROMON	1897		J. Dromon
S. BOTHE	1897		S. Bothe

OVERSTRAND MUNICIPALITY

We, the undersigned, Monte Mare Estate residents, respectfully petition that the Overstrand Municipality not approve the proposal of Erf 1735, 71 Bergsig Street, Sandbaai because it is inconsistent with the neighbourhood for the following reasons:

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4. The purchase of property is the most important investment, and this proposed development will instantly devalue all property in the area.

NAME	ADDRESS	PHONE NO	SIGNATURE
BJ AURET	1906 MONTE MARE		
J.M. LANGE	1870 " "		
DAVID WALT	1870 " "	C	
Frank Wenzel	1871 " "		
Jen Bronkhorst	1877 " "		
Almon Bronkhorst	1877 " "		
E van Zyl	1882, Monte Mare		
J van Zyl	1882, Monte Mare		
G. Rick	1890 Monte Mare		
A.D. Porges	1898 Monte Mare		
W. Burger	1900 Monte Mare		
C. Kötze	1899 Monte Mare		

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO . 194 /2023

ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

I, Catherine Stromberg, as the owner of Erf 1887 submit this objection for the following reasons

We relocated from the busy city life in Cape Town to enjoy the more rural beauty and peaceful tranquility of Hermanus. The proposed development on the boundary of our complex will change the neighbourhood completely obviating our decision to relocate.

We chose to invest in a property that offered us a good return and would secure our future in a safe complex with close neighbours, but sufficient privacy. All the services we would require is within a short distance, and easily accessible, particularly as we get older and driving could become a little more difficult.

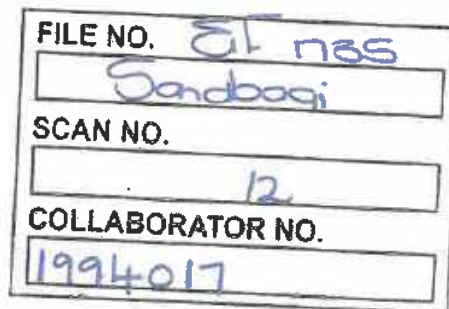
The approval of the proposed development will change this quiet suburb and devalue our investment, and incur further financial burden for me to relocate again.

Catherine Stromberg

CATHERINE STROMBERG



*TP. n. /heal
(H. Olivier)*



OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO. 194/2023

ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

I Ellen Theubet as the owner of erf 1918 Monte Mare, submit this objection :

- 1. The 3 storey buildings will block off sunlight
- 2. Balconies will be used for hanging washing
- 3. Morning and evening noise disturbances with about 500 cars and people coming home from work or schools. Have you measured the noise and the pollution?
- 4. Water shortages, and infrastructure demands
- 5. Residents and their visitors will be able to look into our complex and see what is happening at my house, and at all the houses from the 2nd and 3rd storey, and that will affect my safety in my complex.
- 6. I have lived happily here for 10 years and I would like to end my time in peace.

Ellen Theubet
 GC THEUBET

OVERSTRAND MUNISIPALITEIT
 REKORDBEHEER
 08 FEB 2024
 DOCUMENT CONTROL
 OVERSTRAND MUNICIPALITY

*TP. N. Theubet
 (11 Olivier)*

FILE NO. *Erf 1735*
Sandbaai
 SCAN NO. *11*
 COLLABORATOR NO. *1994015*

08 FEB 2024

TP

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO. 194/2023

ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

We Chris and Corrie Theron erf 1867 Monte Mare, submit this objection ?

We purchased our property in Monte Mare because of the very good security that a complex offers with the potential of the growth in the value of our investment.

We are retired and want to enjoy the way of life that a complex offers in terms of security, and privacy.

The 2 and 3 storey flats will compromise our privacy with occupants being able to see onto my property and the complex as a whole.

With approximately 100 cars starting up in the mornings, the noise levels, apart from the congestion of all these cars on the existing roads is going to be horrendous. When we purchased our property we realised that as we got older, driving would become an important factor, and the increased volume of cars on the roads could make for hazardous driving as parents try to get school children to schools in time.

Most importantly, the value of our property is going to be negatively affected by having a high density complex situated right next door, and that is very threatening to our financial security.

CHRIS THERON

CORRIE THERON

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
08 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP-A Theart (H Olivier)

FILE NO. Erf 1735-HSB
SCAN NO. 10
COLLABORATOR NO.
1994011

8 FEB 2024

TP

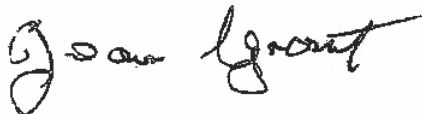
OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO. 194/2023

ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

I Jean Grant as the owner of erf 1893 Monte Mare, submit this objection :

1. Residents and their visitors will be able to look into our complex and see what is happening at all the houses from the 2nd and 3rd storey, and that will affect my safety in my complex.
2. Balconies will be used for hanging washing, especially in winter
3. Morning and evening noise disturbances with about 500 cars and people
4. Because they are flats, the common areas will have to be well lit, and we too will have light pollution from their complex.
5. At least 148 additional vehicles on the narrow roads will have a huge impact on congestion, especially during peak hours
6. A complex with a density of 90 du/h will adversely affect the value of my property.



JEAN GRANT

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
08 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP.A. Theak
(M. Olivier)

FILE NO.	Erf 1735
	Sandbaai
SCAN NO.	
	09
COLLABORATOR NO.	
	1994-003

- 8 FEB 2024

TP

Jenny & Donald Bett

42 Bergzicht, Bergsig Street, Sandbaai, Hermanus 7200 Mobile: 083 276 7393

TP-A Theart
(H Olivier)

Dear Alida

Re: Proposed development on Erf 1735, 71 Bergsig Street, Sandbaai, Hermanus.

We wish to object to the proposed development mentioned above, in the strongest possible terms.

The very thought of having such a huge development, with two and three storey blocks, right on our doorstep is preposterous! Our residential complex is diagonally opposite the proposed site.

Let's look at our reasons for objecting, outlined below.

- This will create a precedent in Sandbaai as there are currently no other structures of this scope, elevation and size in our suburb. 7 blocks of high density apartments in a comparatively small erf is just not on!
- The sheer size of the development with 148 sectional title units has no place in this location, if one compares it to the carefully set out and designed complexes in the immediate area. It amounts to a degradation of the character of this enclave of Sandbaai.
- All the residential complexes along Bergsig Street in our area have been carefully planned and laid out, with low rise structures and plenty of open spaces. This proposed development will be a complete departure from a municipal spatial planning perspective and rezoning will be a travesty to all the current residents who have chosen to live here.
- If the development goes ahead, in whatever form, there will be major disruptions to the lives of all the local residents during the construction phase. There will be noise, excessive dust and other unacceptable disturbances, including heavy vehicles coming and going blocking the roadways.
- We have noticed a huge increase in the volume of traffic along Bergsig Street in both directions in recent years. This has been exacerbated by the recent completion of the Whale Coast Mall extension. It already takes up to 10 minutes for us to get out of our complex at certain times of the day. Having 148 flats built with who knows how many vehicles per person accessing/leaving the erf, whether into Bergsig or End Streets, will create traffic jams never seen before in this quiet suburb. The traffic flow into Sandbaai Main Road at any time of the day will also be badly affected, causing major, unwanted congestion.
- Noise levels which are currently very low in this area, will undoubtedly increase with so many additional people living here. It will be impossible to control the behaviour of so many residents in the various apartment blocks. There is also the danger of additional air pollution.
- The developers have clearly not considered how this development will affect all the local residents. We believe that their underlying greed to make a huge profit at our expense is their main motivation, in an already heavily populated part of Bergsig Street.

With a general election expected to be held this year, there may even be serious political consequences for the governing DA party in Hermanus if this absurd development goes ahead. We sincerely hope that sanity will prevail and that the Municipality will reject this proposed development in its entirety.

Kind regards

Jenny & Donald Bett

JP - 7 FEB 2024

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

07 FEB 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

FILE NO. Erf 1735-HSB

SCAN NO. 07

COLLABORATOR NO.

1993681

Alida Conradie

From: Chris Heystek -
Sent: Wednesday, 07 February 2024 15:32
To: Alida Conradie
Subject: Objection against development of Erf 1735 Sanbaai Hermanus

Dear Sir / Madam

My wife and I are the owners of a dwelling unit in the Bergzicht Complex, Bergsig Street, Sanbaai, Hermanus and we wish to lodge an objection against the subdivision, rezoning and development of the property described above.

The reason for our opposing the development is in direct relation to the additional traffic that will derive from the development, as it is already extremely difficult to travel in - and out of our Complex because of the congested traffic.

The addition of 148 units in the proposed development will further the traffic congestion and the particular road (Bergsig Street) was never intended for such heavy traffic.

In the circumstances we could simply not agree with the proposed development and wish to add our voices to all the other people who are opposing this proposed venture.

Yours faithfully

Chris and Yvonne Heystek

P.O. Box 732 Caledon 7230
 Rep of South Africa
 30 Human Street Caledon 7230

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
07 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP = A Theart
(H Olivier)

FILE NO. Erf 1735 - HSB
SCAN NO. 05
COLLABORATOR NO.
1993662

- 7 FEB 2024

TP

TP: n./theat
(H. Olivia)

OVERSEAS STRAND MUNISIPALITEIT
REKORDBEHEER
07 FEB 2024
DOCUMENT CONTROL

RE: SUBDIVISION OF ERF 1735, SANDBAAI, A PROPOSED INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

We are the owners of Erf 2765 (12 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. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the traffic flow not only in End 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.

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 is hampered by heavy vehicles loading cement, or waiting to load cement.

Traffic flow is also hampered in Main Road due many vehicles accessing Sandbaai from the R43 then turning right into Bergsig, no doubt to offload or pickup scholars at CURRO.

Access to Main Road from End Street is also hampered by work seekers congregating on the eastern side sidewalks of the main road.

At the times when protests have taken place causing closure of the R43 and other roads east of Sandbaai traffic flow in all the roads mentioned above was exceedingly slow.

What will happen in the times of extreme disaster such as experienced in Betty's Bay recently?

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. It doubtful that the current Sandbaai infrastructure will be able to sustain such high-density development.

FILE NO.	21 1735
	Sandbaai
SCAN NO.	
	04
COLLABORATOR NO.	
	1993596

07 FEB 2024

TP

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

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.

This also begs the question: "What has happened to the proposed SRA rating of Sandbaai?"

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 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 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.

MA and AMA Edwards

Alida Conradie

From: Celeste Martin
Sent: Tuesday, 06 February 2024 19:10
To: Alida Conradie
Subject: OBJECTIONS ERF 1735

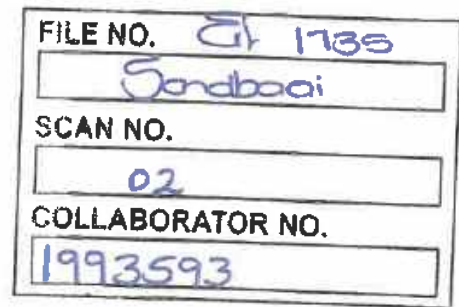
To Whom It May Concern

I wish to record that I strongly object to the proposed rezoning and high density development of the area between Mont Mare and Ocean Breeze.

Mrs CE Martin
33 Bergzicht Complex
Bergsig Road
Sandbaai 7200



*TP n. Ahoek
(M. Olivier)*



- 7 FEB 2024

TP

Alida Conradie

From: LEE T
Sent: Wednesday, 07 February 2024 06:47
To: Alida Conradie
Cc: Anje Theron
Subject: Erf 1735, 71 Bergsig Street, Sandbaai - OBJECTION

Hi Alida,

Please find this email as an objection against the development of 148 units at Erf 1735 in Sandbaai.

We are not against beautiful, safe and green development complexes as our neighbours, but I think a 3 story development at 9m high will tower over neighbouring complexes. I know they are planning to place the 3 story units in the middle, but I don't think this will make it look any less like a huge unit block development that will tower over the rest regardless.

When I look at an aerial photo of the area, on average Bergsig and Monte Mare have about 60 houses each on a property that is more than twice the size.

I understand that the entrance will be on End Street and not on Bergsig Street, but either way you look at it, those cars still have to turn onto Main Road to get up to the R43 or go via Bergsig Street to get to town. It will be a nightmare turning onto Main Road, not to mention the extra traffic impact nearly 300 cars will have around that area that is already congested to Curro and the Mall.

The Sewage and Waste Disposal solution as suggested looks good on paper, but reality could be far from it...

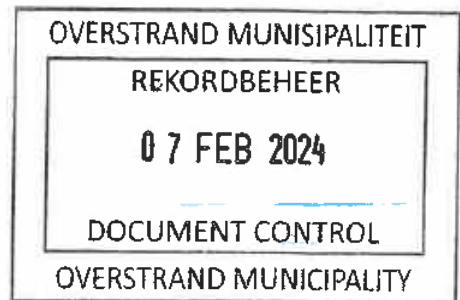
Looking at Figure 7: Extract OMGMS - Hermanus West, and seeing that it is the only section that is also under Planning Unit 6 like the Mall, I can't help to wonder who paid who to get that zoning?

Please cast our vote AGAINST this development.

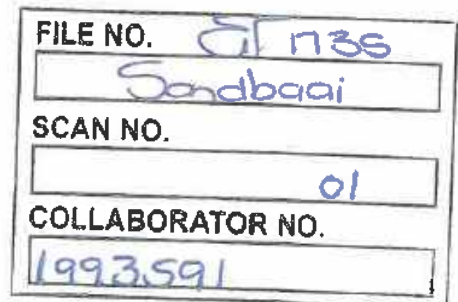
Kind Regards,

Owners of 12 Bergzicht, Bergsig Street, Sandbaai

Lee Theron and Anje Theron



*TP - N. Olivier
(H. Olivier)*



07 FEB 2024

TP

TP. n./heerik
(H. Olive)

7 February 2024

Overstrand Municipality

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
07 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Municipal Notice No 194/2023

Erf 1735, 1 Bergsig Street, Sandbaai: Application for Rezoning, Subdivision and Departures

I, A D Rogers, as the owner of Erf 1898 Monte Mare, submit this objection:

- The height of the structures is a problem in that the privacy and security of Monte Mare will be compromised and could result in the devaluation of the properties in Monte Mare.
- Since the opening of the Whale Coast Mall, the traffic volumes in Bergsig Street have increased, to such an extent that it is sometimes difficult to leave the complex. To add a large number of vehicles to that, will be a traffic nightmare.
- Another security risk will be the increased foot traffic in Bergsig Street which could be a potential security risk giving access to the public which could result in access to Monte Mare.
- All complexes in the vicinity of Erg 1735 are single storey townhouses which the exception of 5 double storey townhouses in Monte Mare which are located near End and Main streets,
- Substantially raised noise levels with increased residents and motor vehicles and no control in limiting the noise levels.
- A problem could arise with flats with balconies, which could be used to dry washing and storage, which would be an eyesore for Monte Mare and again, could devalue our properties.
- It should also be taken into account the high number of retirees that have invested in townhouse complexes for the security and these properties are diligently maintained in order to ensure that the property values are not compromised.
- All DSTV satellite dishes are linked to the mast above Rotary Way. These signals could be blocked by these buildings and cell phone reception could also be affected.
- The layout proves that the intention is to squeeze as many blocks of flats and as many residents as possible on this plot up to and beyond side and street boundaries and above height restrictions imposed on all neighbours to the detriment of all the complexes around this plot.

A D Rogers

1898 Monte Mare, Bergsig Street, Sandbaai

FILE NO.	1735
	Sandbaai
SCAN NO.	
	Rogers
COLLABORATOR NO.	
	1993558

7 FEB 2024
H

OVERSTRAND MUNISIPALITEIT
 REKORDBEHEER
 06 FEB 2024
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 OVERSTRAND MUNICIPALITY

TP - A Theart
 (H Olivier)

Our Reference : 1497/1
 Your Reference: 1735 HSB

2024-02-05

Director : Infrastructure & Planning
 Town Planning
 P.O. Box 20
 Hermanus
 7200

By Hand

Attention : Mr. H. Boshoff

Dear Sir,

**OBJECTION : ERF 1735 SANDBAAI TOWNSHIP
 (71 BERGSIG STREET)
 APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE**

With reference to the subject application as submitted by WRAP PROJECT OFFICE, herewith my objection;

1. BACKGROUND

- F.J du Plooy is the registered property owner of erf 1876 Sandbaai Township, which is situated in the Monte Mare Residential Complex, directly adjacent to the subject property abutting it on the western side.
- Erf 1876 Sandbaai was purchased during 2005 from the property developer, ±19 years ago.
- I am not in principle against residential densification if it is dealt within a responsible and sensible manner, harmonising with the existing surrounding developments as well as with the Sandbaai Area.

FILE NO.	ERF 1735 - HSB ✓
SCAN NO.	HSB 1735
COLLABORATOR NO.	1993089

Francçois du Plooy Associates

TRP (SA) B Art et Scien (Planning) M Phil (Urban Studies); SACPLAN Pr. Pin MRTPIA027/1005; MSAPI. SAACPP
 FRANCOIS DU PLOOY ASSOCIATES CC (REG NO CK 2007/038254/23)

Town and Regional Planning
 Environmental Assessment
 Property Development

Practitioners

2. GROUNDS OF OBJECTION

- The proposed development, as packaged currently, is **totally out of character with the surrounding residential development and the Sandbaai Area. The adjacent residential complexes consist out of single residential properties with free standing dwelling houses that consist mostly out of ground floor developments only.**
- The proposed height of 9,0 meters is not desirable for the area, as it will impact negatively on the privacy of the directly adjacent residents residing in the existing dwelling houses which is not more than 3,0 meter in height.
- The visible impact directly to the eastern side of Mont Mare is not compatible with and therefor not desirable for the area, due to the proposed height and the physical scale of the proposed development.
- The relaxation of the existing building line of 8,0 meters to a 0-metre building line is also not in line with the existing development pattern of the surrounding area. The building line must be maintained, and the parking bays proposed could consist out of shade ports or other temporary structures with natural vegetation such as creepers/grapevines, etc. that will soften the visual impact.
- It is essential that no permanent structures be permitted in the 0,metre building lines, right up to the communal erf boundary line, to minimize the physical impact of the proposed development on the surrounding properties.
- The proposed flat like development consisting out of 148 flats configured into rows of 2 to 3 storey buildings are not compatible with the surrounding area and will most definitely impact negatively on the character of the surrounding area. This will create a negative influence on the existing residential complexes which is of a very high standard.
- Also being a qualified property valuer myself, I am of the opinion that the single residential erven in Monte Mare, (directly abutting the proposed development) will decrease in property value of these dwelling houses.
- The proposed development is not architecturally/aesthetically acceptable as proposed currently. It is degrading to the existing developments and it appears to be not of a high standard and of good quality as presented currently.
- The current trip generation of 148 flats and motor vehicle ownership with an average of 1,5 overall (1,2 & 3 bedroom units), being 222 motor vehicles in total for the proposed development, is totally unacceptable. The width of the physical tarmac area in End Street is only 5 meters. This Street will not be able to accommodate the increase in additional traffic/ trip generation and therefore is totally inadequate to deal with the new traffic volume of an additional 222 cars and therefore should be upgraded to deal with any further residential densification/development that obtain access from End Street.

- A 6,0 metre wide road, is usually the absolute **minimum road width to accommodate 2 way traffic safely and functionally.**
- The current intersection of End Street with Main Road Sandbaai **will also not be able to accommodate the predicated additional traffic generation, especially during peak periods (07h00-09h00) and 16h00-18h00).** Main Road, Bergsig Street and End Street are already been utilised to full capacity. **A traffic circle will also have to be constructed to deal with the additional traffic that will be generated at the intersection of Main Road and End Street.**

3. PROPOSAL

To achieve an acceptable development which is desirable for the area, compatible with the existing surrounding developments, and also aesthetically pleasing as well as harmonising with the surrounding Sandbaai Area, the following is proposed:

- **To cluster the development in separate individual blocks, 2 storeys in height, consisting out of a certain number of dwelling units per block. This will make the scale of the development more acceptable and create a balance between open spaces and the residential structures on the subject property. This will be more in character with the existing surrounding developments.**
- **That the height of these structures be limited to a maximum of 2 floors only (±6 metres). This will address the negative impact on visibility and privacy issues as well as to reduce the negative scale and character of the proposed development.**
- **That the perimeter walls surrounding the proposed development (western and eastern side) be raised to at least to 2,2 metres to protect the directly abutting dwelling houses with regard to privacy, noise, security etc.**
- **That the existing 8,0 building lines be maintained, and only temporary structures be permitted within the building line area to soften the physical impact of the proposed development.**
- **That more attention be given to the aesthetical and architectural design of the proposed structures/development, to make it more pleasing and compatible with the existing surrounding developments.**
- **That a site meeting be undertaken by the MPT, to first hand take note of the concerns and physical features referred to in my objection.**

4. CONCLUSION

- **It is my submission that the application for Rezoning and Departure not be supported in its current format. That the above-mentioned grounds of objection be taken into account to soften the negative impact of the proposed development, and to be more in character and compatible with the surrounding developments, as well as the surrounding Sandbaai Residential Area.**
- I reserve my right to further elaborate on the above-mentioned aspects during a Tribunal Hearing.

Thank you.

Regards,



François du Plooy
Pr. Pln, MRTPI
A/027/1985

Willem P Auret
 1869 Monte Mare
 Bergsig Street
 SANDBAAL

Alida Conradie

Administrator, Town & Spatial Planning Department
 Overstrand Municipality
 16 Patterson Street
 HERMANUS
 7200

RE: Proposed Rezoning, Subdivision and Departures: WRAP Project Office on behalf of Terra Nuova Developments cc.

As a resident of unit 1869 in Monte Mare, I hereby raise my written objection for the proposed Rezoning, Subdivision and Departure of Erf 1735.

My objections are based on the following:

3. **Background and Intent:** ". . .purpose of development is to meet the high demand . . ." The statement of meeting the high demand for housing might be true, but the choice of this narrow piece of waterlogged land is certainly not suitable for a two- to three storey development of this nature. I have a suspicion that the developer paid too much for Erf 1735 and is smooth talking Overstrand Municipality to approve this land for development to recover their investment costs.

4.2.4 **Green solutions:** "innovative water use system"

There are at least two natural ponds that are fed from the "overflow" of the Whale Coast Mall. These ponds are situated where Block A and D are proposed for development. Any attempt to "drain" these ponds will increase the current shallow water table even further. Seasonal rising water tables will escalate and will have an impact on the stability of the adjacent boundary walls of Monte Mare and Ocean Breeze.

(Photos 1 – 4 illustrates the current, shallow water table in mid-summer at 1869 Monte Mare that are adjacent to the proposed Block A apartment)

12. Need and desirability. *"Impact on biophysical environment"*

Overberg hosts a few very rare and critically endangered amphibian species. I would like to remind you of amphibians that critically endangered and endemic to the Overberg, in other words it occurs nowhere in the world except the Overberg. Our unit is very close to one of these ponds and I have firsthand experience of frogs and toads that migrates between Erf 1735 and our unit. Overstrand Municipality cannot afford to approve this development without a proper amphibian study.

My main objective of Rezoning and the Subdividing of Erf 1735 is the destroying of a natural water catchment system. Groundwater (overflow) from the Whale Coast Mall ended up in Erf 1735 that acts as a natural reservoir. End street blocks the natural flow of water and the current stormwater system will not be able to handle seasonal flooding.

(Google Earth images 1 - 3 illustrates the natural flow of water from the Whale Coast Mall towards Erf 1735).

I sincerely put all my faith in Overstrand municipality to reject a development of this magnitude. This tiny piece of waterlogged land has not the capacity to allow more than 50% of occupancy by buildings, roads, or parking bays.

Best regards

WP Auret

Willem P Auret

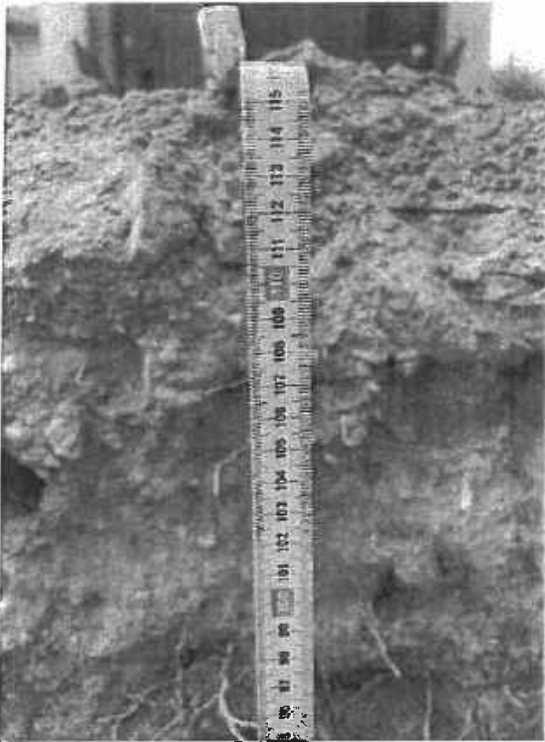


Photo 1: 28 January 2024
Water table at a depth of 1.1m (MM 1869)



Photo 2: 28 January 2024
Profile hole - 3m from Erf 1735 boundary wall.



Photo 3: 02 February 2024
Water table at a depth of 1.3m (MM 1869)



Photo 2: 02 February 2024
Water table increases and that in mid-summer.



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 Frog Pond near Monte Mare's eastern boundary wall. The soil profile hole is 3m from the boundary wall and not far from the Frog Pond.

136

TP- A Theart
(Holivier)

OVERSTRAND MUNICIPALITEIT 51/135

REKORDBEHEER

05 FEB 2024

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OVERSTRAND MUNICIPALITY

Alida Conradie

From: Richard Coquillon
Sent: Monday, 05 February 2024 10:04
To: Alida Conradie
Subject: Erf 1735, 71 Bergsig Street, Sandbaai, Hermanus - objection

Good morning Alida

We strongly object to the development on erf 1735, 71 Bergsig Street, Sandbaai, Hermanus of 148 flats (7 blocks) that will be 2 and 3 storeys high.

Our reasons are as follows:

1. We feel that the visual effect amongst the current housing estates will not be appropriate
2. A high density development of this nature, will put a further strain on the current infrastructure, which already had challenges coping with the influx of visitors over the year end holidays - sewerage, traffic, internet coverage etc
3. Properties in close proximity to this development will devalue in price
4. Privacy of neighbouring estates will be impacted.

Single residence housing with access via End Street will be acceptable and more in keeping with the neighbourhood .

Richard and Sheila Coquillon
14 Bergzicht
Bergsig Street
Sandbaai
7200

FILE NO.	Erf 1735- HSB ✓
SCAN NO.	Richard
COLLABORATOR NO.	1992065

RC
- 5 FEB 2024

137
TP - A Theart
(H. Olivier)

52/135

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

~~05 FEB 2024~~

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Alida Conradie

From: Jenny Stocks
Sent: Saturday, 03 February 2024 15:49
To: Alida Conradie
Subject: Rezoning of Erf 1735 for development of housing

I Jennifer Norma Stocks the owner of Erf 2866 wish to lodge my **OBJECTION** to this development.

My late husband & I bought to retire here in the Bergzicht complex in 2017 when it was a very sought after complex. This changed radically since the development of the Mall. This new development will certainly not be of any benefit to us but add to the problems we are exposed to.

1 The entrance & exit to our complex has become a nightmare as the constant flow of traffic on Bergsig road has increased & at times you can sit for 15 minutes before somebody lets you turn in or out. The foot traffic is scary and there is a constant lull around of strange people at our entrance...we have now got to the stage of the single elderly not feeling safe using the entrance of an evening.

2 We certainly do not have a peaceful lifestyle with the constant noise (building of the new extension which went on late into the evenings) and the subsequent security issues we are suffering from having to increase our electric fences.

3 The stagnant water dam is a breeding home for mosquitos that can't even be considered for spraying? Then they mention waterwise landscaping.

4 Sewage is a major health problem, the overflows & smell from the Mall are major & we here in Bergzicht suffer with the already overloaded availability of the Municipality to help.. not to mention the collection of the refuse which we are told to limit.

I understand the semigration, we here in Hermanus...Sandbaai are already not coping with the overflow of people. Create a housing development in a housing environment not in a shopping area which is already under strain. Sadly to say but I as an elderly single lady am already fearful to travel on my own to SW & CT because of the strikes, lawlessness & danger a person is exposed to.

I do believe this development will have a serious impact on our safety, health & wellbeing here in Sandbaai.

Yours

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

05 FEB 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

FILE NO. Erf 1735 -HSB ✓

SCAN NO. Stocks

COLLABORATOR NO.

1991824

- 5 FEB 2024

TP

138

TP - A Theart
(Hollivier)

Alida Conradie

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
05 FEB 2024
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OVERSTRAND MUNICIPALITY

From: Andrew Moore
Sent: Saturday, 03 February 2024 06:10
To: Alida Conradie
Cc: derynm3@gmail.com
Subject: Objection to the planned development on Erf 1735, 71 Bergsig Straat

Dear Alida Conradie

I, Andrew John Moore, owner of 1879 Monte Mare, and my wife Deryn Moore, object to the planned development by Terra Nuova Developments on ERF 1735, 71 Bergsig Straat, described in the Public Notice published by the Overstrand Municipality.

We object on the grounds that the development is too dense for the area. The number of units (140 plus) on such a small ground will incrementally increase traffic and congestion in what is already a busy industrial and residential area and the main feed to a school. It will also change the dynamic of the residential area which is town houses.

Yours sincerely

Andrew Moore

Director
Skyreach Consulting

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05 FEB 2024
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OVERSTRAND MUNICIPALITY

FILE NO. Erf 1735- HSB ✓
SCAN NO. Moore
COLLABORATOR NO.
1991811

- 5 FEB 2024

TP

OVERSTRAND MUNICIPALITY
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05 FEB 2024
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OVERSTRAND MUNICIPALITY

TP-A Theart
(H Olivier)

Alida Conradie

From: Theo Agenbag
Sent: Sunday, 04 February 2024 12:48
To: onruspharmacy@hermanus.co.za; Alida Conradie
Subject: ERF 1735 DEVELOPMENT OBJECTION

TN Agenbag
 1912 Monte Maré
 Berg street
 Sandbaai
 7200

2 Februarie 2023

Town planning
 Overstrand Municipality
 Hermanus
 7200

FILE NO. Erf 1735-HSB ✓
SCAN NO. Theo
COLLABORATOR NO. 1991799

Dear Alta

I am writing to formally object to the proposed development plans for Erf 1735, citing several significant concerns that must be addressed before any further consideration is given to the project:

Inadequate Infrastructure: The existing infrastructure in the area may not support the proposed increase in population density. Concerns regarding water supply, sewage systems, and electricity availability need to be thoroughly addressed to prevent potential strain and disruption to essential services.

Environmental Impact: The proposed development could have adverse effects on the local environment, including habitat destruction, loss of green space, and increased pollution. Comprehensive environmental impact assessments are necessary to evaluate and mitigate these potential risks.

Lack of Public Amenities: There is a notable absence of public amenities and recreational facilities in the proposed development plans. The inclusion of parks, playgrounds, and communal spaces is essential to foster a sense of community and well-being among residents.

Affordability and Accessibility: Concerns about the affordability and accessibility of housing in the proposed development must be addressed to ensure that it meets the needs of a diverse population, including low-income families and individuals with disabilities.

Traffic Congestion and Safety: The anticipated increase in vehicular traffic resulting from the proposed development could lead to congestion, safety hazards, and reduced quality of life for residents. Traffic management strategies and safety measures must be implemented to address these concerns effectively.

Height and Visual Impact: The proposed buildings' height and architectural design may not be in keeping with the surrounding landscape and character of the neighborhood. Visual impact assessments are necessary to evaluate the project's compatibility with existing structures and scenic views.

Community Consultation: Meaningful engagement with local residents and stakeholders is essential to address their concerns and ensure transparency throughout the planning process. Public meetings, feedback sessions, and consultations should be conducted to facilitate constructive dialogue and collaboration.

Historical and Cultural Preservation: The proposed development may encroach upon historical sites or cultural heritage areas that hold significance for the local community. Preservation efforts and heritage assessments should be undertaken to safeguard these valuable assets for future generations.

- 5 FEB 2024

TP

Long-Term Sustainability: The sustainability of the proposed development in terms of energy efficiency, waste management, and resource conservation needs to be carefully considered and integrated into the project's design and implementation.

In conclusion, I urge you to carefully evaluate the objections raised above and take appropriate action to address them in the planning and development process for Erf 1735. It is crucial to prioritize the well-being of current and future residents, as well as the preservation of the natural and cultural heritage of the area.

Thank you for your attention to these important matters.

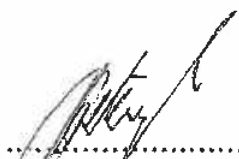
Sincerely,

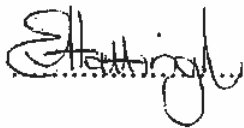
TN Agenbag

OVERSTRAND MUNICIPALITY
MUNICIPAL NOTICE NO. 194/2023
ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING

C & E Hattingh as owners of erf 1885 Monte Mare, submit this objection

1. The layout proves that the intention is to build as many blocks of flats and as many residents as possible.
2. All neighbouring complexes are single storey townhouse developments. Of the 60 properties on Monte Mare only 5 double storey , located near End and Main streets. Erf 1735 has buildings 3 storeys high. Loss of eastern sunlight in summer and norther sunlight in winter.
3. Loss of privacy and security. Flats will be looking over the existing boundary wall of Monte Mare and other neighbouring complexes.
4. Substantially raised noise levels - with over 500 residents and 300 plus cars, there will be no control on limiting noise.
5. Traffic impact, currently Main Road and Bergsig street already have a problem with traffic congestion. With a further \pm 300 vehicles, traffic will turn into total chaos.
6. The \pm 500 people in this small area will also put further pressure on the sewage and water supply system.
7. Electric fence between erf 1735 and Monte Mare. Is the developer planning to build a wall with electric fencing. If not, who will maintain and repair the fence between the 2 properties.
8. Owners in the current complexes have invested in town houses and prefer this area. All these residents' lives will be radically changed should this plan be approved. These established communities pay their rates and services and maintain their properties to retain their property value.


.....
Name C & E Hattingh
1885 Monte Mare
Bergsig st
Sandbaai


.....

TP-A Theart
(Hollivier)

Alida Conradie

From: Mariska Du Preez
Sent: Friday, 02 February 2024 03:36
To: Alida Conradie
Subject: Subdivision of ERF 1735

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
02 FEB 2024
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OVERSTRAND MUNICIPALITY

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of (nr 37 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

FILE NO. Erf 1735-HSB
SCAN NO. 199/138

- 2 FEB 2024

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Thanks Kindly,

Mariska Munro Du Preez

OVERSTRAND MUNICIPALITY
REKORDBEHEER
31 JAN 2024
DOCUMENT CONTROL

Alida Conradie

1735 HSB

From: Rochelle Linney <rochelle.linney@hpmhermanus.co.za>
Sent: Wednesday, 31 January 2024 13:10
To: yvette@hpmhermanus.co.za; Alida Conradie; bev.bisse@overstrandmunicipality.co.za
Subject: OBJECTION ERF 1735

TP. N. Theak (Ch. Olivia)

OBJECTION TO PROPOSED DEVELOPMENT ON ERF 1735 BERGSIG STREET, SANDBAAI SUBMITTED BY MR J D LINNEY AND MRS MMR LINNEY, OWNERS OF 1865 MONTE MARE, SANDBAAI, SUBMIT THIS OBJECTION RE MUN NOTICE 194/2023

The density of over 90du/h has never been approved in Hermanus before and it is in between two townhouse complexes of less than 30du/h

Erf 1735 is a third of the size of Monte Mare and will accommodate more than 5 times the number of residents. Well maybe more, if the Western Cape standards are not upheld of two persons per bedroom.

The layout proves that it is the intention of the developer to squeeze in as many flats and as many residents as possible, hence the need to build beyond street and side boundaries and above height restrictions. The risk of other structures being built along the Monte Mare east boundary is also very likely.

Light pollution is another negative factor. Entrance gates, road lights, parking lights, walk way lights, stairwell lights, balcony etc

Noise pollution from the above plus the extraordinary number of cars that will be coming and going.

There is one manned entrance gate on the southern side and a pedestrian gate on the northern side, so where is the security?

No designated area for the storage of gas bottle or wheelie bins for the flats. With 148 units can the refuse room accommodate all of them? Who will fetch and bring them back, probably the tenants will not.

No demarcated place for secure washing lines which in these types of developments usually end up on a clothes horse on the balcony, along with the bicycle and weber braai. Maybe even a surfboard.

6 Visitor parking bays are hopelessly not enough for this development.

useless games room, smaller than a double garage.

Monte Mare will suffer loss of light, views, privacy, market value and security.

Immediate costs for the OM would be the upgrading of End Street, the entry onto Sandbaai Main Road, upgrading fresh water reticulation, electrical upgrades, sewerage systems upgrade. Storm water catchment and runoff. All of which have not been budgeted for. Where is the communal conservancy tank going to be placed as this is not shown nor is the size.

NOTE; The Developer is not interested in helping with the so called housing shortage, their objective is to get in, get out, get rich and leave all the future problems to the appointed sectional title administrators. Bearing in mind the high maintenance, lifts, manned security of these buildings. The levy could become unaffordable to many residents.

J D LINNEY, 1865 MONTE MARE ESTATE, BERGSIG STREET, SANDBAAI.

M M R LINNEY, 1865 MONTE MARE ESTATE, BERGSIG STREET, SANDBAAI. C

- 1 FEB 2024

TP

FILE NO. <u>Er. 1735</u>
<u>Sandbaai</u>
SCAN NO.
COLLABORATOR NO. <u>1989545</u>

Alida Conradie

From: James Cruickshank <[redacted]>
Sent: Tuesday, 30 January 2024 11:56
To: Alida Conradie
Subject: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

NO I do not agree with the rezoning.

--

James Cruickshank Retired

e

TP. N. Theak (H. Olivier)

Address: 5 Bergzicht,

Bergsig Street,

SANDBAAI,

7200

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
30 JAN 2024
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OVERSTRAND MUNICIPALITY



Virus-free www.avast.com

FILE NO. <i>Erf 1735</i>
<i>Sandbaai</i>
SCAN NO.
COLLABORATOR NO.
<i>1988392</i>

30 JAN 2024

NP

TP. A. Theart
(id. Olivia)

Alida Conradie

OVERSTRAND MUNISIPALITEIT

From: REKORDBEHEER
 Sent: Monday, 29 January 2024 12:51
 To: 29 JAN 2024
 Subject: DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Gerhard Coetzee <>
Monday, 29 January 2024 12:51
Alida Conradie
Objection: Erf 1735

NO. 81 n35
 Sandbaai
 SCAN NO.
 COLLABORATOR NO.
 1986907

I am the owner of no49, Ocean Breeze Estate, 79 End Street, Sandbaai.

Herewith my objection to the subdivision/proposed development of Erf 1735. I am aware that land is very scarce and that Hermanus must be developed, but this kind of development and the density of it is unacceptable. If the development would have been more inline as what we have at Ocean Breeze I would not object, but multi-story, high density is not what I would expect as a proposed development.

1. Privacy: A high story development and occupants on a higher level looking into the backyard of the houses on the west side is not acceptable.
 2. Traffic: The planned entrance/exit is End street. This street if you are not aware of it is very narrow and two cars fit next to each other with difficulty. Now with such a big development it will make traffic nearly impossible at any given time of day and I don't want to think what it will be during rush hour.
 3. Noise: traffic will increase drastically and people living in End Street will have to tolerate even more. With the development and high rising buildings the noise level will be at an unacceptable/annoying level.
 5. Infra structure: End road will not be able to handle a dailey movement of heavy duty trucks and equipment. The thickness of the tar is inadequate.
 6. Safety: As it stands there are already problems/issues regarding safety in general and more on the east side of Sandbaai at present. Now with a development and people desperately looking for any possible jobs this is also going to increase the number of pedestrians / job seekers. If unsuccessful this can lead to more loitering and the possible changes to turn to crime/brake inns.
 7. Aesthetically : The idea of high rising buildings between Ocean Breeze and Mont Mart is really going to change the current aesthetic look as it stands now.
- I would rather have a look at a development that fits in and not stand out.

Kind regards

Gerhard Coetzee and Vivienne Mithcley

P

Alida Conradie

From: Connie Welsch
Sent: Saturday, 27 January 2024 13:19
To: Alida Conradie
Subject: Fwd: Erf 1735

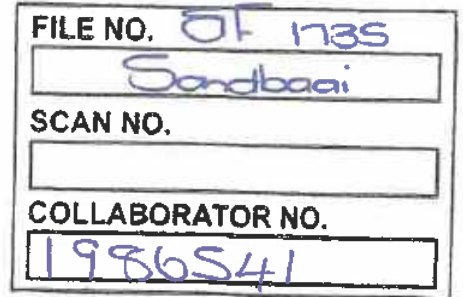


*TP. N. Iheark
(H. Olivier)*

----- Forwarded message -----
From: Connie Welsch <conwelsch7@gmail.com>
Date: Sat, 27 Jan 2024, 13:15
Subject: Fwd: Erf 1735
To: <alida@overstrand.gov.za>
Cc: bev.bisset58@gmail.com <bev.bisset58@gmail.com>

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO. 194/2023



ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION

AND DEPARTURES

I, Connie Welsch as the owner of erf 1878 Monte Mare, submit this objection :

1. My property in Monte Mare was purchased as an investment, which generates a monthly income for me. The proposed development has a density of 90 du/h which is going to be detrimental to all the properties in the area, resulting in me not being able to attract the tenant that will want to live next door to a high-density complex.

2. Residents from the new development being able to look into our complex is also going to compromise the security in our complex and again I may not be able to secure a tenant.

Connie Welsch



Virus-free. www.avast.com

TP

Objections to the planned flats on Erf 1735.

My name is Hanna Olivier. I am a widow and is living in No. 1863 in the Monte Mare complex. I am very concerned about the proposed development. My house is adjacent to the wall separating our complex from Erf 1735. What worries me the most is the lot of noise we will have to endure coming from a lot of flats with so many residents.

The height of the flats will have a negative impact on our solar panel charging and DSTV reception.

The traffic will be a nightmare. End, Bergsig and Main Streets will be the most affected. It is already difficult to get out of our complex and into Bergsig Street at this stage. With the additional at least 148 vehicles from the proposed project it will be a disaster.

I will have no privacy for my house is one of the 9 next to the wall that separates Monte Mare from Erf 1735. The occupants of the flats can look over the existing wall and will be able to watch our every movement. That surely will increase burglary activities.

I put my life long savings in my home investment and it is a very disappointing thought that it all will go to waste now because our property values will decrease.

Why don't the developer build the same single storey houses with more or less the same value as ours and the surrounding complexes?



Hanna Olivier

Monte Mare 1863

Tel no.

Date: 26/02/2024

Alida Conradie

From: Tom van Dyk <
Sent: Sunday, 28 January 2024 16:55
To: Bev.Bisset58@gmail.com
Cc: Alida Conradie
Subject: Erf 1735 development

Objections to the proposed development of Erf 1735 by Tom van Dyk, Erf 1872, Monte Mare:

- **Double storey housing.** When moving to Hermanus in 2010 I was under impression that 3 storey units in complexes were not allowed. These will have a significant impact on our privacy.
- **Privacy** of a person's property is fairly paramount.. As CJ langenhoven said: 'good fences make good neighbours'. People will be able to see onto our complex from their windows, and endanger our security.
- **Security.** Squeezing as many people as possible into the proposed complex, will bring an abnormally high (for a complex) number of additional people to our area and therefore a higher security risk for others surrounding them.
- **Congestion.** Since the erection of the mall, and being the only access/exit road to Curro school, Bergsig st is already highly congested. A 'standard' complex would of course increase this, but not nearly to the extent of the proposed development.
- **Aesthetics.** Having lived in various flats in Pta and Jhb, I can assure you that balconies create eyesores (Drying towels as well as clothing). 3 storey buildings will also stand out like sore thumbs.
- **Pollution.** A substantial no of additional vehicles; Lights that will be visible to all the surrounding areas; Abnormally raised noise levels.
- Such a development would result in a significant **devaluation** of our properties.

TJ van Dyk (PhD)
 7 705 7000

*TJ. D. /theak
 (M. Olivier)*

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29 JAN 2024
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FILE NO. Erf 1735
Sandbaai
SCAN NO.
COLLABORATOR NO.
1986512

Alida Conradie

1735 (183)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
29 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: D. Jones
Sent: Friday, 26 January 2024 14:18
To: Alida Conradie
Cc: Bev; Barry Jones
Subject: OBJECTION TO REZONING OF ERF 1735

TP. N. Aheark
(H. Olivia)

FILE NO. EF 1735
Sandbaai
SCAN NO.
COLLABORATOR NO.
1986511

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO. 194/2023

TRF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

TO WHOM THIS MAY CONCERN:

We, Barry and Debbie Jones, the owners of ERF 1870 Monte Mare, submit this objection:

We purchased our property to accommodate my aging parents, to secure a good lifestyle for them, cared for by family. My Mother has since been widowed 7 years ago, and the tranquil environment and security of the complex has a calming effect on the many elderly who reside in the complex, including my Mother whom now is experiencing some mental deterioration.

My mom has been able to relax in privacy in the back garden and enjoy the birdlife quietly and calmly without being overlooked by any neighbours. The development of 2 and 3 storey buildings directly adjoining our property defeats the whole objective.

With 148 flats in such a small space, there is the potential of approximately 500+ people in a small space between walls, making a noise, looking into our private space and directly threatening our boundary security.

Our investment in the property which has just been re-evaluated by the municipality will definitely devalue (without changing on paper) with such a high density complex in the area.

* BARRY & DEBBIE JONES

From Debi's iPhone

Alida Conradie 26 JAN 2024

From: Kate N <[redacted]>
 Sent: Friday, 26 January 2024 09:00
 To: OVERSTRAND MUNICIPALITY
 Cc: Alida Conradie
 Subject: Objection Erf 1735 Development

FILE NO.	21 1735
	Sandbaai
SCAN NO.	
COLLABORATOR NO.	1986361

TP: N/Aheat
(1.1. Olivier)

18 January 2024

Dear Sir / Madam

MUNICIPAL NOTICE NO. 194/2023
ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES

I Katherine Niemantinga, owner of erf 1888 Monte Mare, submit this objection.

I am writing to express my deep concerns about the proposed development in Sandbaai, which I believe poses significant threats to our community's privacy, traffic flow, property values, and overall character.

The high density of the proposed development is a major concern, particularly in relation to the privacy of existing residents. With 148 units densely packed into a limited space, the potential issues of overlooking, reduced sunlight, and an overall loss of privacy and community cohesion are alarming. It's noteworthy that only in Monte Mare are there five double-story units, facing Main and End Road, without direct neighbors. This unique configuration should not be used as a benchmark, as none of the surrounding complexes have double-story units. Such comparisons are not only misleading but irresponsible, and this development threatens to negatively impact the quality of life for residents, contradicting the established character of Sandbaai.

Additionally, there has been no environmental impact study conducted on this land, further exacerbating concerns about the potential consequences of the proposed development.

The cumulative impact of high density, privacy issues, and potential traffic congestion raises serious concerns about the effect on property values in Sandbaai. Existing homeowners have invested significantly in their properties, and this development poses a genuine risk of devaluation. This not only unfairly affects current residents but also jeopardizes the long-term economic well-being of our community.

Sandbaai already faces traffic congestion, especially on Main Road. Introducing 148 units and the associated increase in vehicles will undoubtedly worsen this problem, leading to longer commute times, safety hazards, and an overall decline in the quality of life for all residents. The proposed development has failed to adequately address these concerns, and its impact on the existing traffic infrastructure is deemed unacceptable. Furthermore, End Street, known for a high number of pedestrians, lacks proper space for pull-offs or built-up sidewalks.

The proposed development's density of 90.84 DU/ha significantly exceeds that of any other area in Hermanus, deviating from the established character of our town. This raises concerns about the strain it will place on local infrastructure and resources. Sandbaai is renowned for its relaxed atmosphere and low-density housing, and this development starkly contradicts these values. Notably, many apartments in this price range in Hermanus remain unsold.

Additionally, the management of a sectional title community of this size poses serious challenges.

In light of the aforementioned concerns, I urge you to reconsider the approval of this proposed development in Sandbaai. The negative impacts on privacy, traffic, property values, and the overall character of the community are simply too significant to ignore. It appears there is a blatant disregard for the concerns of proposed neighbors, seemingly driven by a motive to maximize financial gains.

26 JAN 2024

I implore you to either reject the project altogether or initiate significant modifications to address the legitimate concerns raised by residents.

Thank you for your attention to this matter. I trust that you will consider the well-being and interests of the community in making your decision.

Kind regards

Katherine Niemantinga ·

1888 Monte Mare, Bergsig street, Sandbaai

TP-154
(H. Olivia)

Alida Conradie

OVERSTRAND MUNISIPALITEIT

From: REKORDBEHEER Foto First
 Sent: 24 JAN 2024 Tuesday, 23 January 2024 16:55
 To: Alida Conradie
 Subject: Re Erf 1735 Sandbaai

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

To whom it may concern

FILE NO.	Erf 1735
	Sandbaai
SCAN NO.	14
COLLABORATOR NO.	1984524

RE: SUBDIVISION OF ERF 1735 SANDBAAI AND INTENDED MULTI-STORY DEVELOPMENT.

I am the owner of Erf 2775 (nr 22 Ocean Breeze Estate, 79 End Street Sandbaai)

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. I am not opposed to the residential development of Erf 1735 per se but vehemently object against the proposal of an unsightly, multistory, high density development in a suburb that is traditionally with low density family residences.

My objections are based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story high-density housing complex of 148 planned units 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 have an undoubted negative impact on the general charm of the neighborhood. The adjacent properties will lose their mountain view and negatively affect Bergsig and End Steet property prices. It is important that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This is an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with ageing infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major negative impact on the function and maintenance of the existing infrastructure.

I doubt that the current Sandbaai (End and Bergsig Streets)infrastructure will be able sustain such high-density development.

24 JAN 2024

TP

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will extremely negatively affect the already deteriorating road surface of End Street. End Street also carries

significant pedestrian traffic bringing general road safety in question.

Noise and light pollution:

Both the additional traffic and the added high-density development will cause a drastic rise in noise and light pollution significantly impacting the Ocean Breeze units facing the proposed multi-story blocks.

Social and security matters:

The large amount of earth and construction work required for this type of over-development will likely introduce many unchecked casual workers into the area with those will nefarious intent direct access to the Ocean Breeze western boundary wall allowing for an easy security breach into our security complex.

I trust the Municipality will take this objection into serious consideration as allowing such greedy over-development to go ahead will undoubtedly set a precedent and soon our town will become another coastal high-rise development void of its original charm.

Kind regards

Marlene van de Coolwijk _____

TP. n. Ahoat
(W. Olivier)

71/135

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 JAN 2024
DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE NO 194/2023

ERF 1735, 1 BERGSIG STREET, SANDBAAI : APPLICATION FOR REZONING AND DEPARTURES

We GERT BOOYENS and YVONNE BOOYENS, as owners of erf 1868 Monte Mare, submit this objection:

We strongly object to the proposal of building double storey flats next to our estate. We relocated from Kempton Park where exactly the same type of development was sanctioned. What a disaster, and negative outcome it became, with uncontrollable people and traffic, prompting our decision to relocate to Hermanus.

We purchased this property in 2014 for R1.2m because of its location. We have spent approximately R1m on renovations including our own private swimming pool. We are very private people with no neighbours overlooking our property, it is our sanctuary.

Despite the developers assertion that the flats have been designed so as to restrict the overlooking of its neighbours, the proposed 3 storey buildings will definitely have visual access to my property, and into our complex.

The occupation of 148 flats, each one of them having just one light on at night, will be the equivalent of a city right next to my boundary wall.

We have very strict rules to which we abide, and the thought of 136 units having children living there will definitely have lots of noise as it echoes in between the walls of a complex with insufficient foliage to dampen the noise. The start of a school day could have 92 vehicles all starting up at the same time to get these children to school in time.

With the lack of recreational space in the complex, these children would have to play on tarred surfaces, probably riding skateboards. With no space to run around, they could take to running along the corridors and shouting from balconies.

It looks like each flat will have a balcony, and with the lack of space inside each unit, the balcony will offer the only other alternative for partying/braaing. Potentially 148 fires, enough to light up the entire Sandbaai, with smoke from fires/braais, especially in winter, a very real threat of fire, both for their complex and any adjoining complexes.

Our neighbourhood consists mostly of single level townhouses, and is peaceful and quiet, and the development of flats will lead to the devaluation of all properties in the area. My home is my most important asset, all my funds have been invested in this property.

This development cannot happen in this area.

GERT BOOYENS

YVONNE BOOYENS

FILE NO. Erf 1735 Sandbaai
SCAN NO.
COLLABORATOR NO. 1985430




25 JAN 2024

OVERSTRAND MUNICIPALITY

MUNICIPAL NOTICE Nr 194/2023

ERF 1735, 1 BERGSIG ST, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURES



I, Elizabeth S. Wentzel, as owner of erf 1871 Monte Mare, submit this objection.

1. The size of Erf 1735 is approximately one third that of monte Mare but with a proposed density 5 times greater.
2. The neighbouring complexes such as Ocean Breeze, Bergzicht, Mooiszicht, Protea Park, and Green Mountain Estate are single storey developments
3. Hermanus has up to now not approved densities of over 90du/h and this would not be appropriate in the current townhouse complex development areas.
4. The number of car ports which will be located against the boundary wall would contribute greatly to noise and air pollution when residents start their vehicles to leave for schools etc. Potentially 90+ vehicles on the school run.
5. The height of 3 story blocks of flats will present optical pollution and loss of privacy for neighbours.
6. Security would be compromised should there not be electric fences or high barriers/walls.
7. Extensive light pollution is a reality should floodlights etc be mounted on the higher buildings
8. Decline of existing property values.
9. Also most importantly, the wetland area and two existing natural springs with endangered frog species trees etc. and birdlife, small animals like grey mongoose would be destroyed.

ES WENTZEL
1871 MONTE MARE

*TP - n. Theobald
(i.l. Olivier)*

FILE NO.	<i>Er 1735</i>
	<i>Sandbaai</i>
SCAN NO.	
COLLABORATOR NO.	<i>1985220</i>

TP

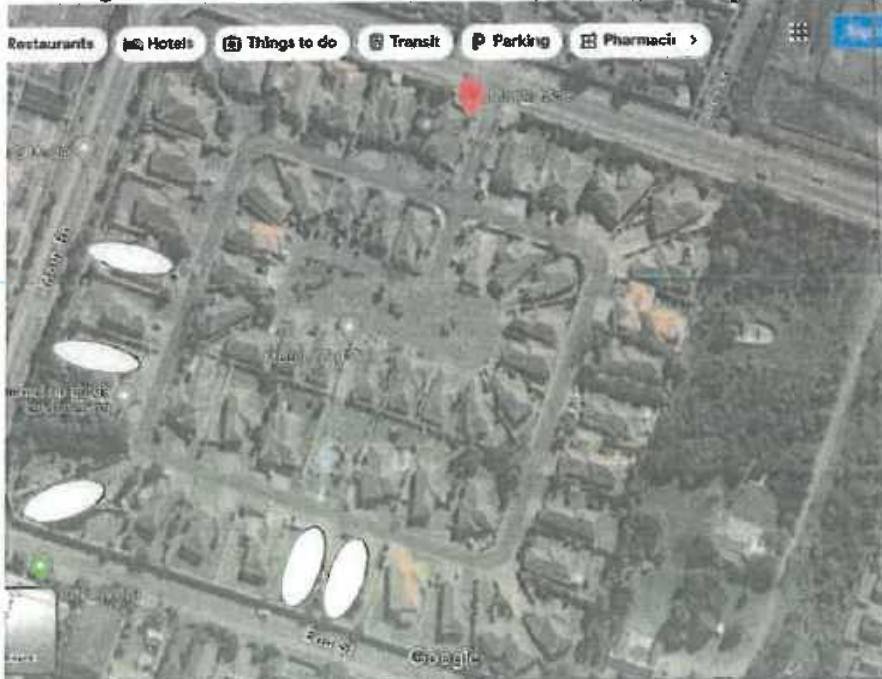
Objection to proposed development on Erf 1735 Bergsig Steet, Sandbaai – submitted by D Roberts, 1873 Monte Mare, Sandbaai (referred to as MM for Monte Mare)

Reasons for objecting to the proposed unheard-of and untested, high density of 90DH/H group housing, inappropriately positioned between low density, single storey, upmarket townhouses:

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. 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 13 blocks of three storey flats, 9m high, is really ridiculous. MM's 55 single residences have apex pitched roof heights of 5.3m, 4m lower than the thirteen 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 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 houses

From Argon Street to the west, all the complexes in Bergsig Street in the immediate vicinity of Erf 1735 – Mooizicht, Sandy Cover, Ocean Breeze, Bergzicht, Protea Park, Monte Mare (excluding 5 homes) and Green Mountain Estate - are all single storey townhouse developments.

OVERSTRAND MUNISIPALITEIT	
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24 JAN 2024	
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OVERSTRAND MUNICIPALITY	
TP. N. IHEALE (L. Olivier)	
FILE NO.	EF 1735
	Sandbaai
SCAN NO.	
COLLABORATOR NO.	1984890

24 JAN 2024
TD

3. Erf 1735 plans thirteen, three storey buildings, with 148 flats, a conservative estimate of 504 residents, and at least 268 cars, with a shocking density of 90.84DU/H. The overwhelming effect of the high concentration of block buildings, towering above neighbouring townhouses is absolutely inappropriate.
4. 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 3rd storey flat roofs. The thirteen, 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.
5. The substantial number of solar panels needed for power will probably be mounted on the 3rd storey flat roofs, but they could well be mounted at a raised angle to maximise sunlight. This could add up to 800mm height to the 9m, further blocking eastern and northern sunlight for MM and Ocean Breeze, as well as northern sunlight and views for private houses in End Street.
6. The *'proposed zoning and morphology are aligned with development trends in other areas of the OM'*. There is not one development with a density of 90DU/H in the Overstrand area. 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

Phase 1



Mariners' Village



7. *'Higher densities have been approved'* – De Zandt lifestyle estate incorporates 2 schools, shops, restaurants, retirement facilities, medical facilities, public open-spaces, sporting facilities, state of the art security, high end finishes and still only up to 75DU/H located on a massive piece of land away from houses or complexes. To compare this to the cramped design on Erf 1735 including extended side and street boundaries, is disingenuous and baseless.
8. Page 29 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.

9. Target market: *"90.24DU/H addresses housing demand"*.

Definitions/descriptions of the target market, as a justification for allowing this development, is confusing at best: *Reference pg. 2 "younger families, semi-retired and retired people"*, pg 9 *'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"* pg32 This development seeks to increase density shortfall created in the mall development, to more than the planned 56 and 84DH/H pg 35. 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 pg 35 'This development will contribute towards a more just and equitable society by addressing spatial imbalances...pg 36*

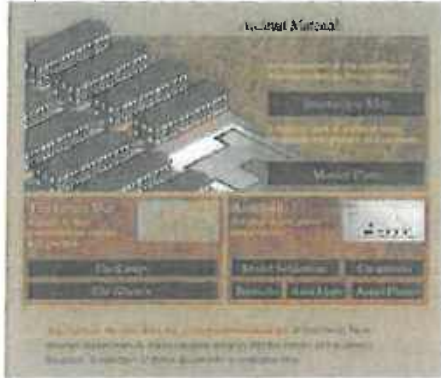
So, there is a perceived need to increase the stock of flats, there is the need to address the housing shortage, there is a need to service first time/entry level buyers, the need to avoid extending the urban edge by changing the zoning and subdividing existing erven, and then the political motivation 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.

10. 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.

11. Pg 30 – 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.

12. The block layout apparently ensures that it 'seamlessly fits into the surrounding area'. After long Google searches, Erf 1735 development bears an uncanny resemblance to the layout of Auschwitz extermination camp, World War 2. See comparison diagrams below: The Erf 1735 plan is simply the maximum number of blocks of flats possible, to house the maximum number of residents, all squeezed into the plot, up to and beyond, side and street boundaries and height restrictions, which have been imposed on and complied with by all the neighbours for years. Using two different roof types to break the overwhelming concentration-type appearance of all the block buildings does not create any seamless blending in to this area.



Concentration camp layout



Figure 1: 3D Render of the proposed development

Erf 1735

13. Traffic impact assessment Annex E was not provided to affected neighbours. Claims that 'there are adequate road networks, upgraded recently'. Pg 32. Main entry/exit to development, End Street, has not been upgraded since it was tarred. End Street is only 5.7m wide with no pavements, no yellow line space and already has high pedestrian traffic from Zwelihle especially in the mornings and evenings. Yet another unsubstantiated claim.
14. The refuse room (which will stink and attract flies/rats) right on End Street, will create bottle necks for pedestrians and vehicles.
15. Vehicles turned away from the entrance gate will not have space to turn around and will add to traffic issues.
16. 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.
17. Currently Main Road leading up to the circle on Bergsig Street is gridlocked for at least 40 minutes every school day. If one considers the following - 2 bedroom x 80 families, 3 bedroom x 12 families = 92 families with at least one school child per family estimated. How will at least 92 more cars be able to get out of the complex and drive to schools every morning on this same street? The only other option will be to drive through Zwelihle on Schulphoek Road and join the traffic gridlock there, but at great personal risk given the crime levels. Installing a robot on End/Main Streets would not be an option, only one block down from the circle.
Alternatively, if children travel to school in taxis or buses, End/Bergsig Streets will become even more congested.
18. The developers will use MM western brick wall and electric fencing. There is currently a low vibrecrete wall up against MM wall, but given that they need to reduce the side boundary to 0m to squeeze in extra parking bays, one presumes they will use the wall and fencing. How does MM ensure that maintenance and repairs to MM infrastructure will be done by Erf 1735 or that structures (carports/garages) will not be attached to said wall/electric fencing? Without any storage or garages, 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.

19. *"Communal outdoor recreational/garden areas as one functional space"*. Open space of 4589m² or 27% of total space, eastern boundary (functions as one) approximately 2479m²/15.1%. If the areas between buildings and on side boundaries are all used for communal recreation areas, there will be substantial noise generated from such use. Neighbours would definitely be affected. 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 30m², (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.
20. 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 have a serious impact on the *aesthetics* which the developer mentions so many times.
21. Parking bays 268, Visitors bays 6. City of Cape Town zoning scheme regulations set out the required number of visitors' parking bays as one visitor's parking bay per four units. This would translate into 37 visitors' bays, which suggests that the allocated 6 bays are insufficient. If vehicles are parked outside the complex, this will create traffic issues and be unsightly.
22. The average apex height of a shadecloth cover for a parking bay is 2.4m. MM boundary wall is 2m high, so residents will look straight onto shadecloth 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.
23. Pedestrian Gate – 'easy access' but nothing about security. MM security could well also be compromised. Irresponsible foot traffic could also cause major problems on Bergsig Street. There are already stops and crossings which interfere with the traffic flow, so yet another pedestrian crossing will only create further flow problems.
24. Loss of mountain and country views – Single storey houses will completely lose all their views of the mountains and countryside. Reminder – 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on mountain and country views for single storey houses in the shadow of these huge buildings.
25. Loss of eastern sunlight in summer and northern sunlight in winter. Reminder: 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on sunlight for single storey houses in the shadow of these huge buildings.
26. Loss of privacy - flats substantially taller than single storey houses, looking straight down into these properties. Reminder: 13 x 3 storey buildings packed onto Erf 1735 will have a substantially negative effect on privacy for single storey houses overlooked by these huge buildings.
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 675m². 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.

27. Residents in the two storey flats (8m high) will have clear views into MM through their flat windows and from balconies, over the boundary wall which only measures 2m. Also those in the 3rd storey flats (9m high) will have the same views, but also further into the whole of MM.
28. Aside from reasons mentioned above, being exposed to neighbours' scrutiny on this scale constitutes a serious security risk for MM.
29. 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.
30. Substantially raised noise levels – with 504+ residents including children, cars, outdoor play areas, braai areas, balconies and passageways high above MM. There will be no 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.
31. There has been no Environmental impact Assessment done. This area was part of a wetland before being developed. Who decided this?
32. 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.
33. 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 and to create appealing communal areas on the inside and street boundaries (where these have not already been cut back to 0m).
34. All the TV satellite dishes at MM are connected to the aerial on the top of the hill above Rotary Way. The thirteen three storey buildings will definitely interrupt reception and potentially affect internet and cellphone reception from the same tower.
35. 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 m², 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.
36. Demolition of buildings on Portion A – There is no information on what they plan to use this property for. Considering that it also shares a boundary with MM, whatever is planned for this erf, needs to be submitted to neighbours for approval.
37. 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.

ASSESSMENT OF FLATS IN SAME PRICE CLASS AS PROPOSED ON Erf 1753		
Comparative flats currently on market in Hermanus on Property 24, unsold - 95		
Property details	Complex names	Number of units
3 bed R1 350 000 79m2, 2 bed R950 000 45m2	Beach Club, Zwelihle	43
1 bed 1 bath 102m2 R1 450 000	Onrus Trading Post, Onrus	8
2 bed 102m2 R1 695 000	Onrus Close, Onrus 2 bed 101m2 R1 700 000	102
2 bed 79m2 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, 94m2	Driftwood Court 1035m2 Sandbaai	8
From R1 995 000	Jacqui's Place 831m2, 5 left Sandbaai	?
2 bed R1 875 000 63m2;	Oak Terrace Westcliff 1 bed R1 300 000 51m2	50
	Magpies Sandbaai	8
1 bed R1 200 000 55m2	Watsonia Park; 2 bed 61m2 R1 250 000 Sandbaai	38
2 bed 76m2 R1 600 000, R1 450 000	SS Green Mountain Sandbaai	32
	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	?
Total number of flats in Hermanus		835 +
Neighbouring townhouse complexes	Property prices	Number of properties
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
Moozicht Gardens	R2 680 000, R2 995 000	69
Bergsicht	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
Total single storey townhouses in immediate vicinity/line of sight of Erf 1735		395

38. 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.
39. 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.
40. 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.
41. How large will the communal conservancy tank have to be to cater for 600+ residents spread over the 16 400m²? 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.

42. 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 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 six months ago confirmed that the municipality recognizes property growths and the same municipality benefits monthly when new 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

Alida Conradie

From: Claire Ross
Sent: Wednesday, 17 January 2024 16:36
To: Alida Conradie
Subject: ERF 1735, SANDBAAI, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC

Good day,

While I understand the high demand for additional housing for Hermanus Residents, please find below my official objection to the proposed development of ERF 1735 Sandbaai. As a homeowner in End Street (private dwelling), I am concerned that the proposed development affect me in the following ways:

- 1) Increased Traffic congestion on Sandbaai Main Road in the morning and afternoon.
- 2) 148 Individual homes can easily mean well over 300 additional persons living on my street.
- 3) The Proposed development will completely block out my stunning Mountain view - a huge advantage for me should I decide to sell in the future.
- 4) The development will devalue my property value.
- 5) the development will create huge amounts of noise and dust pollution that will directly affect me.
- 6) The high likelihood of a spike in crime while building is taking place.

Many thanks and with kind regards,

Claire Rossiter

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18 JAN 2024
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*TP-n/hoark
(H. Olivier)*

FILE NO.	<i>ERF 1735</i>
	<i>Sandbaai</i>
SCAN NO.	
COLLABORATOR NO.	<i>1982616</i>

TR

Alida Conradie

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
17 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Emmarentia
Sent: Monday, 15 January 2024 17:02
To: Alida Conradie
Cc: 'Chicken Basson'
Subject: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Draft Objection letter by affected property owner.
Attachments: Notification to Affected Persons.pdf; Notice Documents.pdf

Attached is the objection from owner of plot 2770, House 17 Ocean Breeze, Bergsig Street Sandbaai.

Kind regards

*TP-N/hoof
(H.Olivier)*

Christiaan Marthinus Basson

FILE NO. <i>EL 1735</i>
<i>Sandbaai</i>
SCAN NO.
COLLABORATOR NO.
<i>1981847</i>

From: Chicken Basson <
Sent: Friday, January 12, 2024 8:09 AM
To:
Subject: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Draft Objection letter by affected property owner.

From: Havenga Makelaars
Sent: Tuesday, 09 January 2024 11:10
To: Havenga Makelaars
Subject: Erf 1735, 71 Bergsig Street, Sandbaai - Draft Objection letter by affected property owner.

Dear Owners

As mentioned on the OB whatsapp group attached draft objection letter that can be used. Mail to alida@overstrand.gov.za on or before 9 February 2024.

Regards

Malita

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of **Erf 2770** (nr **17 Ocean Breeze Estate**, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object

Handwritten signature

against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Alida Conradie

From: Olly Clow
Sent: Tuesday, 16 January 2024 13:34
To: Alida Conradie
Subject: RE: Erf 1735, 71 Bergsig Street, Sandbaai - Objection letter by affected property owner.

*TP. D. Theart
(H. Olivier)*

OVERSTRAND MUNISIPALITEIT
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17 JAN 2024
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Objection letter by affected property
FILE NO. Erf 1735
Sandbaai
SCAN NO.
COLLABORATOR NO.
1981835

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2780(no 27) Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will

TP

have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,
Amanda Clow

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17 JAN 2024
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Alida Conradie

From: Leon van Eeden <
Sent: Tuesday, 16 January 2024 15:53
To: Alida Conradie
Subject: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH DENSITY DEVELOPMENT

*TP-N/Heart
(H.Olivia)*

To whom it may concern

SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH DENSITY DEVELOPMENT

FILE NO. <i>87/1735</i>
<i>Sandbaai</i>
SCAN NO.
COLLABORATOR NO. <i>1981797</i>

I am the owner of Erf 2755 (nr 2, Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

*17/1/2024
P*

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards

LJ AND S VAN EEDEN

OUR OBJECTION TO THE PROPOSED PLANS FOR PLOT 1735 SANDBAAI

We are home owners in the Monte Mare complex and our house nr. 1864 is one of the 9 houses next to the outside wall, adjacent to Mr. Alcocks plot No. 1735.

Monte Mare complex exists of 65 houses on 43600 square meters.

Mr. Alcocks plot is 18000 square meters and he is keeping 1600 square meters out for himself. That leaves 16400 square meters for 56 single bedroom, 80 two bedroom and 12 three bedroom flats.

We as home owners of Monte Mare are very concerned about the proposed project.

- 1) Is it a low cost housing project?
- 2) Who are their benchmark?
- 3) What is the prices for the different size flats?
- 4) How many occupants will stay there?

According to my calculations 2 people in one bedroom flat, 4 people in 2 bedroom and 6 people in three bedroom flat at least. That is +- 504 people with 32 square meters living space per person. Not to speak about the noise pollution and I don't even want to mention the traffic congestion in End, Bergsig and Main Streets. Our privacy is not their priority at all.

Our property value will also decrease in spite of the 70% increase of our rates and taxes during 2023.

We have no problem if they build one story houses with more or less the same value as ours and respect the existing building line rules.

Signed by ; ZN Roos

Signature

Date 16/1/2024

MM Roos

Signature

Date 16/1/2024

F&L PRETORIUS

UNIT 8, OCEAN BREEZE PRIVATE ESTATE

Erf 2761 HSB, 79 Endstreet, Sandbaai, 7200

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15 JAN 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

TP. A. Meak
(H. Olijie)

File Ref: 1735 HSB

11 January 2024

Application ID: 4409/2022

Ms Alida Conradie
 Administrator: Town & Spatial Planning Department
 Overstrand Municipality

By e-mail: alida@overstrand.gov.za

FILE NO.	Erf 1735 ✓
	Sandbaai
SCAN NO.	HSB 1735
COLLABORATOR NO.	1981116

Dear Ms Conradie

ERF 1735, 71 BERGSIG STREET, SANDBAAI, HERMANUS: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC

The notification received in the above regard refers.

We are the owners of Erf 2761 HSB (Unit 8, Ocean Breeze Private Estate, 79 End Street, Sandbaai).

Receive herewith our objection to the abovementioned subdivision and proposed development of Erf 1735, located along the western boundary of Ocean Breeze Estate. Kindly note that we are not opposed to the residential development of Erf 1735 per se, however, we object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

Our objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyards of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function and maintenance of the existing infrastructure. It is doubtful that the current infrastructure (specifically End and Bergsig Streets) will be able to sustain such high-density development.

Traffic

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

Noise and light pollution

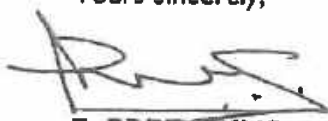
Both the additional traffic, as well as the addition of a high-density development, will cause a drastic rise in noise and light pollution with significant impact on the Ocean Breeze units facing the proposed multi-story blocks.

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 types 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.

We trust the Municipality will take this objection into serious consideration, as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development, void of its original charm.

Yours sincerely,



F. PRETORIUS



L. PRETORIUS

177

TP. N/Heerk
(M. Olivia)

Alida Conradie
OVERSTRAND MUNISIPALITEIT

From: REKORDBEHEER
Sent: 12 JAN 2024
Subject: DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY
To Alida,

Casteleijn Johan <j...>
Friday, 12 January 2024 12:29
Alida Conradie
Erf 7135

Ernas
Sandbaai
Johan
1980144

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2795.number 40 Ocean Breeze,79 End Street, Sandbaai.

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

17 JAN 2024

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Johan and Esme Casteleijn

OVERSTRAND MUNISIPALITY 17135
REKORDBEHEER
12 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Alida Conradie

From: Estelle Marie <>
Sent: Friday, 12 January 2024 11:24
To: Alida Conradie
Subject: RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

TP- A. Theak (H. Olive)

Dear Alida,

I am the owner of Erf 2777, number 24 Ocean Breeze Estate, 79 End Street, Sandbaai.

Herewith my serious objection to the above mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objections are based on the following:

Impact on the suburban charm of Sandbaai and its property values

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

FILE NO. Erf 1735 Sandbaai
SCAN NO. Marie
COLLABORATOR NO. 1980139

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already

deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Estelle Webster

Municipal Manager

Overstrand Municipality

Hermanus



FILE NO. <i>Erf 1735</i>
<i>Sandbaai</i>
SCAN NO.
COLLABORATOR NO.
<i>1979957</i>

Munisipale Notice Number 194/2023

*TP. N. Ancau
(Id. Olivier)*

Erf 1735, 71 Bergsig Street, Sandbaai: Application for Subdivision, Rezoning and Departure.

RE: Your Notification to Affected Persons

Persuent to you notification I would like to raise my objections to this Departure from the Overstrand Municipality By Laws on Land Use Planning for Erf 1735 Sandbaai:

The increase from 72 units to 148 units will lead to a greater than 100% increase in the density of units to be built on this property particularly since the existing single storey dwelling will be retained and excised from the Erf 1735. This will lead to a population in the order of 500 people and obviously leads to 7 blocks of flats mostly of 3 storey construction.

In addition to this number of people to be accommodated provision would need to be made for approximately 250 motor vehicles.

This density of units, people and motor vehicles is proportionately way out of line with the existing Land Use Planning and also exceeds the recommended maximum density. This recommendation should only be exceeded in exceptional circumstances and be thoroughly motivated.

The high density will add to and may negatively affect the embedded capacity of the utility services planned for this area.

In addition the density of these units will potentially lead to a node within the area of high ambient noise in comparison to the developments already provided in the area and create a focus point of this deviation. This will not be able to be mitigated with building walls.

In an area where there is minimal multistory buildings this departure will lead to this single Erf impacting on the visual cohesion of the area. Privacy will be affected to the existing developments neighbouring on the flats. The upper floors will be able to look straight into the existing properties.

TP
12 JAN 2024

Of further concern is the impact on the traffic flows in the area which contains Whale Coast Mall, and schools, currently suffers from being slow particular during peak times.

Kind Regards,

NR Marinus

1875 Monte Mare

Bergsigstraat

Sandbaai.

Alida Conradie

From: Carol & Hannes Smith
Sent: Thursday, 11 January 2024 08:01
To: Alida Conradie
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
Attachments: image001.jpg; image001.jpg

Good morning.

I strongly oppose this decision and do NOT agree with it going forward.

Strongly oppose.

Many thanks
Carol Smith

----- Forwarded message -----

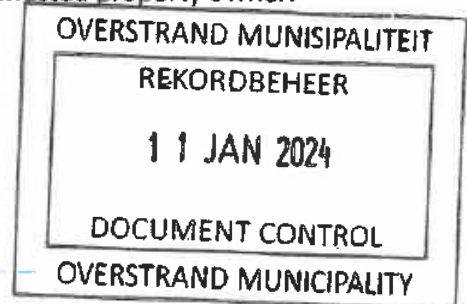
From: Carol & Hannes Smith
Date: Thu, 28 Dec 2023, 17:36
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
To: Magde Van Rooyen <f

----- Forwarded message -----

From: Alida Conradie <alida@overstrand.gov.za>
Date: Wed, 20 Dec 2023, 09:11
Subject: RE: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
To: Carol & Hannes Smith

Good morning Ms Smith

*TP. D. Abaart
(H. Olivier)*



Receipt is hereby acknowledged of your comment.

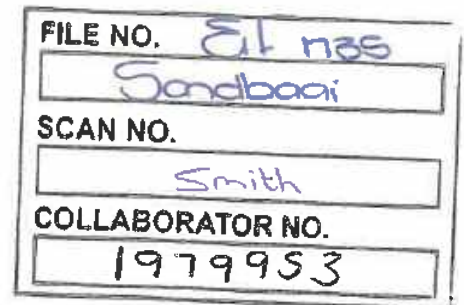
Kind Regards

Alida Conradie

Administrator, Town & Spatial Planning Department Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: alida@overstrand.gov.za



11 JAN 2024

TP

TP. n. Ahearne
(H. Ollivier)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
11 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Munisipale Bestuurder
Overstrand Munisipaliteit
Hermanus

Munisipale Kennisgewing Nr 194/2023

FILE NO.	11138
	Sandbaai
SCAN NO.	
	Saayman
COLLABORATOR NO.	
	1979948

Erf 1735, Bergsigstraat 71, Sandbaai: Voorgestelde hersonering, onderverdeling en afwykings.

Hiermee my, JP Saayman, 1892 Monte Mare, Bergsigstraat, Sandbaai direk langs Erf 1735, en namens talle van die 60 eienaars in die kompleks, se siening en kommentaar oor die voorgestelde veranderings te Erf 1735.

1)148 eenhede: 2 persone per 1 slaapkamer eenheid, 4 per 2 slaapkamer eenheid en 6 per 3 slaapkamer eenheid gee n totaal van 504 persone wat op die erf geakkommodeer gaan word, as by die reëls gehou word.

Ook word voorsiening gemaak vir 274 voertuie se parkering.

As in aggeneem word hoe dig die bevolking op erf 1735 gaan wees tesame met die hoeveelheid voertuie, sal die potensieële geraasbesoedeling n baie hoë vlak bereik en absoluut n negatiewe invloed op die aangrensende komplekse hê. Deurdat dit 7 3-verdieping woonstelgeboue is, sal die hoogte maak dat geen geraas demping deur die grensmure enigsins n invloed kan hê nie.

Erf 1735 se grootte is n derde van die van Monte Mare wat 60 huiseenhede akkommodeer met 127 inwoners in totaal.

2)Die voorstel gaan n definitiewe groot negatiewe uitsig invloed op die omgewing hê.

Vanaf Argonstraat tot Hoofstraat is al die komplekse wat grens teenaan Bergsigstraat, naamlik Kaapzicht, Ocean Breeze, Bergzicht, Monte Mare, Protea Park en Green Haven, almal enkelvlak eiendomme.

11 JAN 2024
P

Sandy Cove met van sy dubbelverdiepings grens nie aan Bergsigstraat nie en vorm n integrale deel van die Whale Coast Mall en Industriële gebied en het geen direkte impak op die uitsig nie. So ook is 5 van die 60 eiendomme van Monte Mare dubbelverdiepings maar kan slegs van die hoek agter by Endstraat en Hoofstraat gesien word.

Daar word gemeld al die woonsteleenhede word van solar krag voorsien. Volgens my beperkte kennis sal die panele op die platdakke van die 3de verdiepings gemonteer moet word. Om maksimum effektief te wees sal hulle ook teen n redelike skuinste gemonteer word. Ook sal daar baie, baie panele per woonstel blok benodig word wat n verdere +/- 750mm tot die 9m hoogte voeg en so n verdere beperking tot die uitsig vir die omliggende woongebiede.

Die 7 woonstelblokke gaan n definitiewe inpak op die omgewing hê, uitstaan soos n seer oog vanaf al die genoemde komplekse, Whale Coast Mall en baie privaat huise in Endstraat. So sal die uitsig na ons pragtige berge en omgewing vir baie afgesny word.

3)Die verduideliking van die ontwikkelaar dat die gedeeltes na aan die direkte grensmure tot net 2 verdiepings beperk word om die uitsig te verbeter, dra nie gewig nie. As na die planne gekyk word sal gesien word dat hierdie 2 de vlak gedeeltes van staandakke voorsien word. Hierdie dakke se nokke loop parallel met die grensmure en die nokke is minder as 1 meter laer as die 9m hoë platdak van die 3 de verdieping. Dus die verbetering is so minimaal dat dit beswaarlik n verbetering is.

4)Die sonlig beperking behoort nie n groot invloed op die direkte omgewing te hê nie. Slegs Ocean Breeze mag in laat middag met son wat in die weste sak vroer afgesny word.

5)n Belangrike aspek wat nie direk aangespreek word nie is ons eiendomme wat direk teen die grensmure in die twee aangrensende komplekse, naamlik Monte Mare en Ocean Breeze, geleë is. Die eienaars se privaatheid gaan beslis in die slag bly.

Bladsy 4 van u inligting stukke wys wel die distansies weg, die verskille van hoogtes en die 2 verdiepings naaste aan die grens teenoor aangrensende dakke ens maar is misleidend volgens my.

Eerstens die dakke in Monte Mare is heelwat laer as die van Ocean Breeze, so ek meld net ons situasie hier. Ook is dit net van ons 55 enkel verdiepings, want die 5 dubbel verdiepings is nie relevant nie soos vroer verduidelik.

Daar is net 9 huise direk langs die grensmuur met die 9de een wat langs die bestaande enkel verdiepinghuis op Erf 1735, wat behoue gaan bly, is. Uit die inligting kan u aflei dat al 9 huise baie ver van mekaar gebou is met groot oop spasies tussen mekaar en wat strek tot aan die voorkant van die erwe. Verder is daar in elk, groot agterplase wat strek tot teen die grensmuur waar eienaars hulle privaatheid geniet met tuine, onthaal, braai en selfs n swembad by een en n 2de een in aanbou.

Die woonstelle se maks hoogte is 9m. U meld dat ons toegelate dakhoogte is slegs 1m laer as die van die woonstelle maar u verwys seker na dubbel verdiepings. Ons huise wat geaffekteer is, is almal enkel verdiepings.

Ons huise is 3m grondvlak tot muurplaat hoogte. Dakke se hoogte van muurplaat tot nok, met teels op, vir breedste huis is 2.3m. Dus grondvlak tot nok is 5.3m, wat 3.7m laer is as woonstel hoogte, dus meer as n verdieping laer. So ook 700mm laer as n 2de verdieping se beton dak.

In al die 9 huise se gevalle is hulle met die smal kant na die grensmuur gebou wat beteken die nokke van hul dakke is reghoekig met die grensmuur. Die dakke het n val van 22.5 grade wat maak dat wynig van die dakke privaatheid bied vanaf Erf1735 se kant, vanaf n hoe vlak op verskillende hoeke tot op grondvlak. So ook blok dit nie die eienaar se sig van die woonstelle nie.

Nou met net die tweede verdieping gedeelte 4.5m vanaf die grensmuur sal daar vanaf vensters en balkonne van n paar eenhede per blok, bo oor die grensmuur, 1.8 tot 2m hoog, in die agterplase sowel as tussen die huise deur tot voor in die erf gesien kan word. So ook vanaf die 3de verdiepings sal groot gedeeltes in die erwe gesien kan word tesame met nog huise verder in die kompleks.

Graag wil ek versoek dat voor enige besluit deur die raad geneem word, daar asseblief n ondersoek hier op terrein plaasvind om dit wat ek hier beskryf ons dit prakties kan uitwys en demonstreer. Ek is bereid om teenwoordig te wees en te help.

6)n Groot bekommernis is die aantal voertuie, 274, waarvoor voorsiening gemaak word. Hierdie voertuie wat die woonstel kompleks vanaf Endstraat moet binnekom en verlaat gaan n definitiewe groot invloed op die verkeersvloei in Hoofstraat uitoefen, veral gedurende spitstye, by die verkeersirkel in Bergsigstraat. Die verkeersirkel is waar al die verkeer na en van CURRO, Whale Coast Mall, al die komplekse en so die Sandbaai bewoners na en van die R43 beweeg.

Op bladsy 27 paragraaf 3 word gemeld dat daar n voetganger hek in die grensmuur te Bergsigstraat voorsien gaan word vir toegang tot die besigheidsarea. Dit mag ook die

verkeersvloei nadelig beïnvloed. Volgens my sal uit die potensieële 504 inwoners van Erf 1735 n baie groot aantal gebruik wil maak van die hek deurdat dit so gerieflik is sonder om met n voertuig ompad na die Mall te ry, so ook veral kinders. Dit mag die aanbring van spesiale metodes vir die veilige kruising van voetgangers noodsaak, wat verdere verkeersvloei mag strem.

Ten laaste, my persoonlike mening is dat die voorgestelde veranderinge te Erf 1735 na n lae koste behuising ontwikkeling neig en oorbevolk gaan word, wat definitief n invloed van waarde vermindering op ons eiendomme in die komplekse sal veroorsaak en daarom nie soos voorgestel, goedgekeur moet word nie.

Sou graag wou sien dat daar op Erf 1735 n kompleks met enkel verdieping, los staande eenhede ontwikkel.

Dankie

JP Saayman

1892 Monte Mare

Bergsigstraat

Sandbaai.

MOOIZICHT GARDENS HOMEOWNERS' ASSOCIATION

Refer all correspondence or enquiries to: The Directors
Verwys alle korrespondensie en navrae aan: Die Direkteurs

P O Box 1980
HERMANUS
7200

genny@karasproperty.co.za
072 272 5590

Posbus 1980
HERMANUS
7200

Mrs A Conradie
Town and Spatial Planning Department
Overstrand Municipality
HERMANUS
7200

E-Mail: afida@overstrand.gov.za

Dear Mrs Conradie

Re: **OBJECTION TO DEVELOPMENT TO ERF 1735, 71 BERGSIG STREET, SANDBAAI**

We refer to your Notice together with attachments sent out on 11th December 2023.

In our capacity as the Board of Trustees for Mooizicht Gardens, as well as on behalf of all the owners, we wish to strongly object to the development approved for Erf 1735 Sandbaai.

This is based on the fact that the erection of an apartment block in an area where the houses do not compromise of more than two storeys, will be unsightly and not aesthetically pleasure to the surrounding area.

Our concern is that an erection of an apartment block in the area could affect the current market values of our properties and that of the entire area, which has risen substantially during the past few years.

It is also felt that an apartment block will impact negatively due to there not being sufficient parking facilities for the residents and visitors.

What will the result of this be, parking in Bergsig Street which will cause congestion and unhappy owners in the extended areas?

A further concern is whether this development will set a precedent for further developments of this nature to be erected in the Sandbaai area, resulting in high densities and possible lower property values in the area.

The final outcome, once all the objections have been taken into account, will be appreciated.

Thanking you.

Kind regards

THE TRUSTEES
MOOIZICHT GARDENS HOMEOWNERS' ASSOCIATION

9 February 2024

Trustees: Mr M Maree (Chairman), Mr D Smit, Mrs W Smit, Mr C Breytenbach, Mr Z Ma

*TP. n. Theat
(H. Divier)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
11 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO.	<i>Er 1735</i>
	<i>Sandbaai</i> ✓
SCAN NO.	<i>Genny</i>
COLLABORATOR NO.	<i>1979891</i>

11 JAN 2024

TP. n. Sheak
(M. Olivier)

1735 HSB

ALIDA CONRADIE MUNICIPALITEIT	
REKORDBEHEER	
From:	Sharon Creedy
Sent:	Wednesday, 10 January 2024 16:43
To:	Alida Conradie
Subject:	ERF 1735
DOCUMENT CONTROL	
OVERSTRAND MUNICIPALITY	

FILE NO.	F 1735 Sandbaai
SCAN NO.	Creedy ✓
COLLABORATOR NO.	1979853

Dear Alida,

RE: SUBDIVISION OF ERF 1735, SANDBAAI FOR THE INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the homeowner of Erf 2809 (Number 54 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith are my serious objections to the above mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate.

Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objections are as follows:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex with 148 units is being planned. This 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.

This, as well as the fact that the adjacent properties will lose their mountain view will have a detrimental effect on Bergsig and End Street property prices. It is important that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The new proposed development will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of these Ocean Breeze units. This presents an unacceptable invasion of their privacy.

Infrastructure:

Sandbaai is an older suburb with an aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function and maintenance of the existing infrastructure. I doubt that the current Sandbaai, specifically End and Bergsig Streets, will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will undoubtedly have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also triple and will therefore require additional traffic control measures at the intersections with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

Noise and light pollution:

Both the additional traffic as well as the addition of 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 buildings.

P 9 JAN 2024

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 norm 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 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 complex.

I trust the Overstrand Municipality will take these objections into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set future precedent that will soon change our lovely little town into another coastal high-rise development void of its original charm.

Kind regards,
Sharon Creedy

TP. N. / 191
 (H. Olivier)

Alida Conradie

OVERSTRAND MUNISIPALITEIT
From: REKORDBEHEER
To: 10 JAN 2024
Cc: 10 JAN 2024
Subject: DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Nicola <
 Wednesday, 10 January 2024 09:11
 Alida Conradie
 Audrey de Beer
 SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

FILE NO. 1735 ✓ Sandbaai
SCAN NO. Nicola
COLLABORATOR NO. 1979370

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2786 (nr 33 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Jicola de Beer

10 JAN 2024

Alida Conradie

1735 HSB

From: Lee Hartman
Sent: Wednesday, 10 January 2024 12:19
To: Alida Conradie
Subject: ERF 1735

FILE NO. 1735

Sandbaai

SCAN NO.

Hartman

COLLABORATOR NO.

1979367

TP-A/Heart
(M. Olivia)

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2798 (nr 43 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

Lee Hariman

Alida Conradie

From: Dave Burness
Sent: Tuesday, 09 January 2024 13:35
To: Alida Conradie
Subject: ERF 1735 -71 Bergzicht Str Sandbaai - Objection to any relaxation of the building lines

Attention Alida Conradie,

We hereby register our objection to the relaxation of the building lines for the new development by Terra Nuova Developments CC.

The developers' presentations in this regard just mask their intention to make as much money out of the development as they possibly can.

If the municipality enforce the building lines, the developer will have to revisit the density issue and use some building area for the parking requirements, as they should.

The by-laws must be adhered to no matter the size of the development.

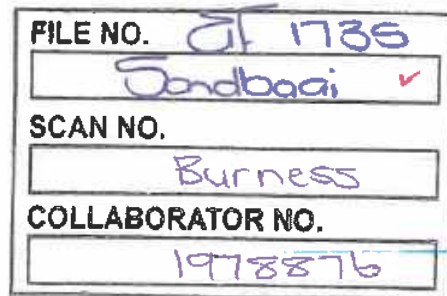
.ours sincerely

David and Patricia Burness

Co-owners of 28 Bergzicht, (Erf 1805)

Bergzicht Street, Sandbaai, Hermanus

*TR N/hoek
(M. Olivier)*



MUNICIPALITY
OVERSTRAND

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
10 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. 21 1735 ✓
Sandbaai
SCAN NO.
HSB 1735
COLLABORATOR NO.
1978874

TO WHOM IT MAY CONCERN

TP. N. / Ineak
(H. Olivia)

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of *Erf 2759 (nr 6 Ocean Breeze Estate, 79 End Street, Sandbaai)*.

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

IMPACT ON THE SUBURBAN CHARM OF SANDBAAI AND ITS PROPERTY VALUES:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

PRIVACY:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located

10 JAN 2024

along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

INFRASTRUCTURE:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

TRAFFIC:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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.

3

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,



.....
JB LOURENS

TP. D. Ahean 199
(M. Olivier)

FILE NO.	114/195
	Sandbaai
SCAN NO.	
COLLABORATOR NO.	1978390

Alida Conradie

OVERSTRAND MUNICIPALITY

From: REKORDBEHEER
 Sent: Monday, 08 January 2024 14:08
 To: 09 JAN 2024
 Subject: Erf 1735, 71 Bergsig Street, Sandbaai - Objection by affected property owner
 Attachments: Notification to Affected Persons.pdf; Notice Documents.pdf

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2760 (7 Ocean Breeze Estate, 79 End Street, Sandbaai) and am awaiting final transfer following the co-purchase of Erf 2791 (36 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

The development includes proposed multi-story blocks that will border on the western side of Ocean Breeze. This will have a massive impact on the privacy of the Ocean Breeze units located along the western boundary wall, as the multi-story blocks will have a direct view into the backyard of those Ocean Breeze units. This presents an unacceptable invasion of privacy.

Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

The entrance to the proposed development will be in End Street. The additional road traffic associated with 148 units will without doubt have an extremely negative impact on the already deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

09 JAN 2024

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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,
Louise Krüger

Dr LM Krüger - MBChB (Stellenbosch), Dip For Med(SA) Path (CMSA)

Principal Medical Officer

Directorate - Forensic Pathology Service (Boland/Overberg Region)

Department of Health and Wellness

Western Cape Government

Hermanus Forensic Pathology Laboratory on premises of Hermanus Provincial Hospital, Hospital Street, Hermanus

Website: www.westerncape.gov.za



**Western Cape
Government**

FOR YOU



Be 110% Green. Read from the screen.



Innovation



Caring



Competence



Accountability



Integrity



Responsiveness



Respect

From: Havenga Makelaars <malita@telkomsa.net>

Sent: Wednesday, December 13, 2023 12:54 PM

Alida Conradie

From: maurits vosloo
Sent: Tuesday, 09 January 2024 12:11
To: Alida Conradie
Subject: REF: Subdivision of ERF 1735, Sandbaai

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
09 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*TP-n/Heal
(M. Olivia)*

To whom it may concern

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf 2818 (nr 63 Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low density, family residences.

FILE NO.	<i>2818</i>
	<i>Sandbaai</i>
SCAN NO.	
COLLABORATOR NO.	<i>1978388</i>

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

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Infrastructure:

Sandbaai is an older suburb with aging infrastructure already stretched to its limit. The addition of a proposed 148 units will have a major impact on the function, and maintenance of the existing infrastructure. I doubt that the current Sandbaai (and specifically End and Bergsig Street) infrastructure will be able to sustain such high-density development.

Traffic:

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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.

I trust the Municipality will take this objection into serious consideration as allowing such greedy, over-development to go ahead, will undoubtedly set a future precedent and soon our lovely little town will just become another coastal high-rise development void of its original charm.

Kind regards,

M & AM VOSLOO

OWNER OF 63 OCEAN BREEZE, SANDBAAI

Alida Conradie

From: Karen Keating
Sent: Tuesday, 09 January 2024 11:30
To: Alida Conradie
Subject: Fwd: Erf 1735, 71 Bergsig Street, Sandbaai - Draft Objection letter by affected property owner.
Attachments: ~WRD0000.jpg; image001.png; image002.png; image001.png; ~WRD0000.jpg; image002.png

----- Forwarded message -----

From: Karen Keating <
Date: Tue, 09 Jan 2024, 11:27
Subject: Re: Erf 1735, 71 Bergsig Street, Sandbaai - Draft Objection letter by affected property owner.
To: Havenga Makelaars <

Jnit 38 Ocean Breeze:
 I, Karen Keating, owner of above
 Property, strongly object to the proposal of Erf 1735.

Regards,
 Karen Keating

On Tue, 09 Jan 2024, 11:11 Havenga Makelaars, wrote:

Dear Owners

As mentioned on the OB whatsapp group attached draft objection letter that can be used.

Mail to alida@overstrand.gov.za on or before 9 February 2024.

Regards

*TP. N. Theak
 (H. Olivia)*

Malita

To whom it may concern

OVERSTRAND MUNISIPALITEIT	
REKORDBEHEER	
09 JAN 2024	
DOCUMENT CONTROL	
OVERSTRAND MUNICIPALITY	
FILE NO.	OF 1735
	Sandbaai
SCAN NO.	
COLLABORATOR NO.	1978386

- 9 JAN 2024

RE: SUBDIVISION OF ERF 1735, SANDBAAI AND INTENDED MULTI-STORY, HIGH-DENSITY DEVELOPMENT

I am the owner of Erf **** (nr * Ocean Breeze Estate, 79 End Street, Sandbaai).

Herewith my serious objection to the above-mentioned subdivision and proposed development of Erf 1735 located along the western boundary of Ocean Breeze Estate. Kindly note that I am not opposed to the residential development of Erf 1735 per se; however, I vehemently object against the developer proposing an unsightly, multi-story, high-density development in a suburb that is traditionally associated with low-density, family residences.

My objection is based on the following:

Impact on the suburban charm of Sandbaai and its property values:

The intended development of a multi-story, high-density housing complex (148 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 and End Street property prices. It is imperative that Overstrand Municipality NOT set a precedent in this regard.

Privacy:

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Infrastructure:

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Traffic:

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deteriorating road surface of End Street. The amount of traffic will also likely triple and will therefore require additional traffic control measures at the intersection with Sandbaai Main Road. End Street also carries significant pedestrian traffic bringing general road safety into question.

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Kind regards,

Dr LM Krüger - MBChB (Stellenbosch), Dip For Med(SA) Path (CMSA)
Principal Medical Officer
Directorate - Forensic Pathology Service (Boland/Overberg Region)

Department of Health and Wellness

Western Cape Government

Hermanus Forensic Pathology Laboratory on premises of Hermanus Provincial Hospital, Hospital Street, Hermanus

Alida Conradie

1735 HSB

From: Sharon Creedy
Sent: Sunday, 07 January 2024 13:54
To: Alida Conradie
Subject: Erf 7135, 71 Bergsig Street

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

08 JAN 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Dear Alida,

We received notification from the municipality and our Home Owners Association that a possible building will be erected on Erf 7135 this year.

I don't know if any of the objections will be taken into consideration, but as a homeowner, I feel that it will have a major impact on our property at Ocean Breeze Estate, 79 End Street, Sandbaai.

- 1) With the possibility of 148 flats being built, it will have a major impact on the infrastructure. As it is, it is difficult getting access into the main road from End Street in the mornings due to all the traffic because of Curro School. Imagine all these people trying to get out in the mornings to go to work and coming back again later in the day.
- 2) With so many people living on the property, the noise factor must be taken into account. Even with the house on the property at present, parties can be heard from the owner.
- 3) Also, all the properties at present are at one level, having blocks of flats will change the look of the area.
- 4) Homeowners on the border of this property will be affected more so; the view of the mountain will be blocked.
- 5) While the flats are being built the crime factor should be taken into consideration, dust and noise from the workers and machinery.

I hope this matter will be taken seriously as it will potentially affect our estate at Ocean Breeze.

Kind regards,
Sharon Creedy
ERF 2809

TP. n. (the ark
(M. Olivia)

FILE NO.	811735
	Sandbaai
SCAN NO.	
COLLABORATOR NO.	1977929

- 8 JAN 2024

1735 USB

Alida Conradie



From: Phillip Blumenthal -
Sent: Wednesday, 03 January 2024 15:49
To: Alida Conradie
Subject: Development of vacant land adjoining Monte Mare complex

I am the owner of erf 1866 Monte Mare and my property joins the boundary wall .

The proposed construction of 2 and 3 storied Blocks of flats /apartments will turn this quiet location into exactly that ..
An undesirable ,noisy, over crowded location impinging on the privacy of my residence and others in the complex.

Impossible to imagine that the OM council could accept 2 and 3 storied blocks of flats literally occupying the entire erf ..save for a small parcel which the existing owner is retaining

Traffic in and out of Bergzicht street will be impossible as there will be at least 100 additional vehicles which will lead to huge congestion and Noise generation As it stands currently ,it is very difficult to get in and out of Monte Mare in the face of the huge amount of traffic using Bergzicht street and blocking the entrance to MM

Monte Mare has only 4 double story dwellings on its entire footprint which are located on the outer ring of the property This was a building restriction at the time Monte Mare was developed so I wonder how this proposal could even be considered by the OM ????

Kindly take this e mail as an objection from me the owner of 1866 Monte Mare

Phillip Blumenthal
1866 MM

TP. n. Theart
(H. Olivia)

Sent from my iPhone

FILE NO.	21735
	Sondbaai
SCAN NO.	
COLLABORATOR NO.	1977921

08 JAN 2024

Alida Conradie

OVERSTRAND MUNISIPALITEIT
DE VORDBEHEER
08 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: P & J Ondernemings
Sent: Tuesday, 02 January 2024 11:40
To: Alida Conradie
Subject: ERF 1735 SANDBAAI

SIR: Re your notice regarding ERF 1735 SANDBAAI. Me and my wife wish to object against the proposed development on the above mentioned ERF1735.

Our reason: This area is not suitable for high density or low costing housing, and as well as the increased traffic

volume on Bergsig street opposite the Mall if this project is finalised.

Thank you J WELGEMOED BERZICHT SANDBAAI

*TP. N. Theart
(H. Olivia)*

FILE NO. <i>ERF 1735</i>
<i>Sandbaai</i>
SCAN NO.
COLLABORATOR NO.
<i>1977919</i>

Alida Conradie

From: Carol & Hannes Smith
Sent: Tuesday, 19 December 2023 19:32
To: Alida Conradie
Subject: Re: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
Attachments: ~WRD0002.jpg



Good day Alida
 I strongly oppose this suggestion and do not want this to happen. Not favourable at all.

Many thanks
 Carol Smith
 Bergzicht Complex
 Sandbaai

*TP-A Theart
 (Holivier)*

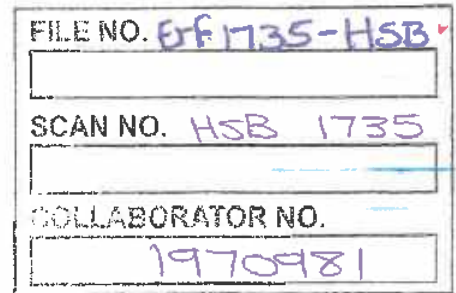
On Mon, 18 Dec 2023, 08:07 Alida Conradie, <alida@overstrand.gov.za> wrote:

Good morning,

 Receipt is hereby acknowledged of your comment.

 Kind Regards

Alida Conradie
 Administrator, Town & Spatial Planning Department Overstrand Municipality
 A: 16 Paterson Street, Hermanus, 7200 P: P-O Box 20
 T: 028 313 8900 | F: 028 313 2093 | E: alida@overstrand.gov.za



From: Carol & Hannes Smith
Sent: Friday, December 15, 2023 10:54 AM
To: Alida Conradie <alida@overstrand.gov.za>
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

Good morning

20 Dec 2023

210

TP-A Theart
(H Olivier)

OVERSTRAND MUNISIPALITEIT

125/135

REKORDBEHEER

19 DEC 2023

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Alida Conradie

From: Lorraine Loubser
Sent: Monday, 18 December 2023 17:59
To: Alida Conradie
Cc: Havenga Makelaars
Subject: ERF 1735, 71 BERGSIG STREET, SANDBAAI, HERMANUS: APPLICATION FOR SUBDIVISION, REZONING & DEPARTURE: OBJECTION

FILE REF: 1735 HSB
 APP ID: 4409/2022

As a Sandbaai homeowner I hereby wish to lodge my strong objection to the above application and development proposal.

I strongly feel that such an enormous three-story, 148 apartment units plus a clubhouse, guardhouse & refuse room will destroy the living style created and in place in Sandbaai.

I strongly believe that no impact study has been done to establish the affect such a development will have on our already stretched infrastructure such as our local schools, roads, water, sewerage and refuse systems. Having said that, had such an "impact study" been done, please submit such results to Sandbaai homeowners.

Overstrand Municipality does a fantastic job to cope with already stretched budgets to maintain our current demands and I cannot imagine what impact such a large development will have on the already limited resources available.

If Terra Nuova Developments have any regard for our environment, infrastructure and the negative impact it will have on an already over-developed Hermanus and suburbs they should consider cancellation of such an horrendous plan.

Kindly acknowledge receipt of my objection.

Sincerely
 Lorraine Loubser
 44 Ocean Breeze Estate (Erf 2799)
 79 End Street
 andbaai

FILE NO.	Erf 1735-HSB
SCAN NO.	
COLLABORATOR NO.	1969887

19 DEC 2023

211

TP-A Theart
(Holliver)

OVERSTRAND MUNICIPALITY
REKORDBEHEER 126/135
18 DEC 2023
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Alida Conradie

From: Carol & Hannes Smith
Sent: Friday, 15 December 2023 10:54
To: Alida Conradie
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

Good morning

I strongly oBJECT and oppose this suggestion and Definately not in agreement with this at all. STRONGLY OPPOSE this.

Carol and Hannes Smith
 Bergzicht Complex
 Bergsig Street
 Sandbaai

----- Forwarded message -----

From: Carol & Hannes Smith
Date: Thu, 14 Dec 2023, 18:17
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

----- Forwarded message -----

From: Richard Coquillon
Date: Tue, 12 Dec 2023, 20:16
Subject: Fwd: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

----- Forwarded message -----

From: Richard Coquillon
Date: Tue, 12 Dec 2023, 14:07
Subject: Re: FW: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
To:

On Mon, 11 Dec 2023, 15:21 normamx,

wrote:

FILE NO. Erf 1735- HSB
 SCAN NO.
 COLLABORATOR NO.
 1969193

Sent from my Galaxy

----- Original message -----

From: AJ Fourie <ajfourie@overstrand.gov.za>
Date: 2023/12/11 14:46 (GMT+02:00)
To: Alida Conradie <>

18 DEC 2023

TP

212

TP - A Theart
(Holivier)

OVERSTRAND MUNI. DIST. 127/135 REKORDBEHEER 18 DEC 2023 DOCUMENT CONTROL OVERSTRAND MUNICIPALITY

Alida Conradie

From: Sarah McGrath
Sent: Sunday, 17 December 2023 07:39
To: Alida Conradie
Subject: Fwd: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
Attachments: Notification to Affected Persons.pdf; Notice Documents.pdf

Dear Alida,

Thank you for the notification.

Please note, as an owner at Monte Mare, I object to this development.

Should you have any queries, please do not hesitate to contact me.

Regards

Sarah

----- Forwarded message -----

From: Sarah McGrath
Date: Mon, Dec 11, 2023 at 3:52 PM
Subject: Fwd: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
To: Accounts @ Walkerbay Nursery

FYI

----- Forwarded message -----

From: AJ Fourie <ajfourie@overstrand.gov.za>
Date: Mon, 11 Dec 2023, 15:18
Subject: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.
To: Alida Conradie <alida@overstrand.gov.za>

To whom it may concern

ERF 1735, SANDBAAL, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice/advert for your attention.

18 DEC 2023



213

TP - A Theart
(Hollivier)

OVERSTRAND MUNICIPALITY 126/195

REKORDBEHEER

14 DEC 2023

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Alida Conradie

From: Axel Jooste
Sent: Wednesday, 13 December 2023 20:41
To: Alida Conradie
Subject: Re: Erf 1735, 71 Bergsig Street, Sandbaai - Notice to potentially affected property owner.

Dag Alida

Die beoogde ontwikkeling van Erf 1735 verwys. Ek het geen besware nie, maar stel voor dat die ingangshek in Endstraat verder terug geplaas word, soos te Mont Mare, om moontlike opeenhoping van verkeer in Endstraat te vermy. M.a.w. om die "stacking distance" van 12m (p. 27) te verhoog na minstens 20m.

Baie dankie,
Axel Jooste
Erf 851, Endstraat

On Mon, 11 Dec 2023 at 14:45, AJ Fourie <ajfourie@overstrand.gov.za> wrote:

To whom it may concern

ERF 1735, SANDBAAI, OVERSTRAND MUNICIPAL AREA: PROPOSED REZONING, SUBDIVISION AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice/advert for your attention.

FILE NO. Erf 1735-HSB

SCAN NO.

COLLABORATOR NO.

1968700

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 applications. 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) on or before **09 February 2024**.

14 DEC 2023

TP

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200



Adress *ERF 847*
Suburb *SANDBAAI*
Town *HERMANUS*
Code *7200*
Date *6/2/2024*

To whom it may concern

RE: ERF 1735 71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROPECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

I do not object the said proposal as the vision for Hermanus West is greatly explained in the OSDF & the Spatial Growth Management Strategy, one of them being the densification strategy for the area.

The proposed development of apartment blocks is welcomed as there is limited apartments in the Hermanus area which evidently will provide more of a cost-effective home for first time buyers. However, my main concern over this proposal is the density and traffic.

The development proposal clearly complies with the density applicable to the proposed zoning, however I do feel that this will negatively impact the surrounding neighbours in the area, as this will create traffic congestion along End Street. Not to mention that there is already a gated development next to Erf 1735. With two developments next to each other with both gaining access from End Street, this will create more traffic congestion. It is therefore requested that the proposal be amended to ensure a one-way access and egress, thereby utilising both Bersig Street and End Street.

In addition, the density of the proposed development will increase applicable traffic generated in the area. By reducing the number of apartments, there will be a reduction in the number of daily trips to and from the proposed development, thereby reducing the applicable traffic generated.

I trust the abovementioned points will be amended to reduce the traffic congestion already experienced by the Sandbaai residents.

Kind Regards

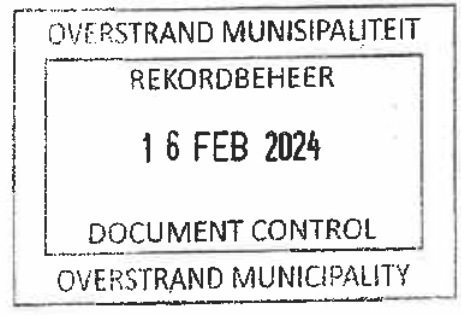
J. G. Coetzee

*TP - A. Aheal
(H. Olivier)*

FILE NO.	<i>ERF 1735</i> ✓
	<i>Sandbaai</i>
SCAN NO.	<i>HSB 1735</i>
COLLABORATOR NO.	<i>1998004</i>

215 TP. N. Theak
(M. Oliver)

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200



Address *Louis Trichard 86*
Suburb *SANDBAAI*
Town *HERMANUS*
Code *7200*
Date *8 FEB 2024*

To whom it may concern

RE: ERF 1735.71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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I trust the abovementioned points will be amended to reduce the traffic congestion already experienced by the Sandbaai residents.

Kind Regards

Rita Louw

FILE NO.	<i>OF 1735</i>
	<i>Sandbaai</i>
SCAN NO.	<i>Rita</i>
COLLABORATOR NO.	<i>1998739</i>

TP
16 FEB 2024

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200



Av. DE VILLIERS 87
Adress LOUIS TRICHARD.
Suburb SANDBAAI
Town HERMANUS
Code 7200
Date 8 FEB 2024

TP. N. Theark
(H. Olivier)

To whom it may concern

RE: ERF 1735,71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROPECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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I trust the abovementioned points will be amended to reduce the traffic congestion already experienced by the Sandbaai residents.

Kind Regards

ANN K DALTON

FILE NO.	EF 1735
	Sandbaai
SCAN NO.	Ann
COLLABORATOR NO.	1998 768

TR
16 FEB 2024

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
16 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP - A/heal 132/135
(H. Olivier)
Address LOUIS TRICHARD 84
Suburb SANDBAAI
Town HERMANUS
Code 7200
Date 8 FEB 2024

To whom it may concern

FILE NO. ET 1735
Sandbaai
SCAN NO.
84
COLLABORATOR NO.
1998783

RE: ERF 1735,71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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I trust the abovementioned points will be amended to reduce the traffic congestion already experienced by the Sandbaai residents.

Kind Regards

[Signature]
(Sward U)

Further to the above:

- * End Street has a very high volume of traffic mostly of a pedestrian nature.
- * During peak hours traffic (Vehicles) together with pedestrian volume is very high
- * Side walks & bicycle lanes are non-existent.
- * The 'Sidewalks' are not level neither pedestrian friendly since they are not maintained.
- * The road is very narrow and pedestrians in the road, bicycle pedestrians in the road as well as usual vehicle traffic makes it unimaginable that heavy vehicles needed for construction will be using this road for restoration of the construction

TP
16 FEB 2024

REKORDBEHEER

218

16 FEB 2024

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

FILE NO. El 1735

Sandbaai

SCAN NO.

Elizette

COLLABORATOR NO.

1998785

TP-1.1/Inent
(H. Olivier)

133/135

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200

Address Louis TRICHARDT
Suburb SANDBAAI
Town HERMANUS
Code 7200
Date 8 FEB 2024

To whom it may concern

RE: ERF 1735.71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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Kind Regards

ELIZETTE VAN RHYN

END STREET:

BETWEEN MAIN AND LOUIS TRICHARDT ROAD IS BUSY COLLAPSING. STORM WATER RUN IN ROAD. PLEASE INVESTIGATE BEFORE MORE TRAFFIC.

10 FEB 2024

TP-219
(H. Olivier)

134/135

END/

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200

Address LOUIS TRICHARD 78
Suburb SANDBAAI
Town HERMANUS
Code 7200
Date 8 FEB 2024



To whom it may concern

RE: ERF 1735 71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: WRAO PROPIECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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Kind Regards

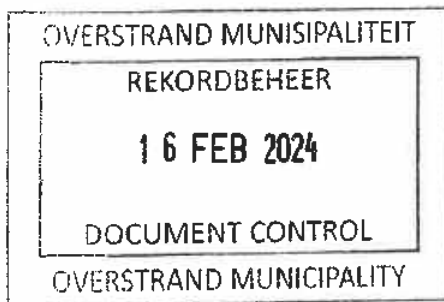

Rene Olivier

FILE NO.	<u>ERF 1735</u>
	<u>Sandbaai</u>
SCAN NO.	<u>Rene</u>
COLLABORATOR NO.	<u>1998797</u>


16 FEB 2024

TP. D. Heath
220
(H. Olivier)

Municipal Manager
Overstrand Municipality
P.O Box 20
Hermanus
7200



Address End str 76
Suburb Sandbaai
Town Hermanus
Code 7200
Date 8 FEB 2024

To whom it may concern

RE: ERF 1735,71 BERGSIG STREET, SANDBAAI: APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE; WRAO PROJECT OFFICE ON BEHALF OF TERRA NUOVA DEVELOPMENTS CC. NOTICE NO. 194/2023

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I trust the abovementioned points will be amended to reduce the traffic congestion already experienced by the Sandbaai residents.

Kind Regards

Clive Gildenhuys

FILE NO.	EF 1735
	Sandbaai
SCAN NO.	
	Clive
COLLABORATOR NO.	
	1998846

16 FEB 2024



Project Office

Town Planning & Project Management

Our Reference: 22/64
Your Reference: 1735 HSB

19 March 2024

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

Attention: Mr Helgaardt Boshoff

ERF 1735 SANDBAAI: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: RESPONSE TO OBJECTIONS

Your letter dated 19 February 2024, refers.

The comments and objections received are addressed herein.

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

Unit B, Standard House,
Cnr Royal and Dirkie Uys Street
Hermanus

PostNet Hermanus Suite 170
Private Bag X16, Hermanus,
7200

Tel: +27 (0)28 313 1411
Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za

20 YEARS
1924

WRAP Group Established 2002

COMMENTS/OBJECTIONS RECEIVED

Comments were received from:

1. G Buckmaster
2. Sandbaai Ratepayers Association
3. R van Uythoven
4. JC Roberts
5. H Potgieter
6. J Burger
7. DA Lang
8. MP Lang
9. M Reifarh
10. W Verdoodt
11. R Diederichs
12. Monte Mare Estate Residents (Petition)
13. C Stromber
14. GC Theubet
15. CC Theron
16. J Grant
17. D & J Bett C
18. Y Heystek
19. MA & AMA Edwards
20. CE Martin
21. L&A Theron
22. AD Rogers
23. F du Plooy
24. W Auret
25. R & S Coquillon
26. JN Stocks
27. A Moore
28. TN Agenbag
29. C & E Hattingh
30. M du Preez
31. JD & MMR Linney
32. J Cruickshank
33. G & V Coetzee
34. C Welsch
35. H Olivier
36. TJ van Dyk
37. B & D Jones
38. K Niemantinga
39. M van de Coolwijk
40. G & Y Booyens
41. ES Wentzel
42. D Roberts
43. C Rossiter
44. CM Basson
45. A Clow
46. LJ & S van Eeden
47. ZN & MM Roos
48. F & L Pretorius
49. J & E Casteleijn
50. E Webster
51. NR Marinus
52. C & G Smith

53. JP Saayman
54. Mooizicht Gardens Homeowners Association
55. S Creedy
56. N de Beer
57. L Hartman
58. D & P Burness
59. JB Lourens
60. LM Kruger
61. M & AM Vosloo
62. K Keating
63. P Blumenthal
64. J Welgemoed
65. L Loubser
66. C & H Smith
67. S McGrath
68. O & P Burness
69. A Jooste (letter of support/comment)
70. JG Coetzee (letter of support/comment)
71. R Louw (letter of support/comment)
72. AK Dalton (letter of support/comment)
73. U Swart (letter of support/comment)
74. E van Rhyn (letter of support/comment)
75. R Olivier (letter of support/comment)
76. CP Gildenhuys (letter of support/comment)

The objectors' comments were categorised into the following relevant topics:

INFRASTRUCTURE

The property owners initially engaged in pre-application discussions with the Overstrand Municipality's engineering department regarding the availability of bulk infrastructure and capacities. Subsequently, the application was forwarded to the same department, which has now requested that their preferred service providers be appointed to provide a services capacity report on the capacity of bulk water provision in the surrounding area. This report will be submitted to the Overstrand Municipality to inform the decision-making process.

The engineering department indicated that they have sufficient information with regard the sewage network and bulk capacity to make recommendations.

Several of the comments/objections will be addressed with the outcome of the services capacity report. The comments raised have been noted, and concerns regarding the potential negative impacts the proposed development will have on services are unfounded.

The services capacity report should identify the surrounding area's existing services (water) and identify whether any necessary upgrades in the area are required. These upgrades will be conducted under a service level agreement between the developers and the municipality.

As stated in the application, the property owners will be required to pay bulk services contribution levies, which will fund any upgrades to these existing networks, if required. These upgrades will address concerns raised by objectors and are intended to benefit not only the proposed development but the entire area, including future-proofing the network.

Concerns were also raised regarding the additional volume of sewage that will be entering the network. The property will be equipped with a communal conservancy tank, designed to the engineering standards and approval from the Overstrand Municipality. The tank will be connected to the existing small-bore system in Sandbaai, while also being serviced regularly as required. This will ensure a safe, effective, and sustainable system for the long-term benefit of the Sandbaai community.

Stormwater will be directed to a detention pond located within the open space area in the proposed development to facilitate sufficient cleaning of the stormwater and drainage into the soil. The adequate sloping and storage capacity of the soil will be determined by the project civil engineer.

TRAFFIC

A traffic impact assessment (TIA) was conducted by Douw Louwrens, B.Eng (Civil), and certified to have been prepared according to the requirements of the South African Traffic Impact and Site Traffic Assessment Manual. The TIA was necessary to ensure that the existing street network may accommodate the traffic generated by the proposed development.

The TIA was included in the application and made available to the public for review. It concluded that, "except for the upgrades already required at the Sandbaai Main Road / Bergsig Street roundabout, 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".

If required by the municipality, the property owners will contribute from the bulk infrastructure contribution levies, to upgrade the existing roundabout at Sandbaai Main Road / Bergsig Street. Please refer to the figure below:

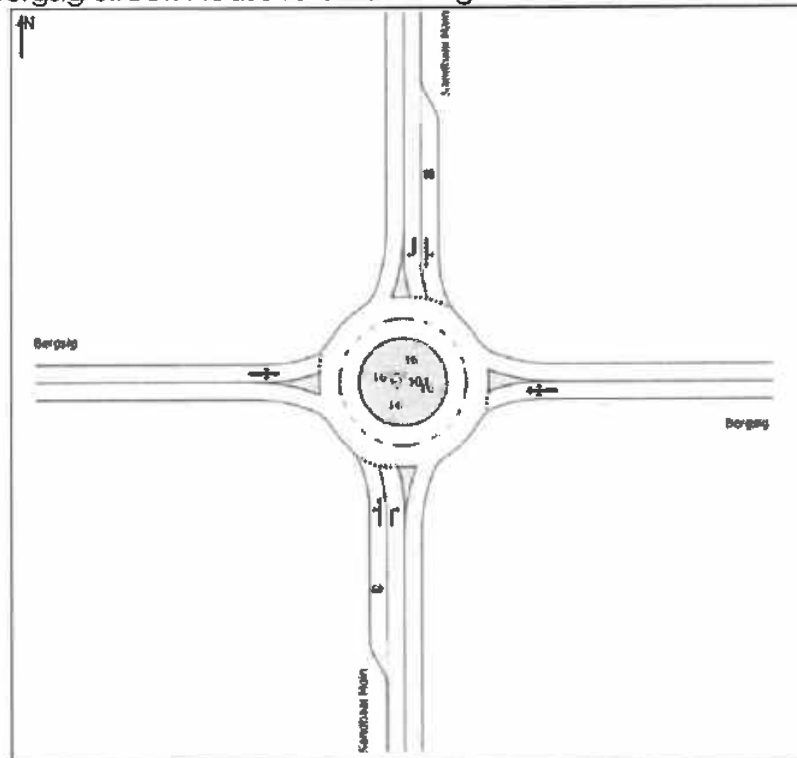


Figure 7 from the TIA.

Other concerns raised by the objectors are the following:

- Pedestrians:

End Street has a proclaimed road reserve of 15.74 meters, with a road surface of only 6.0 meters. This leaves 9.74 meters of sidewalk available for pedestrian movement.

This design ensures that traffic and pedestrians are not required to occupy the same space, thereby enhancing safety for both. It is noted that there are no formal kerbs established which is not uncommon in Sandbaai.

The second point of concern was the pedestrian gate located on Bergsig Street. There are two existing traffic calming measures currently in place. The raised crossing between Bergzicht and Monte Mare, and the new stop sign at the edge of the Whale Coast Mall property. Both of these will aid in allowing pedestrians to cross the street when it is safe to do so.

- Road Surface:

Objectors expressed concerns that the road surface may not withstand the additional traffic generated by the proposed development. It is important to note that the roads bordering the development are public streets, owned by the municipality and that any maintenance of the road in the future will be their responsibility. The bulk services contribution levy payable by the developer includes a contribution for the additional load on existing streets.

- Construction Vehicles:

Concerns were raised that construction vehicles will be blocking and parking within the existing road, but due to the extent of the property, it is possible to accommodate several construction vehicles on-site and it is not expected that this will be an issue.

- Number of vehicles:

Several objectors have inaccurately indicated the number of vehicles that will be present on-site. There is a requirement for 268 parking bays based on the number of units. At this stage, it is impossible to determine if all of these parking bays will be utilized. The parking requirements are being adhered to, but it is worth noting that there may be instances where a two-bedroom unit is occupied by an owner with only one vehicle, thus potentially reducing the actual number of vehicles on-site.

It will never be the case that 500 vehicles will be on-site, as the property physically cannot accommodate such a large number of vehicles.

PRIVACY

Comments and objections regarding privacy have been duly noted and taken into consideration. The property owners have always been mindful of the potential impact that the development may have on neighbouring properties. Consequently, various measures have been implemented into the design to minimize this impact.

Firstly, the orientation of the buildings has been carefully planned to align with the streets, ensuring that they do not directly overlook neighbouring properties. It is

important to emphasize that no windows of the units face the neighbouring properties.

The owners understand that occupants on balconies may have a diagonal view into neighbouring properties.

MITIGATION #1: In response to the concerns raised, the owners propose to retain as many existing trees as possible along the boundary of the proposed development and Monte Mare & Ocean Breeze. Additionally, the owners intend to landscape the property by adding new trees to ensure that all neighbouring properties are covered and screened, thereby addressing privacy concerns.

MITIGATION #2: Implementing solid balustrades on the balconies which will enhance privacy from certain angles, effectively addressing both noise and visual obstruction of the units from neighbouring properties.

MITIGATION #3: The balconies will also be installed with privacy screens and the final designs will include these additional protrusions to secure the neighbours' and owners' privacy.

DENSITY

The owners purchased the property after numerous discussions with the Municipality and through various iterations, some of which proposed higher densities and three storeys throughout the entire development.

The owners scaled down their proposal, which is regarded to be in line with municipal guidelines and legislation. The interest in the property arose due to its location and allowed density, as indicated in the guideline document: Overstrand Municipal Spatial Growth Management Strategy, 2010 (OMGMS).

As carefully detailed in the application, the proposal aligns with the density allowed in the OMGMS, as there is no limitation in terms of density, as the planning unit in which the property is located allows for "more than 30" dwelling units per hectare (Du/Ha). The planning unit is illustrated in Figure 7 of the motivational report.

As outlined in the report, the entire planning unit was proposed to accommodate 690 dwelling units. However, this is no longer feasible due to the transformation of the majority of the area into businesses- (Whale Coast Mall) and industrial zones.

Current Situation - Planning Unit 6	
Extent	19,6 Ha
Existing Dwelling Units:	45 Du (Sandy Cove and Portion A)
Proposed Development Dwelling Units:	148 Du
Total Proposed Dwelling Units:	193 Du
Proposed Density	9,84 Du/Ha

The table on previous page, provides information indicating that the density of the entire planning unit aligns with the surrounding area. The developments surrounding the property are located in Planning Unit 3, which has a density of 7.8 Du/Ha.

The proposed development needs to be evaluated together with the housing provision of the entire planning unit, as it will provide a certain extent of relief to the housing demand in the area as well as in greater Hermanus.

There were also objections received claiming that the proposed density is higher than any other development in Hermanus, which is factually incorrect. The table below provides an indication of other developments in Hermanus:

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

Additionally, as mentioned in the application the proposed De Zandt development is Sandbaai, also has higher density areas that equals 75 dwelling units per hectare.

The primary objective behind proposing this higher density is to minimize the requirement for additional land, while still addressing the significant housing demand in the Hermanus and Sandbaai area. The goal is to maximize the allowable density and to reduce land requirements, which is a critical aspect of sustainable development and reducing urban sprawl.

The continued outward spread of low-density development could lead to significant and rapid increases in the urban footprint of towns located within the Overstrand Municipality. This urban sprawl threatens the long-term sustainability of the municipal area's environment and raised the following specific concerns:

- Natural undeveloped area and agricultural land are increasingly being consumed by urban development.
- Low density urban sprawl results in long travel distances. Due to a lack of public transport, this results in more private road transport that leads to increasing traffic congestion and CO2 emissions.
- Low density development increases the cost of infrastructure provision and maintenance. It dissipates the positive effect of agglomeration and economies of scale, causing operational inefficiencies and a wastage of supporting economic resources and infrastructure.

PROPERTY VALUES

It's crucial to distinguish between unsubstantiated remarks and statements based on facts. The underlying objective of the proposal is to introduce additional housing options and attract new residents to one of Hermanus' most sought-after and accessible neighbourhoods. The properties are situated within the densification

zone, presenting an ideal opportunity for a unique development that aligns with the municipality's legislation and forward planning policies.

While objectors have raised concerns about potential impacts on property values, it's important to recognize that these concerns are largely based on assumptions rather than concrete evidence. The points raised about why property values may be affected are addressed throughout this response to the objections, such as traffic, construction, privacy concerns, etc.

Therefore, statements suggesting that a development of this nature could adversely impact property values in the surrounding area lack any real substance. It's important to approach this proposal with an understanding of its potential positive contributions.

Several factors influence property values, such as location, noise pollution, the economy, neighbourhood type, comparable homes, and proximity to shops, businesses, and schools. None of these factors are expected to be negatively impacted by the proposed development.

However, the proposed development aims to enhance the overall appeal and attractiveness of the neighbourhood by introducing additional housing options and amenities. Well-planned developments can contribute positively to the overall desirability of an area, which can have a favourable impact on property values over time.

The owners have also carefully considered the comments received and potential impacts such as traffic, construction activities, and privacy concerns. Mitigation measures have been incorporated into the response to objections that will minimize these impacts and ensure that surrounding properties and the broader neighbourhood are not affected.

MANAGEMENT

Washing lines / Balconies

The comments relating to the management and or negative impact that the proposed units will have, are noted. It should be reiterated that all owners and future tenants will need to adhere to a body corporate constitution and house rules.

If the property is not well managed, it may affect not only the surrounding area but also the development itself which in turn would have a negative impact on the property itself and the investment made by individual owners.

The house rules will contain a stipulation that clothing under no circumstances will be allowed to be dried on the balconies. There will be drying yards located behind the boundary wall height of 2.1m which means it will not be visible from any neighbouring properties.

The house rules will contain the following or similar stipulation:

"An owner, occupier and/or tenant must not, without the prior written consent of the trustees:

- (a) erect washing lines or similar on the common property;
 - (b) hang laundry or other items in a section or any exclusive use area allocated to it, if the articles are visible from another section or the common property, or from outside the scheme,
 - (c) carpets, mats, brooms, mops or any other cleaning apparatus may not be shaken, dusted or beaten over balconies or through windows, and
- (2) an owner, occupier and/or tenant must not erect their own washing lines or tie washing lines to balcony railings."

LIGHT POLLUTION

The comments and concerns are noted the following methods will be used to limit light pollution from the new development:

MITIGATION #4:

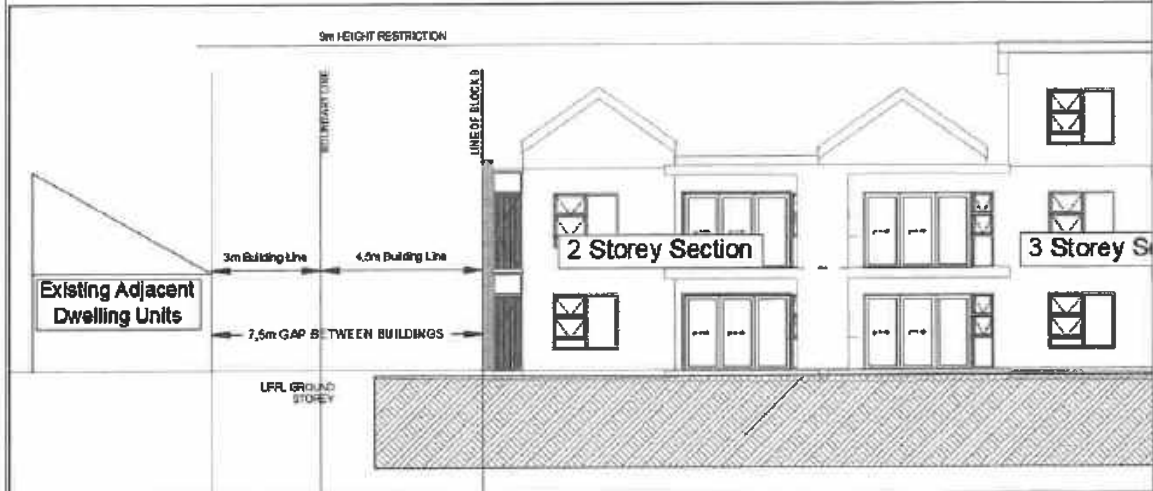
1. **Use of Shielded Fixtures:** Outdoor lighting fixtures will be installed that are designed to direct light downward and reduce the amount of light emitted into the sky or surrounding areas. Shielded fixtures will help prevent light from spreading unnecessarily.
2. **Selecting Proper Light Bulbs:** Low-intensity, energy-efficient light bulbs with warm colours instead of high-intensity, blue-rich white lights will be used. This will reduce the overall brightness and minimizes the impact of artificial light on the night sky.
3. **Timers and Motion Sensors:** Timers or motion sensors will be installed on outdoor lighting fixtures to ensure that lights are only activated when needed. This will help to reduce unnecessary light emission during off-peak hours or when no activity is detected.
4. **Tree and Vegetation Buffering:** Landscaping techniques such as the planting of trees, shrubs, and other vegetation will be used to create natural barriers that will help to shield outdoor lighting from view and minimize light pollution.

HEIGHT

The comments and concerns have been noted. The application document presents several points of motivation explaining why the proposed development should be allowed in its current form and height.

The proposed development aligns with all zoning development parameters. The decision was made by the owners to reduce the height of the buildings, limiting them to two storeys closer to the boundary instead of the maximum three storeys permitted by the Overstrand Land Use Management Scheme which demonstrates the owners' awareness of the potential impact that the development may have. This measure has been taken to minimize the impact of the development and ensure that surrounding properties do not experience any adverse effects.

It is acknowledged that the majority of surrounding properties are single-storey dwellings, which is why Figure 2 of the motivational report illustrates a single-storey dwelling in relation to the buildings proposed within the development. Please refer below:



The figure clearly illustrates that the difference is not as extreme as indicated by the objectors. It must be kept in mind that the single storey structure illustrated above is aligned with the definition of a single storey in terms of the Overstrand Land Use Management Scheme.

It should be reiterated that these surrounding developments have the right to develop a second storey without any consultation with neighbours, as it is permitted in terms of the Overstrand Land Use Management Scheme. (It is acknowledged that their respective Homeowners' Association and architectural guidelines need to be consulted).

Furthermore, there are no windows facing, or overlooking these neighbouring properties from the third floor. This concern of the surrounding owners has already been considered during the design of these units.

Additionally, the height of the flats enables the owners to achieve the desired density, ensuring that the development can be offered at a reasonable price to first-time buyers and individuals seeking suitable accommodation.

The step-down approach not only reduces the height but also enables the owners to incorporate pitched roofs, which aesthetically align better with the surrounding area. This approach addresses privacy concerns while sacrificing some development space for the owners.

SUNLIGHT:

The concept of the right to light is regarded as a type of easement, where one property benefits from a right enjoyed over the land of another. In this context, the right to light easement refers to the entitlement to enjoy natural light passing over someone else's land and entering specified spaces in a building, such as windows, skylights, and glass roofs.

While South Africa does not have a specific law entitling individuals to direct sunlight, the property owners acknowledge the change in character as the neighbouring properties have become accustomed to the vacant property next to their properties. It is important to note that sunlight and light patterns shift throughout the day and year, and the acknowledgement is made that, although there will be an impact on the area, all property owners will still receive their fair share of light as the sun moves. This recognition aims to address concerns about potential impact while acknowledging the dynamic nature of sunlight distribution.

AESTHETICS

The comments have been duly noted, and it's essential to emphasize that while the provided 3D renders offer a preliminary illustration into the development's visual concept, they are by no means definitive representations of its final appearance.

As the project progresses, attention will be given to selecting the most appropriate paint colours, materials for construction, landscaping features, road surfacing options, and roofing materials. These decisions will be made with careful consideration of not only aesthetic appeal but also functionality, sustainability, and compatibility with the surrounding environment.

Furthermore, the pitched roofs incorporated into the two-storey sections were specifically designed to harmonize with the aesthetics of the surrounding area. This deliberate architectural choice aims to seamlessly integrate the new development into the existing neighbourhood, ensuring visual continuity and enhancing the overall appeal of the area. By mirroring the design elements commonly found in nearby structures, such as pitched roofs, the development contributes to a cohesive and visually pleasing streetscape.

The comparison made by the objector between the proposed development layout and the layout of Auschwitz extermination camp during World War II is highly inappropriate and offensive. Such comparisons trivialize the atrocities of the Holocaust and show a lack of sensitivity towards the historical significance of such events.

Furthermore, making comparisons of this nature is not only factually inaccurate but also culturally insensitive. It disregards the profound significance of historical events and fails to acknowledge the suffering of those affected by them.

It's essential to maintain a respectful and thoughtful approach when expressing concerns or objections about proposed projects, focusing on factual and relevant considerations based on desirability, rather than resorting to insensitive comparisons.

REFUSE

The refuse room complies with the requirements set out in Section 17.4 of the Overstrand Land Use Management Scheme. It is a requirement to position the refuse room close to the street, which will provide the municipality easy access to the refuse that needs to be removed on collection days.

It should be noted that the Municipality may require the owners to provide an embayment for refuse removal vehicles to its satisfaction.

There is also not a requirement that each property needs to be provided a wheely bin. The size of the refuse room aligns with the municipal requirements.

PARKING

The proposed development complies with the parking requirements outlined in the Overstrand Land Use Management Scheme. While there is no specific requirement for visitor parking, it's essential to highlight that the engineering department has requested additional parking to be situated in close proximity to the clubhouse and refuse room.

Additionally, these additional parking areas can serve a dual purpose by accommodating visitor parking needs. Please refer to the attached plan, **Annexure A – Clubhouse Parking Area**, for further details.

PEDESTRIAN GATE

The pedestrian gate will be secured with an access control system which may include biometrics that will only allow access to authorised pedestrians. As mentioned before, the raised crossing between Bergzicht and Monte Mare, and the new stop sign at the edge of the mall's property, will aid in allowing pedestrians to cross the street if it is safe to do so.

NOISE POLLUTION

The comment related to noise is noted, it should however be reiterated that all owners and future tenants will need to adhere to the provisions of the body corporate constitution and house rules.

If the property is not properly managed, it will affect not only the surrounding area but also the development itself and the owners of the units.

The following or similar stipulations will be included in the constitution and/or guidelines:

- "(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."*

This will address the majority of concerns related to noise.

It should be noted that according to the Traffic Impact Assessment, approximately 96 trips will be generated, with 72 exiting and 24 entering in the mornings. In the afternoon, 96 trips will be generated, with 67 entering and 29 exiting.

Additionally, it's essential to recognize that the activities of residents within the development, including vehicle movement, won't occur simultaneously. People have diverse schedules, with some leaving for work or errands earlier in the day while others may depart later. Moreover, the distribution of parking spaces throughout the development ensures that vehicles are dispersed rather than concentrated in one area. This thoughtful planning helps mitigate any potential impact on traffic congestion or noise disturbance, contributing to a more harmonious living environment for residents and surrounding property owners.

In addition to the above, the Overstrand Municipality has by-laws that also assist with the management of noise.

MITIGATION #5:

Landscaping plays a crucial role in mitigating noise pollution from the proposed development. As mentioned above, incorporating landscaping along the perimeter can act as natural sound barriers, with dense vegetation such as evergreen trees, shrubs, and bushes effectively absorbing and blocking high-frequency noise. The property owner undertakes to retain as many of the existing mature trees as possible, while careful planning of plant placement is essential, positioning taller vegetation closer to noise sources like roads or common areas to intercept sound waves. Additionally, a variety of plant species should be selected to optimize noise attenuation, considering factors such as growth habit and foliage density.

Evergreen trees and shrubs will be prioritized in the landscape design, as they maintain foliage year-round, providing consistent noise reduction. Living walls or green screens are also steps that can be taken, combining densely planted vegetation with structural support to effectively block and absorb sound waves while enhancing the development's aesthetic appeal.

ENVIRONMENT / WETLAND

The proposal maintains the commitment to landscape the property, ensuring that the greenery remains as far as possible, as the objectors have become accustomed to.

It's important to address the comments suggesting that the property is situated in or on a wetland, as such claims are unfounded. There are no wetlands present on the property. Therefore, any concerns regarding potential disruption to wetland ecosystems are not applicable to this development proposal.

The subject property is located within the existing urban area and not located in an environmentally important area. Furthermore, the property is also not located within the Environmental Protection Overlay Zone (EMOZ) as motivated within the application report. Therefore, the proposed development does not require an environmental impact assessment.

Additionally, concerns were raised of the water table and how this development will have an impact thereon. The developer will install an agri-drain or sub-soil drain along the Western boundary wall to prevent any sub-terranean water from draining through to the neighbouring properties.

This will be done as part of the civil construction works and will tie in with the stormwater network inside the complex and outside to the municipal stormwater System.

A manual sweep of the grounds will be done before any development activities take place to save and relocate any wildlife.

SECURITY

Comments related to security concerns are noted, but no reasons are provided how the new development will have a negative impact on security of these adjacent properties.

It is important to note that any shared boundary walls are the responsibility of the owner on whose land it is located. If the wall is built on both properties, then both owners are responsible for the wall. This includes electric fencing.

Security is always a major concern in South Africa and the owners are developers and will develop the property themselves with their existing, local construction teams. The owners have appointed a security firm to secure the premises during construction and to keep contract workers from leaving the construction premises during normal working hours. This security firm will probably take over the security of the developed complex for the first year thereafter, until the body corporate has held its first annual general meeting.

The owners indicated that where required, new electric fencing will be erected that will be the responsibility of the homeowners' association as security is one of the top priorities of the development. Future individual owners and occupants of the development will receive the highest security that will include optical surveillance cameras that provide 24/7 monitoring of the entire property. The access control system will ensure that only authorized residents/staff or visitors have access to the estate, further enhancing its security.

SOCIAL MATTERS

While the concerns raised by some objectors are understood, it's important to approach these issues with sensitivity and respect for all members of the community. The insinuation that high-density housing options may attract individuals with undesirable lifestyles or social issues could be interpreted as discriminatory and unjust. Every individual deserves equal treatment and respect, regardless of their socioeconomic status or housing choices.

It's essential to avoid perpetuating stereotypes or stigmatizing certain groups of people based on their housing preferences. Creating a welcoming and inclusive community means embracing diversity and providing opportunities for all residents to thrive, regardless of their background or circumstances.

Instead of making assumptions, it is encouraged that all stakeholders engage in constructive dialogue and work together to find solutions that benefit the entire community. By fostering understanding and empathy, a stronger and more inclusive neighbourhood where everyone feels valued and respected, can be build.

HOUSING

Requests were made to provide the cost of the units being proposed, but due to ever-changing building costs, it is impossible to determine at this stage what the final asking price will be.

Some of the units will be for first-time buyers, catering for a market not currently served in Hermanus. It is not a low-cost housing project, as many objectors are concerned about. Rather, it is a development that will provide housing options in different price ranges, but also providing opportunity for first time home buyers to enter the market.

The body corporate and owners will always ensure that the number of persons permanently residing in each unit does not exceed 2 (two) persons for a 1 (one)-bedroom unit, 4 (four) persons for a 2 (two)-bedroom unit, or 6 (six) persons for a 3 (three)-bedroom unit.

PUBLIC PARTICIPATION PROCESS

The public participation process was conducted in accordance with the requirements outlined in the Overstrand Municipal Planning By-Law. Site notices were erected and displayed for 2 months and emails were sent out to possible interested and affected parties.

Public meetings, feedback sessions, and consultations are not mandated components of the public participation process. The applicant fulfilled all necessary public participation requirements.

HISTORICAL PRESERVATION

Comments with reference to the heritage significance are not relevant.

A Notice of Intent to Develop has been submitted to the HWC due to the extent of the property and the record of decision was submitted to the municipality.

AFFORDABILITY

The proposed development meets the needs of a diverse population and is focused on creating more affordable housing options within the area. It is further motivated within the application that the proposed development's densification aims to promote affordable housing options.

Furthermore, the application addressed the target market of the application: "*the proposed development aims to address the housing demand in the entry-level market segment.*"

AMENITIES

As previously mentioned within this document, all future owners and tenants will need to adhere to the body corporate constitution and house rules, which includes rules regarding washing and the use of washing lines and dry yards.

A clubhouse is not a requirement for this proposed development but is an additional feature that the owners have added to the proposed development for enjoyment of all future owners and tenants. Therefore, the size is not to be a concern of the objector.

Furthermore, to the amenities, the proposed clubhouse will be surrounded by a significant open space for communal enjoyment. The Overstrand Land Use Management Scheme contains the requirements regarding communal area of concern which states that the development must have access to an outdoor living area and needs to provide communal open space that does not include parking, service yards or roads. The Overstrand Land Use Management Scheme further requires that the communal open space must consist of at least 10% of the extent of the subject property, accommodating outdoor recreational/garden areas.

Therefore, the application addressed the Open Space provision in *Section 4.3.6* of the report. It concludes that the portion of the development allocated to open space/communal area amounts to at least 27% of the property's total developable space which is a hallmark of significance. This space may be utilised for various purposes, such as walking, landscaped gardens, children's play area, or communal gathering spots which will enhance the overall quality of life for the residents. The space is adequate for children to play and run around.

BUILDING LINES

The existing street building line of the property is 4m and the proposed zoning also has a street 4m building line and not an 8m building line.

Parking is allowed within the building line, but if carports are erected, a departure from the building line is required. The objector's proposal of parking bays covered with temporary structures, such as vegetation, may not be viable for the developer. Carports are engineered to withstand various weather conditions, especially the winds experienced in the Western Cape.

These proposed carports will provide adequate protection for vehicles and temporary structures such as those covered in vegetation, may not offer the same level of structural integrity, posing potential safety hazards and maintenance challenges. However, as previously mentioned, mitigating measures of softening the visual impact will be investigated and implemented, such as planting trees along the boundary wall of the development.

Furthermore, it is important to note that should approval be received for the proposed departure, no buildings will be allowed within the 4m and 4.5m building line other than the carports applied for. The risk of other structure being built along

or on the Monte Mare east boundary will not be a concern as this will not be allowed.

The developer is providing more communal space than required for the proposed development hence some of the parking being provided on the boundary of the property which is allowed. Should the carports not be allowed, the parking will still be allocated within its current position.

Conclusion

The objections raised to the proposal have provided the owners opportunity to address some of the concerns and to take proactive steps to address them. In the spirit of community acceptance and collaboration, the property owners have proposed a series of mitigation measures aimed at alleviating potential impacts and enhancing the overall suitability of the development.

Firstly, the implementation of new boundary walls (where possible) and new electric fencing signifies a commitment to bolstering security measures, safeguarding both the development and its surrounding community. This proactive approach aims to mitigate security risks and ensure peace of mind for residents.

Furthermore, landscaping along boundaries serves a dual purpose of enhancing aesthetics and mitigating potential nuisances. By strategically incorporating greenery and natural elements, the property owners seek to create a visually appealing buffer zone that contributes to a harmonious coexistence with neighbouring properties. While also including additional privacy screens along the balconies.

In addition, the selection of appropriate lighting fixtures, including shielded fixtures, warm light bulbs, and motion sensors where feasible, underscores a commitment to minimizing light pollution and enhancing nighttime ambiance. This thoughtful consideration not only promotes environmental sustainability but also contributes to the well-being and comfort of residents.

Lastly, the proposal to install solid balcony balustrades speaks to a commitment to privacy and safety, ensuring that residents can enjoy outdoor spaces with peace of mind and tranquillity.

Considering the responsive mitigation measures taken by the property owners to address objections and mitigate potential impacts, it is recommended that the planning application be approved as submitted. By incorporating these mitigation measures, it is recommended that the planning application be approved as submitted.

Yours faithfully



T JANSEN
PROFESSIONAL TOWN PLANNER (A/2858/2019)

ANNEXURE A

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

Unit B, Standard House,
Cnr Royal and Dirkie Uys Street
Hermanus

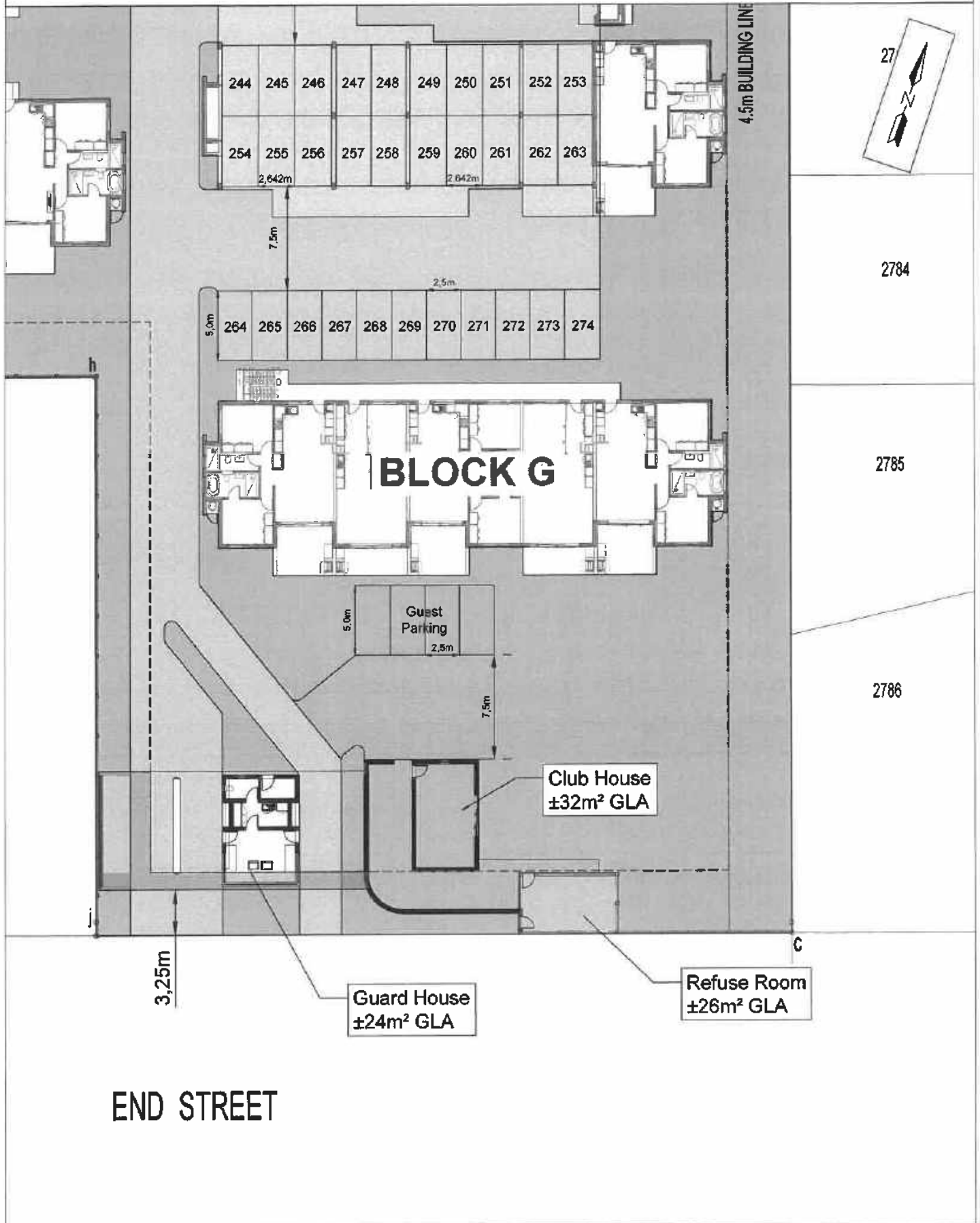
PostNet Hermanus Suite 170
Private Bag X16, Hermanus,
7200


Tel: +27 (0)28 313 1411
Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za



WRAP Group Established 2002

7. SITE DEVELOPMENT PLAN INSET - REMAINDER OF ERF 1735, SANDBAAI



<p>Scale 1 : 250</p>	<p>Plan prepared by: Thian Jansen Based on plans provided by Holloway + Davel Architects</p>	 <p>Project Office Town Planning & Project Management</p>
	<p>All distances are approximate and subject to a survey</p>	
	<p>Tel: 028 313 1411</p>	
	<p>Email: admin@wrapgroup.co.za</p>	
	<p>Unit B, Standard House, Corner of Royal and Dirkie Uys Street Hermanus, 7200</p>	
	<p>Plan Number - 22/64(001) 2023/05/16</p>	

Our Ref: HM/ OVERBERG/ OVERSTRAND/ HERMANUS/ ERF 1735
Case No: HWC23061408AM0718
Enquiries: Ayanda Mdludlu
E-mail: ayanda.mdludlu@westerncape.gov.za
Tel: 021 483 5959



Michelle Naylor
 michelle@lornay.co.za

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(4) 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: REZONING AND SUBDIVISION ON ERF 1735, 71 BERGSIG STREET, SANDBAAL, HERMANUS, SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: HWC23061408AM0718

The matter above has reference.

Heritage Western Cape is in receipt of the above matter. This matter was discussed at the Heritage Officers' Meeting held on 24 July 2023.

You are hereby notified that, since there is no reason to believe that the proposed rezoning and subdivision on Erf 1735, 71 Bergsig Street, Sandbaai, Hermanus will impact on heritage resource, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

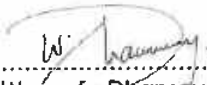
However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

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.

Yours faithfully


 Waseefa Dhansay
 Assistant Director: Professional Services



www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
 • **Tel:** +27 (0)21 483 5959 • **E-mail:** cas@heritage.westerncape.gov.za

Straatadres: Protea Assuransgebou, Groenmarktplein, Kaapstad, 8000 • **Posadres:** Posbus 1665, Kaapstad, 8000
 • **Tel:** +27 (0)21 483 5959 • **E-pos:** cas@heritage.westerncape.gov.za

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**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION & DEPARTURE: ERF 1735,
SANDBAAI (4409/2023)**

Water	:	Upgrading according to master plan/GLS Report
Sewer	:	Upgrading according to master plan/GLS Report
Roadsand 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 (2023/2024) is as follows:

Freehold erven:

Water	R 27 598.16 x 87.8	= R 2 423 118.45
Sewerage	R 18 608.30 x 87.8	= R 1 633 808.74
Roads	R 8 344.32 x 147.00	= R 1 226 615.04
Stormwater	R 9 626.92 x 16.4	= R 157 881.49
Solid Waste	R 1 668.44 x 147.00	= R 245 260.68
TOTAL (inclusive of VAT)		= R 5 686 684.40

Note:

- 1.3 The above figures are estimates which are subject to annual tariff adjustments.
- 1.4 That Overstrand Municipality's Electrical Department be contacted regarding the bulk electricity cost.
- 1.5 The above figures exclude investigation levies and connection fees.

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2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Director: Infrastructure and Planning 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 Director: Infrastructure and Planning 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 Director: Infrastructure and Planning, 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 Director: Infrastructure and Planning:

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- 5.1 way-leaves must be obtained from the Operational Manager;
- 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 Director: Infrastructure and Planning 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 Director: Infrastructure and Planning 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 Director: Infrastructure and Planning;
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 Director: Infrastructure and Planning 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;

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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 may be required by the Director: Infrastructure and Planning 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 Home Owners Association 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 any commercial food preparation facilities (e.g. restaurant / guest house etc.) must be provided with a grease trap, which must comply with the standards and specification of the Department: Operational Services;

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24. 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*;
25. 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.
26. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Director: Infrastructure and Planning;
27. 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 Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his/her cost to the satisfaction of the Director: Infrastructure and Planning;
28. that the connection to the stormwater reticulation system be provided according to the stormwater master plan by, the developer;
29. that the stormwater system in Bergsig street may be upgraded by the developer;
30. that the following improvements/ upgrades be implemented as as recommend by the approved TIS report:
 - a) Provision of a minimum of 17,0 m stacking distance between the entrance gate and the road reserve
 - b) The upgrades of the Sandbaai Main Road/Bersig Street roundabout.
 - c) The implementation of stop control at the Louis Trichard / End Street intersection.
31. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
32. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.


 DENNIS HENDRIKS

SENIOR MANAGER: ENGINEERING SERVICES


 DATE

TPA-EMS-240205-04

Town Planning Application on 05-02-2024

Generated on Unitl by Heloise Fortune on 09-02-2024



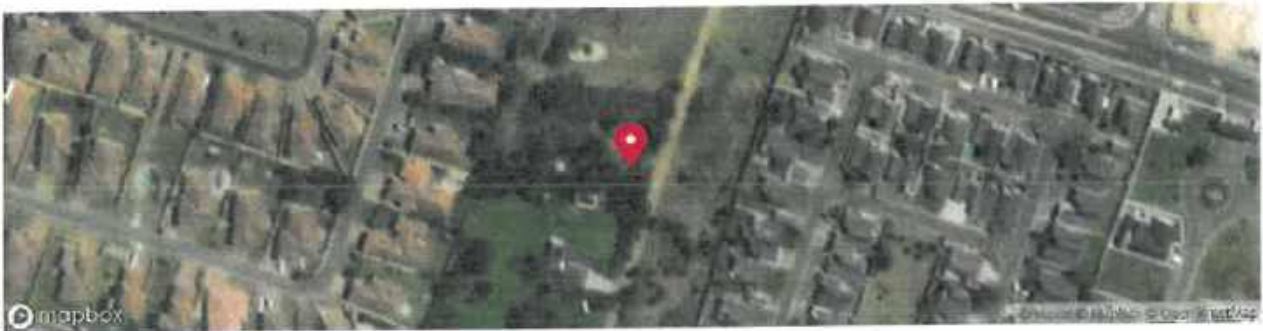
Basic Information

Captured Reference	05-02-2024 12:50 TPA-EMS-240205-04	Call Time	05-02-2024 12:50	Captured By Office	EMS
District	Overberg	Status			Open
Municipality	Overstrand				

Description

APPLICATION FOR REZONING, SUBDIVISION & DEPARTURE.

Geographical Information



71 Bergsig Street, Sandbaai, South Africa (-34.4176; 19.2023)

Application Details

File Reference	Erf 1735 4409/2023 WRAP PROJECT OFFICE ON BEHALF OF TERRA
Applicant	NUOVA DEVELOPMENTS CC
Property Details	ERF 1735, 71 BERGSIG STREET, SANDBAAI, HERMANUS

Application Comments

This office has no objection to this application.

Closing Comments

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Heloise Fortune

.....
Name and Surname



.....
Signature

09 Feb 2024

.....
Date

Office Address List - Erf 1735 SANDBAAI

COLLAB NO	First Name	ERF NO / ADDRESS
1	Buckmaster G	128 HSB
2	R Groenewald obo Sandbaai Ratepayers Association	
3	van Uythoven R	Leisure Park 81
4	Roberts JC	14 Belladonna Street
5	Potgieter H	14 Kusweg
6	Burger J & JW	1900 HSB
7	Lang DA	Leisure Park 56
8	Lang MP	Leisure Park 56
9	Reifarth M	6 Booth Close
10	Verdoordt W	1889 HSB
11	Diederichs R	57 Ocean Breeze
12	PETITION: MOTE MARE ESTATE RESIDENENTS	Monte Mare
13	Stromberg C	1887 HSB
14	Theubet GC	1918 HSB
15	Theron CC	1867 HSB
16	Grant J	1893 HSB
17	Bett D & J	42 Bergzicht

18	1993662	Heystek C & Y	Bergzicht
19	1993596	Edwards MA & AMA	2765 HSB
20	1993593	Martin CE	33 Bergzicht
21	1993591	Theron L & A	12 Bergzicht
22	1993558	Rogers AD	1898 HSB
23	1993089	Du Plooy F	1876 HSB
	1993056	Du Plooy F (DUPLICATE)	1876 HSB
24	1993019	Auret W	1869 HSB
25	1992065	Coquillon R & S	14 Bergzicht
26	1991824	Stocks JN	2866 HSB
27	1991811	Moore A	1879 HSB
28	1991799	Agenbag TN	1912 HSB
29	1991788	Hattingh C & E	1885 HSB
30	1991138	Du Preez M	37 Ocean Breeze
31	1989545	Linney JD & MMR	1865 HSB
	1984927	Linney JD & MMR (DUPLICATE)	1865 HSB
32	1988392	Cruickshank J	5 Bergzicht
33	1986907	Coetzee G & V	49 Ocean Breeze
34	1986541	Welsch C	1878 HSB
35	1986517	Olivier H (L Roos)	1863 HSB

36	1986512	Van Dyk TJ	1872 HSB
37	1986511	Jones B & D	1870 HSB
38	1986361	Niemantinga K	1888 HSB
39	1984524	Van de Coolwijk M	2775 HSB
40	1985430	Booyens G & Y	1868 HSB
41	1985220	Wentzel ES	1871 HSB
42	1984890	Roberts D	1873 HSB
43	1982616	Rossiter C	
44	1981847	Basson CM	2770 HSB
45	1981835	Clow A	2780 HSB
46	1981797	Van Eeden LJ & S	2755 HSB
47	1981796	Roos ZN & MM	1864 HSB
48	1981116	Pretorius F & L	2761 HSB
49	1980144	Casteleijn J & E	2795 HSB
50	1980139	Webster E	2777 HSB
51	1979957	Marinus NR	1875 HSB
52	1979953	Smith C & G	
53	1979948	Saayman JP	1892 HSB
54	1979891	Mooizicht Gardens Homeowners Association	
55	1979853	Creedy S	2809 HSB

56	1979370	De Beer N	2786 HSB
57	1979367	Hartman L	2798 HSB
58	1978876	Burness D & P	1805 HSB
	1999399	Burness D & P (DUPLICATE)	
59	1978874	Lourens JB	2759 HSB
60	1978390	LM Kruger	2760 HSB
61	1978388	Vosloo M & AM	2818 HSB
62	1978386	Keating K	38 Ocean Breeze
63	1977929	Creedy S	2809 HSB
64	1977921	Blumenthal P	1866 HSB
65	1977919	Welgemoed J	Bergzicht
66	1970981	Smith C	
	1998851	Smith C (Duplicate)	
67	1969887	Loubser L	2799 HSB
68	196193	Smith C & H	
69	1969187	McGrath S	Monte Mare

LETTERS OF SUPPORT/COMMENT

70	1968700	Jooste A	851 HSB
71	1998004	Coetzee JG	
72	1998739	Louw R	
73	1998768	Dalton AK	
74	1998783	Swart U	
75	1998785	Van Rhyn E	
76	1998797	Olivier R	
77	1998846	Gildenhuys CP	

OBJECTIONS - 69

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