

4.4

ERF 537, 15 MARINE DRIVE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, DEPARTURE AND CONSENT USE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CEREBRO TRADING (PTY) LTD

537 HWC (5072/2025)

B Minnaar

31 August 2026

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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 28 January 2026 from Messrs WRAP Project Office on behalf of Cerebro Trading (Pty) Ltd, the owner of Erf 537, Hermanus (Westcliff) for the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the By-Law from General Residential Zone 1: Town Housing (GR1) to General Residential Zone 3: Flats (GR4) to accommodate 9 flats (sectional title) on the property.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the eastern lateral building line from 4,5m to 2,5m to accommodate the proposed lobby and circulation space on ground floor;
 - relax the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor;
 - relax the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor;
 - relax the 4,5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (units 2, 5, 6 and 9);
 - relax the 4,5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the first and second floor;
 - relax the 4,5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (units 3, 4, 7, and 8);
 - relax the eastern lateral building line from 4,5m to 2m and 2,16m respectively to accommodate the proposed roof overhang;
 - relax the western lateral building line from 4,5m to 2,79m to accommodate the proposed roof overhang;
 - relax the rear building line from 3m to 2m to accommodate the proposed roof overhang;
 - relax the street building line from 4m to 3,8m to accommodate the proposed roof overhang;
 - deviate from the prescribed development parameters applicable to General Residential Zone 3: Flats (GR4) properties from 3000m² to 980m², and
 - deviate from the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare.
- ❖ **Consent use** in terms of Section 16(2)(o) of the By-Law to accommodate tourist accommodation on the property.

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 537, Hermanus is zoned for General Residential Zone 1: Town Housing purposes, situated in the Westcliff neighbourhood and measures 980m² (0.098ha). The property is currently vacant.

The intention of the application is to accommodate 9 flats (sectional title units) on the property. In order to accommodate the proposed use, the following applications are required: an application for rezoning to allow for the development of the flats; an application for departure from the development parameters for the proposed encroachments, and an application for consent use to utilise the units as tourist accommodation by the property owners of each flat.

4. SUMMARY OF APPLICANT'S MOTIVATION

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

Background

- The proposal seeks to establish a contemporary development comprising 9 flats, designed to optimise the site's unique location and enhance the area's housing supply. The development will contribute positively to the local urban character while addressing the growing demand for well-located, high-quality residential opportunities in Hermanus.
- In addition to its prime location and scenic views, the proposed development will align with sustainable urban growth principles by promoting densification within an established residential area.

Design proposal



- The property will be accessed via two entrances on Marine Drive. The first will be a covered pedestrian entrance leading to a foyer designed for use by residents and their guests, creating a welcoming and secure entry point. The second will be a vehicular access point, featuring a 5m-wide access road to facilitate smooth and efficient entry to the property.
- Sufficient space has been allocated to ensure safe and convenient vehicle access and egress, with adequate stacking distance (12m) provided to minimise any potential impact on traffic flow along the public street. This design approach aims to enhance both functionality and safety while integrating seamlessly with the surrounding streetscape.
- The proposal seeks to develop 9 residential flats on the subject property, distributed across three storeys:

Storey	Floor	Proposed Flats
1	Ground	One x 3-bedroom flats
2	First	One x 2-bedroom flats Three x 3-bedroom flats
3	Second	One x 2-bedroom flats Three x 3-bedroom flats

- The proposal includes two (2) two-bedroom flats, and seven (7) three-bedroom flats, distributed over three storeys.
- The site is proposed to be excavated from the street frontage, ensuring that the entire ground floor aligns with street level. This design results in a site level approximately 2m lower than the existing level at the rear boundary, necessitating the construction of retaining structures along the back boundary to provide stability and support. This approach enhances accessibility while integrating the development seamlessly with the surrounding streetscape.
- Parking will be allocated to each unit on the ground floor, ensuring convenient and efficient use of space. The parking requirements, as per the Overstrand Municipality Land Use Scheme (OMLUS), are as follows

Unit Type	Number of Units	Parking Bays Required
2- and 3-Bedroom Flats	9	18
Total Required		18
Total Provided		18

Rezoning

- ❖ Rezoning of Erf 537 Hermanus from General Residential Zone 1: Town Housing to General Residential Zone 3: Flats (Gr4).

The rezoning will enable the construction of a three-storey residential development comprising 9 modern flats. The building has been thoughtfully designed to maximise the site's unique setting, with the structure divided into two distinct sections, one oriented towards the ocean to capitalise on the uninterrupted coastal views, and the other positioned to embrace the scenic mountain backdrop.

This design approach ensures that all units benefit from the property's exceptional location while maintaining architectural balance and aesthetic appeal.

Departure

- ❖ Departure from the 4,5m eastern lateral building lines to 2,5m to accommodate the proposed lobby and circulation space on the ground floor.
 - ❖ Departure from the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor.
 - ❖ Departure from the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor.
- The proposed departure is required to accommodate the lobby on the ground floor, which serves as a shared access and circulation space for residents and visitors. The lobby has been positioned along the eastern boundary to establish a clear, legible, and safe pedestrian entrance to the building. The reduced setback allows for an efficient internal layout while maintaining sufficient separation from the boundary to limit any visual or spatial impact on the adjoining property.
 - A further reduced setback is required to accommodate the covered lobby access on the ground floor. This element is limited in scale, non-habitable in nature, and functions solely as a sheltered pedestrian entrance. Due to its limited height and purpose, the structure will not result in loss of privacy, overlooking, or overshadowing of neighbouring properties. In addition, the proposed excavation will result in the covered pedestrian access being positioned significantly below the existing ground level, further reducing its visual impact.
 - The proposed departure along the south-western boundary is required to accommodate a ground-floor flat in a manner that allows for a coherent and functional building layout. The reduced setback has been carefully considered and remains appropriate within the context of the surrounding area and the scale of the proposed development. A 3m setback provides adequate spatial separation from the adjoining property and ensures that matters relating to privacy, access to sunlight, and overlooking are sufficiently addressed. The affected portion of the building has been designed with consideration to its orientation and height, thereby limiting any potential impact on neighbouring properties.
 - The north-eastern boundary has been deliberately selected to accommodate pedestrian access and circulation elements, including the lobby and stairways, which are essential for the safe and efficient movement of residents and visitors throughout the building. The proposed 2,5 m setback for the stairway and the 0,46 m setback for the covered pedestrian entrance provide practical design solutions within the constraints of the site, while still maintaining adequate separation from the boundary.
 - All proposed departures have been carefully assessed to minimise impacts on adjoining properties. Adequate space is retained to preserve privacy, natural light, and sightlines, while ensuring the development aligns with the existing streetscape and broader urban context. The departures also support efficient land use and internal circulation, consistent with the densification objectives of the OMSDF and OMLUS.

- ❖ Departure from the 4,5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (Unit 2, 5, 6, & 9).
- ❖ Departure from the 4,5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the on the first and second floor.
- ❖ Departure from the 4,5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (Units 3, 4, 7, & 8).
- The current proposal seeks permanent departures from the prescribed 4,5m lateral building lines to allow portions of the first and second floor flats to be set back at 3m from the eastern and western boundaries. These departures are required to achieve a practical and efficient building layout while ensuring that the internal configuration of the flats remains functional and responsive to the site's constraints.
- A 3m setback provides a reasonable balance between optimal land use and the protection of neighbouring amenity. Adequate spatial separation is maintained to ensure that issues relating to privacy, overlooking, and access to sunlight are sufficiently mitigated. The first floor units have been carefully positioned and articulated to reduce perceived bulk, with building mass broken up through setbacks, and architectural detailing that softens the interface with adjacent properties.
- The reduced setbacks will have minimal impact on neighbouring properties, particularly the single storey dwelling to the south-west, which will continue to enjoy reasonable access to sunlight and open space. The proposed first-floor scale and orientation, combined with the increased separation distance when compared to the historic structure, ensure that the development does not result in an overbearing or intrusive form.
- ❖ Departure from 4,5m eastern lateral building line to 2m & 2,16m to accommodate the proposed roof overhang.
- ❖ Departure from 4,5m western lateral building line to 2,79m to accommodate the proposed roof overhang.
- ❖ Departure from 3m rear building line to 2m to accommodate the proposed roof overhang.
- ❖ Departure from 4m street building line to 3,8m to accommodate the proposed roof overhang.
- The proposed departures relate exclusively to roof elements and overhangs associated with the uppermost level of the building. These elements are architectural in nature and are required to accommodate the roof form and roof deck areas serving the four second-floor flats. Importantly, while the roof includes roof deck components, these decks are set back several metres from the building edges and are separated from the building lines by extensive areas of non-trafficable roof. As a result, the majority of the portions of the roof encroaching into the building line setbacks are not accessible and do not function as habitable or active outdoor spaces.
- The roof overhangs have been designed to improve the architectural articulation of the building, provide weather protection, and enhance thermal performance through shading, without increasing the perceived bulk or intensity of the development at boundary level. Due to their elevated position and limited projection, the overhangs will not result in overlooking, loss of privacy, or overshadowing of neighbouring properties.

- The reduced rear and street building line departures similarly relate only to the roof form and do not introduce additional floor area or habitable space closer to the boundaries. The marginal reductions are minor in nature and will not negatively affect adjoining properties or the streetscape. The street-facing roof element remains visually lightweight and subordinate to the main building mass, ensuring that the character of the streetscape is maintained.
- Overall, the proposed roof-related building line departures are modest, technical in nature, and necessary to achieve a coherent and functional roof design. They do not undermine the intent of the building line provisions and will have no material impact on neighbouring properties or the public realm. The departures are therefore considered reasonable, contextually appropriate, and supportive of good architectural design and sustainable development principles.

❖ Permanent Departure from the minimum erf size of 3000m² to 980m².

- The subject property has an extent of 980m², which necessitates approval of a departure from the prescribed development parameters of General Residential Zone 3: Flats (Gr4), as it falls below the minimum erf size of 3000m² required for densification. This departure is essential to comply with the OMLUS provisions and to align with the property owners' vision for a modern residential development that optimises the site's potential.
- Given the property's prime location along Marine Drive, its size should not be limiting its development potential. The site offers exceptional views of the ocean, a feature that enhances its desirability and value. The character and potential of the site far outweigh the constraints of the minimum erf size, making it an ideal location for a higher-density residential development that responds to the local demand for quality housing.
- Furthermore, the development of a similar-sized property adjacent to the subject property, where flats have been successfully developed, further supports the case for allowing the proposed development. The surrounding area demonstrates that a higher-density residential development can be accommodated on a site of comparable size without negatively impacting the neighbourhood. The integration of flats into the area has been proven to enhance the diversity of housing stock while maintaining the overall character and appeal of the community.
- The proposed development aligns with the broader urban planning objectives of the municipality, which seek to promote sustainable growth and urban densification in well located areas that can support such developments. The site's accessibility to essential services and its scenic surroundings makes it particularly well-suited for increased residential density. Additionally, the introduction of modern flats will enhance the visual appeal of the area by replacing an underutilised structure with a contemporary and architecturally refined building that complements the character of the surrounding neighbourhood.
- The proposed development should be allowed as it offers significant benefits in terms of housing supply and urban development. The departure from the minimum erf size requirement is justifiable based on the site's exceptional attributes and the precedent set by neighbouring developments. This permanent departure will enable the property to be developed to its full potential while contributing to the densification goals outlined in the Overstrand Spatial Development Framework and the Overstrand Growth Management Strategy.

The project aligns with municipal objectives for sustainable and responsible urban growth, ensuring a positive contribution to the local community through improved housing stock and increased economic activity.

- ❖ Permanent Departure from the maximum density allowed in terms of the proposed zoning:
 - A departure from the provisions of the zoning scheme is required as the primary uses under the proposed zoning, General Residential Zone 3: Flats Bulk Zone 2 (GR4), include the following:
 - Flats and townhouses in accordance with Section 6.3.2, as well as other residential buildings.
 - Although no townhouses are proposed, the OM indicates that compliance with certain development parameters outlined in Section 6.3.2 of the OMLUS is required. With specific reference to the density requirements.

Development Parameter	Section 6.3.2 of the OMLUS	Applicable (Deviate/Comply)
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 (i) Deviate – Applied for and motivated. (ii) Deviate – Applied for and motivated.

- The development plan for the subject property aims to optimise the available space, yielding a total of 9 units, which results in a density of approximately 91,8 dwelling units per hectare (Du/Ha). The primary objective behind proposing this higher density is to minimise the need for additional land while addressing the significant housing demand in the Hermanus area. The goal is to maximise the allowable density and reduce land requirements, both of which are critical aspects of sustainable development and curbing urban sprawl.
- As previously mentioned, the only development parameters of OMLUS Section 6.3.2 requiring a departure is the allowable density of 50 units per hectare. In terms of this restriction, only 4.9 dwelling units should be permitted, but this is not aligned with the municipality's own guideline documents. In Section 11 of this motivation report, it is motivated that the proposed density aligns with the relevant guideline documents. This area has been designated for higher-density development, and this property is one of the parcels where such developments can be considered.
- While the proposed density exceeds the 50 units per hectare limit stipulated in Section 6.3.2 of the OMLUS, it remains consistent with other applicable guidelines and policies of the Overstrand Municipality. Several measures have been implemented to minimise the impact of the proposed development on the surrounding area, ensuring it integrates well with the existing urban fabric. Moreover, the proposed density is not considered unusual, as multiple higher-density developments have been approved in the immediate vicinity along Marine Drive. Refer to the figure below for context.



Existing / Approved Development	Density (Du/Ha)
1. 17 Marine	53,57
2. The Mira	125
3. The Esplanade	48,09
4. Marine Court	127,9
5. Hamewith	88,79
6. The Birkenhead	91,91

Proposed Development	Density (Du/Ha)
Erf 537, Hermanus (15 Marine)	91,7

- The tables demonstrates that the proposed density is not out of the ordinary when compared to other developments in the area, all of which are higher-density flat developments. This clearly indicates that the proposed density is in keeping with the established development pattern along Marine Drive.

Consent use

❖ Consent use for tourist accommodation on Erf 537 Hermanus

- The proposal includes an application for a consent use to allow tourist accommodation on the property. It is however important to note that the flats will not be used exclusively for short term tourist accommodation. The intention is simply to provide future owners the option to utilise their units for this purpose, should they wish to do so. There will be no obligation for new owners to exercise this right, and the use of the flats for permanent residence will remain entirely permissible.
- The proposed development will form part of a broader pattern of short-term accommodation options already established in the area. Marine Drive is a highly sought after location in Hermanus, well known for its proximity to key tourist attractions with and convenient access to the central town area. As such, it is not uncommon to find a range of properties in the vicinity being let for short-term tourist stays.

- The table and figure 8 below illustrate the number and location of flats currently listed on Airbnb in the immediate surroundings of the subject property, further demonstrating that the proposed consent use aligns with existing land use trends in the area.



No.	Airbnb name	Address
1	Whale Haven@SeaVillage	55 Marine Drive
2	Ocean Breeze Hermanus	55 Marine Drive
3	Sea and Champagne Air	61 Marine Drive
4	Esplanade 312 Village View (2 Bed)	61 Marine Drive
5	Esplanade 105 Sea View (1 Bed Terrace)	61 Marine Drive
6	Esplanade Penthouse (3 Bedroom)	61 Marine Drive
7	Ocean Bliss	45 Marine Drive
8	Wonderview	45 Marine Drive
9	17 Marine	17 Marine Drive
10	17 Marine 202 (Unique Solar Powered Apartment)	17 Marine Drive
11	The Mira (Recently Approved and under construction)	39 Marine Drive

- It is evident from the information above that short-term tourist accommodation is well established in the vicinity of the subject property. According to municipal zoning records, properties located at 17, 39, 45, 55, and 61 Marine Drive are zoned similarly to the subject property, namely General Residential Zone 3: Flats (GR4) and are actively being used for short-term accommodation purposes. This confirms that the proposed consent use will not be out of character with the prevailing land use in the area and will align with the established development pattern.
- The developers have taken careful steps to ensure that the operation of short-term tourist accommodation will remain compatible with the residential character of the building. Should the application be approved, the body corporate conduct rules will be submitted to the municipality. These rules, which are binding on all owners and residents, are designed to uphold the quality of communal living and regulate the use of shared facilities. Among other matters, the conduct rules will specifically address the terms under which short-term letting may take place, covering issues such as guest behaviour, noise, parking, and security.

Services

- Electricity

The proposed development will connect to the existing electricity network of the Overstrand Municipality. An initial capacity investigation will be undertaken as part of the application process to confirm whether the current infrastructure can support the increased demand. Should any upgrades be required to facilitate the development, these will be addressed in consultation with the municipality and will form part of the development contributions. The design will include energy-efficient fittings and may consider supplementary solar installations to promote sustainable consumption and reduce peak demand where feasible.

- Water

A bulk services investigation was undertaken by GLS Consulting, and the findings indicate that the proposed development will have a negligible impact on the existing municipal water infrastructure. The total estimated daily demand is approximately 4.5 kilolitres of potable water, which falls well within the capacity of the current reticulation network. The proposed development will be supplied via a metered municipal connection and incorporate water-saving plumbing and fittings to further reduce usage. Extract from GLS Report: *"The existing Hermanus water reticulation network has sufficient spare capacity available to provide the required water pressure and fire flow criteria for the development as set out in the Overstrand Water Master Plan."*

- Sewage

According to the same GLS Consulting report, the existing sewer infrastructure within the Hermanus PS No. 4 drainage area has sufficient capacity to accommodate the effluent generated by the proposed development. Wastewater will be directed into the municipal network and treated through the established systems, ensuring compliance with municipal and environmental requirements. Extract from GLS Report: *"There is sufficient capacity in the existing sewer reticulation system of the Hermanus PS No. 4 drainage area to accommodate the proposed development."*

- Solid Waste

Solid waste generated by the development will be stored in a dedicated refuse room designed in accordance with the requirements set out in Section 17.4 of the OMLUS. The refuse room will be easily accessible for both residents and municipal waste collectors and will be emptied on the scheduled collection days by the Overstrand Municipality. Waste separation and recycling bins may be introduced to encourage more sustainable waste practices.

- Access and Egress

Vehicular access to the site will be obtained from Marine Drive via a single 5-metre-wide access point, which has been designed to accommodate both access and egress movements with minimal impact on traffic flow. The access will include sufficient stacking space to allow at least two vehicles to queue without encroaching on the public road reserve, which reduces the potential for traffic disruption. The entrance will be access controlled via a motorised gate, providing a secure and efficient entry system for residents and visitors. A separate pedestrian entrance has also been provided, allowing safe and direct access to the building for those arriving on foot.

The proposed development has been carefully designed to ensure that the existing infrastructure network can support the increase in density, without requiring extensive upgrades or negatively affecting the surrounding community. These findings demonstrate that the development is viable from a municipal services perspective and aligns with the principles of responsible, sustainable urban growth.

HPOZ

Historic Core of Hermanus Heritage Protection Overlay Zone Purpose: To ensure that any land use application resulting in additional rights complies with the existing character and contextual significance:

- To protect and enhance the context of the high concentration of heritage sites; the role of the old harbour; Bientangs cave; the high scenic quality of the coastline; the recreational facilities related to the coastal walkway and associated whale watching points; the relatively fine-grained, low-rise nature of the building fabric; and the integration of these place-making elements.
- These heritage features all contribute to an area of particular character, reflecting many of the heritage themes identified in the Overstrand area and worthy of the status of a HPOZ in terms of the land use scheme.

The proposal is not predicted to impact on the protected elements mentioned above.

EMOZ

A portion of the subject property is located within the Coastal Protection Zone and to ensure compliance with the guidelines set out in the EMOZ, the application was evaluated in terms of the provisions of Schedule A & B of the Environmental Management Overlay Zone 2020:

- Based on this assessment, it is evident that the proposed residential development does not trigger any of the prohibited activities listed under Schedule A. The development is urban in nature, located within the established urban edge, and does not involve agricultural practices, disturbance of natural coastal systems, harvesting of natural resources, or any activities that may result in degradation of sensitive environmental features. No protected vegetation, dune systems, wetlands, or watercourses will be disturbed as part of the proposal.
- With regard to Schedule B, the proposed development similarly does not involve activities that would ordinarily require additional council consent or permits, such as vegetation removal of conservation concern, dune maintenance, substrate excavation within sensitive areas, or the installation of bulk infrastructure within proximity to watercourses. Although a portion of the property falls within the Coastal EMOZ buffer, the proposed buildings and associated infrastructure are confined to an already transformed and developed urban site. The development will not extend into natural coastal systems, nor result in any encroachment that would compromise the functioning or integrity of the coastal environment.
- All stormwater, sewage, and pool water will be managed in accordance with municipal standards and best environmental practices to ensure that no untreated effluent, grey water, or polluted runoff is discharged into the natural environment. Appropriate stormwater attenuation and management measures will be implemented to prevent erosion, flooding, or downstream impacts.

As such, the development will not place additional pressure on coastal or marine ecosystems.

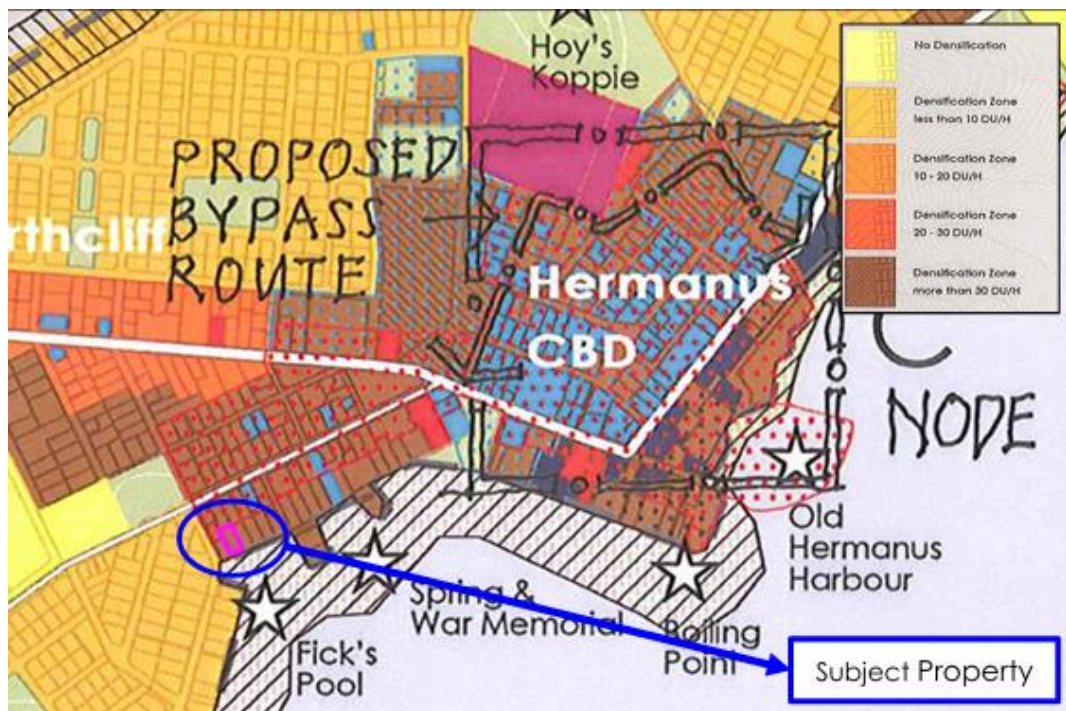
- The proposed buildings, including those portions located within the EMOZ buffer, are residential in nature and do not introduce activities associated with increased environmental risk. The development does not involve industrial, commercial, or extractive activities and will not alter coastal processes, dune systems, or ecological corridors. Importantly, the proposal does not introduce any new access routes to open coastal spaces, nor does it involve the removal or modification of natural vegetation.
- While a portion of the subject property is located within the Environmental Management Overlay Zone, the proposed development is considered environmentally acceptable and will not result in a negative impact on the coastal environment. The development complies with the intent and objectives of the EMOZ, which seek to protect sensitive environmental areas while allowing for appropriate, low-impact development within the urban edge. The proposal is therefore supported from an environmental management perspective.

OMSDF

- The OMSDF is guided by a hierarchy of planning legislation and policy frameworks, including the SPLUMA, the LUPA, the By-Law, the PSDF, and the Integrated Development Plan (IDP). These instruments collectively shape the OMSDF, which seeks to provide clear direction on appropriate spatial development patterns and land uses within the designated urban edge.
- The OMSDF was formulated following a comprehensive public participation process and input from various government departments, resulting in a shared spatial vision for the future development of the municipality. This vision encourages sustainable, efficient, and integrated growth and is intended to guide decision-making on land development proposals. To ensure consistency with broader planning goals, the OMSDF synthesises the strategic aims and policy directives of national and provincial frameworks such as the PSDF and the National Development Plan (NDP). The proposed residential development has been aligned with the OMSDF to ensure compliance with these overarching policy objectives.
- Specifically, the OMSDF states in Section 5.8.3 (p. 207) under 'New Development' that "no new urban development areas / urban edge amendments are proposed for Hermanus Central with densification as the proposed tool to accommodate population growth." The proposal for the subject property aligns directly with this objective, promoting inward focused growth through appropriate infill development and densification, rather than outward expansion.
- The projected population increase, as referenced in Table 2.7 (p. 25) of the OMSDF, further underscores the need for developments of this nature. By responding to this anticipated demand, the proposed development contributes to achieving the OMSDF's goals of compact urban form, efficient service provision, and sustainable use of available land resources within the urban edge.

OMGMS

- The subject property is located within Planning Unit 13 of the OGMS, Hermanus Central. This unit includes both the CBD and the residential area to the west of the CBD.



- The surrounding area supports residential densities well in excess of 30 du/ha, as illustrated above. The subject property measure 0.0980ha, and the proposal to develop 9 flats equates to an approximate density of 91,8 du/ha. While this may appear higher than traditional suburban densities, it aligns directly with comparable developments along Marine Drive and is consistent with the existing urban character, as motivated in Section 4.3 of this report.
- Higher densities in this part of Hermanus are both expected and appropriate given the development pressures, the scarcity of developable land, and the high demand for well located housing close to the CBD and coastal amenities. The proposal significantly improves the utilisation of urban land and supports the principles of compact development. This is in line with national and provincial planning objectives that prioritise densification in strategic urban locations.
- Although the OMGMS, which once guided density considerations, was formally rescinded in 2020, the municipality still uses it as an internal guideline for high-level planning assessments. However, as a rescinded document, it does not carry regulatory force, and deviations from its indicative densities may be considered where justified. The policy guidance it offers must therefore be interpreted flexibly and applied with discretion rather than as prescriptive or binding. This allows proposals such as the current one to be assessed on their own merits within the broader context of the OMSDF, which is the legally adopted spatial policy.
- Even when assessed against the indicative principles of the rescinded OMGMS, the proposal remains reasonable. The document suggests preferred densities of approximately 54 du/ha for two-storey buildings and 84 du/ha for three-storey structures within the relevant planning unit. A density of 84 du/ha equates to approximately 8.2 dwelling units on a site of this size, which, when rounded up (as fractional units cannot practically exist), results in a total of 9 units which is the same number of units currently being applied for. The proposed three-storey building, while exceeding this guideline by only 0.8 units, remains entirely compatible with a number of existing developments in the immediate vicinity, many of which exceed 90 du/ha and have been approved under current spatial

planning frameworks. The property owners intentionally identified this site due to its capacity to accommodate a three-storey building, its strategic location within the urban edge, and its alignment with the established pattern of coastal intensification along Marine Drive.

- Given that the OMGMS is no longer adopted policy and serves only as a non-binding guideline, higher densities may be considered where supported by context, infrastructure capacity, design quality, and alignment with the OMSDF. The proposed density meets all these criteria. It optimises land use, aligns with the densification strategy clearly articulated in the OMSDF, reinforces the established built form along Marine Drive, and responds directly to the increasing demand for diverse and well-located housing options in Hermanus.
- For these reasons, the higher density proposed is both appropriate and desirable, and it represents a logical and policy-aligned development outcome for this strategically located coastal property.

SPLUMA Principles

- **Spatial Justice:**
The proposed development promotes spatial justice by encouraging inclusive development within an already established urban area. The location of the subject property within the urban edge, in close proximity to the Hermanus CBD, ensures equitable access to economic opportunities, public transport, and services. The densification of centrally located urban land supports redress of past spatial imbalances by making better use of well-located land, thereby addressing historic inequalities in spatial planning and land use.
- **Spatial Sustainability:**
The proposal promotes spatial sustainability by efficiently utilising land that is already serviced and located within the existing urban fabric. No additional infrastructure extensions are required beyond existing capacities. The development makes optimal use of land and services within the urban edge, limits urban sprawl, and promotes a compact settlement form. The higher density use of this well-positioned property supports walkability, access to existing amenities, and reduced reliance on private motor vehicles, thereby contributing to environmental sustainability.
- **Efficiency:**
The proposed development enhances efficiency by promoting higher density within a built-up area, ensuring that existing infrastructure is used to its full potential. The property is already connected to municipal services, and the impact on bulk services has been assessed as negligible. In line with this principle, the development supports the cost-effective use of land and infrastructure and maximises the use of existing service capacity, transport routes, and economic opportunities available in the Hermanus CBD.
- **Spatial Resilience:**
The development contributes to spatial resilience by allowing for a mix of permanent and short-term accommodation, making the development adaptable to future economic shifts and tourism cycles. The design accommodates the changing housing market while maintaining compliance with local zoning and policy frameworks. By situating development within a strategic urban location, it helps ensure the sustainability and adaptability of the urban form in the face of environmental, social, and economic changes.

- **Good Administration:**
This application aligns with the principle of good administration by following due process as set out in SPLUMA and the Overstrand Municipal Land Use By-Law. The application supports integrated planning by aligning with local and provincial SDFs and has been prepared in a transparent manner with supporting technical reports where required. It also respects and supports the role of public participation and intergovernmental coordination in land use management.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	13 March 2026	17 April 2026
Notices	Yes	12 March 2026	17 April 2026
Internal Departments	Yes	12 March 2026	17 April 2026
Ward councillor	Yes	12 March 2026	17 April 2026
Total comments	NINE (9) OBJECTIONS		
Total letters of support	NONE		
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
Fire Department	12/03/2026	No objection subject to compliance with NBR, SANS 10400:T & W and Overstrand Community Fire Safety By-Law PN 6454-2007
Building Control Department	12/03/2026	No objection: Building plan submission to comply with all applicable law.
Local Heritage and Aesthetics Committee	18/03/2026	No objection.
Waste Management	11/04/2026	Refer to Annexure F.
Environmental Management Services Department	17/04/2026	No objection.
Engineering Services Department: Services Report.	02/07/2026	Refer to Services Report (attached as Annexure G).

Telkom	12/03/2026	Attached as Annexure H.
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7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

Nine (9) objections (which translates to ten (10) objection points) were received during the public participation process. A list of the objections is attached as Annexure D.

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

The objections are discussed and responded to below:

OBJECTION

POINT 1

Density / Overdevelopment

RESPONSE FROM APPLICANT

A number of objections raise concern that the proposed development constitutes overdevelopment of the subject property, particularly with reference to the proposed density, the departure from the 3000m² minimum erf size, and the number of units proposed.

These concerns are noted, although they do not take into account the full planning context of the application or the detailed motivation provided in the application report.

As set out in the motivation report, the subject property has an extent of 980m² and therefore requires a departure from the minimum erf size requirement of 3000m² applicable to General Residential Zone 3 (page 9–10 of the motivation). Importantly, this requirement is not an absolute prohibition on development, but rather a development parameter that may be departed from where justified. The application explicitly seeks such departure, supported by the site's strategic location, surrounding development pattern, and policy context.

The proposal further includes a departure from the maximum density of 50 dwelling units per hectare, with a proposed density of approximately 91.8 du/ha (page 10 of the motivation). This increase in density is not arbitrary but is a considered response to the site's location along Marine Drive, the demand for well-located residential units, and the need to optimise land use within the existing urban footprint.

Objections that the density is excessive when compared to an "average" density in the area are acknowledged but are not determinative. Average density is not a prescribed planning control and cannot override municipal policy or site-specific assessment. As demonstrated in the motivation report, the Marine Drive corridor already accommodates several higher-density developments, including densities exceeding 90 du/ha (page 11). The proposed development is therefore consistent with the established and emerging development pattern in the area.

The assertion that the development should be limited to approximately five units, based on strict compliance with the density provisions, fails to recognise the purpose of the departure application. The application is specifically intended to assess whether a higher yield is appropriate on this site. The proposed 9 units represent a carefully considered design outcome that balances density with built form, parking provision, and on-site functionality, as detailed in the Site Development Plan and supporting motivation (page 3–4 of the motivation).

Furthermore, the Overstrand Municipality Spatial Development Framework (OMSDF) promotes densification within well-located urban areas such as Hermanus Central. The subject property is ideally positioned to support this objective, given its proximity to the CBD, existing infrastructure, and accessibility to services. The proposed development therefore aligns with broader municipal policy aimed at achieving compact, efficient, and sustainable urban form.

Concerns that the proposal constitutes overdevelopment are not supported when the development is assessed holistically. The proposal complies with key development parameters such as height, coverage, parking provision, and open space requirements, while departures are limited, justified, and do not result in unacceptable impacts on surrounding properties (page 15–16 of the motivation).

Lastly, statements suggesting that the proposal is driven by financial gain do not constitute valid planning considerations. The relevant assessment must focus on whether the development is appropriate in terms of planning policy, spatial context, and impact. In this regard, the proposal represents a logical and desirable intensification of a well-located site and cannot reasonably be regarded as overdevelopment.

In conclusion, the proposed density and associated departures are justified, policy-aligned, and consistent with the existing development pattern along Marine Drive. The proposal represents an appropriate form of urban densification and should be supported.

RESPONSE FROM TOWN PLANNER

Development parameters are mechanisms which intend to limit development or in other words to scale down overdevelopment.

The erf size is 980m² which is less than a third of the minimum erf size of 3000m². If one translates the 50du/ha for the subject site into the number of apartments permitted, then only 4.9 apartments are permitted. The proposal to accommodate 9 apartments translates into a density of 91.8du/ha.

A more appropriate density increase would range from 50dh/ha to approximately 70du/ha. The proposal to almost double the density on the small erf is considered not in line with the proposed planning for the higher density sites along marine drive.

The proposed increase in density is not necessarily in line with the surrounding area since the applicant does not take into consideration the fact of different bulk zones applicable.

Although the applicant stipulates that the development has taken careful consideration of various factors limiting the proposal, the overarching development parameter to consider is the minimum erf size which it does not comply with.

The notion of overdevelopment cannot be overlooked. For the development to be accommodated at this scale, departures of the lateral building lines, density and minimum erf size is required.

OBJECTION

POINT 2

Building line departures / Alleged non-compliance

RESPONSE FROM APPLICANT

A number of objections relate to the proposed building line departures, specifically the reduction of the prescribed 4,5m lateral building lines and associated setbacks. These objections suggest that the proposal does not comply with the Overstrand Municipality Land Use Scheme (OMLUS) and that the building lines are being disregarded.

This interpretation is incorrect. The proposed building line departures form part of a formal application for permanent departure from the building lines in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning. The OMLUS expressly provides for such departures, subject to municipal approval. The proposal therefore does not disregard the scheme provisions, but rather follows the correct statutory process to seek site-specific flexibility where appropriately motivated.

As indicated in the motivation report, the proposed departures are not blanket relaxations across the site but are limited to specific portions of the building where design flexibility is required to achieve a functional and coherent development. These include circulation elements such as the lobby and access areas, portions of the residential units where a reduced setback allows for efficient internal layouts, and minor architectural features such as roof overhangs which do not constitute additional habitable space.

The proposed setbacks remain reasonable within an urban residential context. The 3m lateral setbacks applicable to the primary building components continue to provide adequate spatial separation between properties and are consistent with the level of development anticipated in areas identified for densification. More limited encroachments, such as the covered pedestrian entrance, are minor in scale, non-habitable, and designed in a manner that minimises any potential impact.

The design of the building has been informed by both the physical characteristics of the site and the surrounding context. The building line departures are required to accommodate circulation, improve functionality, and enable an efficient layout, rather than to maximise bulk in an uncontrolled manner. The proposal therefore represents a considered architectural response rather than an arbitrary relaxation of development parameters.

It is also relevant that the previous structure on the property was positioned closer to the boundary along one side. While the current proposal does not replicate this extent of encroachment, it demonstrates that reduced setbacks are not foreign to the

site. The proposed setbacks therefore represent a more moderate and improved spatial relationship when compared to the historic condition.

Concerns relating to potential impacts such as privacy, sunlight, and general amenity are acknowledged; however, these aspects are addressed through the overall design of the development and are dealt with in detail later in this response to the specific conditions. From a building line perspective, the proposed departures do not result in an unreasonable or inappropriate interface with adjoining properties.

The argument that the site is currently vacant and therefore does not justify building line departures is not a valid planning consideration. The assessment of departures is based on the suitability of the proposed development within its spatial and policy context, and not on whether a previous structure remains on the site.

With regard to precedent, each application for departure is assessed on its own merits, taking into account the specific characteristics of the site and the nature of the proposal. Approval of the proposed departures would therefore not create an undesirable precedent but would reflect a context-sensitive and considered planning decision.

In conclusion, the proposed building line departures are reasonable, limited in extent, and appropriately motivated. They are consistent with the provisions of the Land Use Scheme, support a functional and well-designed development, and do not undermine the intent of the building line controls. The objections raised in this regard are therefore not considered sufficient to warrant refusal of the application.

RESPONSE FROM TOWN PLANNER

The Overstrand Land Use Scheme and By-Law makes provision for departure applications. The approval of the applicable departures is subject to public participation and evaluation of the impact on the surrounding property owners. The submission of departure applications does not necessarily constitute the approval thereof.

The current proposal to depart from the lateral building lines from 4.5m to 3m is considered favourable since the neighbouring property (Erf 542) has a similar approved setback for the development of flats. Furthermore, the development also seeks a departure from the eastern lateral building line from 4.5m to 2.5m for the lobby, 0.46m and 0.45m respectively for the ground floor lobby access.

The historical condition of the site is negligible since the new development requires the demolition of the historic structures. The property owners therefore have a clean slate to work with. Compliance with the building line setbacks could be accommodated with the reduction in the number of apartment units.

The reduction in apartment units from 9 to 7 units could improve the design layout to be more functional and have improved circulation.

OBJECTION **POINT 3****Character of area / Compatibility****RESPONSE FROM APPLICANT**

A number of objections raise concern that the proposed development is not in keeping with the character of the area, with specific reference to its scale, perceived bulk, and the assertion that Hermanus, and Marine Drive in particular, is characterised by lower density, more “quaint” development.

These concerns are noted. However, they do not fully reflect the existing development pattern of the area, nor the policy direction guiding future development within Hermanus Central.

The subject property is located along Marine Drive, a well-established urban corridor that accommodates a range of residential typologies, including several multi-storey flat developments. The area is therefore not exclusively characterised by single residential dwellings but rather reflects a mix of densities and building forms. The proposed development does not introduce a new or incompatible land use but instead reinforces an existing residential typology that is already present along this corridor.

As indicated in the motivation report, a number of developments along Marine Drive and in the surrounding area have been developed at similar or higher densities, with comparable scale and massing. The proposal must therefore be assessed within this broader and evolving context, rather than against an assumption of uniform low-density character.

It is further important to note that the Overstrand Municipal Spatial Development Framework supports densification within Hermanus Central as a primary means of accommodating growth. The intention is not to preserve all areas in their current form indefinitely, but to allow for incremental and appropriate intensification in well-located areas. The subject property falls directly within such an area, given its proximity to the CBD, existing infrastructure, and accessibility to amenities.

From a design perspective, the proposed development has been carefully considered to respond to its surroundings. The building has been articulated to reduce perceived bulk, with the massing broken into distinct components that respond to both the ocean-facing and mountain-facing aspects of the site. The inclusion of setbacks, balconies, and architectural detailing assists in softening the visual impact and ensures that the building does not present as a monolithic structure.

In addition, the proposed height and number of storeys remain within the parameters permitted by the applicable zoning and bulk controls. The development therefore does not exceed what is already considered acceptable in terms of scale within the planning framework governing the area.

Objections referring to the loss of a “quaint” or low-density character are acknowledged; however, it is important to recognise that urban areas evolve over time. The introduction of well-designed, higher-density residential developments in appropriate locations is a key component of sustainable urban growth. In this case,

the proposal contributes to a more efficient use of land without fundamentally altering the residential nature of the area.

The development has also been designed to integrate with the streetscape, with the primary pedestrian entrance addressing Marine Drive and contributing to an active and legible frontage. The proposal therefore enhances, rather than detracts from, the overall urban environment.

In conclusion, the proposed development is considered compatible with the character of the surrounding area when assessed within its full context. It reflects the existing mix of development along Marine Drive, aligns with municipal policy supporting densification, and incorporates design measures to ensure an appropriate and context-sensitive built form. The objections raised in this regard are therefore not considered sufficient to justify refusal of the application.

RESPONSE FROM TOWN PLANNER

The proposed development is a 3-storey apartment block which incorporates the parking on the ground floor which is approximately 2m lower than the highest level of the natural ground level. By cutting the ground level the proposed development should be in compliance with the height restriction applicable being 9m high.

Furthermore, the development of a ground floor flat that is street facing improves the streetscape façade. The development is proposed to be setback 3m from the lateral and rear boundaries and 4m from the street boundary. These setbacks are in line with the neighbouring property (Erf 542) which is also developed with apartment units. The only departure that will be built closer to the lateral building line is for lobby space/circulation which is only applicable on the ground floor that will not constitute impacts on privacy or views.

The proposal brings design elements that have a staggered effect reducing the possible impacts of massing and the scale of the development.

OBJECTION

POINT 4

Privacy, overlooking and roof terrace concerns

RESPONSE FROM APPLICANT

A number of objections raise concerns regarding privacy, overlooking, and the potential use of roof areas as entertainment spaces. These concerns primarily relate to the perceived ability of future residents to overlook neighbouring properties, as well as the potential impact on the amenity of adjoining residential properties.

These concerns are acknowledged; however, when assessed in the context of the design, site conditions, and applicable planning principles, the proposal is not considered to result in unreasonable or unacceptable impacts.

From a planning perspective, it is important to recognise that a degree of intervisibility between properties is inherent in urban environments, particularly in areas identified for densification. The relevant consideration is therefore not whether overlooking can

be entirely avoided, but whether it is limited to a reasonable level that does not result in undue intrusion. The proposed development achieves this balance.

As indicated in the application, the building has been carefully designed to manage and mitigate overlooking. The orientation of the development, together with the layout of the units, ensures that direct lines of sight into neighbouring properties are limited. Openings such as windows and balconies are positioned to prioritise outward views towards the ocean and mountain, rather than inward views towards adjacent properties.

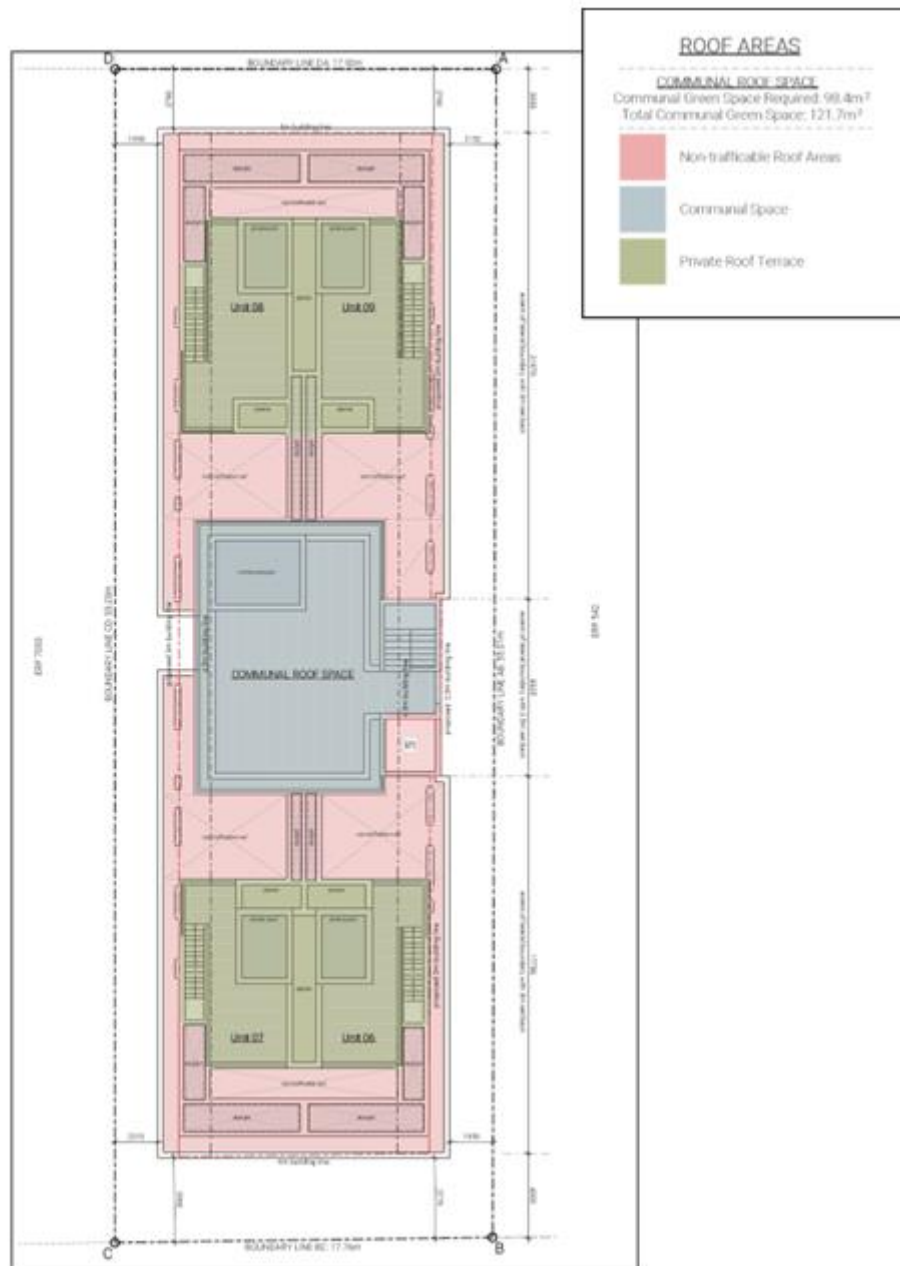
In addition, the building form incorporates articulation and setbacks that assist in breaking up the mass of the structure and reducing direct visual exposure. The separation distances, including the proposed 3 m lateral setbacks, provide sufficient spatial buffer between the development and adjoining properties, ensuring that any overlooking remains within acceptable urban norms.

It is also relevant that the adjoining property to the south-west is developed with a single storey dwelling. The vertical relationship between the properties has been considered in the design, with the scale and positioning of the building limiting the potential for direct overlooking into primary private spaces. Furthermore, any views that may occur are indirect and oblique rather than direct and intrusive.

With regard to balconies, these are typical features of residential flat developments and are expected within this typology. Their inclusion does not in itself constitute an unreasonable impact, particularly where they are integrated into a broader design that considers orientation, separation, and context. The balconies in this development are positioned to enhance the amenity of the units without creating undue intrusion into neighbouring properties.

Specific concern has been raised regarding the use of roof areas as terraces or entertainment spaces. In this regard, it is important to clarify that while certain upper-level units include roof deck components, these are set back several metres from the edges of the building. The portions of the roof closest to the boundaries consist of non-trafficable areas that cannot be accessed or utilised by occupants. This design approach effectively prevents direct overlooking from roof level into neighbouring properties.

The roof design therefore ensures that any usable outdoor space is contained within the internal envelope of the building, with no active use areas positioned along the edges where building line encroachments occur. The roof overhangs and edges are architectural in nature and do not function as viewing platforms or gathering spaces.



Concerns relating to noise, behaviour, or the potential misuse of outdoor spaces are noted. However, these matters relate to the management and operation of the development rather than the land use rights themselves. As outlined in the application, the development will be governed by body corporate conduct rules, which regulate behaviour, noise levels, and the use of common property. These rules are legally enforceable and apply to all occupants, including short-term tenants.

In conclusion, the proposed development has been carefully designed to address privacy and overlooking considerations through a combination of orientation, building articulation, setbacks, and the controlled configuration of roof spaces. While some level of intervisibility is inevitable in an urban context, the proposal does not introduce an unreasonable or excessive impact on neighbouring properties. The concerns raised are therefore not considered sufficient to justify refusal of the application.

RESPONSE FROM TOWN PLANNER

The proposed development may give the perception that there may be concerns relating to privacy, overlooking and roof terrace concerns. If one views the proposed development in relation to the site level and the surrounding property erf levels, then the perception would change.

The subject property increases in ground level from the street boundary to the rear boundary. The application proposed to cut the ground level with approximately 2m to ensure the development has a reduced impact and practical parking layout. From the street façade the property may give the perception that the development is much higher than that of the surrounding properties. However, if viewed from the rear then the development will be approximately 6m-7m in height from the existing natural ground level which in contrast is below the 8m height restriction of the neighbouring property owners.

Furthermore, there remains approximately 6m buffer between the proposed building and the building of Erf 542 as well as approximately 5m from the subject property and the building on Erf 7053. With regards to the impact on from the rear, the subject property remains 3m from the rear boundary while the buildings situated on Erf 536 (rear boundary) is built up to the boundary.

With regards to the roof terrace, the accessible areas are further setback from the edge of the roof to reduce the impact of direct overlooking and privacy issues.

With regards to noise levels and behaviour of occupants, there will be clear code of conduct rules and a body corporate to manage issues and enforce the relevant rules.

OBJECTION **POINT 5****Sunlight, overshadowing and light impact****RESPONSE FROM APPLICANT**

A number of objections raise concern that the proposed development will result in a loss of sunlight, overshadowing of neighbouring properties, and a general reduction in light availability to adjoining dwellings and outdoor spaces.

These concerns are acknowledged. However, when assessed in terms of the applicable planning framework, site context, and design of the development, the anticipated impact is not considered unreasonable or sufficient to warrant refusal of the application.

It is important to recognise that any new development, particularly within an urban environment where densification is encouraged, will result in some degree of change to existing light conditions. The relevant planning consideration is therefore not whether there will be any impact, but whether such impact is excessive or materially detrimental to neighbouring properties. In this instance, the impact is considered to fall within acceptable limits.

The proposed development complies with the applicable height and bulk parameters of the OMLUS. The scale of the building is therefore within what is already

anticipated and permitted for properties within this zoning and bulk zone. As such, the level of shadowing that may occur is consistent with what could reasonably be expected from a compliant development on the property.

The positioning and orientation of the building have also been considered to mitigate potential overshadowing. The setbacks provided, including the lateral building lines, allow for continued access to natural light to adjoining properties. The relationship between the subject property and neighbouring erven, including the presence of a single-storey dwelling to the south-west, has been taken into account in the design to limit the extent and duration of shadow impacts.

It is further important to note that sunlight and shadow patterns vary throughout the day and across seasons. While there may be periods where neighbouring properties experience increased shading, this does not equate to a permanent loss of light. Adjoining properties will continue to receive sunlight at different times of the day as the sun's position changes.

With regard to the concept of a "right to light", it is acknowledged that this is sometimes raised in objections of this nature. In the South African context, there is no absolute legal entitlement to the uninterrupted receipt of sunlight across neighbouring properties. While the potential impact on light is a relevant planning consideration, it must be balanced against the rights of a property owner to reasonably develop their land in accordance with applicable policies and zoning provisions.

Objections that the development will result in "extreme" or unacceptable overshadowing are not supported by the design parameters of the proposal. The building height, setbacks, and overall massing do not indicate an overbearing structure that would result in undue or excessive shadow impacts beyond what is typically associated with similar developments in the area.

In conclusion, while it is acknowledged that the proposed development will result in some changes to existing sunlight conditions, these impacts are not considered unreasonable within the context of an urban, densifying environment. The proposal complies with applicable development parameters, has been designed with consideration for adjoining properties, and does not result in a loss of light that would justify refusal of the application.

RESPONSE FROM TOWN PLANNER

The applicant is correct when stipulating that any new development will have an impact on sunlight or alternatively the effect of overshadowing.

It must be taken into account that the development is within their permitted height restriction and maintains a 3m setback from the rear and lateral boundaries as well as a 4m street setback.

As stipulated in the previous objection point relating to privacy and overlooking, the perception of the proposal changes if one considers the existing ground level of the subject site, the proposed cutting of the ground level of the subject site and the visual effect of the raised ground level of the surrounding properties then the effects of sunlight and light impact will be minimal in addition to maintaining the 3m lateral and rear setbacks on the first and second floor.

OBJECTION **POINT 6****Traffic, parking and noise****RESPONSE FROM APPLICANT**

A number of objections raise concerns regarding increased traffic, parking provision, and potential noise impacts associated with the proposed development. These concerns relate primarily to the number of units proposed, the anticipated number of vehicles, and the effect on the surrounding road network and residential environment.

These concerns are noted. However, when assessed against the scale of the development, the characteristics of the surrounding road network, and the applicable planning requirements, the proposal is not expected to result in a significant or unacceptable impact.

In terms of parking provision, the development complies with the requirements of the OMLUS. The required number of parking bays has been calculated based on the unit mix, and all required parking is provided on-site. As indicated in the application, a total of 18 parking bays is accommodated within the development, which meets the minimum requirement. As a result, the development does not rely on on-street or public parking and will not place additional pressure on the surrounding road network in this regard.

Access to the property has been designed to ensure safe and efficient movement of vehicles. The proposed vehicular access point onto Marine Drive is of sufficient width and includes adequate stacking space on the site, allowing vehicles to enter and exit without obstructing traffic on the public road. This design ensures that traffic flow along Marine Drive will not be adversely affected by the development.

With regard to traffic generation, it is important to note that residential developments of this scale generate relatively low traffic volumes, particularly when compared to commercial or mixed-use developments. The proposed 9 units will not result in a level of traffic that exceeds the capacity of the existing road network. Marine Drive is an established urban route that already accommodates residential traffic, and the marginal increase associated with this development is not considered significant.

Concerns regarding noise are also acknowledged. However, the proposed land use remains residential in nature, consistent with the surrounding area. The development does not introduce any commercial, industrial, or high-impact activities that would generate abnormal or excessive noise. Any noise associated with daily residential activity falls within what can reasonably be expected in a residential neighbourhood.

To the extent that concerns relate to occupant behaviour, including short-term letting, these matters are managed through enforceable body corporate conduct rules. As outlined in the application, these rules regulate noise levels, behaviour, and the use of the property, and apply to all occupants, whether permanent residents or short-term tenants.

Furthermore, the presence of on-site management structures and permanent residents contributes to maintaining appropriate standards of behaviour and addressing any potential disturbances in a controlled manner.

In conclusion, the proposed development provides adequate on-site parking, incorporates safe and efficient access design, and is not expected to generate traffic volumes or noise levels that would negatively impact the surrounding area. The concerns raised in this regard are therefore not considered sufficient to warrant refusal of the application.

RESPONSE FROM TOWN PLANNER

Sufficient parking has been provided in terms of the Overstrand Land Use Scheme parking requirements. The provision of a TIS was not required by the Engineering Service Department since the proposal of 9 apartments is considered minor with regards to traffic impacts. However, a stacking distance of 12m must be maintained to reduce the possible impact on Marine Drive as per Engineering Departments services report.

Noise impacts and behaviour of occupants will be regulated by the body corporate in accordance with the code of conduct rules.

OBJECTION

POINT 7

Short-term letting / Tourist accommodation

RESPONSE FROM APPLICANT

A number of objections raise concerns regarding the potential use of the proposed units for short-term letting, including issues such as increased noise, transient occupants, and the perception that the development will function more as a holiday accommodation facility than as permanent residential accommodation.

These concerns are noted. However, they are based on a misunderstanding of both the nature of the application and the regulatory mechanisms governing such use.

As indicated in the application, the proposal includes a request for consent to permit short term tourist accommodation. Importantly, the development is not intended to operate exclusively as tourist accommodation. The primary use of the units remains residential, with the consent use simply providing flexibility for individual owners to utilise their units for short-term letting should they choose to do so.

This dual-use approach is not uncommon within Hermanus, particularly along Marine Drive and within the broader central area, where a mix of permanent residents and short-term visitors already exists. The proposal therefore does not introduce a new or incompatible use but rather reflects an established pattern within the area.

It is further important to note that short-term letting is regulated and does not occur in an uncontrolled manner. As outlined in the application, all units will be subject to a body corporate structure, with enforceable conduct rules governing behaviour, noise levels, parking, and the use of common property. These rules apply equally to

permanent residents and short-term tenants and are a standard mechanism for ensuring orderly and harmonious communal living within sectional title developments.

In addition, the management of short-term letting will form part of the overall development structure, ensuring that occupancy is controlled and that any potential issues are addressed proactively. The presence of permanent residents within the development further contributes to oversight and day-to-day management.

Concerns that short-term letting will result in excessive noise or disruptive behaviour are not unique to this development and can arise in any residential context. The relevant consideration is whether appropriate management mechanisms are in place, which in this case they are. There is no evidence to suggest that the proposed development will result in impacts beyond what is already experienced in similar developments within the area.

The argument that short-term letting does not contribute to addressing housing demand is noted; however, this does not detract from the planning merits of the application. The development still introduces additional residential units into a high-demand area and supports the local economy through tourism-related activity, which is a recognised component of Hermanus' urban function.

In conclusion, the proposed consent use for short-term tourist accommodation is appropriate for the location, consistent with existing land use patterns in the area, and supported by adequate management mechanisms. The concerns raised, while acknowledged, do not demonstrate that the proposal will result in unacceptable impacts and are therefore not considered sufficient to justify refusal of the application.

RESPONSE FROM TOWN PLANNER

The consent use for tourist accommodation does not negate the residential component of the development proposal. The main purpose for the application is to accommodate apartments which the normal utilisation thereof is for permanent or long-term residence. The consent use for tourist accommodation is to accommodate the individuals who would opt to let their apartments to transient guests should they choose to without submitting another application later.

The multi-use of the apartments promotes optimisation of utilisation of the land as a resource which is in line with principles of SPLUMA.

Furthermore, any issues/concerns regarding the future transient guest's behaviour are negligible since this issue relates to proper management of the property rather than the land use itself. Take note that the body corporate will be responsible to implement the code of conduct rules should the application be approved.

OBJECTION **POINT 8****Excavation, structural and stability concerns****RESPONSE FROM APPLICANT**

A number of objections raise concerns regarding the extent of excavation required for the proposed development, as well as the potential impact on neighbouring properties in terms of structural stability, boundary walls, and general ground conditions.

These concerns are noted and understood. However, it is important to distinguish between land use considerations and detailed engineering and construction matters.

The proposed excavation forms part of the design approach to position the ground floor at an appropriate level relative to Marine Drive, thereby improving access, functionality, and overall integration of the development with the street. While the excavation will alter the existing ground levels on the subject property, such works are not uncommon in developments of this nature and are routinely undertaken in a controlled and engineered manner.

All excavation and construction activities will be subject to the requirements of the National Building Regulations and will require the submission and approval of detailed building plans and structural engineering designs prior to commencement. These plans must be prepared by qualified professionals, including structural engineers, who are responsible for ensuring that all aspects of the design are structurally sound and do not pose a risk to adjoining properties.

Appropriate engineering measures will be implemented as part of the construction process, including retaining structures, foundation design, and, where necessary, lateral support systems to ensure the stability of both the subject property and neighbouring erven. These measures are standard practice in the industry and are specifically intended to prevent damage to adjacent structures, boundary walls, and services.

In addition, contractors are required to adhere to strict construction standards and are liable for any damage caused during the building process. This provides an additional level of protection to neighbouring property owners.

It is also important to note that potential construction-related impacts are temporary in nature and are managed through established regulatory frameworks, including building plan approval, site inspections, and compliance with occupational health and safety requirements.

From a planning perspective, the key consideration is whether the proposed land use is appropriate for the site. Detailed construction methodology and structural design fall within the scope of the building plan approval process and are not determinative at the land use application stage.

In conclusion, while excavation and construction activities will be required as part of the development, these will be undertaken in accordance with standard engineering practices and regulatory requirements. The concerns raised do not indicate that the

proposed development is unsuitable from a land use perspective and are therefore not considered sufficient to justify refusal of the application.

RESPONSE FROM TOWN PLANNER

The concerns relating to the excavation, structural and stability of the proposed development will be subject to the requirements of the National Building Regulations. This will be dealt with at building plan submission phase.

OBJECTION

POINT 9

Property value and loss of views

RESPONSE FROM APPLICANT

A number of objections raise concerns that the proposed development will negatively impact surrounding property values, primarily due to perceived loss of views, increased density, and changes to the character of the area.

These concerns are acknowledged. However, it is important to clarify that property value is influenced by a wide range of factors and is not determined by a single development or change in land use.

Property values are generally affected by broader market conditions, including location, proximity to amenities, overall demand for housing, economic trends, and the quality of surrounding infrastructure and development. Well-located properties within established urban areas, particularly those close to central business districts and amenities, typically benefit from continued investment and development.

From a planning perspective, the potential impact on property value is not a primary determinant in assessing a land use application. The relevant considerations are whether the proposed development complies with applicable planning policies, is appropriate for the site, and does not result in unacceptable impacts on surrounding properties.

With regard to views, it is noted that the preservation of private views across neighbouring properties is not a protected right in South African planning law. While changes to views may occur as areas develop and densify, this is an inherent aspect of urban growth and cannot be used as a basis to prevent otherwise appropriate development.

It is further important to recognise that the proposed development represents an investment in the area, introducing a modern, well-designed residential building that contributes positively to the urban environment. Developments of this nature can enhance the overall appeal of an area by improving the quality of the built environment and supporting local economic activity.

Concerns that the development will reduce property values are therefore speculative in nature and are not supported by planning principles. In many instances, appropriately designed and well-located developments contribute to increased property values over time by reinforcing the desirability and functionality of an area.

In conclusion, while concerns relating to property value and views are noted, they do not constitute valid planning grounds for refusal of the application. The proposal aligns with applicable policies, contributes positively to the area, and represents an appropriate form of development within an evolving urban context.

RESPONSE FROM TOWN PLANNER

The aspect of views has been responded to in the response to objection points 4 and 5.

Furthermore, the objection relating to property values is subjective and will not be responded to.

OBJECTION

POINT 10

Environmental impact, landscaping and open space

RESPONSE FROM APPLICANT

A number of objections raise concerns regarding the environmental impact of the proposed development, including the perceived lack of ground-level green space, the relocation of usable outdoor areas to roof level, and the potential impact of the development within the Coastal Protection Zone.

These concerns are acknowledged. However, when assessed in the context of the site, its location within an established urban area, and the nature of the proposed development, the impacts are not considered significant or unacceptable.

The subject property is located within an already developed and transformed urban environment along Marine Drive. The site does not form part of a natural or undisturbed ecological system, nor does it contain sensitive environmental features such as dune systems, wetlands, or protected vegetation. The proposed development therefore does not result in the loss of natural habitat or the disturbance of environmentally sensitive areas

While a portion of the property falls within the Environmental Management Overlay Zone, the application has demonstrated that the proposed development does not trigger any prohibited activities and does not negatively affect the objectives of the overlay. The development footprint is confined to an already disturbed site, and no encroachment into functional coastal systems or environmentally sensitive areas is proposed.

With regard to landscaping and open space, it is acknowledged that the development introduces a more compact built form when compared to a single residential dwelling. However, this is consistent with the densification objectives applicable to the area. The proposal incorporates landscaping elements where feasible and appropriate within the site layout, contributing to the overall visual quality of the development.

The inclusion of roof-level outdoor spaces is a design response to the constraints of the site and the need to balance density with amenity. These spaces provide private outdoor areas for residents without compromising the functionality of the development

at ground level. This approach is common in higher-density residential developments and does not in itself represent a negative environmental or planning impact.

In addition, all services associated with the development, including stormwater, sewage, and solid waste, will be managed in accordance with municipal standards. As indicated in the application, the impact on bulk services is negligible, and appropriate measures will be implemented to ensure that no pollution or environmental degradation occurs.

It is also relevant that the development supports more sustainable urban form by making efficient use of well-located land within the urban edge. By accommodating additional residential units within an existing serviced area, the proposal reduces pressure for outward expansion and contributes to more compact and efficient settlement patterns.

In conclusion, the proposed development will not result in a negative environmental impact and is consistent with the objectives of the Environmental Management Overlay Zone. The concerns raised regarding landscaping and open space are understood but are considered acceptable within the context of an urban, densifying area. The proposal therefore remains appropriate from an environmental and spatial planning perspective.

RESPONSE FROM TOWN PLANNER

The proposal does not trigger any environmental assessments and is considered favourable from the Environmental Management Services Department. Furthermore, only a portion of the site is located within the EMOZ Coastal Protection Overlay Zone. It must be noted that the proposal is setback at least 4m from the street boundary which accommodated balconies with and approximately 2m in addition to the 4m for the actual apartment unit. Therefore, the proposal is sufficiently setback from the EMOZ Coastal Protection Overlay Zone.

Sufficient landscaping will be provided as per the applicant's response. Furthermore, the development proposal provides sufficient open space which complies with the applicable development parameters relating to large functional open spaces.

CONCLUSION BY APPLICANT

The objections received during the public participation process have been carefully considered and evaluated in the context of the applicable planning framework, the characteristics of the subject property, and the detailed motivation submitted as part of this application.

While the concerns raised by neighbouring property owners are acknowledged, it is evident that many of these concerns relate to perceptions of change rather than demonstrable planning impacts that would warrant refusal of the application. The assessment of this proposal must be grounded in planning principles, policy alignment, and the reasonableness of the anticipated impacts, rather than a desire to preserve the status quo.

The proposed development has been comprehensively motivated and is aligned with the Overstrand Municipality Land Use Scheme, the Spatial Development Framework, and broader planning legislation.

The application appropriately makes use of formal planning mechanisms, including rezoning, consent use, and departures, all of which are provided for within the statutory framework to allow for context-sensitive and site-specific decision making.

In terms of density, the proposal represents a logical and policy-supported intensification of a well-located property within Hermanus Central. The applicable spatial frameworks clearly promote densification within the existing urban edge, and the subject property is ideally positioned to accommodate such development. The proposed density is therefore not considered excessive when viewed in the context of both policy direction and the existing development pattern along Marine Drive.

The building line departures have been appropriately motivated and are limited to specific portions of the development where flexibility is required to achieve a functional and well-designed building. These departures do not undermine the intent of the Land Use Scheme and do not result in unreasonable impacts on adjoining properties.

Concerns relating to privacy, overlooking, and sunlight have been addressed through the design of the building, including its orientation, articulation, and setbacks. While some level of impact is inevitable in an urban environment, the proposal does not introduce impacts that exceed what can reasonably be expected within a densifying residential area.

Similarly, concerns relating to traffic, parking, and noise have been shown to be manageable and within acceptable limits. The development provides adequate on-site parking, incorporates safe access arrangements, and does not generate traffic volumes or noise levels beyond what is typical for residential developments of this scale.

The proposed consent use for short-term tourist accommodation is appropriate for the location and reflects an established pattern within the area. Adequate management mechanisms, including body corporate conduct rules, will ensure that the use of the property remains controlled and compatible with the surrounding neighbourhood. Concerns relating to excavation, structural stability, and construction impacts fall within the scope of the building plan approval process and will be addressed through standard engineering design and regulatory controls. These matters do not affect the suitability of the proposed land use.

Objections relating to property values and the potential loss of views, while understood, do not constitute valid planning grounds for refusal. Property values are influenced by a range of factors, and there is no legal entitlement to the preservation of private views across neighbouring properties.

From an environmental perspective, the development is located on an already transformed urban site and will not result in the degradation of sensitive environmental systems. The proposal complies with the requirements of the Environmental Management Overlay Zone and supports more sustainable urban form through the efficient use of land within the urban edge.

Overall, the proposed development represents a well-considered, policy-aligned, and contextually appropriate response to the site. It contributes positively to the housing supply, supports economic activity, and aligns with the municipality's objectives for sustainable growth and densification.

In conclusion, the objections raised do not demonstrate that the proposed development will result in unacceptable planning impacts. The application has been thoroughly motivated and meets the necessary planning criteria for approval. It is therefore respectfully recommended that the application be approved.

RESPONSE FROM TOWN PLANNER

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

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS

See paragraph 7 above.

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

10.1 Background

N/A

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

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

Spatial Justice

The application will not perpetuate spatial development injustices. The application proposes apartment units which is an improvement of the site compared to the limited one-two dwelling units permitted on a single residential site. The proposal is therefore in line with the principle of spatial justice.

Spatial sustainability

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

Efficiency

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

Spatial resilience

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

Good administration

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

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

Same as Point 10.2 above.

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

The application to rezone the property to a higher density is in line with the strategic policy documentation of the Overstrand Municipality being indicted as a densification area (more than 30du/ha) of the OMGMS planning unit 11 (Central Hermanus area). Furthermore, the proposal to accommodate additional dwelling units is consistent with the SDF.

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

N/A

10.6 Impact on municipal engineering services

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

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

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

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

10.8 Existing and proposed zoning comparisons and considerations

The subject property will be zoned from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4). The application is in line with the proposed GR4 zoning apart for density and the building lines. An application has been submitted for the relevant departures.

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 rezoning of the property to General Residential 3: Flats (GR4) is consistent with the surrounding development strip along Marine Drive. Furthermore, the development is also considered a high density development area in terms of the OMGMS which permits more than 30du/ha.

However, in terms of the Overstrand Land Use Scheme, the development is not in line with the applicable development parameters relating to density. The minimum erf size is 3000m² to accommodate the GR4 zoning. The subject property is 980m² which is less than one third of the minimum erf size. Furthermore, the restriction relating to the 50du/ha is also being deviated since the current proposal for 9 apartments results in a density of 91.84du/ha which is almost double the density limit. Take note that the subject site falls within Bulk Zone 2 and a comparison has been made with regards to densities in Bulk Zone 1, which cannot be compared.

Furthermore, the neighbouring property (Erf 542) has an existing approval for 6 apartments with a larger erf size.

It is therefore considered that to maintain consistency with the surrounding developments and the future of the development along Marine Drive, it is recommended that the proposal only permit 7 apartments which permits a density of 71.43du/ha.

DEPARTURES

The departures applied for below is recommended for approval:

- relax the eastern lateral building line from 4,5m to 2,5m to accommodate the proposed lobby and circulation space on ground floor;
- relax the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor;
- relax the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor;
- relax the 4,5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (units 2, 5, 6 and 9);
- relax the 4,5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the on the first and second floor;
- relax the 4,5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (units 3, 4, 7, and 8);
- relax the eastern lateral building line from 4,5m to 2m and 2,16m respectively to accommodate the proposed roof overhang;
- relax the western lateral building line from 4,5m to 2,79m to accommodate the proposed roof overhang;

- relax the rear building line from 3m to 2m to accommodate the proposed roof overhang;
- relax the street building line from 4m to 3,8m to accommodate the proposed roof overhang;
- deviate from the prescribed development parameters applicable to General Residential Zone 3: Flats (GR4) properties from 3000m² to 980m², and

The proposed development complies with the 4m street building line apart from the entrance gatehouse and the roof overhang which is necessary departures considering the roof overhangs are permitted 1m from the building and that the gatehouse provides an appealing street façade with the added protection from weather conditions.

The building itself is setback 3m from the surrounding lateral and rear erf boundaries which is considered an acceptable departure from the strict 4.5m building lines as well as being consistent with development setbacks on the neighbouring property (Erf 542). It must be noted that additional lateral departures occur along the eastern lateral building line which improves accessibility of the building, functionality and flow of the building. Therefore, the additional 2.5m departure is recommended for approval. Furthermore, an additional departure is applied for relating to the ground storey pedestrian and lobby access which has limited impact on the neighbouring property since the parking of the neighbouring property is located on the ground floor.

The departures relating to the following is recommended for partial approval:

- deviate from the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare.

The departure relating to the density and minimum erf size has been discussed in the previous heading which is recommended for approval subject to the development only being approved for 7 apartment units.

CONSENT USE

The consent use for tourist accommodation will allow the occupants/property owners to let their properties to transient guests should they choose to. This improves the relevant engagement with the local economy of the area. The consent use is therefore recommended for approval.

ENGINEERING SERVICES

The proposed development requires the connection of essential municipal services which include water, electricity, and sewerage to the municipality's existing infrastructure. Furthermore, the development must comply with the Engineering Services Departments minimum criteria relating to stacking distance of 12m.

Noting the above, additional reports such as the GLS report has been submitted to the Engineering Services Department in which they are in support of. In the Services Report provided by the Engineering Services Department, the department supported the application and the addendums thereto subject to the development upgrading according to the GLS Report.

OVERLAY ZONES

The proposal does not fall within the HPOZ Overlay Zone. However, only a small portion of the property falls within the EMOZ Coastal Protection Overlay Zone. The subject property is sufficiently setback to not encroach the relevant overlay zone. The applicant ensures that the proposal will comply with the relevant EMOZ Schedules.

CONCLUSION

Noting the above discussion, the development proposal is recommended for approval.

13. RECOMMENDATION

1. that the objections received, be noted;
2. that the application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for the **rezoning** of Erf 537, Hermanus (Westcliff) from Residential Zone 1: Single Residential (SR1) to General Residential Zone 3: Flats (GR4); **be approved** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for **consent use** to accommodate tourist accommodation on the property, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for **departures** relating to the following:
 - (a) to relax the eastern lateral building line from 4,5m to 2,5m to accommodate the proposed lobby and circulation space on ground floor;
 - (b) to relax the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor;
 - (c) to relax the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor;
 - (d) to relax the 4,5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (units 2, 5, 6 and 9);
 - (e) to relax the 4,5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the on the first and second floor;
 - (f) to relax the 4,5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (units 3, 4, 7, and 8);

- (g) to relax the eastern lateral building line from 4,5m to 2m and 2,16m respectively to accommodate the proposed roof overhang;
- (h) to relax the western lateral building line from 4,5m to 2,79m to accommodate the proposed roof overhang;
- (i) to relax the rear building line from 3m to 2m to accommodate the proposed roof overhang;
- (j) to relax the street building line from 4m to 3,8m to accommodate the proposed roof overhang, and
- (k) to deviate from the prescribed development parameters applicable to General Residential Zone 3: Flats (GR4) properties from 3000m² to 980m²;

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

5. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), for **departures** to deviate from the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare, **be partially approved** in terms of the provisions of Section 61 of the By-Law, subject to the following:
 - (a) that the density of the subject property be limited to a density of 71.5 dwelling units per hectare.
6. that the approvals in 2., 3. and 4. above, be subject to the following conditions:
 - (a) that a revised site development plan be submitted to this office prior to the submission of building plans, indicating all floors and limited to 7 apartments with the ground floor apartment remaining in place;
 - (b) that building plans be submitted to the Building Control Office, and that all comments from the Building Department and Fire Department be complied with at that stage;
 - (c) that the conditions of the Engineering Services Department: Services Report (attached as Annexure G) must be complied with;
 - (d) that a body corporate be established in accordance with the Sectional Titles Act with compulsory membership for all subsequent owners of a sectional title unit within the development.
 - (e) that house/conduct rules be approved by the body corporate of the development to ensure the management of common property.
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 objectors be informed of their appeal right in terms of Section 78 of the By-Law with regard to the conditional approval in paragraph 2. and 3. above.

14. REASONS FOR RECOMMENDATION

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

- ❖ The application has followed due procedure.
- ❖ The concerns raised by during public participation have been adequately addressed.
- ❖ All the relevant internal and external departments supported the application.
- ❖ Limiting the approval to 7 apartments reduces the high density of the proposal to an acceptable density in relation to the subject property size and the future development along Marine Drive.
- ❖ A comparison with regards to density cannot be made between different bulk zones, since it provides a skewed perception.
- ❖ The increased density to of the subject property is relatively in line with the strategic planning for the area in terms of the SDF and the OMGMS in relation to the future development in along Marine Drive.
- ❖ The development complies with the applicable height, rear building lines and relative average ground level to enhance view corridors and reduces privacy concerns.
- ❖ The proposal is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable, it will not lead to urban sprawl or be developed on agricultural land or environmentally sensitive areas.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections received
Annexure E:	Response from applicant on objections
Annexure F:	Comment: Waste
Annexure G:	Services Report
Annexure H:	Comment: Telkom
Annexure I:	GLS Report conducted by GLS Consulting (Pty) Ltd

SIGNATURES

AUTHOR:

Name: **B MINNAAR**

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

Signature: _____

Date: _____

REGISTERED PLANNER:

Name: **S VAN DER MERWE**

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

Signature: _____

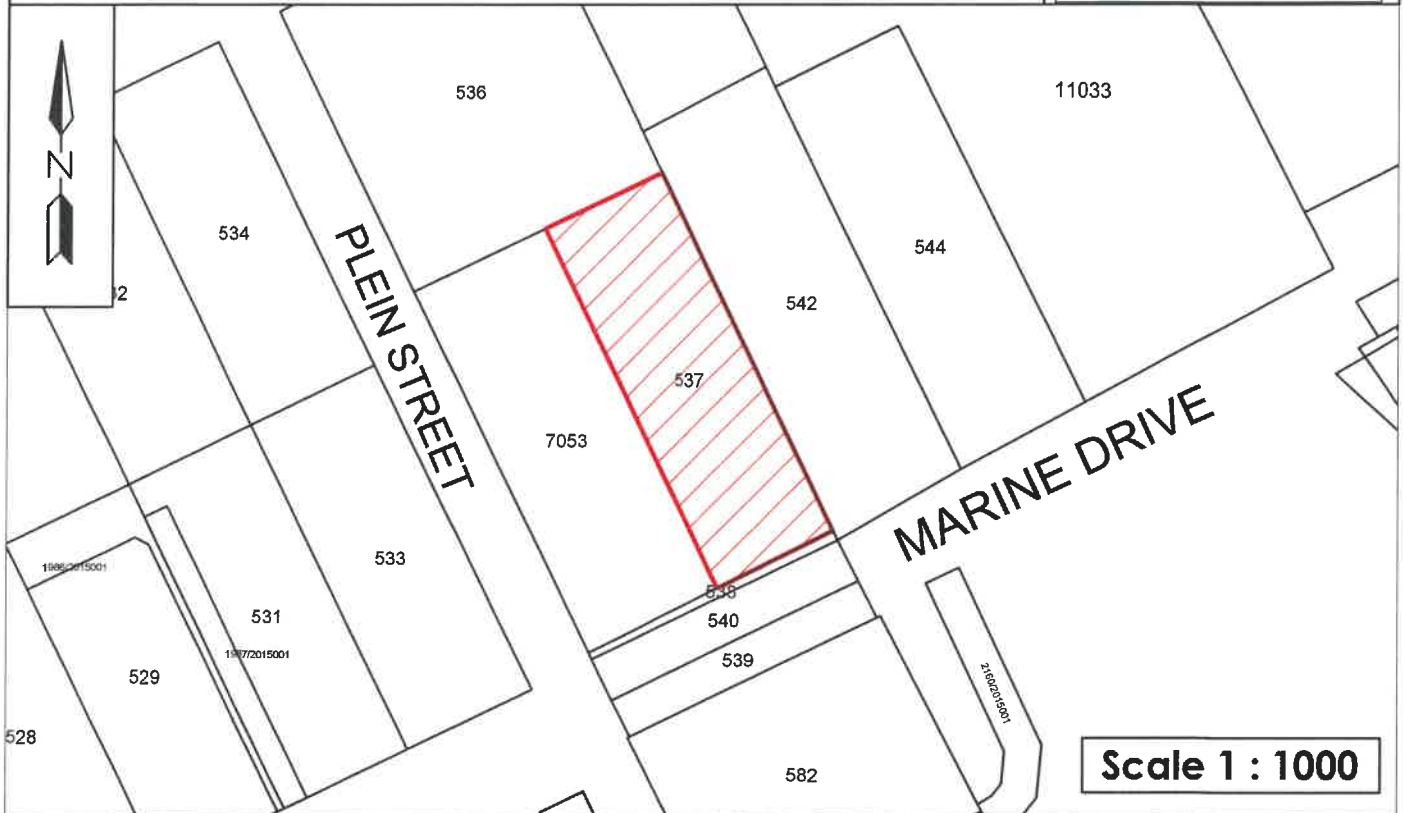
Date: _____

1. Locality Plan Erf 537 Hermanus

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200
Project Office
Town Planning & Project Management




MOTIVATION

1. ABBREVIATIONS

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
MSDF	Overstrand Spatial Development Framework, 2020

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Erf Number	Erf 537 Hermanus
Extent	980m ²
Current Zoning	General Residential Zone 1: Town Housing

3. BACKGROUND AND INTENT

Erf 537, Hermanus (hereafter referred to as the subject property), is situated in a prime location along Marine Drive, offering a clear and unobstructed view of the South Atlantic Ocean (refer to **Plan 1 - Locality Plan**). This sought-after coastal setting provides an ideal opportunity for high-quality residential development. The property was improved with a single large dwelling house that was demolished as structure did not fully utilise the site's potential.

The owners, Cerebro Trading (Pty) Ltd, have appointed WRAP Project Office to submit the land use application on their behalf (refer to **Annexure A – Power of Attorney**). Recognising the strategic value of the property, the owners demolished the existing structure and will replace it with a thoughtfully designed, modern residential development that integrates well with the surrounding urban fabric.

The proposal seeks to establish a contemporary development comprising 9 flats, designed to optimise the site's unique location and enhance the area's housing supply. The development will contribute positively to the local urban character while addressing the growing demand for well-located, high-quality residential opportunities in Hermanus. Further details on the design, layout, and planning considerations will be provided as part of this application.

In addition to its prime location and scenic views, the proposed development will align with sustainable urban growth principles by promoting densification within an established residential area. The design will incorporate modern architectural elements that complement the coastal setting while ensuring efficient land use. Furthermore, the project will support local economic activity through construction and long-term residential investment, reinforcing Hermanus as a desirable place to live.



4. PROCEDURE TO ACHIEVE THE OWNERS' INTENT

WRAP compiled this report to ensure that the owner's requirements are met. The following is proposed:

4.1 Rezoning of Erf 537 Hermanus from General Residential Zone 1: Town Housing to General Residential Zone 3: Flats (Gr4).

The proposal seeks to rezone the subject property to align with the property owners' development intentions. As stated in Section 3, the objective is to optimise the site's potential by introducing a high-quality residential development, which necessitates the proposed rezoning. The amendment will ensure that the zoning parameters support the envisioned land use while remaining compatible with the surrounding built environment.

The rezoning will enable the construction of a three-storey residential development comprising 9 modern flats. The building has been thoughtfully designed to maximise the site's unique setting, with the structure divided into two distinct sections, one oriented towards the ocean to capitalise on the uninterrupted coastal views, and the other positioned to embrace the scenic mountain backdrop. This design approach ensures that all units benefit from the property's exceptional location while maintaining architectural balance and aesthetic appeal.

Additionally, the development will incorporate contemporary design elements that complement the area's coastal character. The layout has been carefully considered to promote a sense of openness while ensuring privacy for residents. The proposed height and scale of the building have been designed to integrate harmoniously with the surrounding neighbourhood, striking a balance between optimising space and maintaining the area's visual integrity.

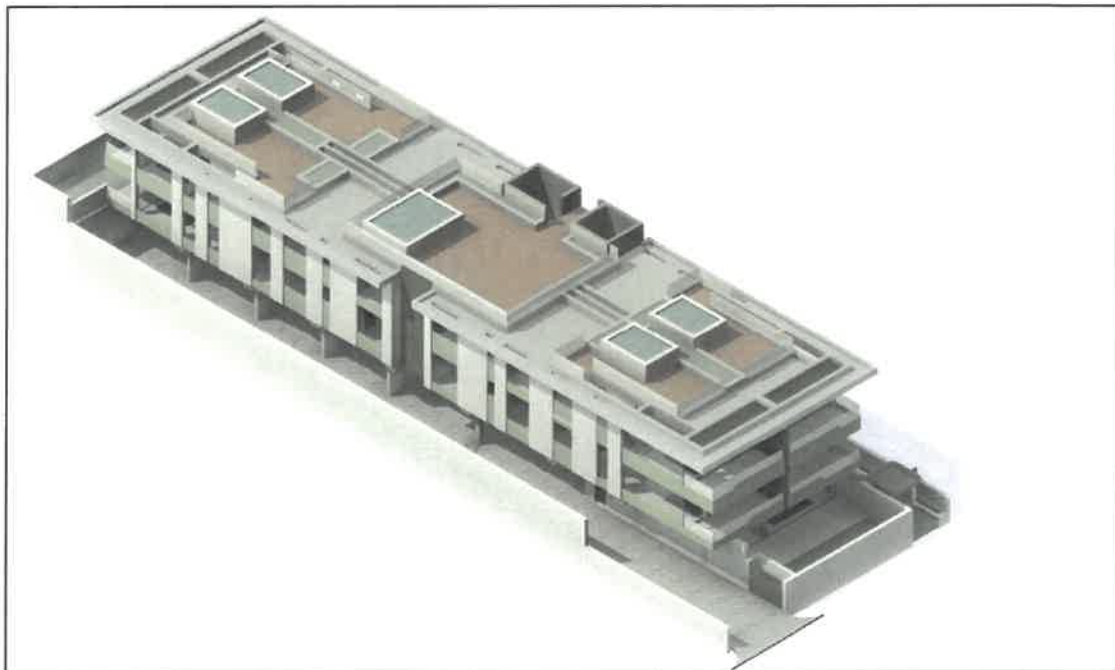


Figure 1: Massing of the proposed structure



MOTIVATION

The property will be accessed via two entrances on Marine Drive. The first will be a covered pedestrian entrance leading to a foyer designed for use by residents and their guests, creating a welcoming and secure entry point. The second will be a vehicular access point, featuring a 5m-wide access road to facilitate smooth and efficient entry to the property.

Sufficient space has been allocated to ensure safe and convenient vehicle access and egress, with adequate stacking distance (12m) provided to minimise any potential impact on traffic flow along the public street. This design approach aims to enhance both functionality and safety while integrating seamlessly with the surrounding streetscape.

The proposal seeks to develop 9 residential flats on the subject property, distributed across three storeys:

Storey	Floor	Proposed Flats
1	Ground	One x 3-bedroom flats
2	First	One x 2-bedroom flats Three x 3-bedroom flats
3	Second	One x 2-bedroom flats Three x 3-bedroom flats

The proposal includes two (2) two-bedroom flats, and seven (7) three-bedroom flats, distributed over three storeys. Each unit will feature high-quality finishes, ensuring a modern and sophisticated living environment. The development aims to set a new benchmark for residential architecture in Hermanus, enhancing both the aesthetic and functional appeal of the area. The figures below are extracts from the Site Development Plan (Plan 4) which illustrates the proposed parking layout on the ground floor:

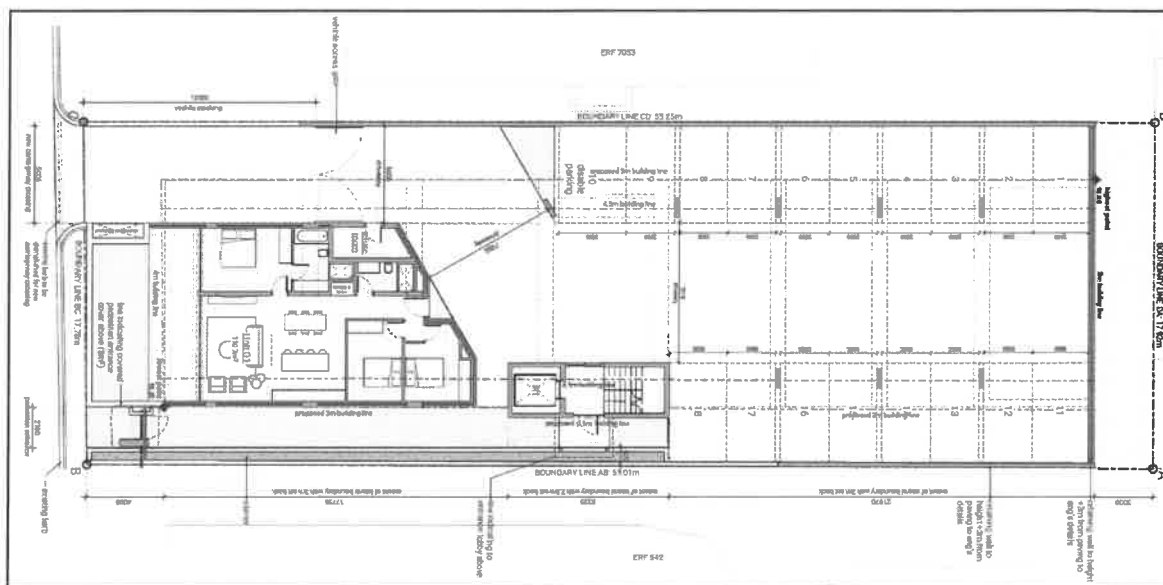


Figure 2: Ground Floor

The site is proposed to be excavated from the street frontage, ensuring that the entire ground floor aligns with street level. This design results in a site level approximately 2m lower than the existing level at the rear boundary, necessitating the construction of retaining structures



MOTIVATION

along the back boundary to provide stability and support. This approach enhances accessibility while integrating the development seamlessly with the surrounding streetscape.

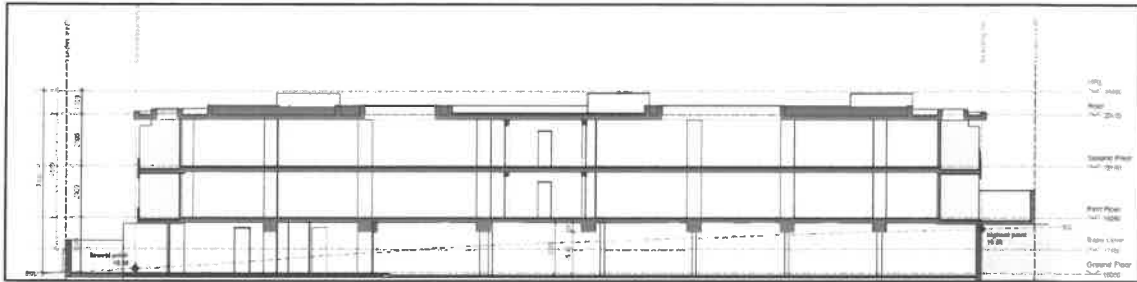


Figure 3: Section indicating the proposed 2m cut

Parking will be allocated to each unit on the ground floor, ensuring convenient and efficient use of space. The parking requirements, as per the Overstrand Municipality Land Use Scheme (OMLUS), are as follows:

- **Flats:**
 - 1.5 bays per one-bedroom dwelling unit
 - 2 bays per two- and three-bedroom dwelling units

Based on these requirements, the development must provide a total of 18 parking bays, calculated as follows:

Unit Type	Number of Units	Parking Bays Required
2- and 3-Bedroom Flats	9	18
Total Required		18
Total Provided		18

All 18 parking bays will be accommodated on-site, ensuring full compliance with the municipal requirements and eliminating the need for additional off-site parking. Refer to **Plan 4** and **Figure 2** for an illustration of the proposed parking layout.

The proposed development should be allowed as it presents several benefits to the local community, municipality, and the wider region. Firstly, the development aligns with the municipality's broader goals of promoting sustainable growth and urban infill densification within established residential areas. Hermanus, as a growing coastal town, faces increasing demand for housing, and this development provides an effective solution by introducing high-quality, modern residential units in a prime location. The development not only addresses this housing need but does so in a manner that complements the surrounding built environment and enhances the character of the area.

The strategic location of the site, offering spectacular views of the South Atlantic Ocean and the surrounding landscape, presents an opportunity for a development that will contribute to the aesthetic and economic value of the area. By replacing the existing structure, which is underutilising the site's full potential, the proposed development optimises the use of this valuable land. The proposed building's three-storey design maximises the available space while incorporating green space into the development itself.



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Furthermore, the proposed development is carefully designed to be in harmony with the surrounding area. The building's layout ensures that each flat benefits from the site's exceptional views, while also considering privacy and accessibility for future residents. The architectural design respects the coastal setting and will contribute positively to the area's visual appeal. Importantly, the development has been designed with a high standard of finishes, ensuring that the project will not only add value to the local property market but also enhance the overall quality of the built environment in Hermanus.

From a practical perspective, the development will provide adequate on-site parking for all residents, with 18 parking bays proposed to meet the requirements of the Overstrand Municipality. This will ensure that the development does not place unnecessary pressure on public parking or the surrounding infrastructure. The proposed access arrangements, including both pedestrian and vehicle entrances, have been carefully planned to ensure smooth traffic flow and easy access, reducing any potential disruption to the local area. By addressing parking and access needs effectively, the development ensures minimal impact on the surrounding community and infrastructure.

Finally, this development will have a positive socio-economic impact on the area. During construction, the project will create local employment opportunities, stimulating the local economy. Additionally, the influx of new residents will increase demand for goods and services, benefiting local businesses and contributing to the town's long-term economic growth. The development will also help alleviate the housing shortage in Hermanus by providing high-quality, well-located residential units that cater to a range of potential residents. In conclusion, the proposed development is a well-planned and beneficial project that aligns with both local planning objectives and the needs of the community. It supports sustainable growth, enhances the local environment, and provides valuable housing opportunities.

4.2 Permanent Departure from building lines.

The structure being proposed was designed to both fit into the existing streetscape and respond to the unique characteristics of the subject property. In doing so, certain building line departures are necessary to optimise the development potential, ensure efficient use of the land, and maintain the functionality and aesthetics of the proposed flats.

The proposed departures have been carefully considered to minimise any impact on neighbouring properties, preserve view corridors, and ensure adequate sunlight and privacy for adjacent dwellings. The intention is not to encroach upon the rights of neighbouring property owners but rather to allow a design that balances optimal land use with the spatial character of the surrounding area.

GROUND FLOOR

- (a) **Permanent Departure** from the 4,5m eastern lateral building lines to 2,5m to accommodate the proposed lobby and circulation space on the ground floor.
- (b) **Permanent Departure** from the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor.
- (c) **Permanent Departure** from the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor.



REFER TO PLAN 4.1 – SITE DEVELOPMENT PLAN

The proposed departure is required to accommodate the lobby on the ground floor, which serves as a shared access and circulation space for residents and visitors. The lobby has been positioned along the eastern boundary to establish a clear, legible, and safe pedestrian entrance to the building. The reduced setback allows for an efficient internal layout while maintaining sufficient separation from the boundary to limit any visual or spatial impact on the adjoining property.

A further reduced setback is required to accommodate the covered lobby access on the ground floor. This element is limited in scale, non-habitable in nature, and functions solely as a sheltered pedestrian entrance. Due to its limited height and purpose, the structure will not result in loss of privacy, overlooking, or overshadowing of neighbouring properties. In addition, the proposed excavation will result in the covered pedestrian access being positioned significantly below the existing ground level, further reducing its visual impact.

The proposed departure along the south-western boundary is required to accommodate a ground-floor flat in a manner that allows for a coherent and functional building layout. The reduced setback has been carefully considered and remains appropriate within the context of the surrounding area and the scale of the proposed development. A 3 m setback provides adequate spatial separation from the adjoining property and ensures that matters relating to privacy, access to sunlight, and overlooking are sufficiently addressed. The affected portion of the building has been designed with consideration to its orientation and height, thereby limiting any potential impact on neighbouring properties.

Collectively, the proposed departures enable more efficient use of the site while supporting the overall design intent of the development, without resulting in an overbearing or intrusive built form. The reduced building lines do not detract from the amenity of adjacent properties and allow the proposed flats to integrate appropriately within the surrounding residential context.

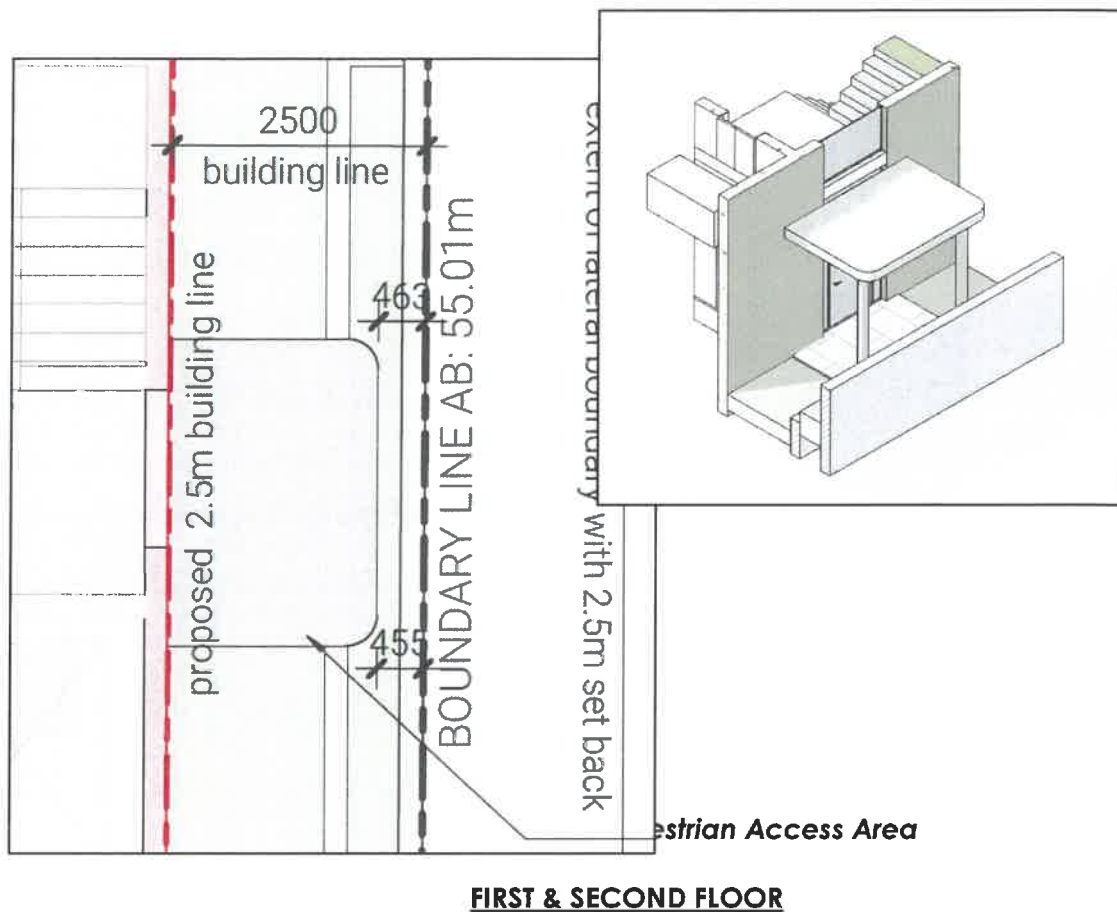
The north-eastern boundary has been deliberately selected to accommodate pedestrian access and circulation elements, including the lobby and stairways, which are essential for the safe and efficient movement of residents and visitors throughout the building. The proposed 2,5 m setback for the stairway and the 0,46 m setback for the covered pedestrian entrance provide practical design solutions within the constraints of the site, while still maintaining adequate separation from the boundary.

All proposed departures have been carefully assessed to minimise impacts on adjoining properties. Adequate space is retained to preserve privacy, natural light, and sightlines, while ensuring the development aligns with the existing streetscape and broader urban context. The departures also support efficient land use and internal circulation, consistent with the densification objectives of the OMSDF and OMLUS.

In conclusion, the proposed ground floor building line departures are reasonable, well-motivated, and contextually appropriate. They enable a functional, high-quality residential development while respecting neighbouring properties and aligning with the principles of efficient land use, good urban design, and sustainable densification promoted by the Overstrand Municipality planning frameworks.



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- (d) **Permanent Departure** from the 4.5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (Unit 2, 5, 6, & 9).
- (e) **Permanent Departure** from the 4.5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the on the first and second floor.
- (f) **Permanent Departure** from the 4.5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (Units 3, 4, 7, & 8).

REFER TO PLAN 4.2 & 4.3 – SITE DEVELOPMENT PLAN

Historic Context

The dwelling that was recently demolished on the subject property was located approximately 1.5m from the western boundary. This encroachment existed for several years and established a historic building pattern along this boundary. While the current proposal does not seek to replicate this extent of encroachment, the historic positioning of the previous structure remains a relevant consideration when assessing the appropriateness of the proposed reduced setbacks.

The current proposal seeks permanent departures from the prescribed 4.5m lateral building lines to allow portions of the first and second floor flats to be set back at 3m from the eastern and western boundaries. These departures are required to achieve a practical and efficient



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building layout while ensuring that the internal configuration of the flats remains functional and responsive to the site's constraints.

A 3m setback provides a reasonable balance between optimal land use and the protection of neighbouring amenity. Adequate spatial separation is maintained to ensure that issues relating to privacy, overlooking, and access to sunlight are sufficiently mitigated. The first-floor units have been carefully positioned and articulated to reduce perceived bulk, with building mass broken up through setbacks, and architectural detailing that softens the interface with adjacent properties.

The reduced setbacks will have minimal impact on neighbouring properties, particularly the single storey dwelling to the south-west, which will continue to enjoy reasonable access to sunlight and open space. The proposed first-floor scale and orientation, combined with the increased separation distance when compared to the historic structure, ensure that the development does not result in an overbearing or intrusive form.

Planning Considerations

Collectively, the proposed building line departures are modest, well-considered, and contextually appropriate. They support efficient land use, respond to the historic development pattern of the site, and align with the objectives of sustainable densification promoted by the OMSDF and OMLUS. The departures do not undermine the intent of the building line provisions and do not result in unacceptable impacts on surrounding properties or the public realm.

ROOF

- (g) **Permanent Departure** from 4,5m eastern lateral building line to 2m & 2,16m to accommodate the proposed roof overhang.
- (h) **Permanent Departure** from 4,5m western lateral building line to 2,79m to accommodate the proposed roof overhang.
- (i) **Permanent Departure** from 3m rear building line to 2m to accommodate the proposed roof overhang.
- (j) **Permanent Departure** from 4m street building line to 3,8m to accommodate the proposed roof overhang.

The proposed departures relate exclusively to roof elements and overhangs associated with the uppermost level of the building. These elements are architectural in nature and are required to accommodate the roof form and roof deck areas serving the four second-floor flats. Importantly, while the roof includes roof deck components, these decks are set back several metres from the building edges and are separated from the building lines by extensive areas of non-trafficable roof. As a result, the majority of the portions of the roof encroaching into the building line setbacks are not accessible and do not function as habitable or active outdoor spaces.

The roof overhangs have been designed to improve the architectural articulation of the building, provide weather protection, and enhance thermal performance through shading, without increasing the perceived bulk or intensity of the development at boundary level. Due



to their elevated position and limited projection, the overhangs will not result in overlooking, loss of privacy, or overshadowing of neighbouring properties.

The reduced rear and street building line departures similarly relate only to the roof form and do not introduce additional floor area or habitable space closer to the boundaries. The marginal reductions are minor in nature and will not negatively affect adjoining properties or the streetscape. The street-facing roof element remains visually lightweight and subordinate to the main building mass, ensuring that the character of the streetscape is maintained.

Overall, the proposed roof-related building line departures are modest, technical in nature, and necessary to achieve a coherent and functional roof design. They do not undermine the intent of the building line provisions and will have no material impact on neighbouring properties or the public realm. The departures are therefore considered reasonable, contextually appropriate, and supportive of good architectural design and sustainable development principles.

4.3 Permanent Departure from the minimum erf size of 3000m² to 980m².

The subject property has an extent of 980m², which necessitates approval of a departure from the prescribed development parameters of General Residential Zone 3: Flats (Gr4), as it falls below the minimum erf size of 3000m² required for densification. This departure is essential to comply with the OMLUS provisions and to align with the property owners' vision for a modern residential development that optimises the site's potential.

Given the property's prime location along Marine Drive, its size should not be limiting its development potential. The site offers exceptional views of the ocean, a feature that enhances its desirability and value. The character and potential of the site far outweighs the constraints of the minimum erf size, making it an ideal location for a higher-density residential development that responds to the local demand for quality housing.

Furthermore, the development of a similar-sized property adjacent to the subject property, where flats have been successfully developed, further supports the case for allowing the proposed development. The surrounding area demonstrates that a higher-density residential development can be accommodated on a site of comparable size without negatively impacting the neighbourhood. The integration of flats into the area has been proven to enhance the diversity of housing stock while maintaining the overall character and appeal of the community.

The proposed development aligns with the broader urban planning objectives of the municipality, which seek to promote sustainable growth and urban densification in well-located areas that can support such developments. The site's accessibility to essential services and its scenic surroundings makes it particularly well-suited for increased residential density. Additionally, the introduction of modern flats will enhance the visual appeal of the area by replacing an underutilised structure with a contemporary and architecturally refined building that complements the character of the surrounding neighbourhood.

The proposed development should be allowed as it offers significant benefits in terms of housing supply and urban development. The departure from the minimum erf size requirement is justifiable based on the site's exceptional attributes and the precedent set by neighbouring developments. This permanent departure will enable the property to be developed to its full potential while contributing to the densification goals outlined in the



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Overstrand Spatial Development Framework and the Overstrand Growth Management Strategy. The project aligns with municipal objectives for sustainable and responsible urban growth, ensuring a positive contribution to the local community through improved housing stock and increased economic activity.

4.4 Permanent Departure from the maximum density allowed in terms of the proposed zoning:

A departure from the provisions of the zoning scheme is required as the primary uses under the proposed zoning, General Residential Zone 3: Flats Bulk Zone 2 (GR4), include the following:

- Flats and townhouses in **accordance with Section 6.3.2**, as well as other residential buildings.

Although no townhouses are proposed, the OM indicates that compliance with certain development parameters outlined in *Section 6.3.2 of the OMLUS* is required. With specific reference to the density requirements.

Development Parameter	Section 6.3.2 of the OMLUS	Applicable (Deviate/Comply)
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 (i) Deviate – Applied for and motivated. (ii) Deviate – Applied for and motivated.

The development plan for the subject property aims to optimise the available space, yielding a total of 9 units, which results in a density of approximately 91,8 dwelling units per hectare (Du/Ha). The primary objective behind proposing this higher density is to minimise the need for additional land while addressing the significant housing demand in the Hermanus area. The goal is to maximise the allowable density and reduce land requirements, both of which are critical aspects of sustainable development and curbing urban sprawl.

As previously mentioned, the only development parameters of OMLUS Section 6.3.2 requiring a departure is the allowable density of 50 units per hectare. In terms of this restriction, only 4.9 dwelling units should be permitted, but this is not aligned with the municipality's own guideline documents. In *Section 11* of this motivation report, it is motivated that the proposed density aligns with the relevant guideline documents. This area has been designated for higher-density development, and this property is one of the parcels where such developments can be considered.

While the proposed density exceeds the 50 units per hectare limit stipulated in Section 6.3.2 of the OMLUS, it remains consistent with other applicable guidelines and policies of the Overstrand Municipality. Several measures have been implemented to minimise the impact of the proposed development on the surrounding area, ensuring it integrates well with the existing urban fabric. Moreover, the proposed density is not considered unusual, as multiple higher-density developments have been approved in the immediate vicinity along Marine Drive. Refer to the figure below for context.



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Figure 5: Existing higher-density developments

Existing / Approved Development	Density (Du/Ha)
1. 17 Marine	53,57
2. The Mira	125
3. The Esplanade	48,09
4. Marine Court	127,9
5. Hamewith	88,79
6. The Birkenhead	91,91

Proposed Development	Density (Du/Ha)
Erf 537, Hermanus (15 Marine)	91,7

The tables demonstrate that the proposed density is not out of the ordinary when compared to other developments in the area, all of which are higher-density flat developments. This clearly indicates that the proposed density is in keeping with the established development pattern along Marine Drive.

The application for a departure from the provisions of the zoning scheme is essential to enable the consideration of this application. As outlined earlier, the proposed development is consistent with the existing character of the area and follows the precedent set by other recent approvals, which have also sought higher densities in response to the limited availability of developable land in the vicinity. Allowing this departure supports a logical and contextually appropriate approach to urban development in Hermanus.

The departure from the zoning scheme provisions is both reasonable and necessary to unlock the full development potential of the subject property, which is located in a prime urban



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setting. The application to exceed the prescribed density limit is not an attempt to overdevelop the site, but rather a considered response to a range of planning, economic and spatial factors that support more intensive use of well-located land.

The approval of the proposed departure will enable the creation of a high-quality, medium-rise residential development that is aligned with the overarching planning goals of the Overstrand Municipality, particularly the promotion of compact, efficient and sustainable urban form. The development will contribute meaningfully to urban consolidation by delivering much-needed residential units within an existing serviced area, thereby reducing the pressure to expand into peripheral, undeveloped areas.

In addition, the subject property's strategic position along Marine Drive, with its exceptional ocean and mountain views, makes it uniquely suited to higher-density development. The characteristics of the site, including its topography, orientation, and accessibility, provide an opportunity to deliver another landmark development that complements the existing built environment while enhancing the visual and functional quality of the area.

It is also important to highlight the precedent set by neighbouring properties. One of the immediately adjacent properties has already been developed with flats, demonstrating the municipality's willingness to consider departures in instances where the context supports such a decision. This reinforces the principle of consistency in decision-making and confirms that the proposed density is appropriate and not out of scale with the surrounding area.

Finally, the proposed development responds directly to the growing demand for diverse and high-quality housing options in Hermanus. By allowing the departure, the municipality would be supporting responsible land use management, optimising the use of existing infrastructure, and fostering inclusive urban growth.

4.5 Consent Use for tourist accommodation on Erf 537 Hermanus:

The proposal includes an application for a consent use to allow tourist accommodation on the property. It is however important to note that the flats will not be used exclusively for short-term tourist accommodation. The intention is simply to provide future owners the option to utilise their units for this purpose, should they wish to do so. There will be no obligation for new owners to exercise this right, and the use of the flats for permanent residence will remain entirely permissible.

The proposed development will form part of a broader pattern of short-term accommodation options already established in the area. Marine Drive is a highly sought-after location in Hermanus, well known for its proximity to key tourist attractions with and convenient access to the central town area. As such, it is not uncommon to find a range of properties in the vicinity being let for short-term tourist stays.

The table and figure 8 below illustrate the number and location of flats currently listed on Airbnb in the immediate surroundings of the subject property, further demonstrating that the proposed consent use aligns with existing land use trends in the area.



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Figure 6: Indication of Airbnb accommodation

Airbnb accommodation depicted in Figure 6 above is listed below as follows:

No.	Airbnb name	Address
1	Whale Haven@SeaVillage	55 Marine Drive
2	Ocean Breeze Hermanus	55 Marine Drive
3	Sea and Champagne Air	61 Marine Drive
4	Esplanade 312 Village View (2 Bed)	61 Marine Drive
5	Esplanade 105 Sea View (1 Bed Terrace)	61 Marine Drive
6	Esplanade Penthouse (3 Bedroom)	61 Marine Drive
7	Ocean Bliss	45 Marine Drive
8	Wonderview	45 Marine Drive
9	17 Marine	17 Marine Drive
10	17 Marine 202 (Unique Solar Powered Apartment)	17 Marine Drive
11	The Mira (Recently Approved and under construction)	39 Marine Drive

It is evident from the information above that short-term tourist accommodation is well established in the vicinity of the subject property. According to municipal zoning records, properties located at 17, 39, 45, 55, and 61 Marine Drive are zoned similarly to the subject property, namely General Residential Zone 3: Flats (GR4) and are actively being used for short-term accommodation purposes. This confirms that the proposed consent use will not be out of character with the prevailing land use in the area and will align with the established development pattern.

The developers have taken careful steps to ensure that the operation of short-term tourist accommodation will remain compatible with the residential character of the building. Should the application be approved, the body corporate conduct rules will be submitted to the municipality. These rules, which are binding on all owners and residents, are designed to uphold the quality of communal living and regulate the use of shared facilities. Among other matters, the conduct rules will specifically address the terms under which short-term letting may take place, covering issues such as guest behaviour, noise, parking, and security.



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A typical clause extracted from standard body corporate rules reads:

- "10. (1) Short-term letting is permitted within the scheme.
(2) An owner must, prior to occupancy being taken by a tenant:
(a) ensure the completion of Annexure B;
(b) furnish them with a copy of the conduct rules, and
(c) inform them of their obligation to observe the conduct rules."*

These provisions ensure that all guests, whether staying on a short- or long-term basis, are aware of and compliant with the established rules of the scheme, contributing to a harmonious and secure living environment for all.

In terms of the OMLUS, "tourist accommodation" is defined as:

"...the letting of rooms or individual unit(s) (including a dwelling house/unit) on a temporary basis to transient guests where a daily or weekly tariff is applicable and includes a guest house, backpackers' establishment, camp sites, and associated amenities, provided that the use complies with the requirements of any other relevant legislation."

The proposed use therefore, aligns with the definition above and is permissible through a consent use application.

Permitting both permanent and short-term occupation of the flats provides flexibility and appeal to a broad market. Future owners will have the option to generate income through short-term rentals or to use their units as primary or holiday residences. This mixed-use approach supports tourism, encourages private investment, and responds to a growing demand for flexible accommodation models. It also allows for year-round utilisation of the property, increasing local economic benefit through visitor spending at nearby businesses, restaurants, and attractions.

The proposed development offers a responsible, well-managed, and strategically located opportunity to introduce high-end short-term accommodation to the Marine Drive area. Combined with the appropriate governance by the body corporate, the development will enhance the area's accommodation offering while preserving its residential integrity.

5 LAND USE ENVIRONMENT

As previously mentioned, the property is situated on Marine Drive with views of the Atlantic Ocean. The properties surrounding the subject property are identified as the following:

Erf Number	Zoning	Current Use
542	General Residential Zone 3: Flats Bulk Zone 1	Flats - Residential
7053	General Residential Zone 1: Town Housing	Dwelling House
536	General Residential Zone 1: Town Housing	Dwelling House

The surrounding area's zonings are illustrated in **Plan 2** (zoning plan). The proposed development is not out of character of the area and the proposal was designed to ensure all possible affected parties are considered.

6 TITLE DEED

Title deed T22289/2025 (refer to **Annexure B**) was perused and there are no conditions that restrict the proposed development of the subject property.



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7 ZONING

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

GENERAL RESIDENTIAL ZONE 3: FLATS (GR4)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Flats and Town House in accordance with 6.3.2 and residential buildings.	Flats	Comply
Consent that 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.	Tourist Accommodation	Applied for and motivated
Development parameters			
Density	A minimum erf size of 3000 m ² is applicable for densification.	Site Extent is 980m ²	Applied for and motivated
Floor Factor	1,5	1,2	Comply
Coverage	80%	67%	Comply
Height	9m (3 Storeys)	9m (3 Storeys)	Comply
Setback	(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. (ii) The general provisions of 16.2 apply.	8,0m	Comply
Building lines	(i) The street building line is 4,0 m. (ii) The side building line is 4,5 m, provided that where a fourth storey is provided, the	(i) Comply	Applied and motivated



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	Municipality may require the fourth storey to be set back 6.0 m from the property boundary. (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. (iv) The general building line exemptions of 16.1 apply.	(ii) & (iii) Refer to Section 4.2 of this report for the permanent departures applied for.													
Open space	(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. (i) Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.	Open space is located on the roof, providing the entire development with access to the open space. 121.7m² = 12.4%	Comply												
Parking	Parking and access shall be provided on the land unit in accordance with 17.1. 1.5 Parking Bays – 1 Bedroom Dwelling Unit 2 Parking Bays – 2/3 Bedroom Dwelling Unit	<table><tr><th>Unit Type</th><th>Number of Units</th><th>Parking Bays Required</th></tr><tr><td>2- and 3-Bedroom Flats</td><td>9</td><td>18</td></tr><tr><td>Total Required</td><td></td><td>18</td></tr><tr><td>Total Provided</td><td></td><td>18</td></tr></table>	Unit Type	Number of Units	Parking Bays Required	2- and 3-Bedroom Flats	9	18	Total Required		18	Total Provided		18	Comply
Unit Type	Number of Units	Parking Bays Required													
2- and 3-Bedroom Flats	9	18													
Total Required		18													
Total Provided		18													



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8 SERVICES

The availability and adequacy of municipal services is a critical consideration in terms of Section 42(1)(c)(v) of the Spatial Planning and Land Use Management Act (SPLUMA). The following section outlines the capacity of available services and confirms that the proposed development can be accommodated without placing undue pressure on existing infrastructure.

Electricity:

The proposed development will connect to the existing electricity network of the Overstrand Municipality. An initial capacity investigation will be undertaken as part of the application process to confirm whether the current infrastructure can support the increased demand. Should any upgrades be required to facilitate the development, these will be addressed in consultation with the Municipality and will form part of the development contributions. The design will include energy-efficient fittings and may consider supplementary solar installations to promote sustainable consumption and reduce peak demand where feasible.

Water:

A bulk services investigation was undertaken by GLS Consulting, and the findings indicate that the proposed development will have a negligible impact on the existing municipal water infrastructure. The total estimated daily demand is approximately 4.5 kilolitres of potable water, which falls well within the capacity of the current reticulation network. The proposed development will be supplied via a metered municipal connection and incorporate water-saving plumbing and fittings to further reduce usage.

Extract from GLS Report: *"The existing Hermanus water reticulation network has sufficient spare capacity available to provide the required water pressure and fire flow criteria for the development as set out in the Overstrand Water Master Plan."*

Sewage:

According to the same GLS Consulting report, the existing sewer infrastructure within the Hermanus PS No. 4 drainage area has sufficient capacity to accommodate the effluent generated by the proposed development. Wastewater will be directed into the municipal network and treated through the established systems, ensuring compliance with municipal and environmental requirements.

Extract from GLS Report: *"There is sufficient capacity in the existing sewer reticulation system of the Hermanus PS No. 4 drainage area to accommodate the proposed development."*

Solid Waste:

Solid waste generated by the development will be stored in a dedicated refuse room designed in accordance with the requirements set out in Section 17.4 of the OMLUS. The refuse room will be easily accessible for both residents and municipal waste collectors and will be emptied on the scheduled collection days by the Overstrand Municipality. Waste separation and recycling bins may be introduced to encourage more sustainable waste practices.



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Access and Egress:

Vehicular access to the site will be obtained from Marine Drive via a single 5-metre-wide access point, which has been designed to accommodate both access and egress movements with minimal impact on traffic flow. The access will include sufficient stacking space to allow at least two vehicles to queue without encroaching on the public road reserve, which reduces the potential for traffic disruption. The entrance will be access-controlled via a motorised gate, providing a secure and efficient entry system for residents and visitors. A separate pedestrian entrance has also been provided, allowing safe and direct access to the building for those arriving on foot.

The proposed development has been carefully designed to ensure that the existing infrastructure network can support the increase in density, without requiring extensive upgrades or negatively affecting the surrounding community. These findings demonstrate that the development is viable from a municipal services perspective and aligns with the principles of responsible, sustainable urban growth.

9 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 may 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 meets the requirements of the owner.

Socio-economic impact	The proposed development is expected to have a positive socio-economic impact by contributing to much-needed housing opportunities in a central and well-located area of Hermanus. The development will support job creation during the construction phase and continue to generate employment through ongoing maintenance, management, and potential short-term letting services. Furthermore, the addition of new residents and short-term visitors will stimulate local economic activity by increasing patronage to nearby businesses, restaurants, and tourist attractions, thereby reinforcing Hermanus's position as a desirable residential and tourist destination.
Compatibility with surrounding uses	The development proposal is fully compatible with surrounding land uses. The subject property is located within a predominantly residential area, characterised by a mix of single residential homes, guest houses, and flat developments. The proposed flats will be in keeping with the scale and intensity of similar developments in the area, particularly



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	those along Marine Drive. The architectural design and layout will be carefully considered to complement the surrounding built environment and enhance the visual quality of the streetscape.
Impact on the external engineering services	As confirmed by the GLS bulk services report, the proposed development will have a negligible impact on the external engineering services infrastructure. There is sufficient capacity in the existing water and sewer reticulation systems to accommodate the additional demand. The development will comply with all municipal standards for solid waste management, stormwater, and service connections.
Impact on safety, health and wellbeing of the surrounding community	The development has been designed to enhance the safety and wellbeing of both residents and the broader community. A secure access-controlled entrance, adequate lighting, and appropriate surveillance measures will contribute to a safe living environment. The presence of a managed body corporate will ensure that rules related to conduct, noise, and property maintenance are consistently enforced. The development will also improve the aesthetics and functionality of the site, replacing an underutilised or deteriorating structure with a contemporary, high-quality residential complex that adds value to the neighbourhood.
Impact on heritage	The subject property is not located within a declared heritage area nor is it subject to any heritage protection overlay. As such, no negative impact on cultural or built heritage is anticipated. The design of the development will be sensitive to the architectural character of the surrounding area, ensuring that it integrates harmoniously with the existing urban fabric.
Impact on the biophysical environment	The development site is located within the urban edge and has already been significantly transformed. No sensitive environmental features or protected vegetation will be affected by the proposed development. All construction activities will be undertaken in accordance with best environmental practices, including stormwater management measures to prevent off-site impacts.
Traffic impacts, parking, access and other transport related considerations	The development is expected to generate a limited increase in traffic volumes, which can be comfortably absorbed by the surrounding road network. Access will be obtained via Marine Drive, and the layout provides for safe ingress and egress with adequate stacking distance.



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	On-site parking has been provided in accordance with the provisions of the OMLUS, ensuring that the development does not place additional pressure on public parking. The central location of the property further promotes walkability and reduces reliance on private vehicles, especially for short-term visitors who may prefer to explore Hermanus on foot.
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Impact on views, sunlight and character of the area

The surrounding properties may be impacted upon as the design and utilisation will maximise the space on the property. The proposed development does however comply with all the development parameters of the proposed zoning. To ensure the proposed development does not impede on the above mentioned these will be addressed individually:

Views

The proposed development is located within Bulk Zone 2, which permits a maximum height of 9 metres and a total of three storeys. The intention is to utilise the full development potential afforded to the subject property in accordance with these parameters. This approach is consistent with development trends in the area. Notable examples include Esplanade, a three-storey development situated along Marine Drive, Misty Waves Hotel, a nearby four-storey building that reaches a height of 14 metres and The Mira a 12,5m high development, currently under construction. The subject property also benefits from its strategic location in close proximity to the Hermanus Central Business District (CBD), further justifying a higher-density, multi-storey development.

The property owners have appointed Metropolis Architects to design a development that responds sensitively to the context of the surrounding area. Particular attention has been given to the interface with neighbouring properties. Along the south-western boundary, which adjoins the single-storey dwelling on Erf 7053 Hermanus, the proposed development introduces a 4.5-metre setback on the ground floor between the habitable portion of the building and the boundary. This buffer has been designed to mitigate any potential impact on neighbouring amenity.

Additional design considerations included the preservation of key view corridors, as illustrated in **Figure 7** on the next page. These spatial and visual planning principles reinforce the appropriateness of the proposed form and scale of the development.



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Figure 7: Surrounding view corridors

The existing shape of Erf 537 Hermanus, along with its current use and built form, already places limitations on the view corridors of the surrounding properties. As such, the proposed development is not anticipated to significantly alter or worsen existing view obstructions. The design has taken these limitations into account to ensure that any further impact on views is minimised and remains within a reasonable and acceptable range for urban development in this context.

Sunlight

The proposed development has been carefully designed to align with the development parameters of the OMLUS, and as such, it is not expected to have a negative impact on access to sunlight for adjoining properties. In particular, the single-storey dwelling located to the south-west of the subject property will benefit from an increased building line of 3m, which creates additional separation between the buildings and further mitigates any potential overshadowing. It is therefore not anticipated that the proposed development will adversely affect the sunlight received by this neighbouring property.



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While the design minimises overshadowing, it is acknowledged that any form of development may inevitably result in some degree of change to the sunlight patterns experienced in the area. It is however important to note that these impacts are relative and must be assessed within the broader context of a dynamic natural environment where the position of the sun, and consequently the distribution of sunlight, shifts continuously throughout the day and seasons.

The concept of a "right to light" is typically considered an easement, entitling a property to receive natural light over another's land, often through openings such as windows or skylights. In South Africa, there is no specific legislation granting individuals a legal entitlement to direct sunlight. Nonetheless, the developers recognise and respect the concerns that may be raised regarding the potential impact on light availability.

This proposal has sought to achieve a balanced outcome by ensuring that all surrounding properties will continue to receive reasonable and fair access to natural light. The development's compliance with the OMLUS height and setback provisions demonstrates a commitment to responsible design and neighbourly consideration, while still maximising the development potential of the site.

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, following the approval of the application, the construction phase will commence, creating temporary employment opportunities and providing income to several residents of Hermanus and the wider Overstrand municipal area. This will stimulate the local economy through the use of local labour, contractors, suppliers, and service providers.

From a long-term perspective, the proposed development will result in a positive economic impact through the additional rates and taxes payable to the Overstrand Municipality, contributing to the municipal revenue base and supporting ongoing public service delivery and infrastructure maintenance.

Using a conservative estimate of three people per flat, the residential additionality has been calculated at approximately 27 new residents. These individuals will become active participants in the local economy, spending money on a wide range of goods and services including groceries, fuel, dining, entertainment, healthcare, home maintenance, and other everyday needs. This continued economic activity will support local businesses and service providers, reinforcing the long-term economic sustainability of Hermanus.

The development is thus expected to contribute meaningfully to the socio-economic growth of the area, both through the initial construction phase and, more significantly, through the long-term presence of new households in Hermanus.

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. The proposed development is not foreseen to



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negatively affect any surrounding landowners as the development is aligned with what the urban area is being earmarked for. The development is the final step to complete the line of properties on Marine Drive.

Impact on heritage

The subject property is not listed in the Overstrand Municipality Heritage Register. The plans for the proposed building will also be presented to the Overstrand Heritage and Aesthetics Committee, and should any amendments be required it will only be made to the aesthetics.

10 POLICIES AND REGULATIONS

10.1 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

Historic Core of Hermanus Heritage Protection Overlay Zone

Purpose: To ensure that any land use application resulting in additional rights complies with the existing character and contextual significance:

- *To protect and enhance the context of the high concentration of heritage sites; the role of the old harbour; Bientangs cave; the high scenic quality of the coastline; the recreational facilities related to the coastal walkway and associated whale watching points; the relatively fine-grained, low-rise nature of the building fabric; and the integration of these place-making elements.*
- *These heritage features all contribute to an area of particular character, reflecting many of the heritage themes identified in the Overstrand area and worthy of the status of a HPOZ in terms of the land use scheme.*

The proposal is not predicted to impact on the protected elements mentioned above.

10.2 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

A portion of the subject property is located within the Coastal Protection Zone and to ensure compliance with the guidelines set out in the EMOZ, the application was evaluated in terms of the provisions of Schedule A & B of the Environmental Management Overlay Zone 2020:

SCHEDULE A PROHIBITED ACTIVITIES IN OVERSTRAND ENVIRONMENTAL MANAGEMENT OVERLAY ZONES		
Prohibited Activity	Applicable EMOZ	Applicable to the application or not
	Coastal	
Agricultural practices within this EMOZ which may cause water logging and siltation.	X	N/A
Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.	X	N/A
Development or agriculture on slopes steeper than 1:4.	X	N/A



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Establishment of Informal settlements or Temporary Relocation Areas.	X	N/A
No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.	X	N/A
Placement of religious symbols or memorabilia.	X	N/A
Harvesting /collection of kelp / seaweed in municipal designated "no-take" zones.	X	N/A
Harvesting, collection, moving, loading drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF.	X	N/A
Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated and signposted by the Municipal Council for such purposes.	X	N/A
Modification of the littoral active zone / functional dune systems in absence of approved management plans.	X	N/A
Feeding, disturbing / pursuit of fauna.	X	N/A
Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.	X	N/A
Defacing/damaging / removing of any notice, sign, barrier building or other infrastructure.	X	N/A
Playing or tampering with any rope, float, buoy, vessel, shelter or similar life - saving device.		N/A
Staying overnight.	X	The subject property will be improved with 9 flats.
The discharging of domestic effluent / grey water into all natural systems.	X	N/A
Tampering with security / surveillance infrastructure.	X	N/A
Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.	X	N/A
Graffiti, vandalism or damaging of municipal infrastructure.	X	N/A
Littering	X	N/A
Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items	X	N/A
Dog walking / exercising of dogs in non-designated zones.	X	N/A



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SCHEDULE B ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT IN OVERSTRAND ENVIRONMENTAL OVERLAY ZONES		
A) Activities Only Permitted With Council Consent	Applicable EMOZ	Applicable to the application or not
	Coastal	
Permission for the utilization of access routes to permitted kelp / seaweed harvesting sites.	X	N/A
Removal or destruction of vegetation which is protected and/or of conservation concern.	X	N/A
Dune maintenance on private land as per approved dune maintenance management plans.	X	N/A
Excavation and destruction or removal of substrate (soil, substrate, rock, shellgrit, dune sediment, mineral deposits).	X	N/A
Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.	X	The pool on the subject property's water will be managed in a sustainable manner.
B) Permit Upon Approval By Delegated Authority and / Receipt of Tariff	Applicable EMOZ	Applicable to the application or not
	Coastal	
Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse / wetland.	X	N/A
Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.	X	N/A
Commercial filming.	X	N/A
Construction or placement of any temporary object, building, shelter, path or structure.	X	N/A
Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.	X	N/A
Launching of vessels at registered launch sites.		N/A
C) Council Authorisation Pending Consent Use Application / Lease Agreement / Applicable Tariffs as applicable	Applicable EMOZ	Applicable to the application or not
	Coastal	
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	N/A
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow,	X	N/A



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stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.		
Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery.	X	N/A
Encroachment of private buildings, structures, infrastructure, access routes.	X	A portion of the property is located inside of the buffer.
Commercial Harvesting/collection and removal of any natural resource.	X	N/A
Construction or placement of any permanent object, building, shelter, pathway or structure.	X	A portion of the property is located inside of the buffer.

Based on this assessment, it is evident that the proposed residential development does not trigger any of the prohibited activities listed under Schedule A. The development is urban in nature, located within the established urban edge, and does not involve agricultural practices, disturbance of natural coastal systems, harvesting of natural resources, or any activities that may result in degradation of sensitive environmental features. No protected vegetation, dune systems, wetlands, or watercourses will be disturbed as part of the proposal.

With regard to Schedule B, the proposed development similarly does not involve activities that would ordinarily require additional council consent or permits, such as vegetation removal of conservation concern, dune maintenance, substrate excavation within sensitive areas, or the installation of bulk infrastructure within proximity to watercourses. Although a portion of the property falls within the Coastal EMOZ buffer, the proposed buildings and associated infrastructure are confined to an already transformed and developed urban site. The development will not extend into natural coastal systems nor result in any encroachment that would compromise the functioning or integrity of the coastal environment.

All stormwater, sewage, and pool water will be managed in accordance with municipal standards and best environmental practices to ensure that no untreated effluent, grey water, or polluted runoff is discharged into the natural environment. Appropriate stormwater attenuation and management measures will be implemented to prevent erosion, flooding, or downstream impacts. As such, the development will not place additional pressure on coastal or marine ecosystems.

The proposed buildings, including those portions located within the EMOZ buffer, are residential in nature and do not introduce activities associated with increased environmental risk. The development does not involve industrial, commercial, or extractive activities and will not alter coastal processes, dune systems, or ecological corridors. Importantly, the proposal does not introduce any new access routes to open coastal spaces, nor does it involve the removal or modification of natural vegetation.

While a portion of the subject property is located within the Environmental Management Overlay Zone, the proposed development is considered environmentally acceptable and will not result in a negative impact on the coastal environment. The development complies with the intent and objectives of the EMOZ, which seek to protect sensitive environmental areas



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while allowing for appropriate, low-impact development within the urban edge. The proposal is therefore supported from an environmental management perspective.

10.3 Spatial Planning Policies

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

PSDF
The PSDF is the result of a provincial inter-departmental and inter-governmental collaboration, guided by the inter-departmental steering committee in partnership with the private sector, academia, and non-governmental organisations. This broad participatory process has fostered a shared spatial vision intended to guide spatial development patterns in both urban and rural areas of the province.
Throughout the PSDF, the importance of developing integrated and sustainable settlements is emphasised as a key objective of the framework. The PSDF also outlines a settlement agenda that addresses the full spectrum of Western Cape settlements, from the metropolitan area of Cape Town to the smallest hamlets.
OMSDF
The Municipal Spatial Development Framework is a sectoral component of the Integrated Development Plan (IDP) that, in terms of the Municipal Systems Act (MSA), provides general direction to guide decision-making on an ongoing basis. Its aim is the creation of integrated, sustainable, and habitable regions, cities, towns, and residential areas.

The PSDF and OMSDF are frameworks that should be interpreted at a local level. National policies, such as the National Development Plan and the National Spatial Development Framework, provide guidelines on several important aspects, including human settlements. Focusing on provincial and local policies ensures alignment with the higher hierarchy of legislation and policies mentioned above.

PSDF

To ensure the proposed residential development aligns with the PSDF and the Provincial Settlement Policy Objectives, the development was evaluated against these policy objectives.

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns	The proposed development is situated in a predominantly residential area and aligns with the established character and built form of its surroundings. Located within Bulk Zone 2, the property is permitted to be developed to this extent, and the proposal makes full use of the development potential while remaining in keeping with the scale and intensity of neighbouring developments.



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	In supporting the policy objective to "Protect and enhance sense of place and settlement patterns," the design of the development has been approached with sensitivity to its context. By respecting the area's urban fabric, including building heights, access points, and established view corridors, the proposal contributes to the coherence and legibility of the neighbourhood. Rather than imposing an incongruent form, the development strengthens the spatial identity of the area and supports a compact, integrated settlement pattern. This contributes positively to the sense of place, while meeting the growing residential demand in a sustainable and responsible manner.
Improve accessibility at all scales	The subject property has adequate accessibility to the surrounding Hermanus area. The proposed development was designed to blend in with the existing nature of the Hermanus area and to form part of an existing built-up area. While ensuring access is possible to larger towns and cities such as Cape Town.
Promote an appropriate land use mix and density in settlements	The land use proposed is residential in nature. The area as motivated in <i>Section 6</i> of this report is mixed use. The surrounding area is predominantly residential in nature with some business and community zoning in the surrounding vicinity.
Ensure effective and equitable social services and facilities	With Hermanus being a regional service centre as indicated by the PSDF, ensuring access to the area is important. The proposed development will have access to all the services available within the Hermanus Area.

OMSDF

The OMSDF is guided by a hierarchy of planning legislation and policy frameworks, including the SPLUMA, the LUPA, the By-Law, the PSDF, and the Integrated Development Plan (IDP). These instruments collectively shape the OMSDF, which seeks to provide clear direction on appropriate spatial development patterns and land uses within the designated urban edge.

The OMSDF was formulated following a comprehensive public participation process and input from various government departments, resulting in a shared spatial vision for the future development of the municipality. This vision encourages sustainable, efficient, and integrated growth and is intended to guide decision-making on land development proposals. To ensure consistency with broader planning goals, the OMSDF synthesises the strategic aims and policy directives of national and provincial frameworks such as the PSDF and the National Development Plan (NDP). The proposed residential development has been aligned with the OMSDF to ensure compliance with these overarching policy objectives.

Specifically, the OMSDF states in Section 5.8.3 (p. 207) under 'New Development' that "no new urban development areas / urban edge amendments are proposed for Hermanus Central with densification as the proposed tool to accommodate population growth." The proposal for the subject property aligns directly with this objective, promoting inward-focused growth through appropriate infill development and densification, rather than outward expansion.



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The projected population increase, as referenced in Table 2.7 (p. 25) of the OMSDF, further underscores the need for developments of this nature. By responding to this anticipated demand, the proposed development contributes to achieving the OMSDF's goals of compact urban form, efficient service provision, and sustainable use of available land resources within the urban edge.

OMGMS – OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY

On the 27th of May 2020 the Municipal Council adopted the OMSDF, (Overstrand Spatial Development Framework, 2020), in the same instance rescinded the Overstrand Municipal Spatial Growth Management Strategy, 2010. Although the OMGMS 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 13 of the OGMS, Hermanus Central. This unit includes both the CBD and the residential area to the west of the CBD.

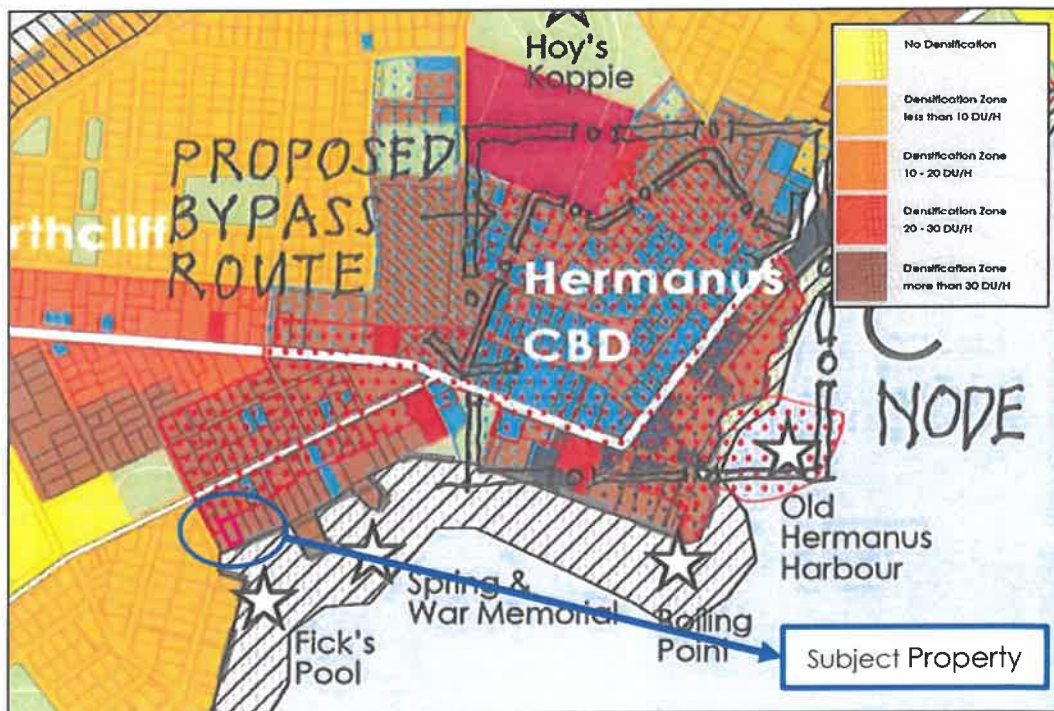


Figure 8: Allocated Density in terms of the OMGMS

The surrounding area supports residential densities well in excess of 30 du/ha, as illustrated above. The subject property measure 0.0980ha, and the proposal to develop 9 flats equates to an approximate density of 91,8 du/ha. While this may appear higher than traditional suburban densities, it aligns directly with comparable developments along Marine Drive and is consistent with the existing urban character, as motivated in Section 4.3 of this report.

Higher densities in this part of Hermanus are both expected and appropriate given the development pressures, the scarcity of developable land, and the high demand for well-located housing close to the CBD and coastal amenities. The proposal significantly improves



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the utilisation of urban land and supports the principles of compact development. This is in line with national and provincial planning objectives that prioritise densification in strategic urban locations.

Although the OMGMS, which once guided density considerations, was formally rescinded in 2020, the municipality still uses it as an internal guideline for high-level planning assessments. However, as a rescinded document, it does not carry regulatory force, and deviations from its indicative densities may be considered where justified. The policy guidance it offers must therefore be interpreted flexibly and applied with discretion rather than as prescriptive or binding. This allows proposals such as the current one to be assessed on their own merits within the broader context of the OMSDF, which is the legally adopted spatial policy.

Even when assessed against the indicative principles of the rescinded OMGMS, the proposal remains reasonable. The document suggests preferred densities of approximately 54 du/ha for two-storey buildings and 84 du/ha for three-storey structures within the relevant planning unit. A density of 84 du/ha equates to approximately 8.2 dwelling units on a site of this size, which, when rounded up (as fractional units cannot practically exist), results in a total of 9 units which is the same number of units currently being applied for. The proposed three-storey building, while exceeding this guideline by only 0.8 units, remains entirely compatible with a number of existing developments in the immediate vicinity, many of which exceed 90 du/ha and have been approved under current spatial planning frameworks. The property owners intentionally identified this site due to its capacity to accommodate a three-storey building, its strategic location within the urban edge, and its alignment with the established pattern of coastal intensification along Marine Drive.

Given that the OMGMS is no longer adopted policy and serves only as a non-binding guideline, higher densities may be considered where supported by context, infrastructure capacity, design quality, and alignment with the OMSDF. The proposed density meets all these criteria. It optimises land use, aligns with the densification strategy clearly articulated in the OMSDF, reinforces the established built form along Marine Drive, and responds directly to the increasing demand for diverse and well-located housing options in Hermanus.

For these reasons, the higher density proposed is both appropriate and desirable, and it represents a logical and policy-aligned development outcome for this strategically located coastal property.

11 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

The proposed development promotes spatial justice by encouraging inclusive development within an already established urban area. The location of the subject property within the urban edge, in close proximity to the Hermanus CBD, ensures equitable access to economic opportunities, public transport, and services. The densification of centrally located urban



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land supports redress of past spatial imbalances by making better use of well-located land, thereby addressing historic inequalities in spatial planning and land use.

Spatial Sustainability

The proposal promotes spatial sustainability by efficiently utilising land that is already serviced and located within the existing urban fabric. No additional infrastructure extensions are required beyond existing capacities. The development makes optimal use of land and services within the urban edge, limits urban sprawl, and promotes a compact settlement form. The higher density use of this well-positioned property supports walkability, access to existing amenities, and reduced reliance on private motor vehicles, thereby contributing to environmental sustainability.

Efficiency

The proposed development enhances efficiency by promoting higher density within a built-up area, ensuring that existing infrastructure is used to its full potential. The property is already connected to municipal services, and the impact on bulk services has been assessed as negligible. In line with this principle, the development supports the cost-effective use of land and infrastructure and maximises the use of existing service capacity, transport routes, and economic opportunities available in the Hermanus CBD.

Spatial Resilience

The development contributes to spatial resilience by allowing for a mix of permanent and short-term accommodation, making the development adaptable to future economic shifts and tourism cycles. The design accommodates the changing housing market while maintaining compliance with local zoning and policy frameworks. By situating development within a strategic urban location, it helps ensure the sustainability and adaptability of the urban form in the face of environmental, social, and economic changes.

Good Administration

This application aligns with the principle of good administration by following due process as set out in SPLUMA and the Overstrand Municipal Land Use By-Law. The application supports integrated planning by aligning with local and provincial SDFs and has been prepared in a transparent manner with supporting technical reports where required. It also respects and supports the role of public participation and intergovernmental coordination in land use management.



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12 CONCLUSION

The proposed development is considered desirable, appropriate, and in the public interest. It is situated within an area specifically identified in the OMSDF as suitable for higher density development, where densification is explicitly supported as a strategic response to population growth and the increasing demand for well-located housing opportunities.

The subject property falls within Bulk Zone 2, which permits the proposed height and density parameters. The development has been designed in line with the provisions of the OMLUS and demonstrates full compliance with the applicable spatial planning policies and frameworks, including SPLUMA, LUPA, the PSDF, and the OMSDF. These frameworks collectively advocate for compact, integrated, and sustainable settlement patterns, all of which are supported through this development proposal.

A professional team, led by WRAP Project Office, has carefully coordinated all inputs and prepared the necessary supporting documentation to ensure that the proposed development is technically feasible, serviceable, and in keeping with the character of the area. Specialist inputs, including engineering service capacity and architectural design, were considered to mitigate potential concerns such as traffic impact, sunlight availability, and compatibility with surrounding uses.

Importantly, the application aligns with all five of SPLUMA's development principles — promoting spatial justice, sustainability, efficiency, resilience, and good administration. The proposal will generate both short-term economic benefits during construction and long-term contributions to the municipal revenue base through increased rates and service charges. In addition, the influx of new residents will stimulate the local economy and support existing businesses in the Hermanus CBD.

The proposed development is not out of character with surrounding developments and makes optimal use of an underutilised, well-located site. It has been sensitively designed to minimise adverse impact on neighbouring properties while contributing positively to the built environment. For these reasons, the application is fully supported, and it is respectfully recommended that it be approved.

13 RECOMMENDATION

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

13.1 Rezoning of Erf 537 Hermanus from General Residential Zone 3: Flats (Gr4) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

13.2 Permanent Departure Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, in order to:



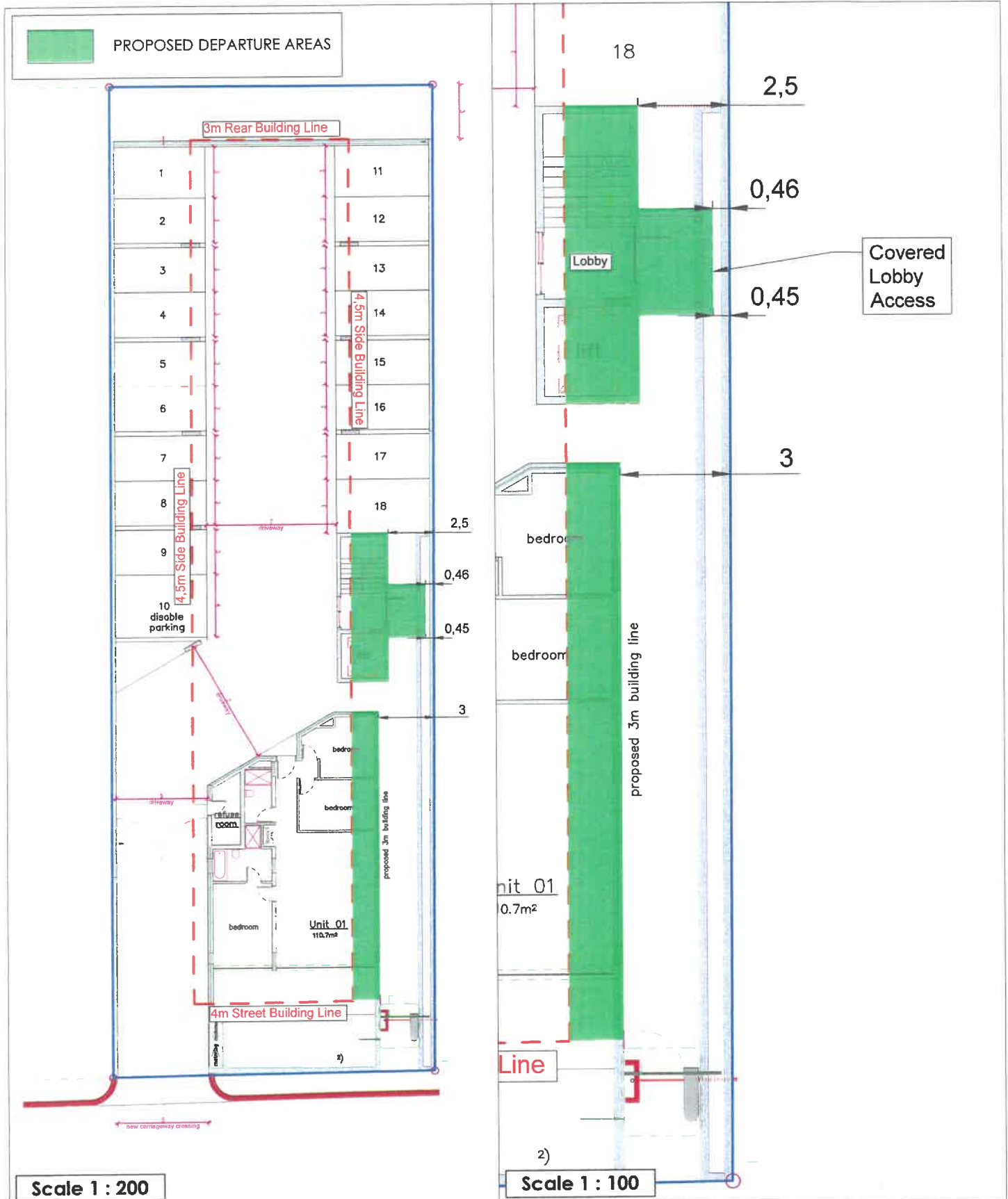
MOTIVATION

- relax the 4,5m eastern lateral building lines to 2,5m to accommodate the proposed lobby and circulation space on the ground floor;
- relax the 4,5m eastern lateral building lines to 0,46m to accommodate the proposed covered lobby access on the ground floor;
- relax the 4,5m eastern lateral building lines to 3m to accommodate the proposed flat on the ground floor;
- relax the 4,5m eastern lateral building line to 3m to accommodate the proposed flats on the first and second floor (Unit 2, 5, 6, & 9);
- relax the 4,5m eastern lateral building line to 3m to accommodate the proposed lobby and circulation space on the on the first and second floor ;
- relax the 4,5m western lateral building lines to 3m to accommodate the proposed flats on the first and second floor (Units 3, 4, 7, & 8);
- relax the 4,5m eastern lateral building line to 2m & 2,16m to accommodate the proposed roof overhang;
- relax the 4,5m western lateral building line to 2,79m to accommodate the proposed roof overhang;
- relax the 3m rear building line to 2m to accommodate the proposed roof overhang;
- relax the 4m street building line to 3,8m to accommodate the proposed roof overhang;

13.3 Permanent Departure from the minimum erf size of 3000m² to 980m² in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

13.4 Permanent Departure from the maximum density allowed in terms of the proposed zoning in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

13.5 Consent Use for tourist accommodation on Erf 537 Hermanus in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4.1 Site Development Plan - GROUND FLOOR Erf 537 Hermanus

Category	Description	Area / Quantity
Floor Information	Units per Floor	1
	Parking Required	2
	Total Service Areas and Walkways (incl. lobby, stair, lift)	23.8 m²
	Refuse Room Area (Internal)	7 m²
Unit Areas	Unit 01	110.7 m²



Plan prepared by: Thian Jansen on 22/01/2026
Based on plans by Metropolis Architects

All distances are approximate
and subject to a survey

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Email: admin@wrapgroup.co.za

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Project Office
Town Planning & Project Management



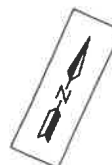
PROPOSED DEPARTURE AREAS



Scale 1 : 200

4.2 Site Development Plan - FIRST FLOOR Erf 537 Hermanus

Category	Description	Area / Quantity
Floor Information	Units per Floor	4
	Parking Required	8
	Total Service Areas and Walkways (incl. plant room, excl. stair and lift)	29 m²
Unit Areas	Unit 02	116.9 m²
	Unit 03	131.0 m²
	Unit 04	133.8 m²
	Unit 05	139.4 m²
	Total	521.1 m²



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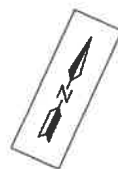
PROPOSED DEPARTURE AREAS



Scale 1 : 200

4.3 Site Development Plan - SECOND FLOOR Erf 537 Hermanus

Category	Description	Area / Quantity
Floor Information	Units per Floor	4
	Parking Required	8
	Total Service Areas and Walkways (incl. plant room, excl. stair and lift)	29 m²
Unit Areas	Unit 06	116.9 m²
	Unit 07	131.0 m²
	Unit 08	133.8 m²
	Unit 09	139.4 m²
	Total	521.1 m²



Plan prepared by: Thian Jansen on 22/01/2026
Based on plans by Metropolis Architects

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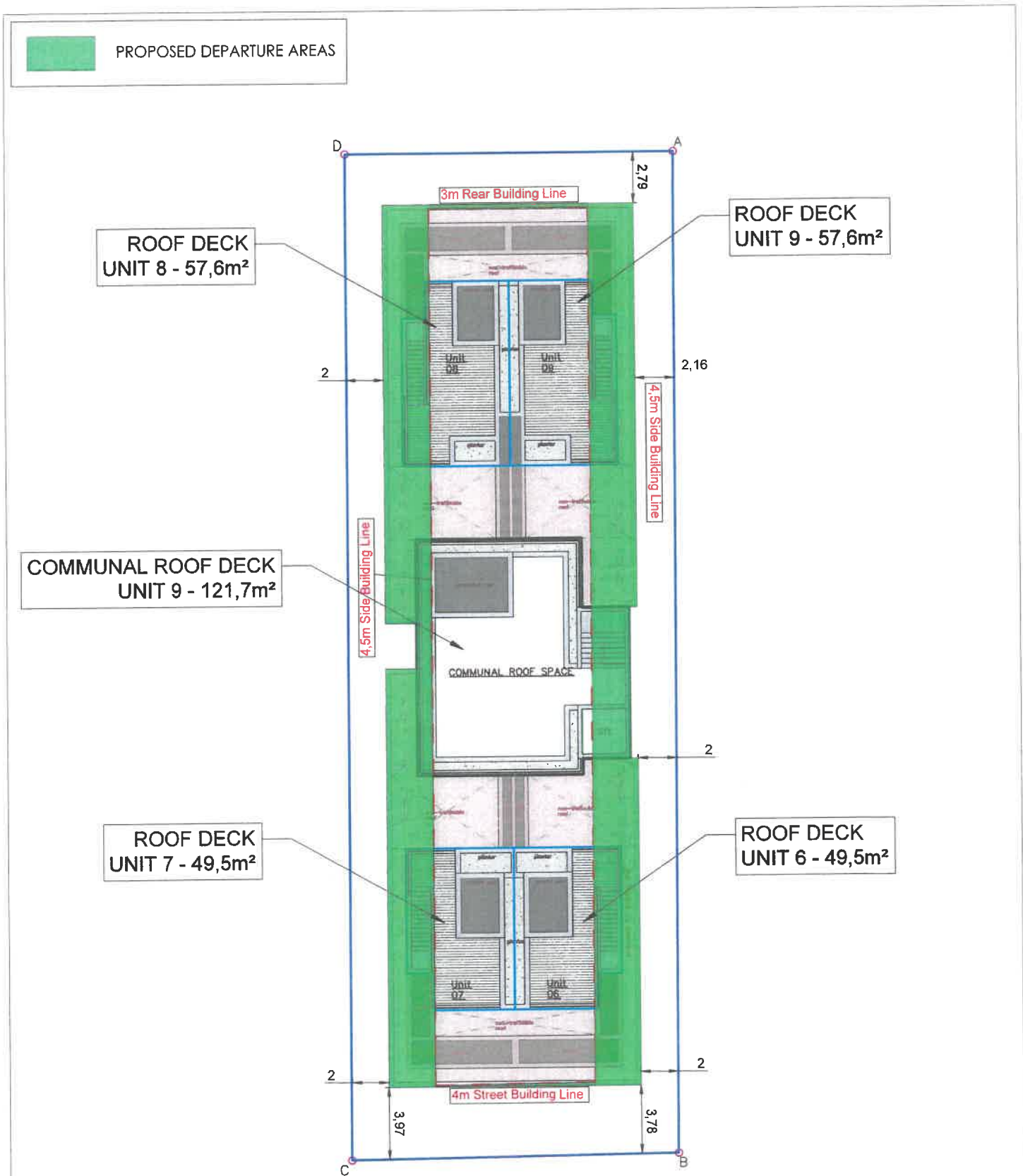
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Project Office
Town Planning & Project Management



Scale 1 : 200

4.4 Site Development Plan - ROOF Erf 537 Hermanus

Plan prepared by: Thian Jansen on 22/01/2026
Based on plans by Metropolis Architects

All distances are approximate
and subject to a survey

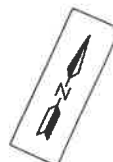
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Email: admin@wrapgroup.co.za

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Project Office
Town Planning & Project Management



Erf Number	First Name	IN TIME / LATE	SUPPORT / OBJECTION	EMAIL	Address Line 1	Address Line 2	City	ZIP Code
Unit 201	MW & C Snyman	In time	OBJ	mwsnyman@mwweb.co.za	Unit 201, 17 Marine Drive	Westcliff	HERMANUS	7200
	Christoff Albertyn (Chairman of Body Corporate representing all owners of 17 Marine Drive)							
Unit 101	O Leistner	In time	OBJ	christofarch@gmail.com	17 Marine Drive	Westcliff	HERMANUS	7200
	C Snyman, AJR Smook & HD Smook							
Unit 104	O Leistner	In time	OBJ	O.Leistner@lew.stb.de	6 Jagerweg	61389, Schmitten-Dorfweil		
	C Snyman, AJR Smook & HD Smook							
Unit 202 & 103	Christoff Albertyn	In time	OBJ	corneliasnyman@mwweb.co.za	17 Marine Drive	Westcliff	HERMANUS	7200
	Christoff Albertyn							
Unit 202 & 103	Christoff Albertyn	In time	OBJ	christofarch@gmail.com	17 Marine Drive	Westcliff	HERMANUS	7200
	Christoff Albertyn							
Unit 102	Anton van Zyl	In time	OBJ	anton@lastdance.co.za	17 Marine Drive	Westcliff	HERMANUS	7200
	Antonie Jacob van Zyl obo B16 (Pty) Ltd							
Unit 102	Ben Swart obo Ben Swart Familie Trust	In time	OBJ	anton@lastdance.co.za	17 Marine Drive	Westcliff	HERMANUS	7200
	Ben Swart obo Ben Swart Familie Trust							
543	Trust	In time	OBJ	bswart@viking.co.za	25 Church Street	Westcliff	HERMANUS	7200

OBJ (IN TIME)

9

OBJ (LATE)

0

SUPPORT (IN TIME)

0

SUPPORT (LATE)

0

9

Directorate: Planning & Development
Overstrand Municipality
P.O Box 20 ,
Hermanus,
7200

Per Email- Alida@overstrand.gov.za

ERF 573, 15 MARINE DRIVE WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING, DEPARTURE AND CONSENT USE

Your application notice for Erf 537 Westcliff refers.

1. Introduction

This objection is made from a neighbour's perspective; and therefore, raised from a perspective of the impact of the proposed development on ours.

A development aligned with the residential character and scale of the area will be supported.

However, the proposed development on Erf 537 Westcliff is not aligned with the residential character or an acceptable scale of / for the area; the proposal reflects an over-developed site. A scaled down development generally aligned with the objectives of the Overstrand Municipality's town planning principles and parameters can be supported.

The essence is that the density is too high resulting to a misalignment of the character and scale causing an unacceptable urban environmental situation in terms of urban design, noise and potential noise, privacy, sunlight, light and shadow situations.

2. Application Background and Analyses:

Application is made for the following:

Rezoning from General residential Zone 1 to General Residential Zone 2 

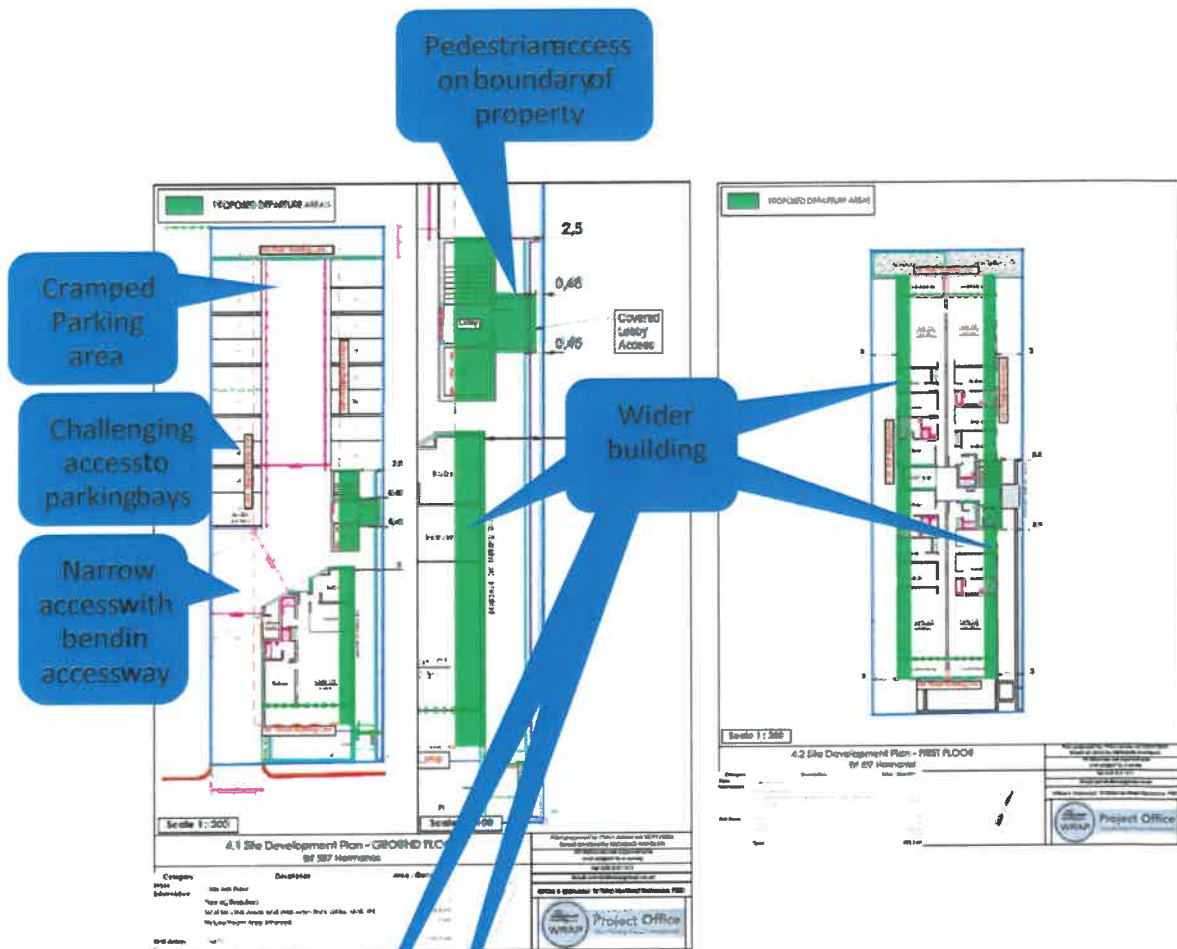
Building line departures for the following:

- Eastern building line for different purposes **from 4,5m to 2,5m, 0.46m and 3 m**
- Western building line from 4,5m to 2.79 to 3 m ○
- Rear building line from 3m to 2m for roof overhang ○
- Street building line from 4m to 3,8m for roof overhang

Deviate from development parameters applicable to General Residential 3 from 3000m² to 980m² and also from the maximum density allowed to accommodate 91 , 8 dwelling units per hectare

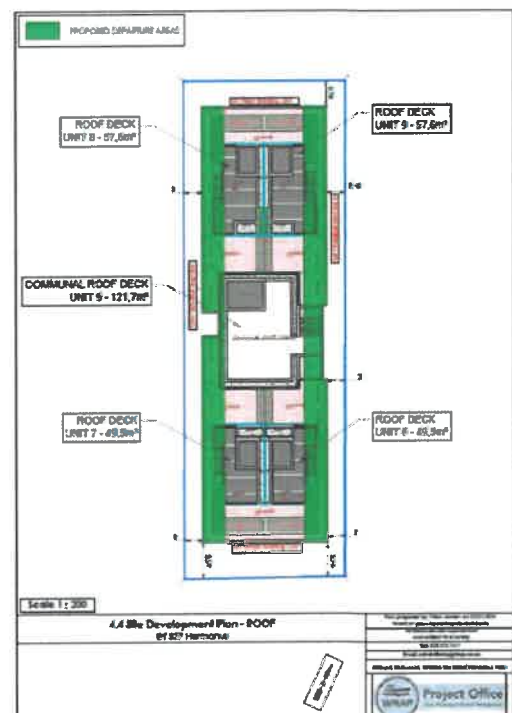
Consent Use to accommodate tourist accommodation on the property

The building line departures are illustrated in the following sketches:



Throughout the Application report, numerous statements are made of “carefully designed”, “in harmony”, “carefully planned”, “well planned”, “beneficial”, “carefully considered”, “carefully assessed”, “carefully positioned”, “well considered”, “measures being implemented”, “minimise impact” and more without providing evidence of proof thereof. These statements lack evidence and need to be substantiated.

On page 12 of the motivation report it is written “The application to exceed the prescribed density limit is not an attempt to over-develop the site, but rather a considered response to a range of planning, economy and special factors that support more intensive use of well-located land.



The lack of evidence results to empty unconvincing and far-fetching statements.

A development in this urban environmentally sensitive location and nature requires clear scientific proof and evidence of harmonious integration (urban design) within the existing and future urban area as well as the adjacent seascape to complement this area.

Saying the above, we as owners are of the opinion that this proposal reflects an insensitive overdevelopment not aligned with / not complimenting the existing and anticipated future of this urban precinct of Hermanus.

3. Response to the application

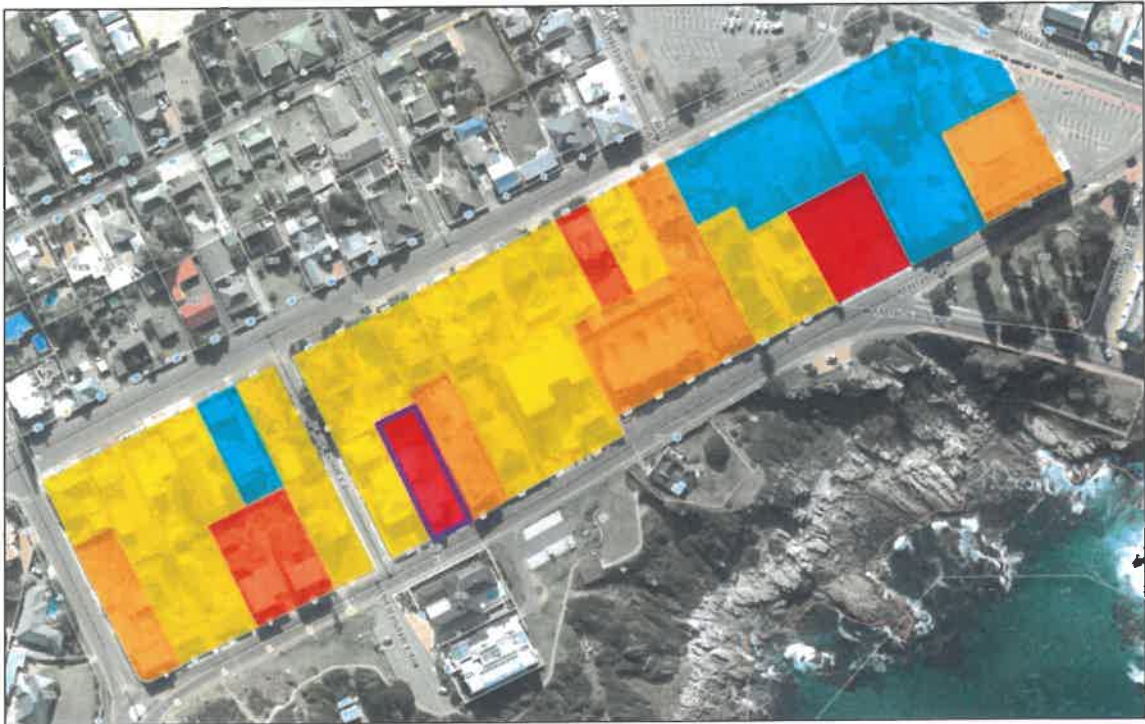
a. Density

The following density analysis sketch on the next page illustrates the inappropriate density proposal of the proposed development (* based on own survey / density assumption and interpretations were made on hotel rooms to obtain consequent measures):

The application area is considered an area of urban transition. The proposal with a density of 91 du/ha is substantially higher than the average density of this Marine Drive development block currently only being 32.5 du/ha.

The comparisons shown in the applicants' report does not form part of the precinct and therefore not considered to be relevant and justified.

The building line departures, deviations applications in terms of density and the prescribed area for General Residential 3 development are the main reasons resulting towards such inappropriate over development of the application site.



Density of individual developments within the application area	0-25du/ha	26-50du/ha	51-75du/ha	75du/ha +	Non-residential uses
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Average density of developments within the street blocks	0-25du/ha	26-50du/ha	75 du/ha +
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b. Deviations

Application is inter alia made for a departure to deviate from the minimum erf size of 3000m² to 980 m².

The objective / reason for the prescribed minimum size of 3000m² in terms of Overstrand Municipal Planning By-Law is to ensure pragmatic functional and workable developments and subsequently also ensuring retaining the character of areas in general.

Even though there are some General Residential zoned properties in the vicinity of the application site which does not comply with the minimum size, it contributes towards an unacceptable development trends, working against the objective of this parameter. The motivation used of existing precedents are not acceptable; it deprives the meaning and objective of this parameter.

This requirement in principle should be enforced to ensure functional pragmatic developments to secure proper functional developments providing for uses and activities such as traffic manoeuvring, recreation, domestic uses such as washing lines, refuse and storage areas and retaining the character of the area.

Given the fact that the property is substantially smaller than the required 3000m² and therefore the proposal should be scaled down in accordance with the development parameter to align with the character of the precinct's existing and future developments.

c. On-site Parking and vehicular movement

Contrary to the motivation in the application report it is clear that the proposal is not optimal functional by accommodating 9 dwelling units on a property of less than 1000 m² and therefore 18 parking bays area required.

The vehicular movement is restricted with a two-way ingress and egress of only a 5m wide. This access is worsened with a bend in the ingress and egress way.

No proof is provided with vehicular tracking nor a traffic report that the parking proposal is practically workable.

It should be realised that 18 vehicles need to obtain ingress and egress and manoeuvre within an area of approximately 700m². The area proposed between the parking bays, even though wider than normal parking bays, is 7m but in terms of the Overstrand Municipality's engineering norms for perpendicular parking should be 7,5m.

It is noted that some of the parking bays can only be accessed via multiple movement, a result of a sub-standard available space for parking.

It can be concluded that the on-site traffic, an essential part of the proposed development, is cramped and not ideal, which is considered *inter alia* the result of an “over developed” site.

Such non-desirable parking areas in an area like this is also likely to cause potential noise, smell and air pollution because of the parking being right on the boundary of the property. In such not-ideal access and parking layout hooting, noise from tyres when manoeuvring and air and smell pollution can be expected, impacting negatively on neighbouring properties.

d. Building Line Departures:

The next matter proving that the proposed development is over developed are the number of building line departures.

These departures create the opportunity to increase the number of dwelling units.

Within the Overstrand Municipality the general norm is that departures are not supported on vacant land or where sufficient space is available to accommodate the subject land-use.

In this instance building line departures are applied for on all four boundaries which is subsequently not aligned with these principles in terms of the land-use management of the Overstrand Municipality’s Planning By-Law.

It is acknowledged that responsible and sensitive densification is encouraged through the relevant spatial policies; however, this is not considered to be relevant on this application site where it is clear that the intent of these departures are merely to increase the number of units.

It is also acknowledged that even with the applicable zoning building lines there will be an impact on adjacent properties, however the impacts of the departures will worsen it from visual, privacy, overshadowing, light and noise perspective.

Notwithstanding the above, the applicant briefly deals with the impact of views, sunlight and character of the area but lacks information / facts of the real impact of these aspects on the adjacent properties

A matter not covered in the application report is the potential impact of sound / noise on the adjacent properties taking into consideration of a high density building on a relatively small premises being so close to adjacent buildings and properties and also to be used for tourism purposes.

The importance of developing in accordance with the town planning development parameters contributes towards the mitigation of such factors in an area where responsible densification is encouraged and not “over” densification.

e. Urban Design

The application lacks a comprehensive urban design study for the area to guide appropriate collaborative development of this precinct. The following definition from the City of Cape Town’s Urban Design policy provides a good indication of the need for such in this application?

“Urban design is the collaborative and multi-disciplinary process of shaping the physical setting for life in cities, towns and villages; the art of making places; design in an urban context. Urban design involves the design of buildings, groups of buildings, spaces and landscapes and the establishment of frameworks and processes that facilitates successful development.” Urban Design Group UK, 2011

In the motivation report repeatedly, mention is made of “thoughtful design” but lacks information and evidence and appears to be merely as contentless wording. No evidence or proof in general is provided of such “thoughtful design” statements.

The impression exist that this is an isolated proposal without considering the real impact on adjacent properties or the area.

In summary, the need for urban design is required inter alia in the form of a precinct plan for this precious and valued part of Hermanus.

Such urban design precinct plan should likely also address responsible and acceptable densification and integration of the existing and desired developing urban fabric of the area.

f. General motivation

In the subject motivation, mention is made of housing shortages being generally nonconvincing generalised statements. To justify and provide proof, a market study for the specific housing proposed should be drawn up as proof of these statements.

The open space being applied for is not consistent with the Overstrand’s amended Municipal Planning By-Law being “one functional space”, thus a departure of this parameter should also have been applied for. Two spaces are proposed and the proposal lacks information on what it is actually proposed and what the impact thereof will be on the adjacent properties.

The proposal of these open space areas on the rooftop is considered, in addition to the departures being applied for, the product of over-development.

4. Synthesis

The proposal for the application site is evidently over maximized.

The application area is within developing development street block (precinct), but the density of the proposed development is almost double the current average density. The objectives of the planning criteria in terms of minimum spatial area for General Residential erven are disregarded in this application.

The proposed building line departures contributes to the over-development of the application site and will have material negative impact on the adjacent properties.

The proposal to accommodate 18 vehicles on approximately two-thirds of this property of 980m² with a 5m wide two-way access and egress is questioned and the impact of such layout on the adjacent properties in terms of pollution should be addressed.

The application lacks an urban design study (precinct plan) to ensure that the character of the area is accordingly dealt with to secure place-making developments and to guide the future developing character of the area into a desired scale and development.

5. Conclusion

The need and desirability of this application is not proven

The applications made for Erf 537 Westcliff is not aligned with the current character of the area and the impact on the adjacent properties are not satisfactorily addressed. The application should be aligned with the current Overstrand Municipal Planning By-Law parameters inter alia serving as development guideline to retain and enhance the character of the area and the town and should also be supported by a scientific compiled urban design study and subsequent precinct plan.

6. Recommendation

The applications made for Erf 537 Westcliff is objected to subject to the reduction of the number of units not exceeding five (5) dwelling units, proven functional parking and supported by an urban design and precinct plan.

Regards

A handwritten signature in black ink, appearing to read 'Christof Kuhnle Albertyn', written in a cursive style.

Christof Kuhnle Albertyn Id no 580611 5099 082

Chairman of the Body Corporate representing all owners of
17 Marine Drive, Hermanus, 7200.

Cell 082 572 2844

christofarch@gmail.com

LJUBLJANA TRUST IT696/2005

17 Marine Drive Hermanus 7200
Cell 082 572 2844 christofarch@gmail.com

Department of Town Planning
Overstrand Municipality
16 Paterson Street
Hermanus
Attention: alida@overstrand.gov.za

14 April 2026

OBJECTION TO REZONING, DEPARTURE AND CONSENT USE APPLICATION
ERF 537, 15 MARINE DRIVE, HERMANUS,(NOTICE 44/2026)

- (See **Detail Report** attached)
- 1. We object to the relaxation of all the building lines as set out in the application referred to above. These include reductions from 4,5 m to as little as 0,46 m, which will adversely affect our privacy.
- 2. We also object to the relaxation specifically of the eastern lateral building line from 4,5 m to 2,0 m and 2,16 m for the roof overhang on that side, because this will cut off the sun and natural light on the western side of our building.
- 3. We object to the application to deviate from the Overberg Municipality Zoning Scheme development parameters necessitating a site measuring 3 000 sq m to build the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare (9 units), instead of the current 980 sq m, allowing only 4,9 units. The oversized bulking on Erf 537 will adversely affect the small-scale residential character of the surrounding properties.
- 4. We object to the extra traffic created by the proposed 18 vehicles on such a small site which will generate high noise levels and cause danger to passing vehicles and pedestrians in the vicinity of our property.
- 5. We object to the proposed rooftop terrace overlooking our premises which will detract from the habitability and privacy of our property.
- 6. We object to the lack of landscaping and open areas in the proposal, as required by the Overstrand Zoning Scheme – this will impact negatively on the Hermanus local Marine Drive character.
- 7. We object against the 4,5 m deep excavation of the basement parking – this having a probable damaging effect to the existing boundary wall, land and landscaping of 17 Marine Drive.

Kind regards

Christof Kuhnle Albertyn Id no 580611 5099 082
Trustee: Ljubljana Trust
Owner of unit 202 and 103, 17 Marine Drive, Hermanus, 7200
Email: christofarch@gmail.com Cell: 082 572 2844.

Directorate: Planning & Development
Overstrand Municipality
P.O Box 20 ,
Hermanus,
7200

Per Email- Alida@overstrand.gov.za

ERF 573, 15 MARINE DRIVE WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING, DEPARTURE AND CONSENT USE

Your application notice for Erf 537 Westcliff refers.

1. Introduction

This objection is made from a neighbour's perspective; and therefore, raised from a perspective of the impact of the proposed development on ours.

A development aligned with the residential character and scale of the area will be supported.

However, the proposed development on Erf 537 Westcliff is not aligned with the residential character or an acceptable scale of / for the area; the proposal reflects an over-developed site. A scaled down development generally aligned with the objectives of the Overstrand Municipality's town planning principles and parameters can be supported.

The essence is that the density is too high resulting to a misalignment of the character and scale causing an unacceptable urban environmental situation in terms of urban design, noise and potential noise, privacy, sunlight, light and shadow situations.

2. Application Background and Analyses:

Application is made for the following:

Rezoning from General residential Zone 1 to General Residential Zone 2 ☐

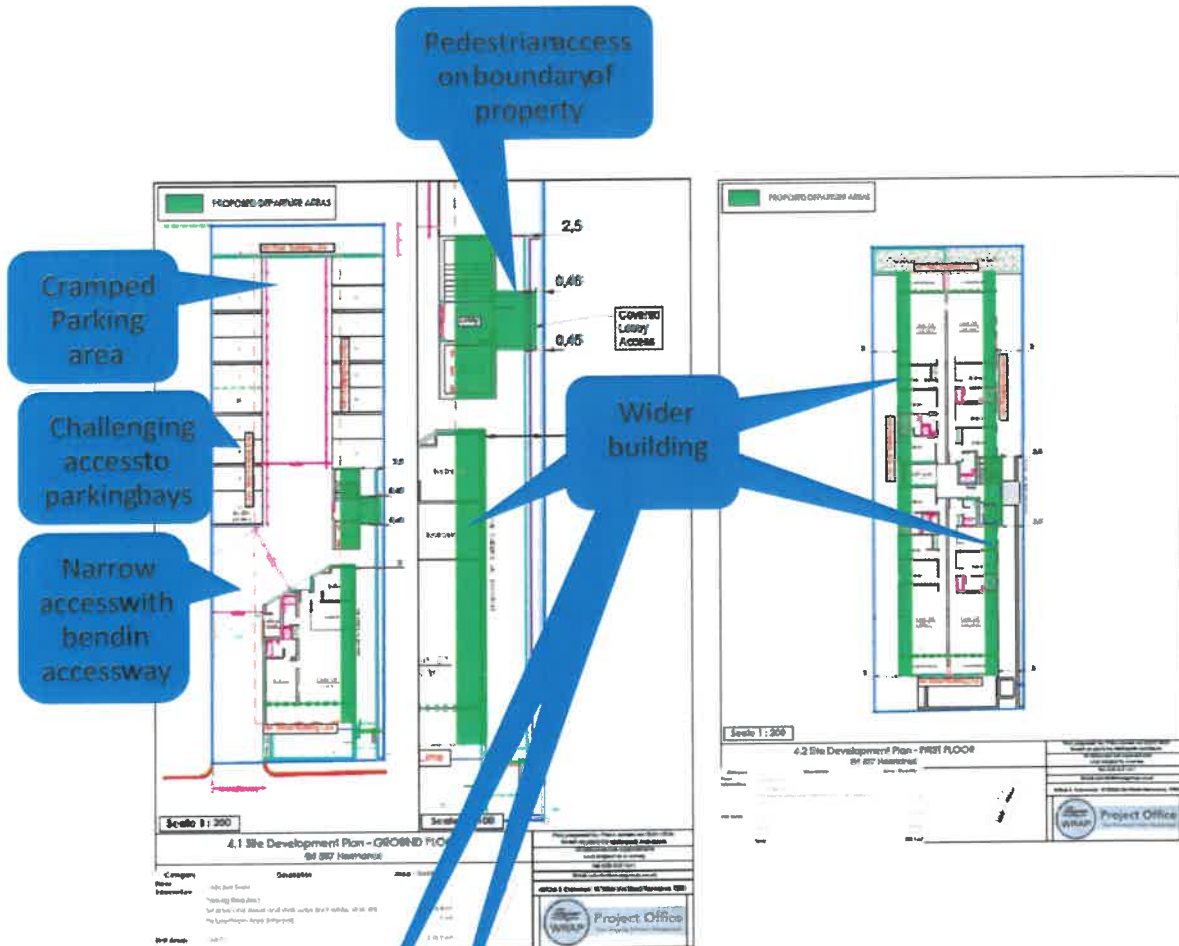
Building line departures for the following:

- Eastern building line for different purposes **from** 4,5m **to** 2,5m, 0.46m and 3 m
- Western building line from 4,5m to 2.79 to 3 m ○
- Rear building line from 3m to 2m for roof overhang ○
- Street building line from 4m to 3,8m for roof overhang

Deviate from development parameters applicable to General Residential 3 from 3000m² to 980m² and also from the maximum density allowed to accommodate 91 , 8 dwelling units per hectare

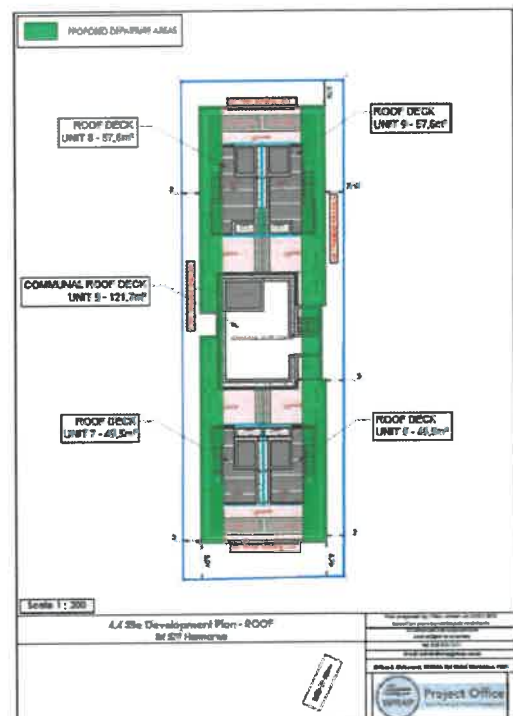
Consent Use to accommodate tourist accommodation on the property

The building line departures are illustrated in the following sketches:



Throughout the Application report, numerous statements are made of “carefully designed”, “in harmony”, “carefully planned”, “well planned”, “beneficial”, “carefully considered”, “carefully assessed”, “carefully positioned”, “well considered”, “measures being implemented”, “minimise impact” and more without providing evidence of proof thereof. These statements lack evidence and need to be substantiated.

On page 12 of the motivation report it is written “The application to exceed the prescribed density limit is not an attempt to over-develop the site, but rather a considered response to a range of planning, economy and special factors that support more intensive use of well-located land.



The lack of evidence results to empty unconvincing and far-fetching statements.

A development in this urban environmentally sensitive location and nature requires clear scientific proof and evidence of harmonious integration (urban design) within the existing and future urban area as well as the adjacent seascape to complement this area.

Saying the above, we as owners are of the opinion that this proposal reflects an insensitive overdevelopment not aligned with / not complimenting the existing and anticipated future of this urban precinct of Hermanus.

3. Response to the application

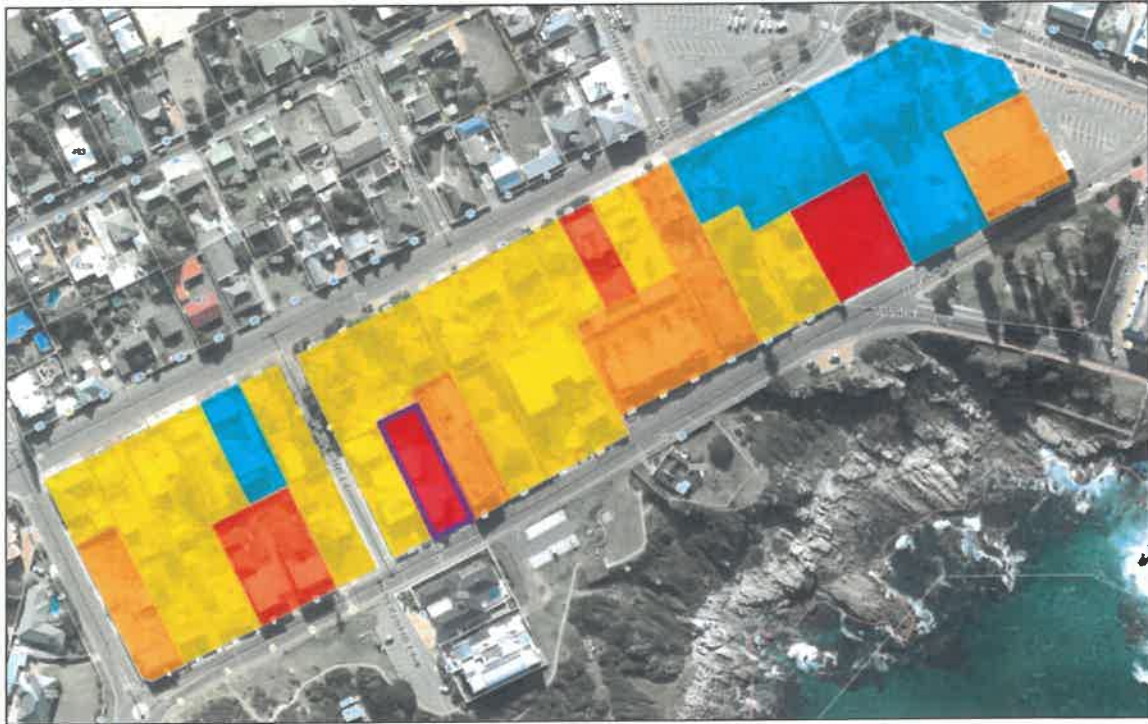
a. Density

The following density analysis sketch on the next page illustrates the inappropriate density proposal of the proposed development (* based on own survey / density assumption and interpretations were made on hotel rooms to obtain consequent measures):

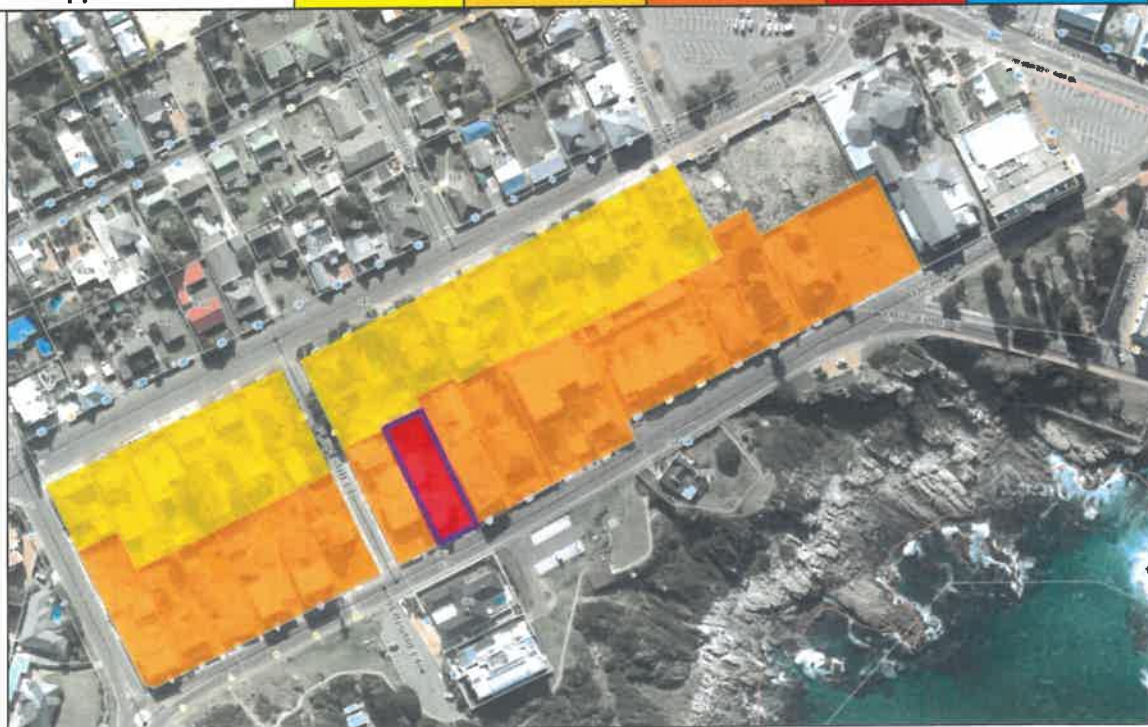
The application area is considered an area of urban transition. The proposal with a density of 91 du/ha is substantially higher than the average density of this Marine Drive development block currently only being 32.5 du/ha.

The comparisons shown in the applicants' report does not form part of the precinct and therefore not considered to be relevant and justified.

The building line departures, deviations applications in terms of density and the prescribed area for General Residential 3 development are the main reasons resulting towards such inappropriate over development of the application site.



Density of individual developments within the application area	0-25du/ha	26-50du/ha	51-75du/ha	75du/ha	Non-residential uses
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Average density of developments within the street blocks	0-25du/ha	26-50du/ha	75 du/ha +
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b. Deviations

Application is inter alia made for a departure to deviate from the minimum erf size of 3000m² to 980 m².

The objective / reason for the prescribed minimum size of 3000m² in terms of Overstrand Municipal Planning By-Law is to ensure pragmatic functional and workable developments and subsequently also ensuring retaining the character of areas in general.

Even though there are some General Residential zoned properties in the vicinity of the application site which does not comply with the minimum size, it contributes towards an unacceptable development trends, working against the objective of this parameter. The motivation used of existing precedents are not acceptable; it deprives the meaning and objective of this parameter.

This requirement in principle should be enforced to ensure functional pragmatic developments to secure proper functional developments providing for uses and activities such as traffic manoeuvring, recreation, domestic uses such as washing lines, refuse and storage areas and retaining the character of the area.

Given the fact that the property is substantially smaller than the required 3000m² and therefore the proposal should be scaled down in accordance with the development parameter to align with the character of the precinct's existing and future developments.

c. On-site Parking and vehicular movement

Contrary to the motivation in the application report it is clear that the proposal is not optimal functional by accommodating 9 dwelling units on a property of less than 1000 m² and therefore 18 parking bays area required.

The vehicular movement is restricted with a two-way ingress and egress of only a 5m wide. This access is worsened with a bend in the ingress and egress way.

No proof is provided with vehicular tracking nor a traffic report that the parking proposal is practically workable.

It should be realised that 18 vehicles need to obtain ingress and egress and manoeuvre within an area of approximately 700m². The area proposed between the parking bays, even though wider than normal parking bays, is 7m but in terms of the Overstrand Municipality's engineering norms for perpendicular parking should be 7,5m.

It is noted that some of the parking bays can only be accessed via multiple movement, a result of a sub-standard available space for parking.

It can be concluded that the on-site traffic, an essential part of the proposed development, is cramped and not ideal, which is considered *inter alia* the result of an “over developed” site.

Such non-desirable parking areas in an area like this is also likely to cause potential noise, smell and air pollution because of the parking being right on the boundary of the property. In such not-ideal access and parking layout hooting, noise from tyres when manoeuvring and air and smell pollution can be expected, impacting negatively on neighbouring properties.

d. Building Line Departures:

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These departures create the opportunity to increase the number of dwelling units.

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In this instance building line departures are applied for on all four boundaries which is subsequently not aligned with these principles in terms of the land-use management of the Overstrand Municipality’s Planning By-Law.

It is acknowledged that responsible and sensitive densification is encouraged through the relevant spatial policies; however, this is not considered to be relevant on this application site where it is clear that the intent of these departures are merely to increase the number of units.

It is also acknowledged that even with the applicable zoning building lines there will be an impact on adjacent properties, however the impacts of the departures will worsen it from visual, privacy, overshadowing, light and noise perspective.

Notwithstanding the above, the applicant briefly deals with the impact of views, sunlight and character of the area but lacks information / facts of the real impact of these aspects on the adjacent properties

A matter not covered in the application report is the potential impact of sound / noise on the adjacent properties taking into consideration of a high density building on a relatively small premises being so close to adjacent buildings and properties and also to be used for tourism purposes.

The importance of developing in accordance with the town planning development parameters contributes towards the mitigation of such factors in an area where responsible densification is encouraged and not “over” densification.

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In summary, the need for urban design is required inter alia in the form of a precinct plan for this precious and valued part of Hermanus.

Such urban design precinct plan should likely also address responsible and acceptable densification and integration of the existing and desired developing urban fabric of the area.

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In the subject motivation, mention is made of housing shortages being generally nonconvincing generalised statements. To justify and provide proof, a market study for the specific housing proposed should be drawn up as proof of these statements.

The open space being applied for is not consistent with the Overstrand’s amended Municipal Planning By-Law being “one functional space”, thus a departure of this parameter should also have been applied for. Two spaces are proposed and the proposal lacks information on what it is actually proposed and what the impact thereof will be on the adjacent properties.

The proposal of these open space areas on the rooftop is considered, in addition to the departures being applied for, the product of over-development.

4. Synthesis

The proposal for the application site is evidently over maximized.

The application area is within developing development street block (precinct), but the density of the proposed development is almost double the current average density. The objectives of the planning criteria in terms of minimum spatial area for General Residential erven are disregarded in this application.

The proposed building line departures contributes to the over-development of the application site and will have material negative impact on the adjacent properties.

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The application lacks an urban design study (precinct plan) to ensure that the character of the area is accordingly dealt with to secure place-making developments and to guide the future developing character of the area into a desired scale and development.

5. Conclusion

The need and desirability of this application is not proven

The applications made for Erf 537 Westcliff is not aligned with the current character of the area and the impact on the adjacent properties are not satisfactorily addressed. The application should be aligned with the current Overstrand Municipal Planning By-Law parameters inter alia serving as development guideline to retain and enhance the character of the area and the town and should also be supported by a scientific compiled urban design study and subsequent precinct plan.

6. Recommendation

The applications made for Erf 537 Westcliff is objected to subject to the reduction of the number of units not exceeding five (5) dwelling units, proven functional parking and supported by an urban design and precinct plan.

Regards



Christof Kuhnle Albertyn Id no 580611 5099 082

Trustee: Ljubljana Trust; owner of unit 202 and unit 103.

17 Marine Drive, Hermanus, 7200.

Cell 082 572 2844

christofarch@gmail.com

Dipl.-Betriebswirt
OTTO LEISTNER
Wirtschaftsprüfer, Steuerberater

Jägerweg 6
61389 Schmitten-Dorfweil

ERF 537, 15 MARINE DRIVE, HERMANUS (NOTICE 44/2026)

I am the owner of a 3-bedroom apartment in the two-storey building at 17 Marine Drive and therefore a direct neighbour of the proposed development on Erf 537. The planning application for this building significantly affects my property rights and, if implemented, would result in considerable economic disadvantages for me due to the requested deviations from building lines, the extremely high building density and the associated impacts. Please allow me to present my objections to this intensive development as follows:

1. I object to the non-compliance with all building lines applicable to Marine Drive as set out in the application for Erf 537. According to this, the existing building lines of 4.5 m are to be reduced to as little as 0.46 m and effectively disregarded, which will negatively affect our property by restricting access to sunlight and natural light and impairing air circulation between the buildings. Erf 537 is an undeveloped plot, meaning there is no existing structure that needs to be taken into account. The planned building is too large for a plot of 980 square metres. In order to realise the project, all building lines are to be exceeded in accordance with the application to maximise profit from the sale of the property at the expense of neighbours and the streetscape. Building lines serve to ensure compliance with building regulations and, importantly, to protect the rights of owners and residents of neighbouring properties and to maintain a harmonious streetscape. The requested deviations are excessive and undermine the purpose of building lines, particularly the protection of privacy, the limitation of noise and excessive activity, as well as the prevention of overshadowing and ensuring sufficient daylight. Compliance with building regulations is also essential for fire safety and accessibility in the event of a fire. This aspect is not adequately addressed in the present application. For an undeveloped plot, building regulations, especially building lines, must be adhered to. It is evident that the applicant intends to deliberately disregard the applicable rules in order to maximise economic benefit. The authorities in Hermanus should not allow themselves to be used for this purpose.

2. I object in particular to the reduction of the eastern lateral building line from 4.5 m to 2.0 m and to 2.16 m for the roof overhang on that side. My apartment is located directly opposite the second floor of the planned building and will be directly affected. The level of overshadowing would be extreme, and sunlight would no longer reach my rooms. Furthermore, due to the close proximity of the new building, strong wind tunnels between the buildings are to be expected. The application claims there will be no impact on neighbouring properties, but no evidence is provided. In addition, a recreational/entertainment area is planned on the roof, which will further infringe on our privacy. Hermanus already offers many excellent recreational and open spaces, so the necessity of such a rooftop facility is questionable. The use of the roof will increase noise levels affecting neighbouring properties. The greening of the roof appears to be intended to

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meet the required 10% green/open space requirement, which cannot be achieved on the ground due to the intensive development. It is questionable whether this should be approved.

3. I object to the application to deviate from the development parameters of the Overberg Municipality Zoning Scheme, which require 3,000 sq m to achieve the maximum density of 91.8 dwelling units per hectare (9 units), instead of the current 980 sq m allowing only 4.9 units. This will permanently alter the residential character of the surrounding properties due to the oversized development on Erf 537. This over-densification is the reason for the near-complete removal of building lines and the relocation of required open spaces to the roof. Reference is made to a comparable property, which is in fact larger than Erf 537 (1,200 sq m) and contains only 6 units. References to larger buildings in other parts of Hermanus are not relevant.

4. I object to the additional traffic generated by the proposed 18 vehicles on such a small site, which will lead to increased noise levels and pose a danger to passing vehicles and pedestrians in the vicinity of our property.

5. I object to the proposed rooftop terrace with overlooking potential, as this will negatively affect the liveability and privacy of our property.

6. I object to the lack of landscaping and open spaces in the proposal, as required by the Overstrand Zoning Scheme, which will negatively impact the character of the area.

7. I object to the planned 4.5 m deep excavation for basement parking, as this is likely to have damaging effects on our existing boundary wall, the land and our landscaping.

8. Summary

I object to all departures in the application relating to relaxation of building lines.

I object to the application to depart from the prescribed development parameters from 3000 sq.m. to 980 sq.m. and deviate from the maximum density allowed to be able to build 9 units.



object to the roof development as a recreational/entertainment area with the suggested relaxation of the associated building lines.

As stated before, the property is an open space and there should be no justifiable reason for these cumulative departures. A building can be designed to fit in with all the Building Regulations and By-Laws. This is a 980sq.m erf which is usually fit for a single dwelling and not a development that is an attempt to rewrite the zoning scheme for a single erf. Overstrand Municipality must apply its By-Laws for orderly development of land; neighbouring property rights need to be protected.

Signed at Hermanus on 15/04/2026.

Kind regards

Otto Leistner



Owner of unit 101, 17 Marine Drive, Hermanus

Address:

Karl Otto Leistner

Jaegerweg 6

61389 Schmitten (Germany)

e-mail: o.leistner@lew-stb.de

HENREN TRUST
(IT2407/2004)

To: Overstrand Municipality.
Dept. Town Planning.
16 Paterson Street.
Hermanus.
Attention alida@overstrand.gov.za

From: Henren Trust
Unit 104
17 Marine Drive
Hermanus

Application notice for Erf 537 Westcliff Hermanus.

The Trustees of the Henren Trust strongly object against the relaxing of all building lines as indicated on the application notice of Erf 537 Westcliff Hermanus.
Erf 537 is an open erf and the building lines as currently indicated should be honoured and the rights of the neighbouring owners should be respected. We also object to the application of planning to build 9 units instead of the allowed 5 units on this small erf of 980sq.m.

We strongly object against the relaxation of the building lines for the roof overhang. - light shadow impact.

We strongly object to the recreational use of the roof. - noise pollution

All of the above mentioned will have an impact on our privacy and take away light and direct sunlight of the garden and our unit.

Inappropriate Densification will have a negative visual impact as well as a noise and traffic impact on the current character of the area.

The application made for erf 537 Westcliff is not aligned with the current character of the area and should be aligned with the current Overstrand Municipal Planning By-Law parameters.

Trustees of Henren Trust



C.Snyman
Id; 5908250113080
Address; 17 Marine drive, Hermanus
Email: corneliasnyman@mweb.co.za



A.J.R.Smook
Id; 8501195070080
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H.D.Smook
Id; 8612025243084
Address; 2 Weijlandtzicht, D'Urbanville, Cape Town
Email; henk@digitalbrother.co.za

Signed on the 13th of April 2026

To: Overstrand Municipality
 Dept. Town Planning
 16 Paterson Street
 Hermanus.
 Attention: alida@overstrand.gov.za

From: MW & C Snyman
 Unit 201 17 Marine
 17 Marine Drive
 Hermanus

7 April 2026

Objection to rezoning, departure and consent use application - ERF 537, 15 Marine Drive, Hermanus (Notice 44/2026).

We are the joint owners of the above property Unit 201, 17 Marine Drive. This unit is part of the development 17 Marine on the neighbouring Erf 542 and is located directly opposite the eastern border of the planned development of the applicant on Erf 537. This application materially impacts our property rights with its application for departure of multiple and substantial changes to building lines and its over densification of its planned development. We wish to make the following objections.

1. We object to the relaxing of all the building lines as set out in their application. These include reductions from 4,5m to as little as 0,46m. It is important to note that Erf 537 is an empty stand without any remaining buildings. They have designed a building that is basically too large for the erf of 980 sq.m. and in doing so, they now want to override all the building lines, as set out in the by-laws, to be able to fit the building on the erf. This is a completely different situation to an erf that contains a building and minor building line adjustments have to be made to fit in an additional dwelling. Building lines are by-laws and are set out for a reason and that is to conform building regulations and importantly also to respect the rights of owners and inhabitants of neighbouring dwellings. The departures are excessive and undermine the purpose of building lines, which include protection of privacy, increased noise and activity levels, overshadowing and reduced natural light and sun light, fire safety separation and encroaching of space. On an empty stand building lines should be respected and a building can be designed to fit these specifications. It is obvious that the applicant wishes to extract the maximum profit out of this development by exceeding building specifications.
2. We also object to the relaxation specifically of the eastern lateral building line from 4,5m. to 2,0m. and 2,16m. for the roof overhang on that side. Our unit is located directly opposite on our 3rd floor and will be directly affected by this intrusion on our space and privacy and overshadowing with decreased natural light and sunlight. In their application they state that there will be no impact on neighbouring properties, but this is not substantiated by facts, as they have done no studies to prove this. They are also planning to build a so called recreational/entertainment area on the roof for the use of residents and short term tenants. This will lead to further loss of our privacy with people being able to look down through our windows directly into our unit. Again they state that this will not be possible, but the problem is that we will only find out after the development is completed and then it will be too late. The recreational use of the roof will also lead to further increase in noise and activity levels. Shifting the regulated 10% recreational/garden area to the roof is again just a mechanism to be able to fit in a larger development on this small erf.
3. We object to the application to deviate from the prescribed development parameters from 3000sq.m. to 980sq.m. and deviate from the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare. This would allow them to build 9 units, whereas they would only be able to build 4,9 units on an erf of 980sq.m. This over densification is again the reason they need to relax all the building lines and shift the recreational/green area to the roof. To try and justify this, they state that it is to "optimise the site's potential, exceptional views and character". The real reason again is that they want to extract the most commercial gain out of the development. They also state that "a similar size property adjacent supports their case". This refers to our property which in fact is not similar. It is larger (1200sq.m.) and only has 6 units. They also refer to other larger buildings, but these are in other areas in the CBD and are not similar.

msb C.S.

4. Consent use: Tourist accommodation

We accept that short term letting is allowed in a sectional title scheme. This is one of the main reasons why most units in a development are bought by investors to make a return on their investment through Airbnb type letting. The applicant states that their development will improve the housing shortage in Hermanus. This is obviously a fallacy. Investors buying for short term letting, do not do this. It is seldom that these developments are bought for use by permanent residents and the shortage of houses is not in this price class. As seen in Cape Town, Airbnb is decreasing availability and driving up the rent for long term rentals and pushing up the price of homes to unaffordable levels. The fact that the applicant is seeking consent for tourism accommodation indicates that short term rental will be a prominent selling point in their marketing. If 9 units were to be built with 18 parking bays and used mostly for tourism accommodation, there would be a massive increase in noise and activity levels with intrusion of our privacy. The applicant states that this can be controlled with conduct rules. Short term tenants that come for 2 or 3 days have no regard for conduct rules. They come to party! Traffic volumes will also increase with up to 18 cars at a time moving in and out. This is therefor another reason not to allow over densification on this small property.

5. General comments.

In their application the developers try to justify their rezoning and departures with descriptive terms that do not add any value or reason for this application to succeed. These are terms mostly used in marketing and should not contribute or influence the Municipality's decision on the merits of the application. There is a long-standing principle in law known as sales puffery, referring to promotional language expressing opinion and not facts. Their statements such as "departures will have minimal impact on neighbouring properties"; "ensure adequate sunlight and privacy"; the roof development "will not result in overlooking, loss of privacy or overshadowing"; reason for deviation from maximum density allowed to accommodate 9 units "to optimise site's potential, exceptional views and character". These are examples of sales puffery which are based on the applicants opinion and not facts. The problem is that if they would be able to build their development according to their application, the affected neighbours will have no further say and would have to live with the results of the relaxation of building lines and over densification of the property.

6. Summary

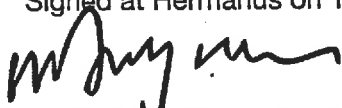
We object to all departures in the application relating to relaxation of building lines. We object to the application to depart from the prescribed development parameters from 3000 sq.m to 980 sq.m. and deviate from the maximum density allowed to be able to build 9 units.

We object to the roof development as a recreational/entertainment area with the suggested relaxation of the associated building lines.

As stated before, the property is an open space and there should be no justifiable reason for these cumulative departures. A building can be designed to fit in with all the Building Regulations and By-Laws. This is a 980sq.m erf which is usually fit for a single dwelling and not a development that is an attempt to rewrite the zoning scheme for a single erf.

Overstrand Municipality must apply its By-Laws for orderly development of land and neighbouring property rights need to be protected.

Signed at Hermanus on 10/04/2026.



Martin Witsche Snyman
Unit 201, 17 Marine Drive, Hermanus
5210315076083
mwsnyman@mweb.co.za
0825722622.



Cornelia Snyman
Unit 201, 17 Marine Drive, Hermanus
5908250113080
corneliasnyman@mweb.co.za
0836360697

	DIRECTORATE: PLANNING & DEVELOPMENT TOWN & SPATIAL PLANNING LAND USE PLANNING APPLICATION RESPONSE FORM E-mail to relevant person stipulated on the notice: loretta@overstrand.gov.za / alida@overstrand.gov.za 16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900
APPLICATION DETAILS	

Application erf number:	537	APP ID:	
How did you receive notice of the application?	Via email received from the Overstrand Municipality		

STATE YOUR INTEREST IN THE APPLICATION:

FORMAL OBJECTION TO PROPOSED THREE-STOREY DEVELOPMENT

TICK RELEVANT BOX ☒	OBJECTION ☒	COMMENT ☐	SUPPORT ☐
REASONS FOR <u>OBJECTION</u> / <u>COMMENT</u> / <u>SUPPORT</u>:			

I, the undersigned trustee of **Ben Swart FamilieTrust, (IT1627/2003)** owner of **Erf 543** hereby record my formal objection to the proposed rezoning and three-storey development on the neighbouring property Erf 537.

My objection is based on the following material planning considerations:

1. Loss of Sea Views and Amenity:

The proposed development, due to its excessive height and bulk, will materially obstruct the existing sea views currently enjoyed from my property. These views form a significant component of the residential amenity and character of my property and the surrounding area. The obstruction of these views will substantially diminish the enjoyment of my property and represent an unreasonable encroachment on established amenity rights.

2. Invasion of Privacy:

The construction of a three-storey structure will introduce direct overlooking into my property, including into private living areas, outdoor spaces, and garden areas. Such overlooking will constitute a serious invasion of privacy and will negatively affect the peaceful and reasonable enjoyment of my property.

3. Detrimental Impact on Property Value:

The loss of sea views and the invasion of privacy caused by the proposed development will have a direct and negative impact on the market value of my property. Properties in this area derive significant value from their views, outlook, and privacy. The proposed development will therefore result in material financial prejudice.

4. Overdevelopment and Incompatibility with the Area:

The scale, height, and bulk of the proposed three-storey structure appear excessive and inconsistent with the prevailing character, building scale, and spatial pattern of the surrounding neighbourhood. The development would constitute overdevelopment of the site and will adversely affect the visual character and streetscape of the area.

5. Failure to Protect Neighbouring Property Rights:

The proposed development fails to adequately consider or mitigate its impact on neighbouring properties, particularly in respect of privacy, visual intrusion, and loss of outlook. Sound planning principles require that developments respect the rights and amenities of adjoining property owners.

Considering the above concerns, I respectfully request that the relevant authority refuse approval of the proposed development, alternatively require substantial amendments to the design, height, and positioning of the building to adequately protect the rights, privacy, and amenities of neighbouring property owners.

I reserve all my rights on this matter.

Yours faithfully,

Ben Swart Familie Trust (IT1627/2003)

Erf no 543

**25 Church Street
Hermanus**

PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (PRINT)	Ben Swart	Your erf number:	543	
Company/Trust details:	Ben Swart Familie Trust (IT1627/2003)			
Postal address:	25 Church Street Hermanus			
Contact details:	Cell:	083 250 5720		
	E-mail address:	bswart@viking.co.za		
Signature:	Ben Swart		Date:	17.03.2026

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

Alida Conradie

From: anton@lastdance.co.za
Sent: Thursday, 09 April 2026 08:10
To: Alida Conradie
Subject: Objection development 15 Marine Drive

RE: Formal Objection to Proposed Apartment Development on 15 Marine Drive, Westcliff, Hermanus

To Whom It May Concern,

In principle, I have no objection to the development of the property.

However, I am writing this letter on behalf of B16 (Pty) Ltd, the owners of apartment 102, 17 Marine drive, Westcliff, Hermanus which is directly adjacent to the proposed development, and wish to formally object to the proposed scale and nature of the current application.

The proposal to construct nine (9) apartment units on this site represents a clear overdevelopment. Based on the size, character, and zoning limitations of the property, the site is not suited to accommodate more than five (5) units in a responsible and sustainable manner. The current proposal exceeds what can reasonably be supported without negatively impacting the surrounding area.

It is also concerning that the application appears to prioritize financial gain over compliance with established building regulations and planning principles. Of particular concern is the request for permission to deviate from prescribed building lines. These regulations are in place to ensure adequate spacing, privacy, safety, and visual harmony within the neighborhood, and should not be set aside lightly.

Approving such deviations might encourage similar non-compliant developments in the future, ultimately undermining the integrity of local planning controls.

In light of the above, I respectfully urge the relevant authorities to reject the application in its current form and require that any revised proposal be aligned with existing regulations and appropriate to the scale of the site.

Thank you for your consideration.

Yours faithfully,
Antonie Jacob van Zyl
For and on behalf of B16 (Pty) Ltd
28 Sedgemoor Road
Campsbay

0836408448
anton@lastdance.co.za

Alida Conradie

From: anton@lastdance.co.za
Sent: Thursday, 09 April 2026 08:07
To: Alida Conradie
Subject: 15 Marine Drive development - concern

To Whom It May Concern,

RE: Objection to Proposed Development of 15 Marine Drive, Westcliff, Hermanus

I live directly next to the proposed development site and have no objection to it. I think another attractive apartment block would be a great addition to the neighbourhood.

However, I am writing to formally object to the development at 15 Marine Drive in its current proposed state.

This proposal raises serious concerns regarding non-compliance with established building regulations. These regulations are in place to ensure responsible, sustainable development that aligns with the infrastructure capacity and planning framework of the area. Allowing a development that exceeds these limits undermines the integrity of the planning process.

Furthermore, the proposed scale and density of this project are entirely out of character with the surrounding environment. Hermanus is known for its quaint, low-density charm, which is a defining feature valued by residents and visitors alike. Increasing the number of units beyond what is permitted will inevitably alter the visual and social character of the area, leading to overcrowding, increased traffic, parking strain, and pressure on local services.

Such a development risks eroding the very qualities that make Hermanus unique and desirable. It is essential that any new development respects the existing character, scale, and planning guidelines that have been carefully established to preserve the area's identity.

I strongly urge the relevant authorities to reject this proposal in its current form and to ensure that any approved development strictly adheres to the applicable regulations and planning principles.

Thank you for considering my objection.

Yours faithfully,
Anton van Zyl
Apt 102, 17 Marine Drive
Westcliff
Hermanus

anton@lastdance.co.za
0836408448

LJUBLJANA TRUST IT696/2005

17 Marine Drive Hermanus 7200
Cell 082 572 2844 christofarch@gmail.com

Department of Town Planning
Overstrand Municipality
16 Paterson Street
Hermanus
Attention: alida@overstrand.gov.za

14 April 2026

OBJECTION TO REZONING, DEPARTURE AND CONSENT USE APPLICATION
ERF 537, 15 MARINE DRIVE, HERMANUS,(NOTICE 44/2026)

- (See **Detail Report** attached)
- 1. We object to the relaxation of all the building lines as set out in the application referred to above. These include reductions from 4,5 m to as little as 0,46 m, which will adversely affect our privacy.
- 2. We also object to the relaxation specifically of the eastern lateral building line from 4,5 m to 2,0 m and 2,16 m for the roof overhang on that side, because this will cut off the sun and natural light on the western side of our building.
- 3. We object to the application to deviate from the Overberg Municipality Zoning Scheme development parameters necessitating a site measuring 3 000 sq m to build the maximum density allowed to accommodate the proposed 91,8 dwelling units per hectare (9 units), instead of the current 980 sq m, allowing only 4,9 units. The oversized bulking on Erf 537 will adversely affect the small-scale residential character of the surrounding properties.
- 4. We object to the extra traffic created by the proposed 18 vehicles on such a small site which will generate high noise levels and cause danger to passing vehicles and pedestrians in the vicinity of our property.
- 5. We object to the proposed rooftop terrace overlooking our premises which will detract from the habitability and privacy of our property.
- 6. We object to the lack of landscaping and open areas in the proposal, as required by the Overstrand Zoning Scheme – this will impact negatively on the Hermanus local Marine Drive character.
- 7. We object against the 4,5 m deep excavation of the basement parking – this having a probable damaging effect to the existing boundary wall, land and landscaping of 17 Marine Drive.

Kind regards



Christof Kuhnle Albertyn Id no 580611 5099 082
Trustee: Ljubljana Trust
Owner of unit 202 and 103, 17 Marine Drive, Hermanus, 7200
Email: christofarch@gmail.com Cell: 082 572 2844.

Directorate: Planning & Development
Overstrand Municipality
P.O Box 20 ,
Hermanus,
7200

Per Email- Alida@overstrand.gov.za

ERF 573, 15 MARINE DRIVE WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING, DEPARTURE AND CONSENT USE

Your application notice for Erf 537 Westcliff refers.

1. Introduction

This objection is made from a neighbour's perspective; and therefore, raised from a perspective of the impact of the proposed development on ours.

A development aligned with the residential character and scale of the area will be supported.

However, the proposed development on Erf 537 Westcliff is not aligned with the residential character or an acceptable scale of / for the area; the proposal reflects an over-developed site. A scaled down development generally aligned with the objectives of the Overstrand Municipality's town planning principles and parameters can be supported.

The essence is that the density is too high resulting to a misalignment of the character and scale causing an unacceptable urban environmental situation in terms of urban design, noise and potential noise, privacy, sunlight, light and shadow situations.

2. Application Background and Analyses:

Application is made for the following:

Rezoning from General residential Zone 1 to General Residential Zone 2 ☐

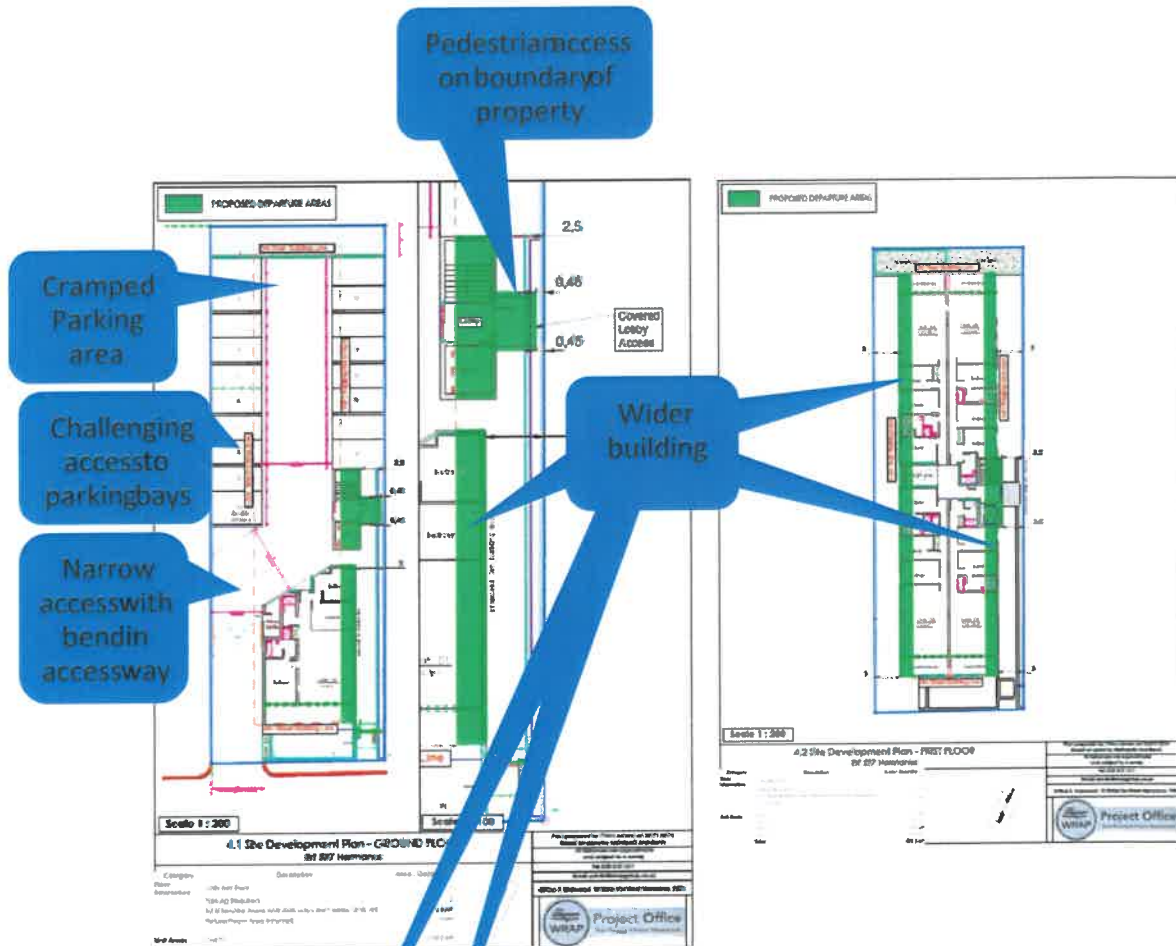
Building line departures for the following:

- Eastern building line for different purposes **from 4,5m to 2,5m, 0.46m and 3 m**
- Western building line from 4,5m to 2.79 to 3 m ○
- Rear building line from 3m to 2m for roof overhang ○
- Street building line from 4m to 3,8m for roof overhang

Deviate from development parameters applicable to General Residential 3 from 3000m² to 980m² and also from the maximum density allowed to accommodate 91 , 8 dwelling units per hectare

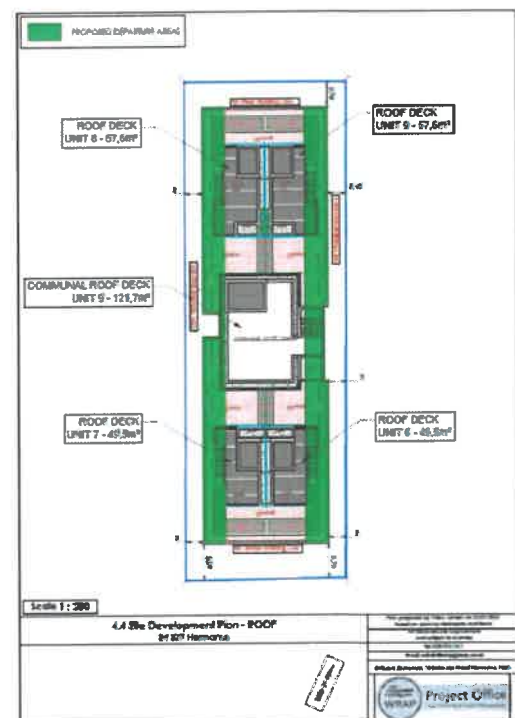
Consent Use to accommodate tourist accommodation on the property

The building line departures are illustrated in the following sketches:



Throughout the Application report, numerous statements are made of “carefully designed”, “in harmony”, “carefully planned”, “well planned”, “beneficial”, “carefully considered”, “carefully assessed”, “carefully positioned”, “well considered”, “measures being implemented”, “minimise impact” and more without providing evidence of proof thereof. These statements lack evidence and need to be substantiated.

On page 12 of the motivation report it is written “The application to exceed the prescribed density limit is not an attempt to over-develop the site, but rather a considered response to a range of planning, economy and special factors that support more intensive use of well-located land.



The lack of evidence results to empty unconvincing and far-fetching statements.

A development in this urban environmentally sensitive location and nature requires clear scientific proof and evidence of harmonious integration (urban design) within the existing and future urban area as well as the adjacent seascape to complement this area.

Saying the above, we as owners are of the opinion that this proposal reflects an insensitive overdevelopment not aligned with / not complimenting the existing and anticipated future of this urban precinct of Hermanus.

3. Response to the application

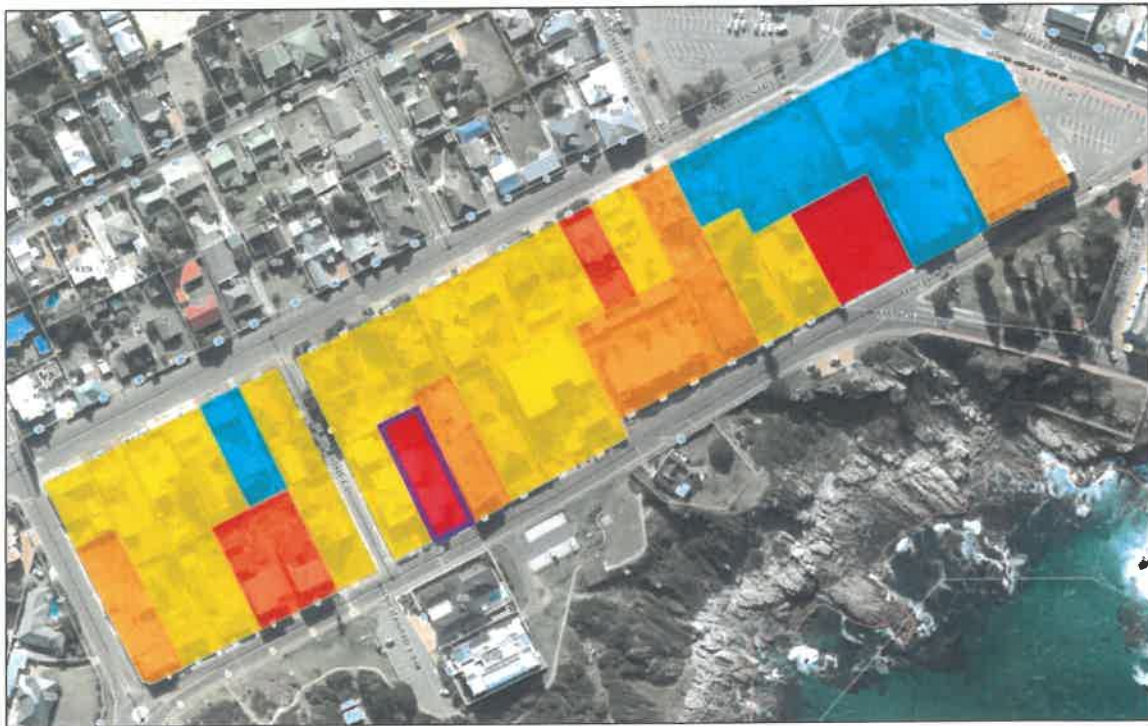
a. Density

The following density analysis sketch on the next page illustrates the inappropriate density proposal of the proposed development (* based on own survey / density assumption and interpretations were made on hotel rooms to obtain consequent measures):

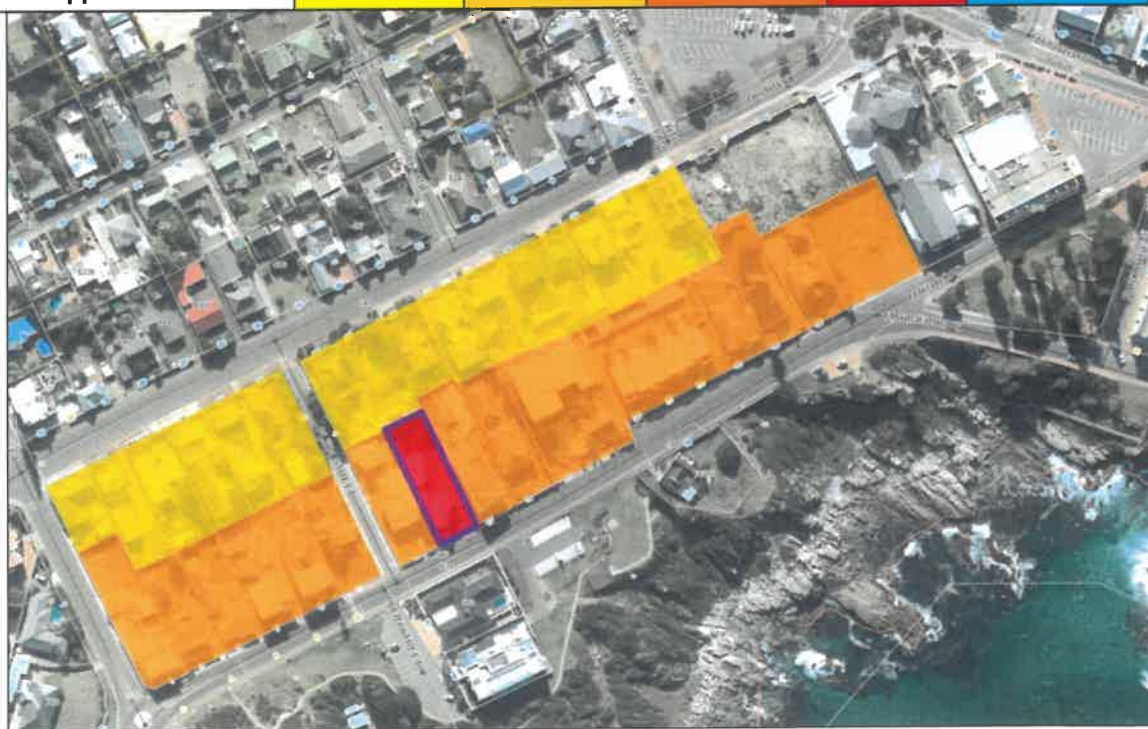
The application area is considered an area of urban transition. The proposal with a density of 91 du/ha is substantially higher than the average density of this Marine Drive development block currently only being 32.5 du/ha.

The comparisons shown in the applicants' report does not form part of the precinct and therefore not considered to be relevant and justified.

The building line departures, deviations applications in terms of density and the prescribed area for General Residential 3 development are the main reasons resulting towards such inappropriate over development of the application site.



Density of individual developments within the application area	0-25du/ha	26-50du/ha	51-75du/ha	75du/ha +	Non-residential uses
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Average density of developments within the street blocks	0-25du/ha	26-50du/ha	75 du/ha +
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b. Deviations

Application is inter alia made for a departure to deviate from the minimum erf size of 3000m² to 980 m².

The objective / reason for the prescribed minimum size of 3000m² in terms of Overstrand Municipal Planning By-Law is to ensure pragmatic functional and workable developments and subsequently also ensuring retaining the character of areas in general.

Even though there are some General Residential zoned properties in the vicinity of the application site which does not comply with the minimum size, it contributes towards an unacceptable development trends, working against the objective of this parameter. The motivation used of existing precedents are not acceptable; it deprives the meaning and objective of this parameter.

This requirement in principle should be enforced to ensure functional pragmatic developments to secure proper functional developments providing for uses and activities such as traffic manoeuvring, recreation, domestic uses such as washing lines, refuse and storage areas and retaining the character of the area.

Given the fact that the property is substantially smaller than the required 3000m² and therefore the proposal should be scaled down in accordance with the development parameter to align with the character of the precinct's existing and future developments.

c. On-site Parking and vehicular movement

Contrary to the motivation in the application report it is clear that the proposal is not optimal functional by accommodating 9 dwelling units on a property of less than 1000 m² and therefore 18 parking bays area required.

The vehicular movement is restricted with a two-way ingress and egress of only a 5m wide. This access is worsened with a bend in the ingress and egress way.

No proof is provided with vehicular tracking nor a traffic report that the parking proposal is practically workable.

It should be realised that 18 vehicles need to obtain ingress and egress and manoeuvre within an area of approximately 700m². The area proposed between the parking bays, even though wider than normal parking bays, is 7m but in terms of the Overstrand Municipality's engineering norms for perpendicular parking should be 7,5m.

It is noted that some of the parking bays can only be accessed via multiple movement, a result of a sub-standard available space for parking.

It can be concluded that the on-site traffic, an essential part of the proposed development, is cramped and not ideal, which is considered inter alia the result of an “over developed” site.

Such non-desirable parking areas in an area like this is also likely to cause potential noise, smell and air pollution because of the parking being right on the boundary of the property. In such not-ideal access and parking layout hooting, noise from tyres when manoeuvring and air and smell pollution can be expected, impacting negatively on neighbouring properties.

d. Building Line Departures:

The next matter proving that the proposed development is over developed are the number of building line departures.

These departures create the opportunity to increase the number of dwelling units.

Within the Overstrand Municipality the general norm is that departures are not supported on vacant land or where sufficient space is available to accommodate the subject land-use.

In this instance building line departures are applied for on all four boundaries which is subsequently not aligned with these principles in terms of the land-use management of the Overstrand Municipality’s Planning By-Law.

It is acknowledged that responsible and sensitive densification is encouraged through the relevant spatial policies; however, this is not considered to be relevant on this application site where it is clear that the intent of these departures are merely to increase the number of units.

It is also acknowledged that even with the applicable zoning building lines there will be an impact on adjacent properties, however the impacts of the departures will worsen it from visual, privacy, overshadowing, light and noise perspective.

Notwithstanding the above, the applicant briefly deals with the impact of views, sunlight and character of the area but lacks information / facts of the real impact of these aspects on the adjacent properties

A matter not covered in the application report is the potential impact of sound / noise on the adjacent properties taking into consideration of a high density building on a relatively small premises being so close to adjacent buildings and properties and also to be used for tourism purposes.

The importance of developing in accordance with the town planning development parameters contributes towards the mitigation of such factors in an area where responsible densification is encouraged and not “over” densification.

e. Urban Design

The application lacks a comprehensive urban design study for the area to guide appropriate collaborative development of this precinct. The following definition from the City of Cape Town’s Urban Design policy provides a good indication of the need for such in this application?

“Urban design is the collaborative and multi-disciplinary process of shaping the physical setting for life in cities, towns and villages; the art of making places; design in an urban context. Urban design involves the design of buildings, groups of buildings, spaces and landscapes and the establishment of frameworks and processes that facilitates successful development.” Urban Design Group UK, 2011

In the motivation report repeatedly, mention is made of “thoughtful design” but lacks information and evidence and appears to be merely as contentless wording. No evidence or proof in general is provided of such “thoughtful design” statements.

The impression exist that this is an isolated proposal without considering the real impact on adjacent properties or the area.

In summary, the need for urban design is required inter alia in the form of a precinct plan for this precious and valued part of Hermanus.

Such urban design precinct plan should likely also address responsible and acceptable densification and integration of the existing and desired developing urban fabric of the area.

f. General motivation

In the subject motivation, mention is made of housing shortages being generally nonconvincing generalised statements. To justify and provide proof, a market study for the specific housing proposed should be drawn up as proof of these statements.

The open space being applied for is not consistent with the Overstrand’s amended Municipal Planning By-Law being “one functional space”, thus a departure of this parameter should also have been applied for. Two spaces are proposed and the proposal lacks information on what it is actually proposed and what the impact thereof will be on the adjacent properties.

The proposal of these open space areas on the rooftop is considered, in addition to the departures being applied for, the product of over-development.

4. Synthesis

The proposal for the application site is evidently over maximized.

The application area is within developing development street block (precinct), but the density of the proposed development is almost double the current average density. The objectives of the planning criteria in terms of minimum spatial area for General Residential erven are disregarded in this application.

The proposed building line departures contributes to the over-development of the application site and will have material negative impact on the adjacent properties.

The proposal to accommodate 18 vehicles on approximately two-thirds of this property of 980m² with a 5m wide two-way access and egress is questioned and the impact of such layout on the adjacent properties in terms of pollution should be addressed.

The application lacks an urban design study (precinct plan) to ensure that the character of the area is accordingly dealt with to secure place-making developments and to guide the future developing character of the area into a desired scale and development.

5. Conclusion

The need and desirability of this application is not proven

The applications made for Erf 537 Westcliff is not aligned with the current character of the area and the impact on the adjacent properties are not satisfactorily addressed. The application should be aligned with the current Overstrand Municipal Planning By-Law parameters inter alia serving as development guideline to retain and enhance the character of the area and the town and should also be supported by a scientific compiled urban design study and subsequent precinct plan.

6. Recommendation

The applications made for Erf 537 Westcliff is objected to subject to the reduction of the number of units not exceeding five (5) dwelling units, proven functional parking and supported by an urban design and precinct plan.

Regards

A handwritten signature in black ink, appearing to read 'Christof Kuhnle Albertyn', written in a cursive style.

Christof Kuhnle Albertyn Id no 580611 5099 082

Trustee: Ljubljana Trust; owner of unit 202 and unit 103.

17 Marine Drive, Hermanus, 7200.

Cell 082 572 2844

christofarch@gmail.com



Our Reference: 24/152
Your Reference: 537 HWC – 5072/2025

20 May 2026

The Municipal Manager
Overstrand Municipality
PO Box 20
Hermanus
7200

Attention: Mr B Minnaar

RESPONSE TO OBJECTIONS ERF 537 HERMANUS: APPLICATION FOR REZONING, PERMANENT DEPARTURE AND CONSENT USE

A number of objections were received during the public participation process to the proposed development application on Erf 537, Hermanus. The objections have been carefully reviewed and grouped according to their main category.

This document provides a structured and comprehensive response to each category of objection. The purpose of the response is to clarify factual inaccuracies, address legitimate concerns, and demonstrate that the proposed development complies with all applicable legislation, planning policy frameworks, and environmental conditions.



RESPONSE TO OBJECTIONS: DENSITY / OVERDEVELOPMENT

A number of objections raise concern that the proposed development constitutes overdevelopment of the subject property, particularly with reference to the proposed density, the departure from the 3000m² minimum erf size, and the number of units proposed.

These concerns are noted, although they do not take into account the full planning context of the application or the detailed motivation provided in the application report.

As set out in the motivation report, the subject property has an extent of 980m² and therefore requires a departure from the minimum erf size requirement of 3000m² applicable to General Residential Zone 3 (page 9–10 of the motivation). Importantly, this requirement is not an absolute prohibition on development, but rather a development parameter that may be departed from where justified. The application explicitly seeks such departure, supported by the site's strategic location, surrounding development pattern, and policy context.

The proposal further includes a departure from the maximum density of 50 dwelling units per hectare, with a proposed density of approximately 91.8 du/ha (page 10 of the motivation). This increase in density is not arbitrary but is a considered response to the site's location along Marine Drive, the demand for well-located residential units, and the need to optimise land use within the existing urban footprint.

Objections that the density is excessive when compared to an “average” density in the area are acknowledged but are not determinative. Average density is not a prescribed planning control and cannot override municipal policy or site-specific assessment. As demonstrated in the motivation report, the Marine Drive corridor already accommodates several higher-density developments, including densities exceeding 90 du/ha (page 11). The proposed development is therefore consistent with the established and emerging development pattern in the area.

The assertion that the development should be limited to approximately five units, based on strict compliance with the density provisions, fails to recognise the purpose of the departure application. The application is specifically intended to assess whether a higher yield is appropriate on this site. The proposed 9 units represent a carefully considered design outcome that balances density with built form, parking provision, and on-site functionality, as detailed in the Site Development Plan and supporting motivation (page 3–4 of the motivation).

Furthermore, the Overstrand Municipality Spatial Development Framework (OMSDF) promotes densification within well-located urban areas such as Hermanus Central. The subject property is ideally positioned to support this objective, given its proximity to the CBD, existing infrastructure, and accessibility to services. The proposed development therefore aligns with broader municipal policy aimed at achieving compact, efficient, and sustainable urban form.

Concerns that the proposal constitutes overdevelopment are not supported when the development is assessed holistically. The proposal complies with key development parameters such as height, coverage, parking provision, and open space requirements, while departures are limited, justified, and do not result in unacceptable impacts on surrounding properties (page 15–16 of the motivation).



Lastly, statements suggesting that the proposal is driven by financial gain do not constitute valid planning considerations. The relevant assessment must focus on whether the development is appropriate in terms of planning policy, spatial context, and impact. In this regard, the proposal represents a logical and desirable intensification of a well-located site and cannot reasonably be regarded as overdevelopment.

In conclusion, the proposed density and associated departures are justified, policy-aligned, and consistent with the existing development pattern along Marine Drive. The proposal represents an appropriate form of urban densification and should be supported.

RESPONSE TO OBJECTIONS: BUILDING LINE DEPARTURES / ALLEGED NON-COMPLIANCE

A number of objections relate to the proposed building line departures, specifically the reduction of the prescribed 4.5m lateral building lines and associated setbacks. These objections suggest that the proposal does not comply with the Overstrand Municipality Land Use Scheme (OMLUS) and that the building lines are being disregarded.

This interpretation is incorrect. The proposed building line departures form part of a formal application for permanent departure from the building lines in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning. The OMLUS expressly provides for such departures, subject to municipal approval. The proposal therefore does not disregard the scheme provisions, but rather follows the correct statutory process to seek site-specific flexibility where appropriately motivated.

As indicated in the motivation report, the proposed departures are not blanket relaxations across the site but are limited to specific portions of the building where design flexibility is required to achieve a functional and coherent development. These include circulation elements such as the lobby and access areas, portions of the residential units where a reduced setback allows for efficient internal layouts, and minor architectural features such as roof overhangs which do not constitute additional habitable space.

The proposed setbacks remain reasonable within an urban residential context. The 3m lateral setbacks applicable to the primary building components continue to provide adequate spatial separation between properties and are consistent with the level of development anticipated in areas identified for densification. More limited encroachments, such as the covered pedestrian entrance, are minor in scale, non-habitable, and designed in a manner that minimises any potential impact.

The design of the building has been informed by both the physical characteristics of the site and the surrounding context. The building line departures are required to accommodate circulation, improve functionality, and enable an efficient layout, rather than to maximise bulk in an uncontrolled manner. The proposal therefore represents a considered architectural response rather than an arbitrary relaxation of development parameters.

It is also relevant that the previous structure on the property was positioned closer to the boundary along one side. While the current proposal does not replicate this extent of encroachment, it demonstrates that reduced setbacks are not foreign to the site. The proposed setbacks therefore represent a more moderate and improved spatial relationship when compared to the historic condition.



Concerns relating to potential impacts such as privacy, sunlight, and general amenity are acknowledged; however, these aspects are addressed through the overall design of the development and are dealt with in detail later in this response to the specific conditions. From a building line perspective, the proposed departures do not result in an unreasonable or inappropriate interface with adjoining properties.

The argument that the site is currently vacant and therefore does not justify building line departures is not a valid planning consideration. The assessment of departures is based on the suitability of the proposed development within its spatial and policy context, and not on whether a previous structure remains on the site.

With regard to precedent, each application for departure is assessed on its own merits, taking into account the specific characteristics of the site and the nature of the proposal. Approval of the proposed departures would therefore not create an undesirable precedent but would reflect a context-sensitive and considered planning decision.

In conclusion, the proposed building line departures are reasonable, limited in extent, and appropriately motivated. They are consistent with the provisions of the Land Use Scheme, support a functional and well-designed development, and do not undermine the intent of the building line controls. The objections raised in this regard are therefore not considered sufficient to warrant refusal of the application.

RESPONSE TO OBJECTIONS: CHARACTER OF AREA / COMPATIBILITY

A number of objections raise concern that the proposed development is not in keeping with the character of the area, with specific reference to its scale, perceived bulk, and the assertion that Hermanus, and Marine Drive in particular, is characterised by lower density, more “quaint” development.

These concerns are noted. However, they do not fully reflect the existing development pattern of the area, nor the policy direction guiding future development within Hermanus Central.

The subject property is located along Marine Drive, a well-established urban corridor that accommodates a range of residential typologies, including several multi-storey flat developments. The area is therefore not exclusively characterised by single residential dwellings but rather reflects a mix of densities and building forms. The proposed development does not introduce a new or incompatible land use but instead reinforces an existing residential typology that is already present along this corridor.

As indicated in the motivation report, a number of developments along Marine Drive and in the surrounding area have been developed at similar or higher densities, with comparable scale and massing. The proposal must therefore be assessed within this broader and evolving context, rather than against an assumption of uniform low-density character.

It is further important to note that the Overstrand Municipal Spatial Development Framework supports densification within Hermanus Central as a primary means of accommodating growth. The intention is not to preserve all areas in their current form indefinitely, but to allow for incremental and appropriate intensification in well-located areas. The subject property falls directly within such an area, given its proximity to the CBD, existing infrastructure, and accessibility to amenities.



From a design perspective, the proposed development has been carefully considered to respond to its surroundings. The building has been articulated to reduce perceived bulk, with the massing broken into distinct components that respond to both the ocean-facing and mountain-facing aspects of the site. The inclusion of setbacks, balconies, and architectural detailing assists in softening the visual impact and ensures that the building does not present as a monolithic structure.

In addition, the proposed height and number of storeys remain within the parameters permitted by the applicable zoning and bulk controls. The development therefore does not exceed what is already considered acceptable in terms of scale within the planning framework governing the area.

Objections referring to the loss of a “quaint” or low-density character are acknowledged; however, it is important to recognise that urban areas evolve over time. The introduction of well-designed, higher-density residential developments in appropriate locations is a key component of sustainable urban growth. In this case, the proposal contributes to a more efficient use of land without fundamentally altering the residential nature of the area.

The development has also been designed to integrate with the streetscape, with the primary pedestrian entrance addressing Marine Drive and contributing to an active and legible frontage. The proposal therefore enhances, rather than detracts from, the overall urban environment.

In conclusion, the proposed development is considered compatible with the character of the surrounding area when assessed within its full context. It reflects the existing mix of development along Marine Drive, aligns with municipal policy supporting densification, and incorporates design measures to ensure an appropriate and context-sensitive built form. The objections raised in this regard are therefore not considered sufficient to justify refusal of the application.

RESPONSE TO OBJECTIONS: PRIVACY, OVERLOOKING AND ROOF TERRACE CONCERNS

A number of objections raise concerns regarding privacy, overlooking, and the potential use of roof areas as entertainment spaces. These concerns primarily relate to the perceived ability of future residents to overlook neighbouring properties, as well as the potential impact on the amenity of adjoining residential properties.

These concerns are acknowledged; however, when assessed in the context of the design, site conditions, and applicable planning principles, the proposal is not considered to result in unreasonable or unacceptable impacts.

From a planning perspective, it is important to recognise that a degree of intervisibility between properties is inherent in urban environments, particularly in areas identified for densification. The relevant consideration is therefore not whether overlooking can be entirely avoided, but whether it is limited to a reasonable level that does not result in undue intrusion. The proposed development achieves this balance.

As indicated in the application, the building has been carefully designed to manage and mitigate overlooking. The orientation of the development, together with the layout of the units, ensures that direct lines of sight into neighbouring properties are limited. Openings



such as windows and balconies are positioned to prioritise outward views towards the ocean and mountain, rather than inward views towards adjacent properties.

In addition, the building form incorporates articulation and setbacks that assist in breaking up the mass of the structure and reducing direct visual exposure. The separation distances, including the proposed 3 m lateral setbacks, provide sufficient spatial buffer between the development and adjoining properties, ensuring that any overlooking remains within acceptable urban norms.

It is also relevant that the adjoining property to the south-west is developed with a single-storey dwelling. The vertical relationship between the properties has been considered in the design, with the scale and positioning of the building limiting the potential for direct overlooking into primary private spaces. Furthermore, any views that may occur are indirect and oblique rather than direct and intrusive.

With regard to balconies, these are typical features of residential flat developments and are expected within this typology. Their inclusion does not in itself constitute an unreasonable impact, particularly where they are integrated into a broader design that considers orientation, separation, and context. The balconies in this development are positioned to enhance the amenity of the units without creating undue intrusion into neighbouring properties.

Specific concern has been raised regarding the use of roof areas as terraces or entertainment spaces. In this regard, it is important to clarify that while certain upper-level units include roof deck components, these are set back several metres from the edges of the building. The portions of the roof closest to the boundaries consist of non-trafficable areas that cannot be accessed or utilised by occupants. This design approach effectively prevents direct overlooking from roof level into neighbouring properties.

The roof design therefore ensures that any usable outdoor space is contained within the internal envelope of the building, with no active use areas positioned along the edges where building line encroachments occur. The roof overhangs and edges are architectural in nature and do not function as viewing platforms or gathering spaces.

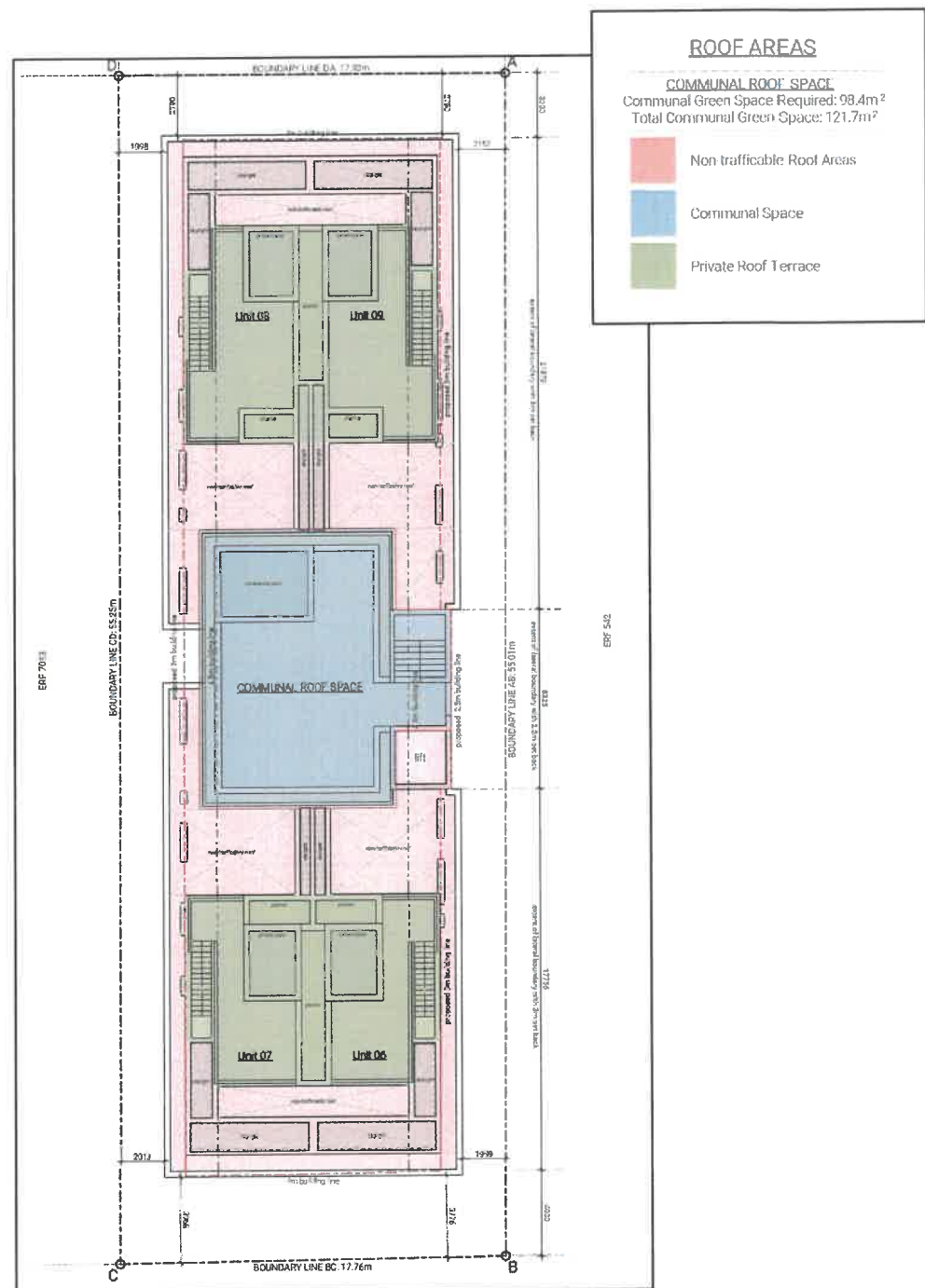


Figure 1: Extract of Annexure C – Roof Plan

Concerns relating to noise, behaviour, or the potential misuse of outdoor spaces are noted. However, these matters relate to the management and operation of the development rather than the land use rights themselves. As outlined in the application, the development will be governed by body corporate conduct rules, which regulate behaviour, noise levels, and the use of common property. These rules are legally enforceable and apply to all occupants, including short-term tenants.

In conclusion, the proposed development has been carefully designed to address privacy and overlooking considerations through a combination of orientation, building articulation, setbacks, and the controlled configuration of roof spaces. While some level of intervisibility



is inevitable in an urban context, the proposal does not introduce an unreasonable or excessive impact on neighbouring properties. The concerns raised are therefore not considered sufficient to justify refusal of the application.

RESPONSE TO OBJECTIONS: SUNLIGHT, OVERSHADOWING AND LIGHT IMPACT

A number of objections raise concern that the proposed development will result in a loss of sunlight, overshadowing of neighbouring properties, and a general reduction in light availability to adjoining dwellings and outdoor spaces.

These concerns are acknowledged. However, when assessed in terms of the applicable planning framework, site context, and design of the development, the anticipated impact is not considered unreasonable or sufficient to warrant refusal of the application.

It is important to recognise that any new development, particularly within an urban environment where densification is encouraged, will result in some degree of change to existing light conditions. The relevant planning consideration is therefore not whether there will be any impact, but whether such impact is excessive or materially detrimental to neighbouring properties. In this instance, the impact is considered to fall within acceptable limits.

The proposed development complies with the applicable height and bulk parameters of the OMLUS. The scale of the building is therefore within what is already anticipated and permitted for properties within this zoning and bulk zone. As such, the level of shadowing that may occur is consistent with what could reasonably be expected from a compliant development on the property.

The positioning and orientation of the building have also been considered to mitigate potential overshadowing. The setbacks provided, including the lateral building lines, allow for continued access to natural light to adjoining properties. The relationship between the subject property and neighbouring erven, including the presence of a single-storey dwelling to the south-west, has been taken into account in the design to limit the extent and duration of shadow impacts.

It is further important to note that sunlight and shadow patterns vary throughout the day and across seasons. While there may be periods where neighbouring properties experience increased shading, this does not equate to a permanent loss of light. Adjoining properties will continue to receive sunlight at different times of the day as the sun's position changes.

With regard to the concept of a "right to light", it is acknowledged that this is sometimes raised in objections of this nature. In the South African context, there is no absolute legal entitlement to the uninterrupted receipt of sunlight across neighbouring properties. While the potential impact on light is a relevant planning consideration, it must be balanced against the rights of a property owner to reasonably develop their land in accordance with applicable policies and zoning provisions.

Objections that the development will result in "extreme" or unacceptable overshadowing are not supported by the design parameters of the proposal. The building height, setbacks, and overall massing do not indicate an overbearing structure that would result in undue or excessive shadow impacts beyond what is typically associated with similar developments in the area.



In conclusion, while it is acknowledged that the proposed development will result in some changes to existing sunlight conditions, these impacts are not considered unreasonable within the context of an urban, densifying environment. The proposal complies with applicable development parameters, has been designed with consideration for adjoining properties, and does not result in a loss of light that would justify refusal of the application.

RESPONSE TO OBJECTIONS: TRAFFIC, PARKING AND NOISE

A number of objections raise concerns regarding increased traffic, parking provision, and potential noise impacts associated with the proposed development. These concerns relate primarily to the number of units proposed, the anticipated number of vehicles, and the effect on the surrounding road network and residential environment.

These concerns are noted. However, when assessed against the scale of the development, the characteristics of the surrounding road network, and the applicable planning requirements, the proposal is not expected to result in a significant or unacceptable impact.

In terms of **parking provision**, the development complies with the requirements of the OMLUS. The required number of parking bays has been calculated based on the unit mix, and all required parking is provided on-site. As indicated in the application, a total of 18 parking bays is accommodated within the development, which meets the minimum requirement. As a result, the development does not rely on on-street or public parking and will not place additional pressure on the surrounding road network in this regard.

Access to the property has been designed to ensure safe and efficient movement of vehicles. The proposed vehicular access point onto Marine Drive is of sufficient width and includes adequate stacking space on the site, allowing vehicles to enter and exit without obstructing traffic on the public road. This design ensures that traffic flow along Marine Drive will not be adversely affected by the development.

With regard to **traffic generation**, it is important to note that residential developments of this scale generate relatively low traffic volumes, particularly when compared to commercial or mixed-use developments. The proposed 9 units will not result in a level of traffic that exceeds the capacity of the existing road network. Marine Drive is an established urban route that already accommodates residential traffic, and the marginal increase associated with this development is not considered significant.

Concerns regarding **noise** are also acknowledged. However, the proposed land use remains residential in nature, consistent with the surrounding area. The development does not introduce any commercial, industrial, or high-impact activities that would generate abnormal or excessive noise. Any noise associated with daily residential activity falls within what can reasonably be expected in a residential neighbourhood.

To the extent that concerns relate to occupant behaviour, including short-term letting, these matters are managed through enforceable body corporate conduct rules. As outlined in the application, these rules regulate noise levels, behaviour, and the use of the property, and apply to all occupants, whether permanent residents or short-term tenants.

Furthermore, the presence of on-site management structures and permanent residents contributes to maintaining appropriate standards of behaviour and addressing any potential disturbances in a controlled manner.



In conclusion, the proposed development provides adequate on-site parking, incorporates safe and efficient access design, and is not expected to generate traffic volumes or noise levels that would negatively impact the surrounding area. The concerns raised in this regard are therefore not considered sufficient to warrant refusal of the application.

RESPONSE TO OBJECTIONS: SHORT-TERM LETTING / TOURIST ACCOMMODATION

A number of objections raise concerns regarding the potential use of the proposed units for short-term letting, including issues such as increased noise, transient occupants, and the perception that the development will function more as a holiday accommodation facility than as permanent residential accommodation.

These concerns are noted. However, they are based on a misunderstanding of both the nature of the application and the regulatory mechanisms governing such use.

As indicated in the application, the proposal includes a request for consent to permit short-term tourist accommodation. Importantly, the development is not intended to operate exclusively as tourist accommodation. The primary use of the units remains residential, with the consent use simply providing flexibility for individual owners to utilise their units for short-term letting should they choose to do so.

This dual-use approach is not uncommon within Hermanus, particularly along Marine Drive and within the broader central area, where a mix of permanent residents and short-term visitors already exists. The proposal therefore does not introduce a new or incompatible use but rather reflects an established pattern within the area.

It is further important to note that short-term letting is regulated and does not occur in an uncontrolled manner. As outlined in the application, all units will be subject to a body corporate structure, with enforceable conduct rules governing behaviour, noise levels, parking, and the use of common property. These rules apply equally to permanent residents and short-term tenants and are a standard mechanism for ensuring orderly and harmonious communal living within sectional title developments.

In addition, the management of short-term letting will form part of the overall development structure, ensuring that occupancy is controlled and that any potential issues are addressed proactively. The presence of permanent residents within the development further contributes to oversight and day-to-day management.

Concerns that short-term letting will result in excessive noise or disruptive behaviour are not unique to this development and can arise in any residential context. The relevant consideration is whether appropriate management mechanisms are in place, which in this case they are. There is no evidence to suggest that the proposed development will result in impacts beyond what is already experienced in similar developments within the area.

The argument that short-term letting does not contribute to addressing housing demand is noted; however, this does not detract from the planning merits of the application. The development still introduces additional residential units into a high-demand area and supports the local economy through tourism-related activity, which is a recognised component of Hermanus' urban function.

In conclusion, the proposed consent use for short-term tourist accommodation is appropriate for the location, consistent with existing land use patterns in the area, and



supported by adequate management mechanisms. The concerns raised, while acknowledged, do not demonstrate that the proposal will result in unacceptable impacts and are therefore not considered sufficient to justify refusal of the application.

RESPONSE TO OBJECTIONS: EXCAVATION, STRUCTURAL AND STABILITY CONCERNS

A number of objections raise concerns regarding the extent of excavation required for the proposed development, as well as the potential impact on neighbouring properties in terms of structural stability, boundary walls, and general ground conditions.

These concerns are noted and understood. However, it is important to distinguish between land use considerations and detailed engineering and construction matters.

The proposed excavation forms part of the design approach to position the ground floor at an appropriate level relative to Marine Drive, thereby improving access, functionality, and overall integration of the development with the street. While the excavation will alter the existing ground levels on the subject property, such works are not uncommon in developments of this nature and are routinely undertaken in a controlled and engineered manner.

All excavation and construction activities will be subject to the requirements of the National Building Regulations and will require the submission and approval of detailed building plans and structural engineering designs prior to commencement. These plans must be prepared by qualified professionals, including structural engineers, who are responsible for ensuring that all aspects of the design are structurally sound and do not pose a risk to adjoining properties.

Appropriate engineering measures will be implemented as part of the construction process, including retaining structures, foundation design, and, where necessary, lateral support systems to ensure the stability of both the subject property and neighbouring even. These measures are standard practice in the industry and are specifically intended to prevent damage to adjacent structures, boundary walls, and services.

In addition, contractors are required to adhere to strict construction standards and are liable for any damage caused during the building process. This provides an additional level of protection to neighbouring property owners.

It is also important to note that potential construction-related impacts are temporary in nature and are managed through established regulatory frameworks, including building plan approval, site inspections, and compliance with occupational health and safety requirements.

From a planning perspective, the key consideration is whether the proposed land use is appropriate for the site. Detailed construction methodology and structural design fall within the scope of the building plan approval process and are not determinative at the land use application stage.

In conclusion, while excavation and construction activities will be required as part of the development, these will be undertaken in accordance with standard engineering practices and regulatory requirements. The concerns raised do not indicate that the proposed development is unsuitable from a land use perspective and are therefore not considered sufficient to justify refusal of the application.



RESPONSE TO OBJECTIONS: PROPERTY VALUE AND LOSS OF VIEWS

A number of objections raise concerns that the proposed development will negatively impact surrounding property values, primarily due to perceived loss of views, increased density, and changes to the character of the area.

These concerns are acknowledged. However, it is important to clarify that property value is influenced by a wide range of factors and is not determined by a single development or change in land use.

Property values are generally affected by broader market conditions, including location, proximity to amenities, overall demand for housing, economic trends, and the quality of surrounding infrastructure and development. Well-located properties within established urban areas, particularly those close to central business districts and amenities, typically benefit from continued investment and development.

From a planning perspective, the potential impact on property value is not a primary determinant in assessing a land use application. The relevant considerations are whether the proposed development complies with applicable planning policies, is appropriate for the site, and does not result in unacceptable impacts on surrounding properties.

With regard to views, it is noted that the preservation of private views across neighbouring properties is not a protected right in South African planning law. While changes to views may occur as areas develop and densify, this is an inherent aspect of urban growth and cannot be used as a basis to prevent otherwise appropriate development.

It is further important to recognise that the proposed development represents an investment in the area, introducing a modern, well-designed residential building that contributes positively to the urban environment. Developments of this nature can enhance the overall appeal of an area by improving the quality of the built environment and supporting local economic activity.

Concerns that the development will reduce property values are therefore speculative in nature and are not supported by planning principles. In many instances, appropriately designed and well-located developments contribute to increased property values over time by reinforcing the desirability and functionality of an area.

In conclusion, while concerns relating to property value and views are noted, they do not constitute valid planning grounds for refusal of the application. The proposal aligns with applicable policies, contributes positively to the area, and represents an appropriate form of development within an evolving urban context.

RESPONSE TO OBJECTIONS: ENVIRONMENTAL IMPACT, LANDSCAPING AND OPEN SPACE

A number of objections raise concerns regarding the environmental impact of the proposed development, including the perceived lack of ground-level green space, the relocation of usable outdoor areas to roof level, and the potential impact of the development within the Coastal Protection Zone.



These concerns are acknowledged. However, when assessed in the context of the site, its location within an established urban area, and the nature of the proposed development, the impacts are not considered significant or unacceptable.

The subject property is located within an already developed and transformed urban environment along Marine Drive. The site does not form part of a natural or undisturbed ecological system, nor does it contain sensitive environmental features such as dune systems, wetlands, or protected vegetation. The proposed development therefore does not result in the loss of natural habitat or the disturbance of environmentally sensitive areas.

While a portion of the property falls within the Environmental Management Overlay Zone, the application has demonstrated that the proposed development does not trigger any prohibited activities and does not negatively affect the objectives of the overlay. The development footprint is confined to an already disturbed site, and no encroachment into functional coastal systems or environmentally sensitive areas is proposed.

With regard to landscaping and open space, it is acknowledged that the development introduces a more compact built form when compared to a single residential dwelling. However, this is consistent with the densification objectives applicable to the area. The proposal incorporates landscaping elements where feasible and appropriate within the site layout, contributing to the overall visual quality of the development.

The inclusion of roof-level outdoor spaces is a design response to the constraints of the site and the need to balance density with amenity. These spaces provide private outdoor areas for residents without compromising the functionality of the development at ground level. This approach is common in higher-density residential developments and does not in itself represent a negative environmental or planning impact.

In addition, all services associated with the development, including stormwater, sewage, and solid waste, will be managed in accordance with municipal standards. As indicated in the application, the impact on bulk services is negligible, and appropriate measures will be implemented to ensure that no pollution or environmental degradation occurs.

It is also relevant that the development supports more sustainable urban form by making efficient use of well-located land within the urban edge. By accommodating additional residential units within an existing serviced area, the proposal reduces pressure for outward expansion and contributes to more compact and efficient settlement patterns.

In conclusion, the proposed development will not result in a negative environmental impact and is consistent with the objectives of the Environmental Management Overlay Zone. The concerns raised regarding landscaping and open space are understood but are considered acceptable within the context of an urban, densifying area. The proposal therefore remains appropriate from an environmental and spatial planning perspective.

CONCLUSION

The objections received during the public participation process have been carefully considered and evaluated in the context of the applicable planning framework, the characteristics of the subject property, and the detailed motivation submitted as part of this application.

While the concerns raised by neighbouring property owners are acknowledged, it is evident that many of these concerns relate to perceptions of change rather than demonstrable



planning impacts that would warrant refusal of the application. The assessment of this proposal must be grounded in planning principles, policy alignment, and the reasonableness of the anticipated impacts, rather than a desire to preserve the status quo.

The proposed development has been comprehensively motivated and is aligned with the Overstrand Municipality Land Use Scheme, the Spatial Development Framework, and broader planning legislation. The application appropriately makes use of formal planning mechanisms, including rezoning, consent use, and departures, all of which are provided for within the statutory framework to allow for context-sensitive and site-specific decision-making.

In terms of density, the proposal represents a logical and policy-supported intensification of a well-located property within Hermanus Central. The applicable spatial frameworks clearly promote densification within the existing urban edge, and the subject property is ideally positioned to accommodate such development. The proposed density is therefore not considered excessive when viewed in the context of both policy direction and the existing development pattern along Marine Drive.

The building line departures have been appropriately motivated and are limited to specific portions of the development where flexibility is required to achieve a functional and well-designed building. These departures do not undermine the intent of the Land Use Scheme and do not result in unreasonable impacts on adjoining properties.

Concerns relating to privacy, overlooking, and sunlight have been addressed through the design of the building, including its orientation, articulation, and setbacks. While some level of impact is inevitable in an urban environment, the proposal does not introduce impacts that exceed what can reasonably be expected within a densifying residential area.

Similarly, concerns relating to traffic, parking, and noise have been shown to be manageable and within acceptable limits. The development provides adequate on-site parking, incorporates safe access arrangements, and does not generate traffic volumes or noise levels beyond what is typical for residential developments of this scale.

The proposed consent use for short-term tourist accommodation is appropriate for the location and reflects an established pattern within the area. Adequate management mechanisms, including body corporate conduct rules, will ensure that the use of the property remains controlled and compatible with the surrounding neighbourhood.

Concerns relating to excavation, structural stability, and construction impacts fall within the scope of the building plan approval process and will be addressed through standard engineering design and regulatory controls. These matters do not affect the suitability of the proposed land use.

Objections relating to property values and the potential loss of views, while understood, do not constitute valid planning grounds for refusal. Property values are influenced by a range of factors, and there is no legal entitlement to the preservation of private views across neighbouring properties.

From an environmental perspective, the development is located on an already transformed urban site and will not result in the degradation of sensitive environmental systems. The proposal complies with the requirements of the Environmental Management Overlay Zone and supports more sustainable urban form through the efficient use of land within the urban edge.



Overall, the proposed development represents a well-considered, policy-aligned, and contextually appropriate response to the site. It contributes positively to the housing supply, supports economic activity, and aligns with the municipality's objectives for sustainable growth and densification.

In conclusion, the objections raised do not demonstrate that the proposed development will result in unacceptable planning impacts. The application has been thoroughly motivated and meets the necessary planning criteria for approval. It is therefore respectfully recommended that the application be approved.

Yours faithfully

T JANSEN
PROFESSIONAL TOWN PLANNER (A/2858/2019)

Alida Conradie

From: Alida Conradie
Sent: Tuesday, 26 May 2026 11:18
To: Craig Mitchell
Subject: Erf 537, Westcliff - Request for comment

Tracking:	Recipient	Delivery
	Craig Mitchell	Delivered: 2026/05/26 11:18

Hi Craig,

The email from WRAP dated 15 April 2026 regarding your concerns refer.

Kindly indicate if you are satisfied with the applicants' explanation and if you have any further comment on the application.

Kind Regards

Alida Conradie

Administrative Officer, Town- and Spatial Planning

Directorate: Planning & Development, Overstrand Municipality, Hermanus

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: alida@overstrand.gov.za

From: WRAP <admin@wrapgroup.co.za>
Sent: Wednesday, 15 April 2026 12:12
To: Craig Mitchell <cmitchell@overstrand.gov.za>
Cc: Alida Conradie <alida@overstrand.gov.za>
Subject: [CAUTION: SUSPECT SENDER] RE: Erf 537, Westcliff - Request for comment

Good afternoon, Craig,

Your email to Alida below refers.

The property is located on Marine Drive, one of the most sought-after coastal streets in Hermanus. Similar to other developments, guest houses and hotels in the area, it is not considered appropriate for prime seafront frontage to be occupied by a refuse room.

The proposed refuse room has therefore been positioned to balance operational functionality with the streetscape and amenity of the area.

Should it be required, the body corporate will appoint a dedicated staff member to manage the refuse area. This will include ensuring that waste is placed on the kerbside on scheduled collection days and returned to the refuse room after collection, thereby addressing the practical requirements of the waste collection team.

We trust the above provides sufficient clarification.

Kind Regards,

THIAN JANSEN

PROFESSIONAL TOWN PLANNER

Email: admin@wrapgroup.co.za

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Private Bag X16, Hermanus, 7200

www.wrapgroup.co.za



From: Alida Conradie <alida@overstrand.gov.za>

Sent: Wednesday, 15 April 2026 09:41

To: WRAP <admin@wrapgroup.co.za>

Subject: Erf 537, Westcliff - Request for comment

Good day Tiaan

Kindly note the following comment received from Waste Management.

In the application on page 17 WRAP say the following regarding waste

Solid waste generated by the development will be stored in a dedicated refuse room designed in accordance with the requirements set out in Section 17.4 of the OMLUS. The refuse room will be easily accessible for both residents and municipal waste collectors and will be emptied on the scheduled collection days by the Overstrand Municipality. Waste separation and recycling bins may be introduced to encourage more sustainable waste practices.

Kindly explain why the storage area cannot be located closer to the public road



0

Kind Regards

Alida Conradie

Administrative Officer, Town- and Spatial Planning

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Vision Statement: "To be a centre of excellence for the community"

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Please consider the environment before printing this correspondence.

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REZONING, DEPARTURE & CONSENT USE: ERF
537, WESTCLIFF (5072/2025)**

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

Conditions:

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

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

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

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

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

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

Freehold erven:

Water	R 27 598.00 x 4.6	= R 126 950.80
Sewerage	R 19 725.00 x 4.6	= R 90 735.00
Roads	R 8 845.00 x 8	= R 70 760.00
Stormwater	R 10 205.00 x 1.2133336	= R 12 382.07
Solid Waste	R 1 769.00 x 8	= <u>R 14 152.00</u>
TOTAL (inclusive of VAT)		= <u>R 314 979.87</u>

Note that:

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

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

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7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Chief Engineer: Infrastructure Services, prepared by an ECSA registered professional engineer/technologist, be submitted to the Chief Engineer: Infrastructure Services for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Chief Engineer: Infrastructure Services to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Chief Engineer: Infrastructure Services;
10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. such independent professional civil engineer/technologist to furnish the Chief Engineer: Infrastructure Services with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for Works of Civil Engineering Construction - 2004, of 12 months, and
13. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
14. that a service agreement must be required by the Chief Engineer: Infrastructure Services prior to the approval of any service plans;
15. that the developer provides bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
16. that the developer apply for a bulk water connection on the prescribed application form, at Overstrand Municipality's Finance Department and
17. that the installation of the bulk water meter, by the developer, be done under the supervision of the Principal Technologist: Hermanus;

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18. that each residential erf or unit be provided with individual water and sewer connections which comply with the standards of the Department: Operational Services (Hermanus);
19. that the water reticulation be provided/upgraded according to the report prepared by GLS consulting engineers and/or the Overstrand Sewer Master Plan and Water Master Plan;
20. that the Body Corporate or Homeowners Association be responsible for the operational costs and maintenance of private street lighting, electrical reticulation and metering and all internal engineering services;
21. That the Body Corporate or Homeowners' Association will be responsible for the management and maintenance of any open space, access gate, guard house and refuse area;
22. that only the standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
23. that the developer appoints a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;
24. that the electricity reticulation and supply be provided according to the master plan, by the developer and that transfer can only proceed once electricity is available;
25. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
26. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided with the following:
 - a) properly ventilated,
 - b) a cement floor,
 - c) a tap and running water, as well as a drainage point which is connected to the sewer network,
 - d) in a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Chief Engineer: Infrastructure Services;
27. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Chief Engineer: Infrastructure Services;

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28. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded, be submitted to the Chief Engineer: Infrastructure Services for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Chief Engineer: Infrastructure Services;
29. that the approved stormwater management plan include the following:
- a) pre-development run-off from the catchment area;
 - b) post-development run-off from catchment area;
 - c) existing stormwater reticulation system and the capacity thereof;
 - d) connection of internal stormwater reticulation system;
 - e) overland escape routes;
30. that the connection to the stormwater reticulation system be provided according to the approved stormwater management plan by, the developer;
31. that a minimum stacking space/distance of at least 12,0 m (in front of the gate or boom) be provided for the access point in the Marine Drive. No vehicular access will be allowed to or from Plein Street;
32. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Hermanus for written approval;
33. that any damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;
34. that all the parking requirements from the 2020 Overstrand Land Use Scheme be complied with.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

02/07/2026
DATE



1 Platinum CT
Block A
Marconi Beam
Milnerton
7441

Gideon Rossouw

Cell: 0614193857

Email: wayleaveswr@telkom.co.za

OUR REF : WWIP_WHMN0843_26
YOUR REF : 537 HWC

12 March 2026

Attention: **Alida Conradie**
Overstrand Municipality

Dear Sir /Madam

SERVICES AFFECTED

APPLICATION FOR WAYLEAVE : Rezoning ,departure and consent of property - Erf 537, 15 Marine Drive, Hermanus

The approval wayleave letter also **serves as the permit.**

With reference to your application dated **12 March 2026**

As important cables are affected, please contact our representative **Melt van As** telephone number **0813637873/MeltVA@openserve.co.za** at least 48 hours prior of commencement on construction work.

I hereby inform you that Openserve approves the proposed work indicated on your drawing in principle. This approval is valid for 06 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per sketch attached, Openserve infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Openserve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Openserve rights remain reserved.

Yours faithfully



Gideon Rossouw

FOR

Selwyn Bowers

Operations Manager

Wayleave Management: Western Region

PLANT AFFECTED : FIBRE AND COPPER

This wayleave, Reference Number **WWIP_WHMN0843_26** valid for 06 months from date here of and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three metres of any Openserve plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and **Melt van As/0813637873/MeltVA@openserve.co.za** must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of Openserve Plant will be indicated on site.
3. A written request must be submitted to Openserve for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Openserve immediately should the applicant locate any Openserve plant which is not indicated on the plans.
5. Should the applicant expose any Openserve plant, the safeguard thereof will be the applicant's full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for the damage or loss as a result thereof.

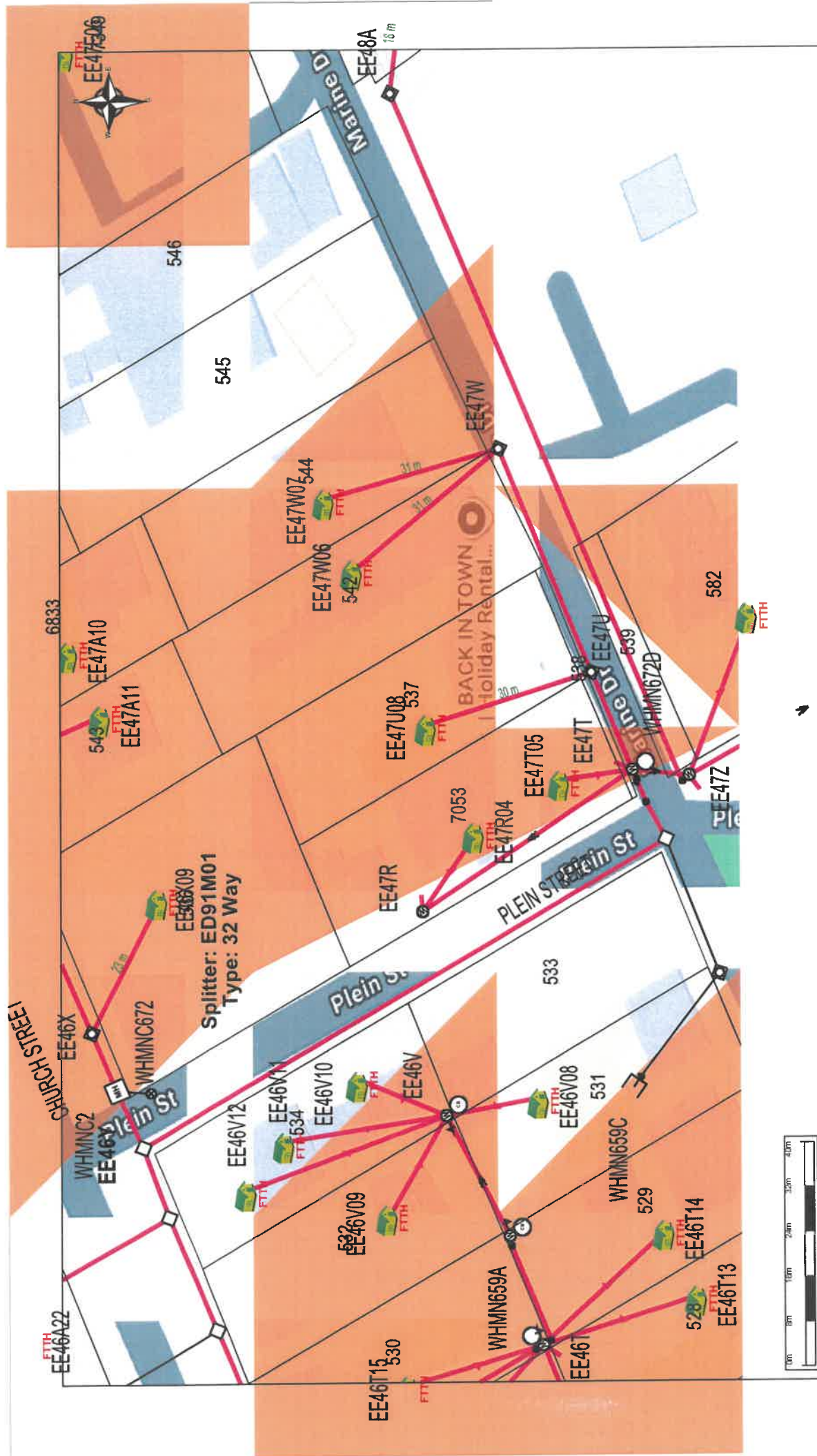
Date: 12 March 2026

By: Gideon Rossouw
For Regional General Manager

Legend	
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	
Optic Fibre indicated in PINK on the plan	

The pipeline indicated (in Pink) contains **OPTIC FIBRE** cables.





Existing Manhole		Existing PJB		Existing DLC		Existing Indoor DP		Existing Pole		Planned Overhead Route		Conduit Terminus (Virtual Element)	
To Be Recovered Manhole	To Be Recovered Manhole	To Be Recovered PJB	To Be Recovered PJB	To Be Recovered DLC	To Be Recovered DLC	To Be Recovered SDC	To Be Recovered SDC	To Be Recovered Pole	To Be Recovered Pole	Existing Underground Route	Existing Underground Route	Existing Underground Route	Existing Underground Route
Existing Jointing Pit	Existing Jointing Pit	Existing SDC	Existing SDC	Existing Pillar Joint	Existing Pillar Joint	Existing DP	Existing DP	Strut	Strut	Planned Underground Route	Planned Underground Route	Scale: 1:889	Date: 12/03/2028
Planned Jointing Pit	Planned Jointing Pit	Planned SDC	Planned SDC	Planned Pillar Joint	Planned Pillar Joint	Planned DP	Planned DP	Slay	Slay	Existing Overhead Route	Existing Overhead Route	Created By: Rossougc	
To Be Recovered Jointing Pit	To Be Recovered Jointing Pit	To Be Recovered SDC	To Be Recovered SDC	To Be Recovered Pillar Joint	To Be Recovered Pillar Joint	To Be Recovered DP	To Be Recovered DP	Access Point (Virtual Element)	Access Point (Virtual Element)				



26 February 2025

The Director: Civil Engineering Services
Overstrand Municipality
P.O. Box 20
HERMANUS
7200

Attention: Mr Dennis Hendriks

Dear Sir,

PROPOSED DEVELOPMENT ON ERF 537, HERMANUS: CAPACITY ANALYSIS OF THE BULK WATER AND SEWER SERVICES

The request by Mr Richard Kotzé of WRAP Project Office Town Planning & Project Management for GLS Consulting (Pty) Ltd to investigate and comment on the bulk water supply and sewer discharge of the proposed development (development of 10 apartment units on Erf 537, Hermanus), refers.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Overstrand Municipality) dated June 2021 and the Sewer Master Plan dated June 2021.

The proposed development was not taken into consideration for the master plans for the water and sewer networks, but allowance was however made for densification in the area.

1. WATER DISTRIBUTION SYSTEM

1.1 Distribution zone

The master plan indicated that the proposed development area should be accommodated within the existing Hermanus no. 1 & no. 2 reservoir water distribution zone. The proposed connection to the existing water system is to the existing 100 mm Ø pipe in Marine Drive, as shown on Figure 1 attached.

The proposed development is situated inside the water priority area.

1.2 Water demand

The original water analysis for the master plan was performed with a total annual average daily demand (AADD) for development on Erf 537 of 0,7 kL/d.

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339 Hilda Street,
Hatfield, Pretoria, 0083

PO Box 814
Stellenbosch, 7599
South Africa

For this re-analysis of the master plan, the total AADD and fire flows for the proposed development were calculated as follows:

- 10 Apartment units @ 0,45 kL/d/unit = 4,5 kL/d *

* As per Table J.2 from Section J – Water Supply of “The Neighbourhood Planning and Design Guide” (so called “Red book”).

- Fire flow criteria (Moderate risk 2) = 25 L/s @ 10 m

1.3 *Present situation*

1.3.1 *Reticulation network*

The existing Hermanus water reticulation network has sufficient spare capacity available to provide the required water pressure and fire flow criteria for the development as set out in the Overstrand Water Master Plan.

1.3.2 *Reservoir capacity*

The criteria for total reservoir volume used in the Overstrand Water Master Plan is 48 hours of the AADD (of the reservoir supply zone) for gravity and pumped supply to the reservoir.

According to the water master plan the AADD of the Hermanus 1 & 2 reservoirs water distribution zone is currently approximately 3 835 kL/d. The current combined reservoir storage capacity of the existing Hermanus no. 1 & no. 2 reservoirs is 10 000 kL (5 500 kL + 4 500 kL), which results in a current reservoir storage capacity of 63 hours of the AADD.

There is therefore sufficient capacity in the existing Hermanus no. 1 & no. 2 reservoirs to accommodate the proposed development.

1.3.3 *Bulk supply pipes*

The existing 300 mm Ø section of the bulk pipeline supplying bulk water to Mount Pleasant and Hermanus reservoirs from the Preekstoel WTP has a flow velocity of 2.1 m/s, which is high and results in high energy losses through that section of the bulk system.

Although the energy losses through the abovementioned pipeline is high, the existing bulk supply system has sufficient spare capacity to accommodate the proposed development.

It is, however, recommended in the water master plan that a new 500 mm Ø bulk pipeline is installed in the near future parallel to the existing 300 mm Ø pipeline to augment the bulk water supply.

1.4 *Master plan*

The following master plan items will be required in the future to improve network redundancy and conveyance in the reticulation system downstream of the Hermanus no. 1 and no. 2 reservoirs, and to augment the bulk water supply system between the Preekstoel WTP and the Hermanus no. 1 and no. 2 reservoirs:

Network upgrades

• OHW9.2 : 111 m x 315 mm Ø replace existing 225 mm Ø pipe	R	599 000 *
• OHW9.5 : 105 m x 110 mm Ø inter-connection pipe	R	159 000 *
• OHW9.14 : 1 534 m x 400 mm Ø pipe to install	R	9 174 000 *
Total	R	9 932 000 *

Bulk supply

- OHW.B24 : 665 m x 500 mm Ø pipe to install R 6 153 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT – Year 2024/25 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

Take note that the proposed pipelines are schematically shown on Figure 1 attached, but have to be finalised subsequent to detailed pipeline route investigations.

1.5 *Minimum items required*

No upgrading of the existing water system is required to accommodate the proposed development.

It is, however, recommended that master plan items OHW9.2, OHW9.5, OHW9.14 & OHW.B24 are implemented in the near future to improve network redundancy, conveyance bulk water supply within the Hermanus water system.

2. **SEWER NETWORK**

2.1 *Drainage area*

The master plan indicated that the proposed development should be accommodated within the existing Hermanus pump station (PS) no. 4 drainage area. The Hermanus PS no. 4 pumps directly to the existing Hermanus Gravity drainage area from where sewage gravitates to the Hermanus Wastewater Treatment Plant (WWTP).

The recommended sewer connection position for the proposed development is to the existing 225 mm Ø gravity pipe in Marine Drive, as shown on Figure 2 attached.

The development is inside the sewer priority area.

2.2 *Sewer flow*

The original sewer analysis for the master plan was performed with a total peak day dry weather flow (PDDWF) for development on Erf 537 of 0,5 kL/d.

For this re-analysis of the master plan, the PDDWF of the proposed development was calculated as 3,4 kL/d.

2.3 *Present situation*

There is sufficient capacity in the existing sewer reticulation system of the Hermanus PS no. 4 drainage area to accommodate the proposed development.

Bulk collector sewers downstream of the Hermanus PS no. 4 are however at capacity and require upgrading.

It should, however, be noted that the impact of the proposed development on the bulk outfall sewers downstream of the Hermanus PS no. 4 is relatively insignificant in relation to the peak flow through the bulk sewers. The impact is calculated at 0,15% of the total flow through the bulk sewers.

2.4 *Implementation of the master plan*

The following master plan items will be required to reinforce the existing bulk sewer system downstream of the Hermanus PS no. 4 in order to accommodate the proposed development together with other future development areas:

Bulk sewer upgrades

• OHS13.1 : 405 m x 600 mm Ø upgrade existing gravity sewer	R 3 283 000 *
• OHS13.2 : 543 m x 750 mm Ø new bulk outfall sewer **	(No cost)
• OHS13.4 : 391 m x 750 mm Ø upgrade existing gravity sewer	R 4 417 000 *
Total	R 7 700 000 *

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2024/25 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

** It was communicated to GLS during 2022 that Overstrand Municipality is in the process to install master plan item OHS13.2 and the Consulting Engineer on the project (Lyners Consulting Engineers and Project Managers) has indicated at that time that the estimated completion date for the project was August 2022. The project included a new low lift pump station to lift sewage from the new bulk sewer to the intake works of the Hermanus WWTP. No as-built information has however been received up to date to confirm that this upgrade has been successfully implemented.

The routes of the proposed pipelines are schematically shown on Figure 3, but have to be finalised subsequent to detailed pipeline route investigations.

2.5 *Minimum items required*

The minimum upgrades required in order to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2 & OHS13.4. Master plan item OHS13.2 (the most critical upgrade) is however already implemented (awaiting as-built drawings of this upgrade from Overstrand Municipality to confirm).

It should however be noted that the impact of the proposed development on the capacity of the existing bulk sewers is not significant (less than 1%).

3. CONCLUSION

The developer of Erf 537 in Hermanus may be liable for the payment of a Development Contribution (as calculated by the Overstrand Municipality) for bulk water and sewer infrastructure as per Council Policy.

There is sufficient capacity in the existing water reticulation network to accommodate the proposed development in order to comply with the pressure and fire flow criteria as set out in the master plan.

It is however recommended that master plan items OHW9.2, OHW9.5, OHW9.14 & OHW.B24 are implemented in the future to improve network redundancy and conveyance and to augment bulk water supply.

There is sufficient capacity in the existing sewer reticulation system of the Hermanus PS no. 4 drainage area to accommodate the proposed development. Bulk collector sewers downstream of the Hermanus PS no. 4 are however at capacity and require upgrading.

The minimum upgrades required in order to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2 & OHS13.4. Master plan item OHS13.2 (the most critical upgrade) is however most already implemented (awaiting as-built drawings of this upgrade from Overstrand Municipality to confirm).

It should however be noted that the impact of the proposed development on the capacity of the existing bulk sewers is not significant (less than 1%).

We trust that you find this of value.

Yours sincerely,

GLS CONSULTING (PTY) LTD
REG. NO.: 2007/003039/07



Per: PC DU PLESSIS

cc. WRAP Project Office Town Planning & Project Management
Unit B, Standard House
Cnr Royal and Dirkie Uys Street
Hermanus
7200

Attention: Mr Richard Kotzé

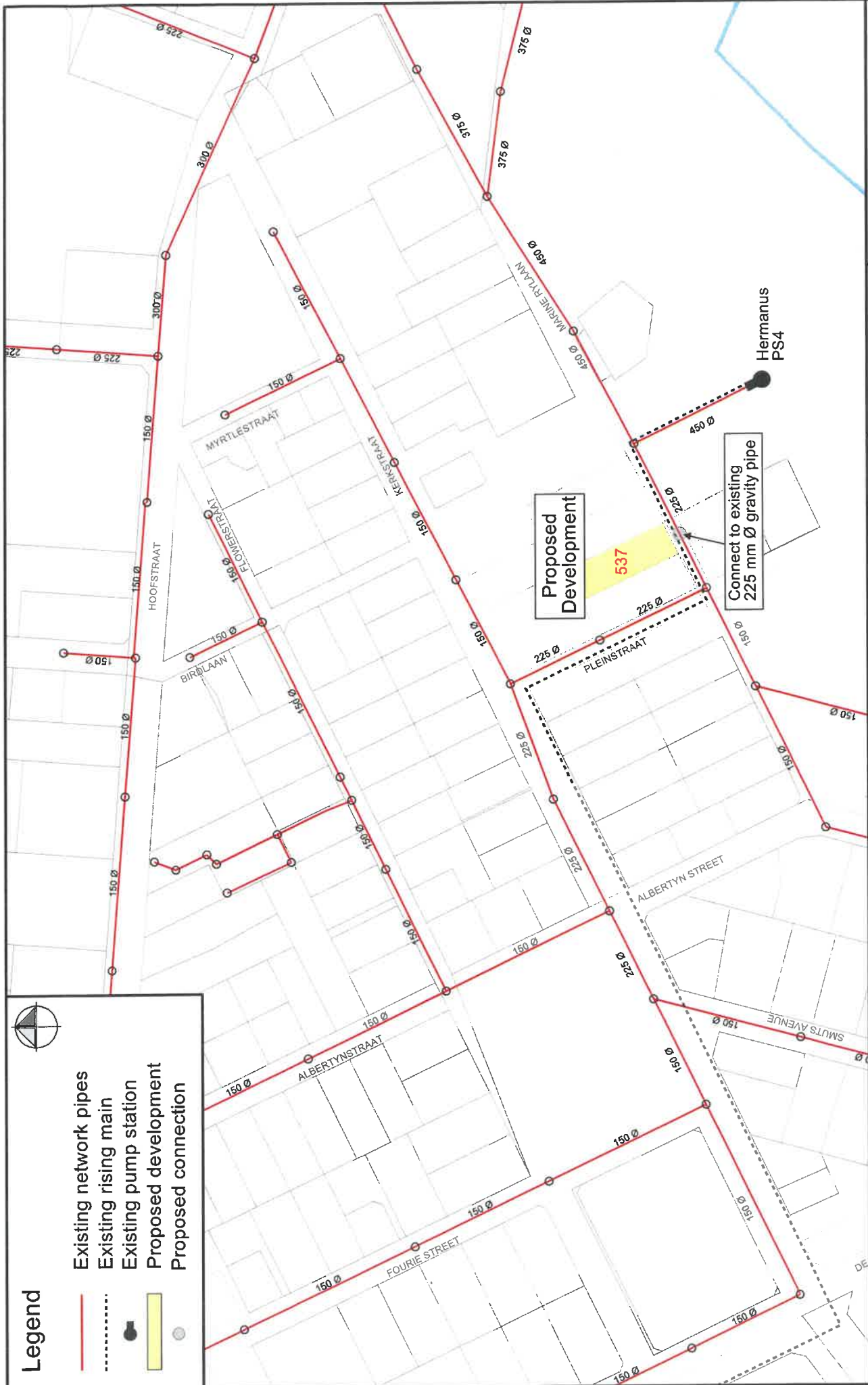


Figure 2

Proposed Development
Hermanus - Erf 537
Existing Water System



February 2025
Development of Erf 537 - Hermanus



