



ERVEN 10527, 10528, 10529, 10530, AND 10531, NELSONS WAY AND PLYMOUTH SOUND WAY, MARINERS VILLAGE, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: PLANACTIVE TOWN- AND REGIONAL PLANNERS ON BEHALF OF STELLENHOME (PTY) LTD AND MARINERS' VILLAGE HOMEOWNERS' ASSOCIATION

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application, applicable to Erven 10527, 10528, 10529, 10530, and 10531, Hermanus, has been received for departure in terms of Section 16(2)(b) of the By-Law for the relaxation of the 2.1m height restriction applicable to boundary walls to accommodate 3.3m high boundary walls (including electrified fencing on top) along the western boundaries of the said erven.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any comments must be in writing in accordance with Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) on or before **12 July 2024**, quoting your name, address and contact details, interest in the application, as well as the reasons for comment. Telephonic enquiries can be made to the Town Planner, **Mr. H. Boshoff** at 028-313 8900. The Municipality may refuse to accept comments that are received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them to formalize their comment.

ERWE 10527, 10528, 10529, 10530, EN 10531, "NELSONS WAY" EN "PLYMOUTH SOUND WAY", MARINERS VILLAGE, WESTCLIFF, HERMANUS: AANSOEK OM AFWYKING: MNRE PLANACTIVE STADS- EN STREEKSBEPLANNERS NAMENS STELLENHOME (PTY) LTD & MARINERS VILLAGE HUISEIENAARSVERENEGING

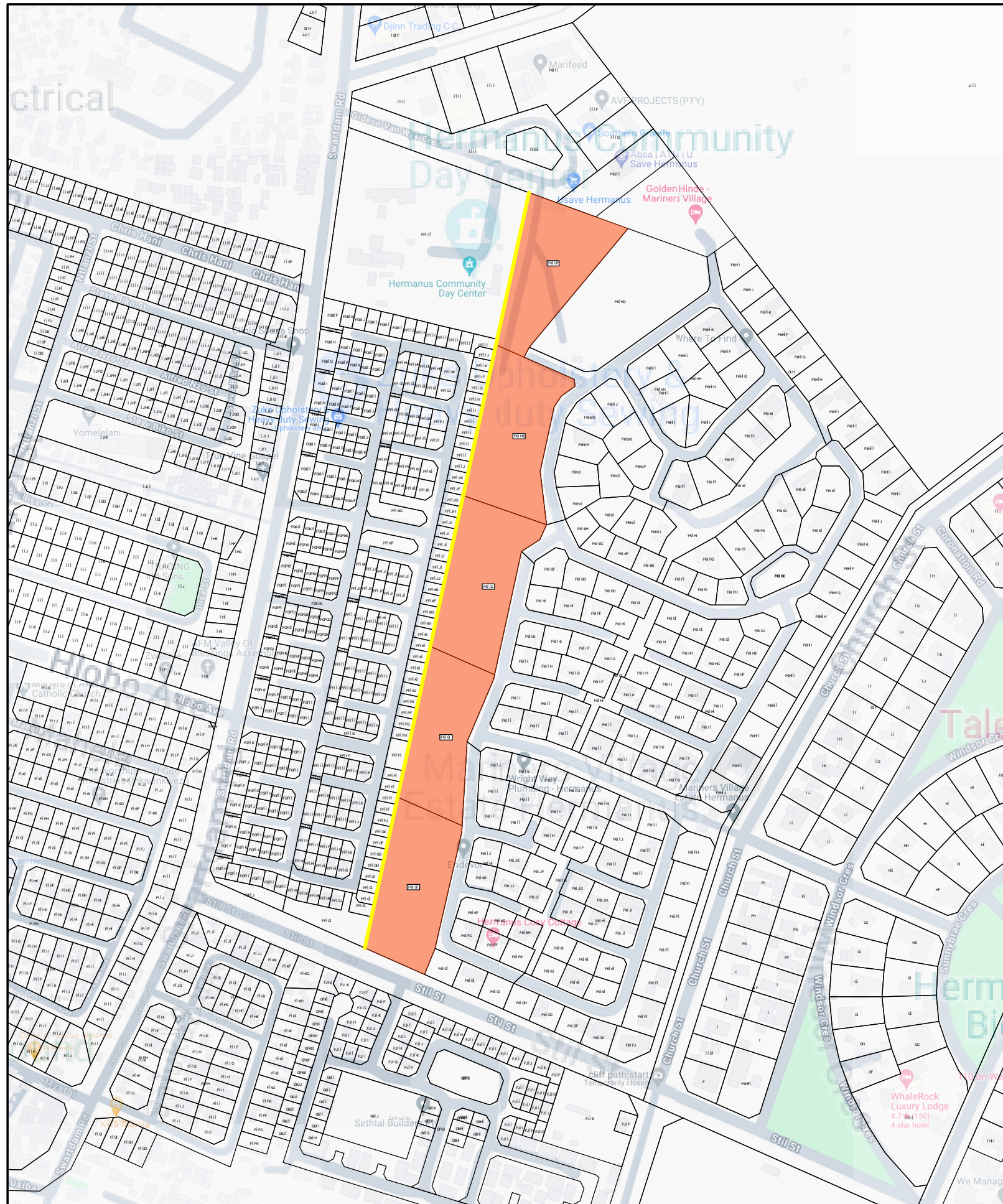
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek, van toepassing op Erwe 10527, 10528, 10529, 10530, en 10531, Hermanus, om afwyking ingevolge Artikel 16(2)(b) van die Verordening ontvang is vir die verslapping van die hoogtebeperking van toepassing op grensmure om 3.3m hoë grensmure (geëlektrifiseerde heining bo-op ingesluit) langs die westelike grense van genoemde erwe, te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik wees in ooreenstemming met Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) bereik voor of op **12 July 2024**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mr. H Boshoff** by 028-313 8900. Die Munisipaliteit mag weier om kommentare wat na die sluitingsdatum ontvang is, te aanvaar. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

IZIZA EZINGU-ERVEN 10527, 10528, 10529, 10530, AND 10531, NELSONS WAY AND PLYMOUTH SOUND WAY, MARINERS VILLAGE, WESTCLIFF, HERMANUS, UMASIPALA OKUMMANDLA WASE-OVERVERSTRAND: ISICELO SOKWAHLULA: NGABAKWAPLANACTIVE TOWN & REGIONAL PLANNERS EGAMENI LE-STELLENHOME (PTY) LTD NE-MARINERS' VILLAGE HOMEOWNERS' ASSOCIATION

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-48 loMthethwana kaMasipala waseOverstrand ngeziCwangciso zokuSetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) isaziso esi sisicelo esisebenziseka kwiZiza ezaziwa ngoErven 10527, 10528, 10529, 10530, kunye no10531, Hermanus, simayela nokwahlula ngokwemiba yeSoloty le16(2)(b) loMthethwana ongokunyenyisa umqobo wokuphakama ngeemitha ezi- 2.1 osebenziseke kudonga olungumda, ukulungiselela ukuphakamisa udonga olungumda ngeemitha ezi-3.3m (kuquka ucingo lombane ngaphezulu) oluhamba ngomda okwicala lasentshona ochazwe ngentla.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela ngentsimbi ye-08:00 ukuya kweye-16:30 kwiSebe: Izicwangciso zeDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhalwe ngokwezibonelelo zeSoloty lama-51 nama- 52 loMthethwana mazifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) ngomhla okanye ngaphambi ko **12 EyeKhala 2024**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo, nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMchwangcisi weDolophu, **uMnu. H. Boshoff** ku028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvula. Nabani na ongakwazi ukufunda nokubhala angaya kwiSebe LeziCwangciso zeDolophu apho igosa likamasipala liza kumnceda ahlomle ngokusemthethweni.



SU ÔCSQYÁT CÉ

ÚUÙQWPAJÓÓUWPÖÖÛYÁ CŠŠÁP ÁUWÒUNWIP

Plan Active Stads- en Streeksbeplanners
Town & Regional Planners

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PROPOSED DEPARTURES
ERVEN 10527, 10528, 10529, 10530 AND 10531
HERMANUS
OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Stellenhome (Pty) Ltd, as the owner of erven 10527, 10528, 10529, and 10530, and the Mariners Village Homeowner's Association, the owner of Erf 10531 in Hermanus, have engaged Plan Active Town & Regional Planners to seek departures allowing for the raising of the western boundary walls of the said erven beyond the 2.1 meter height restriction.

Erf 10527 is earmarked for flats that are nearing completion. The subsequent development of erven 10528, 10529, and 10530 will also be for flats. Erf 10531 Hermanus is Zoned Open Space Zone 3, a private open space and will continue to have this function in future. Directly west of these erven lies a low-cost housing extension of Zwelihle. Prior to the construction of this housing extension in Zwelihle, the natural ground level was raised by approximately 1 meter. Consequently, the boundary wall on the western side of the mentioned erven is significantly lower than on the eastern side.

The necessity for the increase in the height of the boundary wall arises from the approximately 1-meter fill that was added to the natural ground level. This alteration in ground elevation requires the boundary wall to be extended beyond the 2.1-meter

height restriction to ensure adequate privacy and security for the properties being developed.

In summary, the request for departures is driven by the need to adjust the height of the boundary wall to accommodate the changes in ground level resulting from the development of the low-cost housing extension, ensuring the integrity and functionality of the developments on erven 10527, 10528, 10529, 10530 and 10531 Hermanus.

Erven 10527, 10528, 10529 and 10530 Hermanus is held by Title Deed Number T35013/2020 and are 5403m², 4917m², 5701m² and 5756m² in extent respectively. Erf 10531 Hermanus is held by Title Deed Number T47913/2009 and is 5278m² in extent.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for departures from the prescribed height restriction applicable to boundary walls.

3. GENERAL APPLICATION INFORMATION

3.1 PROPERTY DESCRIPTION

Erven 10527, 10528, 10529, 10530 and 10531 Hermanus, are situated within the Mariners Village Residential Estate and offer a blend of living options including single residential dwellings, townhouses, and apartments/flats. Positioned at the intersection of Still Street and Church Street, Hermanus, these properties enjoy a prime location within a vibrant residential community.

The sizes of these erven are substantial, with Erf 10527 at 5403m², Erf 10528 at 4917m², Erf 10529 at 5701m², Erf 10530 at 5756m² and Erf 10531 at 5278m²

providing ample space for development and ensuring a comfortable living environment for future residents.

The surrounding area is characterized by a mix of residential uses, creating a diverse and dynamic neighbourhood. The enclosed locality map offers a visual representation of the area.

Exciting developments are underway, with flats nearing completion on Erf 10527 Hermanus. Additionally, Erven 10528 to 10530 Hermanus, currently vacant, are slated for future development as flats, further enhancing the housing options within the estate. This expansion emphasises the ongoing growth and evolution of the Mariners Village Residential Estate, catering to the changing needs and preferences of its residents.

3.2 ZONING

As mentioned above, erven 10527, 10528, 10529 and 10530 Hermanus are established within the Mariners Village Residential Estate. The subject properties, erven 10527 to 10530 are zoned General Residential Zone 1 and will be used to establish flats. Erf 10531 Hermanus is Zoned Open Space Zone 3 and will be utilised as a private open space. The remaining erven within the Estate are zoned Residential Zone 1, General Residential Zone 1, Transport Zone 2 and Open Space Zone 3.

Surrounding properties outside the estate are zoned for single residential purposes, public roads, authority use, general industrial use and public open space. Please refer to the zoning map abstract below:



3.3 LAND USE

Erf 10527 Hermanus is currently in the final stages of development for flats and is nearing completion. Following this successful venture, Erven 10528, 10529, and 10530 Hermanus are slated for similar development as flats, aligning with the estate's overarching vision and contributing to its diverse housing contributions. Erf 10531 Hermanus will be utilised as a private open space.

Within the Mariners Village Residential Estate, a rich tapestry of housing options characterizes the remaining extent. This includes a mix of single residential houses, group houses, apartments, and flats, catering to a wide range of resident needs and preferences. This diversity fosters a vibrant and inclusive community environment, where individuals and families can find homes that suit their lifestyle and requirements.

Outside the estate's boundaries, the surrounding land uses further enrich the area's dynamics. Single residential dwellings provide housing for neighbouring communities, while public roads ensure connectivity and ease of transportation. Additionally, light industrial uses, primarily located to the north of the estate, strengthen economic activity and provide employment opportunities for residents. Notably, a low-cost housing extension is situated on the western boundary of the estate, reflecting efforts to address housing affordability and accessibility within the broader community.

In summary, the subject erven within the Mariners Village Residential Estate are situated within a mixed land-use area characterized by a harmonious blend of residential, commercial, and public amenities. This mosaic of land uses adopts a dynamic and sustainable community environment, ensuring that the estate remains a desirable and inclusive place to live and thrive.

3.4 PROPOSED DEVELOPMENT

Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for departures from the prescribed height restriction applicable to boundary walls.

3.4.1 Departures

The proposal makes provision for the raising of the existing western boundary wall of erven 10527, 10528, 10529, 10530 and 10531 in Hermanus to a height of 3.3 meters above ground level that includes 500mm for electric fencing to be fitted on top of the wall. This increase in height is intended to address several factors stemming from the development of the low-cost housing adjacent to Mariners Village Housing Estate.

Firstly, the original wall was constructed to accommodate the terrain and landscape prior to the development of the low-cost housing project. However, with the infill development that occurred during the establishment of the low-cost housing

extension in Zwelihle, the ground level has significantly changed. This has resulted in an approximate height difference of about 1 meter between the ground levels of the low-cost housing development in Zwelihle and the Mariners Village Housing Estate.

Given this difference in ground levels, the increase the height of the boundary wall is seen as necessary for safety, security, and privacy reasons. The increased height will help mitigate potential risks associated with the differing ground levels, such as unauthorized access or visibility between the two housing areas. It would also serve to enhance the security and privacy of the residents within Mariners Village Housing Estate.

The decision to increase the height of the wall has been reached through collaboration between the developer, Homeowners Association (HOA) of Mariners Village and the Overstrand Municipality. This collaborative effort suggests a consensus among stakeholders regarding the importance and necessity of this modification to the existing infrastructure.

Overall, the proposal aims to address the practical challenges posed by the changed landscape while prioritizing the safety, security, and privacy of the residents within the affected housing estates. Please refer to the plan abstract below indicating the position of the boundary walls in yellow to be raised to a height of 3.3mm above ground level:



Thys van Rooyen Consulting Civil and Structural Engineers have been appointed to design the extensions to the boundary walls to ensure the structural integrity and safety. Their expertise in civil and structural engineering makes them well-suited to

handle the complexities involved in raising the boundary walls to the proposed height of 3.3 meters in total above ground level consisting of a 2.8m wall and 500mm for electric fencing.

The adjustments required to achieve this height involve a meticulous process. Firstly, underpinning of the existing foundations is necessary to provide a stable base for the raised walls. This ensures that the structural integrity of the entire wall is maintained despite the added height. Additionally, a 1.5m high brick skin will be added to the existing structure, reinforcing it and providing further strength and durability. Insertions of rebar will further enhance the structural stability and finally, the cavities within the wall will be filled with concrete to solidify the structure and provide additional support.

For detailed construction specifications please refer to the enclosed Engineering Report and detail drawing of the wall. These documents outline the precise procedures and materials required to execute the proposed modifications effectively.

In addition to the physical construction of the wall, adjustments to the existing electric fencing are also planned. The electric fencing will be replaced and installed atop the wall, which is proposed to be raised to a height of 2.8 meters. This addition of electric fencing will contribute to the overall security measures of the boundary wall. It's important to note that the installation of the electric fencing will add another 500mm to the total height of the wall totalling a height of 3.3 meters.

To accommodate this additional height for the electric fencing, an application for a departure from the 2.1-meter height restriction is being applied for. The proposed departure seeks permission to increase the height of the western boundary walls of erven 10527, 10528, 10529, and 10530 in Hermanus to 3.3 meters in total. This height would consist of a combination of concrete block and brick wall reaching a height of 2.8 meters, with an additional 500mm allocated specifically for the provision of the electric fencing.

Overall, these measures aim to ensure not only the structural safety and integrity of the boundary walls but also to enhance the security features, thereby fulfilling the requirements for safety, security, and privacy as agreed upon by the stakeholders involved.

3.5 IMPACT ON EXTERNAL ENGINEERING SERVICES

3.5.1 PROVISION OF SERVICES

None

3.5.2 ACCESS

None

3.6 TITLE DEED

There are no restrictive Title Deed conditions in Title Deed No. T35013/2020 or T47913/2009 that must be removed to accommodate the proposed height departures from the boundary walls.

There is no bond registered against the subject properties.

3.7 PLANNING PRINCIPLES

The planning principles of spatial justice and spatial resilience do not apply to this application.

Spatial sustainability: It is motivated that the proposed departures are compatible with the character of the area and will not impact negatively on the rights of the surrounding landowners.

Spatial Resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land. Inherent in this statement is the need to promote densification and urban (as opposed to suburban) development typologies. This also has to do with the way the settlement itself is designed and functions, which should reduce the need to travel long distances to access services, facilities, and opportunities. Efficiency also refers to decision making procedures which are designed to minimise negative financial, social, economic, or environmental impacts. In addition, efficiency refers to the need for development application procedures that are efficient and streamlined. In our opinion the principle of efficiency is not applicable to this application.

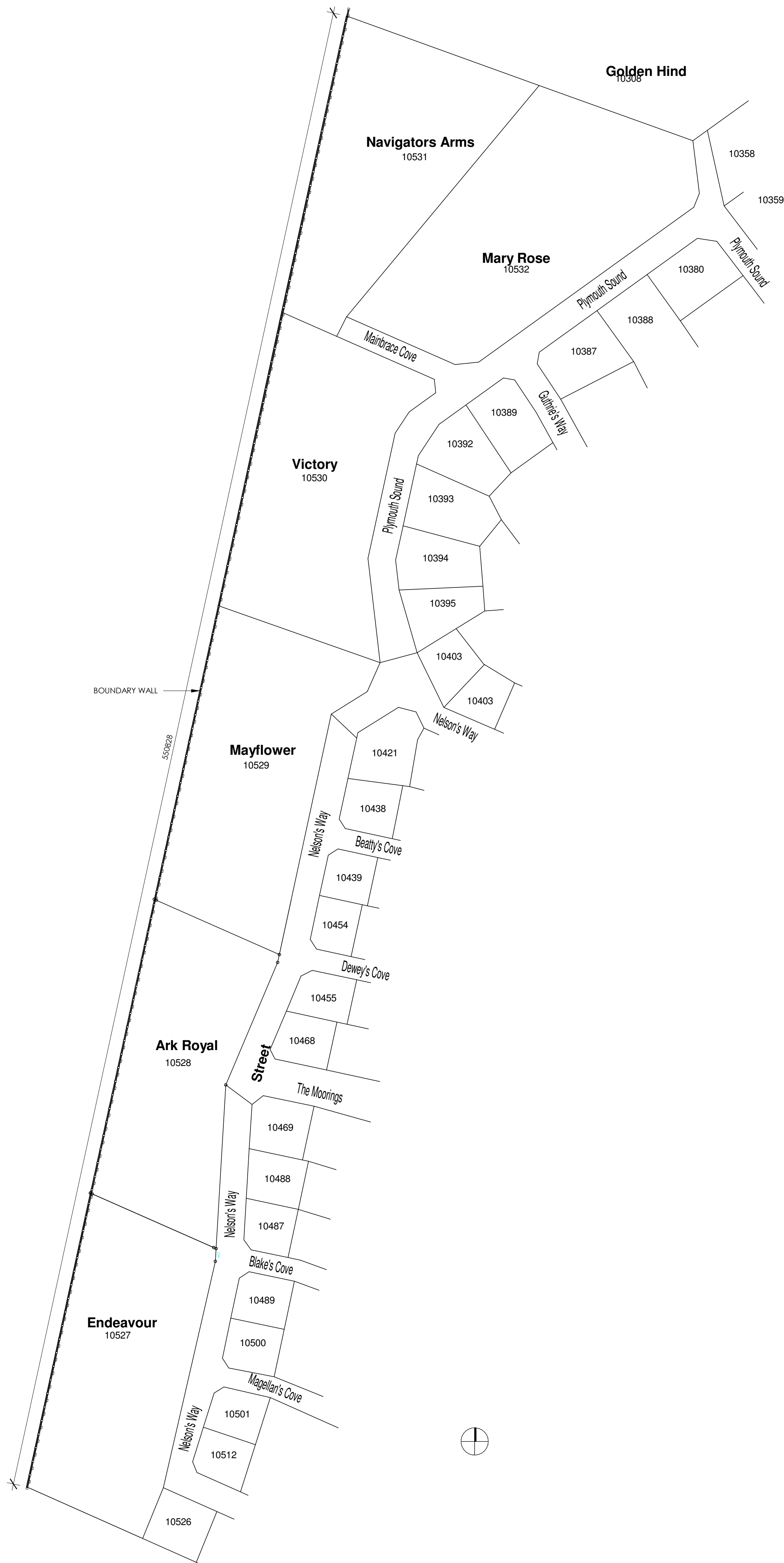
Good administration: Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

4. RECOMMENDATION

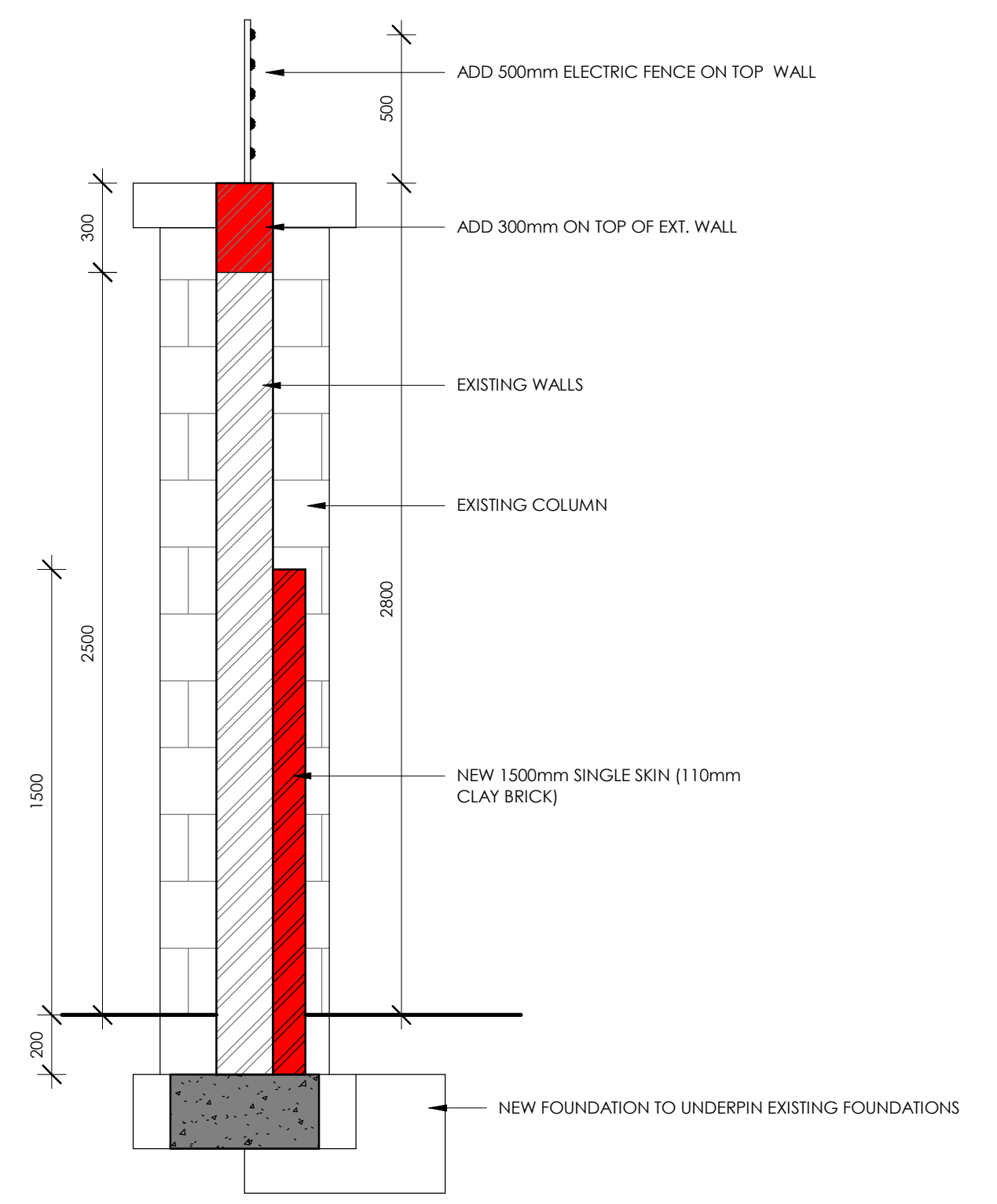
When this application is evaluated, it is important to take note of the following:

- The departures are compatible with the character of the area and do not impact negatively on the rights of the neighbouring landowners;
- No additional services are needed for the proposed application to be approved;
- The departures will not have a negative impact on the current character and land values of the surrounding erven;
- The proposed departures from the height restriction applicable to boundary walls from 2.1m to 3.3m will provide safety, security and privacy.
- The proposed boundary walls will be constructed as per the Engineer's Specifications and will be structurally sound.

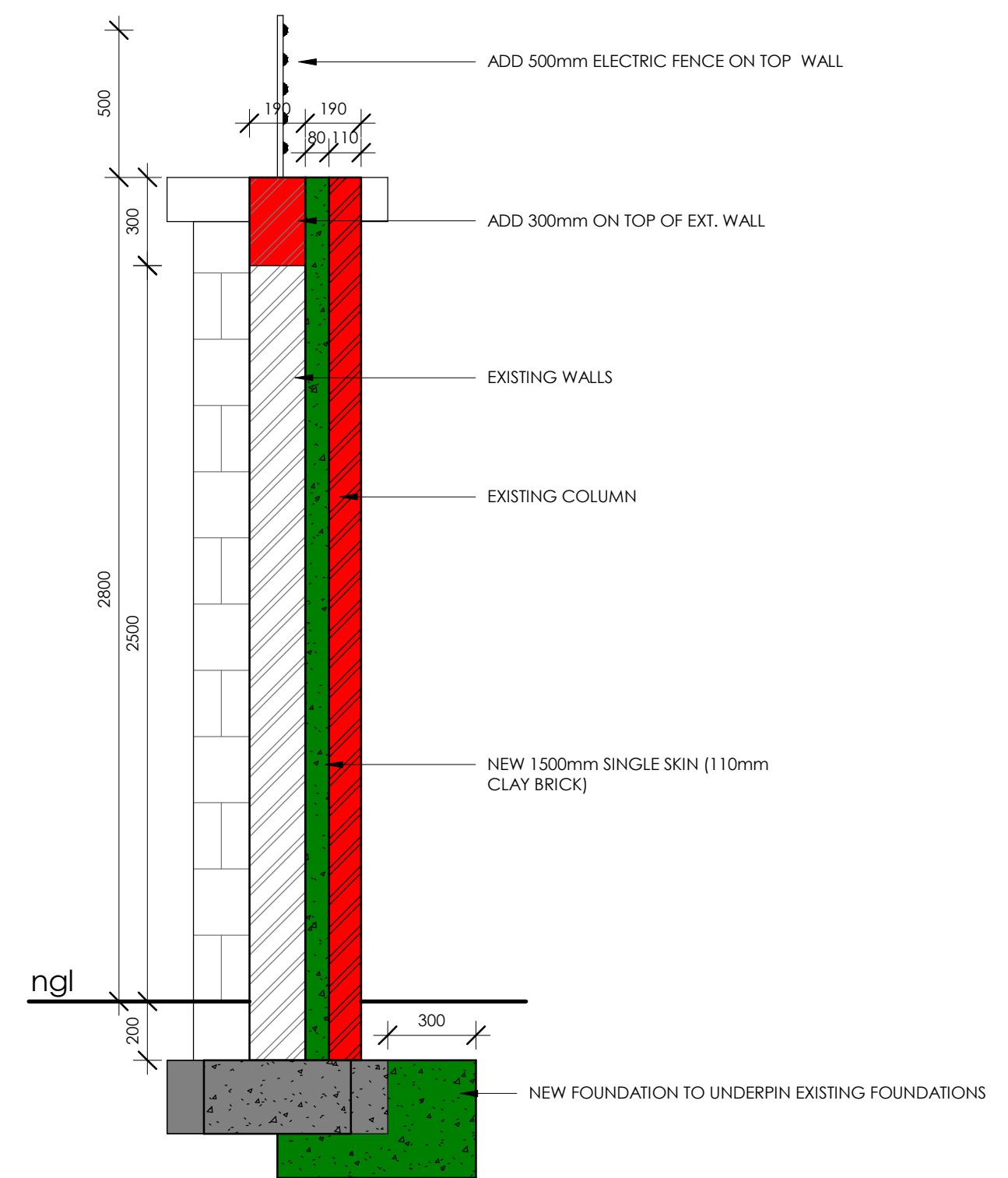
With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably to exceed the permissible height for the proposed western boundary walls of erven 10527, 10528, 10529, 10530 and 10531 Hermanus.



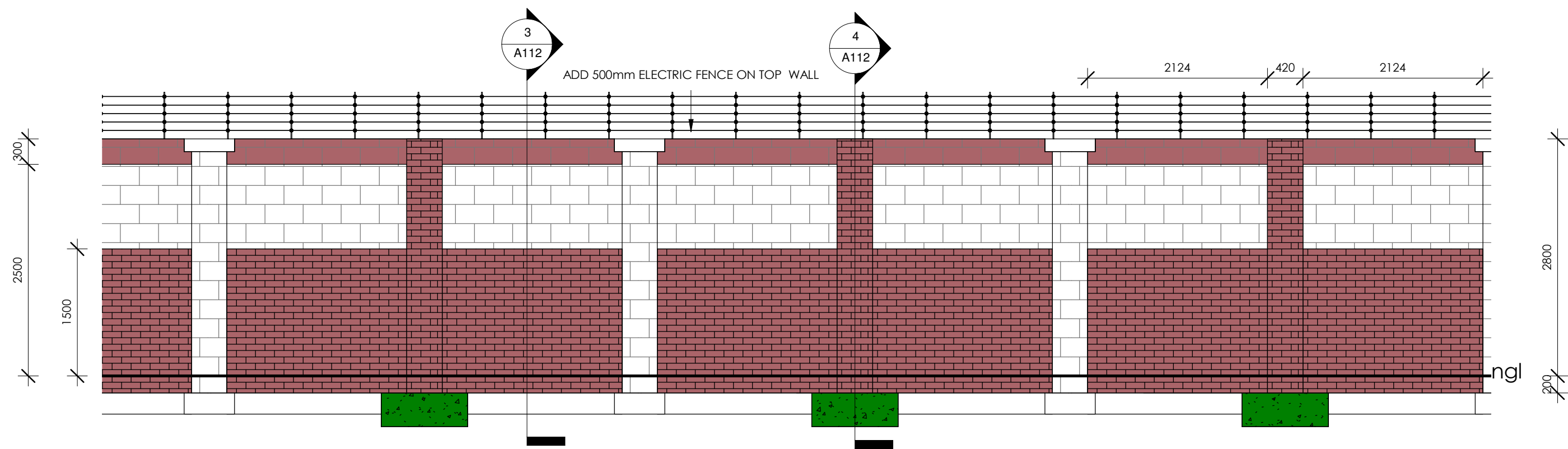
1 SITE PLAN Copy 1
1 : 1000



3 BOUNDARY WALL SECTION
1 : 20



4 BOUNDARY WALL COLUMN SECTION
1 : 20



2 BOUNDARY WALL
1 : 50

Architects Signature: *[Signature]*
Clients Signature: *[Signature]*

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MARINERS VILLAGE
ARK ROYAL NEW APARTMENTS ERF
10528
HERMANUS

Project number	156
Date	08-05-2024
Drawn by	BP
Checked by	CKA

BOUNDARY WALL	
156	A112
CURRENT REVISION	
Scale	As indicated