



## **ERF 3494, 94 CHIAPPINI STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WENZTEL ARCHITECTURE ON BEHALF OF WC PUNT**

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 for **departure** applicable to Erf 3494, Onrustrivier, has been received in terms of Section 16(2)(b) of the By-Law for the following:

- relaxation of the street building line of the property from 4m to 2.55m to accommodate the two existing shade ports.
- relaxation of the western side building line of the property from 2m to 0.8m to accommodate the new kitchen and a section of the shade port structure and a use change of a single garage to a bedroom.
- relaxation of the eastern side building line of the property from 2m to 1m to accommodate the existing shade port.

**Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

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 to reach the Municipality (16 Paterson Street, Hermanus / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **24 January 2025**, 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. Olivier** at 028-313 8900. The Municipality may refuse to accept comments 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 in order to formalize their comment.

## **ERF 3494, CHIAPPINISTRAAT 94, ONRUSTRIVIER, OVERSTRAND MUNISIPALE AREA: AANSOEK VIR AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE WENZTEL ARCHITECTURE NAMENS WC PUNT**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek vir **afwyking** van toepassing op Erf 3494, Onrustrivier ingevolge Artikel 16(2)(b) ontvang is vir die volgende:

- verslapping van die straat boulyn van die eindom van 4m tot 2.55m om die twee bestaande skadunet-motorafdakke te akkommodeer.
- verslapping van die westelike syboulyn van die eindom van 2m tot 0.8m om die nuwe kombuis en 'n gedeelte van die bestaande skadunet-motorafdak en ook 'n gebruiksverandering van 'n motorhuis na slaapkamer te akkommodeer.
- verslapping van die oostelike syboulyn van die eindom van 2m tot 1m om die bestaande skadunet-motorafdak te akkommodeer.

**Bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening.

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 en die Munisipaliteit bereik (Patersonstraat 16, Hermanus / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) voor of op **24 Januarie 2025**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H. Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. 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.

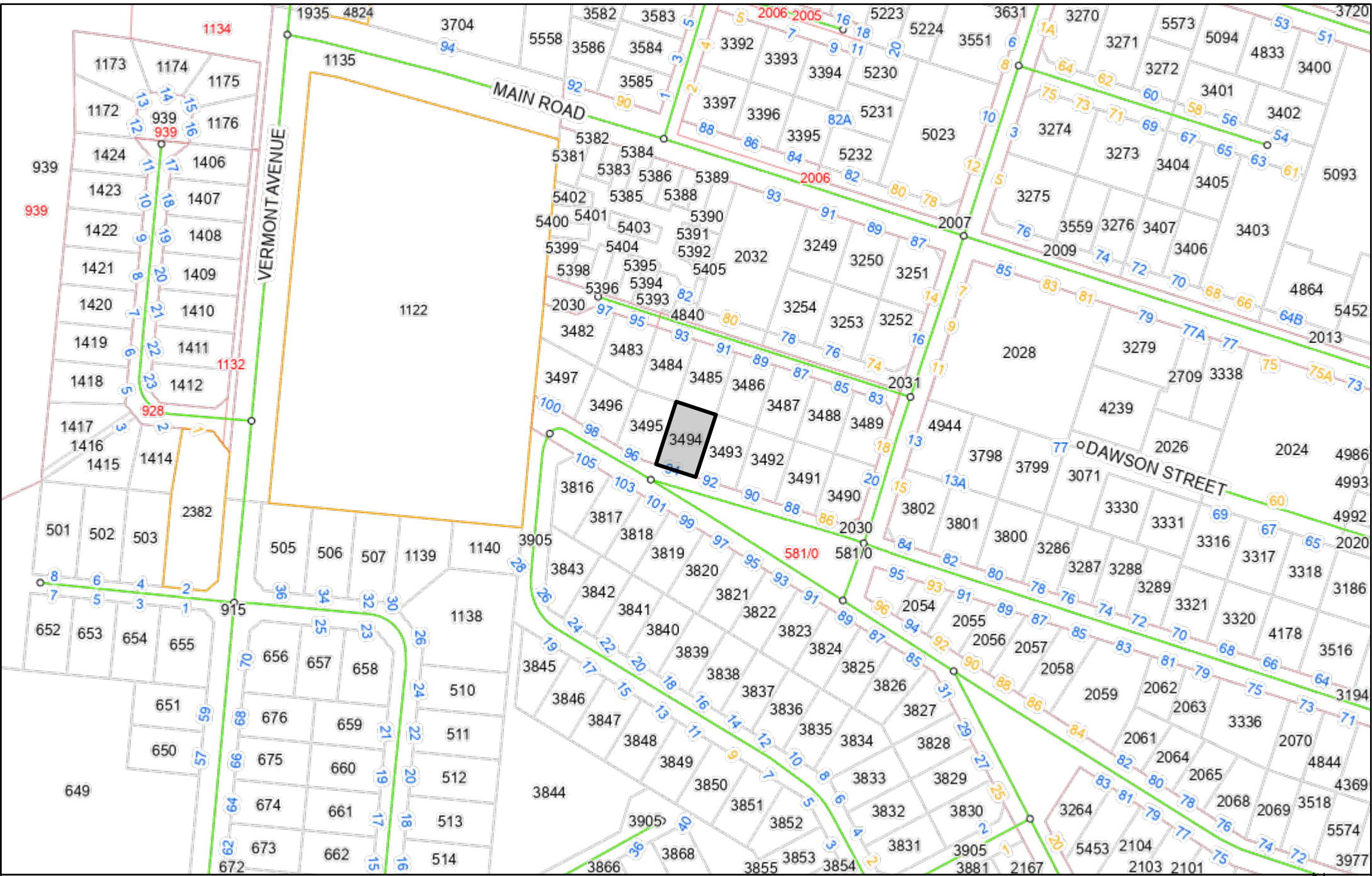
## **ISIZA 3494, 94 CHIAPPINI STREET, ONRUSTRIVIER, UMASIPALA WASE OVERSTRAND: ISICELO SOPHAMBUKO NOKUMISELWA KWESOHLWAYO SOLAWULO: MESSRS WENZTEL ARCHITECTURE EGAMENI LIKA- WC PUNT**

Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokuba isicelo sophambuko esikwi Siza 3494 Onrustrivier sifunyenwe ngokwemiqathango yeCandelo 16(2)(b) loMthetho kaMasipala ngoku kulandelayo

- Ukunyeniswa komda wesakhiwo kwisitalato kwi propati ukusuka ku 4m ukuya ku 2.55 m ukulungiselela indawo zomthunzi ezimbini ezikhoyo.
- Ukunyeniswa komda kwisakhiwo kwicala elingasekhohlo kwi propati ukusuka ku 2m ukuya ku0.8m ukulungiselela indawo yokuphekela entsha kunye necandelo lendawo yesakhiwo somthunzi kunye notshintsho lwegaragi isetyenziswe njengegumbi lokulala
- Ukunyeniswa komda wesakhiwo kwicala elingasekunene kwi propati ukusuka ku 2m ukuya ku1m ukulungiselela indawo yomthunzi ekhoyo

Ukumiselwa kwesohlwayo solawulo ngokwemiqathango yeCandelo 16(2)(q) ngokwalomthetho

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi yesi-08:00 neye-16:30 kwiSebe: UCwangciso lweDolophu, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe kuMasipala (16 Paterson Street, Hermanus / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama-**24 Janywari 2025**, uchaze igama lakho, idilesi kunye neenkukacha zohagamshekwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo ngomnxeba ingenziwa kuMcwangcisi weDolophu, **Umn. H.Olivier** kule nombolo yomnxeba 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokwalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe lezocwangciso lweDolophu apho igosa lika Masipala liyakuthi limncede ukufaka izimvo zakhe ngokusemthethweni.



# 1 – INTRODUCTION TO THE PROPOSED DEVELOPMENT

## 1.1 Background

The owner of the property, Mr. W.C. Punt has instructed Kyle Wentzel from Wentzel Architecture to apply for a building line departure from the Overstrand Municipality’s Zoning Scheme Regulations. Erf 3494, Onrust River, referred to in this document as the application area, measures 508.68m<sup>2</sup> and is held by Title Deed no. T000062755 / 2024

## 1.2 Application detail

The Overstrand Municipality’s By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, states that an owner of an erf may apply to the Overstrand Municipality for a permanent departure from the provisions as stated in the Overstrand Municipality’s Zoning Scheme Regulations; therefore, an application is made in terms of;

1.2.1 Section 6.1.2 (b)(i) “**Street building lines**” for the permanent relaxation of the 4.0m street building line. According to the Overstrand Municipality’s Zoning Scheme Regulations, the street building line is determined by the size of the net erf area, as listed in the table below:

1.2.2 Section 6.1.2 (b)(ii) “**Side and rear Building Lines**” for the permanent relaxation of the 2.0m side building line. According to the Overstrand Municipality’s Zoning Scheme Regulations, the side and rear building lines are determined in accordance with the net erf area, as listed in the table below:

Nett Erf Area:	Street building Line	Side & rear Building Lines
400m <sup>2</sup> and greater	4.0m	2.0m

1.2.3 Permission required application:

The Overstrand Municipality’s By-Laws on Municipal Land Use Planning 2020, state that an owner of an erf may apply to the Overstrand Municipality for the permission required to make changes within previously approved structures that encroach municipal building lines; therefore, an application is made for the permission required to make several changes on previously approved structures that encroach current municipal building lines as discussed later in this document.

1.2.4 Determination of an Administrative Penalty:

The Overstrand Municipality’s amended By-Laws on Municipal Land Use Planning, Chapter 10, Section 90, 2020, state that a person who is in contravention of this By-Laws, and submits application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty; therefore, an application is made for the determination of an administrative penalty for the unauthorized building work that currently encroaches the 4.0m street building lines the 2.0m western side building line, and the 2.0m eastern side building line as discussed later in the document.

### 1.3 Property description, zoning and property analysis

#### 1.3.1 Property description

The application area of 508.68m<sup>2</sup> in extent is located within the residential suburb of Onrust River at 94 Chiappini Street. Refer to the enclosed locality layout.

The existing dwelling on the application area is a double story house comprising of a typical family type living accommodation. The ground floor comprises of a kitchen, lounge area, three bedrooms, two bathrooms, a sunroom, and a covered patio. The first floor comprises of a living room, two bedrooms, two bathrooms (one of which is an en-suite), and a balcony.

The footprint of the existing dwelling on the application area along with the unauthorized structures (shown as new on the enclosed drawings) consists of the following:

#### AREA CALCULATIONS:

Existing ground	- 143.64m <sup>2</sup>
Existing covered patio	- 19.00m <sup>2</sup>
Altered sunroom	- 19.91m <sup>2</sup>
New Kitchen addition	- 21.88m <sup>2</sup>
New external store	- 4.09m <sup>2</sup>
Ground storey total	- 205.52m <sup>2</sup>
Existing first	- 116.77m <sup>2</sup>
Existing open patio	- 29.01m <sup>2</sup>
First storey total	- 145.78m <sup>2</sup>

#### COVERAGE CALCULATIONS:

Erf	- 508.68m <sup>2</sup>
Coverage	- 40.40%

### 1.3.2 Zoning

All erven immediately adjacent to the application area is zoned as Residential Zone 1: Single Residential erven. The only exceptions are the surrounding roadway zoned as Transport Zone 2: Road and Parking, and a Special zoning area that form part of the Triangle Development, also known as the “Driehoek Ontwikkeling.” Refer to the zoning map extract below for further details.

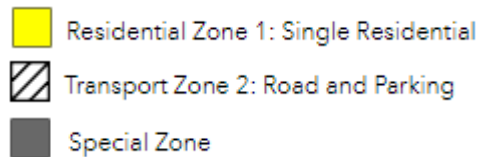
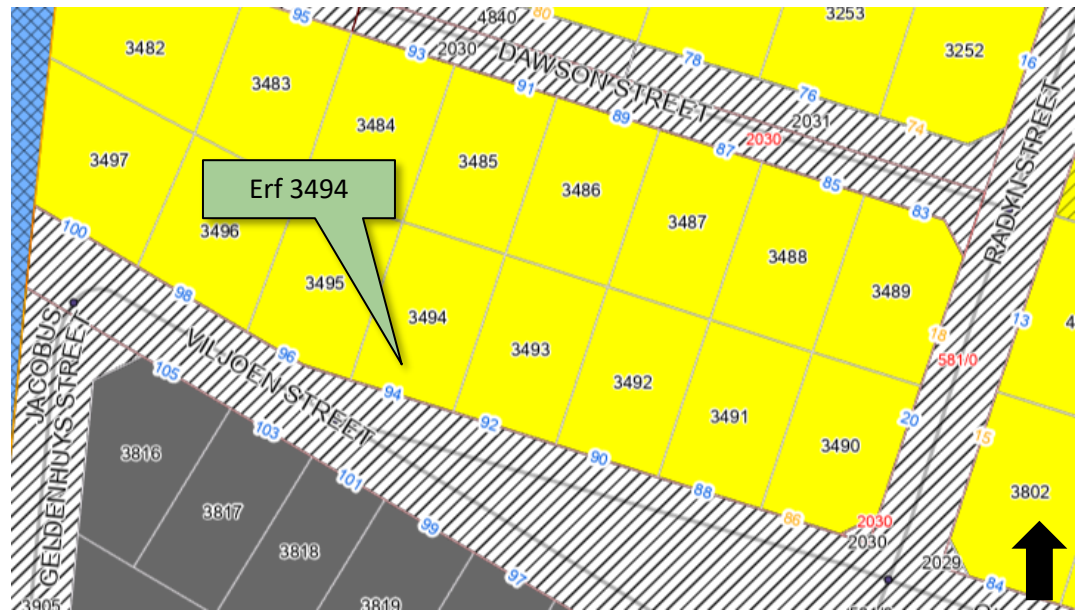


Figure 1: Zoning, an extract from the Overstand Public Viewer – NOT TO SCALE

1.3.3 Analysis - Development Criteria as per the Overstrand Municipality

The development parameters for the application area as per the Overstrand Municipality Land Use Scheme, 2020 can be summarized as follows:

Design Parameters:		Overstrand Municipality's Zoning Scheme Regulations:	Proposal:	Comments:
<b>Zoning</b>		Residential Zone 1: Single Residential (SR1)	Residential Zone 1: Single Residential (SR1)	Unchanged
<b>Primary Use</b>		Crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self - catering	Dwelling house	Unchanged
<b>Consent Use</b>		Day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture	None	Unchanged
<b>Coverage</b>		50%	40.40%	Unchanged
<b>Ext. House Height Restriction</b>		8.0m	Roof ridge height = 7.568m (measured from the base level)	Unchanged
<b>Building lines</b>	<b>Street</b>	4.0m	2.55m	<b>Application for a departure</b>
	<b>Side (West)</b>	2.0m	0.8m	<b>Application for a departure</b>
	<b>Side (East)</b>	2.0m	1.0m	<b>Application for a departure</b>
	<b>Rear</b>	2.0m	2.0m	Unchanged
<b>Parking</b>		Dwelling house: 2 bays	Dwelling house: 2 bays	Unchanged

2 - CONTEXTUAL SITE INFORMATION:

2.1 Property Description

Property:	Extent:	Title Deed No:	Registered Owner:
Erf 3494, Onrust River	508.68m <sup>2</sup>	T000062755 / 2024	Mr. W.C. Punt

Refer to Annexure C for the Title Deed of Erf 3494, Onrust River

Refer to Annexure F for the SG Diagram:

The following Surveyor General plan reflects the application site

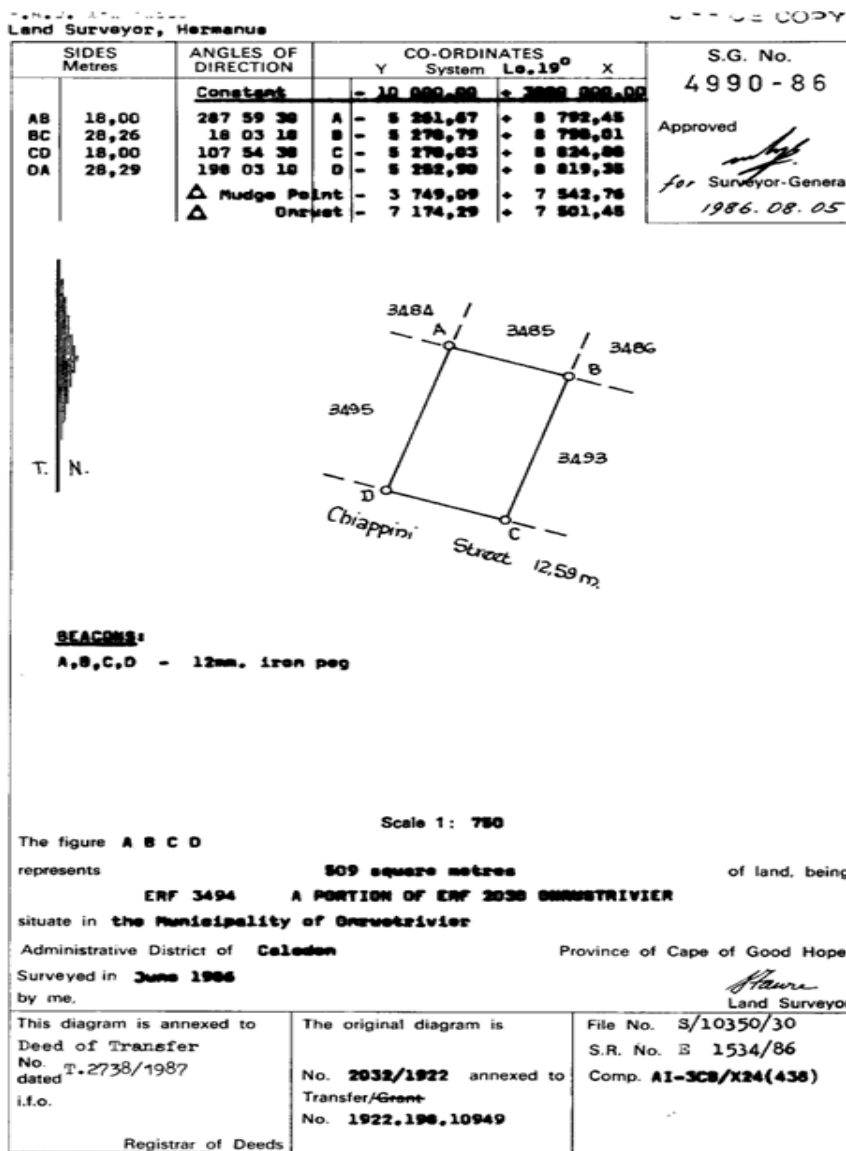


Figure 2: Extract of the Surveyor General Plans of the application site – NOT TO SCALE

## 2.2 Location

### 2.2.1 Regional Context

Within a regional context, the application area is located within Onrust River residential suburb.

Refer to Annexure G for the Locality layout

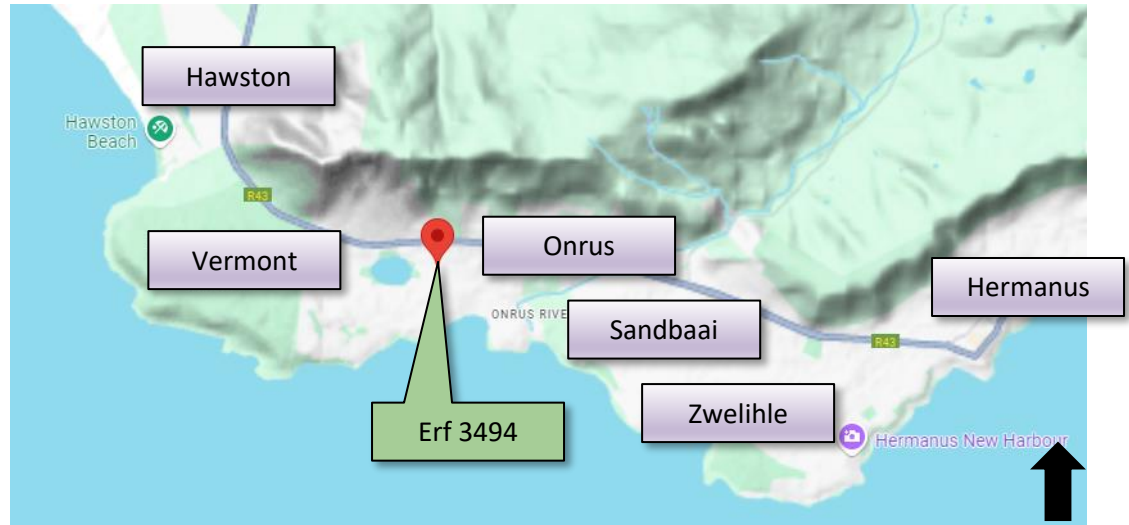


Figure 3: Regional Context – NOT TO SCALE

### 2.2.2 Local Context

Within a local context, the application area consists of a residential Erf within Onrust River. The application area is located at No. 94 Chiappini Street.



Figure 4: Local Context, an extract from the Overstrand Public Viewer – NOT TO SCALE

### 3 – PROPOSAL:

#### 3.1 Background and introduction to the proposal

The current owner of Erf 3494, Mr. W.C. Punt, recently purchased (2024) this sought-after property for a fair price. At the time of purchase, his primary intention was to upgrade and renovate the property to provide comfortable, permanent accommodation for himself and his family.

Mr. W.C. Punt had recently purchased the property on Erf 3494, Onrust River. He approached my firm, Wentzel Architecture, in August 2024 to enquire the addition of a garage to the property (not indicated or included in this departure application).

Upon obtaining copies of the approved drawings from Council, it became evident that the approved drawings on file at the Overstrand Municipality's Building Control reflected minor dissimilarities compared to the structures I measured up on site. These dissimilarities include:

- The conversion of an approved single garage into a third bedroom
- The addition of two new shade-net carport structures on the western and eastern erf boundary lines
- The addition of a new storage area on the eastern erf boundary
- Minor internal alterations

The aforementioned dissimilarities was brought to my client, Mr. W.C. Punt's attention, who expressed astonishment at my findings. Having only recently purchased the property, he purchased the property under the assumption that the approved plans on record at the Overstrand Municipality held validity.

In addition to the council submission drawings for the aforementioned additions and alterations to the existing dwelling, my services were then redirected to the preparation and submission of a departure application to rectify the aforementioned dissimilarities on behalf on my client, Mr. W.C. Punt, and preparing and submitting an application for the determination of an administrative penalty for the unauthorised structures build on site.

Following a pre-submission meeting with Henk Olivier, the Onrust River Town Planner, on August 7, 2024, it was discovered that the as-built kitchen on the application area is also an unauthorised structure as there is no record of it being shown as "new" on any of the approved plans at the Overstrand Municipality's Building Control Office. The initial drawings for the proposed new dwelling, approved in 1990, indicated a kitchen yard, while subsequent proposed additions and alterations to the existing dwelling, approved in 2013, indicated the kitchen as "existing". Consequently, the scope of work for the departure application has been slightly expanded to obtain approval for the aforementioned unauthorised kitchen.

#### 3.2 Application

3.2.1 As stated earlier in this document, the Overstrand Municipality's By-Laws on Municipal Land Use Planning Chapter 4 Section 16(2)(b), 2020 states that an owner of an erf may apply to the Municipality for a permanent departure from the provisions as stated in the Overstrand Municipality's

Zoning Scheme Regulations. Therefore, application is subsequently made in terms of the Overstrand Amendment By-Law on Municipal Land-use Planning, 2020 for:

3.2.1.1 The relaxation of the street building line from 4.0m to 2.55m to allow for two unauthorised shade-net carport structures constructed over the mentioned street building line,

3.2.1.2 The relaxation of the Western side building line from 2.0m to 0.8m to allow for an unauthorised kitchen and a section of a shade-net carport structure constructed over the mentioned side building line,

3.2.1.3 The relaxation of the Eastern side building line from 2.0m to 1.0m to allow for an unauthorised, shade-net carport structure constructed over the mentioned side building line,

3.2.2 As stated earlier in this document, the Overstrand Municipality's By-Laws on Municipal Land Use Planning 2020, state that an owner of an erf may apply to the Overstrand Municipality for the permission required to make changes within previously approved structures that encroach Municipal Building Lines; therefore, an application is made for the permission required to make several changes on previously approved structures that encroach current Municipal Building Lines; therefore, an application is made for the permission require for:

3.2.2.1 The permission for a usage change within the 2.0m Western side building line:

This permission requires that the existing and approved single garage be converted into a third bedroom on ground floor.

3.2.2.2 The permission to make changes within the existing, as-built structures that currently encroaches the 2.0m Western Municipal Side Building Line:

This permission requires the conversion of the existing single garage door constructed over the 2.0m Western side building line, into a new Aluminium frame window.

3.2.3 The Overstrand Municipality's amended By-Laws on Municipal Land Use Planning, Chapter 10, Section 90, 2020, state that a person who is in contravention of this By-Laws, and submits application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty; therefore, an application is made for the determination of an administrative penalty for the unauthorised structures that currently encroaches the 4.0m Street building line, the 2.0m Western side building line, and the 2.0m Eastern side building line as highlighted throughout this document.

3.2.3.1 Background of the unauthorised construction work

As mentioned earlier in this document, Mr. W.C. Punt had recently purchased the property on Erf 3494, Onrust River. He approached my firm, Wentzel Architecture, in August 2024

to enquire the addition of a garage to the property (not indicated or included in this departure application).

Upon obtaining copies of the approved drawings from Council, it became evident that the approved drawings on file at the Overstrand Municipality's Building Control reflected minor dissimilarities compared to the structures I measured up on site. These dissimilarities include:

- The conversion of an approved single garage into a third bedroom
- The addition of two new shade-net carport structures on the western and eastern erf boundary lines
- The addition of a new storage area on the eastern erf boundary
- Minor internal alterations
- The addition of a kitchen on the western erf boundary line

The aforementioned dissimilarities were brought to my client, Mr. W.C. Punt's attention, who expressed astonishment at my findings. Having only recently purchased the property, he purchased the property under the assumption that the approved plans on record at the Overstrand Municipality held validity.

In addition to the council submission drawings for the aforementioned additions and alterations to the existing dwelling, my services were then redirected to the preparation and submission of a departure application to rectify the aforementioned dissimilarities on behalf of my client, Mr. W.C. Punt, and preparing and submitting an application for the determination of an administrative penalty for the unauthorized structures build on site.

### 3.2.3.2 Criteria for the determination of the Administrative Penalty

We request that the following factors be considered when determining the appropriate administrative penalty, as contemplated in terms of section 90(3) of the Overstrand Municipality's By-Laws on Municipal Land Use Planning:

#### 1. Nature of the unauthorized work

The nature of the unauthorized work can be summarized as follows:

- A portion of a shade-net carport structure that encroach the current 4.0m Street building line and the 2.0m Western side building line
- A portion of a shade-net carport structure that encroach the current 4.0m Street building line and the 2.0m Eastern side building line
- A portion of an existing kitchen that encroach the current 2.0m Western side building line

2. Duration of the unauthorized structures

To the best of my firm's knowledge, the property had two previous owners, Mrs. E. Giliomee and the Trustees for the time being of the Von Kotze Trust. However, the exact date when the unauthorised structures were built remains unknown. It could have occurred during the ownership of any of the previous property owners.

3. Gravity of the unauthorized structures

The gravity of the unauthorised structures is not serious. The unauthorised structures can be remedied by means of a departure application to comply with the building regulations and the Municipal By-Laws on Municipal Land Use Planning.

4. Extent of the unauthorised structures

The extent of the unauthorised structures calculate to a total of 29.71m<sup>2</sup>, refer to the calculation below:

- Footprint of the shade-net carport structure encroaching the current 4.0m Street building line and the 2.0m Western side building line

$$= 8.76\text{m}^2$$

- Footprint of the shade-net carport structure encroaching the current 4.0m Street building line and the 2.0m Eastern side building line

$$= 6.88\text{m}^2$$

- Footprint of the kitchen encroaching the 2.0m Western side building line

$$= 7.79\text{m}^2$$

- Footprint of the existing single garage converted into a third bedroom

$$= 6.28\text{m}^2$$

5. Conduct of the person involved in the contravention

As mentioned earlier, to the best of my firm's knowledge, the property had two previous owners, Mrs. E. Giliomee and the Trustees for the time being of the Von Kotze Trust. The conduct of the person(s) involved in contravening the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations remains unknown.

6. Whether the unlawful conduct was stopped

The unauthorised building works are in existence; therefore, the unlawful building works have not ceased. Hence the application to rectify the unauthorised structures.

7. A quantity surveyor in matters of unauthorized building or construction

Due to the small-scale nature of the encroachment, no Quantity Surveyor was involved. We consulted with a local, reputable contractor to provide us with an estimating cost report on the unauthorized structures, at current building rates. Refer to Annexure N for the enclosed building costing report.

3.2.3.3 Recommendation for the determination of the administrative penalty

I appeal to the Overstrand Municipality to take into consideration the low impact that these unauthorised structures have on the surrounding area.

My client, Mr. W.C. Punt, never hesitated to immediately give instruction to me to assist in the matter to address the contravention by submitting a complete (and fully motivated) departure and determination of an administrative penalty application. I therefore respectfully request that a minimal / no penalty fee be imposed on the property owner for the reasons given above.

**4 - GENERAL:**

4.1 Character of the environment

- The property in situated is the old residential section of Onrust River, characterised by a multitude of different architectural styles. Most of the properties in this area were constructed during the ruling of the Onrust River Municipality, when side and rear building lines were set at 900mm. Consequently, numerous, if not all, properties have been constructed adhering to the 900mm side and rear building lines.
- Chiappini Street is relatively far from the sea and the erven adjacent to the application area have very little gradient for North to South, allowing for only fair mountain views for some of the properties.
- The surrounding and adjacent properties in the area are all developed with residential purposes.

4.2 Effects on nature / environment, streetscape and surrounding properties:

- As shown on the enclosed drawings, these unauthorised structures are relatively minor in nature and do not impact negatively on the environment, streetscape, and surrounding properties.
- The unauthorised structures are reasonably sited on the property.

- The impact on privacy resulting from the unauthorised structures on the application area is considered negligible, as these unauthorised structures have been an integral part of the exiting dwelling.
- All surrounding properties are zoned for residential purposes. With this being said, the unauthorised work on the application area is also for residential purposes as it forms part of typical residential structures one would find on any residential property.
- The unauthorised structures are considered negligible, as this seamlessly integrates with the existing residential context of the neighborhood as a whole.

#### 4.3 Impact studies

##### 4.3.1 Economic impact

There is little to no impact on the economy. The application of for the legalization of existing unauthorised structures

##### 4.3.2 Social impact

The proposed application is not predicant to have any social impact. The unuthorised structures are compatible with the character of the area and do not negatively impact the rights of any of the adjacent properties.

##### 4.3.3 Compatibility with surrounding uses

The application is to ensure that the unauthorised structures comply with the Overstrand Municipality Land-use Scheme. The unauthorised structures as highlighted throughout this document is not out of line with the surrounding area and merge well with the scale of the surrounding dwellings in the immediate area.

##### 4.3.4 Impact on Municipal engineering services

The application area is connected to the existing networks in the area, which include electricity, water and sewage. The proposal of this application is not anticipated to have an impact on the existing Municipal services

##### 4.3.5 Impact on safety, health and the wellbeing of the surrounding community

It is not predicted that the proposal will have an impact on safety, health, and wellbeing of the surrounding community.

##### 4.3.6 Impact on heritage

The application rea is not listed in the Overstrand Municipality's Heritage register

#### 4.3.7 Impact on biophysical environment

It is not predicted that the proposal will have an impact on the biophysical environment.

#### 4.3.8 Impact on parking, access and other transport related considerations

An additional vehicle gate was added for compliance with the two vehicle parking bays on the Erf. When assessing the impact on parking, access, and other transportation-related considerations, it is important to note that Chiappini Street is a relative quiet street. The application area is situated near the end of Chiappini Street where it intersects with Viljoen Street. The unusual triangular shape of the road naturally slows down passing vehicles, which will ensure that the two vehicle entrances do not cause traffic congestion.

### 5 – PLANNING PRINCIPLES:

In terms of Chapter VI of the Spatial Planning and Land Use management Act, 2013 the following Planning Principles have been applied to the application area:

#### 5.1 Spatial Justice

Spatial Justice refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services, and land.

The application of for the legalization of existing structures and will therefore not have an impact on spatial justice.

#### 5.2 Spatial Sustainability

Spatial Sustainability refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

The application is an existing single residential property within the urban edge and will not impact on spatial sustainability.

#### 5.3 Spatial Efficiency

Spatial Efficiency refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.

The legalization of existing structures will not impact on spatial efficiency.

#### 5.4 Spatial resilience

Spatial resilience which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.

The legalisation of the unauthorised structures will not have an impact on spatial resilience as the application is consistent with the principle of spatial resilience.

#### 5.5 Good administration

Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.

The Overstrand Municipality has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process. The public participation process provides people who may be affected by the proposal with an opportunity to provide comments and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered, after which it will be addressed accordingly.

### 6 – CONCLUSION:

The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community and land use activities. Furthermore, the application proposal is considered to represent the optimal use of the application area to provide a satisfactory residential environment without causing any material negative impact on the surrounding environment.

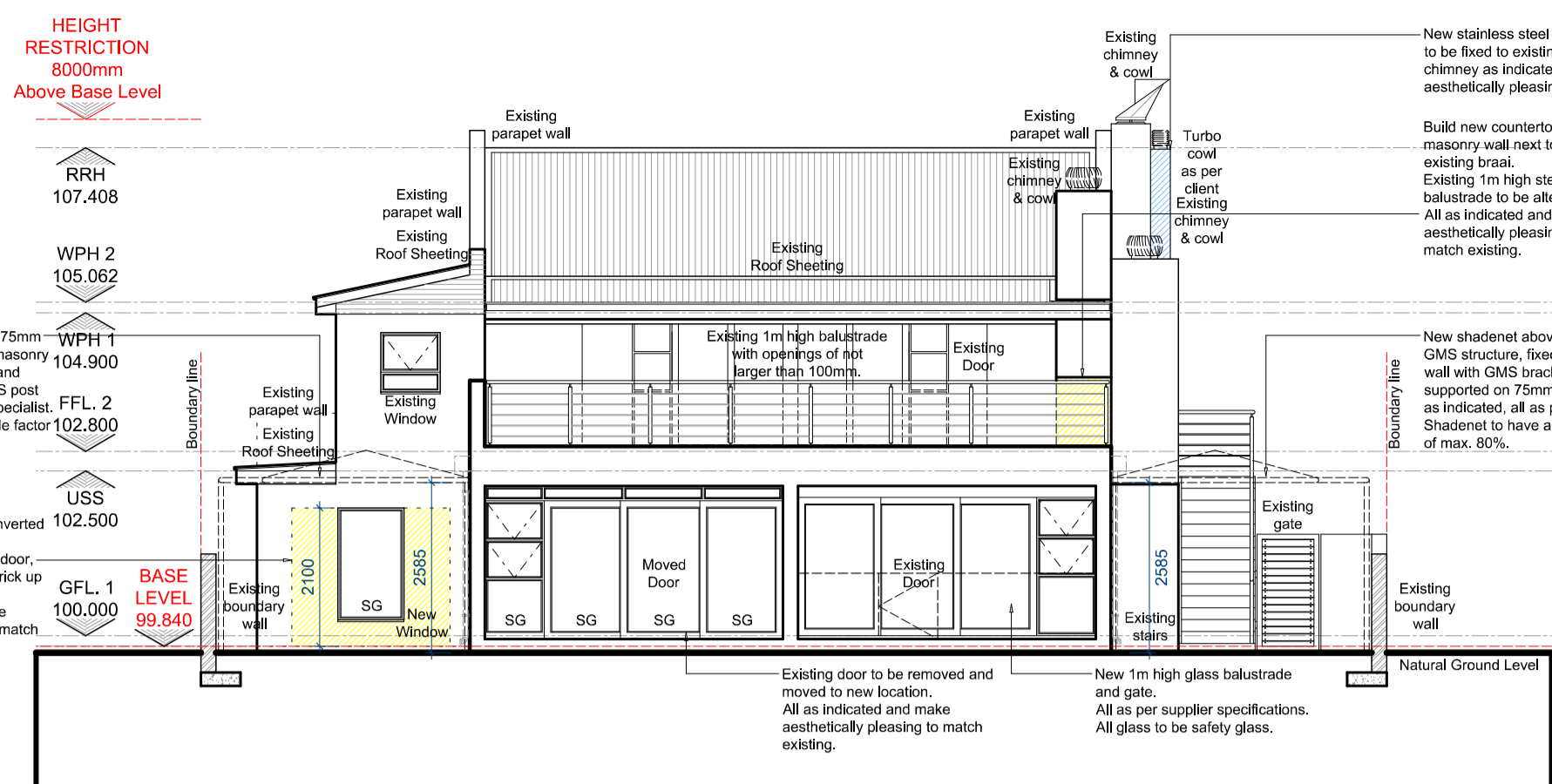
It is therefore recommended that the application be approved in terms of the Overstrand Municipality's amended By-Laws on Municipal Land Use Planning, 2020.

Your sincerely

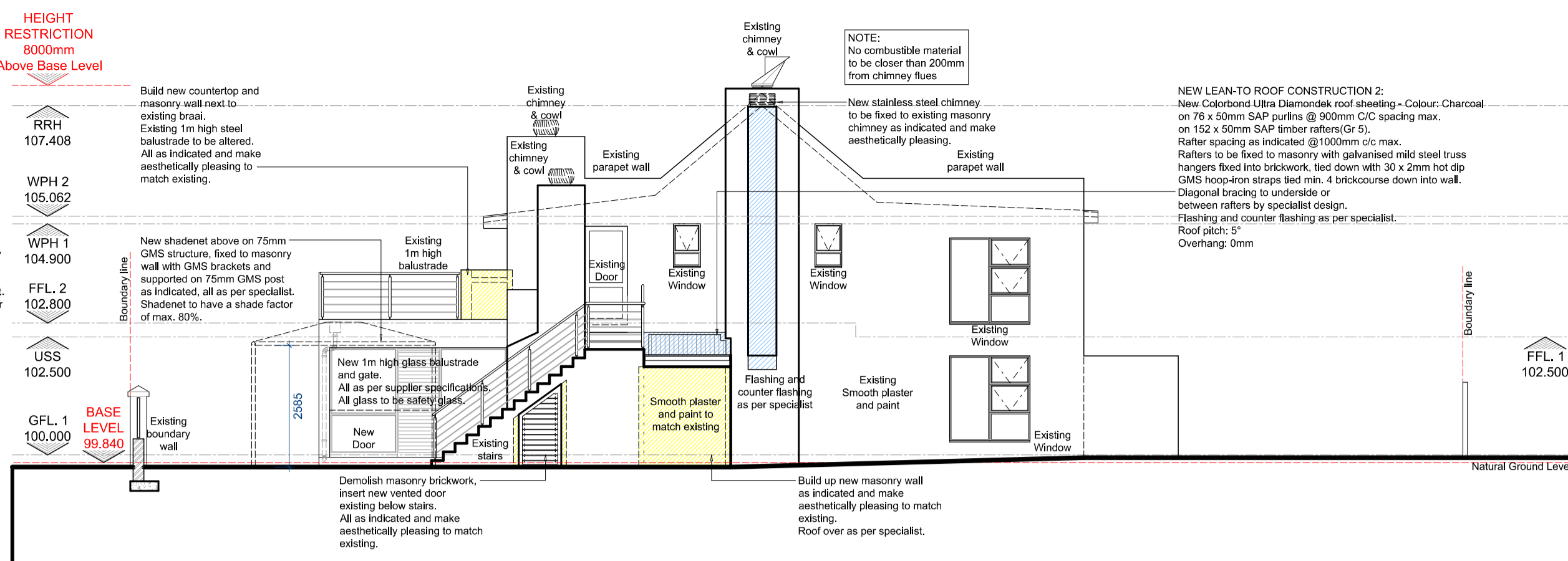
**Kyle Wentzel**

**Wentzel Architecture**

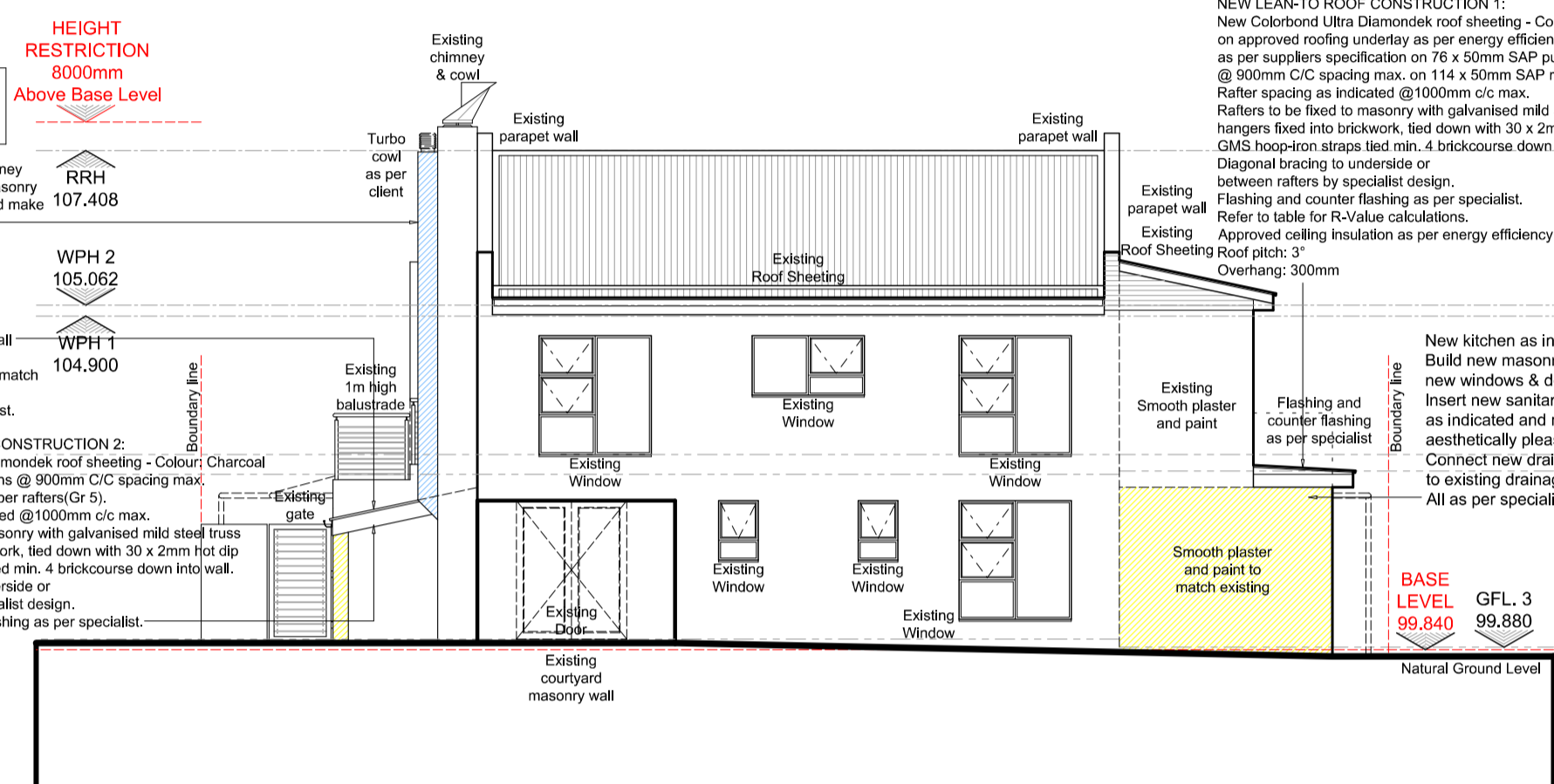




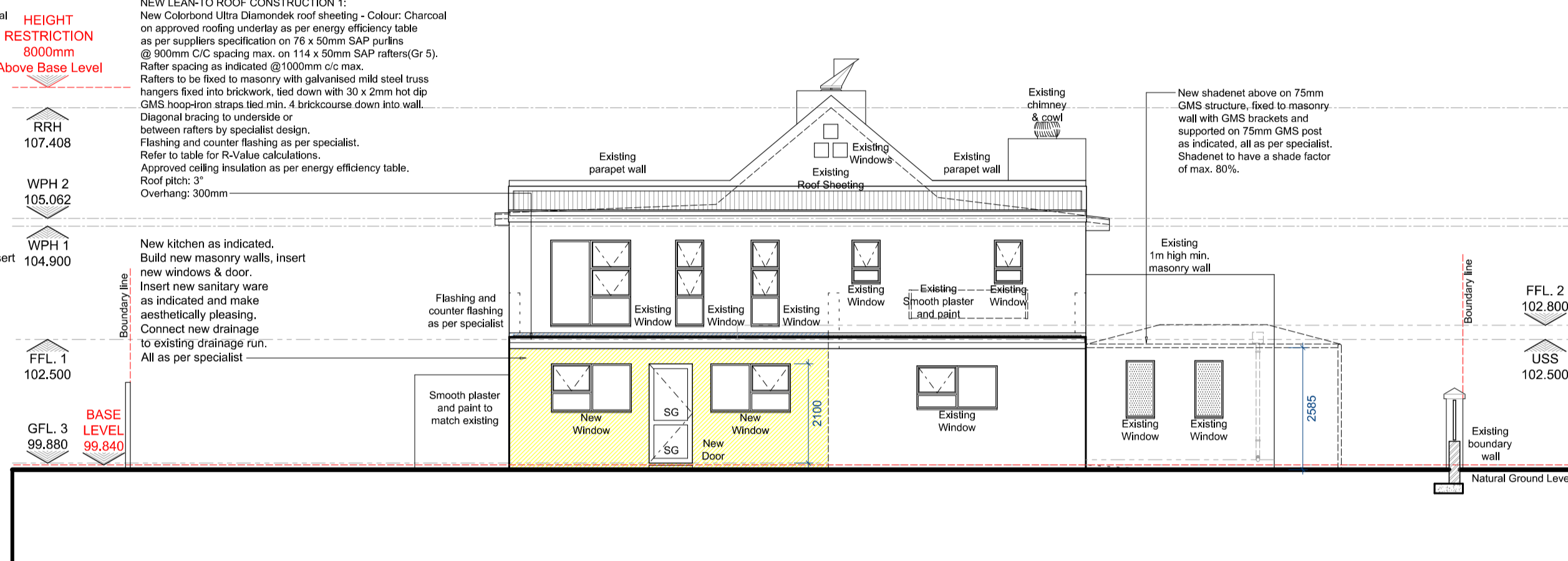
**SOUTH ELEVATION**  
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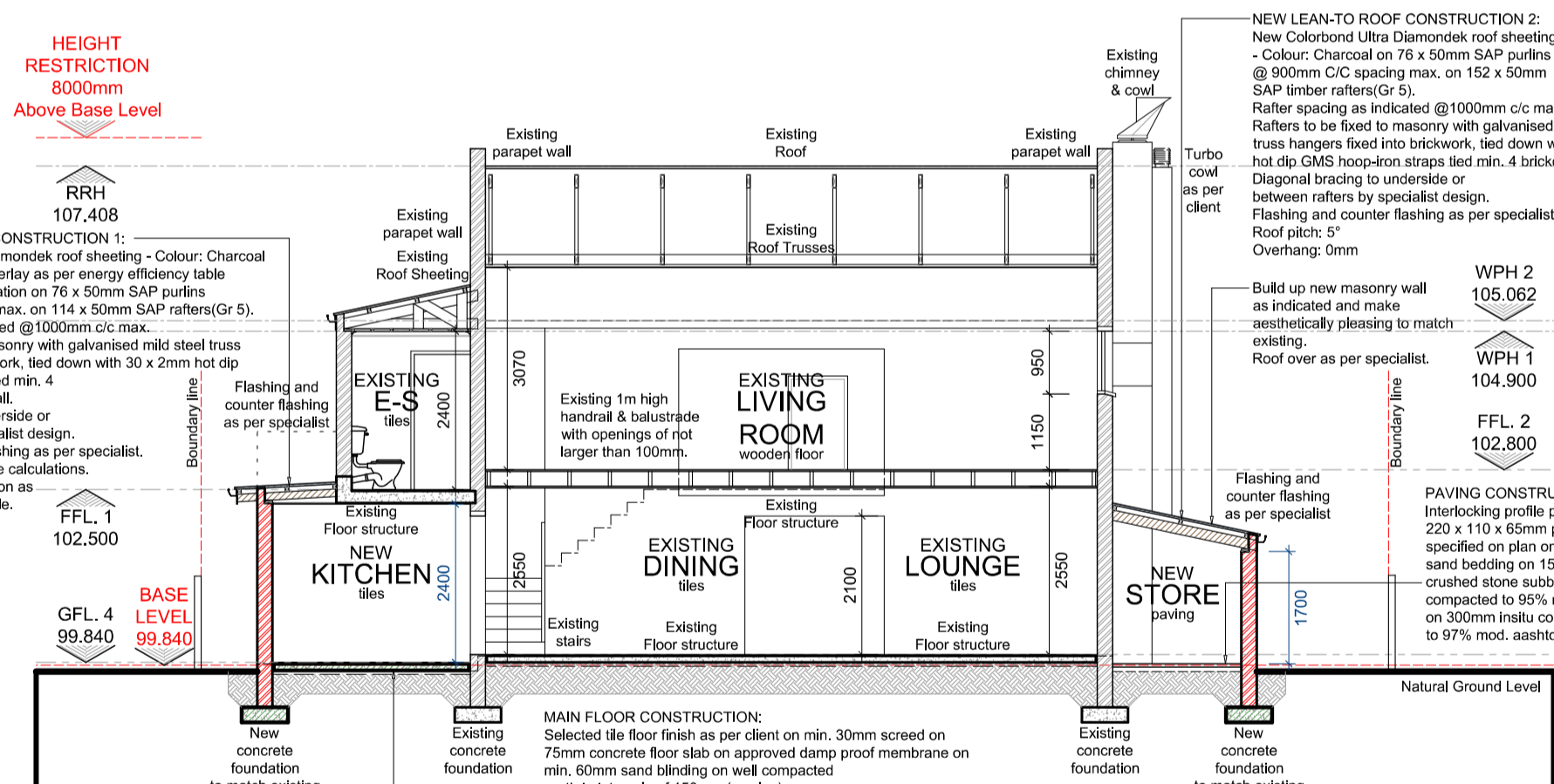
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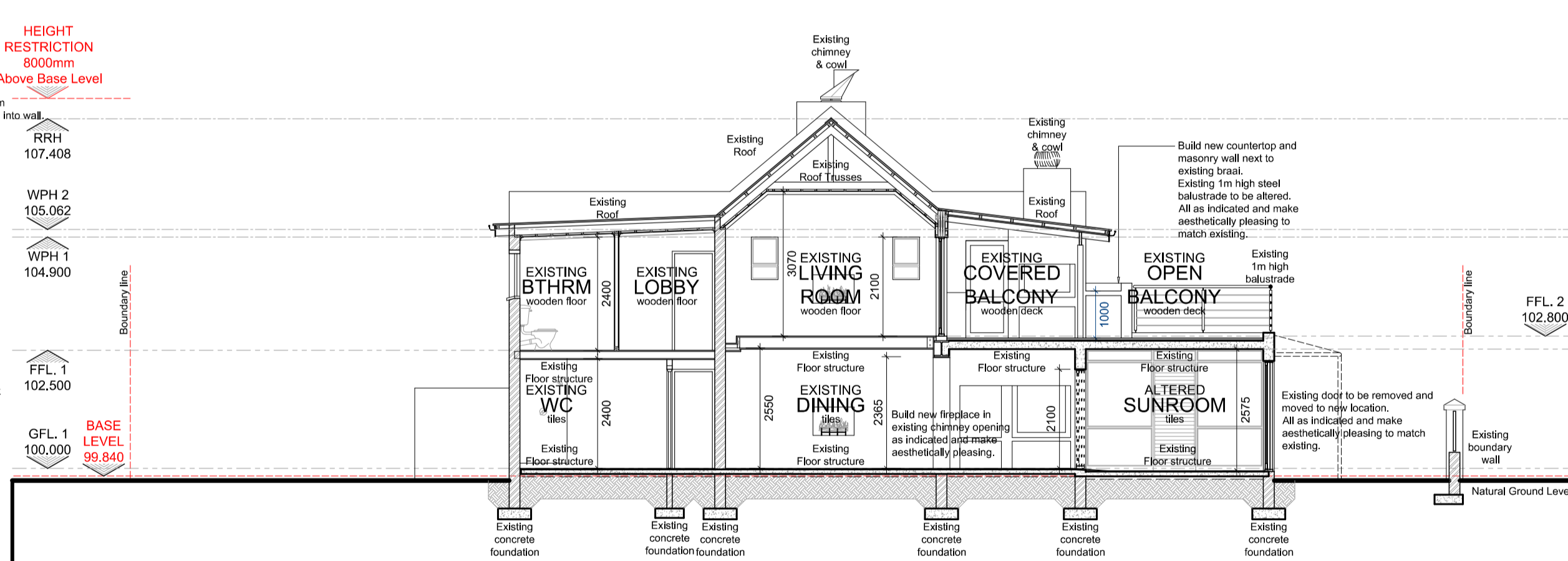
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Scale 1:100



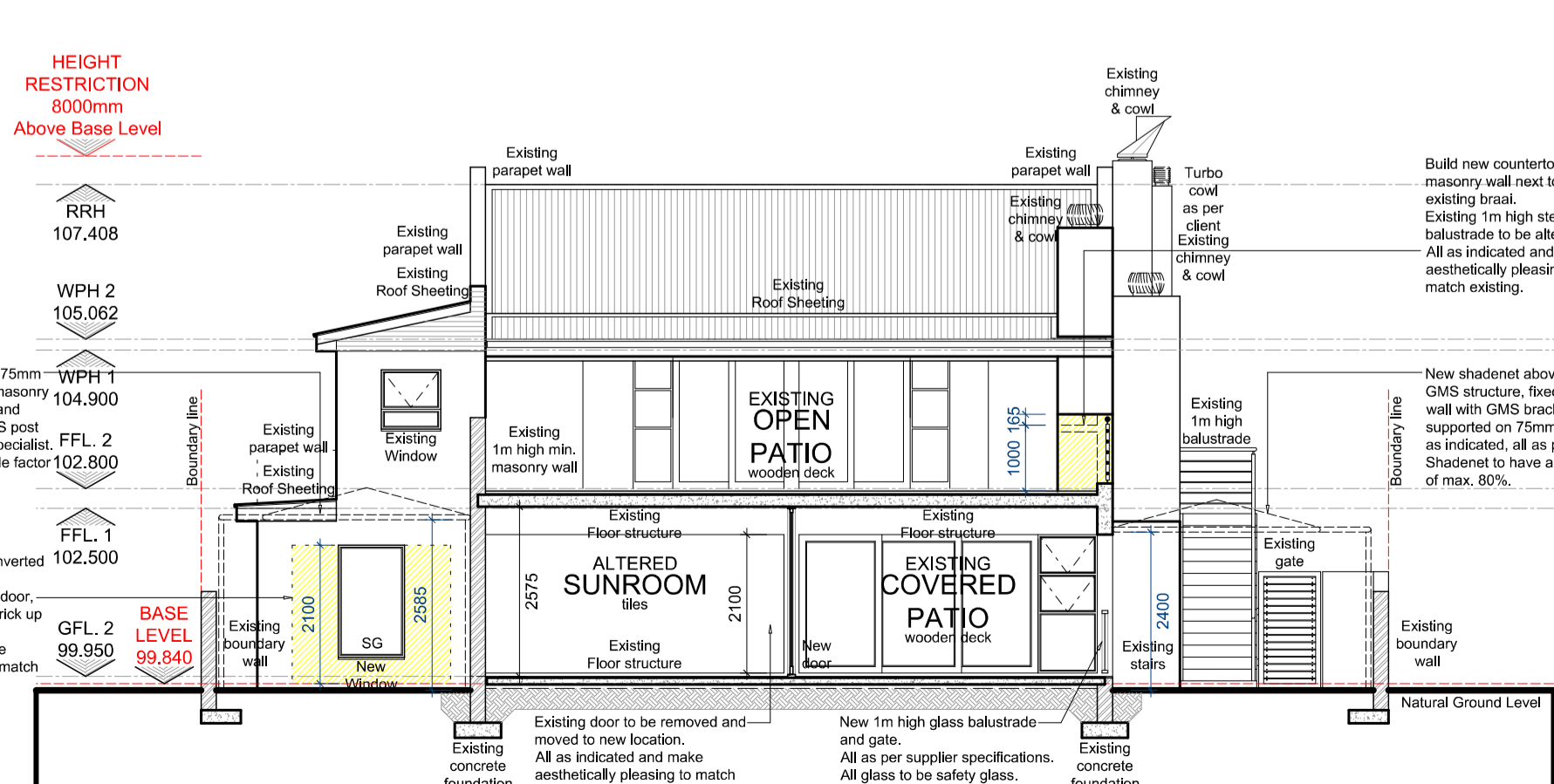
**WEST ELEVATION**  
Scale 1:100



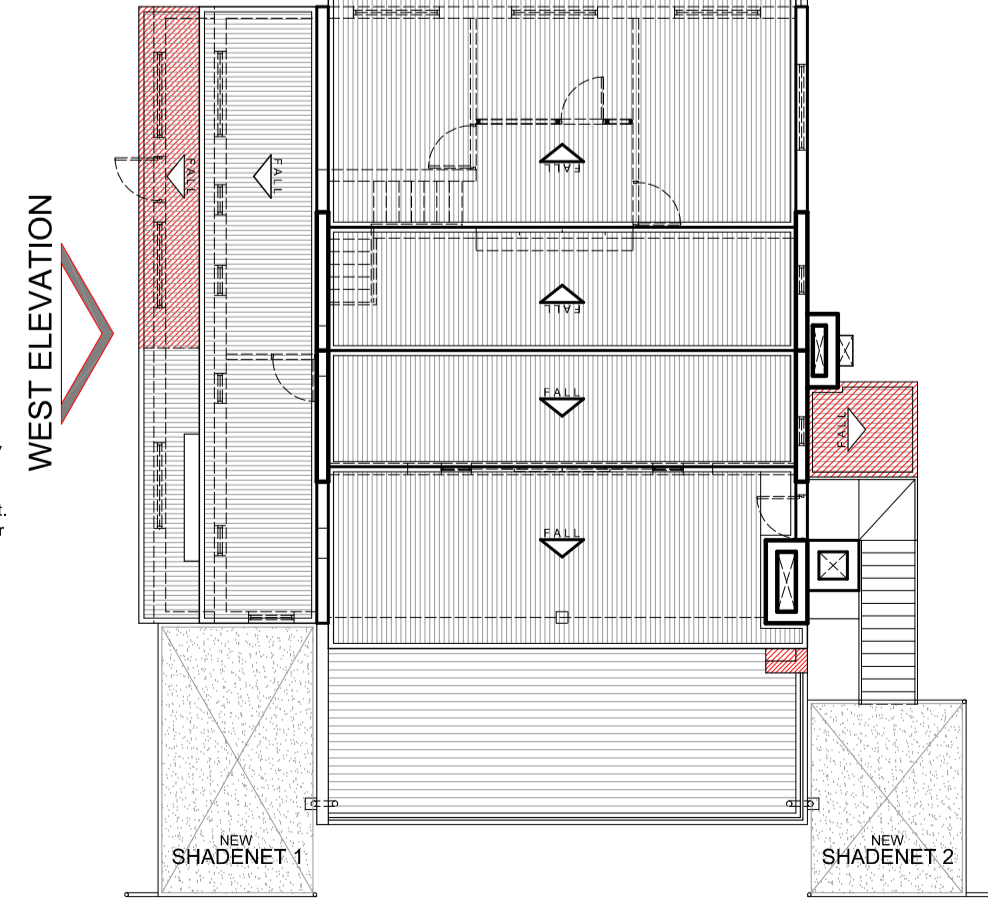
**SECTION A-A**  
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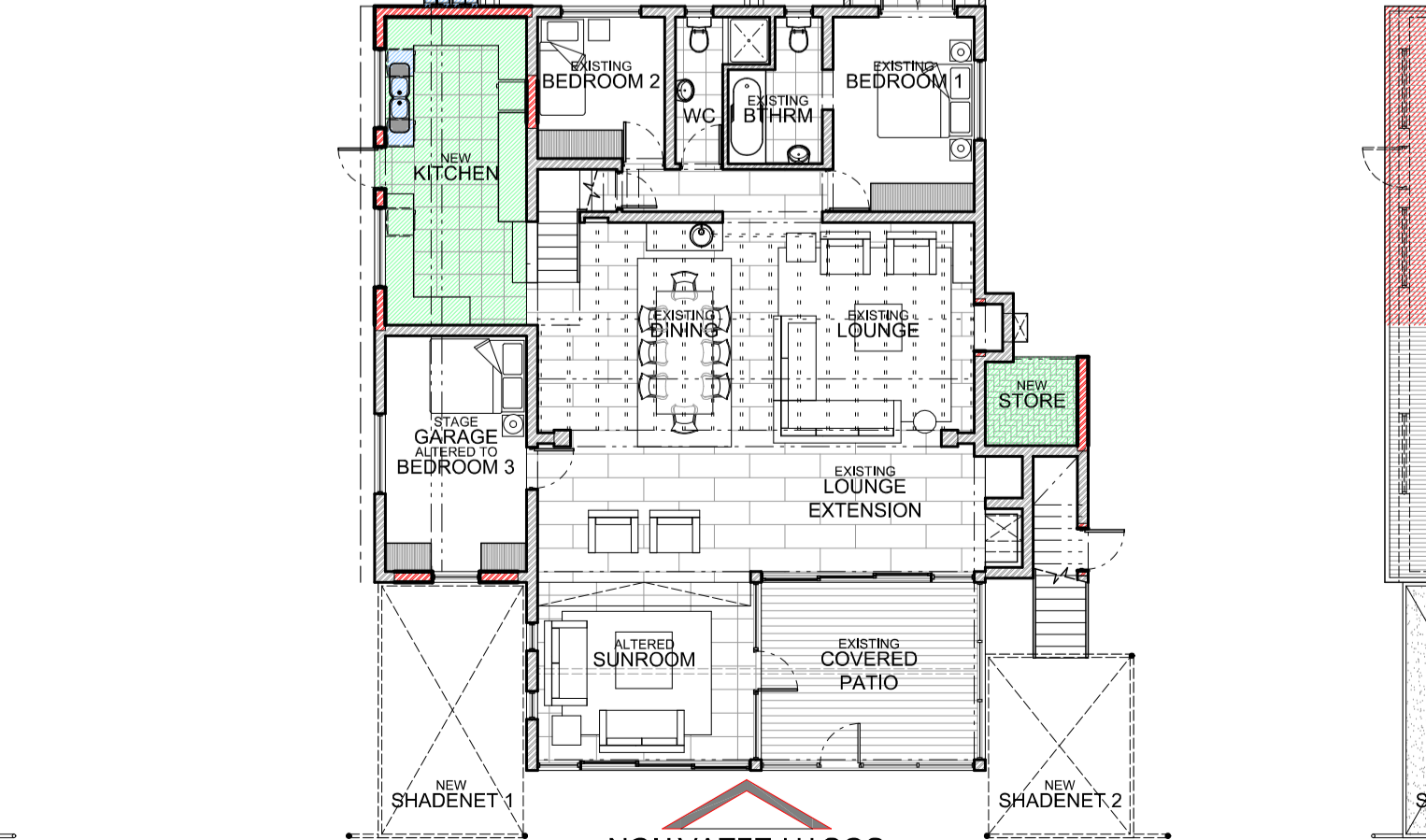
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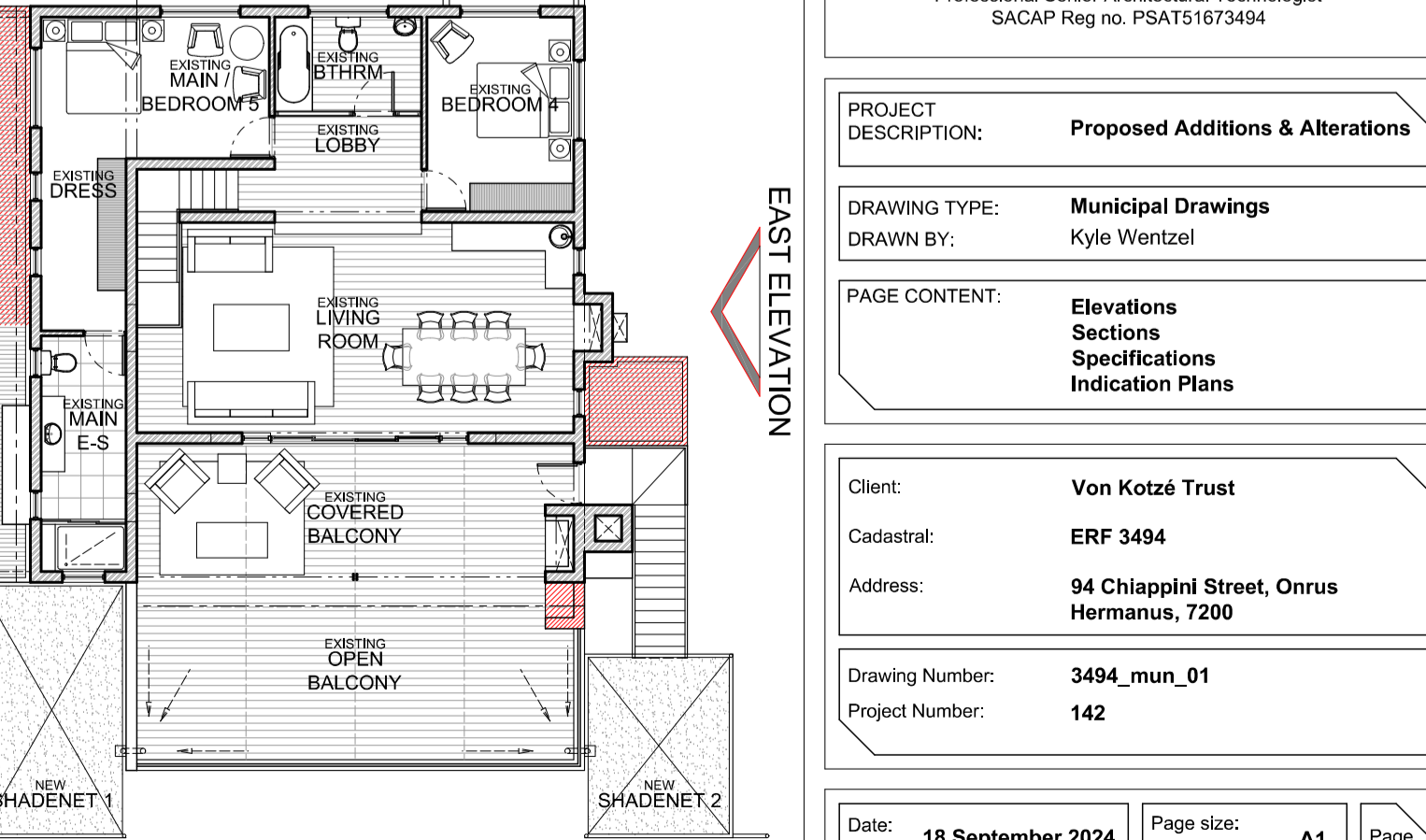
**SECTION C-C**  
Scale 1:100



**ROOF PLAN**  
Scale 1:150



**GROUND STOREY PLAN**  
Scale 1:150



**FIRST STOREY PLAN**  
Scale 1:150

**- NOTES -**

**GENERAL:**  
Foundation of any boundary wall to project beyond boundary line. FFL of house to be min. 300mm above NGL. All work to comply to SANS 10400 and National Building Regulations.  
All work to be in accordance to Local Authorities regulations and by-laws.  
Figured dimensions to be taken in preference to scaled dimensions.  
All levels and dimensions to be checked on site before building work commences. Contractor shall be deemed to have acquainted themselves with site conditions and make allowances in their tenders for all site development work.

**LEVELS AND DIMENSIONS:**  
The building to be laid out and erected in the position and to the levels as indicated on the site layout plan.  
General: All top soil must be removed from the area to be built upon, including roads and paving areas.  
Excavate where necessary to reduce levels as shown on drawings. Excavated material can be used for filling if suitable and can also be used for other works.  
All grading and leveling of ground to be done by qualified civil contractor. Minor filling to be done by Contractor.  
Where large tree stumps and stones are to be removed in the area, the hole must be filled with suitable material and well compacted in layers of max. 150mm before being built upon.

**FOUNDATIONS:**  
Foundation mass concrete in-situ 1:4:5 nominal mix having a compressive strength of 10MPa at 28 days.  
Refer to sections for foundation size. Min. requirements, load bearing with min 600 x 250mm and non load bearing wall min. 450 x 200mm.  
Foundation walls higher than 1m to be 340mm thick.  
Foundation walls higher than 1.5m to be in accordance with engineers specification.

**FLOOR CONSTRUCTION:**  
**MAIN FLOOR CONSTRUCTION:**  
Selected tile floor finish as per client on min. 30mm screed on 75mm concrete floor slab on approved damp proof membrane on min. 60mm sand bedding on well compacted earth in intervals of 150mm (no dry).  
**PAVING CONSTRUCTION:**  
Interlocking profile paving:  
220 x 110 x 65mm paving (as specified) on plan on 50mm thick sand bedding on 150mm G3 crushed stone subbase, compacted to 95% mod. aasho on 300mm in situ compacted to 97% mod. aasho.

**WALL CONSTRUCTION:**  
**EXTERNAL - 230mm cavity wall / wall construction -**  
Smooth Plaster & Paint to match existing.  
Nuclec cladding where indicated. Timber cladding where indicated.  
Cavities in foundation walls to be filled with concrete.  
Weepholes left on outside skin of cavity tray at 900mm C/C at floor level and above precast concrete lintels.  
Precast concrete lintels over all door and window openings over 2m as to engineers specifications with 4 courses of brickwork over. Lintels to have end bearing of 230mm min. on each side.

**WINDOWS, DOORS AND OPENINGS**  
Windows to exceed 0.2 or 10% of room floor area with 5% min. glazing in each pane.  
Glazing to comply with SANS 10400 Part N and SANS 0137 and 1253 as relevant. Provide 375 micron ABS approved dp around all window and door openings.  
Glazing to windows exceeding 1 square metre or lower than 600mm from floor level to be from laminated safety glazing. All sections of SANS Part T and W3 to be complied with.  
Doors & windows built with secure, plastic and comply to manufacturers instructions.

**ROOF CONSTRUCTION:**  
**NEW LEAN-TO ROOF CONSTRUCTION 1:**  
New Colobond Ultra Diamond roof sheeting - Colour: Charcoal on approved roofing underlay as per energy efficiency table as per suppliers specification on 76 x 50mm SAP rafters (Gr 5). Rafter spacing as indicated @ 1000mm c/c max. Rafters to be fixed to masonry with galvanneal mild steel truss hangers fixed into brickwork, tied down with 30 x 2mm hot dip GMS hoop-iron straps tied min. 4 briccourse down into wall. Diagonal bracing to underside or between rafters by specialist design. Flashing and counter flashing as per specialist. Refer to table for R-Value calculations. Approved ceiling insulation as per energy efficiency table. Roof pitch: 3°  
Overhang: 300mm

**AREA CALCULATIONS**

Existing Ground -	143.64m <sup>2</sup>
Existing Covered Patio -	19.00m <sup>2</sup>
Altered Sunroom -	19.91m <sup>2</sup>
New Kitchen Addition -	21.88m <sup>2</sup>
New External Store -	4.09m <sup>2</sup>
<b>GROUND STOREY TOTAL =</b>	<b>205.52m<sup>2</sup></b>
Existing First -	116.77m <sup>2</sup>
Existing Open Patio -	29.01m <sup>2</sup>
<b>FIRST STOREY TOTAL =</b>	<b>145.78m<sup>2</sup></b>
<b>TOTAL =</b>	<b>351.21m<sup>2</sup></b>
ERF -	508.68m <sup>2</sup>
COVERAGE -	40.40%

All requirements of municipal and other authorities concerned must be adhered to. Contractors and sub-contractors are to check all dimensions and levels on the site before commencing work. Plans are to be read in conjunction with any accompanying documentation and implemented accordingly.  
Figured dimensions have preference over scaled measurements and large scale details supercede small scale drawings.  
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**Wentzel**  
Architecture

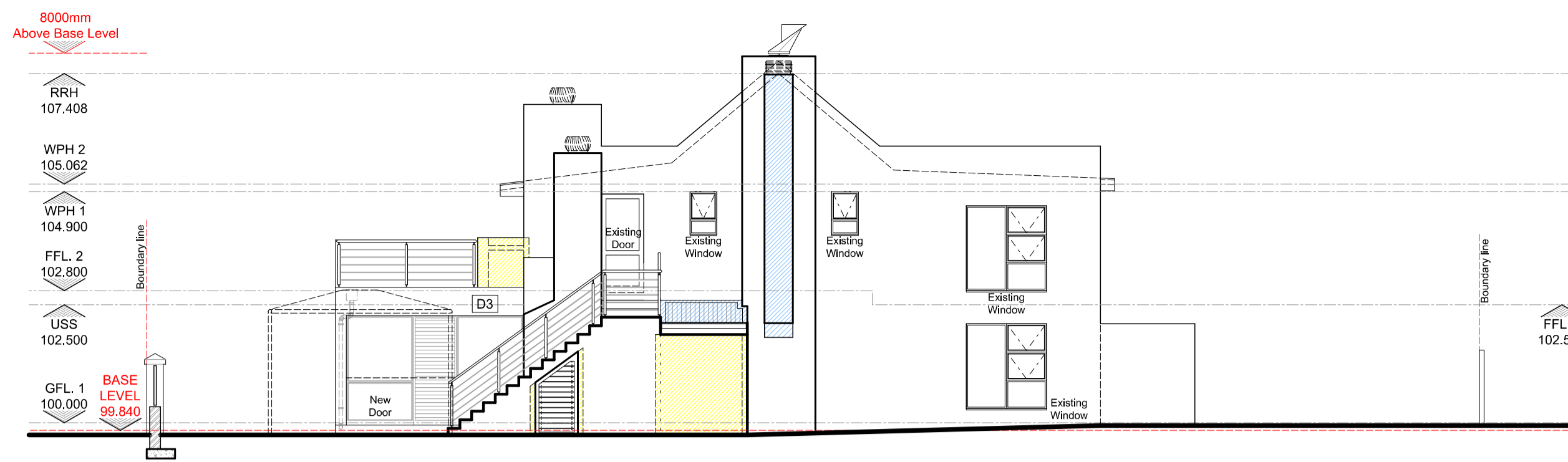
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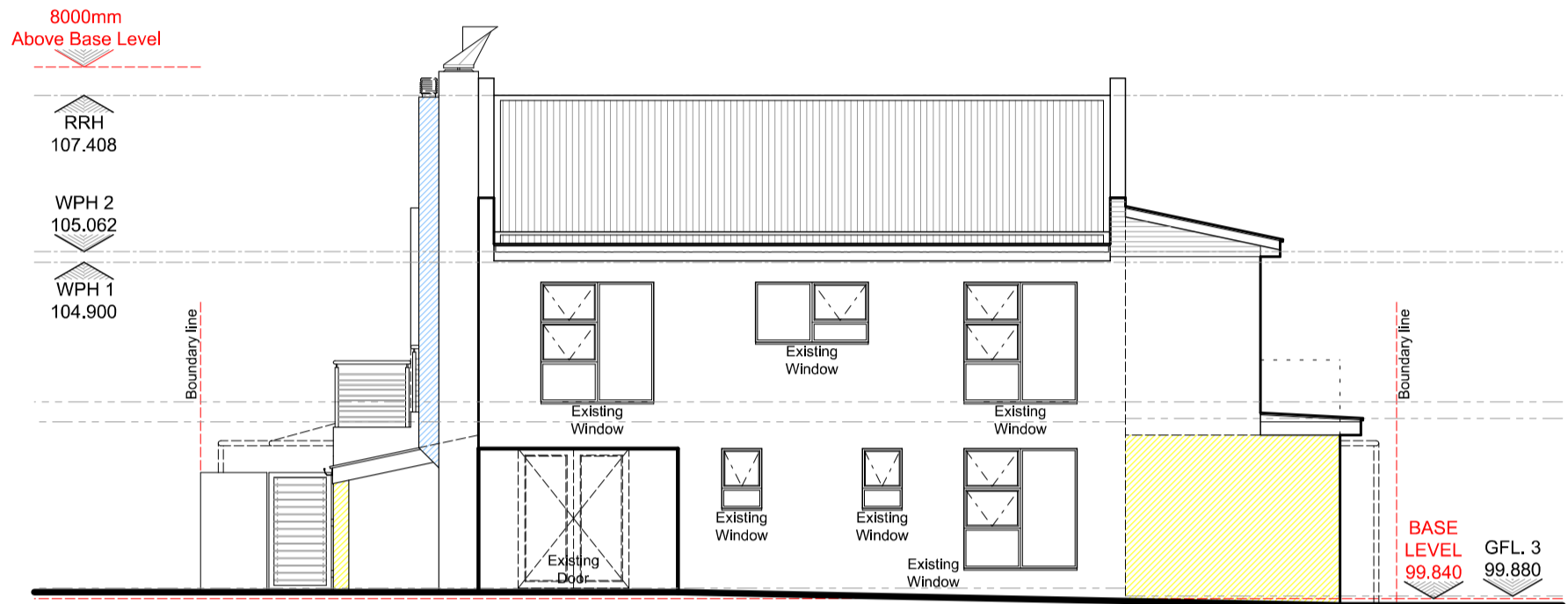
<b>PROJECT DESCRIPTION:</b>	Proposed Additions & Alterations
<b>DRAWING TYPE:</b>	Municipal Drawings
<b>DRAWN BY:</b>	Kyle Wentzel
<b>PAGE CONTENT:</b>	Elevations Sections Specifications Indication Plans
<b>Client:</b>	Von Kotze Trust
<b>Cadastral:</b>	ERF 3494
<b>Address:</b>	94 Chappini Street, Onrus Hermanus, 7200
<b>Drawing Number:</b>	3494_mun_01
<b>Project Number:</b>	142
<b>Date:</b>	18 September 2024
<b>Page size:</b>	A1
<b>Page No.:</b>	2
<b>Scale:</b>	1:100 / 1:150
<b>Revision:</b>	



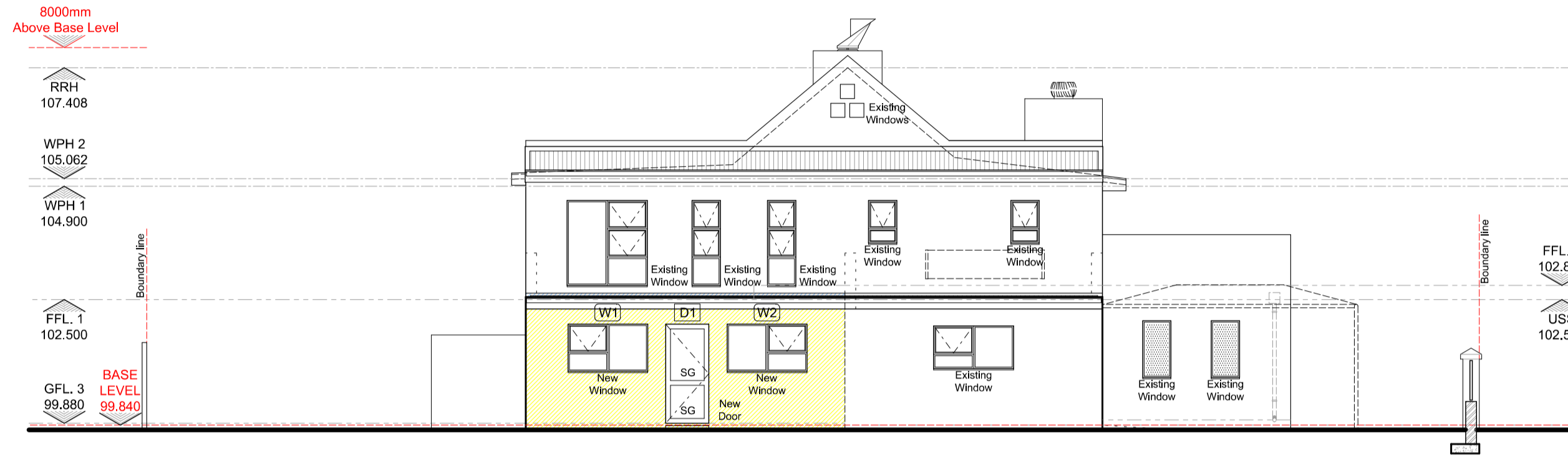
**SOUTH ELEVATION  
DOOR & WINDOW LAYOUT**  
Scale 1:100



**EAST ELEVATION  
DOOR & WINDOW LAYOUT**  
Scale 1:100

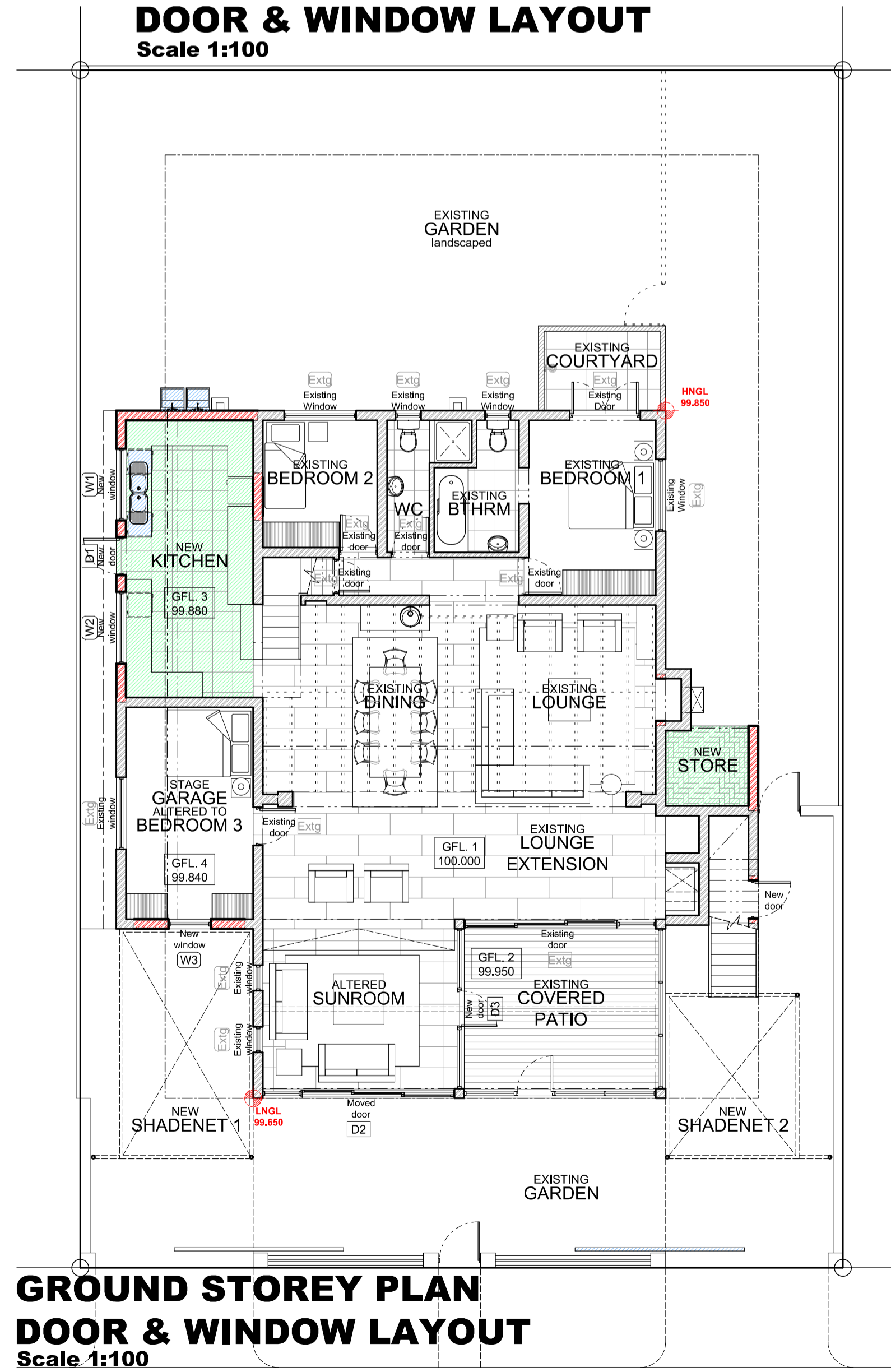


**NORTH ELEVATION  
DOOR & WINDOW LAYOUT**  
Scale 1:100

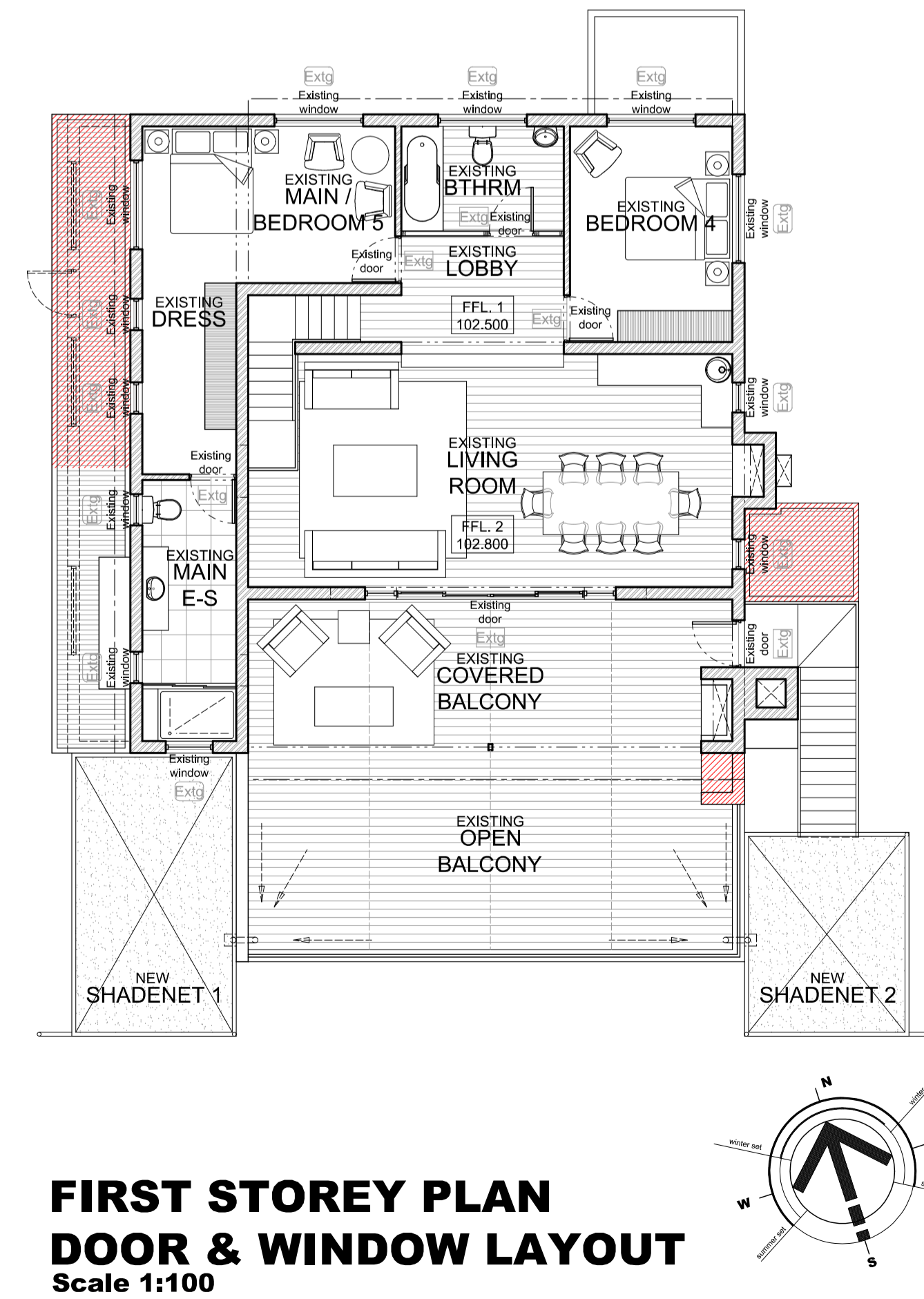


**WEST ELEVATION  
DOOR & WINDOW LAYOUT**  
Scale 1:100

WINDOW SCHEDULE	WINDOW POSITION No.	QUANTITY	DESCRIPTION / CAT No.	GLAZING	WINDOW FINISH	IRONMONGERY	AREA	
	W1	1	1700 x 1000mm Aluminium frame window	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	Powder coated - Colour to match existing	According to window manufacturers specification	1.7m²	
	W2	1	1700 x 1000mm Aluminium frame window	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	Powder coated - Colour to match existing	According to window manufacturers specification	1.7m²	
	W3	1	1000 x 1700mm Aluminium frame window	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	Powder coated - Colour to match existing	According to window manufacturers specification	1.7m²	
DOOR SCHEDULE	DOOR POSITION No.	QUANTITY	DESCRIPTION / CAT No.	FINISH	FRAME FINISH	GLAZING	IRONMONGERY	AREA
	D1	1	900 x 2100mm Aluminium frame door	Powder coated - Colour to match existing	as per manufacturer	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	To be specified by client	1.89m²
	D2	1	3825 x 2100mm Aluminium bi-fold sliding door with side & toplight as indicated	Powder coated - Colour to match existing	as per manufacturer	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	To be specified by client	10.51m²
	D3	1	900 x 2325mm Aluminium door with side & toplight as indicated	Powder coated - Colour to match existing	as per manufacturer	6mm float single pane glass - Compass Glass NC45 - Clear glass & Toughened Safety glass - Compass Glass NC45 - Clear glass as indicator	To be specified by client	9.69m²



**GROUND STOREY PLAN  
DOOR & WINDOW LAYOUT**  
Scale 1:100



**FIRST STOREY PLAN  
DOOR & WINDOW LAYOUT**  
Scale 1:100

NOTES:

**AREA CALCULATIONS**

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Stamps:

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SACAP Reg no. PSAT51673494

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