

ERF 12816, 229 ELEVENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS WRAP PROJECT OFFICE ON BEHALF OF WL GREEFF

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 has been received for the following, applicable to Erf 12186, Hermanus:

❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:

- relax the north-western lateral building line from 2m to 0m to accommodate the proposed covered braai area and storage area;
- relax the permissible height restriction from 2.1m to 3.5m to accommodate the proposed boundary wall;
- relax the north-western lateral building line from 2m to 0m to accommodate the proposed garage extension;
- relax the permissible height restriction from 3.5m to 4.2m to accommodate the proposed garage parapet;
- relax the north-western lateral building line from 2m to 1.3m to accommodate the proposed braai on ground floor;
- relax the north-western lateral building line from 2m to 1m to accommodate the proposed fireplace on ground floor;
- relax the north-western lateral building line from 2m to 1.3m to accommodate the proposed braai flue on first floor;
- relax the north-western lateral building line from 2m to 1m to accommodate the proposed fireplace flue on first floor;
- relax the north-eastern lateral building line from 2m to 0m to accommodate a proposed screen wall;
- relax the permissible height restriction from 2.1m to 3.18m to accommodate the proposed parapet extension;
- relax the north-eastern lateral building line from 2m to 1.585m to accommodate a proposed courtyard wall on ground floor;
- relax the permissible height restriction from 2.1m to 3.18m to accommodate the proposed courtyard wall on ground floor;
- relax the north-western lateral building line from 2m to 1.265m to accommodate a lower ground storey;
- relax the north-eastern lateral building line from 2m to 1.585m to accommodate a lower ground storey;
- relax the north-eastern lateral building line from 2m to 1.585m to accommodate the proposed screen wall on ground floor;
- relax the north-western lateral building from 2m to 1.7m to accommodate the proposed balcony on ground floor;
- relax the north-western lateral building line from 2m to 1.680m to accommodate a dining room, patio, formal lounge and informal lounge on ground floor, and
- relax the north-eastern lateral building line from 2m to 1.585m to accommodate a kitchen, pantry, scullery, laundry and guest bathroom on ground floor.

❖ **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, 16 Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 27 January 2023**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Town Planner, Mr P Roux** 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 12816, ELFDESTRAAT 229, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE WRAP PROJECT OFFICE NAMENS WL GREEFF

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang vir die volgende, van toepassing op Erf 12816, Hermanus:

❖ **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening ten einde die:

- noord-westelike laterale boulyne vanaf 2m na 0m te verslap om die voorgestelde onderdak braai area en stoor area te akkommodeer;
- toelaatbare hoogtebeperking van 2.1m tot 3.5m te verslap om die voorgestelde grensmuur te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 0m te verslap om die voorgestelde motorhuis verlenging te akkommodeer;
- toelaatbare hoogtebeperking van 3.5m tot 4.2 te verslap om die voorgestelde motorhuis borswering te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1.3m te verslap om die voorgestelde braai op grondvloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1m te verslap om die voorgestelde kaggel op grondvloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1.3m te verslap om die voorgestelde braaiskoorsteen op eerste vloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1m te verslap om die voorgestelde kaggelskoorsteen op eerste vloer te akkommodeer;
- noord-oostelike laterale boulyn van 2m tot 0m te verslap om die voorgestelde skermmuur te akkommodeer;
- toelaatbare hoogtebeperking van 2.1m tot 3.18m te verslap om die voorgestelde borswering verlenging te akkommodeer;
- noord-oostelike laterale boulyn van 2m tot 1.585m te verslap om die voorgestelde binnehof muur op grondvloer te akkommodeer;
- toelaatbare hoogtebeperking van 2.1m tot 3.18m te verslap om die voorgestelde binnehof muur op grondvloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1.265m te verslap om 'n grondvloer verdieping te akkommodeer;
- noord-oostelike laterale boulyn van 2m tot 1.585m te verslap om 'n grondvloer verdieping te akkommodeer;
- noord-oostelike laterale boulyn van 2m tot 1.585m te verslap om die voorgestelde skermmuur op grondvloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1.7m te verslap om die voorgestelde balkon op grondvloer te akkommodeer;
- noord-westelike laterale boulyn van 2m tot 1.680m te verslap om 'n eetkamer, stoep, formele sitkamer en informele sitkamer op grondvloer te akkommodeer, en
- noord-oostelike laterale boulyn van 2m tot 1.585m te verslap om 'n kombuis, spens, opwaskamer, wasgoedkamer en gastbadkamer op grondvloer te akkommodeer.

❖ **Bepaling van 'n administratiewe boete in terme van 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 ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **Vrydag, 27 Januarie 2023**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** 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 12816, 229 ELEVENTH STREET, VOËLKLIP, HERMANUS, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOKUNYENYISWA NOKUGQITYWA KWESOHLWAYO: IOFISI YAKWA MESSERS WRAP PROJECT EGAMENI LIKA WL GREEFF.

Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo, esisebenza kwiSiza 12186, eHermanus:

❖ Sokuphambuka ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukunyenisa oku kulandelayo:

- ukukhulula umda wesakhiwo osecaleni kumntla-ntshona ukusuka kwi-2m ukuya ku-0m ukulungiselela icetywayo indawo yebraai egqunyiweyo kunye nendawo yokugcina;
- ukukhulula umda wobude obuvumelekileyo ukusuka kwi-2.1m ukuya kwi-3.5m ukulungiselela udonga olucetywayo lomda;
- ukukhulula umda wesakhiwo osecaleni kumntla-ntshona ukusuka kwisi-2m ukuya ku-0m ukulungiselela ukwandiswa kwegaraji ecetywayo;
- ukukhulula umda wobude obuvumelekileyo ukusuka kwi-3.5m ukuya kwi-4.2m ukulungiselela ngenxa igaraji ecetywayo lweparapet;
- ukukhulula umda wesakhiwo osecaleni okumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1,3m ukulungiselela ibraai ecetywayo kumgangatho osezantsi;
- ukukhulula umda wesakhiwo osecaleni okumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1m ukulungiselela indawo yomlilo ecetywayo kumgangatho ophantsi;
- ukukhulula umda wesakhiwo osecaleni kumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1.3m ukulungiselela ulungelelwaniso olucetywayo lwebraai flue kumgangatho wokuqala;
- ukukhulula umda wesakhiwo osecaleni okumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1m ukulungiselela indawo yomlilo ecetywayo, iflue kumgangatho wokuqala.
- ukukhulula umda wesakhiwo osecaleni kumntla-mpuma ukusuka kwi-2m ukuya ku-0m ukulungiselela udonga olucetywayo lwesikrini;
- ukukhulula umda wobude obuvumelekileyo ukusuka kwi-2.1m ukuya kwi-3.18m ukulungiselela ukwandiswa kweparapet ecetywayo;
- ukukhulula umda wesakhiwo osecaleni kumntla-mpuma ubesisi-2m ukuya kwisi-1.585m ukuhlalisa udonga olucetywayo lwentendelezo kumgangatho ophantsi;
- ukukhulula umda wobude obuvumelekileyo ukusuka kwi-2.1m ukuya kwi-3.18m ukulungiselela udonga olucetywayo lwentendelezo kumgangatho ophantsi;
- ukukhulula umda wesakhiwo osecaleni kumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1.265m ukuze kulungiselelwe umgangatho ophantsi womhlaba;
- ukukhulula umda wesakhiwo osecaleni kumntla-mpuma ukusuka kwisi-2m ukuya kwisi-1.585m ukuze kulungiselelwe umgangatho ophantsi womhlaba;
- ukukhulula umda wesakhiwo osecaleni kumntla-mpuma ukusuka kwisi-2m ukuya kwisi-1.585m ukulungiselela udonga olucetywayo lwescreen kumgangatho ophantsi;
- ukukhulula umda isakhiwo esisecaleni komntla-ntshona ukusuka kwi-2m ukuya kwi-1.7m ukulungiselela ibalcony ecetywayo kumgangatho ophantsi;
- ukukhulula umda wesakhiwo osecaleni okumntla-ntshona ukusuka kwisi-2m ukuya kwisi-1.680m ukuze uvumele igumbi lokutyela, ipatio, indawo yokuphumla esesikweni negumbi lokuphumla elingekho sikweni kumgangatho ophantsi, kunye
- ukukhulula umda wesakhiwo osecaleni okumntla-mpuma ukusuka kwisi-2m ukuya kwisi-1.585m ukuhlalisa ikhitshi, i-pantry, i-scullery, indawo yokuhlamba impahla kunye negumbi lokuhlambela leendwendwe kumgangatho

❖ Ukumiselwa kwesohlwayo solawulo ngokweCandelo le-16(2)(q) loMthetho kaMasipala.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlole ngulowo ngolowo ufuna ukuzifundela ngeentsuku zokusebenza ngamaxsha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu, 16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo zingangeniswa ngokungqinelana nemimiselo yeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) okanye phambi koLwesihlanu, 27 EyoMqungu 2023, ucaphula igama lakho, idilesi kunye neencukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba ingenziwa kuMchwangcisi weDolophu. **UMnu. P. Roux** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limcedise ukuze abhale ngokusesikweni izimvo zakhe.

Locality Plan Erf 12816 - Hermanus

 Subject property

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

Inset



Scale 1 : 1000

Broader context



Scale 1 : 4000



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
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Spatial Development Framework, 2020
SDP	Site Development Plan
SR1	Residential Zone 1: Single Residential

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Erf Number	Erf 12816, Hermanus
Extent	1189m ²
Zoning	Residential Zone 1: Single Residential

3. BACKGROUND AND INTENT

Erf 12816 Hermanus, hereafter referred to as the subject property, is located at 229, 11th Street, Hermanus (refer **Plan 1**). The property owner (Wynand Greeff) appointed WRAP Project Office to submit this land use application on his behalf (refer **Annexure A – Power of Attorney**). The property owner acquired Erf 3505 Hermanus in 2018 and Erf 9899 Hermanus in 2021 and these two properties were consolidated in 2022 to form the newly registered Erf 12816 Hermanus.

The property owner had a vision to expand on the existing dwelling house. The property had an original dwelling house that consisted of a single storey element on the northern side of the property and a double storey element on the southern side of the property.

The proposed alterations indicated a new basement/lower ground floor on the southern side, beneath the double storey portion of the building. The proposed plans also indicate that the whole building is shifting to the south.

The proposed elevations also indicate the basement as substantially lower than the original ground floor level. The initial construction on site was limited to the underpinning of the existing boundary walls to an appropriate level, relative to the proposed basement level. Construction/excavations commenced without prior building plan approval has been obtained. The walls of the ground and first floors were underpinned to allow excavations to occur for the lower ground.

The professional team that is employed by the property owners discovered several issues when excavations occurred, and it was determined that the existing structure be demolished and rebuilt in the same position to ensure the structural integrity. Refer



Annexure C – Structural Implications Report prepared by the structural engineers Grobler & Associates Consulting Engineers.

The demolished building had approved building plans to encroach on both side boundary lines by small fractions and due to the demolition of the structures these encroachments are required to be applied for once again. The purpose of this application is to ensure the structures' historic position is maintained and allow a few new additions that will allow the property owner to utilise the property to its maximum potential.

This application will address these proposed encroachments and allow the property owner to utilise small sections within the building lines. The historically approved plans indicate a single dwelling unit, and the proposal and additions are to alter this and have a second dwelling unit with 2 bedrooms that will not be interleading with the main dwelling (refer **Annexure D – Architect's Building Plan**).

Neighbours Consent

The property owner consulted the neighbouring property owners who are the directly affected parties.

These property owners will still be notified through the standard public participation process of this application, and should they wish to provide a comment they will be able to do so (refer **Annexure B – Signed Building Plans by Neighbouring Owners**).

4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

WRAP compiled this report to ensure the property owner's intent and visions are met. The following is proposed:

For the purposes of this application, the legend below is introduced to, to serve as guide for the application:

LEGEND	
	New proposed encroachment (2022)
	Historic approved building plan (2019)
	Historic approved and historic existing building (partly demolished)

4.1 Permanent Departure from the 2m north-western side building line to 0m to accommodate the proposed covered braai area and storage area in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

4.2 Permanent Departure from the maximum allowable height of 2,1m to 3,5m to accommodate the proposed boundary wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property owner envisions building a new covered braai area on the north-western side of the subject property. There are several departures required to achieve this intent which includes height and building line encroachments. There are historic approved plans indicating that this area will be used for an open braai patio. The property owner has a vision to cover this area to be able to enjoy this space any time of the year, in both the rain and sunshine months.

The property owner will be building a new proposed boundary wall, adjacent to the existing neighbouring boundary wall that will accommodate a braai and a storage room, both of which will be higher than 2,1m, which requires the consent of the OM (refer to the figure 1).

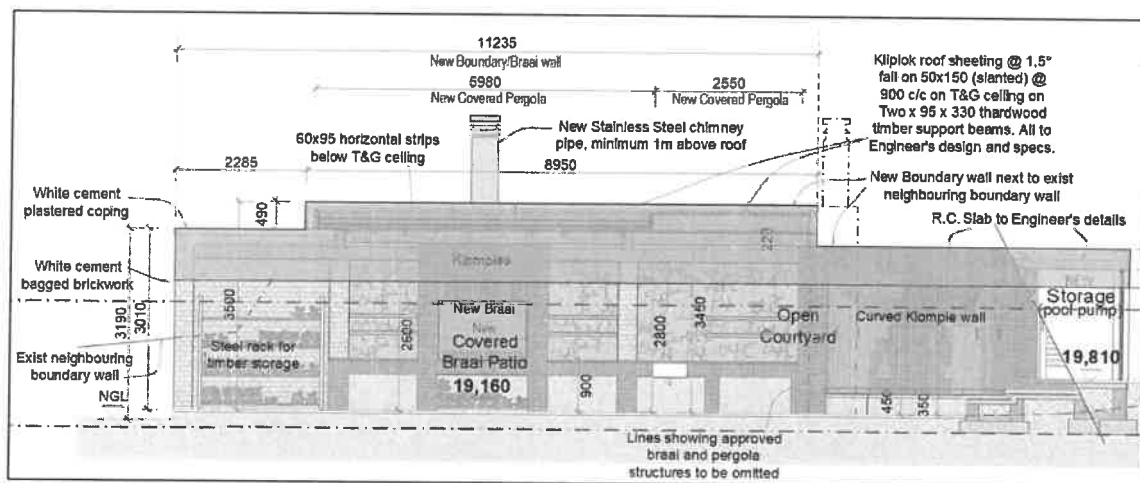


Figure 1: Height and Building Line Encroachments

The maximum height of the new 11,235m long proposed boundary wall will be 3,5m. A length of 8,895m of the proposed boundary wall will be encroaching on the allowable maximum height by ±1,4m. The other 2,285m will only be ±0,91m above the allowable maximum height at 3,01m.

The storage (pool pump) indicated on the right of Figure 1 will have an external boundary wall height of 2,78m above the Natural Ground Level (NGL), which is ±0,68m above the allowable height. The pool pump of the newly located pool will be housed within this new storage area as well as other miscellaneous items required for the maintenance of the pool.



ensure architectural integrity with the existing garage and to remain on the same height as the existing parapet.

The neighbour directly adjacent the subject property has signed the plans and does not have any objections to the parapet or the height thereof. The property owner's garage is adjacent to the garage of the property next door. A parapet is not out of the ordinary for a residential area and serves only the function of covering unwanted building work or a roof structure (**refer Plan 4 – SDP and Annexure C – Architect's Building Plan**). No habitable space will be created as the garage will only be used for the storage of motor vehicles.

4.5 Permanent Departure from the 2m north-western side building line to 1,3m to accommodate the proposed braai on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

4.6 Permanent Departure from the 2m north-western side building line to 1m to accommodate the proposed fireplace on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

4.7 Permanent Departure from the 2m north-western side building line to 1,3m to accommodate the proposed braai flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

4.8 Permanent Departure from the 2m north-western side building line to 1m to accommodate the proposed fireplace flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property owner has a vision to add an additional indoor braai into the extended ground floor that is cantilevered above the new lower ground storey. This will allow the property owner to utilise this space to have sea views when utilising the indoor braai. The braai will not add any additional habitable space and it will only encroach by approximately 0,7m on the 2m north-western side building line.

In terms of the general encroachments allowed in terms of Section 16 of the OMLUS, a chimney breast may encroach by 0,5m on the building line. The proposal is for the indoor braai's chimney breast to encroach by 0,7m which necessitates the departure, (refer to the figure 3).

Both the indoor braai and the fireplace's flue encroaches on both the ground and first floor.

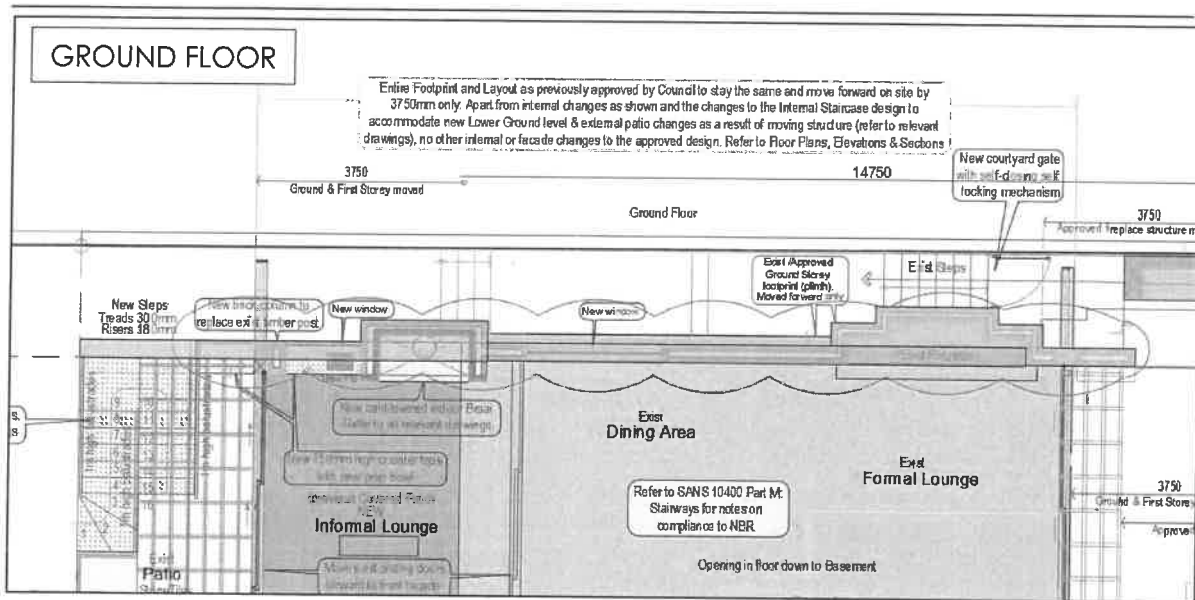


Figure 3: Proposed braai and fireplace extension.

The fireplace indicated in blue to the right of figure 3 was approved in 2019. The proposal is to have it slightly extended past the original approved plans and encroach onto the 2m north-western side building line, by approximately 1m.

A chimney breast is allowed to extend only 0,5m past the side building lines which is less than what is currently proposed. The additional space will allow the proposed fireplace to be flush with the existing internal wall and produce a higher quality architectural effect (refer **Plan 4 – SDP and Annexure C – Architect’s Building Plan**). No habitable space will be created, and the encroachment is not proposed to have a negative effect on the adjacent property owner.

4.9 Permanent Departure from the 2m north-eastern side building line to 0m to accommodate a proposed screen wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

4.10 Permanent Departure from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed parapet extension in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The architect added an additional safety feature to the front of the existing dwelling house and a gate is proposed to be installed adjacent the existing bedroom. The gate will be higher than the allowable height as it is identified as a screen wall within the building line. The screen wall will also be encroaching on the side building line up to 0m which also necessitates a departure as it is considered a structure if it is above the allowable 2,1m height.



There is an existing parapet that is located above the existing bedroom of the second dwelling unit and the proposal is to utilise the existing parapet height and continue with it above the proposed gate to create a seamless transition between these two structures (refer to the figure 4).

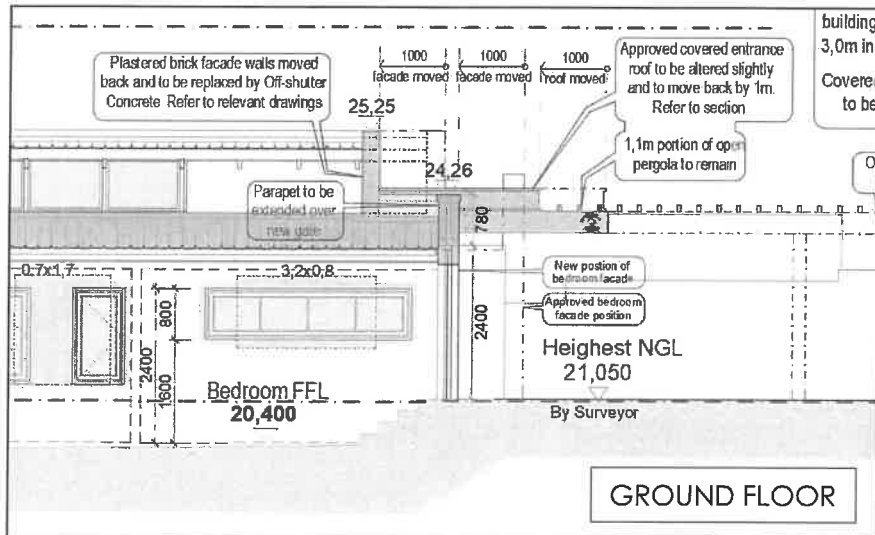


Figure 4: Proposed parapet above new gate.

The height of the parapet is proposed to be 3,18m, which is 1,08m above the allowable height of a screen wall within the building line. No habitable space will be created as it is only a security feature that will utilise the existing parapet heights.

4.11 Permanent Departure from the 2m north-eastern side building line to 1,585m to accommodate a proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

4.12 Permanent Departure from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property owner envisioned converting a historic informal lounge to a private open courtyard and the proposal was to demolish existing covered habitable space to add an open courtyard. As mentioned earlier majority of the existing structure was demolished, including the historic existing wall. The proposal is to rebuild the wall in the same position as approved historically, which necessitates a departure application.

The proposed wall will be utilised as a screen wall which is only allowed to be 2,1m in height. The wall is proposed to utilise the massing of the remaining building. As it is a new screen wall within the building line, an encroachment of the allowable height and encroachment of the side building line requires approval.

The proposed wall will be encroaching on the building line by approximately 0,415m which requires a departure of the 2m north-eastern side building line. Also, a departure of an allowable height of a screen wall from 2,1m to 3,18m which is 1,08m above the allowable height. The proposed wall will not create any additional habitable space as it will solely create an open uncovered courtyard that has a water feature and a planter. The only portion proposed to be covered is a new storage area being created that will only be used for the storing of miscellaneous objects.

There will also be an outdoor fireplace that will be lowered to create seating around it that can be enjoyed by the property owner (refer to the figure 5).

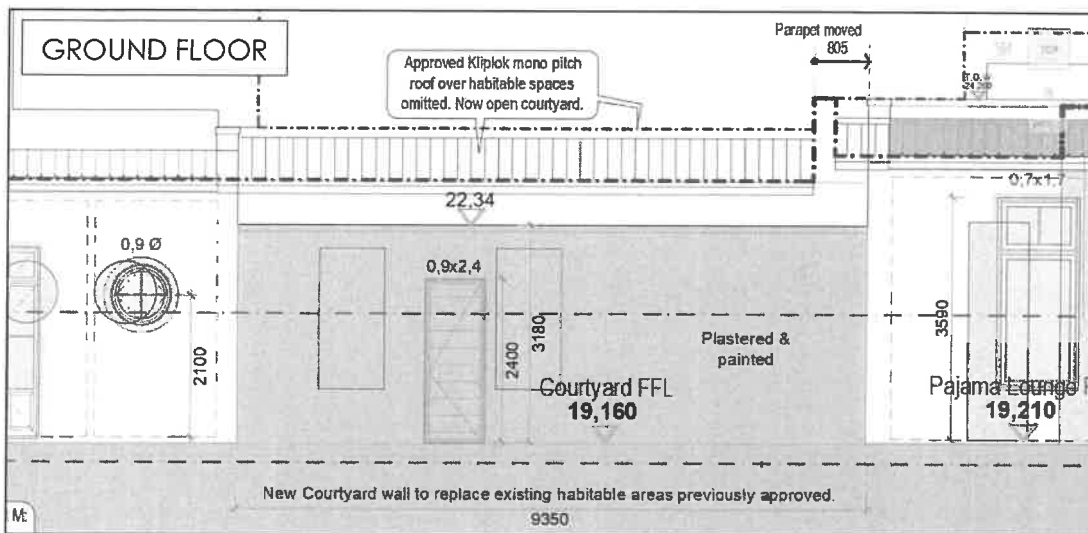


Figure 5: Proposed courtyard wall.

4.13 Permanent Departure from the 2m north-western side building line to 1,265m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and

4.14 Permanent Departure from the 2m north-eastern side building line to 1,585m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property owner is intending to expand his dwelling below the ground floor and adding an additional storey – lower ground storey – to his dwelling house. The proposal is to use the existing massing of the existing dwelling house as guideline where the lower ground storey will be located. This is also of importance structurally, as the ground and first storey will be supported by the lower ground floor's walls/foundation.

The proposal is to have the lower ground storey encroaching on the side building lines:

- North-western side building line from 2m to 1,265m; and
- North-eastern side building line from 2m to 1,585m.

There will be little to no habitable space that will be created as the entire encroachment will be occupied by the external walls as clearly indicated by **Plan 4 – SDP** and **Annexure**

C – Architect’s Building Plan. No additional bulk will be created as the same massing that was historically approved on the ground will be replicated in the new lower ground storey (refer to the figure 6 and 7 below).

These are load bearing walls that are proposed to support both the ground and first floor above. The proposal was never to demolish the entire structure above, but only a section to allow for the new additions that were being planned.

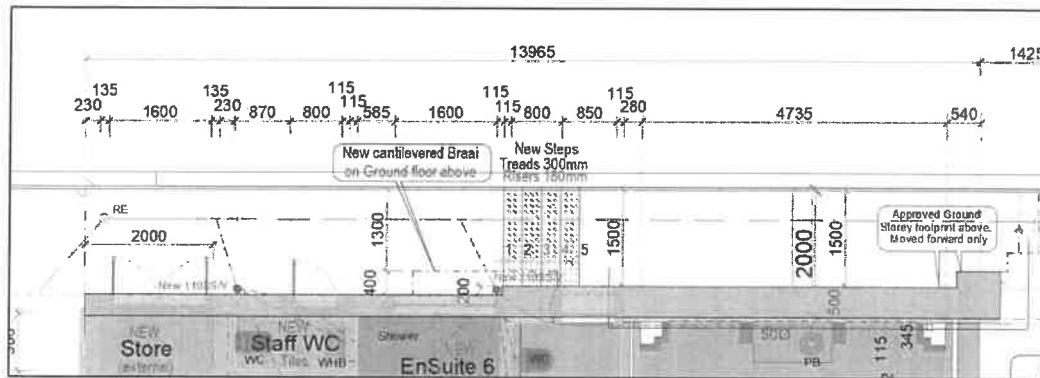


Figure 6: Proposed lower ground storey (**North-western** Encroachment).

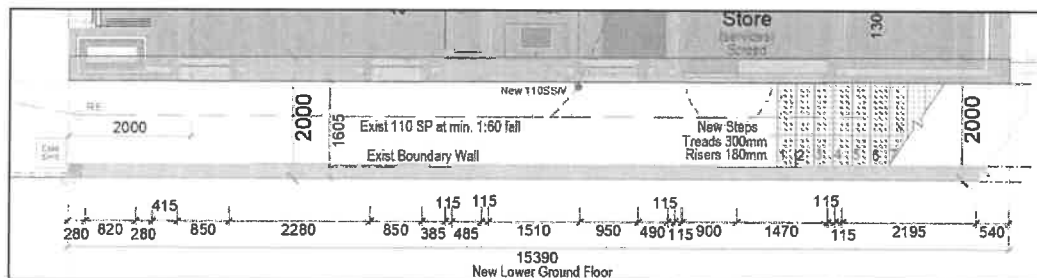


Figure 7: Proposed lower ground storey (**North-eastern** Encroachment).

4.15 Permanent Departure from the 2m north-eastern side building line to 1,585m to accommodate the proposed screen wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

There was an existing screen wall on the ground floor on the north-eastern side of the existing dwelling house. With the addition of Erf 9899 Hermanus it allowed the property owner to expand on the first- and ground floor which will incorporate the existing screen wall and will require a new extension of the ground floor that will slightly encroach on the building line. The new screen wall will provide additional privacy and protection from the natural elements such as wind and rain. The wall will not create any habitable space and the only function will be screening.

The massing and bulk that is being proposed was existing and was historically approved. The building has been partially demolished, and the proposal is only to rebuild the historical existing building and add the new screen wall that is partially located within the

building line. The screen wall will utilise the approved encroachment line that existed before.

Screen walls are widely used in the Overstrand area for the purposes mentioned above and it is not predicted that the screen wall will have a negative impact on the surrounding properties or affect any person's views (refer **Plan 4 – SDP and Annexure C – Architect's Building Plan**).

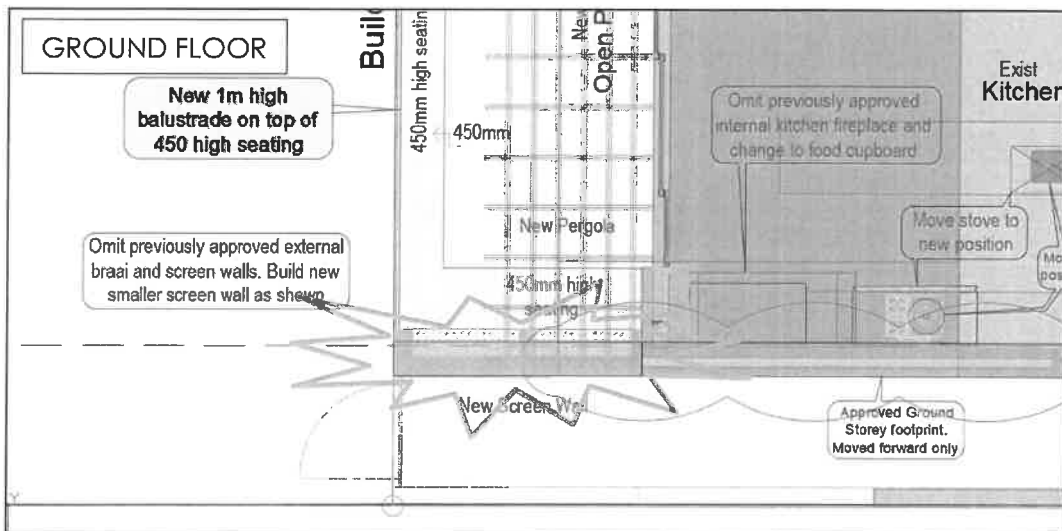


Figure 8: Proposed screen wall.

4.16 Permanent Departure from the 2m north-western side building line to 1,7m to accommodate the proposed balcony on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The entire new structure is being proposed to move 3,75m to the south of the property, which is now possible as a result of the consolidation of the two properties as mentioned previously. Both the ground and first floor have a balcony that has moved, and it should be noted that the first-floor balcony is setback to 2,0m while the ground floor balcony slightly encroaches on the 2,0m side building line.

The balcony was historically approved on 1,7m, due to the additional space that was added to the front of the property it allowed the whole structure to shift forward. There are no additional amendments proposed that would have more of an impact than what was historically approved.

The existing approved balconies on both the ground and first floor have been demolished to ensure structural integrity. The proposal is to have the ground floor balcony encroaching on the side building line by only 0,3m which was the historically approved section.

A balcony or covered patio does not add additional habitable space as this balcony will not create any new habitable space, the OMLUS states:

“Interpretation of words not defined in the schedule will have the meanings assigned to them in the “New Shorter Oxford English Dictionary” published by Oxford University Press, except where a contrary interpretation is clear from the context.”

“Habitable space” is not defined by the OMLUS and as mentioned above, the Oxford English Dictionary need to be consulted to correctly define the phrase.

“Habitable = Suitable or good enough to live in.” A balcony cannot be considered as habitable as it is not “suitable or good enough to live in”.

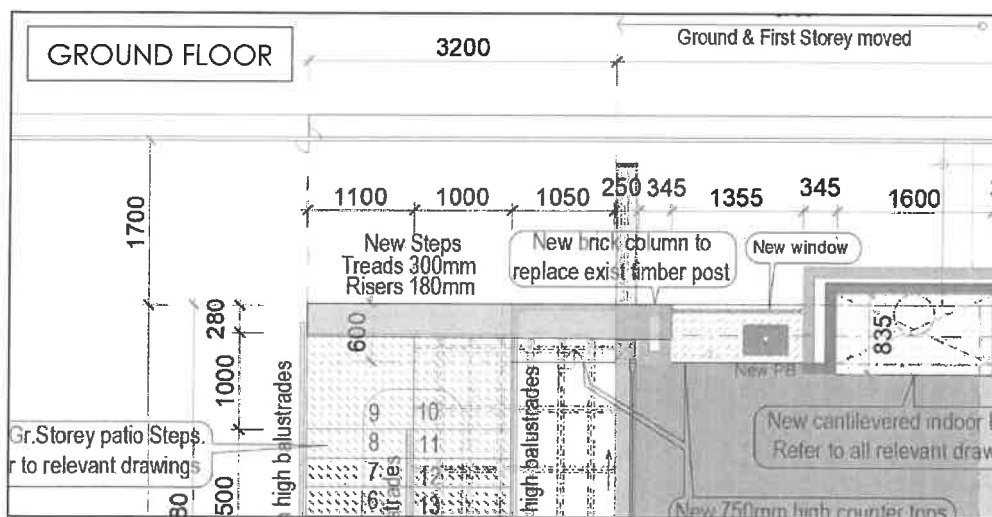


Figure 9: Proposed ground floor balcony extension.

4.17 Permanent Departure from the 2m north-western side building line to 1,680m to accommodate the dining area, patio, formal lounge and informal lounge on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

4.18 Permanent Departure from the 2m north-eastern side building line to 1,585m to accommodate the kitchen, pantry, scullery, laundry and guest bathroom on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The original building was historically approved with the following side encroachments:

- 1,585m from the north-eastern side building line; and
- 1,680m from the north-western side building line.

The southern portion of the dwelling unit has been demolished as mentioned in section 3 of this report. Once excavations occurred, the professional team, and structural engineer identified crucial structural concerns and his advice was to demolish the

building and rebuild it in the exact location to ensure excavations would not critically affect the neighbour's property. **Refer Annexure C – Structural Implications Report**

As a result of the demolition that has already taken place it is required to apply for a departure application again to ensure the entire building is compliant with the OMLUS.

Majority of the encroachments that are being proposed is located within the external walls and it is not predicted that the impact will be to such an extent that it would negatively affect the surrounding property owners. These adjacent property owners have already provided their support by providing their consent and signing the proposed plans. Refer to the plans below:

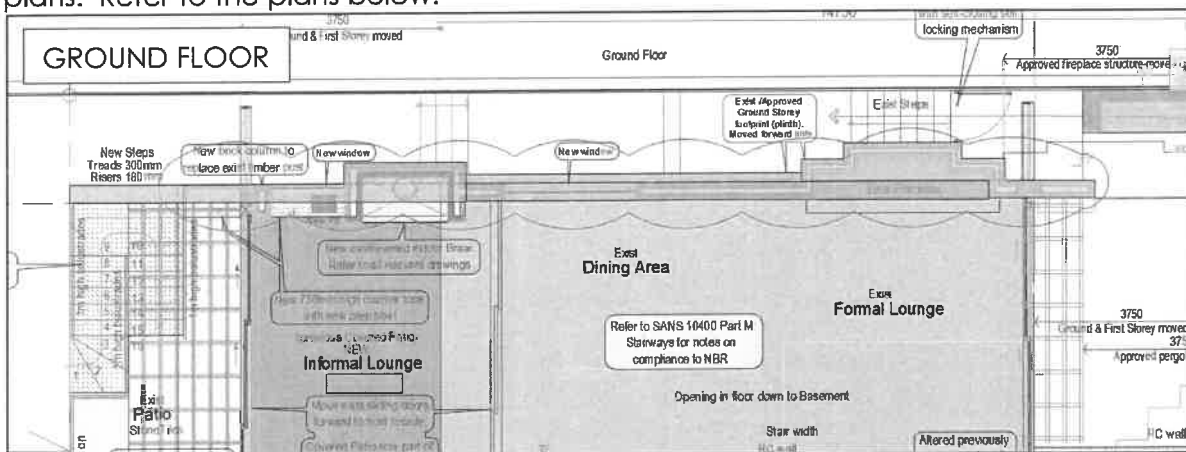


Figure 10: Proposed encroachments of the north-western side.

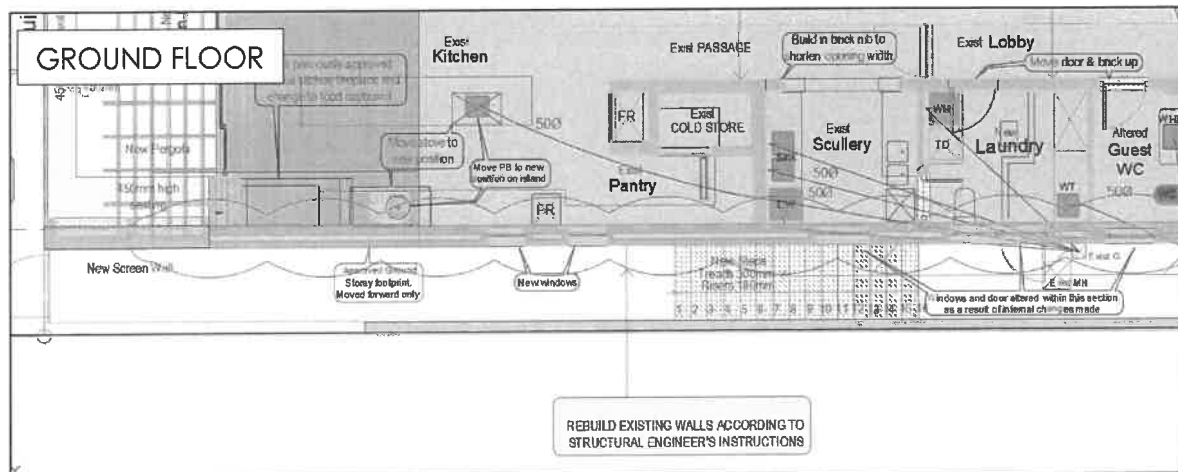


Figure 11: Proposed encroachments of the north-eastern side.

The property owner was unaware of the implications that would occur should the entire existing structure be demolished. It was never the intention to 'lose' the right to have portions of the structures encroach on the side building line due to the demolition thereof.

To ensure the application remain compliant with the OMLUS an application for the determination of an administrative penalty is required.

4.19 Determination of an administrative penalty in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The existing dwelling house was demolished and although not allowed without a demolition permit, it was done to ensure the structures that were being proposed are structurally sound. Although the demolition of the dwelling house does not trigger any town planning related concerns, it is the construction that took place without prior approval that needs to be addressed. The existing dwelling house that was demolished allowed the construction of the lower ground floor's foundation and outside walls to take place, but it needs to be reiterated that it was done with no malintent by the property owner, and it was not done to cause any negative impact on anybody.

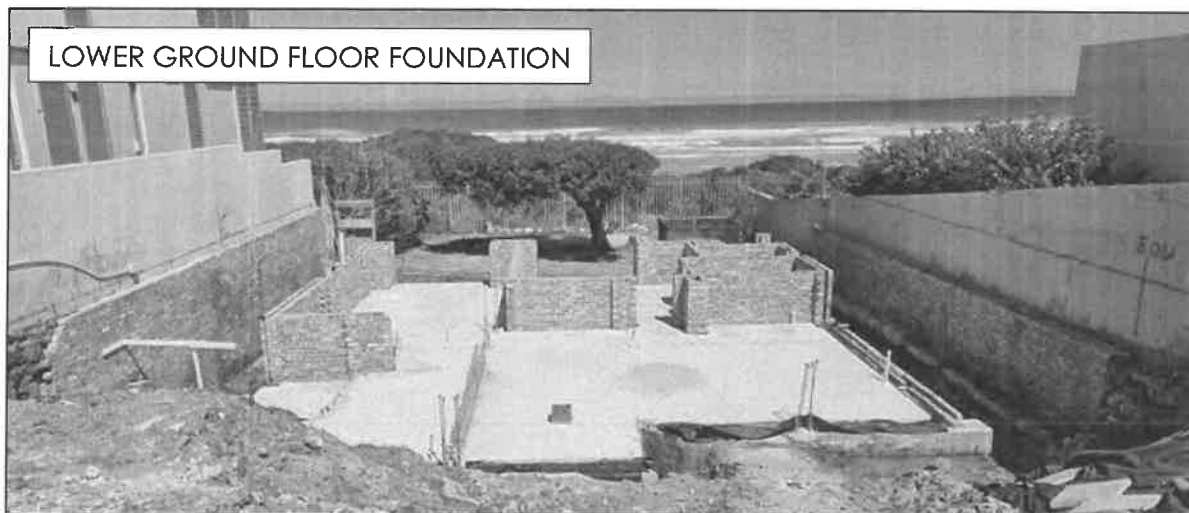


Figure 12: Contravening construction

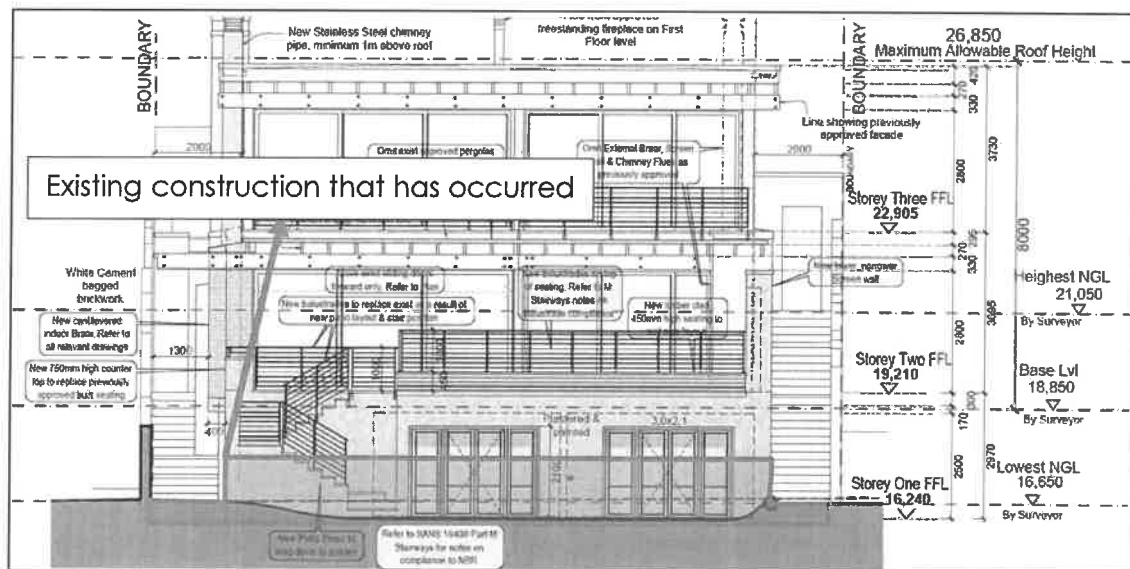


Figure 13: South-west Elevation indicating existing building work.



MOTIVATION

When the owner became aware that it may be a transgression, and contravening the provisions of the By-Law, the building work was stopped immediately, and the construction crew has been removed from site. To ensure compliance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 it is required to include the determination of an administrative penalty into this application.

Section 90(3) of the By-law requires the following information:

The nature, duration, gravity, and extent of the contravention

The entire slab for the lower ground floor has been completed and the external walls were being built before the construction crew were ordered to stop work. The site was abandoned to ensure the land use rights and approved building plans were obtained before construction continued.

The lower ground floor has an area of approximately 185m² refer to **Annexure D**.

The conduct of the person (allegedly) involved in the contravention

The intention was never to knowingly contravene on the OMLUS. The property owner appointed a professional team that were required to follow protocol. The property owner takes full responsibility for the conduct that had occurred and wishes to ensure that no activities will continue before the land use rights or approved building plans have been obtained.

A report by a quantity surveyor in matters of unauthorised building/construction

Due to the small-scale nature of the contravening construction a quantity surveyor report was not obtained.

Whether the unlawful conduct was stopped

The construction has been halted.



Figure 14: On-site notice



Whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

To the knowledge of this office, the property owner has not previously contravened the By-Law.

5. APPLICATION

Considering the above, application is made for the following:

- 5.1 Permanent Departure** from the 2m north-western side building line to 0m to accommodate the proposed covered braai area and storage area in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.2 Permanent Departure** from the maximum allowable height of 2,1m to 3,5m to accommodate the proposed boundary wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.3 Permanent Departure** from the 2m north-western side building line to 0m to accommodate the proposed garage extension in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.4 Permanent Departure** from maximum allowable height of 3,5m to 4,2m to accommodate the proposed garage parapet in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.5 Permanent Departure** from the 2m north-western side building line to 1,3m to accommodate the proposed braai on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.6 Permanent Departure** from the 2m north-western side building line to 1m to accommodate the proposed fireplace on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.7 Permanent Departure** from the 2m north-western side building line to 1,3m to accommodate the proposed braai flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.8 Permanent Departure** from the 2m north-western side building line to 1m to accommodate the proposed fireplace flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;



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- 5.9 Permanent Departure** from the 2m north-eastern side building line to 0m to accommodate a proposed screen wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.10 Permanent Departure** from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed parapet extension in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.11 Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate a proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.12 Permanent Departure** from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.13 Permanent Departure** from the 2m north-western side building line to 1,265m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.14 Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.15 Permanent Departure Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate the proposed screen wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.16 Permanent Departure** from the 2m north-western side building line to 1,7m to accommodate the proposed balcony on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.17 Permanent Departure** from the 2m north-western side building line to 1,680m to accommodate the dining area, patio, formal lounge and informal lounge on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.18 Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate the kitchen, pantry, scullery, laundry and guest bathroom on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



5.19 Determination of an administrative penalty in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. LAND USE ENVIRONMENT

The properties surrounding the subject property are predominantly zoned for single residential purposes. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan). These encroachments are not out of the ordinary and the use proposed for these encroachments are not proposed to be noise generating or have a negative effect on any person or property in the surrounding area.

7. TITLE DEED

Title deed (refer **Annexure E**) was perused and there are no restrictive conditions that prohibit the departures sought by the property owner.

8. ZONING

The following zoning parameters were assessed in conjunction with the SR1 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:



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RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Crèche, Dwelling House, Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House, Second Dwelling Unit	Comply
Consent use that may be applied for	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	N/A	N/A
Development parameters			
Coverage	The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area: Greater than 400m ² = 50%	Subject Property Extent = 1189m ² Dwelling House = 445m ² Second Dwelling Unit = 106m ² Proposed Coverage = 551m ² / 46.3%	Comply
Building lines	(i) The street building line is determined in accordance with the net erf area: Greater than 400m ² = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: Greater than 400m ² = 2m	Departures Required Refer to Section 4.	Deviation required: Applied for and motivated
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	Existing – Double Storey with a lower ground storey	Comply



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Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	Double garages and carport	Comply
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26 OCT 2022



9. SERVICES

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

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the OM's networks which include electricity, water and sewage. The implementation of this application will not have a significant impact on these networks.

Solid waste is collected every week by the OM.

Access and Egress

Access and egress to the subject property is gained from 11th Street and the proposal will not affect this.

10. NEED AND DESIRABILITY

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

Need and desirability

The need for the land use application is a personal vision that the property owner has. The property owner bought the property to be able to utilise it and renovate it to his desire. The existing dwelling was partially demolished to ensure the new structures being proposed are structurally sound. The application is submitted to ensure that the approved and previous position of the dwelling house is to remain.

The property owner has appointed WRAP Project Office to submit this application to ensure the proposed development is not in contradiction to any policies, legislation, or title deed conditions.

Impact on views, sunlight and character of the area

The subject property is located in a residential setting and these proposed encroachments are not out of the ordinary and will not affect the character of the area. We are of the opinion that there will be little to no impact on any person's views and sunlight as there will be no additional buildings constructed that is visible from the street. The lower ground storey will be below existing buildings.

These uses proposed that will encroach on the building lines are not predicted to be a nuisance to any other property owner. The property owner had taken time to inform all of the neighbouring property owners. The consent of the owners that are proposed to be most affected, were obtained and they also signed the proposed plans. These buildings/uses are also not out of character or will not affect the view and sunlight of the area.



Economic impact

The departure application will have little to no impact on the economy. Short term impact in terms of the construction that is required and a possible higher property value that could increase the property rates payable to the Overstrand Municipality, due to a possible higher valuation.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The departures will not affect the property values of surrounding properties.

Impact on heritage

The subject property is not listed in the OM Heritage Register.

Environmental impact

The subject property is not located within an environmentally important area.

11. POLICIES AND REGULATIONS

- **Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)**

Coastal Protection Zone

A portion of the subject property is located within the 'Coastal Protection Zone' and also the 'Protected Area Buffer'. 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 Environmental Management Overlay Zone (EMOZ)		Applicable to the application or not
	Coastal	Protected Area Buffer	
Agricultural practices within this EMOZ which may cause water logging and siltation.	X	X	N/A
Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.	X	X	N/A
Development or agriculture on slopes steeper than 1:4.	X	X	N/A
Establishment of Informal settlements or Temporary Relocation Areas.	X	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	X	X	N/A



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cause the deterioration or damage to the natural agricultural resources.			
Placement of religious symbols or memorabilia.	X	X	N/A
Harvesting /collection of kelp / seaweed in municipal designated "no-take" zones.	X	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	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	X	N/A
Modification of the littoral active zone / functional dune systems in absence of approved management plans.	X	X	N/A
Feeding, disturbing / pursuit of fauna.	X	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	X	N/A
Defacing/damaging / removing of any notice, sign, barrier building or other infrastructure.	X	X	N/A
Playing or tampering with any rope, float, buoy, vessel, shelter or similar life - saving device.			N/A
Staying overnight.	X	X	The property proposes bedroom, it is a private residence which means staying overnight will occur.
The discharging of domestic effluent / grey water into all natural systems.	X	X	N/A
Tampering with security / surveillance infrastructure.	X	X	N/A
Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.	X	X	N/A
Graffiti, vandalism or damaging of municipal infrastructure.	X	X	N/A
Littering	X	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	X	N/A
Dog walking / exercising of dogs in non-designated zones.	X	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 Environmental Management Overlay Zone (EMOZ)		Applicable to the application or not
	Coastal	Protected Area Buffer	
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	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	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	X	There is a pool on the subject property, but no water will be discharged on open spaces.
B) Permit Upon Approval By Delegated Authority and / Receipt of Tariff	Applicable Environmental Management Overlay Zone (EMOZ)		Applicable to the application or not
	Coastal	Protected Area Buffer	
Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse / wetland.	X	X	N/A
Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.	X	X	N/A
Commercial filming.	X	X	N/A
Construction or placement of any temporary object, building, shelter, path or structure.	X	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	X	N/A
Launching of vessels at registered launch sites.			N/A



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C) Council Authorisation Pending Consent Use Application / Lease Agreement / Applicable Tariffs as applicable	Applicable Environmental Management Overlay Zone (EMOZ)		Applicable to the application or not
	Coastal	Protected Area Buffer	
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	X	N/A
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	X	N/A
Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery.	X	X	N/A
Encroachment of private buildings, structures, infrastructure, access routes.	X	X	The property is located inside of the buffer.
Commercial Harvesting/collection and removal of any natural resource.	X	X	N/A
Construction or placement of any permanent object, building, shelter, pathway or structure.	X	X	The property is located inside of the buffer.

- **Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)**

The subject property is not located within this zone.

- **Spatial Planning Policies**

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014 or the Overstrand Spatial Development Framework, 2020.



12. PLANNING PRINCIPLES

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

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. It is of opinion that the proposal for departures will not contribute to past spatial injustices.

Spatial sustainability

Spatial sustainability refers to planning proposals that result in communities that are viable. The property owner has the vision to utilise the maximum capacity available, densifying an existing property.

Efficiency

This proposal is intended to maximise the usage of the subject property and ensure the property owner's requirements and visions are met.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

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

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



13. EVALUATION

The planning to improve the subject property has been in process for the past 3 to 4 years. The property owner acquired Erf 9899 Hermanus at the end of last year (2021) which allowed him to expand on his previously approved plans by including a lower ground storey.

There are several new additions that are proposed on historically approved massing and bulk positions and with these new additions and proposals there are several departures required. Certain departures are necessary, such as the proposed departure of the side building lines to accommodate the external support walls for the lower ground storey. The position of which has been historically approved on the ground and first floor.

The property owner has planned to step the first floor back to 2,0m to comply with the OMLUS building lines and to ensure these surrounding properties are not adversely affected.

The uses that are proposed to be located within the building lines are not anticipated to have any additional impact on the surrounding property owners. As mentioned, the consent of all adjacent property owners was obtained and there were no objections to the proposals.

These land uses are not out of the context with the surrounding area and are not seen as nuisance land uses. The encroachments are also not impeding on views, sunlight or negatively affect the character of the area as they are existing buildings.

14. RECOMMENDATION

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

- 14.1 Permanent Departure** from the 2m north-western side building line to 0m to accommodate the proposed covered braai area and storage area in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.2 Permanent Departure** from the maximum allowable height of 2,1m to 3,5m to accommodate the proposed boundary wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.3 Permanent Departure** from the 2m north-western side building line to 0m to accommodate the proposed garage extension in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

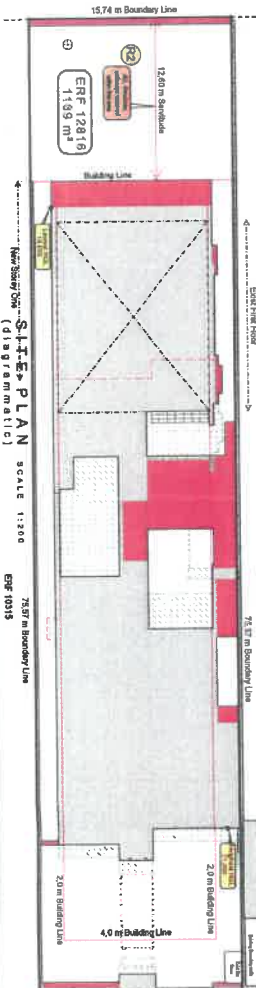


- 14.4 Permanent Departure** from maximum allowable height of 3,5m to 4,2m to accommodate the proposed garage parapet in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.5 Permanent Departure** from the 2m north-western side building line to 1,3m to accommodate the proposed braai on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.6 Permanent Departure** from the 2m north-western side building line to 1m to accommodate the proposed fireplace on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.7 Permanent Departure** from the 2m north-western side building line to 1,3m to accommodate the proposed braai flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.8 Permanent Departure** from the 2m north-western side building line to 1m to accommodate the proposed fireplace flue on the first floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.9 Permanent Departure** from the 2m north-eastern side building line to 0m to accommodate a proposed screen wall in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.10 Permanent Departure** from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed parapet extension in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.11 Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate a proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.12 Permanent Departure** from the maximum allowable height of a screen wall from 2,1m to 3,18m to accommodate the proposed courtyard wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;



- 14.13 Permanent Departure** from the 2m north-western side building line to 1,265m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.14 Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate a lower ground storey in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.15 Permanent Departure Permanent Departure** from the 2m north-eastern side building line to 1,585m to accommodate the proposed screen wall on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.16 Permanent Departure** from the 2m north-western side building line to 1,7m to accommodate the proposed balcony on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.17 Permanent Departure** from the 2m north-western side building line to 1,680m to accommodate the dining area, patio, formal lounge and informal lounge on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.18 Permanent Departure** from the 2m eastern-western side building line to 1,585m to accommodate the kitchen, pantry, scullery, laundry and guest bathroom on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.19 Determination of an administrative penalty** in terms of Section 16(2)(q) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Legend	Color	Symbol	Description
Structural Steel	Red	Circle with cross	Structural Steel
Structural Concrete	Blue	Square with cross	Structural Concrete
Structural Masonry	Green	Triangle with cross	Structural Masonry
Structural Timber	Yellow	Diamond with cross	Structural Timber
Structural Glass	Purple	Star with cross	Structural Glass
Structural Other	Orange	Hexagon with cross	Structural Other
Non-Structural	Grey	Circle with dot	Non-Structural
Other	White	Square with dot	Other



AREA SCHEDULE	DESCRIPTION	AREA (m²)
1	Structural Steel	119.9
2	Structural Concrete	119.9
3	Structural Masonry	119.9
4	Structural Timber	119.9
5	Structural Glass	119.9
6	Structural Other	119.9
7	Non-Structural	119.9
8	Other	119.9

NO.	DATE	DESCRIPTION
01	2004/24	Initial Design
02	2007/22	Structural Steel
03	2008/15	Structural Concrete
04	2009/10	Structural Masonry
05	2010/05	Structural Timber
06	2011/01	Structural Glass
07	2012/03	Structural Other
08	2013/08	Non-Structural
09	2014/12	Other

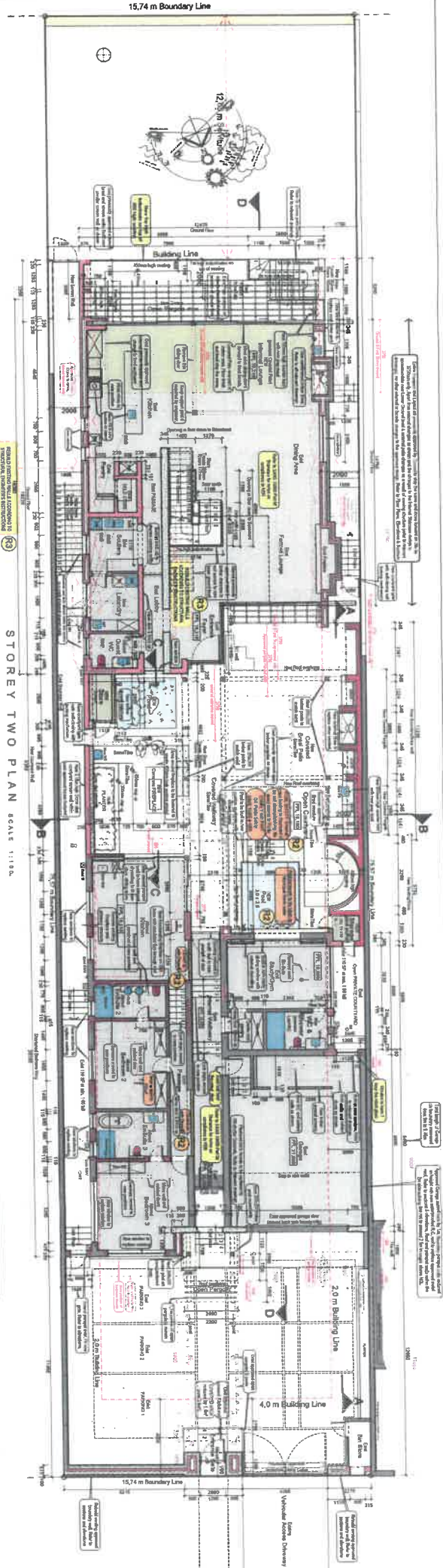
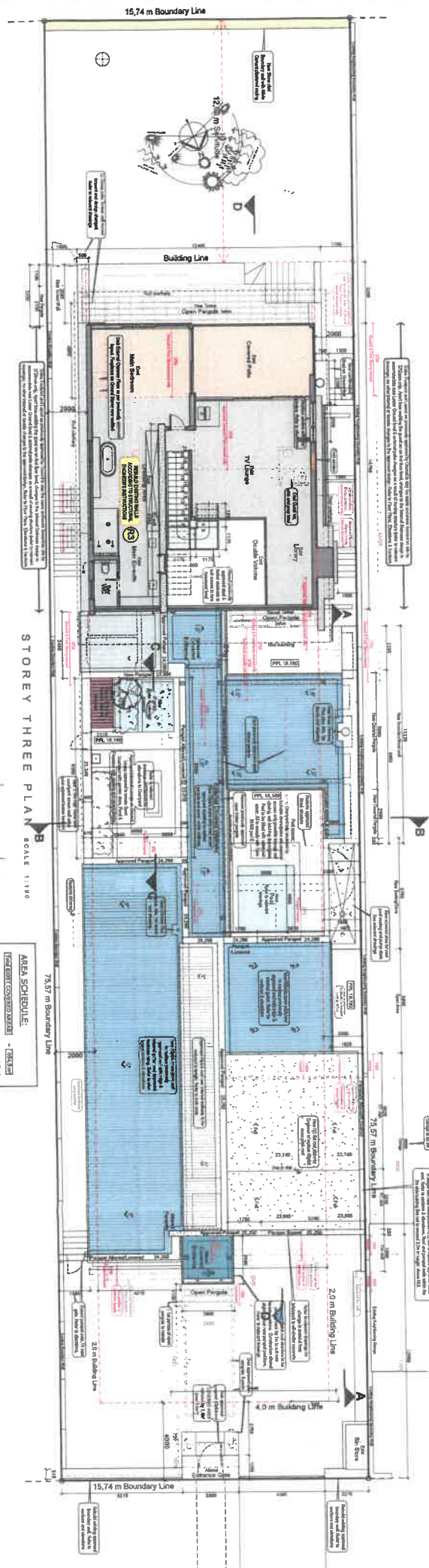
WYNAND WILSENACH ARCHITECTS
 2ND FLOOR EARLGO BUILDING
 CNR KLOOF ST & PARK RD 8001 GARDENS
 PRETORIA 0001 SOUTH AFRICA
 TEL: +27 11 461 3230 EMAIL: architects@wwa.co.za

GREEN HERMANUS
 25 van der Stiel Rd, Stellenbosch

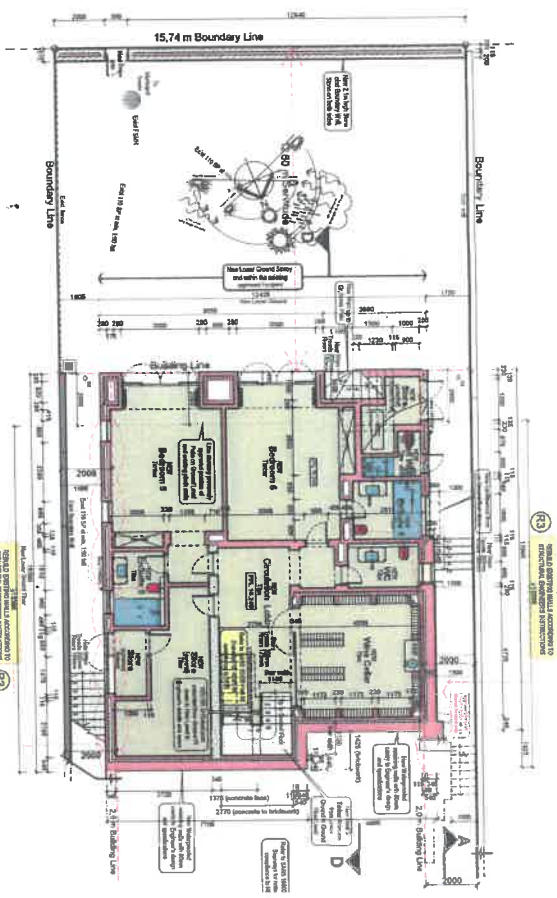
PROJECT
 Alterations & Additions
 Erf 12816, Hermanus
 229 11th Street,
 Hermanus

DRAWING
 STOREY ONE FLOOR PLAN
 STOREY TWO FLOOR PLAN
 Diagrammatic Site Plan / Areas

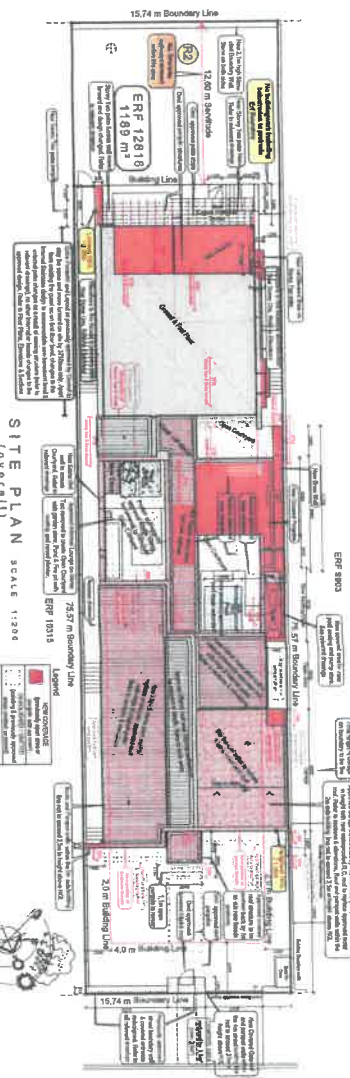
Scale: 1:100
 Date: 1904 R4
 Local Authority: LAD 201



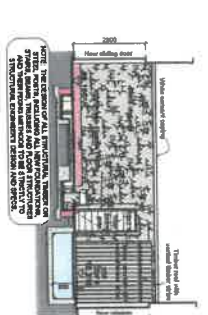
13.06.2019



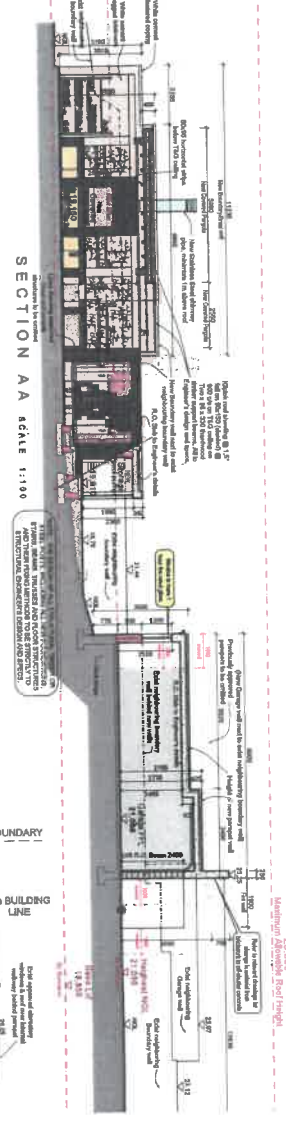
STOREY ONE PLAN SCALE 1:100



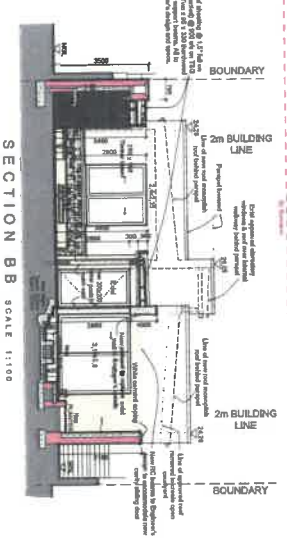
SITE PLAN SCALE 1:200 (OVERALL)



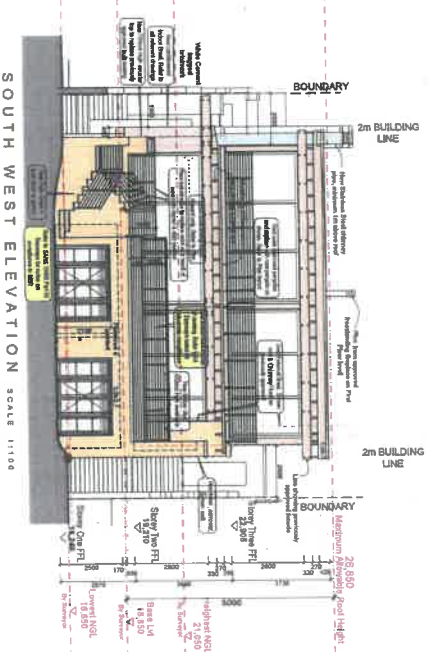
SECTION CC SCALE 1:100



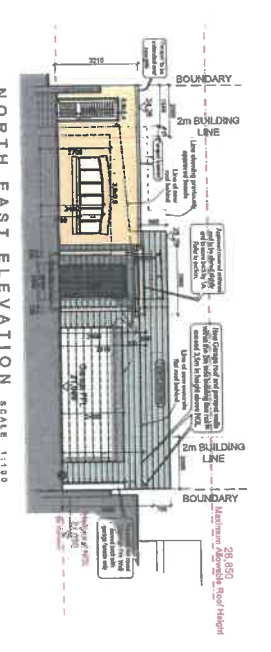
SECTION AA SCALE 1:100



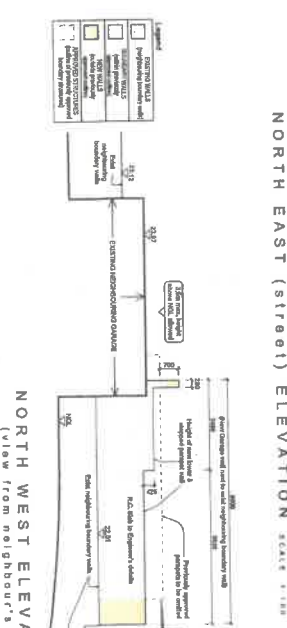
SECTION BB SCALE 1:100



SOUTH WEST ELEVATION SCALE 1:100



NORTH EAST ELEVATION SCALE 1:100



NORTH WEST ELEVATION SCALE 1:100 (view from neighbour's side)

NO	DATE	BY	DESCRIPTION
01	22/09/20	LJK	Indicate walls to be rebuilt to Engineer's requirements. Red colour highlighted in yellow
02	22/09/20	LJK	REFER TO NOTES & ANNOTATED "R"
03	22/09/20	LJK	REFER TO NOTES & ANNOTATIONS HIGHLIGHTED IN YELLOW

WYNAND WILSENACH ARCHITECTS
 2ND FLOOR EARLGO BUILDING
 CHRIS FLOOF ST & PARK RD 8001 GARDENS
 PO BOX 506 408 80 BAY ST VILLAGESIDE 1018
 TEL +2721 42343230 EMAIL arch@techw@w.co.za

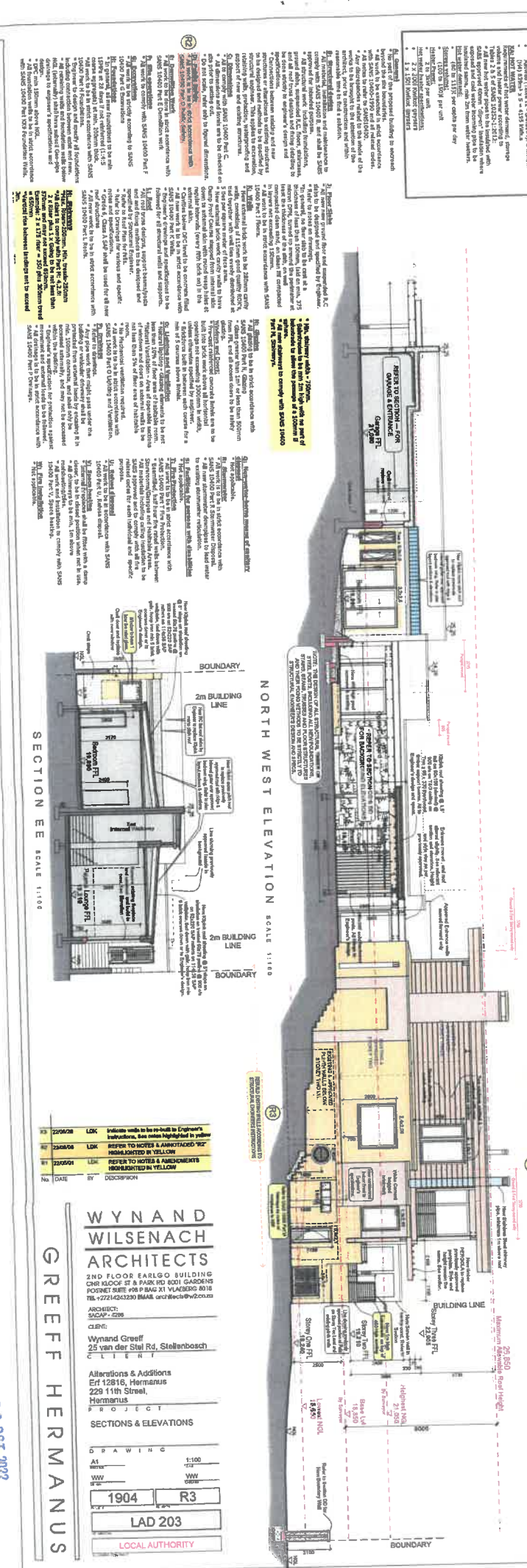
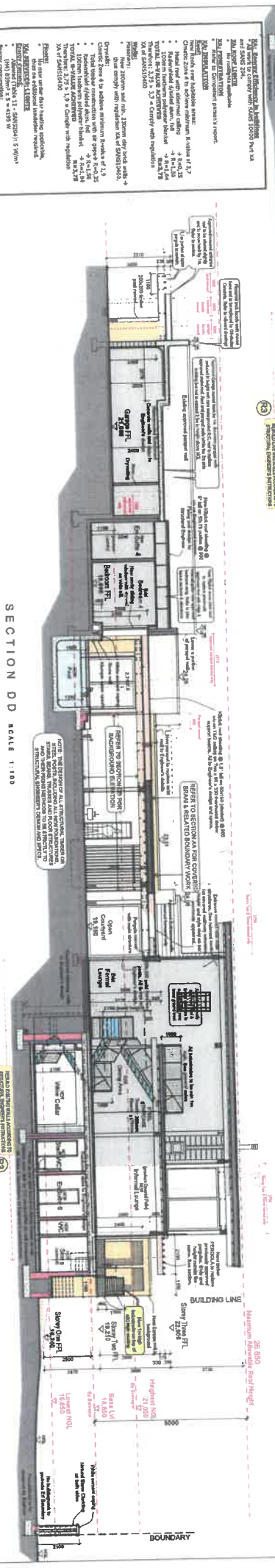
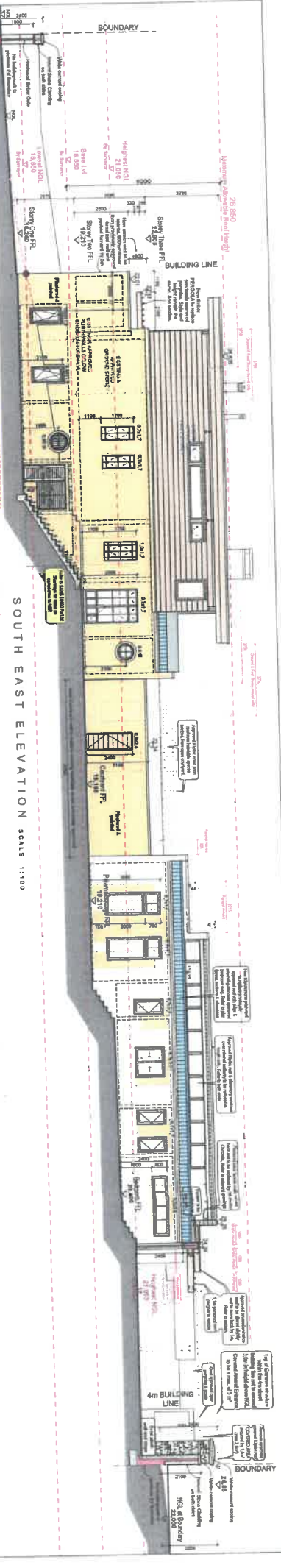
ARCHITECT: SANCY ZISSER
 CLIENT: Wynand Greeff
 25 van der Stal Rd, Stellenbosch

Alterations & Additions
 Erf 12816, Hermanus
 229 11th Street,
 Hermanus

PROJECT

SITE PLAN
 STOREY ONE FLOOR PLAN
 SECTIONS & ELEVATIONS

DRAWN BY: A1
 SCALE: 1:100/200
 DATE: WW
 LOCAL AUTHORITY: 1904 R3 LAD 202



GENERAL NOTES:

1. All work to be done in accordance with the specifications and drawings.
2. All work to be done in accordance with the specifications and drawings.
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 2ND FLOOR EARLGO BUILDING
 CHR KLOOF ST & PARK RD 8001 GARDENS
 PO BOX 1001 P.O. BOX 11 WILSONSDALE
 TEL: 2721-4213200 BMAA cert@wylsach.com

GREEN HERMANUS

ARCHITECT: WYNAND WILSENACH
 CLIENT: Wynand Greeff
 25 van der Stel Rd, Stellenbosch

Alterations & Additions
 Erf 12816, Hermanus
 229 11th Street,
 Hermanus

PROJECT: SECTIONS & ELEVATIONS

DRAWING: A1 1:100
 A2 1:100
 A3 1:100
 A4 1:100

1904 R3
 LAD 203
 LOCAL AUTHORITY

DATE: 20/02/2017
 BY: LOK
 NO: 1000000

20 OCT 2017