



OVERSTRAND MUNISIPALITEIT
ERF 3181, TIENDESTRAAT 34, VOËLKLIP,
HERMANUS: AANSOEK OM WYSIGING VAN
GOEDKEURINGSVOORWAARDES EN
ONDERVERDELING: MNRE PLAN ACTIVE
STAD- EN STREEKSBEPLANNERS NAMENS
LJ ARNOT

Kennis word hiermee gegee ingevolge Artikels 47 & 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir die volgende:

- **wysiging van goedkeuringsvoorwaardes** ingevolge Artikel 16(2)(h) van die Verordening; en
- **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening, om Erf 3181, Hermanus in (4) vier gedeeltes te onderverdeel, naamlik: Gedeelte A ($\pm 496\text{m}^2$), Gedeelte B ($\pm 496\text{m}^2$), Gedeelte C ($\pm 496\text{m}^2$) en Gedeelte D ($\pm 496\text{m}^2$) groot.

Besonderhede aangaande die voorstel lê ter insae gedurende wekedae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus. Enige kommentaar moet skriftelik wees ingevolge die bepalings van Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) (alida@overstrand.gov.za) bereik voor of op **Vrydag, 8 Maart 2024**, met u naam, adres, kontakbesonderhede, belang in die aansoek, en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** by 028-3138900. Die Munisipaliteit mag weier om kommentare 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 formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 17/2024

OVERSTRAND MUNICIPALITY
ERF 3181, 34 TENTH STREET, VOËLKLIP,
HERMANUS: APPLICATION FOR
AMENDMENT OF CONDITIONS OF
APPROVAL AND SUBDIVISION: MESSRS
PLAN ACTIVE TOWN AND REGIONAL
PLANNERS ON BEHALF OF LJ ARNOT

Notice is hereby given in terms of Sections 47 & 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:

- **andmendment of conditions** of approval in terms of Section 16(2)(h) of the By-Law; and
- **subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide Erf 3181, Hermanus, into (4) four portions, namely: Portion A ($\pm 496\text{m}^2$), Portion B ($\pm 496\text{m}^2$), Portion C ($\pm 496\text{m}^2$) and Portion D ($\pm 496\text{m}^2$) in extent.

Details regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus. Any comments must be in writing in terms of the provisions of Sections 51 and 52 of the By-law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093/ (e) (alida@overstrand.gov.za) on or before **Friday, 8 March 2024**, quoting your name, address, 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 comment 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.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Municipal Notice No. 17/2024

UMASIPALA WASE-OVERSTRAND
ISIZA ESINGU-ERF 3181, 34 TENTH
STREET, VOËLKLIP, HERMANUS: ISICELO
SOKULUNGISELELA NOKUHLomELA
IIMEKO EZIVUMELA UKWAHLULAHULA
NOKUCANDA KWAKHONA: ABANUM KWA-
PLAN ACTIVE TOWN AND REGIONAL
PLANNERS EGAMENI LIKA-LJ ARNOT

Kukhutshwe isaziso ngokwemiba yeSolotya lama-47 & 48 loMthethwana osisiHlomelo kuMasipala waseOverstrand NgeZicwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (Umtethwana), isaziso esi sithi kufunyenwe isicelo esimayela nale miba ilandelayo:

- **ukuhlomela iimeko ezivumelayo** ngokwemiba yeSolotya le16(2)(h) loMthethwana; kwakunye
- **nokucanda nokwahlula-hlula ngokwemiba** yeSolotya le16(2)(d) loMthethwana, ukwahlulahlula isiza esinguErf 3181, Hermanus, ibe zinxalenye ezine (4) ezzaziwa nge: iNxalenye A ($\pm 496\text{m}^2$), iNxalenye B ($\pm 496\text{m}^2$), iNxalenye C ($\pm 496\text{m}^2$) neNxalenye D ($\pm 496\text{m}^2$) ngokobungakanani.

linkcukacha ezipheleleyo mayela nesi isphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini kwintsimbi ephakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe : izicwangciso zeDolophu kwa16 Paterson Street, Hermanus. Nabani na ofuna ukuhlomla makabale izimvo zakhe zingeniswe kwaMasipala ngokwezibonelo zeSolotya lama-51 nelama-52 loMthethwana kaMasipala zifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093/ (e) (alida@overstrand.gov.za) ngomhla okanye ngaphambi ko**Lwesihlanu, 8 uMatshi 2024**, uchaze igama lakho, idilesi yakho, neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa ku**Mcwangcisi weDolophu, Mnu P Roux** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda afake izimvo zakhe ngokusemthethweni.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Inothisi kaMasipala Nomb. 17/2024



Plan
 Active Town & Regional Planners

All distances approximate
 and subject to survey.
 COPY RIGHT RESERVED

Property Description:
ERF 3181
VOËLKIP

Plan Description:
LOCALITY MAP

Scale:
NTS
 Drawing NTC
 of 3181 Voelklip.dwg
 Date:
JULY 2022

**PROPOSED AMENDMENT OF THE
CONDITIONS OF AN EXISTING
APPROVAL AND SUBDIVISION**

ERF 3181 HERMANUS

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mrs. L.J. Arnot, the owner of Erf 3181 Hermanus has instructed the company Plan Active Town and Regional Planners, to apply for the amendment of the conditions of an existing approval and new subdivision of Erf 3181 Hermanus.

An approval was obtained from the Overstrand Municipality for the subdivision of Erf 3181 Hermanus into **two (2)** portions (see letter of approval attached as **Annexure A**). The intention of the owner is to amend the approved subdivision and the current conditions of approval to re-subdivide the subject property into **four (4)** equally sized even.

There is a dwelling situated on Erf 3181 Hermanus and a permit to demolish the structure on the subject property was obtained from the Building Control Office and the Heritage Western Cape Department. Please refer to **Annexure B**. It should be noted that the permit from the Heritage Western Cape Department is valid for **3 years** and the permit from the Building Control Office was valid for **1 year**. A new permit was obtained from the Building Control Department which expires in October 2024. The Title Deed applicable to Erf 3181 Hermanus does not contain any restrictions that need to be addressed in order for the proposed application to be approved.



The subject property is 1 983m² in extent and is held by Title Deed Number T43694/2021.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(h) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the amendment of the conditions of an existing subdivision approval of Erf 3181 Hermanus;
- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the new subdivision of Erf 3181 Hermanus.

3. DESIRABILITY

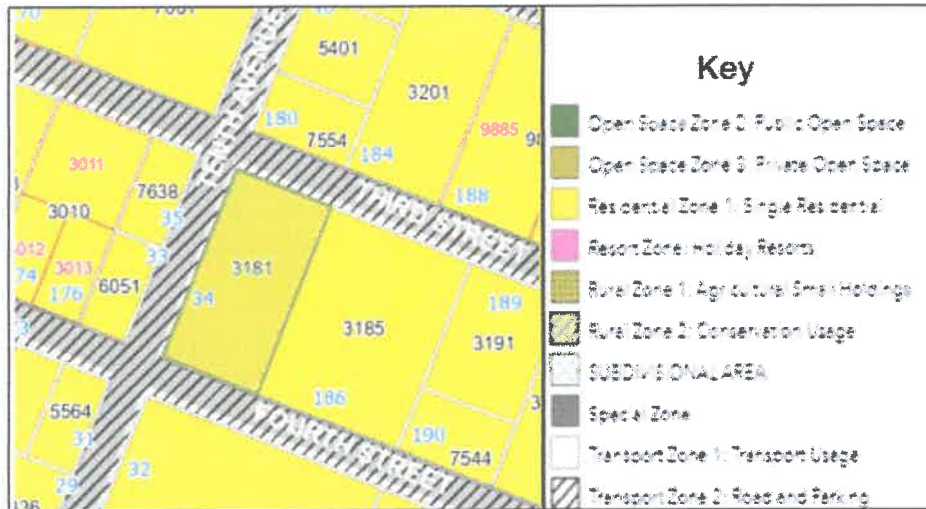
3.1 PROPERTY DESCRIPTION

Erf 3181 Hermanus is located between Third and Fourth Streets on the corner of Tenth Avenue, Voëlklip, Hermanus and is 1 983m² in extent. Please refer to the enclosed locality plan and the aerial photograph below.



3.2 ZONING

Erf 3181 Hermanus is zoned Residential Zone 1 and is used as such. The surrounding properties are also zoned for single residential purposes and public roads. Please refer to the zoning map abstract below:



3.3 LAND USE

Erf 3181 Hermanus is used for residential purposes. A dwelling with a double garage is established on the subject property.

Land uses that surround Erf 3181 Hermanus are single dwellings and public roads. It is therefore evident that the subject property is situated within a predominantly single residential area.

3.4 PROPOSAL

The following is proposed in terms of:

- Chapter 4, Section 16(2)(h) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the amendment of the conditions in respect of an existing approval of Erf 3181 Hermanus into 2 erven to re-subdivide the subject property into 4 equally sized erven;
- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 3181 Hermanus into 4 erven.



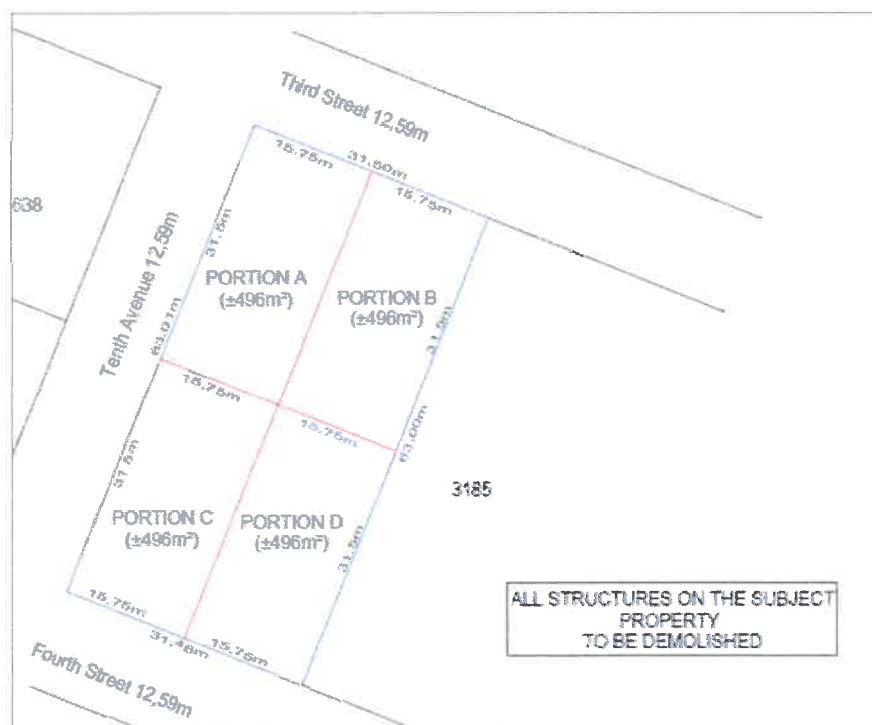
3.4. An amendment of conditions in respect of an existing approval and the re-subdivision of the subject property.

Erf 3181 Hermanus is 1 983m² in extent. The intention of the owner of the subject property is to subdivide Erf 3181 Hermanus into four portions, Portions A, B,C and D instead of the approved two portions as per the letter of approval attached. The subject property is one of the larger erven situated in this specific area of Voëlklip, Hermanus.

The detail of the new proposed subdivision is tabled below:

Proposed subdivision of Erf 3181 Hermanus		
Portion	Extent (m ²)	Zoning
Portion A	±496	Residential Zone 1
Portion B	±496	Residential Zone 1
Portion C	±496	Residential Zone 1
Portion D	±496	Residential Zone 1

The proposed re-subdivision of Erf 3181 Hermanus follows the same gridline configuration as the existing residential erven in the same residential block. After the subdivision of the subject property, Portions A,B,C and D, portions of Erf 3181 Hermanus will be ±496m² in extent, each.



In order for the proposed application to be approved the following conditions of approval need to be amended with reference to the approval letter dated 26 June 2023:

- A) That the approval is only for the subdivision as indicated on Subdivision plan Erf 3181 Hermanus.drw, as submitted with the application;*

The approved subdivision plan will be amended, and a new proposed subdivision plan is submitted for approval. The above condition of approval refers specifically to the subdivision plan that was approved for 1 additional erf and a remainder, attached to the approval letter dated 26 June 2023.

- B. That the conditions in the services report (attached as Annexure), be complied with.*

The Service Report dated 18 February 2023, attached to the approval letter dated 26 June 2023, is based on the subdivision of Erf 3181 Hermanus into one additional portion only. The new proposed subdivision makes provision for four portions and therefore the proposal needs to be re-circulated to the Engineering Department of the Overstrand Municipality.

The proposed subdivision lines will not have any impact on the existing structure situated on the subject property as the structure will be demolished. No departure from any land use restrictions is being applied for.

The proposed re-subdivision will have a positive impact on the economy of the area by allowing the subdivision, three additional residential properties will be created from which the municipality can attain bulk service levies as well as monthly rates and taxes. Future plans to develop the four portions will create temporary employment during the construction phase thereof.

3.5 ACCESS

Access to Erf 3181 Hermanus is currently from Fourth Street and from Tenth Avenue.

Access to the newly created Portion B will be from Third Street and the access to Portion D will be from Fourth Street. Access to Portions A and C will be confirmed with building plan submission when the intention is to develop the aforementioned portions.



3.6 SERVICES

Erf 3181 Hermanus is situated in an already developed residential area, where municipal services already exist to which the newly created erven can connect to. All required services will be installed according to the specifications of the Overstrand Municipality.

3.7 TITLE DEED

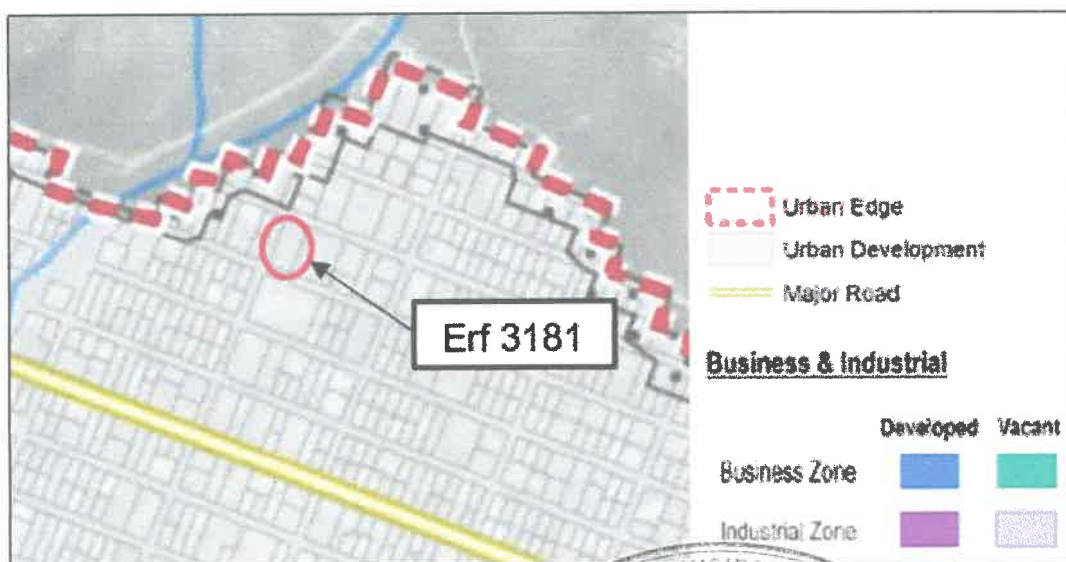
There are no restrictive Title Deed conditions in Title Deed No. T43694/2021 that need to be addressed in order for the proposal to be approved.

There is no bond registered against Erf 3181 Hermanus.

3.8 FORWARD PLANNING

Overstrand Municipal Wide Spatial Development Framework (2020).

In terms of the Overstrand Wide Spatial Development Framework the subject property is earmarked for urban development purposes. The residential zoning of Portions A to D, portions of Erf 3181 Hermanus, will be retained after the re-subdivision has been concluded.



Overstrand Growth Management Strategy (2010)

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) specifies that Erf 3181 Hermanus forms part of Planning Unit no. 3. Incremental development through subdivision to allow a second and third dwelling unit is proposed for 20% of the area.

The newly created erven will be compatible with the areas of the residential erven in the vicinity and we are therefore of the opinion that the proposal is in line with the **Overstrand Growth Management Strategy (2010)** and can the proposal be supported.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Erf 3181 Hermanus is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

The structure on the subject property is older than 60 years. A permit was obtained from Heritage Western Cape for the total demolition of the structure situated on the subject property.

In light of the above mentioned it is evident that the proposal will not have a negative impact on the heritage value of the subject property or the greater area of Voëlklip, Hermanus. An approval for the subdivision of the subject property into 1 additional erf was already approved, the intention is just to amend the approval to accommodate 3 additional erven.



3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed amendment of the conditions of approval and subdivision do not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed amendment of the conditions of approval and the re-subdivision are in line with the current erf sizes and land use tendencies in the vicinity within the Voëlklip, Hermanus area. The proposal will create an opportunity for future landowners to obtain land.

Spatial sustainability: The proposed amendment of the conditions of approval and the re-subdivision are in line with the current character of the established residential area. The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and erf sizes of the portions to be created will be in line with the residential character of this specific area of Voëlklip.

Efficiency: The proposed application for the subdivision of Erf 3181 Hermanus will promote the optimisation of the use of space within a developed residential area. The subject property is also situated in close proximity to Main Road, Hermanus which makes the subject property very accessible.

Spatial Resilience - in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to



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

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

4. **RECOMMENDATION**

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

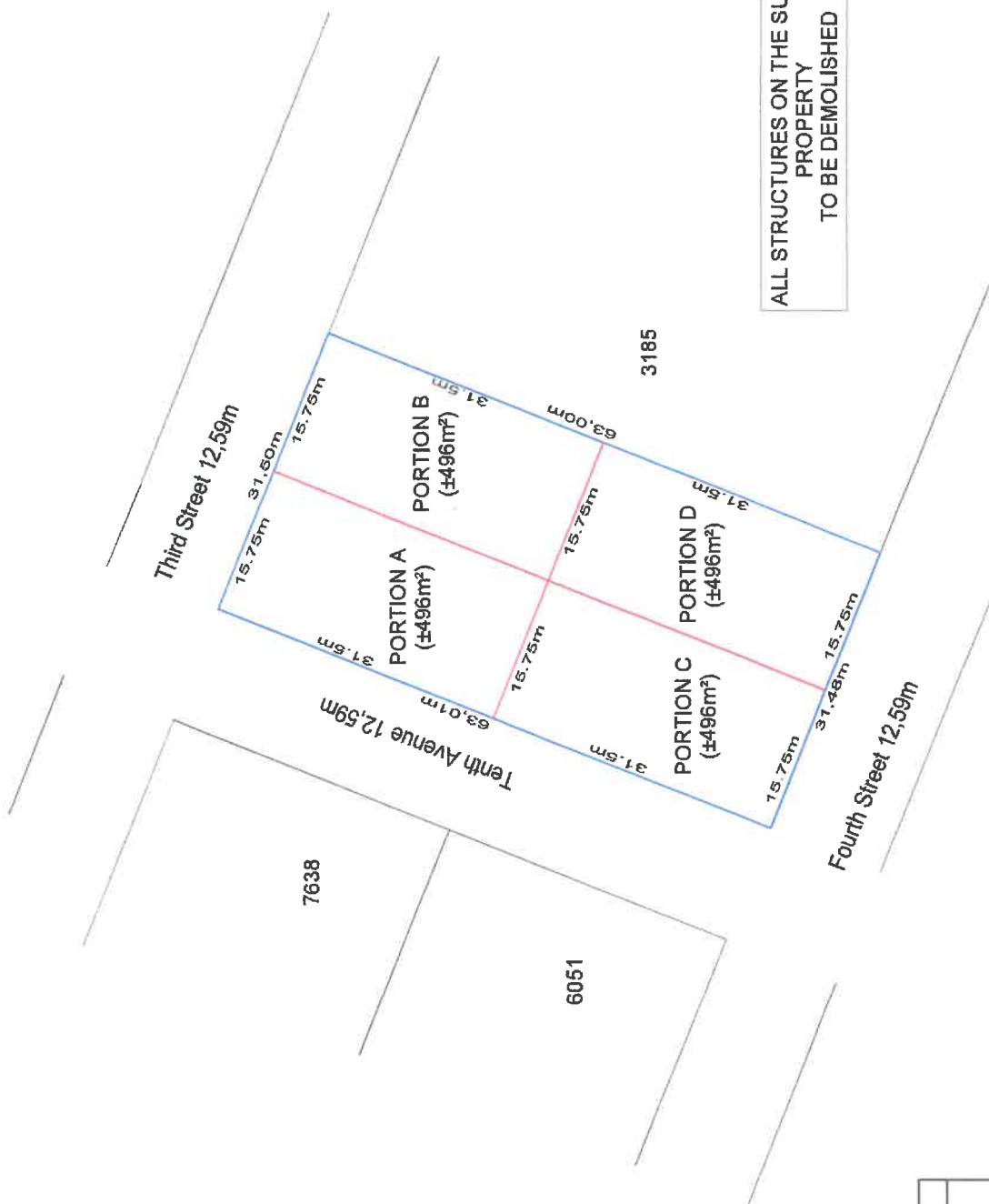
- An approval was obtained for the subdivision of the subject property into two portions and the current application is for the re-subdivision of Erf 3181 Hermanus into four (4) equally sized erven;
- The proposal falls within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;
- The subject property falls within an already serviced area and the additional portions can easily connect to existing services;
- The proposal will not have a negative impact on the current character and land values of the surrounding erven.
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).



Motivation report

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the amendment of the conditions of approval and the re-subdivision of Erf 3181 Hermanus, into **four (4)** portions.





NOTES

PROPERTY BOUNDARIES	
PROPOSED SUBDIVISION LINE	
PORTION A	
PORTION B	
PORTION C	
PORTION D	
ZONING: SR1	

