



OVERSTRAND MUNISIPALITEIT
ERF 748, DIRKIE UYS STRAAT 5, NORTHCLIFF,
HERMANUS, OVERSTRAND MUNISIPALE AREA:
AANSOEK VIR HERSONERING & BEPALING VAN 'N
ADMINISTRATIEWE BOETE : INTERACTIVE TOWN &
REGIONAL PLANNING NAMENS DR FEELGOODS
(PTY) LTD

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Erf 748, Northcliff, Hermanus (die eiendom) naamlik:

Hersonering

Aansoek ingevolge Artikel 16(2)(a) van die Overstrand Munisipale Grondgebruik wysigingsverordening oor Munisipale Grondgebruikbeplanning, 2020 vir die voorgestelde hersonering van Erf 748 vanaf Algemene Residensiële Sone 1: Dorp huisskema na Sake sone 1: Algemene Sake Vloer ruimte sone 1

Bepaling van 'n administratiewe boete

Aansoek ingevolge Artikel 16(2)(q) van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 vir die onwettige grondgebruik op die eiendom.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik wees bogenoemde en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **Vrydag, 15 Maart 2024** met u naam, adres en kontakbesonderhede, belang in die aansoek, asook die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me. H van der Stoep** 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. 14/2024

OVERSTRAND MUNICIPALITY
ERF 748, 5 DIRKIE UYS STREET, NORTHCLIFF,
HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING & DETERMINATION
OF AN ADMINISTRATIVE PENALTY: INTERACTIVE
TOWN & REGIONAL PLANNING ON BEHALF OF DR
FEELGOODS (PTY) LTD

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to Erf 748, Northcliff, Hermanus (the property) namely:

Rezoning

Application in terms of Section 16(2)(a) of the Overstrand Municipal Land Use Amendment By-Law on Municipal Land Use Planning, 2020 for the proposed rezoning of Erf 748 from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1.

Determination of an administrative penalty

Application in terms of Section 16(2)(q) of the Overstrand Municipal Land Use Amendment By-Law on Municipal Land Use Planning, 2020 for the illegal land uses on the property.

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 to reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **Friday, 15 March 2024**, quoting your name, address and contact details, interest in the application, as well as the reasons for comment. Telephonic enquiries can be made to the **Senior Town Planner, Mrs. H van der Stoep** 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. 14/2024

UMASIPALA WASE-OVERSTRAND
ISIZA 748, 5 DIRKIE UYS STREET, NORTHCLIFF,
HERMANUS, KUMASIPALA WASE-OVERSTRAND:
ISICELO SOKUCANDA NGOKUTSHA KUNYE
NOKUGQITYWA KWESOHLWAYO: ABAKWA-
INTERACTIVE TOWN & REGIONAL Planning
EGAMENI LABAKWA-DR FEELGOODS (PTY) LTD

Kukhutshwa isaziso ngokumayela neCandelo 47 neCandelo 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa Nokucetywa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), ukuba kufunyenwe ezi zicelo zilandelayo ezimayela neSiza 748, Northcliff, Hermanus (ipropathi), ukuba:

Ukucandwa ngokutsha

Isicelo ngokumayela neCandelo 16(2)(a) loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa Nokucetywa koMhlaba kaMasipala, 2020 ngokumayela nokucandwa ngokutsha kweSiza 748 ukususela ukuba ibe Yindawo Yokuhlala 1 Jikelele Izindlu Ezininzi Ezikwisiza Esinye ukuya Kwindawo Yoshishino 1: Ummandla 1 Woshishino Oluninzi.

Ukugqitywa kwesohlwayo

Isicelo ngokumayela neCandelo 16(2)(q) loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa Nokucetywa koMhlaba kaMasipala, 2020 ngenxa yokusetyenziswa ngokungekho mthethweni komhlaba okwipropathi.

linkcukacha ezimayela noku kucetywayo ziyafumaneka ukuze zihlolwe phakathi evelini phakathi ko-08:00 no-16:30 kwiSebe: Town Planning e-16 Paterson Street, Hermanus.

Naziphi na izimvo ezibhaliweyo mazingeniswe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngaphambi okanye engadlulanga, **uLwesihlanu ka-15 Matshi 2024**, ubhale igama lakho, idilesi yakho kunye neenkukacha zoqhagamshelwano, umdla wakho kwisicelo nezizathu zokubhala izimvo zakho. Imibuzo ngefowuni ingabuzwa ku-**Senior Town Planner, Mrs. H. van der Stoep** ku 028-313 8900. UMasipala angangavumi ukwamkela amagqabaza okuhlomla afunyenwe emva komhla wokuvala. Nabani na ongakwazi kufunda okanye ukubhala angatyelela iSebe lokuCeba Idolophu apho igosa lakwamasipala liya kumnceda afake amagqabaza okuhlomla.

Umphathi kaMasipala, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Isaziso sikaMasipala No.14/2024





ERF 748, HERMANUS

Corner of Dirkie Uys Street &
Hope Street

**Application is made for a rezoning and
the determination of an administrative
penalty**



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October 2023

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Notes

1. Introduction	
<p>a. Brief and Background:</p> <p>Refer to Annexure B for the Power of Attorney.</p>	<p>Interactive Town and Regional Planning was appointed by owner of the Erf 748 Hermanus, Dr Feelgoods Pty Ltd, to prepare and submit an application for rezoning to Business Zone 1: General Business Bulk Zone 1 as well as the determination of an administrative penalty in terms of the relevant legislation.</p>
<p>b. The development proposal</p>	<p>The application area is being used for business purposes on the ground floor and a two bedroom flat on the first floor.</p> <p>The existing zoning of the application area is General Residential Zone 1: Town Housing which does not allow for the existing land uses.</p> <p>Application is therefore for the rezoning of the application area from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1.</p> <p>The application includes a determination of an administrative penalty for the existing land uses on the property.</p> <div data-bbox="308 768 1270 1102" data-label="Image"> </div> <p>Figure 1: Photo of the application area (2019)</p> <div data-bbox="411 1153 1270 1928" data-label="Figure"> </div> <p>Figure 2: Layout Plan Extract</p>

2. Summary of Application: Development Criteria

a. Development Criteria:

The development parameters for the Erf 748, Hermanus as per the Zoning Scheme Regulation, are summarised as follows:

Parameters		Existing Zoning	Proposed zoning	The proposal	Comments
Zoning		General Residential Zone 1: Town Housing	Business Zone 1: General Business Bulk Zone 1	Business Zone 1: General Business Bulk Zone 1	Application if for a rezoning
Primary Uses		Town housing, private road and private open space	Business premises, caretaker’s accommodation, conference facility, flats (above ground floor), guest house, hotel, place of assembly, place of instruction and self-catering.	Business premises, Flat	Consistent
Consent Uses		Crèche, day care centre, dwelling house, flats, green house, home occupation, residential building, retirement village and tourist accommodation	Adult entertainment business, bottle store, crematorium, dwelling unit, flats (on ground floor), funeral parlour, institution, motor repair garage, place of entertainment, recreational facilities, residential building, second dwelling unit, service station, transmission apparatus, transport use, utility services, warehouse and service trade.	None	Consistent
Coverage		65%	100%	33%	Consistent
Floor factor		N/A	3	0.37	Consistent
Height		8m	14m / 4 storeys	Less than 8m	Consistent
Building lines	Street	3m	0m	1.5m	Consistent
	Common	3m	3m where abutting residential 0m where abutting business	6.3	Consistent
Parking		Dwelling: 2 bays	Shops / Offices: 4 bays per 100m ² GLA Flat: 2 bays per dwelling unit	163m ² GLA + 1 Flat: 9 bays required 9 bays provided	Consistent
b. Application:		Application is hereby made for:			
The application form is attached as Annexure A and the Building Plans as Annexure I		<ul style="list-style-type: none">The rezoning of Erf 748 Hermanus, Hermanus from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 in terms of Chapter IV, Section 16.2(a) of the Overstrand Amendment By-law on Municipal Land-use Planning, 2020 .The determination of an administrative penalty for the existing land uses in terms of Chapter IV, Section 16(q) & Section 90.(5) of the Overstrand Amendment By-law on Municipal Land-use Planning, 2020.			

3. Site Information

a. Property Description	Property	Extent	Title Deed	Registered Owners
Refer to Annexure E for the SG Diagram and Annexure C for the Title Deed	Erf 748, Hermanus	595 m ²	T44758/2006	Dr Feelgoods Pty Ltd
	Extracts of the Surveyor General Plans are reflected in the following sketches confirming the application site. <div style="text-align: center; margin-top: 20px;"> <p style="text-align: center;">Scale 1:500</p> <p>The figure <i>ABCD</i> represents 6000 Square Feet of land being <i>ERF No. 748</i> a portion of <i>ERF No. 747 HERMANUS</i> situate in the Municipality of Hermanus Division of <i>Caledon</i> Province of Cape of Good Hope. and measured by me according to Regulations Surveyed in April, 1920 by me <i>J.L. Hill</i> Land Surveyor.</p> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>This diagram is annexed to D/T No. 1316 dd. 9.2.1950</div> <div>The original diagram is No. 4438/1920 annexed to J/L dated 11-11-1926 J/L 1926, 245.11370</div> <div>File No. 52479 S.R. No. E. Tship Snt. 5</div> </div> <p style="text-align: center;">Registrar of Deeds.</p> </div>			
b. Title Deed	The Conveyancer Monica Korf issued a certificate confirming that there are <u>no restrictive title deed conditions</u> against the proposal.			

Figure 3: Extracts of the Surveyor General Plan for the application site

c. Location:

Refer to **Annexure F** for the locality plans.

Regional Context:

Within the regional context, the application area is located within the Hermanus Central Business District.



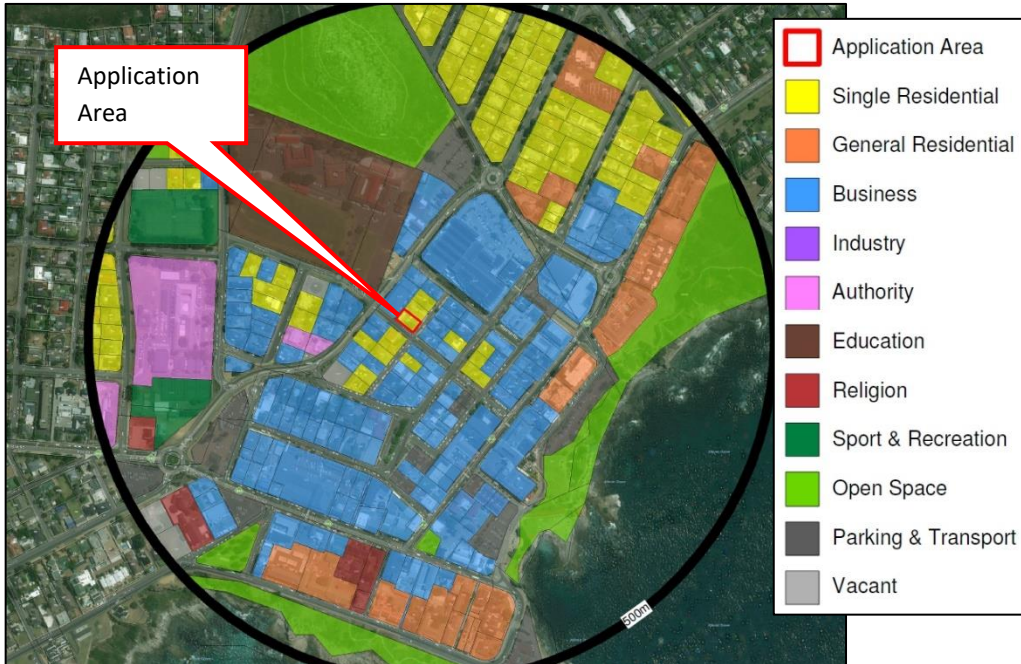
Figure 4: Locality Plan – Regional Context

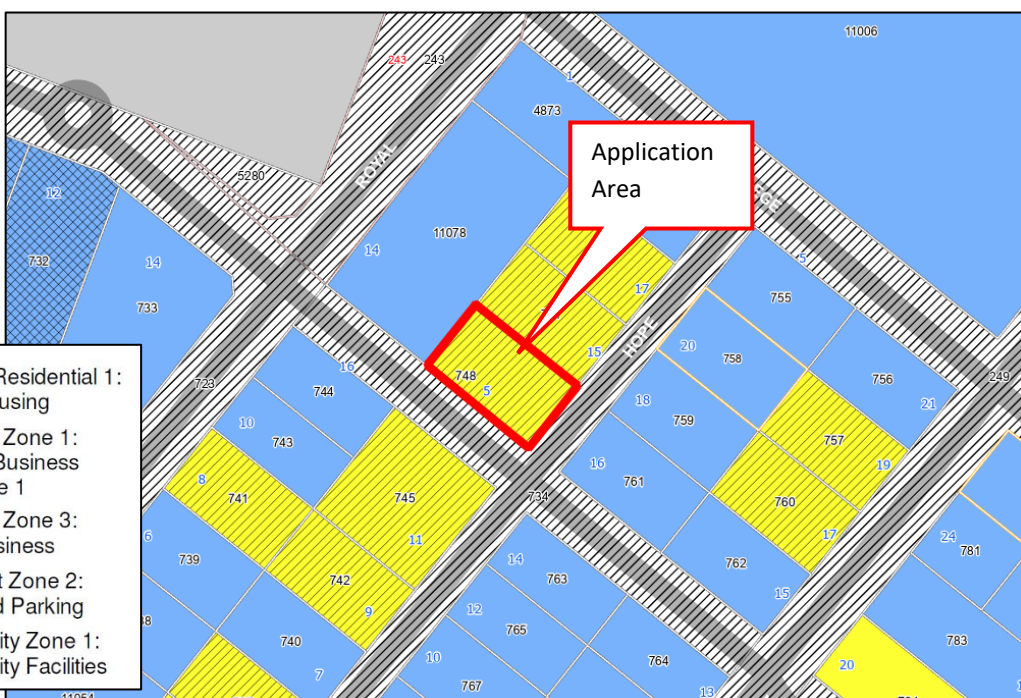
Local Context:

Within the local context the application area consists of a business erf within Hermanus Central Business District. The application area is located on the corner of Dirkie Uys Street and Hope Street.



Figure 5: Locality Plan – Local Context

<p>d. Land Use:</p> <p>Refer to Annexure H for the Land Use Plan.</p>	<p>The land use of the application area is business. The application area is within the Hermanus Central Business District. The surrounding erven are used for business and single residential purposes. The proposed business land use is consistent with the character of the area.</p>  <p>Figure 6: Google Image illustrating the residential land-use activities of the application area and surrounding properties</p>
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<p>e. Zoning:</p> <p>Refer to the Extract of Hermanus Final Zoning 2014 map attached as Annexure G</p>	<p>The application area, Erf 748, Hermanus is zoned General Residential Zone 1: Town Housing. The application is to rezone the application area to Business Zone 1: General Business Bulk Zone 1. The surrounding erven are General Residential Zone 1: Town Housing and Business Zone 1: General Business Bulk Zone 1. The erven within the Hermanus CBD are progressively being rezoned to business zonings. The proposed zoning is consistent with the zoning of the area and the land use of the application area.</p>  <p>Figure 7: Extract from the Overstrand Municipality: Hermanus Final Zoning 2014 map</p>
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f. Laws and policies relevant to the consideration of the application and forward planning and land use documents

The following policy is applicable to the application area.

i. **Overstrand Municipal Spatial Development Framework, 2020 (OMSDF)**



Hermanus Central

ii. Central Business District

The detailed growth management proposals of the Overstrand Growth Management Strategy with regards to mixed use densification (including residential) shall apply. Business uses, commercial, retail and offices should be concentrated within the CBD and various local commercial nodes.

Further decentralisation of commercial development should not be permitted. The Overstrand Growth Management Strategy should be read in conjunction with this section w.r.t. its mixed-use densification proposals."

The application area is within the Hermanus CBD and Heritage Overlay Zone.

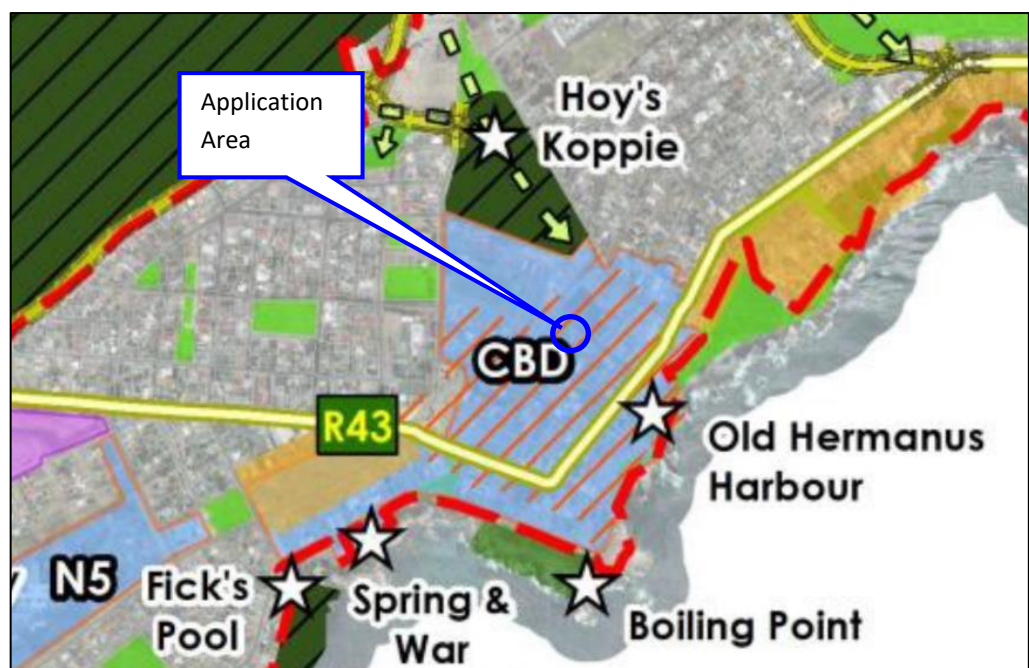


Figure 8: OMSDF, 2020 spatial proposal extract

The application proposal is consistent with the Overstrand Municipal Spatial Development Framework.

ii. **The Overstrand Integrated Development Plan, 2017/18 – 2021/22**



According to the Overstrand Integrated Development plan, through local economic development (LED), local government can meet the basic needs of the people by establishing an environment (whether directly or indirectly) that will create jobs and alleviate poverty in a sustainable manner.

Economic growth is supported by the three top performing sectors i.e. Commercial Services 58.1%, Manufacturing 14.2%, Government and Community, Social and Personal services.

Economic growth is stronger in sectors that do not provide massive employment such as the Services sector, mainly due to high tourism potential of the area.

The LED strategy goals are as follows:

- Grow the local economy to contribute to development and improvement of lives;
- Develop entrepreneurial communities both within the formal and informal sectors;
- The creation of a conducive environment for the economy to thrive;
- Create an attractive investment environment that enables jobs, skills and resources opportunities;
- Maintain and support critical sectors and advance competitive advantage; and
- Support small and medium enterprises for competitiveness;

The application proposal is consistent with the Overstrand Integrated Development Plan, 2017/18 – 2021/22.

iii. Overstrand Municipality Growth Management Strategy, 2010

The application area is within a Local Economic Opportunity area, Heritage Overlay Zone and More Than 30 Dwelling Units Per Hectare Density Zone.

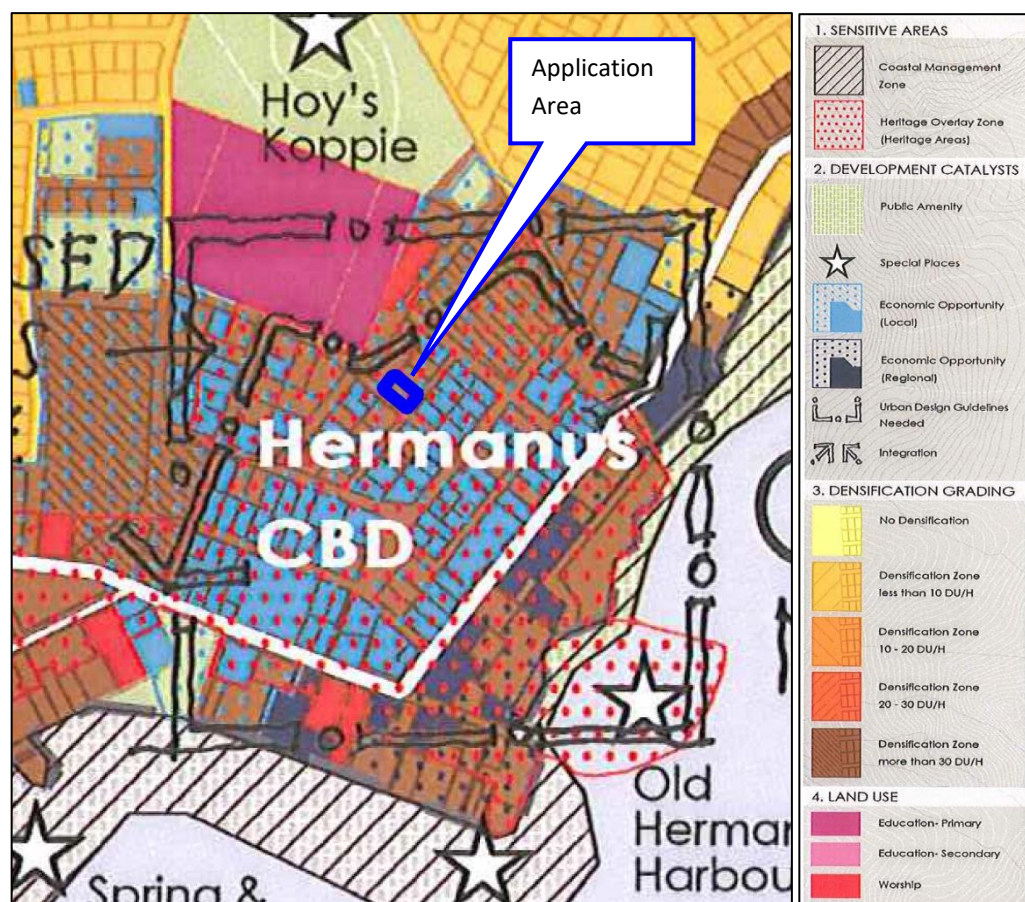


Figure 9: Extract from the Overstrand Municipality Growth Management Strategy, 2010 reflecting the envisaged land-uses for the area.

Planning Unit 13

This Planning Unit consists of the Hermanus CBD which is a heritage area and is mostly used for business purposes with limited number of permanent residential units.

The application area was not identified in the Overstrand Heritage Survey.

This proposal is consistent with the Overstrand Municipality Growth Management Strategy, 2010.

iv. Hermanus CBD Regeneration Framework Final Report, 2016

The PSDF Impact of Commercial & Office Decentralisation (ICOD) report, 2014 highlights the the value of retaining commercial and economic activity within town centres.

Hermanus is the primary town within the Overstrand Municipality and serves the broader region as the main municipal and commercial hub. Aside from the coastal attractions the small town character of the CBD creates a fine grained fabric of small shops, restaurants and galleries along the main streets in town and throughout the CBD.

The many tourist attractions within the CBD, including the harbour, market, restaurants, museums and coastal walk make the town centre highly convenient, with a wide range of activities available for locals and visitors.

The economic value of the tourism sector is a significant factor in the economic resilience of Hermanus. However, the resilience of Hermanus needs to be driven by other factors in addition to tourism these include; town centre living, vibrant local economies, enterprising communities, accessible public services and pro-active planning.

Out of the status quo a simplified list of principles were derived to guide the proposals for the updated regeneration framework.

1. Strengthen the sense of place - specifically in protecting the historic village character and relationship to the natural environment of the coast.
2. Promote ease of access - the pedestrian network should be efficient, complete, safe, legible and comfortable and vehicular circulation should be efficiently managed with adequate provision of appropriately located parking.
3. Encourage economically resilient development - establish critical mass through densification, infill, mixed-use and clustering of activity.
4. Create a vibrant public realm - that is pedestrian/people-oriented, providing comfort, legibility, unified and defined sense of spaces.

The application proposal is consistent with the Hermanus CBD Regeneration Framework Final Report, 2016.

v. Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020

90. Application for administrative penalty

A person who is in contravention of this By-Law, and submits an application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty, provided that the Municipality has not obtained and issued a demolition directive in terms of Section 85 in respect of the land or building or part thereof concerned.

- (1) A person making an application contemplated in Subsection (1) must –
 - (a) submit an application;
 - (b) pay the prescribed fee;
 - (c) provide the information contemplated in Subsections (3); and
 - (d) comply with the duties of an applicant in Section 84.
- (2) The applicant must, to the satisfaction of the Municipality, provide the following information such as-
 - (a) the nature, duration, gravity and extent of the contravention;
 - (b) the conduct of the person (allegedly) involved in the contravention;
 - (c) a report by a quantity surveyor in matters of unauthorised building/construction;
 - (d) whether the unlawful conduct was stopped; and
 - (e) whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

Application for administrative penalty is made in accordance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the existing land uses.

4. The application motivation

Motivation for the application:

Refer to **Annexure I** for the Building Plan

a. Introduction and background

The application area is zoned General Residential Zone 1: Town Housing. The application area is being used for business purposes on the ground floor and a two bedroom flat on the first floor which is inconsistent with the existing zoning.

The purpose of this application is to legalise the land uses on the property.

b. Proposal

- The application proposal includes a rezoning to Business Zone 1: General Business Bulk Zone 1.
- The application also includes the determination of an administrative penalty for the existing land uses.

The site plan below illustrates the proposed parking layout which is consistent with the proposed Business Zone 1 zoning criteria.



Figure 10: Site plan extracts



Figure 11: Photo of the application area (2019)

c. Rezoning

The existing land use on the application area is business on the ground floor and a flat on the first floor.

The zoning of the application area is General Residential Zone 1: Town Housing which does not allow for the existing land uses. The application therefore includes to rezone the application area from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1.

The application area is situated within the CBD with most of the erven surrounding the application area being used for business purposes and a small number being used as single residential erven. Therefore, the proposed land uses aligns well with the surrounding uses and character of the area.

In terms of the Overstrand Municipal Spatial Development Framework, 2020, commercial and mixed-use development should be concentrated in the CBD and commercial nodes. In terms of the Growth Management Strategy 2010, the application area is within a Local Economic Opportunity Area. The application proposal is consistent with the relevant municipal strategic planning documents and spatial development policies.

The existing building and land uses are consistent with the zoning criteria of the proposed Business Zone 1: General Business Bulk Zone 1 zoning including the number of parking bays required.

d. Determination of an administrative penalty

The following information with regards to the administrative penalty is provided as required according to Chapter X, Section 90(3) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020:

(a) The nature, duration, gravity and extent of the contravention;

The existing land uses, being businesses and a flat has been in place for approximately 5 years. The business is 163m² GLA on the ground floor and the flat is a two bedroom flat on the first floor. The existing land uses are consistent with the municipal strategic planning document land-uses but is inconsistent with the existing application area zoning. As a result, this application includes a rezoning.

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

The land use contraventions are by the existing owners. The existing owners have been transparent with and in consultation with the municipality regarding the application area. The existing owners wish to legalise the existing land uses and therefore this application is submitted.

(c) Report by a quantity surveyor in matters of unauthorised building/construction;

There are no unauthorised building work according to our knowledge, therefore a quantity surveyor report is not applicable.

(d) Whether the unlawful conduct was stopped;

The land uses are still in operation, since the livelihood of several people rely on it and it is consistent with the municipal strategic planning documents. Application includes a rezoning which will legalise the existing land uses.

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

We are not aware of any previous contraventions by the existing property owners.

e. Existing character of the area

The character of the area where the subject erf is located, is mainly business with a small number of erven being used for residential purposes. The building is within a heritage overlay zone but is not identified as a heritage building in terms of the Overstrand Heritage Survey 2009.

	<p>The building is not older than 60 years, either. The application area building reflects the general character of the historical fishing/holiday settlement of Hermanus.</p> <p>f. Desirability of the proposal</p> <p>The proposal aligns with spatial development policies for the area. Furthermore the application area is consistent with the existing and intended character of the area and should have no negative impact on the environment, but rather contribute positively and support mixed-use intensification as well as business promotion in the Greater Hermanus area, which in turn should assist in alleviating poverty in the area by creating employment opportunities and contributing to the regeneration of the CBD. The proposal is therefore considered highly desirable.</p> <p>g. Planning Principles</p> <p>The application has also been analyzed for consistency with the planning principles prescribed by the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and also the Western Cape Land Use Planning Act, 2014 (LUPA) and the following conclusions were made:</p> <p>(a) Spatial Justice which refers to the need for redressing the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services and land.</p> <p>Possible results of the development</p> <p>The proposal supports the notion that land is a scarce resource and should be utilized optimally. The application area will promote mixed use business and residential development in Hermanus CBD and the Overstrand region, supporting the regeneration of the CBD and contributing towards creating employment and assisting in poverty alleviation and housing within the area.</p> <p>The application proposal is consistent with spatial justice.</p> <p>(b) Spatial Sustainability which 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.</p> <p>Possible results of the development</p> <p>The proposed development is situated in a core urban commercial area and does not affect any agricultural, environmentally sensitive, biodiversity rich areas or scenic and cultural landscapes. The proposal is furthermore consistent with the Overstrand municipality's strategy to revitalize the Hermanus CBD.</p> <p>The proposal is thus consistent with spatial sustainability.</p> <p>(c) Efficiency which 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.</p> <p>Possible results of the development</p> <p>The proposal is situated on the corner of Dirkie Uys and Hope streets which increases both the accessibility as well as visibility of the proposed development for local clients and visitors. The application area is in the Hermanus CBD, thus supports and is supported by surrounding businesses and tourist facilities in close proximity, such as the beach, restaurants, markets, shops and many more.</p> <p>The application proposal is consistent with the efficiency principle.</p> <p>(d) 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.</p>
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	<p>Possible results of the development</p> <p>The proposed development will contribute to business growth in the CBD which in turn should contribute to poverty alleviation in the area. Supporting the application should enhance the economy of the area and those involved in local business within the CBD. Therefore, no economic shocks are foreseen.</p> <p>As the application area is situated in a core urban commercial area and does not affect any agricultural, environmentally sensitive, biodiversity rich areas or scenic and cultural landscapes, no environmental shocks are foreseen.</p> <p>The application proposal is consistent with spatial resilience.</p> <p>(e) Good Administration which, 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.</p> <p>Possible results of the development</p> <p>Consultative practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the Government and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with good administrative procedures.</p> <p>h. Conclusion</p> <p>The application is consistent with all policies and strategic plans, aligned with the development vision of the local authority, will have no negative effect on the character of the area or on the abutting properties and will assist in alleviating poverty in the area.</p> <p>The application is thus considered desirable.</p>
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5. Conclusion

The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community land-use activities. It is therefore recommended that this application made in terms of the Overstrand Amendment By-law on Municipal Land-use Planning, 2020 be as follows:

- The rezoning of Erf 748 Hermanus, Hermanus from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 in terms of Chapter IV, Section 16.2(a) of the Overstrand Amendment By-law on Municipal Land-use Planning, 2020 .
- The determination of an administrative penalty for the existing land uses in terms of Chapter IV, Section 16(q) & Section 90.(5) of the Overstrand Amendment By-law on Municipal Land-use Planning, 2020.



PROJECT

Erf 748 Hermanus

TITLE

Layout Plan

Application Area

Existing buildings

CLIENT

DRAWN BY
JM

CHECKED BY
AW

DATE
27/09/2023

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SCALE (@ A4)
As indicated

PROJECT NUMBER
0001

DRAWING NUMBER
A101

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A4 Scale
1 : 200

