



OVERSTRAND MUNISIPALITEIT
ERF 1446, SIFFIESINGEL, VERMONT:
AANSOEK OM HERSONERING,
ONDERVERDELING, GOEDKEURING VAN
STRAATNAME EN STIGTING VAN 'N
EIENAARSVERENIGING: WRAP
PROJECT OFFICE NAMENS JP VAN
GEMERT TESTAMENTÊRETRUST

Kragtens Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die onderstaande aansoeke van toepassing op Erf 1446, Vermont (die eiendom), vir die:

1. **hersonering** ingevolge Artikel 16(2)(a) van die Verordening vanaf Residensiële Sone 1: Enkel Woonsones (SR1) na Onderverdelingsgebied (SA);
2. **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening in die volgende:
 - 19 Residensiële Sone 1: Enkel Woonsones (SR1) erwe,
 - 14 Algemene Woonsones 1: Dorphuisskema (GR1) erwe,
 - 1 Oopruimtesone 2: Openbare Oopruimte (OS2) erf, en
 - 1 Vervoersone 2: Pad en Parkering (TR2) erf.
3. **goedkeuring van straatname** (Francolinslot en Janfrederiksslot soos voorgestel) ingevolge Artikel 96 van die Verordening; en
6. **stigting van 'n eienaarsvereniging** ingevolge Artikel 31 van die Verordening.

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

Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **12 April 2024**, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. H. Olivier** 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. 39/2024

OVERSTRAND MUNICIPALITY
ERF 1446, SIFFIE CRESCENT, VERMONT:
APPLICATION FOR REZONING,
SUBDIVISION, ALLOCATION OF STREET
NAMES AND ESTABLISHMENT OF AN
OWNER'S ASSOCIATION: WRAP
PROJECT OFFICE ON BEHALF OF JP
VAN GEMERT TESTAMENTARY TRUST

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 1446, Vermont (the property) for the:

1. **rezoning** in terms of Section 16(2)(a) of the By-Law from Residential Zone 1: Single Residential (SR1) to Subdivisional Area (SA);
2. **subdivision** in terms of Section 16(2)(d) of the By-Law into:
 - 19 Residential Zone 1: Single Residential (SR1) erven,
 - 14 General Residential Zone 1: Town Housing (GR1) erven,
 - 1 Open Space Zone 2: Public Open Space (OS2) erf, and
 - 1 Transport Zone 2: Road and Parking (TR2) erf,
3. **allocation of street names** (Francolin Close and Janfrederik Close as proposed) in terms of Section 96 of the By-Law; and
4. **establishment of an owners association** in terms of Section 31 of the By-Law.

Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus.

Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **12 April 2024**, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the **Town Planner, Mr. H. Olivier** at 028-3138900. The Municipality may refuse to accept comments after the closing date. Any person who cannot read or write can visit the Town Planning Department where they will be assisted by a municipal official in formulating their comments.

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

Municipal Notice No. 39/2024

UMASIPALA WASE-OVERSTRAND
ISIZA 1446, SIFFIE CRESCENT,
VERMONT: ISICELO UKUMISELWA
KWAKHONA, UKWAHLULWA,
UKWABIWA KWAMAGAMA ESIZITRATO
NOKUSEKWA KOMBUTHO WOMNINI:
WRAP PROJECT OFFICE EGAMENI LIKA-
JP VAN GEMERT TESTAMENTARY
TRUST.

Isaziso siyanikezelwa ngokweCandelo lama-47 nelama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), kwezi zicelo zilandelayo zisebenza kwiSiza 1446, eVermont (kwiropati) ukulungiselela:

1. **ukucandwa** ngokutsha ngokweCandelo le-16(2)(a) loMthetho kaMasipala ukusuka kuMmandla wokuHlala 1: Ndawo yokuHlala umntu omnye (SR1) kuMmandla woCandelwana (I-SA);
2. **Ukwahlulwa** ngokweCandelo le-16(2)(d) loMthetho kaMasipala ukuba:
 - 19 uMmandla wokuHlala 1: iNdawo yokuHlala umntu omnye (SR1),
 - 14 uMmandla wokuHlala ngokuBanzi 1: iZindlu zeDolophu (GR1) iziza,
 - 1 Indawo Evulekileyo uMmandla-2: yoLuntu Indawo Evulekileyo uMmandla (OS2) isiza, kunye
 - 1 uMmandla wezoThutho 2: isiza seNdlela nokuPaka (TR2),
3. **Ulwabiwo** lwamagama ezitalato (uFrancolin Close noJanfrederik Close njengoko kucetyiwe) ngokweCandelo lama-96 loMthetho kaMasipala; kwaye
4. **ukusekwa** kombutho wabanini ngokweCandelo lama-31 loMthetho kaMasipala.

linkcukacha ezipheleleyo malunga nezi zindululo zingentla ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangciso ngeDolophu, 16 Paterson Street, Hermanus.

Naziphi na izimvo mazibhalwe phantsi kwaye zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye phambi kowama-**12 uAprili 2024**, ngegama lakho, idilesi, iinkcukacha zohagamshekwano, umdla, kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba ingenziwa kuMwangciso weDolophu, uMnu. H. Olivier kule nombolo 028-3138900. UMasipala unokwala ukwamkela izimvo emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho aya kuthi ancediswe ligosa likamasipala ekuqulunqeni izimvo zabo.

Umlawuli kaMasipala, Overstrand
Municipality, P.O. Box 20, HERMANUS,
7200

Inombolo yeNothisi kaMasipala.39/2024

1. Locality Plan
Erf 1446 - Vermont

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

Subject property - 2,1578ha





ERF 1446 VERMONT

APPLICATION FOR REZONING AND SUBDIVISION

Application prepared for:

JP VAN GEMERT TESTAMENTARY TRUST

Application prepared by:

WRAP Project Office
Postnet Hermanus Suite 170,
Private Bag X16, Hermanus, 7200
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Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za

Author

Thian Jansen (A/2858/2019)

Submitted

December 2023

Amended

January 2024



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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
OMSDF	Overstrand Municipality Spatial Development Framework, 2020

2. PROPERTY DETAILS

Erf Number	Erf 1446, Vermont
Extent	2,1578ha
Current zoning	Residential Zone 1: Single Residential
Owners	JP van Gemert Testamentary Trust (Refer Annexure A for the Power of Attorney and Resolution).

3. BACKGROUND AND INTENT

This vacant property, situated adjacent to Lynx Avenue, presents an exceptional opportunity to link two existing residential developments in Vermont. Vermont is a coastal suburb, bordering Onrustvlei and conveniently located near Hermanus. Nestled between scenic mountains and the ocean, Vermont boasts abundant birdlife, including the frequented presence of flamingos in the salt pan that fills after rainfall. Furthermore, the area features a charming rock pool, green spaces, and a coastal pathway.

Erf 1446 Vermont is proposed to be developed into a residential development, accessible via internal Vermont roads. This property has been owned by the property owners since 1999, after the property owner's passing, his estate has showed their intention to develop the site to continue the legacy and wishes to utilise the available space to accommodate a new residential development within its boundaries.



Figure 1: Locality of Erf 1446, Vermont



MOTIVATION

Given its extent, the proposed development can be developed to ensure a superior quality of living for its future residents. Notably, this project is expected not only to foster economic growth in the Vermont area but also to address the escalating demand for housing in the Overstrand region as the population continues to grow in the foreseeable future.

4. PROCESS AND PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

4.1 PROJECT SUMMARY





Erf 1446 Vermont (hereafter referred to as the subject property) has an extent of 2,1578ha (Refer **Plan 1 – Locality Plan**) and is currently zoned as Residential Zone 1: Single Residential. The subject property has been identified as a suitable densification development area.

This proposed development will consist of the following:

- 19 Single Residential erven;
- 14 General Residential erven;
- 1 Public Open Space; and
- 1 Public Road.

The subject property is current undeveloped and does not gain access from any street. The proposal is to link the proposed public road with the adjacent properties and create a seamless interconnected area.

The intention is to develop the property to increase the residential yield and provide a scarce and valuable residential product for an under-pressure housing market. The percentage of each component of the subject development, after completion of the proposed subdivision is summarised below:

Table 1: Percentage of each component			
Legend Colour	Zoning	Size (m ²)	Percentage
	Open Space Zone 2: Public Open Space	1081	5,01% (Entire Property) & 20,65% (General Residential portion of the development)
	Residential Zone 1: Single Residential	11612	53,84%
	General Residential Zone 1: Town Housing	5235	24,25%
	Transport Zone 2: Road and Parking (B)	3650	16,90%
Total		21578	100,00%



MOTIVATION

The rezoning and subdivision of the subject property will follow the current development trend of Vermont by introducing a mixture of smaller, more affordable type of residential opportunity into the housing market while also catering for the standard development size properties.

4.2 LAND DEVELOPMENT APPROVAL REQUIRED

- **Rezoning** of Erf 1446, Vermont from Residential Zone 1: Single Residential to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of Erf 1446, Vermont into nineteen (19) Residential Zone 1: Single Residential (SR1) erven, fourteen (14) General Residential Zone 1: Town Housing (GR1) erven, one (1) Open Space Zone 2: Public Open Space (OS2) erf and one (1) Transport Zone 2: Road and Parking (TR2) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. (**Refer Plan 4: Proposed Zoning Plan and Plan 5.1 & 5.2– Subdivision Plan**)

4.2.1 Density

The OMSDF contains calculations on the projected population growth for the Greater Hermanus area at different occasions in the past and the most recent calculation included projections up until 2031. It is however difficult to determine the individual need of Vermont from this information. The OMSDF states that the methodology used to calculate the population growth were based on the Statistics South Africa Census, 2011 and a 2016 community survey, which was used as the baseline population in 2016 (**OMSDF, p28**).

Table 2: Housing Need and estimated land area required (15du/ha)		
Year	Overstrand Municipality Area	
	Total dwelling units (du) required	Estimated land area required
2011	6679	446
2016	9198	613
2021	12 231	815
2026	15 627	1042
2031	19 278	1285

Based on information obtained within the OMSDF (OMSDF, p28)

Table 3 : Housing Need and estimated land area required (20du/ha)		
Year	Overstrand Municipal Area	
	Total dwelling units (du) required	Estimated land area required
2011	6679	336
2016	9198	460
2021	12 231	612
2026	15 627	781
2031	19 278	964

Based on information obtained within the OMSDF (OMSDF, p28)

The tables 2 and 3 indicate the total number of dwelling units that the entire Overstrand Municipal area will require in conjunction with the number of additional developable land required. The difference between table 2 and 3 is the density being proposed, the higher the density the less land required.

No additional land was included into the urban edge within the Hermanus West area when the 2020 OMSDF was reviewed, which means that densification was proposed to occur within the existing urban edge. Vermont, Onrustvriër and Sandbaai is considered as part of the Hermanus West area. The proposed development will have a density of approximately 15,29 dwelling units per ha, maximising on the allowable density and aligning with the proposed density that requires less land for development as identified in Table 3.

The proposed development will introduce 33 new residential properties, refer to the figure 2:

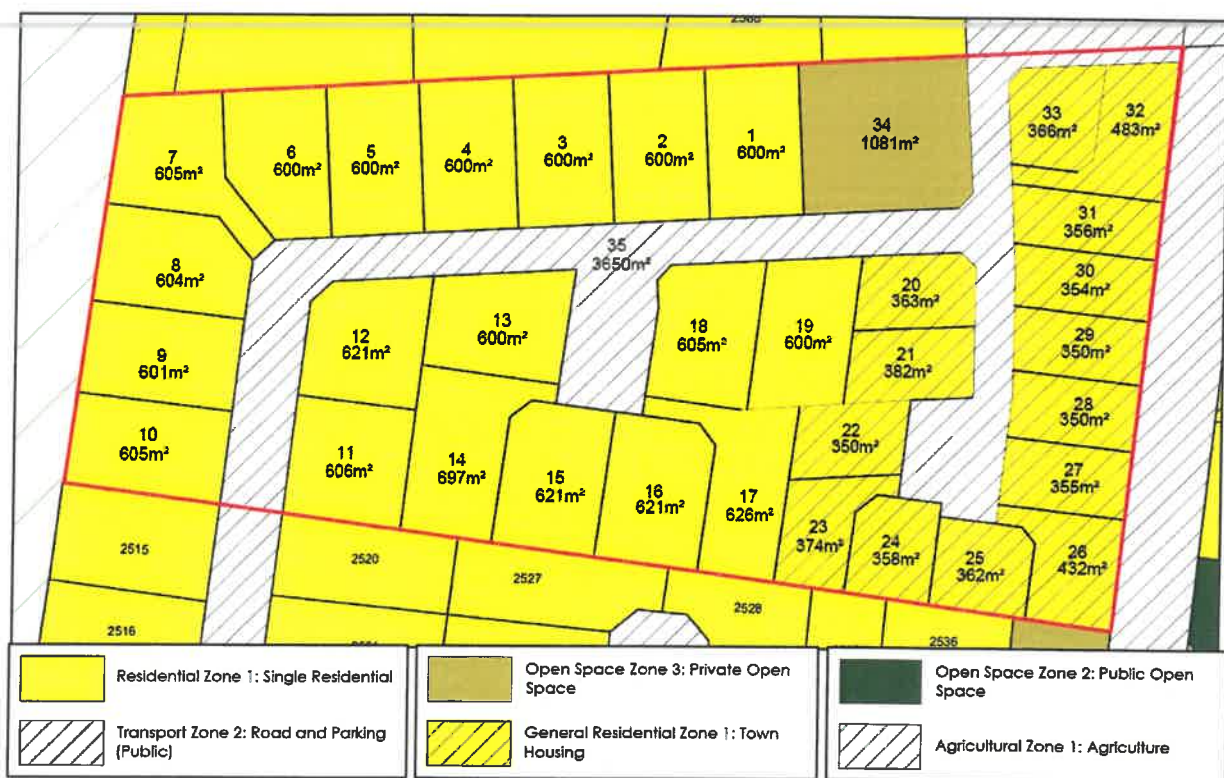


Figure 2: Proposed Development

4.2.2 Layout

The layout of the development (**Refer Plan 5.1 & 5.2 for the Subdivision Plan**) follows the shape of the property as well as a specific placement of the open space to ensure that the open space is easily accessible to all residents in the surrounding area.

The layout was designed to ensure that the development fits into the surrounding area's development framework while also creating efficient, easily accessible developable properties. The main determining factor of the development was the road placement to ensure the development interlinks seamlessly with the two adjacent properties. The proposal aims to allow each property to accommodate a free-standing dwelling unit with front and back gardens offering views of the mountains, while also being relatively close to the open

space. The proposed open space will be functional, landscaped, and open to the public for enjoyment.

4.2.3 Establishment of a Homeowner's association

To ensure that the development, once completed is properly managed, a homeowner's association is required to be established in terms of Section 31 of the By-Law.

- **Establishment** of an owner's association in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

It is recommended that it be made a condition of approval that a Home Owners' Constitution is submitted for approval.

4.2.4 Street names

Application is also made in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the approval of the naming of streets within the development.

The proposed street names and numbers are indicated on the Street Name Plan (refer **Plan 6**). The proposed street names are in keeping with the theme of the surrounding area, containing various bird names.

The name of the streets also continues from the existing network with only one new street name required. To ensure compliance with the OMLUS the names have no reference to any person or historical figure and forms part of the theme of the development.

- **Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

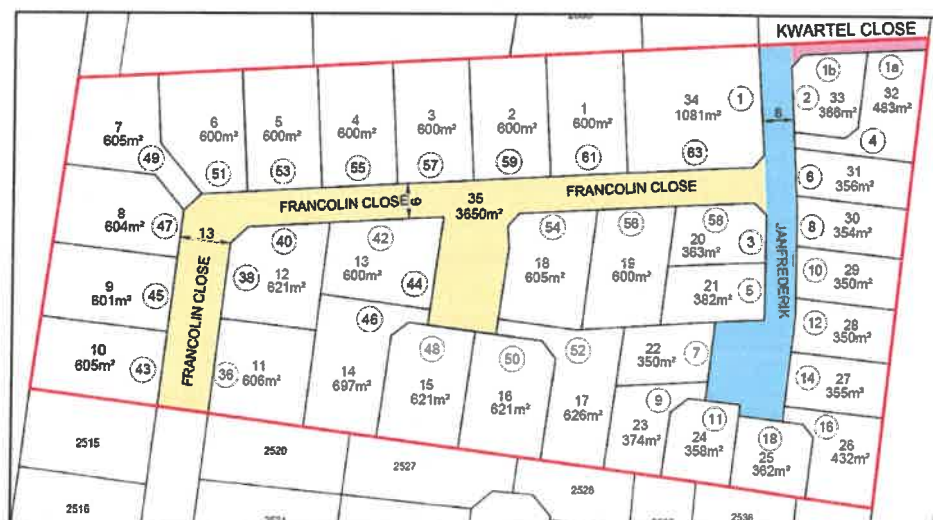


Figure 3: Proposed street name plan



5. APPLICATION

Considering the above, application is made for the following:

- 5.1 Rezoning** of Erf 1446, Vermont from Residential Zone 1: Single Residential to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.2 Subdivision** of Erf 1446, Vermont into nineteen (19) Residential Zone 1: Single Residential (SR1) erven, fourteen (14) General Residential Zone 1: Town Housing (GR1) erven, one (1) Open Space Zone 2: Public Open Space (OS2) erf and one (1) Transport Zone 2: Road and Parking (TR2) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.3 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 5.4 Establishment of an owner's association** in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. LAND USE ENVIRONMENT

A detailed analysis of the locality and zoning plan (refer to **Plan 1 – Locality Plan & Plan 3 – Zoning Plan**) reveals that the subject property is in a prime position located between two approved residential developments. Its strategic location offers a range of advantages, including close proximity to the main distributor road that leads towards the popular tourist destination of Hermanus. This means that the properties are easily accessible, making it an ideal location for residential development.

In addition, the property gains access through Vermont, which provides access to local amenities that would benefit from the property being developed such as the OK Mini Mart, veterinarians, local restaurants etc. Additionally, Vermont has access to the ocean which is a significant drawcard for the area. The coastal environment also presents a range of outdoor recreational activities, such as surfing, fishing, and whale watching, which would be easily accessible from the property.

Overall, the location of the vacant property is a major advantage for potential developers or investors. The proximity to key transport links and recreational amenities makes it an attractive proposition for those looking to invest in this popular coastal region of South Africa.

7. TITLE DEED

Attached as **Annexure B** is a copy of the title deed that were scrutinized. It was found that there are no restrictive title deed conditions that could potentially hinder the proposal. There are therefore no legal impediments in place that could limit the proposed scope of the project.



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Condition F states the following:

"ONDERWORPE aan die volgende voorwaarde opgelê deur en ten gunste van die Overberg Streekdiensteraad tydens goedkeuring van die onderverdeling van Erf 934 Vermont, vervat in Transportakte Nr T2832/1990, naamlik:

"The above property shall not be subdivided without the approval of the Overberg Regional Services Council"

The authority of the Overberg Regional Services Council now vests with the Overstrand Municipality since 2000. Should the Overberg Municipality find the application to be compliant and approve the proposal for subdivision it would have received the approval required in terms of the title deed condition F.



MOTIVATION

8. ZONING

The following zoning parameters were assessed in conjunction with SR1, GR1, TR2 and OS3, OMLUS zonings as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:

RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			
	Parameters	Proposal	Comply/ deviate
Primary use	Crèche, Dwelling House, Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House	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: 400m ² and greater = 50%	Residential designs have not been finalised, but the proposals will not exceed the allowable development parameters set out by the OMLUS.	
Building lines	(i) The street building line is determined in accordance with the net erf area: <ul style="list-style-type: none">• 400 m² and greater = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: <ul style="list-style-type: none">• Greater than 400 m² = 2m	Refer to Annexure C – Proposed Design Guidelines. i & ii All OMLUS development parameters will be complied with.	
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.		
Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	All OMLUS development parameters will be complied with.	Comply



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GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Town Housing, Private Road and Private Open Space	Town Housing	Applied for and motivated Comply
Consent uses which may be applied for	Crèche, Day Care Centre, Dwelling House in accordance with 6.1.2, Flats, Green House, Home Occupation, Residential Building, Retirement Village and Tourist Accommodation.	N/A	
Development Parameters			
Density	i. The maximum gross density in this zone is 35 units a hectare. ii. A minimum erf size of 3000 m ² is applicable for densification.	i & ii. The subject property has an extent of 2,1578 ha. The result if the maximum density is applied is 2,1578 x 35 units per hectare = 75,52 units that may be allowed in terms of the zoning.	Comply
Coverage	The maximum coverage for all buildings on the land unit is 65%.	A total of 33 dwelling units are being proposed, which equates to a density of 15,29ha dwelling units per hectare. Residential designs have not been finalised, but the proposals will not exceed the allowable development parameters set out by the OMLUS. Refer to Annexure C – Proposed Design Guidelines.	Comply



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Height	The maximum height of a building (other than flats), measured from the base level to the top of the structure, is 8,0 m, provided that the maximum height for flats, measured from the base level to the top of the structure, is 9,0 m.	As mentioned above, designs have not been finalised, but the development parameters will be adhered to.	Comply
Building lines on the perimeter of a town housing development	<ul style="list-style-type: none"> i. The building line on the perimeter of the property is 3,0 m; and ii. The general building line exemptions of 16.1 apply. 	i. A 3m building line on the perimeter will be enforced.	Comply
Building lines within the town housing site	<ul style="list-style-type: none"> i. The street building lines on internal roads are 1,0 m, provided that garages must be set back at least 5,0 m from the road kerb; ii. The lateral and rear building line is 1,0 m; iii. A garage may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary; and iv. The general building line exemptions of 16.1 apply. 	<ul style="list-style-type: none"> i. Comply ii. Comply iii. Comply iv. Not applicable 	Comply
Parking	<ul style="list-style-type: none"> i. Parking and access shall be provided on the land unit in accordance with 17.1; and ii. Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two. 	The prescribed parking will be provided on each individual property.	Comply
Internal roads	The minimum internal road reserve width is 8,0 m, provided that the Municipality may require a greater road reserve width where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.	The internal roads will be a minimum of 8.0m.	Comply



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Flats within a town housing development	a) Flats, if provided, must form an integrated component of the town housing development, and the development parameters for town housing apply, provided that; 1. the total floor area of flats shall not exceed 60% of the total floor space of all buildings on the town housing site; and 2. the open space requirements for town housing units in a town housing site apply.	N/A	N/A
Day care centre	The provisions of Chapter 16.10 apply.	N/A	N/A
Home occupation	The provisions of Chapter 16.10 apply.	N/A	N/A
Site development plans	The Municipality may require that a site development plan be submitted for approval in accordance with 16.3.	N/A	N/A
Open space provision	The following requirement to the satisfaction of the Municipality is applicable: Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.	A total of 5,01% of the entire property will be open space, which is 20.85% of the General Residential portion of the development.	Comply



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OPEN SPACE ZONE 2: PUBLIC OPEN SPACE (OS2)			
Primary uses	Use of the property	Proposal	Comply
Consent uses	Public Open Space	Public Open Space	Comply
	Cemetery, Environmental Facilities, Recreational Facilities, Tourist Accommodation, Tourist Facilities, Transmission Apparatus (Subject to the provisions of chapter 16.10), Urban Agriculture, Utility Services and any other related uses permitted by the Municipality.	N/A	N/A
Development Parameters			
a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. – This is noted. c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when: i) the zoning of a land unit to this zone is approved; ii) any environmental impact report is considered; iii) any environmental management plan is considered; and iv) any site development plan is approved. - This is noted d) No structure shall be erected, or use practised except such as is compatible with the “private open space” as defined. – No additional structures will be built on the public open spaces. e) Structures/buildings may be erected with the written consent of the Municipality, should the Municipality deem it necessary, provided that the Municipality may impose conditions relating to design, architecture and development parameters.			
TRANSPORT ZONE 2: ROAD AND PARKING (TR2 B)			
Primary use	Use of the property	Proposal	Comply/ deviate
Consent uses which may be applied for	Public Road and Public Parking	Public Road and Public Parking	Comply
	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or any other	N/A	N/A



MOTIVATION

	uses determined by the Municipality, provided that: i. such other use does not detract from the transport use as the predominant use; and ii. the property shall be rezoned if the other use constitutes a significant and permanent change from the primary use and if this land use scheme provides a more suitable alternative.		
Development Parameters			
Deemed zoning	Any public road and/or street or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed shall be deemed to be zoned as Transport Zone 2 B: Public Road.	N/A	N/A
Construction and deposit of materials	Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may: i. construct a private crossing, bridge or culvert onto or across a public street; ii. construct or lay a sidewalk on a public street; iii. construct a veranda, stoep, wall, steps or other projection in or over a public street; or iv. deposit or leave any goods, articles, building materials or waste in a public street, other than for a reasonable period of time during the course of loading, off-loading or removal of these goods, articles, building materials or waste.	N/A	N/A



9. NOTIFICATION OF INTEND TO DEVELOP (NID)

A Notice of Intent to Develop will be submitted to Heritage Western Cape in terms of Section 38 of the National Heritage Resources Act, which contains the following provisions:

"Heritage resources management

38.

(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
- b) the construction of a bridge or similar structure exceeding 50 m in length;*
- c) any development or other activity which will change the character of a site*
 - i. **exceeding 5 000 m² in extent**; or*
 - ii. involving three or more existing erven or subdivisions thereof; or*
 - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
 - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;*
- d) **the re-zoning of a site exceeding 10 000 m² in extent**; or*
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,*

An NID will be submitted to Heritage Western Cape. Upon receipt, the Record of Decision will be submitted to the Overstrand Municipality.

10. SERVICES

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

Electricity

The proposed development of the subject property includes the connection of essential services such as electricity. Electricity is directly provided by ESKOM. However, the implementation of this development is not expected to impact the existing service levels in the area.

Water and Sewage

Additionally, the proposed development of the subject property will also connect to the water and sewage networks provided by the Overstrand Municipality. The property owners will be required to make bulk services contributions to the municipality for the upgrade of bulk infrastructure within the surrounding area, which will ensure that the development is adequately supported by the necessary infrastructure.

To determine if there is sufficient water and sewage capacity is sufficient, the property owners appointed GLS Consulting to conduct a bulk services availability report for the subject property, refer **Annexure D – Bulk Services Availability Report**. The report indicates that there is sufficient capacity to accommodate the proposed development, but that



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certain upgrades to the bulk infrastructure will be required which will be funded from the bulk services contributions.

Solid Waste

The proposed development will be connected to the public street network. Each dwelling house will keep their solid waste on site and place it outside on collection days for the municipal refuse trucks to collect.

Access and Egress

Access and egress to the property are currently obtained from the public streets, which are connected to Lynx Avenue. The proposal is to extend Francolin Close while creating a new street, Janfrederik Close, that will gain access from Kwartel Close, through the adjacent development.

The existing road network is sufficient to accommodate the anticipated traffic flow generated by the proposed development. Therefore, there is no need for significant upgrades or modifications to the surrounding road infrastructure.

11. ENVIRONMENTAL CONSIDERATIONS

Lornay Environmental Consulting has been appointed to ensure that the proposed residential development complies with the regulations promulgated under the National Environmental Management Act (NEMA). The main objective is to conduct a NEMA Environmental Impact Assessment Applicability Checklist, which is currently underway due to the significant transformation of the natural veld on the property where the development is proposed.

Once the above processes have been concluded, the outcome will be submitted to the Overstrand Municipality (OM) for consideration along with the submitted land use application. This process ensures that the proposed residential development complies with all relevant environmental regulations and policies while also prioritizing the protection and preservation of the natural environment.

12. 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 was a result of addressing all the land use requirements and ensuring the property can meet the development requirements which the property owners are proposing. To achieve this, the property owners are required to apply for the rezoning and subdivision of the property.



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Socio-economic impact	<p>The socio-economic impact of a residential development refers to the potential effects it may have on the social and economic aspects of the surrounding area.</p> <p>This includes factors such as population growth, employment opportunities, income levels, housing affordability, property values, and demand for local services and amenities such as schools, shops, and healthcare facilities.</p> <p>The proposed development has the potential to create jobs, increase the tax base for the local government, and contribute to economic growth as more individuals will be residing in the area.</p>
Compatibility with surrounding uses	The proposal to establish a residential development in the area which is highly compatible since it would seamlessly extend the existing land use and activities in the surrounding area.
Impact on the external engineering services	Refer Section 9.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community. In fact, the proposed project has the potential to provide a number of benefits to the community, such as increasing the number of residents that may in the future draw in new development potential as an increase in the population may create new opportunities.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	Although it is not anticipated that the proposed development will have any negative impact on the biophysical environment, an environmental consultant has been appointed. Refer Section 11.
Traffic impacts, parking, access and other transport related considerations	Refer to Section 9.

Impact on views, sunlight and character of the area

When reviewing the context of the surrounding properties, it becomes evident that the majority consists of single residential properties or is planned to be developed for such purpose. The proposed development, comprising of 33 additional residential erven, is well-aligned with the vision for densification and residential growth in the area. Considering this, it is unlikely that the development will significantly impact the views and character of the neighbourhood. Instead, it harmoniously integrates with the existing landscape, staying in line with the overarching vision for the region's development.

The area's designation for densification and residential expansion emphasizes the need for thoughtful and responsible development. In light of this, the proposed development showcases a commendable adherence to this vision.



Views

As the development will be limited to only be developed in accordance with the parameters set out within the OMLUS, it is not expected that the development will have a negative impact on the surrounding area's views.

In conclusion, although the proposed development may alter the views of the area, it remains in harmony with the overall vision set by the OM and is consistent with neighbouring developments. Furthermore, it offers the potential for residents to benefit from new and improved views of the surrounding area, enriching their living experience.

Sunlight

The proposed development adheres to the development parameters prescribed by the Overstrand Municipality and is not anticipated to have any negative impact on the sunlight of neighbouring properties.

Character

The owners of the subject property place great importance on preserving the character of the broader Vermont area with the proposed development. They recognise the significance of ensuring that the proposed development aligns with the overall aesthetic appeal of the area and does not cause any disruption.

To achieve this objective, the owners have conducted a thorough analysis of other developments in the surrounding area to ensure that the proposed development does not stand out in a negative way. They have taken care to ensure that the proposed development is in keeping with the character of the surrounding area, and as such, it should not be perceived as undesirable. This is illustrated throughout the proposed design guidelines of the proposed development.

Economic impact

The proposed development will have significant economic impacts on both the surrounding area and the Overstrand Municipality, both in the short- and long-term.

During the construction phase, the proposed development will create employment opportunities for the local residents of the Vermont and Hermanus area. This will generate income for several individuals and contribute to the local economy.

Furthermore, the long-term economic impact of the proposed development is expected to be positive. The development will result in additional rates and taxes payable to the Overstrand Municipality, which will have long-term economic benefits for the region. The additional rates and taxes generated by the development will contribute to the municipality's revenue streams and enable the provision of better services to the local community.

Additionally, the combined development is expected to attract at least 99 new residents to the Hermanus area, based on a calculation ratio of 3 people per dwelling unit. These new residents will contribute to the local economy by spending money on various items such as food, petrol, restaurants, repairs, and other goods and services, thereby boosting the local economy.



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The proposed development will have both short- and long-term economic impacts on the Overstrand Municipality and the surrounding area. It will create employment opportunities during the construction phase, generate additional rates and taxes, and attract new residents to the region, all of which will contribute positively to the local economy.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved.

However, the proposed development in Vermont is not expected to negatively impact any surrounding landowners. In fact, the development is aligned with the plans for the new urban area and is seen as a starting point for future expansion. By meeting the projected housing demand, the development will enable the local municipality to fulfil its obligations and ensure that the needs of the community are met.

Impact on heritage

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

13. COMPLIANCE WITH POLICIES AND REGULATIONS

13.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located in any Environmental Protection Overlay Zones.

13.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

Significate landscape

The subject property is located in the Heritage Protection Overlay Zone within the 'Significant landscape' zone, and it is predicted that the subject property will not have an impact on the HPOZ.

To ensure the application may be considered, compliance with the HPOZ is of importance and certain aspects need to be provided and addressed in terms of Overstrand Municipality Heritage Protection Overlay Zone Regulations, 2020:

Section 20 – 22 states the following -

'20 The Overstrand Municipality By-Law on Municipal Planning, 2020, will apply in respect of all applications, processes and decisions contemplated in these regulations.

21 In considering an application for written consent in order to undertake an activity in terms of the Heritage Protection Overlay Zone, the Municipality may require from an applicant whatever information it deems necessary in order for an informed decision to be made regarding the application.

22 This could include, inter alia:

22.1 statements of significance;

22.2 heritage research;

22.3 photographs, including contextual photographs;

22.4 results of public consultation;

22.5 impact assessments; and

22.6 comment from affected and interested bodies.'



Statements of significance

The proposal is only to subdivide and rezone the subject property which is not predicted to alter the heritage of the subject property.

Heritage research

No heritage research was done for purposes of this application.

Photographs, including contextual photographs.

An aerial map was included into this application refer **Plan 2**.

Results of public consultation

With regard to this application a public participation process will be followed. If any comments are received with reference to the heritage aspect it will be addressed accordingly.

Impact assessments

If required, an environmental- and heritage impact assessment will be done.

Comment from affected and interested bodies

The application will be circulated to interested and affected parties for comment.

13.3 Spatial Planning Policies

The consistency of this proposed development with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

PSDF
<p>The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.</p> <p>Throughout the PSDF the importance of developing integrated and sustainable settlements as an objective of the framework is highlighted. The PSDF also provides a settlement agenda which addresses the full spectrum of Western Cape settlements irrespective of their size from metropolitan Cape Town to the smallest hamlets.</p>
OMSDF
<p>The Municipal Spatial Development Framework is a sectoral component of the IDP (Integrated Development Plan) that, in terms of the MSA (Municipal Systems Act), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, cities, towns and residential areas.</p>

The PSDF and OMSDF are frameworks to be interpreted on a local level. National policies, such as the National Development Plan, National Spatial Development Frameworks etc. provide guidelines on several important aspects which includes human settlements. To focus on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.

**13.3.1 PSDF**

To ensure the proposed residential development is in line with the PSDF, the Provincial settlement policy objectives, the proposed development was evaluated in terms of the policy objectives.

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns	The proposed development will be situated between two recent developments and will enhance the sense of place by filling in the remaining space between the two properties. This is in line with the densification strategy for the area. It was essential to incorporate the development into the existing Vermont urban area and provide the future residents with access to all the necessary amenities available in the area.
	This objective was achieved by selecting an appropriate location for the development and ensuring that the residents will have easy access to the surrounding area. Furthermore, the development emphasises the importance of wellbeing and creates a new residential area.
Improve accessibility at all scales	The subject property boasts sufficient accessibility through the main distributor routes in the area. The proposed development was designed to seamlessly integrate with the Vermont area, forming part of the extended town and allowing for easy access to larger towns and cities such as, Hermanus, and Cape Town.
Promote an appropriate land use mix and density in settlements	The primary land use of the proposed development is residential, and it has been designed with a focus on providing access to nature through a strategically placed open space.
Ensure effective and equitable social services and facilities	With Hermanus being a regional service centre as indicated by the PSDF, ensuring access to the area is important. There are adequate road networks between the proposed development and Hermanus which are in the process of being upgraded.

13.3.2 OMSDF

The OMSDF is directed by National Provincial and Municipal Planning legislation, policies and plans. These include SPLUMA, LUPA, By-Law, PSDF and the IDP. The OMSDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan the OMSDF was synthesised through the influence of these policies and frameworks.



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The proposed residential development was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF focus on the increasing pressure to provide adequate housing options to the growing population. This includes the Vermont area. Refer to **Table 2 and 3** for an indication of the population growth within the whole Overstrand.

The OMSDF defines Vermont as part of the Greater Hermanus area and is identified as Hermanus West (*Vermont, Onrus and Sandbaai*).

The following was identified within the OMSDF, p225:

“iii New Urban Development

No new urban development areas / urban edge amendments are proposed for Hermanus West.”

This necessitates the development to take place within the existing urban area by adopting densification measures to accommodate the rising population's demand for housing. This proposal is in line with the objective of providing 33 additional dwelling units within the designated boundaries of the subject property. The projected increase in population is derived from the growth data presented in Table 2.7 on page 25 of the OMSDF.

Though the 33 dwelling units represent a relatively small portion of the required housing units for the Hermanus area, it is crucial to initiate the process now to avoid overwhelming pressure in the future. Delaying the development could lead to significant challenges and may result in the loss of valuable external investment opportunities that often accompany population growth. Therefore, taking timely action is imperative to ensure a sustainable and prosperous future for the Overstrand region.

The proposed increase in the number of residential opportunities aligns with the vision for sustainable urban development, making efficient use of land resources and promoting denser, compact communities. It allows for more residents to enjoy the benefits of the area while minimising the need for further urban sprawl. The increase in population mentioned above is based on the growth indicated by Table 2.7 p25 of the OMSDF.

13.3.3 OVERSTRAND MUNICIPAL SPATIAL GROWTH MANAGEMENT STRATEGY, 2010 (OGMS)

On the 27 May 2020 the Municipal Council adopted the OMSDF, (Overstrand Spatial Development Framework, 2020) and in the same instance rescinded the following:

- Overstrand Municipal Spatial Growth Management Strategy, 2010;

The OGMS was rescinded in 2020 and although it has no legal standing, the Overstrand Municipality's Town Planning Department still utilise the document as a guideline document.

The subject property is located within Planning Unit 1 which occupies the majority of Vermont and Onrus, and it borders Planning Unit 2, see figure 3:

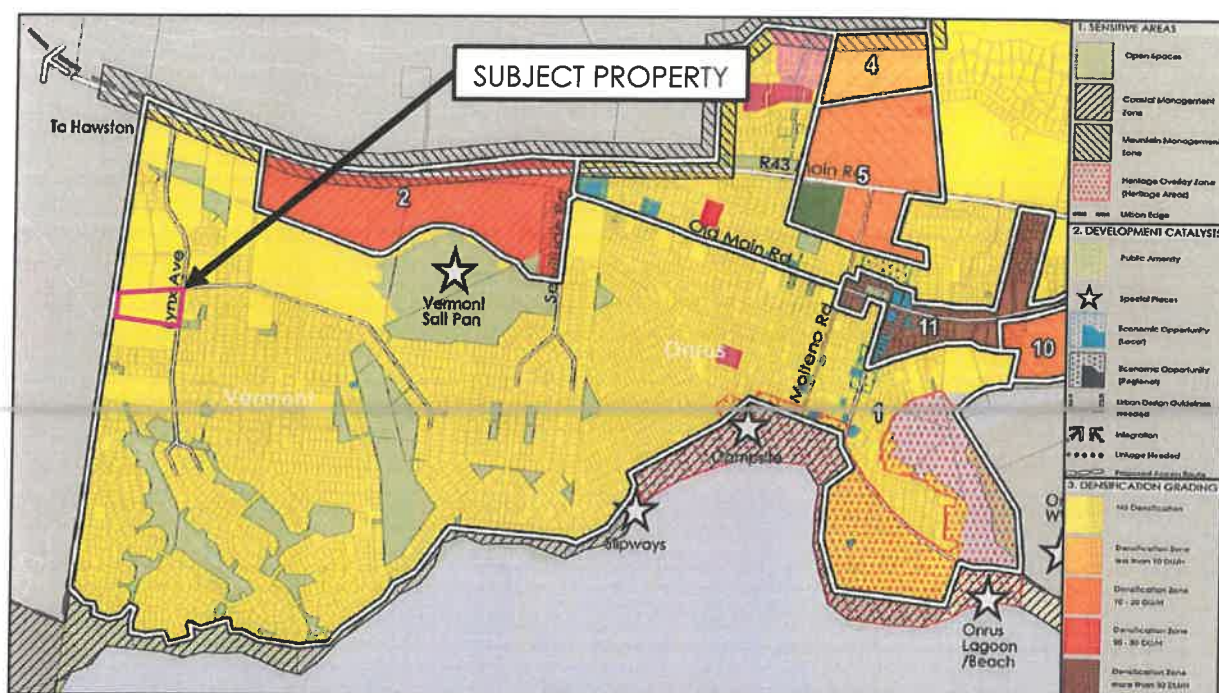


Figure 4: Extract of the OGMS (West Hermanus)

The proposal aims to align the property and the proposed development with the adjacent properties that have been approved. The intention behind the proposed development is not to increase the area's density but rather to match the existing density of the surrounding properties, ensuring alignment with the overall neighbourhood.

14. PLANNING PRINCIPLES

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

Spatial Justice

Spatial justice in the context of land use planning involves ensuring that proposals do not contribute to the perpetuation of apartheid-era spatial development imbalances. In this regard, the proposed development is aligned with this principle as it aims to provide additional housing options within the Vermont/Hermanus area, without perpetuating any imbalances.

Moreover, the proposed development is strategically positioned in close proximity to the existing urban centre, making it accessible to all members of the community, regardless of their socio-economic status.



Spatial sustainability and Efficiency

Spatial sustainability in land use planning aims to promote the creation of viable communities that can thrive in the long-term. In the context of this proposal, the development aims to increase the economic power of the Vermont area by unlocking the full potential of the subject property. As outlined in Section 12 of the report, the development will have both short- and long-term economic impacts on the surrounding area and the Overstrand Municipality, including the creation of construction jobs and additional rates and taxes payable to the municipality.

Furthermore, the location of the proposed development allows for easy access to Hermanus and local amenities, which is important for the sustainability of the community. By providing more housing options in a desired location, it will also promote sustainable urban growth and reduce the need for urban sprawl. This can lead to reduced congestion and the preservation of natural areas outside of the urban centre. Overall, this proposal aligns with the principles of spatial sustainability and aims to promote the long-term viability of the community in Hermanus.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience. The policies identified earlier in Section 13 are guided by a higher hierarchy of several policies and legislation that the proposal is aligned with.

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.



15. EVALUATION

After careful analysis and assessment of the subject property, it has been determined that the proposed development is in line with the policies and legislation as confirmed throughout this report, especially, when combined with the housing demand of the Vermont area.

The property owners have engaged WRAP Project Office to facilitate, coordinate and execute the land use application process. The proposed development aligns with the spatial frameworks, legislation, and policies of the OM. According to the OMSDF, additional dwelling units are necessary, and the proposed development can supply this demand.

Furthermore, the proposed land use is not out of context with the surrounding area and is not seen as an undesirable development. The development aims to maintain the character of the area and does not impede on views or sunlight. In conclusion, the proposed development is a viable option that aligns with the policies and legislation of the OM.

The property owners have taken necessary steps to ensure that the development is planned and executed in a sustainable manner, and it is expected that the proposed development will contribute positively to the economic power of the Hermanus area while providing much-needed housing options for the community.

16. RECOMMENDATION

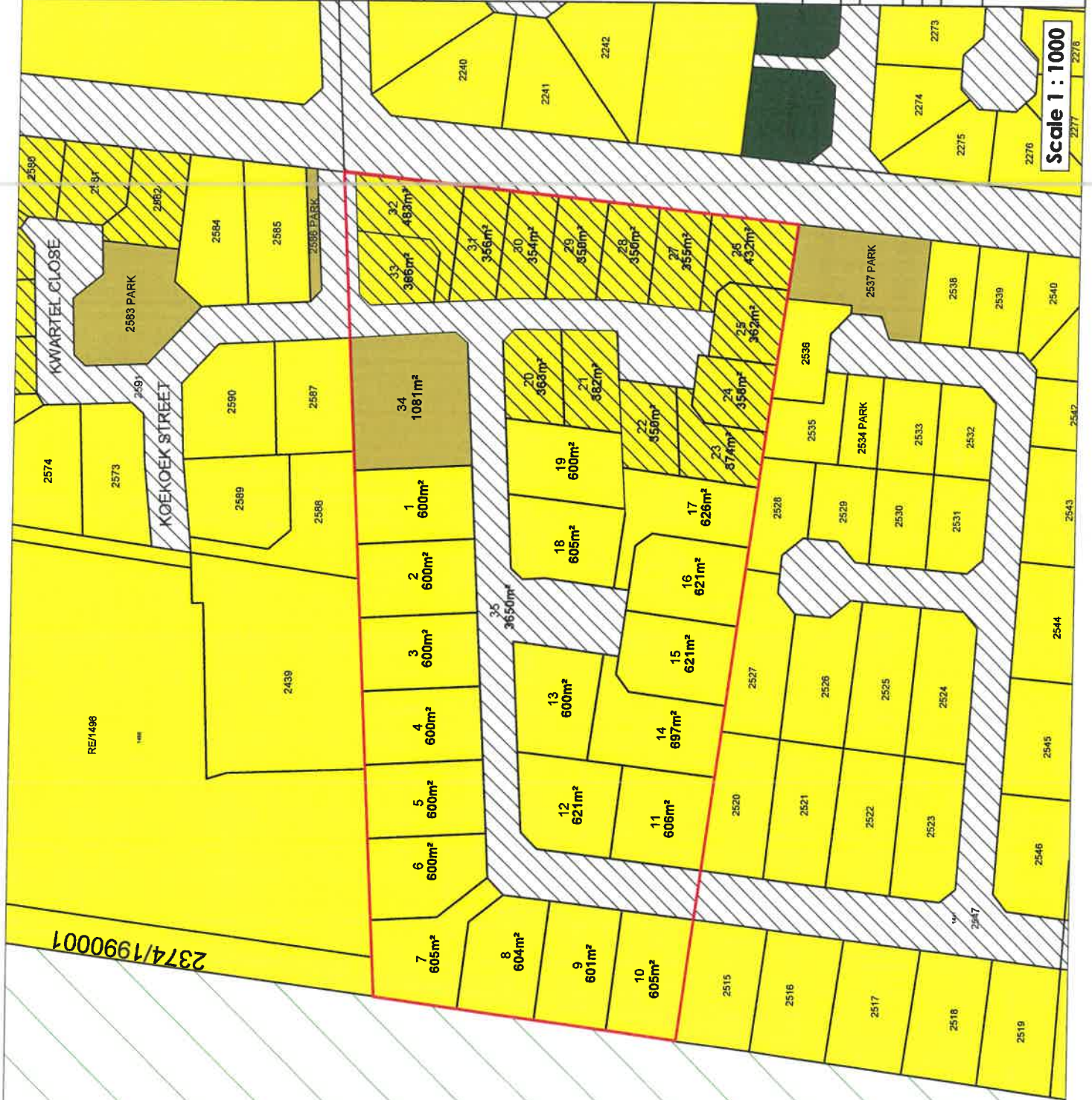
Based on the abovementioned motivation, it is recommended that the following be approved:

- 16.1 Rezoning** of Erf 1446, Vermont from Residential Zone 1: Single Residential to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.2 Subdivision** of Erf 1446, Vermont into nineteen (19) Residential Zone 1: Single Residential (SR1) erven, fourteen (14) General Residential Zone 1: Town Housing (GR1) erven, one (1) Open Space Zone 2: Public Open Space (OS2) erf and one (1) Transport Zone 2: Road and Parking (TR2) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.3 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 16.4 Establishment** of an owner's association in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



5.1 Subdivision Plan Erf 1446 - Vermont

	Residential Zone 1: Single Residential
	Transport Zone 2: Road and Parking (Public)
	Open Space Zone 2: Public Open Space
	Agricultural Zone 1: Agriculture
	Open Space Zone 3: Private Open Space
	General Residential Zone 1: Town Housing



Scale 1 : 1000

Plan date: 05/12/2023

Plan Number: 23.129 (001) - Plan 5.1

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

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



5.2 Subdivision Plan Erf 1446 - Vermont

1	600m ²	Single Residential
2	600m ²	Single Residential
3	600m ²	Single Residential
4	600m ²	Single Residential
5	600m ²	Single Residential
6	600m ²	Single Residential
7	605m ²	Single Residential
8	604m ²	Single Residential
9	601m ²	Single Residential
10	605m ²	Single Residential
11	606m ²	Single Residential
12	621m ²	Single Residential
13	600m ²	Single Residential
14	697m ²	Single Residential
15	621m ²	Single Residential
16	621m ²	Single Residential
17	626m ²	Single Residential
18	605m ²	Single Residential
19	600m ²	Single Residential
20	363m ²	General Residential
21	382m ²	General Residential
22	350m ²	General Residential
23	374m ²	General Residential
24	358m ²	General Residential
25	362m ²	General Residential
26	432m ²	General Residential
27	355m ²	General Residential
28	350m ²	General Residential
29	350m ²	General Residential
30	354m ²	General Residential
31	356m ²	General Residential
32	483m ²	General Residential
33	366m ²	General Residential
34	1081m ²	Public Open Space
35	3650m ²	Public Road

Plan date: 29/01/2024

Plan Number: 23.129 (005) - Plan 5.2

Plan prepared by: Tiaan Jansen

All distances are approximate
and subject to a survey

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Street Hermanus, 7200



Scale 1 : 1000



