

ERF 9902, 223 ELEVENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION AND DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF BE THORPE

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for the following:

- ❖ **Subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide Erf 9902, Hermanus into 2 (two) portions, namely, Portion A, approximately $\pm 1189\text{m}^2$ in extent and the Remainder, approximately $\pm 1190\text{m}^2$ in extent; and
- ❖ **departure** in terms of Section 16(2)(b) of the By-Law, to permanently relax the western street building line from 4m to 2m, to accommodate future developments on the property.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **10 NOVEMBER 2023** quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 9902, ELFDESTRAAT 223, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM ONDERVERDELING EN AFWYKING: MNRE WRAP PROJECT OFFICE NAMENS BE THORPE

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

- ❖ **Onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening, om Erf 9902, Hermanus, te ondeverdeel in 2 (twee) gedeeltes naamlik, Gedeelte A, ongeveer $\pm 1189\text{m}^2$ groot en die Restant, ongeveer $\pm 1190\text{m}^2$ groot; en
- ❖ **afwyking** ingevolge Artikel 16(2)(b) van die Verordening, om die westelike straatboulyn permanent te verslap vanaf 4m na 2m, om toekomstige ontwikkelinge op die eiendom te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **10 NOVEMBER 2023**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 9902, 223 ELEVENTH STREET, VOËLKLIP, HERMANUS, INDAWO KAMASIPALA WASE-OVERSTRAND: ISICELO UKWAHLULWA KWANYE UKUTSHA KWEMIGCA YOKWAKHA: WRAP PROJECT OFFICE EGAMENI LIKA BE THORPE

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

- ❖ **Ulwahlulo-mhlaba** ngokweCandelo le-16(2)(d) loMthetho kaMasipala, ukwahlula-hlula iSiza 9902, iHermanus ibe yizahlulo ezi-2 (ezimbini), ezizezi, iSahlulo A, esimalunga ne- $\pm 1189\text{m}^2$ ngokobubanzi kunye neNtsalela, malunga ne- $\pm 1190\text{m}^2$ ububanzi; kwaye
- ❖ **Ukutyeshela imiqathango** ngokweCandelo le-16(2)(b) loMthetho kaMasipala, ukucuthwa ngokusisigxina umda wesakhiwo ongasentshona ukusuka kwisi-4m ukuya kwi-2m, ukulungiselela uphuhliso lwexesha elizayo kwipropati.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu, ePaterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo zingangeniswa ngokungqinelana nemimiselo yeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) okanye ngaphambili **10 EYENKANGA 2023** ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zamagqabaza. Imibuzo ngomnxeba ingenziwa **kuMnu. P Roux** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.

1. Locality Plan Erf 9902 - Hermanus

 Subject property (Erf 9902 - Hermanus)

Plan prepared by: Thian Jansen

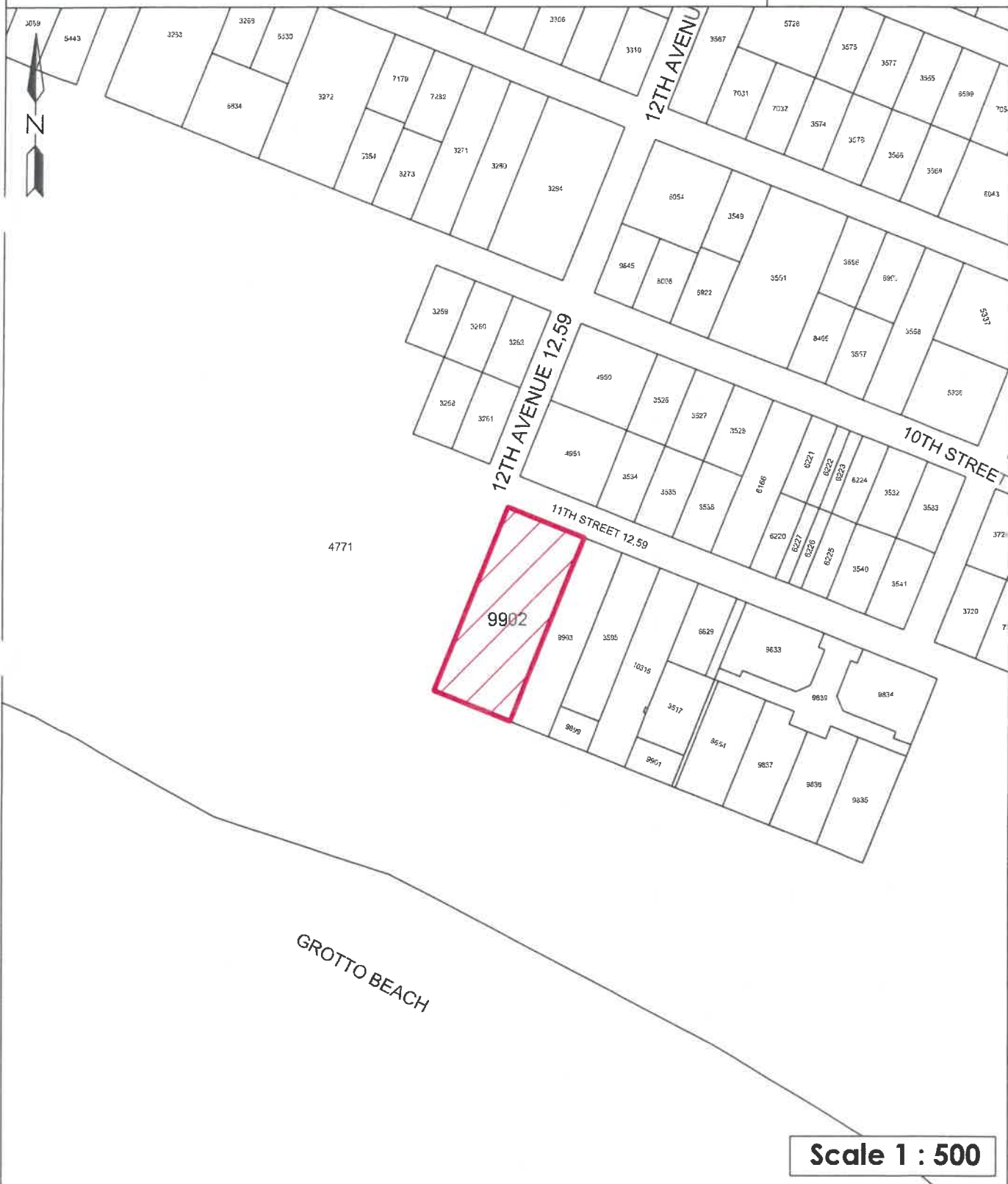
Tel: 028 313 1411

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Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Team Planning & Project Management



Scale 1 : 500



1. ABBREVIATIONS

| | |
|---------------|---|
| OM | Overstrand Municipality |
| OMLUS | Overstrand Municipality Land Use Scheme, 2020 |
| BY-LAW | Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 |
| PSDF | Western Cape Provincial Spatial Development Framework, 2014 |
| LUPA | Western Cape Land Use Planning Act, 2014. |
| MSDF | Overstrand Spatial Development Framework, 2020 |
| SRI | Residential Zone 1: Single Residential |

2. PROPERTY DETAILS

| | |
|-------------------|--|
| Consultant | WRAP Project Office |
| Erf Number | Erf 9902 Hermanus |
| Extent | 2379m ² |
| Zoning | Residential Zone 1: Single Residential |

3. BACKGROUND AND INTENT

Erf 9902 Hermanus, hereafter referred to as the subject property, is located at 223 Eleventh Street (refer **Plan 1 – Locality Plan**). The current property owners (Estate Late Brian Edward Thorpe) sold the property and transfer to the new owners is in progress. WRAP Project Office was appointed to submit this land use application (refer **Annexure A – Power of Attorney**).

The property is located in a desirable location along the coast, where no new development opportunities exist due to being located next to the iconic 'Piet-se-Bos Milkwood Forest', it is just inland from the sea stretching from Grotto Beach to the Klein River Estuary which are is located on the western and southern boundaries of the subject property.

Permission was obtained to demolish the existing dwelling (refer to **Annexure D – Demolition Permit**) and the intention is to subdivide the property into two equal portions. With an extent of 2379m², which is ideal for subdividing into two properties, the proposal aims to increase the residential supply from the subject property by subdividing it.

The new property owners intend to retain and develop both properties after subdivision. Each of the properties will eventually be improved with dwelling unit, which will be aligned with the existing zoning and character of the area. (Refer **Plan 4 – Subdivision Plan**).

To ensure compliance with the OMLUS, approval of the following applications is required:

- Subdivision of Erf 9902, Hermanus into two erven; and
- Permanent Departure from a street building line.



4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

WRAP compiled this report to ensure the property owner's vision is achieved. The following is proposed:

4.1 Subdivision of Erf 9902 Hermanus into Portion A, $\pm 1189\text{m}^2$ and the Remainder, $\pm 1190\text{m}^2$ in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The subject property has an extent of 2379m^2 . Through the proposed subdivision, it would be feasible to establish two properties, with each intended to be enhanced by a dwelling unit. The proposal involves subdividing the property into two equal portions, thereby enabling the property owner to fully capitalize on its potential.

The proposed portions will be able to comfortably accommodate a large dwelling unit each and a second dwelling unit, should the owners opt for such a configuration. Refer to Figure 1 that illustrates the proposed subdivision:

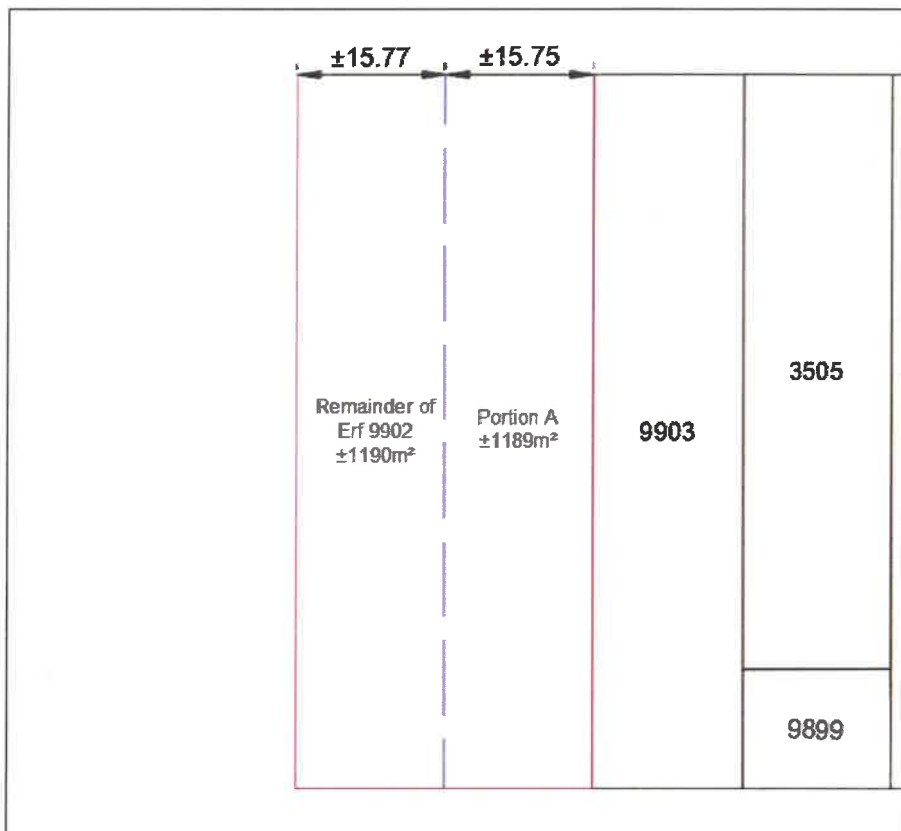


Figure 1: Extract of Plan 4 - Proposed subdivision

With the growth of the population in the Overstrand area, additional housing opportunities should be welcomed. Referring to the MSDP, Page 22 between 2011 – 2016 approximately 13 443 additional persons settled in the Overstrand. This increases the pressure on the OM to continue to facilitate and encourage the provision of housing opportunities in areas where options are limited. By approving the proposed subdivision,



the OM would allow additional housing opportunities in an area where it would be otherwise impossible to do so where there are not a lot of vacant erven in an area.

4.2 Permanent Departure from the western street building line applicable on the Remainder of Erf 9902 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The property is currently improved with an existing dwelling house, the new property owners have already received approval from the OM to demolish the existing dwelling house, refer **Annexure D – Demolition Permit**.

As previously mentioned, the new property owners will retain and develop both properties. The property is however located adjacent to two proclaimed streets, one of which has not been built:

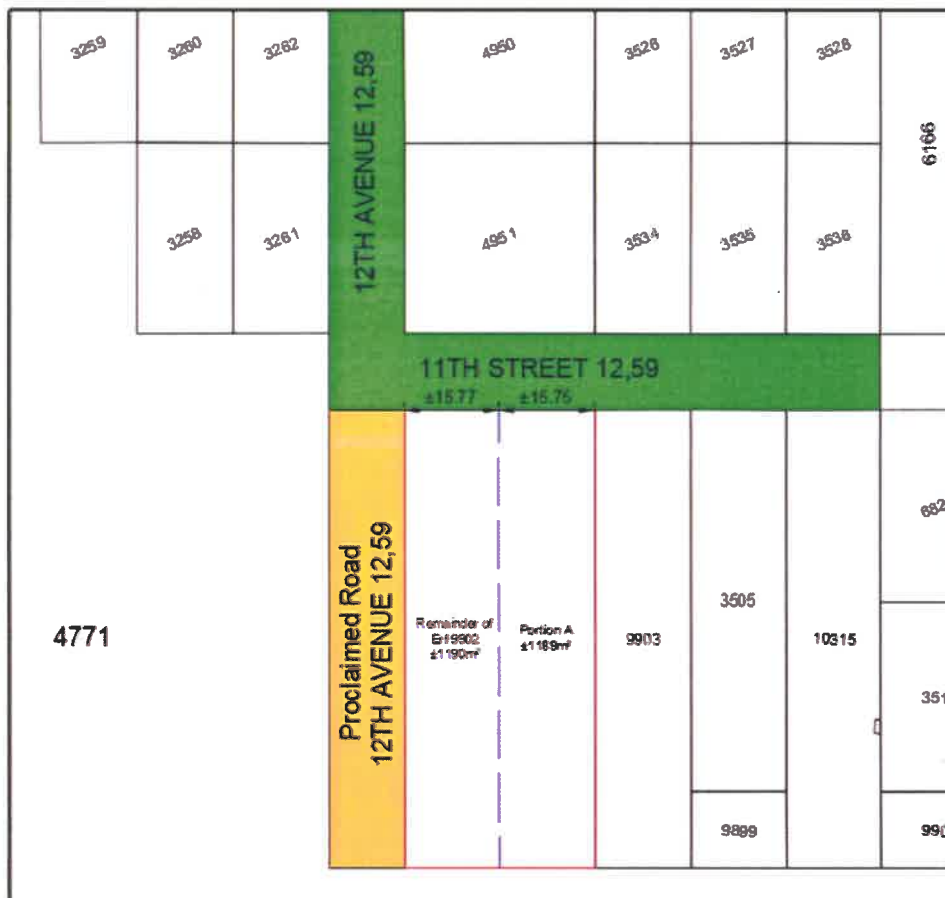


Figure 2: Extract of Plan 4 - Proposed subdivision

The orange road is designated as a public road, as verified by the **Surveyor-General's Office: Western Cape (SGWC)**, as indicated in **Annexure E – Status Report**. Following discussions with the Manager of the Property Administration Department at the OM and through email correspondence with the Manager of the Engineering Department, it has been established that the road may never be constructed or permitted to be transferred separately. Furthermore, the Manager of the Property Administration Department noted



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that the plot on which the road is situated, may have been integrated into the Fernkloof Nature Reserve, as referenced in **Annexure F – Email correspondence from the OM.**

With the confirmation from SGWC that the road retains its public road status, there is a 4-meter street building line applicable to the one boundary of the proposed Remainder of Erf 9902 Hermanus. Given the municipality's assurance that the road may never be developed, application is made for a permanent departure to consider the western street building line as a common/lateral building line. Consequently, this would result in a 2-meter building line becoming applicable to the proposed future dwelling unit.

It should be noted that the existing dwelling does not conform to the 4-meter building line that would be applicable to a street. The new owners only have the desire to continue this norm and not be penalised for demolishing the existing structures and losing the right to occupy the space up to the 2m building line.

5. APPLICATION

Considering the above, application is made for the following:

5.1 Subdivision of Erf 9902 Hermanus into Portion A, $\pm 1189\text{m}^2$ and the Remainder, $\pm 1190\text{m}^2$ in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

5.2 Permanent Departure from the western street building line applicable to the Remainder of Erf 9902 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. LAND USE ENVIRONMENT

The properties surrounding the subject property are predominantly zoned for single residential purposes. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

The proposal to develop the two properties with the intent of accommodating dwelling units aligns with the existing character of the area. Furthermore, the dimensions and extent of these two portions are in line with the neighboring properties. This comparison contributes to the proposal's coherence within the context of the area.

7. TITLE DEED

A conveyancing attorney provided a certificate to confirm there are no restrictive conditions within the title deed (T46451/2015) which may prohibit subdivision of the subject property. Refer **Annexure B – Title Deed & Annexure C – Conveyancing Certificate.**

8. ZONING

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



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| RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL | | | |
|---|---|---|----------------------------|
| Land Use Restrictions | | | |
| | Parameters | Proposal | Comply/ deviate |
| Primary use | Crèche, Dwelling House , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering. | Dwelling House | |
| 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. | | |
| 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% | TBD | TBD |
| Building lines | (i) The street building line is determined in accordance with the net erf area: 400 m ² and greater = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: Greater than 400 m ² = 2m | <ul style="list-style-type: none"> Permanent Departure from the Western Street building line from 4m to 2m (refer Section 4.2) | |
| Height | The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m. | TBD | TBD |
| Garages and carports | Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2. | TBD | TBD |



9. SERVICES

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

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the OM's services network which includes electricity, water and sewage. The additional erf proposed to be created will be required to connect to these OM's services network. The addition of a single property is therefore not predicted to have a huge impact on the services. The new property owners are aware of the fact a Bulk Services Contribution will be payable to the OM.

Solid waste is collected every week by the OM.

Access and Egress

Both properties will access the street network from 11th Street.

10. NEED AND DESIRABILITY

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

Need and desirability

The need for the land use application was a result of the property owners' vision to maximise the use of the property to its full extent. To achieve this, the property owners are required to apply for the subdivision of the property and departure from the building line.

| | |
|------------------------------|--|
| <p>Socio-economic impact</p> | <p>The subdivision and permanent departure are not predicted to have a dramatic socio-economic impact.</p> <p>The subdivision of the property does however increase the housing opportunities. The creation of two portions provides the potential to construct additional housing units. This can address housing shortages or demands within the community, contributing to improved living conditions and addressing housing affordability concerns.</p> <p>Economic activity: The subdivision process often involves construction and development activities, generating economic stimulus through job creation, increased demand for construction materials, and related services. This can lead to a positive economic ripple effect in the local economy.</p> <p>Increased land utilization: Efficient land use through subdivision can optimize the use of available space. This is particularly valuable in urban areas such as</p> |
|------------------------------|--|



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| | Hermanus and Voëklip where there is a premium paid on land, making the best use of the available land resources. |
| Compatibility with surrounding uses | The proposal is to develop the two portions with dwelling units which is aligned with the surrounding uses and similar with the character of the 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. |
| Impact on heritage | The subject property is not listed in the OM Heritage Register. |
| Impact on the biophysical environment | It is not predicted that the proposal will have an impact on the biophysical environment. |
| Traffic impacts, parking, access and other transport related considerations | The proposal of one additional portion will not have a significant impact on traffic, parking or access. |

Impact on views, sunlight and character of the area

The proposed subdivision will not have an impact on the views, sunlight and character of the surrounding area. The additional building work will be required to adhere to the existing development parameters as set out by the OMLUS, this includes, height, building lines, coverage, etc.

Economic impact

The subdivision process often involves construction and development activities, generating economic stimulus through job creation, increased demand for construction materials, and related services. This can lead to a positive economic ripple effect in the local economy. Additionally, more rates and taxes will be collected by the municipality.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposed subdivision will increase the surrounding property values as more housing opportunities will be created.

Impact on heritage

The subject property is not listed in the OM Heritage Register. None of the provisions in the National Heritage Resources Act, 1999 are triggered by this proposal. There is therefore no impact on heritage.

Environmental impact

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



11. POLICIES AND REGULATIONS

11.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

Coastal Protection Zone

A portion of the subject property is located within the Coastal Protection Zone and to ensure compliance with the guidelines set out in the EMOZ, the application was evaluated in terms of the provisions of Schedule A & B of the Environmental Management Overlay Zone 2020:

| SCHEDULE A PROHIBITED ACTIVITIES IN OVERSTRAND ENVIRONMENTAL MANAGEMENT OVERLAY ZONES | | |
|---|---|--------------------------------------|
| Prohibited Activity | Applicable Environmental Management Overlay Zone (EMOZ) | Applicable to the application or not |
| | Coastal | |
| Agricultural practices within this EMOZ which may cause water logging and siltation. | X | N/A |
| Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ. | X | N/A |
| Development or agriculture on slopes steeper than 1:4. | X | N/A |
| Establishment of Informal settlements or Temporary Relocation Areas. | X | N/A |
| No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources. | X | N/A |
| Placement of religious symbols or memorabilia. | X | N/A |
| Harvesting /collection of kelp / seaweed in municipal designated "no-take" zones. | X | N/A |
| Harvesting, collection, moving, loading drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF. | X | N/A |
| Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated and signposted by the Municipal Council for such purposes. | X | N/A |
| Modification of the littoral active zone / functional dune systems in absence of approved management plans. | X | N/A |
| Feeding, disturbing / pursuit of fauna. | X | N/A |
| Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time. | X | N/A |
| Defacing/damaging / removing of any notice, sign, barrier building or other infrastructure. | X | N/A |



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| Playing or tampering with any rope, float, buoy, vessel, shelter or similar life - saving device. | | N/A |
| Staying overnight. | X | N/A |
| The discharging of domestic effluent / grey water into all natural systems. | X | N/A |
| Tampering with security / surveillance infrastructure. | X | N/A |
| Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features. | X | N/A |
| Graffiti, vandalism or damaging of municipal infrastructure. | X | N/A |
| Littering | X | N/A |
| Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items | X | N/A |
| Dog walking / exercising of dogs in non-designated zones. | X | N/A |

| SCHEDULE B ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT IN OVERSTRAND ENVIRONMENTAL OVERLAY ZONES | | |
|--|--|--|
| A) Activities Only Permitted With Council Consent | Applicable Environmental Management Overlay Zone (EMOZ) | Applicable to the application or not |
| | Coastal | |
| Permission for the utilization of access routes to permitted kelp / seaweed harvesting sites. | X | N/A |
| Removal or destruction of vegetation which is protected and/or of conservation concern. | X | N/A |
| Dune maintenance on private land as per approved dune maintenance management plans. | X | N/A |
| Excavation and destruction or removal of substrate (soil, substrate, rock, shellgrit, dune sediment, mineral deposits). | X | N/A |
| Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality. | X | This is noted and will be complied with if the new portions are developed with a pool. |
| B) Permit Upon Approval By Delegated Authority and / Receipt of Tariff | Applicable Environmental Management Overlay Zone (EMOZ) | Applicable to the application or not |
| | Coastal | |
| Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse / wetland. | X | N/A |
| Access from private properties to open spaces, including the removal of vegetation and the | X | The property has access to the open space. |



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| establishment of paths, structures and infrastructure. | | |
| Commercial filming. | X | N/A |
| Construction or placement of any temporary object, building, shelter, path or structure. | X | N/A |
| Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas. | X | N/A |
| Launching of vessels at registered launch sites. | | N/A |
| C) Council Authorisation Pending Consent Use Application / Lease Agreement / Applicable Tariffs as applicable | Applicable Environmental Management Overlay Zone (EMOZ) | Applicable to the application or not |
| | Coastal | |
| Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes. | X | N/A |
| Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes. | X | N/A |
| Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery. | X | N/A |
| Encroachment of private buildings, structures, infrastructure, access routes. | X | The new dwelling units may encroach on the EMOZ. |
| Commercial Harvesting/collection and removal of any natural resource. | X | N/A |
| Construction or placement of any permanent object, building, shelter, pathway or structure. | X | The new dwelling units may encroach on the EMOZ. |

Conservation-worthy area on Municipal Land

The EMOZ states the following:

'Private property within priority conservation-worthy ecological corridors from mountain to coast and/or across priority conservation-worthy areas identified in accordance with the Overstrand Environmental Management Framework.'

The OM may if it deems it necessary, upon receipt of a development proposal or application that does not involve any activities identified under the NEMA listing notices, require that specialist biodiversity and/or other relevant studies be undertaken by the developer/owner to inform development planning and retain priority ecological



corridors and habitats. This is noted and the new property owners will comply if required by the OM.

11.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

COASTAL STRIP HERITAGE PROTECTION OVERLAY ZONE

The purpose of this overlay zone is:

- To protect and enhance the nature of the transition zone between the built fabric along the coastal strip, including the first line of erven facing the coast, the coastal walkway and the coastline;
- To protect the natural, environmental and scenic qualities along the coastal strip;
- To protect lateral views between the mountain and coastline by ensuring the continuation of existing view lines and by controlling the massing and form of buildings adjacent to the coastal strip;
- To ensure the retention of the relatively fine-grain form of development characteristic of the Overstrand holiday home vernacular evident along the coastal strip; and
- To ensure the retention of the existing structures identified as having intrinsic and contextual significance.

The proposed subdivision is not expected to have a negative impact on the coastal strip heritage protection overlay zone.

11.3 Spatial Planning Policies

The compliance of this proposal with the applicable spatial development policies was assessed. These policies are instrumental in guiding spatial development and providing prescripts of what constitutes sound town planning development patterns. The compliance of this proposal with provincial and local policies which are key development informants will be illustrated.

PSDF

Policy preface

The PSDF is a product of a provincial inter departmental and inter-governmental collaboration under the guidance of the interdepartmental steering committee with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision which is intended to inform spatial development patterns of urban areas in the province.

Consistency of the proposal with the policy

Throughout the framework, the process of infill planning is emphasized. Section 3.3.7 states that densification should take place using infill planning and should be the first choice when densification is proposed.

The proposal to create an additional erf is in line with the proposal to densify an existing area. By densifying through infill, no urban sprawl is created, and the maximisation of the existing urban area is used. By densifying existing areas, these areas can benefit from higher economic activity.



MSDF

Policy Preface

The SDF's intention is to ensure compliance with national, provincial and district legislation policies and principles. The SDF 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 development proposal should ideally attempt to synchronise with.

Consistency of the proposal with the policy

The policy promotes the protection of the character of the OM. The approval and implementation of the proposed subdivision will not undermine the character of the site and surrounding area.

The SDF promotes the containment of the footprint of OM within the well-defined urban edge. The subject property is located within the urban edge of OM and this proposal contains urban development within this footprint as prescribed.

12. PLANNING PRINCIPLES

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

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for the subdivision does not perpetuate apartheid spatial development imbalances.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal to subdivide intends to ensure the maximum potential of the subject property is unlocked. The proposed infill densification is a sustainable method to create new properties without requiring additional land.

Spatial resilience

This proposal is intended to maximise the usage of the subject property and will ensure sufficient space to provide two families with dwelling houses.

Good administration

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



13. EVALUATION

The proposal needs to be evaluated on the basis that the subject property has more than sufficient space to accommodate two residential properties and the proposal is aligned with the existing urban morphology in the area. The property owners have the vision to subdivide and develop the two portions.

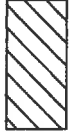
The proposal will not add any new land use rights as the proposed subdivision is set to be utilised for single residential purposes. This proposal is in harmony with all relevant spatial planning policies which illustrates that the applicant did not arbitrarily invent this application but had due consideration for relevant spatial planning policies.

14. RECOMMENDATION

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

- 14.1 Subdivision** of Erf 9902 Hermanus into Portion A, $\pm 1189\text{m}^2$ and the Remainder, $\pm 1190\text{m}^2$ in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 14.2 Permanent Departure** from the western street building line applicable on the Remainder of Erf 9902 Hermanus in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

2. Zoning Plan Erf 9902, Hermanus



Transport Zone 2: Road and Parking



Residential Zone 1: Single Residential



General Residential Zone 1: Town Housing



Open Space Zone 2: Public Open Space



Open Space Zone 1: Nature Reserve

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

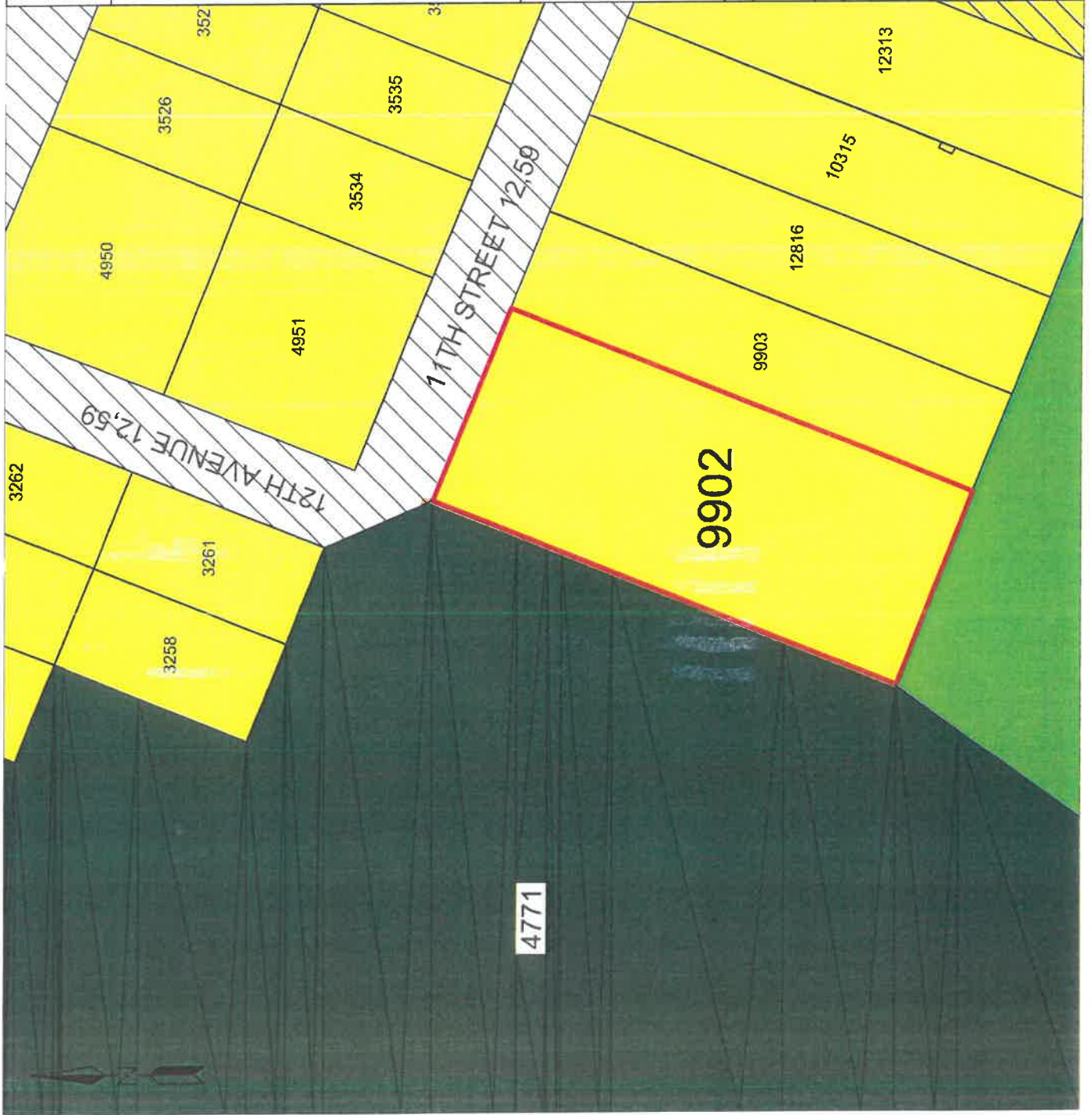
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

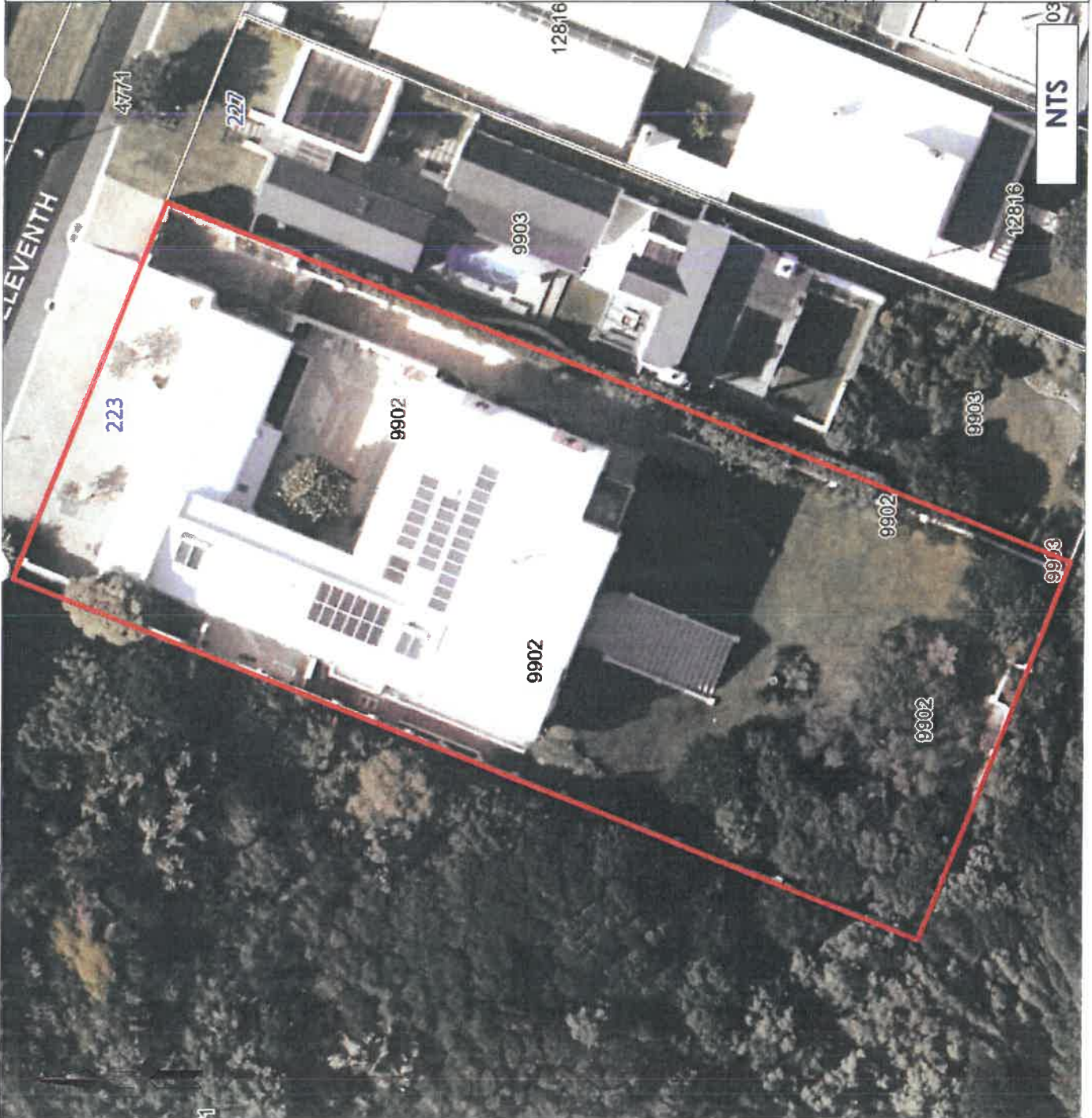
Unit B, Standard House, Corner of Royal
and Dirkie Uys Street Hermanus, 7200



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3. Aerial Map
Erf 9902 Hermanus



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



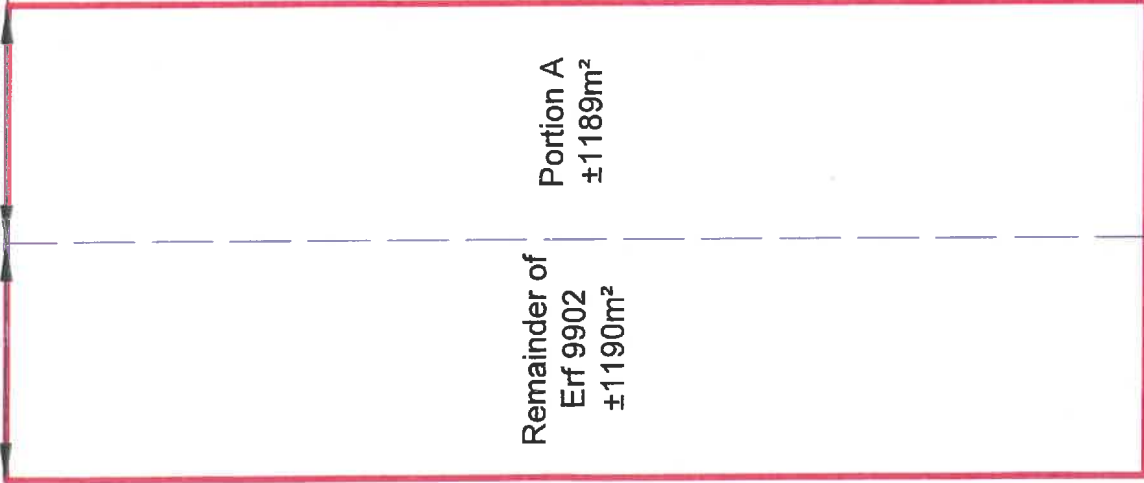
Project Office
Town Planning & Project Management



11, H STREET 12,59

±15.77

±15.75



Remainder of
Erf 9902
±1190m²

Portion A
±1189m²

9903

3505

101

SUBDIVISION LINE

Scale 1 : 500

4. Subdivision Plan
Erf 9902 Hermanus

Erf 9902 - Hermanus
Extent - 2379m²

Proposed subdivision

Remainder of Erf 9902 - ±1190m²

Portion A - ±1189m²

Plan prepared by: Thian Jansen

Plan date: 23/08/2023

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



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