

17.

**PORTION OF ERF 210, GANSBAAI, OVERSTRAND MUNICIPAL AREA :
PROPOSED REZONING, SUBDIVISION, DEPARTURE AND AMENDMENT OF THE
OVERSTRAND GROWTH MANAGEMENT STRATEGY (2010) : MESSRS URBAN
DYNAMICS ON BEHALF OF OVERSTRAND MUNICIPALITY**

210 GGB (3091)

SW van der Merwe

(028) 313 8900

Hermanus Administration

1 June 2016

1. Executive Summary

To consider an application received on 22 October 2015 from Messrs Urban Dynamics Western Cape on behalf of Overstrand Municipality to obtain development rights for a subsidized housing project comprising the following:

- subdivision of Erf 210, Gansbaai in a Remainder ($\pm 711,68$ ha) and Portion A ($\pm 16,6$ ha);
- rezoning of Portion A from Undetermined Zone to Subdivisional Area in order to create the following:
 - 639 Single Residential erven
 - 2 Business Zone 3: Local Business erven
 - 15 Open Space Zone 2: Public Open Space erven
 - 3 Community Zone erven
 - 1 Transport Zone 2: Public Road erf
- departure to allow the relaxation of the 1m lateral building line along one lateral boundary to 0m in order to accommodate semi-detached dwellings; and
- amendment of the Overstrand Growth Management Strategy, 2010 to increase the gross residential density from 20 - 30 to 39 dwelling units per hectare.

A Locality Plan of the subject property is attached as Annexure A. The proposed Subdivision- and Rezoning Plans are attached as Annexure B and the Motivation Report in support of the proposal is attached as Annexure C.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Promotion of tourism, economic and social development

4. Delegated Authority

Certain matters delegated to the Executive Mayor, whilst one matter is to be considered by Council.

5. Legal Requirements

- Sections 15, 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (LUPO)
- Municipal Systems Act, 2000 (Act 32 of 2000)

6. Background/Discussion/Evaluation**Background**

The proposed housing project will address the immediate and future housing needs of the local community in the Gansbaai area, more specifically the residents and waiting list beneficiaries of the Blompark and Beverley Hills communities.

The proposed development due to the extent of the subject property as well as the presence of natural vegetation necessitated the submission of a Basic Assessment Report in terms of the National Environmental Management Act (NEMA), which was also informed by a Botanical Assessment, Air Quality Study and Heritage Impact Assessment. The Botanical Assessment resulted in amendments to the original layout to accommodate certain prominent Milkwood Thickets in the layout. The Air Quality Study due to the proximity of the Sewage Treatment Plant informed a buffer zone around the sewage treatment works. Environmental Authorization (EA) has already been granted for the proposed subsidized housing project dated 1 March 2016 (attached as Annexure D) subject to conditions which also provides for an approved Environmental Management Plan (EMP).

The proposed development comprises the following, namely:

- subdivision of Erf 210, Gansbaai in a Remainder ($\pm 711,68$ ha) and Portion A ($\pm 16,6$ ha);
- rezoning of Portion A from Undetermined Zone to Subdivisional Area in order to create the following:
 - 639 Single Residential erven
 - 2 Business Zone 3: Local Business erven
 - 15 Open Space Zone 2: Public Open Space erven
 - 3 Community Zone erven
 - 1 Transport Zone 2: Public Road erf
- departure to allow the relaxation of the 1m lateral building line along one lateral boundary to 0m in order to accommodate semi-detached dwellings; and

- amendment of the Overstrand Growth Management Strategy, 2010 to increase the gross residential density from 20 - 30 to 39 dwelling units per hectare.

Discussion

The application was advertised in the prescribed manner and registered notices were served on interested and affected parties including the relevant government and municipal departments. No objections were received.

Evaluation**Development**

The application area comprises a 16,6 ha portion of the Gansbaai commonage located north, north west of Blompark and includes the informal Beverley Hills settlement. The Sewage Treatment Plant abuts the application site to the north east, whilst the Kolgansbaai Development comprising a mixture of single residential and group housing erven are located ± 120 m west of the subject property.

The application property mostly comprises vacant land, except for the informal settlement of Beverley Hills. According to the slope analysis the majority of the site is flatter than 1:10 and therefore suitable for development. The proposed development comprises 639 single residential erven with an average size of $\pm 130,51$ m². The aforementioned includes 539 formal residential erven and 100 formalized UISP erven to accommodate the upgrading of Beverley Hills. The formalization of the informal erven in Beverley Hills will require the relocation of some existing informal structures in order to comply with the respective building lines on the formalized erven. Provision has also been made for business and Community Zone erven.

Locality and Access

The application areas are all well located and accessible from the existing road network via Kapokblom-, Kampeer- and Ridderspoor Streets, Blompark. The internal road network will consist of an asphalt surface with a standard road reserve providing sufficient space for services and pedestrian movement.

A Traffic Impact Assessment (TIA) was prepared to establish the impact of the development on the road network and also what future upgrades will be required. The Engineering Services Department indicated that any future upgrades will be done in terms of the TIA.

Spatial Planning Context

The subject property comprises a 16,6 ha portion of the Gansbaai commonage and is situated within the urban edge and designated for urban extension purposes in terms of the Spatial Development Framework (SDF). The

proposed north, north westerly extension of the existing settlement of Blompark to include Beverley Hills is therefore consistent with the SDF.

The Growth Management Strategy, 2010 (GMS) that forms part of the SDF bundle of documents are a further policy directive informing development in the study area. In terms of the GMS the application site is designated for a density of 20 - 30 units per hectare. The proposed development provides a density of ±39 units per hectare which is an amendment of the GMS. The opinion is held that the increase in the proposed gross density will not detract from the character and appearance of the surrounding area. It should furthermore be noted that Kapokblom Street was identified as a high density activity corridor with a gross density of 50 units per hectare, linking Blompark with the Gansbaai Central Business District (CBD)

The proposed development will contribute to the provision of opportunities for job creation, contributes to the principle of densification, well located and integrated human settlements located within the urban edge within walking distance from a range of public amenities, access to services and shelter and is therefore deemed to be consistent with the relevant municipal, provincial and national policy directives.

Environmental

The final development layout was informed by a Botanical Assessment and comments made by Cape Nature ensuring that the impact on the natural environment is lessened since the layout avoids most of the Milkwood trees at the north eastern portion of the site and retains the core area of Milkwood trees and thicket that would have been lost in the initial layout. The layout also retains an ecological corridor in the undeveloped areas on the northern sides (outside the site boundary). Environmental Authorization (EA) was subsequently granted subject to conditions, such as the appointment of an Environmental Management Control Officer (ECO) tasked to ensure that the development occurs in accordance with the conditions of approval and the approved EMP.

Services

Services will be provided in accordance with the recommendations of the Engineering Services Reports compiled by Arcus GIBB Engineering Consultants (attached as Annexure H) and Worley Parsons (attached as Annexure G).

Building line departure

In terms of the Zoning Scheme Regulations 2m street- and 1m rear- and lateral building lines are applicable to the erven. The development provides for semi-detached dwellings and accordingly requires the relaxation of the lateral building line from 1m to 0m. The proposal is supported on condition that a Site Development plan be submitted for delegated approval by the Senior Manager: Town- and Spatial Planning prior to the submission of building plans.

Having had regard to the evaluation above the opinion is held that the proposed development will not detract from the character and appearance of the surrounding area or the visual amenity of the locality, nor will it have an adverse impact on vested rights of adjoining properties. The proposal is therefore deemed to be desirable.

Conclusion

The application is considered to be desirable for the following reasons:

- (i) the development complies with the relevant Municipal, Provincial and National Planning Policies;
- (ii) the proposed infill development constitutes densification that makes more efficient use of available land within the urban edge;
- (iii) the development will result in the upgrade of Beverley Hills and the integration of Beverley Hills and Blompark with Gansbaai area (integrated human settlements);
- (iv) sustainable provision of services;
- (v) development is located within walking distance from a range of public amenities (i.e. shops, schools, community facilities, etc.);
- (vi) development provides access to basic services and housing thereby addressing one of the greatest community needs; and
- (vii) no objections were received.

The application is supported as per the recommendation below.

7. Financial Implications

The two components of the project will be financed by the Provincial Department of Human Settlements. Funding has been approved for the 2016/17 financial year to initiate the project and has been budgeted for the following years as indicated below. Additional allocations from the Department may speed up the project, but the current business plan provides for the following funding stream:

Beverley Hills (UISP project)

2016/17	Services	R2 561 250.00	(funding available)
2017/18	Services	<u>R5 727 690.00</u>	
TOTAL		R8 288 940.00	

Blompark (IRDP project)

2017/18	Services	R1 325 925.00
2018/19	Services	R4 993 025.00
2019/20	Services	R13 923 514.00
2019/20	Top Structures	R17 480 000.00
2020/21	Top Structures	R17 480 000.00

2021/22	Top Structures	<u>R19 123 840.00</u>
TOTAL		R74 326 304.00

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations**Fire Services**

No comment.

Solid Waste

Enough space at Gansbaai Landfill to accommodate the waste. Operational Manager to report on capacity to provide services.

Environmental Management Services

No objection.

Operational Services

Attached as Annexure J.

Services Report

Attached as Annexure I.

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Proposed Subdivision- and Rezoning Plans
- Annexure C: Motivation Report
- Annexure D: Department of Environmental Affairs and Development Planning (Environmental Authorization)
- Annexure E: Comment: Heritage
- Annexure F: Comment: Cape Nature
- Annexure G: Report: Worley Parsons
- Annexure H: Report: Arcus GIBB Engineers
- Annexure I: Engineering Services Report
- Annexure J: Comment: Operational Services
- Annexure K: Comment: Eskom

RECOMMENDATION:

1. that the application for subdivision of Erf 210, Gansbaai into two portions namely Portion A approximately ±16,6 ha) and a Remainder approximately ±711,68 ha, **be approved**, in terms of the provisions of Section 25 of the Land Use Planning Ordinance (Ordinance 15 of 1985);
2. that the application for the rezoning of Portion A from Undetermined Zone to Subdivisional Area in order to create
 - 639 Single Residential erven
 - 2 Business Zone 3: Local Business erven
 - 15 Open Space Zone 2: Public Open Space erven
 - 3 Community Zone erven
 - 1 Transport Zone 2: Public Road erf

in terms of the provisions of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved**;
3. that the application for departure of the 1m lateral building line to 0m along one lateral boundary in terms of the provisions of Section 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985), **be approved**;
4. that the approvals in paragraphs 1. to 3. above be subject to the following conditions:
 - (a) that all the conditions in the Engineering Services Report (attached as Annexure I), be adhered to;
 - (b) that a Site Development Plan be submitted for approval by the Senior Manager: Town- and Spatial Planning showing the placement of the units and unit type prior to the submission of building plans;
 - (c) that all other development parameters as prescribed in the Zoning Scheme Regulations be complied with;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation; and
 - (e) that all conditions as set out by the Department of Environmental Affairs and Development Planning (Environmental Authorization) (attached as Annexure D), Heritage: Western Cape attached as Annexure E), Cape Nature (attached as Annexure F) and Eskom (attached as Annexure K), be adhered to.
5. that the applicant be notified of its right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act No 32 of 2000 with regard to the above decision and conditions of approval.

RECOMMENDATION TO THE COUNCIL:

that the application for the amendment of the Overstrand Growth Management Strategy, 2010 to increase the gross residential density from 20-30 units per hectare to 39 dwelling units per hectare in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :**S VAN DER MERWE****TARGET DATE FOR IMPLEMENTATION :****10 AUGUST 2016**