

MUNISIPALITEIT OVERSTRAND
ERWE 1885 EN 1886, FRANSKRAALSTRAND:
AANSOEK OM KONSOLIDASIE, HERSONERING,
ONDERVERDELING EN ALLOKASIE VAN
STRAATNAME: MNRE WRAP PROJECT OFFICE
NAMENS STARCROW 111 CC EN DIE
OVERSTRAND MUNISIPALITEIT

OVERSTRAND MUNICIPALITY
ERVEN 1885 AND 1886, FRANSKRAALSTRAND:
APPLICATION FOR CONSOLIDATION, REZONING,
SUBDIVISION AND ALLOCATION OF STREET
NAMES: MESSRS WRAP PROJECT OFFICE ON
BEHALF OF STARCROW 111 CC AND THE
OVERSTRAND MUNICIPALITY

UMASIPALA WASE-OVERSTRAND
WEZIZA 1885 NO-1886, FRANSKRAALSTRAND:
ISICELO UKUHLANGANISA, UKUMISELWA
KWAKHONA, UKWAHLULWA NOKWABIWA
KWAMAGAMA ESIZITRATO: I-MESSRS WRAP
PROJECT OFFICE EGAMENI LE-STARCROW 111
CC KUNYE NOMASIPALA OVERSTRAND

1. Kennis word hiermee gegee kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), vir die volgende aansoeke van toepassing op bogenoemde erwe, naamlik;
 - ❖ **konsolidasie** ingevolge Artikel 16(2)(e) van die Verordening, van Erwe 1885 en 1886, Franskraal, om 'n gekonsolideerde eiendom van 30 432m² (3 0432ha) groot te skep;
 - ❖ **hersonering** ingevolge Artikel 16(2)(a) van die Verordening, ten einde die gekonsolideerde eiendom van Onbepaaldezone (U) na Onderverdelingsgebiedsone (SA) te hersoneer;
 - ❖ **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening, om die gekonsolideerde eiendom te onderverdeel in sewe-en-vyftig (57) Algemene Residensiëlezone 1: Dorpsbehuising (GR) erwe, vier (4) Oopruimtesone 3: Privaat Oopruimte (OS3) erwe en een (1) Vervoersone 2: Privaat Pad en Parkering (TR2) erwe;
 - ❖ **allokasie van straatname** ingevolge Artikel 96 van die Verordening.
2. Kennis word hiermee gegee kragtens Artikel 14 van die Wet op Plaaslike Regering: Munisipale Finansiëlebestuur (Wet 56 van 2003) van die Raad se voorneme om munisipale eiendom, synde Erf 1886 Franskraalstrand, oor te dra aan:

Koper: Starcrow 111 CC
Koopsom: R2,600,000.00 (BTW ingesluit)
Ligging: Fourie Straat, Franskraalstrand
Doel: Dorpsbehuising
Grootte: 1,5447 hektaar

Volle besonderhede rakende die voorstel in **paragraaf 1** hierbo is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentaar moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) moet bereik voor of op **22 September 2023**. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Mnr SW van der Merwe** by 028 313 8900. Die Munisipaliteit mag weier om kommentaar te aanvaar na die sluitingsdatum. Enige persone wat nie kan lees of skryf nie kan bogenoemde toepaslike Munisipale Departement besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer. Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Volle besonderhede rakende die voorneme in **paragraaf 2** hierbo is per afspraak beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Eiendomsadministrasie Departement, h/v Molteno- en Viljoenstraat, Onrustrivier. Enige kommentare moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (h/v Molteno -en Viljoenstraat, Onrustrivier / (t) 028 316 5601 / (epos) wmurtz@overstrand.gov.za) moet bereik voor of op **22 September 2023**. Telefoniese navrae kan gerig word aan die Hoofklerk, Mej. W Murtz by 028 316 5601.

Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persone wat nie kan lees of skryf nie kan bogenoemde toepaslike Munisipale Departement 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.134/2023

1. 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 the above-mentioned erven, namely:
 - ❖ **consolidation** in terms of Section 16(2)(e) of the By-Law, of Erven 1885 and 1886, Franskraal, to create a consolidated property of 30 432m² (3 0432ha) in extent;
 - ❖ **rezoning** in terms of Section 16(2)(a) of the By-Law, to rezone the consolidated property from Undetermined Zone (U) to Subdivisional Area Zone (SA);
 - ❖ **subdivision** in terms of Section 16(2)(d) of the By-Law, to subdivide the consolidated property into fifty-seven (57) General Residential Zone 1: Town Housing (GR) erven, four (4) Open Space Zone 3: Private Open Space (OS3) erven and one (1) Transport Zone 2: Private Road and Parking (TR2) erven;
 - ❖ **allocation of street names** in terms of Section 96 of the By-Law.
2. Notice is hereby given in terms of Section 14 of the Local Government: Municipal Finance Management Act (Act 56 of 2003) of the transfer of municipal property, being Erf 1886 Franskraalstrand, to:

Purchasers: Starcrow 111 CC
Purchase Price: R2,600,000.00 (VAT included)
Locality: Fourie Street, Franskraalstrand
Purpose: Town Housing Development
Size: 1,5447 hectares

Full details regarding the proposal in **paragraph 1** are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **22 September 2023**. Telephonic enquiries can be made to the **Senior Town Planner, Mr SW van der Merwe** at 0283138900. The Municipality may refuse to accept comments received after the closing date. Any persons who cannot read or write may visit the above appropriate Municipal Department where a Municipal official will assist them in formulating their comment.

Full details regarding the intention in **paragraph 2** above are available for inspection during weekdays between 08:00 and 16:30 at the Property Administration Department, c/o Molteno and Viljoen Street, Onrustrivier. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (c/o Molteno and Viljoen Street, Onrustrivier / (t) 028 3165601 / (email) wmurtz@overstrand.gov.za) on or before **22 September 2023**. Telephonic enquiries can be made to the Principal Clerk, Miss W Murtz at 028 3165601.

The Municipality may refuse to accept comments received after the closing date. Any persons who cannot read or write may visit the above appropriate Municipal Department where a Municipal official will assist them in formulating their comment.

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

Municipal Notice No. 134/2023

1. Isaziso sinikezelwa ngokwemigaqo yeCandelo lama-47 nelama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), kwezi zicelo zilandelayo zisebenza kwesi siza sikhankanywe ngasentla, ezizezi:
 - ❖ **ukudityaniswa** ngokweCandelo le-16(2)(e) loMthetho kaMasipala, weZiza 1885 no-1886, eFranskraal, ukuze kuyilwe ipropati ehlanganisiweyo engama-30 432m² (3 0432ha) ngokobubanzi;
 - ❖ **ukucandwa** ngokutsha ngokweCandelo le-16(2)(a) loMthetho kaMasipala, ukuze kucandwe ngokutsha ipropati edityanisiweyo isuka kuMmandla engamiselwanga isisiwa kuMmandla woCandelwana (SA)
 - ❖ **ulwahlulo** ngokweCandelo le-16(2)(d) loMthetho kaMasipala, ukwahlula-hlula ipropati edityanisiweyo ibe yiZowuni yokuHlala ngokuPhangaleleyo amashumi amahlanu anesixhenxe (57): iZiza zeZindlu zeDolophu (GR), ezine (4) zeNdawo evulekileyo 3: Iziza zaBucala eziVulekileyo (OS3) kunye nendawo enye (1) yezoThutho 2: Indlela yaBucala neNdawo yokuPaka (TR2);
 - ❖ **Ukunikezelwa kwamagama ezitalato** ngokweCandelo lama-96 loMthetho kaMasipala.
2. Isaziso sikhutshwa ngokwemiqathango yeCandelo lweShum' elineSine (Section 14) phantsi koMthetho wezobuRhulumente bezeKhaya: Nolawulo lweziMali zoMasipala (Umthetho wamaShumi amaHlanu anesiThandathu wonyaka ka 2003) ovakalisa injongo zeBhunga zokunikezelwa komhlaba kaMasipala, iSiza u-1886 e-Franskralstrand:

Umthengi: Starcrow 111 CC
Ixabiso Lentengiso: R2,600,000.00 (I-VAT ifakiwe)
Indawo: E-Fourie Street, E-Franskralstrand
Injongo: Ngeenjongo Zophuhliso Lwesindlu
Ubungakanani: 1,5447 yeehektare

linkcukacha eziphelileyo malunga nesi sindululo **umhlathi 1** ziyafumaneka ukuze zihlowwe ngeentsuku zokusebenza ngamaxesha eveki phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu, 16 Paterson Street, Hermanus kunye neThala leeNcwadi laseGansbaai, eMain Road, eGansbaai. Naluphina uluvo malubhalwe phantsi, ucaphule igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, kwakunye nomdla wakho kwisicelo kunye nezizathu zokuvakalisa izimvo, ezo zimvo mazifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngo- **22 uSeptemba 2023** okanye phambi kwayo. Imibuzo ngomnxeba ingenziwa kuMchwangciso weDolophu oPhezulu, uMnu SW van der Merwe kule nombolo 0283138900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na umntu ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe likaMasipala elifanelekileyo apho igosa likaMasipala liya kubancedisa ekwenzeni izimvo zabo.

Linkcukacha ngokwemiba yesisindululo **umhlathi 2** ziyafumaneka ukuze zihlowwe phakathi evekini kwentsimbi yesi-08:00 ne-16:30 lisebe: **Ulawulo lwePropathi** Molteno Kwaye Viljoen Street. Naziphi na izimvo ezibhalweyo, ukucaphula igama lakho, idilesi kunye neenkukacha zonxibelelwano, kunye nomdla wakho kwisicelo kunye nezizathu zenkazo, olo luvo kufuneka lufike kuMasipala (c/o Molteno kwaye Viljoen Street, eOnrustrivier / (f) 028 316 3721 (imeyile) wmurtz@overstrand.gov.za / pa okanye ngamphambi **22 uSeptemba 2023**. Imibuzo yefowuni ngomxwaziwa kuMabhalane oyiNtloko, uNksz W Murtz ku **028 316 3724**.

Umasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nawuphi na umntu ongakwaziyo ukufunda okanye ukubhala angatyelela eli Sebe likaMasipala lifanelekileyo apho igosa likaMasipala liya kubancedisa ekwenzeni intetho. Umlawuli kaMasipala, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Inothisi kaMasipala Nomb. 134/2023

2 - Locality Plan Erven 1885 and 1886 - Franskraal

 Subject properties

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

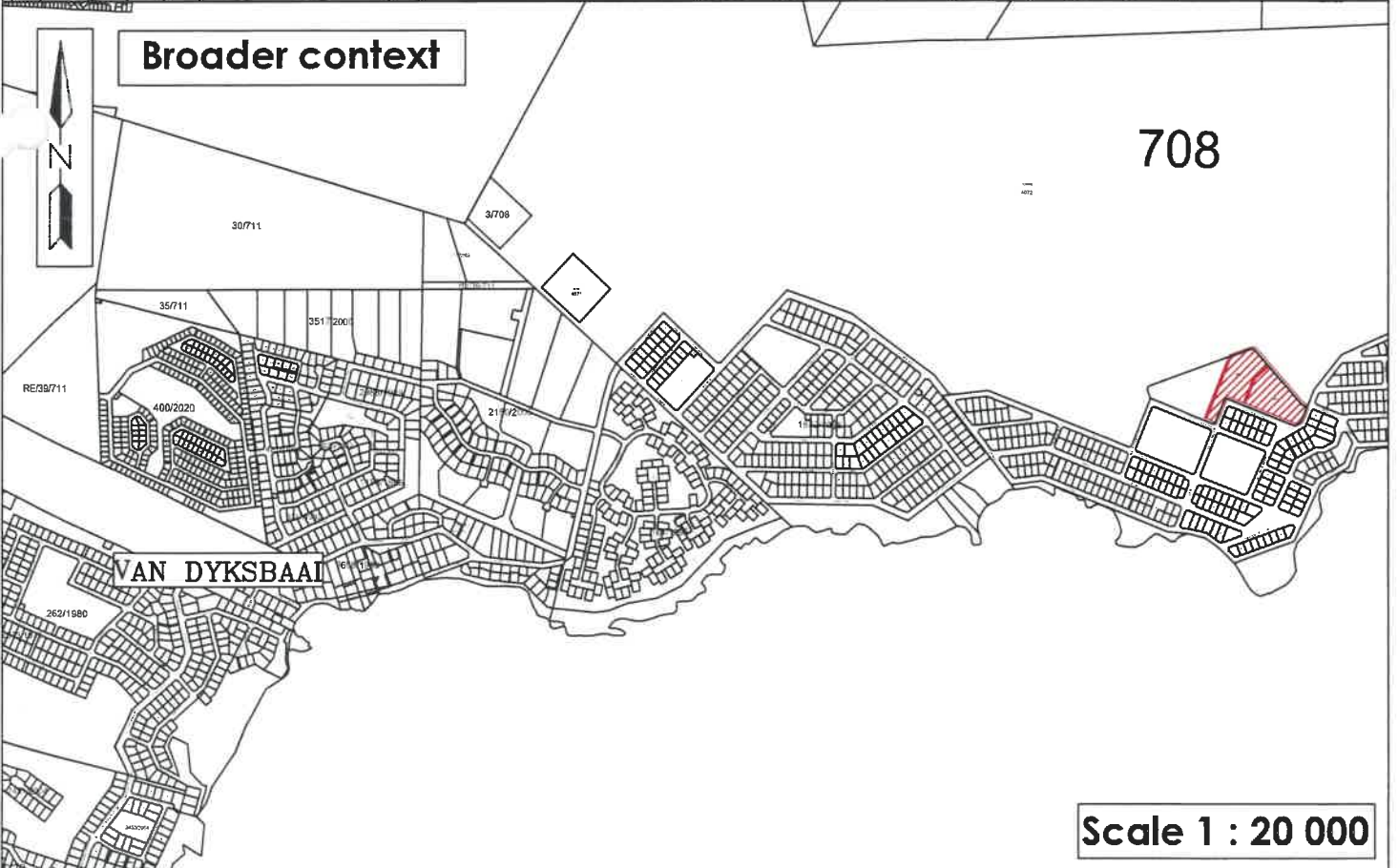


Project Office
Town Planning & Project Management

Inset



Broader context



**1. ABBREVIATIONS**

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
OM 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

Property Information	Erf 1885, Franskraal	Erf 1886, Franskraal
Restrictive title deed conditions	None	None
Extents	1,4985Ha	1,5447Ha
Current zoning	UNDETERMINED ZONE	
Owners	STARCROW 111 CC (Refer Annexure A for the Company Resolution and Power of Attorney).	OVERSTRAND MUNICIPALITY (Refer Annexure A for the Power of Attorney).

3. BACKGROUND AND INTENT

The vacant properties adjacent to Dyer Street offer a prime location for a residential development in Franskraal. The picturesque town is surrounded by the stunning natural beauty of fynbos-covered mountains and the sparkling Atlantic Ocean, offering a unique and desirable lifestyle.

Erf 1885 Franskraal, one of the vacant properties, was acquired by Starcrow 111 CC in 2020 with the intention of developing it into a residential project. When the Overstrand Municipality announced an open bidding tender for the adjacent property, Erf 1886 Franskraal, the property owners seized the opportunity and submitted their bid. Their tender was successful and can now be developed with Erf 1886 Franskraal as one development.

The combined land area will allow for a larger development with more amenities and facilities, creating a better quality of life for the future residents. The project will not only contribute to the economic growth of the Franskraal area, but also meet the increasing demand for housing in the Overstrand as the population grows over the coming years.

Residential housing market

The impact of the pandemic forced many people to work from home and this brought about change in the South African housing market and created a wave of South Africans "semigrating," to the Western Cape. Quoting Dr Andrew Golding of Pam Golding: "If you



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can live and work anywhere, it makes sense to live somewhere with a better quality of life in a more desirable location."

The benefit to the municipality of the big movement to coastal areas is that such areas will become more developed with better infrastructure and amenities.¹ Due to population growth, the Overstrand Municipality is under pressure to provide sufficient housing options for residents. To address this issue, they have placed properties, including Erf 1886 Franskraal, on tender to encourage the development of new housing opportunities.

Franskraal, which was previously an underdeveloped area, has experienced significant growth and interest. Families are drawn to Franskraal's peaceful, slow-paced, outdoor lifestyle as a means of escaping bustling cities.

Moreover, Franskraal's location close to top-quality hospitals and medical facilities in Hermanus, good schools, and excellent retail experiences further adds to its appeal. Access to airports is also relatively easy, ensuring that residents have convenient access to the rest of South Africa.

The criteria for housing of people moving to the Western Cape includes items such as:

- Affordable and safe estate living with good security and access control to replace the accommodation type they were used to;
- Preferably new and modern residential units;
- Free standing, with small garden, but larger communal open space;
- High speed internet such as fibre or satellite internet; and
- Communal recreational facilities.

It was found that people are also retiring and semi-retire younger which brought about "multi-generational living" where people of all ages and stages of their life such as younger families, semi-retired and retired people live in the same development.

¹ Ooba Home Loans. 2021. <https://www.ooba.co.za/resources/semigration/> Date of Access: 20 January 2022



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




4.1 PROJECT SUMMARY

Erven 1885 and 1886, Franskraal (hereafter referred to as the subject properties) have an extent of 1,4985Ha and 1,5447Ha (Refer Plan 1 – Regional Plan & Plan 2 – Locality Plan) and is currently zoned as Undetermined Zone. The subject properties have been identified as suitable densification development areas.

This proposed development will consist of the following:

- 57 Residential Properties;
- 4 Private Open Spaces; and
- 1 Private Road.

The proposal to consolidate these two properties to increase the overall developable space. This will increase the total extent of the developable property to 30 432m² / 3,0432ha. The percentage of each component of the subject development, after completion of the abovementioned subdivisions and consolidations is summarised below:

Table 1: Percentage of each component			
Legend Colour	Zoning	Size (m ²)	Percentage
	Open Space Zone 3: Private Open Space	5005	16,44%
	General Residential Zone 1: Town Housing	20790	68,32%
	Transport Zone 2: Road and Parking (A)	4637	15,24%
Total		30432	100,00%

The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Franskraal. The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality.

4.2 LAND ASSEMBLY APPROVAL REQUIRED

Approval of the following land assembly approvals are required for the implementation of this development:

- **Consolidation** of the Erf 1885, Franskraal and Erf 1886, Franskraal in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

These properties are proposed to be consolidated as it would enable the proposed development to occur as intended.

Table 2: Proposed consolidation	
Erf 1885, Franskraal	1,4985Ha
Erf 1886, Franskraal	1,5447Ha
Consolidated Property	30432m ² / 3,0432ha



4.3 LAND DEVELOPMENT APPROVAL REQUIRED

Once the proposed consolidation is completed, the extent of consolidated property will be 30 432m² / 3,0432ha after which the following applications need to be considered for approval:

- Rezoning of the Consolidated Property from Undetermined Zone to Subdivisional Area Zone (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
Subdivision of the Consolidated Property into fifty-seven (57) General Residential Zone 1: Town Housing (GR1) erven, four (4) Open Space Zone 2: Private Open Space (OS3) erven and one (1) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

(Refer Plan 6 – Subdivision Plan and Plan 7: Proposed Zoning Plan)

4.3.1 Density

The OMSDF contains calculations on the projected population growth for the Greater Gansbaai 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 Franskraal 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 3: 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 4: 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 two tables above indicate the total number of dwelling units the entire Overstrand Municipal area will require in conjunction with the number of additional developable land



required. The difference between table 3 and 4 is the density being proposed with less land required the higher the density.

No additional land was included into the urban edge within the Franskraal area when the 2020 OMSDF was reviewed, which means that densification was proposed to occur within the existing urban edge.

The proposed development will have a density of approximately 19,38 units per ha, maximising on the allowable density and aligning with the proposed density that requires less land for development as identified in Table 4.

4.3.2 Layout

The layout of the development (Refer **Plan 6 for the Subdivision Plan**) follows the grid layout of Franskraal and optimises on space available while ensuring the natural elements on the property is considered.

The layout was designed to ensure that ample functional green open spaces are created, and that each property can accommodate a free-standing dwelling unit, with a front and back garden. The open space provided, will accommodate a functional open space that may be used by the entire development's residents.

4.3.3 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 and numbering of erven within the development.

The proposed street names and numbers are indicated on the Street Name and Numbering Plan (refer **Plan 8**). The plan has already been circulated to the Overstrand Municipality GIS Department and their preliminary comments were incorporated into **Plan 8**.

The proposed street names are in keeping with the theme of the surrounding area's unique flora. 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.

4.3.4 Establishment of a Homeowner's association

To ensure the development and residential estate is properly managed, a homeowner's association is required to be established by the Municipality 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.



5. APPLICABILITY OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF 1970

Both properties are located within the Urban Edge and are exempted from the provisions of the Subdivision of Agricultural Land Act 70 of 1970.

6. APPLICATION

Considering the above, application is made for the following:

- 6.1 Consolidation** of the Erf 1885 and Erf 1886, Franskraal in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 6.2 Rezoning** of the Consolidated Property from Undetermined Zone 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.
- 6.3 Subdivision** of the Consolidated Property into fifty-seven (57) General Residential Zone 1: Town Housing (GR1) erven, four (4) Open Space Zone 2: Private Open Space (OS3) erven and one (1) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 6.4** Allocation of street names in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 6.5** Establishment of an owner's association in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

7. LAND USE ENVIRONMENT

A detailed analysis of the locality and zoning plan (refer to **Plan 2 – Locality Plan & Plan 4 – Zoning Plan**) reveals that the subject properties are located in a prime position. Their strategic location offers a range of advantages, including close proximity to the main distributor road that leads towards the popular tourist destination of Gansbaai. This means that the properties are easily accessible, making them an ideal location for residential development.

In addition, the properties are adjacent to Faure Street, which leads directly to the stunning beaches of Franskraal. This means that potential residents or tourists would have easy 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 these properties.

Overall, the location of the vacant properties is a major advantage for potential developers or investors. Their 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.



8. TITLE DEED

Annexure B contains copies of both title deeds that were carefully scrutinized, and upon examination, it was found that there are no restrictive title deed conditions that could potentially hinder the proposed development. This is a crucial finding for the future developers, as there are no legal impediments in place that could limit the proposed scope of the project.

9. ZONING

The following zoning parameters were assessed in conjunction with U, GR2, TR2 and OS3, OMLUS zonings as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:



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The current zoning of the subject properties is:

UNDETERMINED ZONE (U)	
Use of the property	
Primary uses	Primary uses are limited to only lawful uses existing at the operative date of this land use scheme.
Consent uses	None

The proposed zoning of the subject properties is:

GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1)		
	Use of the property	Proposal
Primary use	Town Housing, Private Road and Private Open Space	Town Housing
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
Density	<p>i. The maximum gross density in this zone is 35 units a hectare.</p> <p>ii. A minimum erf size of 3000 m² is applicable for densification.</p>	<p>i. The proposed consolidated properties have an extent of 3,0432 ha. The result if the maximum density is applied is 3,0432 x 35 units per hectare = 106 units that may be allowed in terms of the zoning.</p> <p>Only 57 dwelling units are proposed, which equates to a density of 18,73ha units per hectare.</p>
		Comply/ deviate Applied for and motivated Comply



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	<p>The maximum coverage for all buildings on the land unit is 65%.</p>	<p>ii. The consolidated erf has an extent of 30432m² that meets the minimum requirement of 3000 m².</p>	<p>Comply</p>
<p>Height</p>	<p>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.</p>	<p>Final residential designs have not been finalised and the proposals will not exceed the allowable development parameters set out by the OMLUS. None of the proposed buildings will be higher than 8m.</p>	<p>Comply</p>
<p>Building lines on the perimeter of a town housing development</p>	<p>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.</p>	<p>i. A 3m building line on the perimeter will be enforced.</p>	<p>Comply</p>
<p>Building lines within the town housing site</p>	<p>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.</p>	<p>i. Comply ii. Comply iii. Comply iv. Not applicable</p>	<p>Comply</p>
<p>Parking</p>	<p>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</p>	<p>Parking will be provided on each individual property.</p>	<p>Comply</p>



MOTIVATION

	two. window shall be permitted in the wall concerned.		
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 proposed are minimum 8.0m.	Comply
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. The provisions of Chapter 16.10 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. 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.	Refer to Plan 6.	Comply
Open space provision		A total of 16,44% of the property is provided as open space.	Comply



MOTIVATION

OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)		
Primary uses	Use of the property	Proposal
	Private Open Space	Private Open Space
Consent uses	Cemetery, Environmental 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
Development Parameters		
<p>a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. – Refer to Plan.</p> <p>b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. – This is noted</p> <p>c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when:</p> <ul style="list-style-type: none"> 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 <p>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 private open spaces.</p> <p>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.</p>		
TRANSPORT ZONE 2: ROAD AND PARKING (TR2 B)		
Primary use	Use of the property	Proposal
	Private Parking and Private Road	Private Parking and Private Road
Consent uses which may be applied for	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or	Not applicable
		Comply/ deviate Comply



MOTIVATION

	<p>any other uses determined by the Municipality, provided that:</p> <ul style="list-style-type: none"> 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		
<p>Deemed zoning</p>	<p>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.</p>	<p>Not applicable</p>
<p>Construction and deposit of materials</p>	<p>Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may:</p> <ul style="list-style-type: none"> 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. 	<p>Not applicable</p>



10. NOTIFICATION OF INTEND TO DEVELOP (NID)

Section 38 of the National Heritage Resources Act, contains the following provisions and the proposed development will necessitate a Notice of Intent to Develop to be submitted to Heritage Western Cape:

"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 by Lornay Environmental Consulting. Upon receipt, the Record of Decision will be submitted to the Overstrand Municipality.

11. SERVICES

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

Electricity and Water

The proposed development of the subject properties includes the connection of essential services such as electricity and water to the Overstrand Municipality's (OM) networks. However, the implementation of this development is not expected to impact the existing service levels in the area.

In addition, the developer will be required to make bulk services contributions for the upgrade of bulk infrastructure within the surrounding area, which will ensure that the development is adequately supported by the necessary infrastructure.

The tender document initially included a GLS report solely for Erf 1886 Franskraal. However, after consulting with the engineering department, it was determined that the report would be sufficient to provide suitable feedback on the entire development of both Erven 1885 and 1886 Franskraal. This decision was made based on the similarity of the two properties and the fact that the GLS report adequately covered all necessary aspects of the proposed development. Refer **Annexure D – GLS Report**

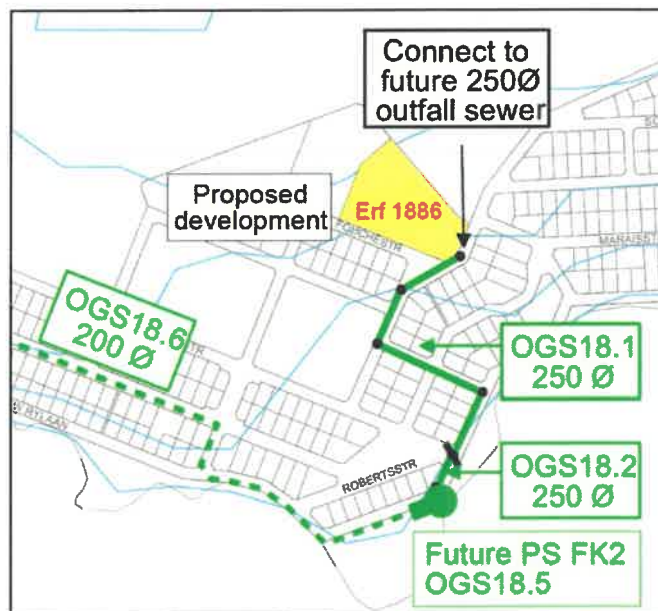


These measures demonstrate the careful consideration that has been given to ensuring that the proposed development is executed in a manner that is sustainable and supported by the necessary infrastructure. This ensures that the development will not only benefit the property owners but also the broader community in the surrounding area as the broader community will also benefit from the upgrade of bulk services that may be required.

Sewage

Referring to the GLS Report (**Annexure D**): "Franskraal is currently serviced via septic tanks. In the Sewer Master Plan for Overstrand Municipality a full waterborne sanitation system is proposed for Franskraal which discharge at the existing Gansbaai Wastewater Treatment Plant (WWTP). In the interim (before the proposed sewer infrastructure to service Franskraal with a full waterborne sanitation system is implemented), it is proposed that the development on Erf 1886 is serviced through a conservancy tank for the development.

The master planning for Franskraal indicated that the proposed development should ultimately be accommodated in the future Franskraal pumping station (PS) no. 2 drainage area. The proposed connection point to the future sewer system is to the future 250 mm diameter outfall sewer on the southern boundary of Erf 1886 in Meyer Street, as shown on Figure 2 attached."



Extract of Figure 2 from Annexure D.

"From the proposed Franskraal PS no. 2 it is proposed that sewage is pumped to the proposed "Future PS no. 1" drainage area, from where sewage should gravitate to the proposed Future PS no. 1. From the proposed Franskraal PS no. 1 it is proposed that sewage is pumped to the proposed "Kleinbaai Main PS" drainage area, from where sewage should gravitate to the proposed Kleinbaai Main PS.

The location for the Kleinbaai Main PS is proposed to the north of Kleinbaai where the combined sewage from Franskraal and Kleinbaai suburbs should be collected and pumped



via a new 355 mm diameter rising main directly to the Gansbaai WWTP. The development is inside the sewer priority area."

The proposed development will require a centralised conservancy tank as indicated by the GLS report and will be built to accommodate at least the sewage of the entire development. The tank will be constructed to the standards of the Overstrand Municipality Building Control Department.

Solid Waste

The proposed development will include an adequate refuse room, ensuring that the waste generated from the land unit can be stored for a week. This will comply with the Overstrand Municipality's by-laws, which require a refuse storage facility to be of sufficient size and designed in a manner that is architecturally compatible with the surrounding structures. The refuse room will also be located adjacent to a public street (Faure Street) or in a position that provides acceptable access to a refuse collection vehicle. The refuse room is proposed to be 15m x 4m and will include an embayment that can be utilised by the refuse vehicle. These measures ensure that the proposed development is executed in a manner that is safe, aesthetically pleasing, and in compliance with the necessary regulations.

Access and Egress

To ensure smooth traffic flow and minimize congestion in the street, access and egress to the subject property will be gained from a controlled access with a stacking distance of 12 meters. This design feature will prevent overflow traffic from accumulating onto the street, making it safer for both pedestrians and motorists.

The proposed development will be accessed from Faure Street, which is not expected to be significantly impacted on by the addition of 57 new properties. The existing road network is adequate to accommodate the anticipated traffic flow generated by the proposed development. Therefore, there is no need for any significant upgrades or modifications to the surrounding road infrastructure.

12. ENVIRONMENTAL CONSIDERATIONS

Lornay Environmental Consulting (Pty) Ltd has been appointed to ensure the proposed residential development to complies with the regulations promulgated in terms of the National Environmental Management Act (NEMA). The main objective is to conduct a Basic Assessment, which is currently underway, to identify any potential environmental impacts that may arise from the development. The assessment will involve a detailed analysis of the site, including the surrounding natural environment and any vulnerable or sensitive species that may be affected.

The report will be compiled and submitted to the Department of Environmental Affairs and Development Planning (DEADP) for their response. The report will include recommendations for mitigating any negative impacts and improving the environmental sustainability of the development.

After the environmental authorisation from DEADP is received, the outcome will be submitted to the Overstrand Municipality (OM) for consideration 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.

13. 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 properties are able to meet the development requirements which the property owners are proposing. In order to achieve this, the property owners are required to apply for the consolidation, rezoning, subdivision and phasing plan.

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 will however have a 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	<p>The proposal to establish a residential development in the area is highly compatible since it would seamlessly extend the existing land use and activities in the surrounding area.</p>
Impact on the external engineering services	<p>Refer Section 9.</p>
Impact on safety, health and wellbeing of the surrounding community	<p>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.</p>
Impact on heritage	<p>Neither of the subject properties are listed in the OM Heritage Register.</p>
Impact on the biophysical environment	<p>Although it is not anticipated that the proposed development will have any negative impact on the biophysical environment, a Basic Assessment is being conducted as a precautionary measure to ensure compliance with environmental regulations.</p>



Traffic impacts, parking, access and other transport related considerations	Refer to Section 9.
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Impact on views, sunlight and character of the area

The majority of the surrounding properties comprise single residential houses, and the proposed development is not likely to impact on the views and character of the area. The area is designated for densification and residential development, and an additional 57 residential houses would be in line with this vision. Therefore, if the proposal has an impact, it is not considered to be out of character with the surrounding area.

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.

Sunlight

The proposal will not be expected to have an impact on any property or person's sunlight.

Character

The proposed development aims to extend the existing residential area and create a secure and desirable living environment in Franskraal. Such development is not deemed out of character, as similar extensions have been undertaken in the surrounding area previously.

Economic impact

The proposed development will have both a short- and long-term economic impact on the surrounding area and the Overstrand Municipality.

In the short term, once the approval has been received, the construction phase will commence, creating construction jobs and providing income to several residents of the greater Gansbaai area and the municipal area in general.

Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Calculated at a ratio of only 3 people per dwelling unit, the **residential additionality** was calculated at **171** which means that the development will bring at least 171 new people to Franskraal. These people will spend money in Franskraal and surrounds on various items such as food, petrol, restaurant, repairs etc, contributing to the local economy.

Based on this investment the additional **basic charges** payable to the Municipality will be approximately **R 670 000 per annum**.

The **annual rates payable** to the Overstrand from the development, calculated at the entry level value of dwellings in the development, will be approximately **R 620 000 per annum**.

The **bulk services levy** that the development will need to pay to the Overstrand Municipality is approximately **R 4 450 000**.



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 Franskraal 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.

14. COMPLIANCE WITH POLICIES AND REGULATIONS

14.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject properties are located within the 'Urban Conservation' EMOZ, and is categorised as Category C. The purpose of this EMOZ is "to protect and manage undeveloped conservation-worthy public owned land within the Overstrand's urban edge, and adjacent buffer areas, while promoting the retention of viable priority ecological corridors in areas that are to be developed, to ensure an integrated 'conservation and development' approach that will enhance living conditions for the communities of the Overstrand."

While category C is considered a modified ecosystem that states the following:

"Modified ecosystems with a limited biodiversity function to be managed as recreational areas with medium to high impact."

The proposal to develop these properties are not predicted to have an impact on the EMOZ as it is already classified as a modified ecosystem in the area.

14.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within the HPOZ.

14.3 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

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.

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.



OMSDF

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.

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.

14.3.1 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	<p>The proposed development will be situated on the southern side of Dyer Street, which is in line with the densification strategy for the area. It was essential to incorporate the development into the existing Franskraal urban area and provide the future residents with access to all the necessary amenities available in the area.</p> <p>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 emphasizes the importance of wellbeing and creates a new place of attraction in the Franskraal area.</p>
Improve accessibility at all scales	<p>The subject property boasts sufficient accessibility to both the Franskraal and Gansbaai areas, as well as access to Hermanus through the main distributor routes in the area.</p> <p>The proposed development was designed to seamlessly integrate with the Franskraal area, forming part of the extended town and allowing for easy access to larger towns and cities such as Gansbaai, Hermanus, and Cape Town.</p>
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 strategically placed open spaces.
Ensure effective and equitable social services and facilities	With Hermanus being a regional service centre as indicated by the PSDF, the importance to ensure access to the area is important.



	There are adequate road networks between the proposed development and Hermanus which have been upgraded recently.
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14.3.2 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.

The proposed residential development was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF focussed on the increasing pressure to provide adequate housing options to the increasing population. This includes the Franskraal area. Refer to **Table 3 and 4** for an indication of the population growth within the whole Overstrand. The OMSDF defines the Franskraal as part of the Greater Gansbaai area ('Gansbaai, De Kelders, Van Dyksbaai, Franskraal and Birkenhead are regarded as one interconnected town'). The following was identified within the OMSDF, p225:

“iii New Urban Development

*No new development areas are proposed. In order to accommodate the housing need for Franskraal & Birkenhead, **densification should take place** in accordance with the OGMS.”*

The increase in population is based on the growth indicated by Table 2.7 p25 of the OMSDF. The proposed development will add 57 additional dwelling units to the Franskraal (Gansbaai) area, addressing a small but highly sought after 2% of the estimated demand identified by the OMSDF within the Greater Gansbaai Area (for 2021).

The application is aligned with the OMSDF as the proposal would assist the OM to be able respond to the future housing demand and ensure adequate residential options are available within the Franskraal area.

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

On the 27May 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 carries no weight, but the Overstrand Municipality's Town Planning Department still utilise the document as a 'guideline'.

The subject properties are located within Planning Unit 4 which runs between Dyer Street and the towns of Van Dyksbaai and Franskraal, see figure below:

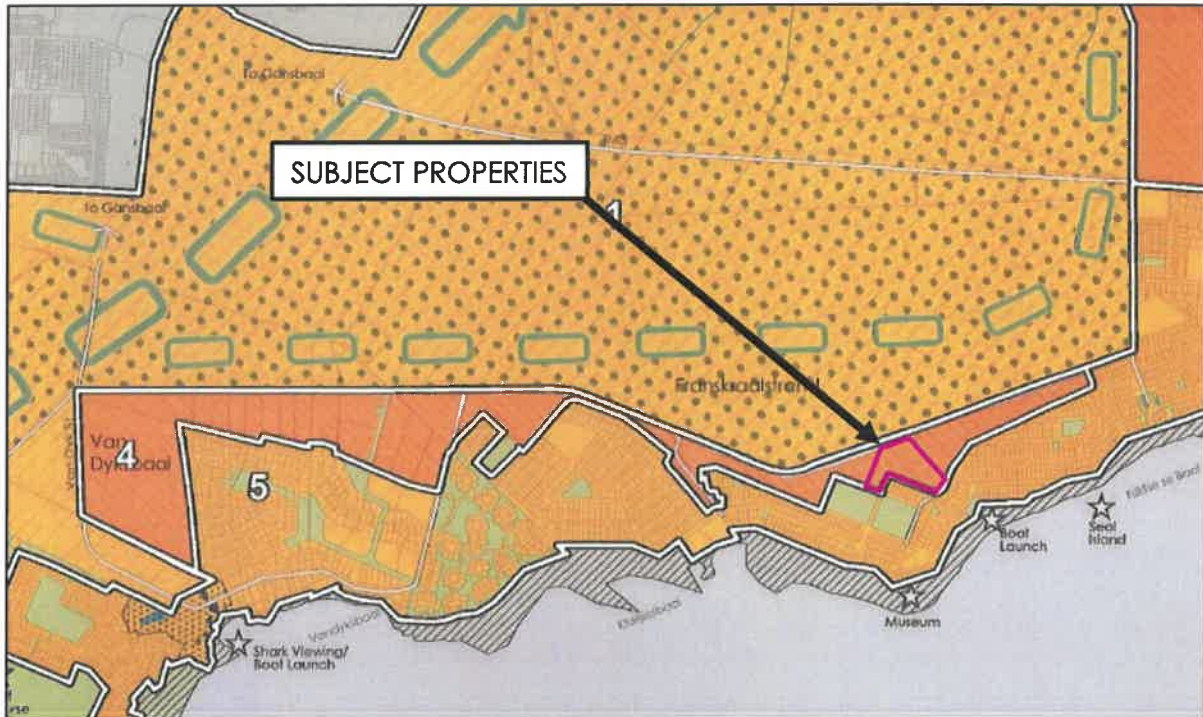


Figure 1: OGMS - Kleinbaai

The proposed development is in line with densification parameters of the zone in which properties are located. As mentioned in the OMSDF, the OGMS should be used as a guideline and the proposed density of 19,38ha dwelling units per hectare is well below the density proposed by the guideline.



15. 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 land use planning refers to creating a fair and equitable distribution of resources and amenities to all members of society, regardless of their social and economic status. In South Africa, the apartheid era created significant spatial imbalances, with certain areas designated for specific racial groups and deprived of necessary resources and infrastructure.

This proposed residential development aims to address this imbalance by providing housing options for all members of the Franskraal community, regardless of their socioeconomic status. The development is strategically located with good access to both Gansbaai and Hermanus, ensuring that residents have access to employment, education, and other essential services.

By providing access to nature through specifically placed open spaces, the development also prioritizes the well-being and quality of life of its residents. It is hoped that this development will contribute towards a more just and equitable society by addressing historical spatial imbalances and ensuring that all members of the community have access to essential resources and amenities.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is intended to increase the economic power of the Franskraal area, increasing the tax base collectable by the OM, (refer to Section 14 of this report). The proposal is to establish a residential development in an area where there is access to the Franskraal and Gansbaai and located close to distributor routes that lead to Hermanus and other towns in the Overberg.

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 16.1 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.



16. EVALUATION

The Overstrand Municipality Spatial Development Framework (OMSDF) recognizes the need for residential developments throughout the region due to the projected increase in population over the coming years. To this end, the property owners approached the WRAP Project Office to facilitate the successful tender bid for Erf 1886 Franskraal and coordinate the land use application for the development of both Erven 1885 and 1886 Franskraal. The proposed development aligns with the spatial frameworks, legislation, and policies of the OM.

It is important to note that the proposed development is not viewed as an undesirable development that is out of context with the surrounding area. The development has been designed to have minimal impact on the area's views, sunlight, and character. Once developed, the proposed development will become an integral part of the Franskraal area and contribute to the revitalization of the town.

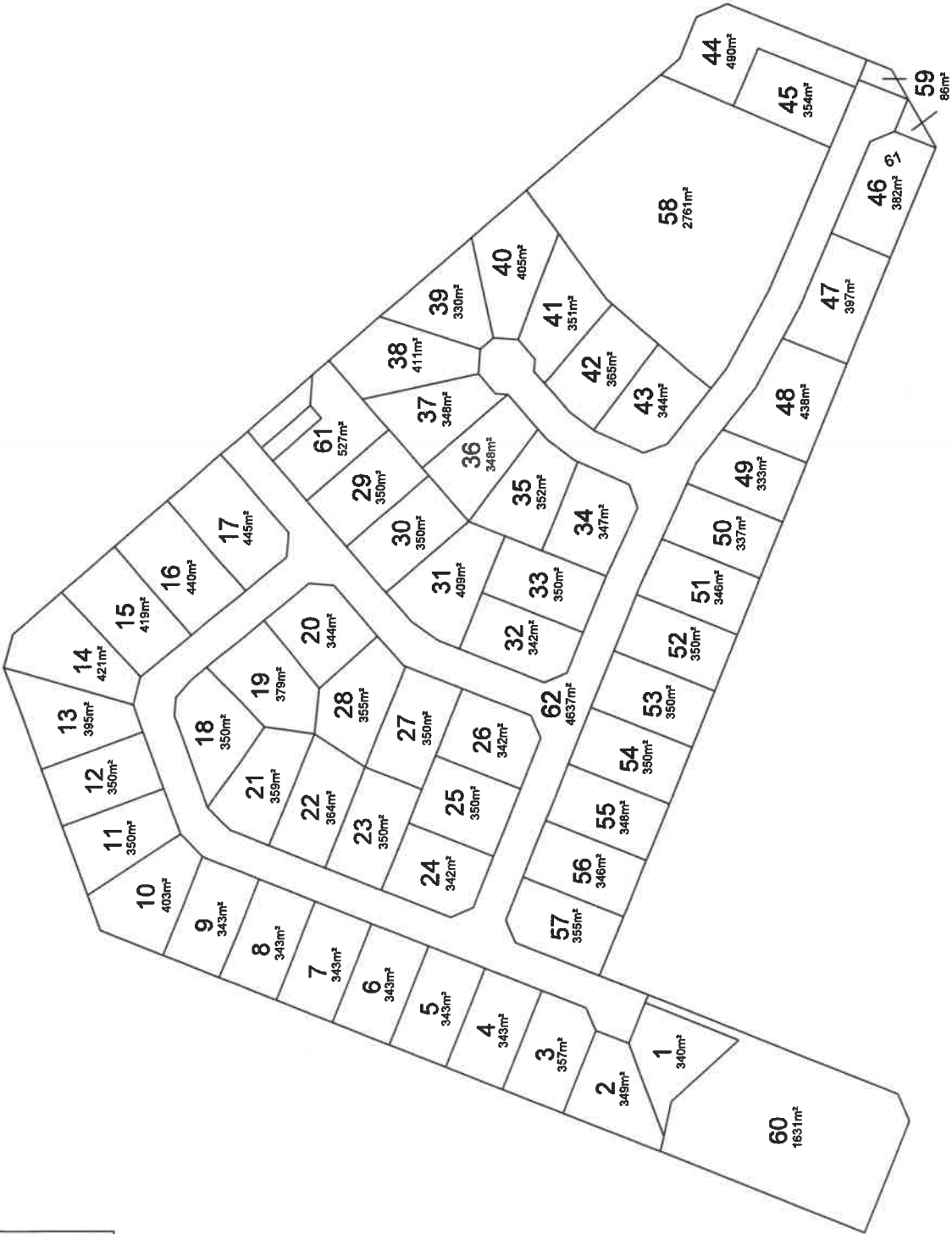
The development aims to accommodate 57 new families and bring new life into the Overberg area, which will have a positive impact on not only Franskraal but the whole region. The development will also provide an economic boost for the OM through increased tax revenue. Overall, the proposed development is aligned with the principles of spatial sustainability and will contribute to the long-term viability of the Franskraal area and the Overberg region as a whole.

17. RECOMMENDATION

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

- 17.1 Consolidation** of the Erf 1885, Franskraal and Erf 1886, Franskraal in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 17.2 Rezoning** of the Consolidated Property from Undetermined Zone 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.
- 17.3 Subdivision** of the Consolidated Property into fifty-seven (57) General Residential Zone 1: Town Housing (GR1) erven, four (4) Open Space Zone 2: Private Open Space (OS3) erven and one (1) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 17.4 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 17.5 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. Amended Subdivision Plan
(Consolidated Property)



Scale 1 : 1000

Plan prepared: 2023/06/26
 Plan number: 20/69/002
 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 Dikkie Uys
 Street, Hermanus, 7200



5 - Consolidation Plan
Erfen 1885 & 1886,
Franskraal



Consolidated Erf
Area - 3,0432Ha

Consolidation of
Erf 1885
&
Erf 1886

Plan prepared: 2023/04/13

Plan number: 20/69(001)

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



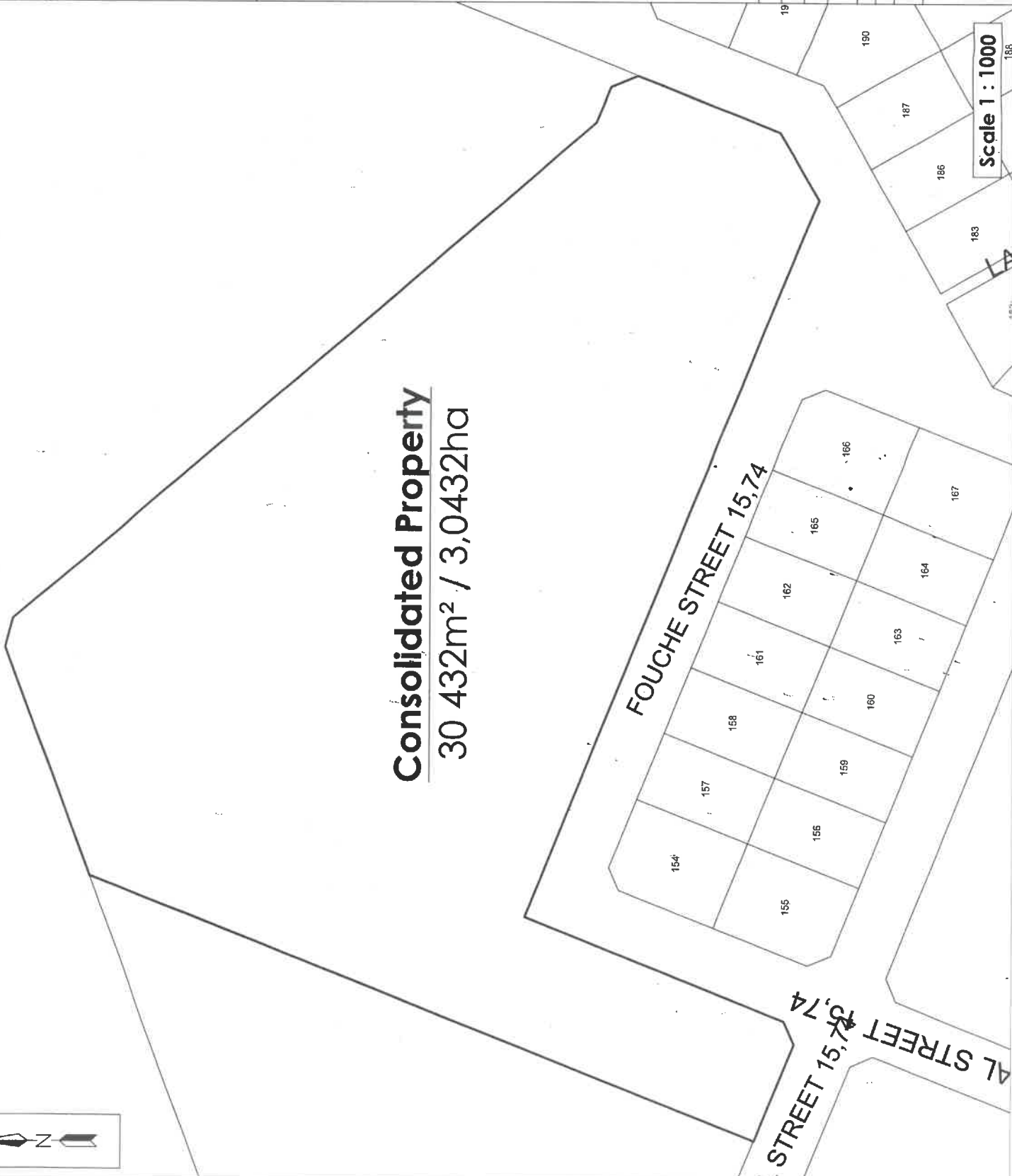
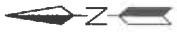
Project Office
Town Planning & Project Management

Consolidated Property
30 432m² / 3,0432ha

FOUCHE STREET 15,74

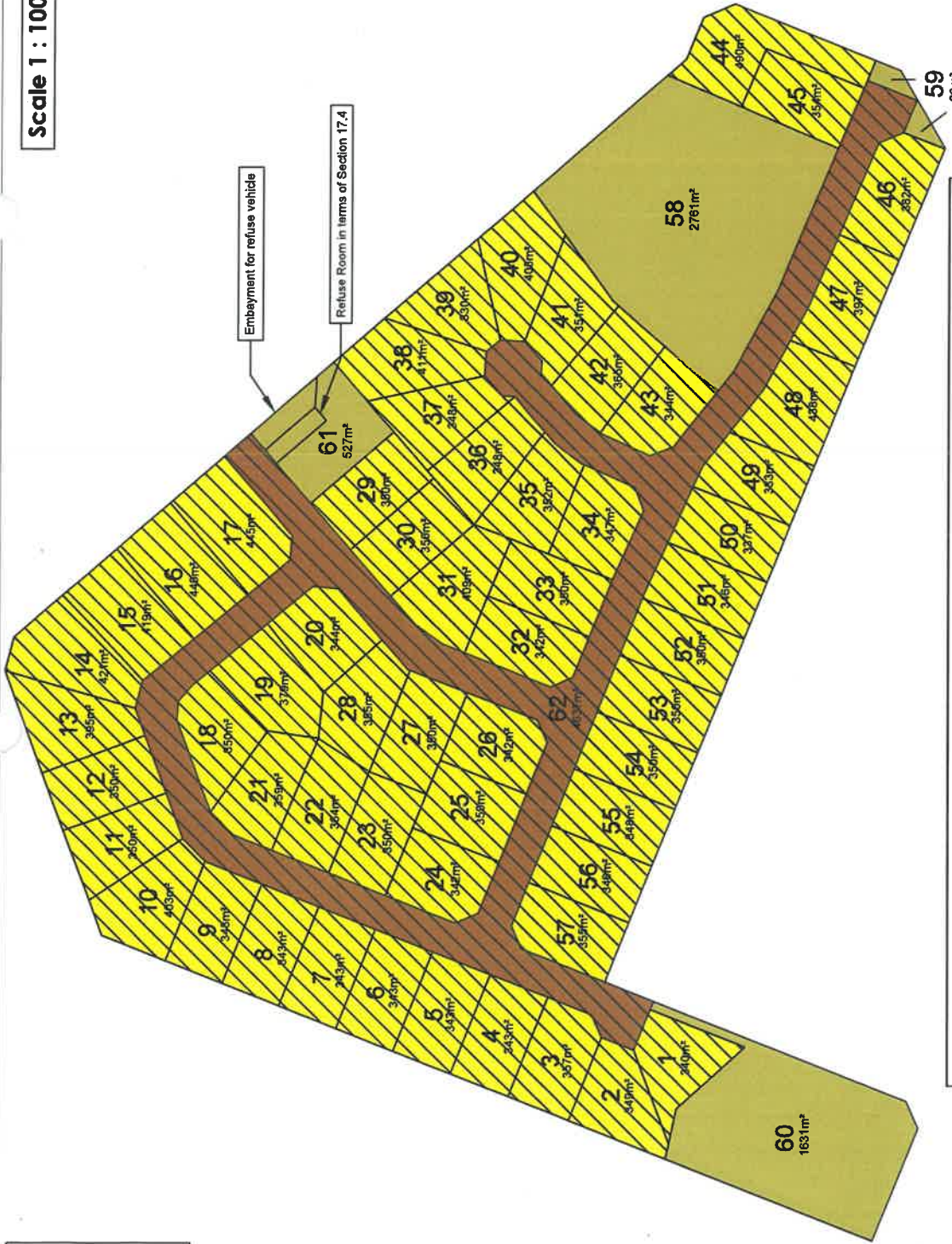
AL STREET 15,74

Scale 1 : 1000



7. Amended Proposed Zoning Plan (Consolidated Property)

Scale 1 : 1000



PROPOSED ZONING	
<p>General Residential Zone 1: Town Housing</p> <p>General Residential Zone 1: Town Housing</p> <p>Total area of residential properties = 20 790 m²</p> <p>Total land area = 30 432 m²</p> <p>Total coverage of Residential Properties = 20790 x 100 / 30 432 = 68.32%</p>	<p>Transport Zone 2: Road and Parking (Private)</p> <p>Transport Zone 2: Road and Parking (Private)</p> <p>Total area of road network = 4637 m²</p> <p>Total land area = 30 432 m²</p> <p>Total coverage of Road Network = 4637 x 100 / 30 432 = 15.24%</p>
<p>Open Space Zone 3: Private Open Space</p> <p>Open Space Zone 3: Private Open Space</p> <p>Area 1 (Erf 58) = 2761 m²</p> <p>Area 2 (Erf 59) = 86 m²</p> <p>Area 2 (Erf 60) = 163 m²</p> <p>Area 2 (Erf 61) = 527 m²</p> <p>Total area of open spaces = 5005 m²</p> <p>Total land area = 30 432 m²</p> <p>Total coverage of Open Spaces = 5005 x 100 / 30 432 = 16.44%</p>	<p>Open Space Zone 3: Private Open Space</p> <p>Open Space Zone 3: Private Open Space</p> <p>Area 1 (Erf 58) = 2761 m²</p> <p>Area 2 (Erf 59) = 86 m²</p> <p>Area 2 (Erf 60) = 163 m²</p> <p>Area 2 (Erf 61) = 527 m²</p> <p>Total area of open spaces = 5005 m²</p> <p>Total land area = 30 432 m²</p> <p>Total coverage of Open Spaces = 5005 x 100 / 30 432 = 16.44%</p>

Plan prepared by: Thian Jansen
 All distances are approximate and subject to a survey

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8 - Street Name and Numbering Plan

Street Names

Laxum Close - 8m
 Aloe Street - 8m
 Rooikappie Close - 8m
 Vleirosie Close - 8m

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