



**OVERSTRAND MUNISIPALITEIT**  
**GEDEELTE 25 (GEDEELTE VAN GEDEELTE 2) VAN DIE PLAAS RIVERSIDE NR. 644, AFDELING CALEDON,**  
**OVERSTRAND MUNISIPALE AREA: AANSOEK OM HERSONERING EN VERGUNNINGSGEBRUIK**

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 word hiermee kennis gegee van die onderstaande aansoeke van toepassing op ongeregistreerde gedeeltes van Gedeelte 25 (Gedeelte van Gedeelte 2) van die Plaas 644, Stanford naamlik:

**Hersonering**

Aansoek ingevolge Artikel 16(2)(a) van die Verordening om ongeregistreerde Erwe 2934-2999, 3001-3005, 3010-3028, 3031-3065 & 3067-3091, van Gedeelte 25 (Gedeelte van Gedeelte 2) van die Plaas Nr. 644, Afdeling Caledon te hersoneer vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Minder Formele Ontwikkelingsone om noodbehuising te akkommodeer.

**Vergunningsgebruik**

Aansoek ingevolge Artikel 16(2)(o) van die Verordening vir 'n vergunningsgebruik op ongeregistreerde eiendom Erf 3066 van Gedeelte 25 (Gedeelte van Gedeelte 2) van die Plaas 644, Afdeling Caledon om noodbehuising te akkommodeer

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

Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening aan die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **5 November 2021**, stipuleer u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 144/2021

**OVERSTRAND MUNICIPALITY**  
**PORTION 25 (PORTION OF PORTION 2) OF THE FARM RIVERSIDE NO. 644, DIVISION CALEDON : APPLICATION**  
**FOR REZONING AND CONSENT USE**

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of the application mentioned below applicable to unregistered portions of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Stanford namely:

**Rezoning**

Application in terms of Section 16(2)(a) of the By-Law to rezone unregistered Erven 2934-2999, 3001-3005, 3010-3028, 3031-3065 & 3067-3091, portions of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, from Residential Zone 1: Single Residential (SR1) to Less Formal Development Zone to accommodate emergency housing units.

**Consent Use**

Application in terms of Section 16(2)(o) of the By-Law for a consent use on unregistered Erf 3066, a portion of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, in order to accommodate emergency housing units.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus.

Any written comments must 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](mailto:alida@overstrand.gov.za)) on or before **5 November 2021**, quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. R Roux** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

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

Municipal Notice No. 144/2021



## U-MASIPALA WASOVERSTRAND

### ISAPHLUKO SESI-25 (ISAPHLUKO SESAPHLUKO SE-2) SEFARM RIVERSIDE NOMBOLO. 644, ISAPHLUKO SE-CALEDON: ISICELO SOKUTSHINTSHA NOKUSETYENZISWA KWEMVUME

Esi saziso sikhutshwa ngokwemiqathango yeSoloty 47 no 48 loMthethwana kaMasipala waseOverstrand woYilo lokuSetyenziswa koMhlaba (uMthethwana) wowama-2020 sesicelo esikhankanywe ngezantsi sisebenza kwiinxalenye ezingabhaliswanga zeSahlulo sama-25 (iSahlulo seSahlulo se-2) seFama yoMfula iNombolo 644, eStanford eyile:

#### Ukuhlaziya kwakhona

Isicelo ngokweCandelo le-16 (2) (a) loMthetho kaMasipala wokucandwa ngokutsha kweZiza ezingabhaliswanga 2934-2999, 3001-3005, 3010-3028, 3031-3067 & 3069-3091, iinxalenye zeSahlulo sama-25 (iSahlulo seSahlulo se-2) seFama i-Riverside enguNombolo 644, iCandelo laseCaledon, ukusuka kwiNdawo yokuHlala 1: Indawo yokuhlala eyodwa (SR1) ukuya kummandla woPhuhliso oSesikweni omncinci ukulungiselela indawo yokuhlala izindlu ezingxamisekileyo.

#### Ukusetyenziswa kwemvume

Isicelo ngokweCandelo le-16 (2) (o) loMthetho kaMasipala sokusetyenziswa kwemvume kwiSiza esingabhaliswanga esingu-3068, isahlulo seSahlulo sama-25 (iSahlulo seSahlulo se-2) seFarm Riverside iNombolo 644, kwiCandelo laseCaledon, ukulungiselela izindlu zezindlu zongxamiseko.

Iinkcukacha mayela nesindululo siyafumaneka ukuze sihlolwe phakathi evekini ngamaxesha omsebenzi ukusuka kwintsimbi ye08:00 ukuya kweye16:30 kwiSebe: Izicwangciso Zedolophu kwanombolo 16 Paterson Street, eHermanus nakwithala lencwadib eStanford, Stanford.

Naziphi na izimvo ezibhaliweyo zingangeniswa ngokwezibonelelo zamaSoloty ama-51 nama-52 kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za ngoLwesihlanu okanye ngaphambi koLwesihlanu, **5 uNovemba 2021**, ukhankanye igama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Imibuzo ngefowuni ingabhekiswa kuMphathi kuCwangciso lweDolophu, **uMnu. Mr. P Roux** ku-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda okanye ukubhala angaya kwiCandelo leDolophu apho igosa likamasipala liza kumnceda avakalise izimvo zakhe ngokusemethethweni Umlawuli kaMasipala, Masipala waseOverstrand, P.O. Box 20, HERMANUS, 7200

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

Inothi kaMasipala Nomb. 144/2021



Locality Plan Stanford



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## 1. Background

Approval was provided in 2018 to develop Portion 25 of the Farm 644 as an extension of the Stanford settlement which will allow for 770 Single Residential Zone 1 properties. It is envisaged that not all 770 sites will be occupied by the waiting list beneficiaries, and developed with top structures and it is therefore proposed to utilize the remaining sites for emergency housing (shelters).

In January 2018 council approved a process plan to address the need for emergency housing in the event of unforeseen circumstances, for example, evictions, and natural disasters. Towns where emergency housing was to be provided was identified namely, Kleinmond, Hermanus Gansbaai and Stanford. In order to effect to the Municipality's plan for Stanford, and to allow the construction of temporary housing solutions as and when it is required, the following is proposed:

- to rezone 149 unregistered Erven on Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, from Residential Zone 1: Single Residential (SR1) to Less Formal Development Zone to accommodate emergency housing units (shelters), and
- a consent use on unregistered Erf 3066, a portion of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, in order to accommodate emergency housing units (shelters).

Emergency housing (shelters) will only be a temporary housing relief in a first phase towards a permanent housing solution. The following cases are provided for through the program, namely: - Persons living in dangerous conditions, - The total destitute, and - Assist households facing the threat of imminent evictions. Further in the circumstances where an eviction is sought and may be granted, the municipality's constitutional obligation to provide emergency accommodation is triggered. A municipality is obligated to provide housing opportunities or if these are not immediately available, emergency housing (shelters), which is a plot, with shared services, and an informal structure of a minimum of 24m<sup>2</sup>.

Emergency shelter (shelters) is not formal housing and is temporary and the beneficiaries, when they qualify for other housing opportunities or can accommodate themselves, will move from the emergency accommodation. The criteria for emergency shelter (shelters) are simply that the households will be genuinely homeless, if evicted or if they find themselves in a crisis situation. The normal National qualifying criteria do not apply.

## 2. Application

The decision taken by the Municipality in 2018 to develop Portion 25 of the Farm 644 as an extension of the Stanford settlement stated the following;

1. that the objections be noted;
2. that in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 (By-Law) the application to develop a housing development on Portion 25 (Portion of Portion 2) of the farm Riverside No. 644, Division Caledon, which includes the following:
  - ❖ rezoning in terms of Section 16(2)(a) of Portion 25 (Portion of Portion 2) of the farm Riverside No. 644 from Agriculture Zone 1 to Subdivisional Area;
  - ❖ subdivision in terms of Section 16(2)(d) in order to create 770 Residential Zone 1, 6 Community Zone 1, 7 Business Zone 3, 12 Open Space Zone 2, 1 Authority Zone and Transport Zone 2 (roads) erven;
  - ❖ departure in terms of Section 16(2)(b) in order to relax the lateral building lines applicable to the proposed residential erven from 1m to 0m (only one (1) lateral building line of the respective erven will be relaxed);
  - ❖ approval of new street names in terms of Section 96 of the Overstrand By-Law on Municipal Land Use Planning, 2015,

**be approved** in terms of the provisions of Section 61 of the said By-Law;

3. that in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 (By-Law) the application on Erven 1909-1914, 2275 and 1198, Stanford, which includes the following:
  - ❖ subdivision in terms of Section 16(2)(d) of the Remainder of Erf 1198, Stanford to create Portion A approximately 287m<sup>2</sup> in extent;
  - ❖ closure in terms of Section 16(2)(n) of Portion A (public road) of the Remainder of Erf 1198;
  - ❖ rezoning in terms of Section 16(2)(a) of Portion A and Erven 1909-1914 and 2275, Stanford from Transport Zone 2 and Residential Zone 1 respectively, to Transport Zone 2;
  - ❖ consolidation in terms of Section 16(2)(e) of Portion A and Erven 1909-1914 and 2275, Stanford to create application Area B;
  - ❖ subdivision in terms of Section 16(2)(d) to create Portion C (proposed road ±571m<sup>2</sup>) and the Remainder (existing taxi rank);
  - ❖ rezoning in terms of Section 16(2)(a) from Portion C to public road; and
  - ❖ consent use in terms of Section 16(2)(o) to accommodate shops and informal trading on the taxi rank site (Remainder),

**be approved** in terms of the provisions of Section 61 of the said By-Law.

4. that the decision in paragraphs 1 and 2 above be subject to the following conditions:
  - (a) that should top structures (units) be developed in this project a Layout Plan be submitted showing the building lines, placement of the units and unit types (single or double storey) prior to the building plan submission phase;
  - (b) that all conditions imposed by Eskom, Fire Services, District Health, Department of Environmental Affairs and Development Planning, (Environmental Authorisation), Breede-Gouritz Catchment Management Agency and Telkom (attached as Annexures F - K), be complied with;
  - (c) that all conditions in the Municipal Services Report (attached as Annexure O), be complied with;
  - (d) that the provision of street names be noted and that the list of names be work shopped with the Social Compact;
  - (e) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (f) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with.
5. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above decision.

It is proposed to rezone 149 erven (indicated in the yellow color on Map 2) from Single Residential Zone 1 to Less Formal Development Zone. This will allow the development of 621 Single Residential Zone 1 erven and 149 Less Formal Development Zone erven. In addition to the aforementioned application is made for a consent use on unregistered Erf 3068 (indicated in the orange color on Map 2). The layout of the erven and the development as depicted on the approved Site Development Plan as approved in 2018 will remain unchanged.

Application is therefore submitted for the following;

- Application in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-law on Land Use Planning, 2020 to rezone 149 unregistered Erven (2934-2999, 3001-3005, 3010-3028, 3031-3065 & 3067-3091), portions of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, from Residential Zone 1: Single Residential (SR1) to Less Formal Development Zone to accommodate emergency housing units (shelters), and
- Application in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-law on Land Use Planning, 2020 for a consent use on unregistered Erf 3066, a portion of Portion 25 (Portion of Portion 2) of The Farm Riverside No. 644, Division Caledon, in order to accommodate emergency housing units (shelters).

In terms of the Land Use Scheme, 2020 a shelter is defined as the following; *means an informal structure or wendy house intended for human accommodation, irrespective of whether the material used does not comply with the standards of durability as intended by the National Building Regulations;*

Shelters are primary rights in terms of the Less Formal Development Zone.

### **3. Character of the environment**

The locality of the application site is on the southern portion of Portion 25 (portion of Portion 2) of Farm 644. Portion 25 (portion of Portion 2) of Farm 644 is directly west and adjacent to the existing Stanford settlement. The R43 is located to the east and southern sides of the application area. Agricultural land is located to the west of the application area. Access routes to the development has already been constructed. The development as approved consists of a mixed-use development with residential, commercial, community and public open space erven.

The area which was approved for the residential development on Portion 25 (portion of Portion 2) of Farm 644 Riverside is ±28.73ha in extent, the current application area will consist of ±5.53ha in extent. Portion 25 (portion of Portion 2) of Farm 644 Riverside is held under Title deed 41074/2013 as the erven have not yet been registered and is still owned by the Overstrand Municipality. The afore-mentioned title deed does not include any restrictive conditions that would prohibit the proposed application.

The application area has a gentle slope and poses limited challenge towards the construction of top structures, services, or the management of stormwater.

#### **4. Desirability of the proposed utilization**

As depicted in the blue outline on the Site Development Plan below, the proposal is for the rezoning of 149 erven from Single Residential Zone 1 : Single Residential to Less Formal Development Zone in order to allow for the construction of emergency housing (shelters). The rezoning will encompass the following unregistered Erven 2934-2999, 3001-3005, 3010-3028, 3031-3065 & 3067-3091. Erf sizes range between 150-253m<sup>2</sup> as per the SG Diagrams. Due to the size of the erven more than one shelter will be situated on each erf.

It should be noted that the public open space and community zoned property will not be rezoned and remain intact.

Services and roads have been installed on Portion 25 (portion of Portion 2) of Farm 644 Riverside.

Additional to the rezoning of unregistered erven, application for consent use is also made on unregistered erf 3066 which is zoned Authority Zone, the property is ±6288m<sup>2</sup> in extent. In terms of the Land Use Scheme, 2020, an application can be made for “any other uses determined by the Municipality” under Authority Zone. This is done in order to allow for the construction of emergency housing (shelters) on the property.

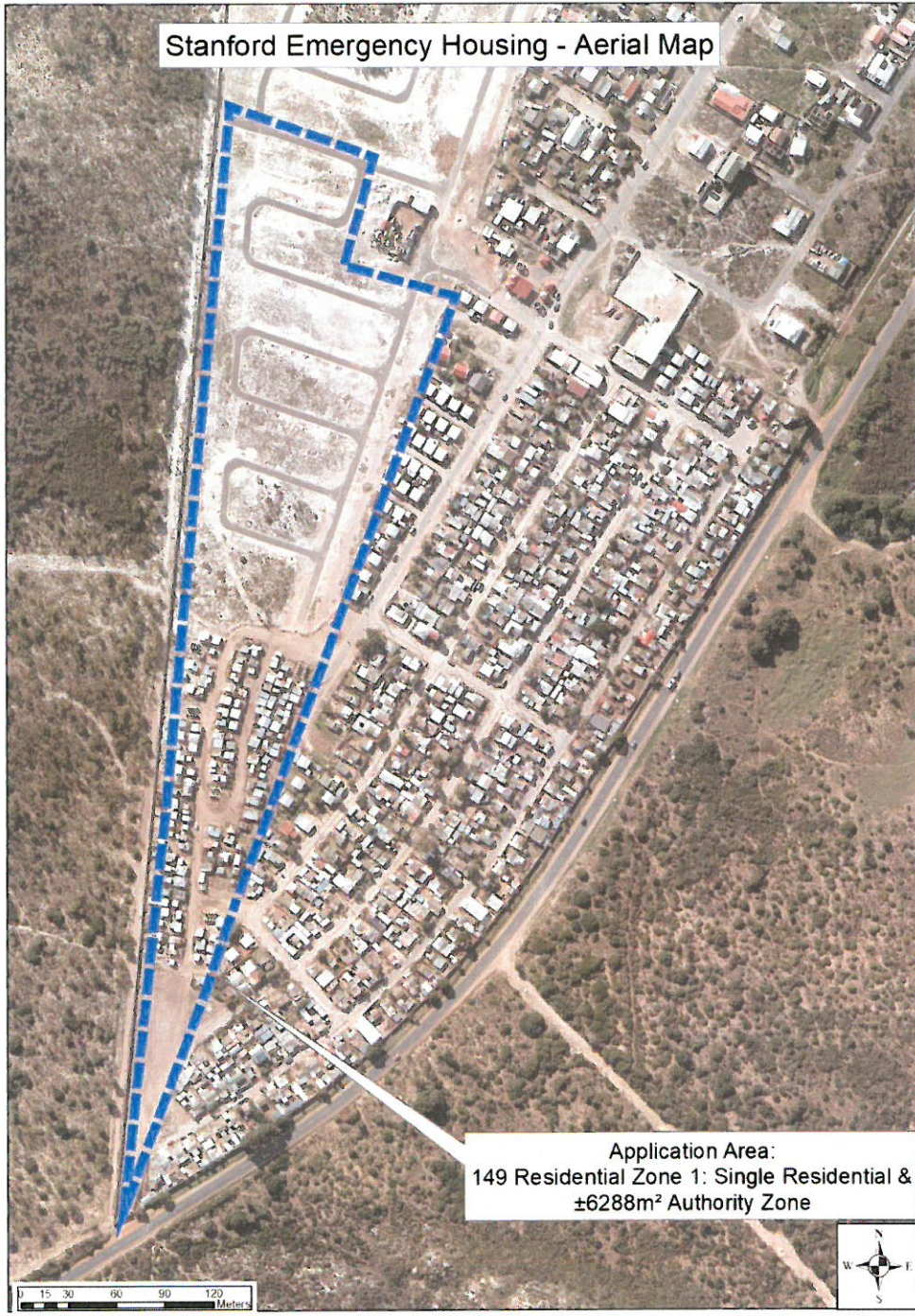
As per the waiting list it is required that only 621 of the 770 approved residential erven will be used to develop top structures, this leaves the Municipality with 149 sites available for emergency housing. The sites, where on emergency housing (shelters) will be placed, will remain in the ownership of the Municipality as the shelters are only a temporary solution.

The proposed application will in essence not change the underlying use as both zonings are predominantly for residential use. But will allow the Municipality to assist the greater community when it comes to emergency housing (shelters) and to aid the community when it comes to Spatial Resilience (impacts of economic and environmental shocks) as directed in terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 (ACT 16 of 2013).

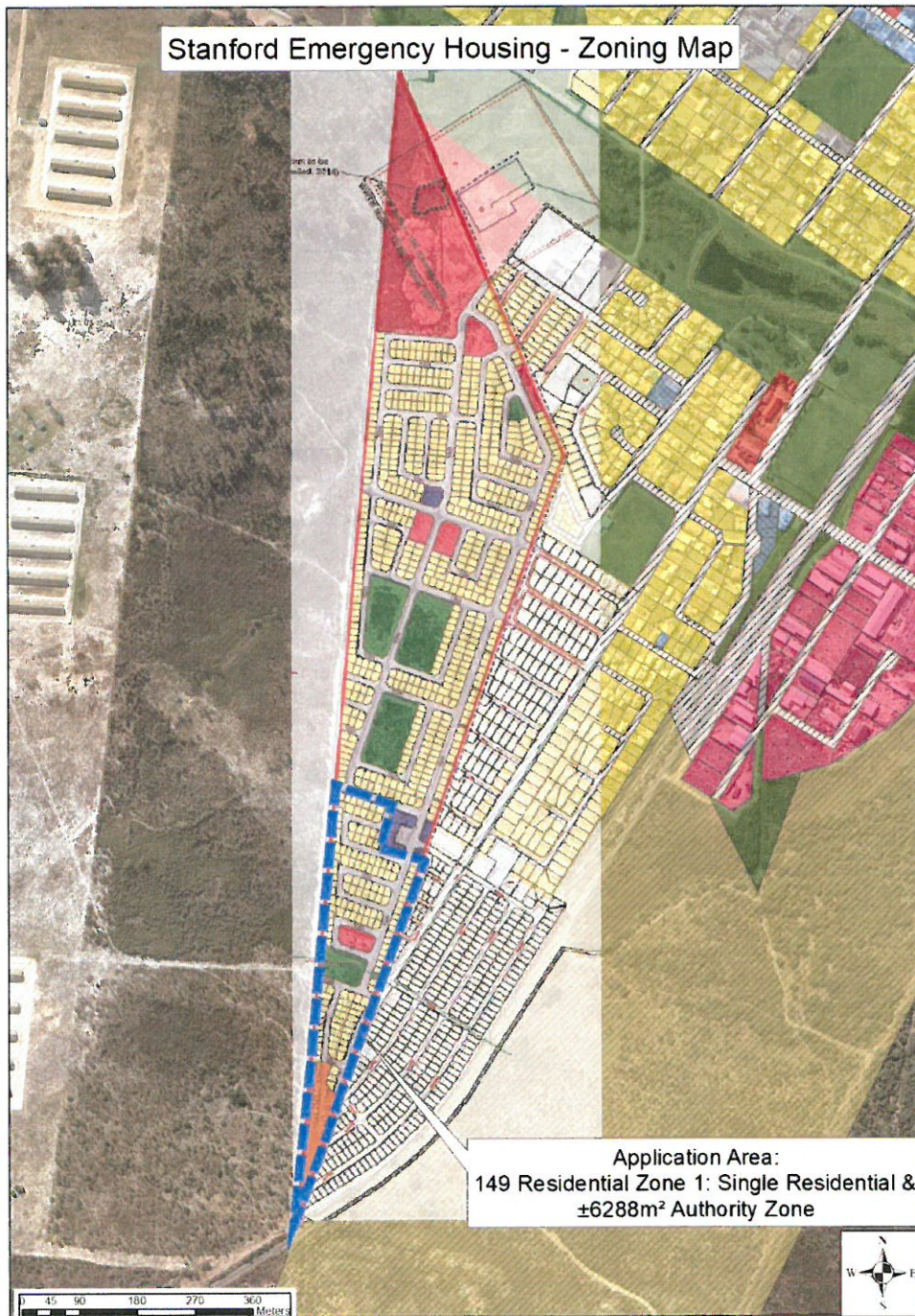
The proposed zoning is further in keeping with the adjacent settlement of Stanford as the southern tip of Stanford is also zoned for Less Formal Development Zone and therefore there isn't any disparity between the existing development and the proposed uses.

Persons who will be temporarily housed at the proposed location will have access to existing community and economic facilities as developed on the new extension and the facilities in Stanford.

Map 1: Application Area



Map 2: Zoning Map



## **5. Access and services**

The Site Development Plan was already considered and approved by the Municipality, and it is proposed that the layout of the newly approved road network will be retained. The proposed application will not create additional traffic on the approved road network as both zonings are primarily for residential use no additional business activities are proposed.

Services for the area has already been approved and installed on the unregistered erven. Further the level of service required by the emergency housing sites is less than what was previously planned for, as some emergency shelters may only require communal toilets and portable water taps as directed by national norms.

## **6. Other legislation requirement**

### Environmental aspects

The proposed application will be forwarded to the Overstrand Municipality's Environmental Services for comment. However, it should be noted that the Environmental approval was obtained from DEADP (Department of Environmental Affairs and Development Planning) and a botanical impact assessment was done prior to the approval dated in 2018. Considering the proposed is merely a zoning change (and the primary use will remain residential) and the site plan will remain unchanged, the opinion is held that there will be no additional impact on the environment nor will there be additional studies required. Please refer to the Environmental Authorization which was submitted with the initial application and site layout which was approved in January 2018.

### Heritage aspects

The original site development plan as approved in 2018, went through an extensive public participation process which addressed the concerns of the community, the Stanford Heritage Committee, and affected and interested parties. It is foreseen that the change of the zoning will not create any issues or concerns regarding heritage as the layout and primary use of the properties will remain unchanged. It is further noted that the application site will be of the same zoning as currently developed in the adjacent urban extension of Stanford.

## **7. Forward Planning Documentation**

The application complies in terms of the Overstrand Municipal Wide Spatial Development Framework, 2020 in the following aspects:

- o the application areas are situated within the urban edge;

- o application will not alter the primary use of the property or the layout of the approved settlement; and
- o the proposed change of use is logically located within new extension to the residential area.

The proposed application remains consistent with existing planning policies applicable to the study area. The development of the application area will ensure access to emergency housing which is well-located and ensures that the integration community and socio-economic facilities are maintained.

## **8. Planning Principles**

The desirability of the application is further based on spatial planning, land development and land use management principles as described in Section 7 of the Spatial Planning Land Use Management Act, 2013, as follows:

### The principle of spatial justice

The approval of the proposed application will provide a solution to community members who are in desperate need for a housing solution due to situations outside of their control. The properties are located within an approved residential development of the Overstrand Municipality and therefore members of the community which will reside on the erven will not be alienated from the socio-economic facilities which they are familiar with. The proposed portion will remain integrated within existing residential neighborhoods of Stanford.

### The principle of spatial sustainability

No additional land will be required for the proposal. The open spaces and community erven will remain intact. The application area will be situated within the approved site development plan, and layout, and will therefore not have any additional impact on the environment or level of service required.

### The principle of efficiency

Existing bulk services and connections will be utilized for the proposed development's internal services. The connection/linkage with these existing networks contributes substantially to the reduction of the development cost by means of reduced bulk service installation costs

### The principle of spatial resilience

The proposed utilisation of land will allow the Municipality to assist the greater community when it comes to emergency housing and to aid the community when it

comes to impacts of economic and environmental shocks, which is outside of the community's control.

The principle of good administration

The application will follow the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the community's need.

**9. Conclusion**

The proposed rezoning and consent use will be an asset to the Overstrand Municipality and a benefit to its community.

The site is in an already serviced area and is accessible due to a good existing road infrastructure. Environmental approval has already been obtained for the approved layout. The proposed area and the adjacent settlement both have similar mixed use areas and therefore the proposed application will not have a negative effect on the character of the area. The proposal is in line with the Overstrand Municipality forward planning policies. The application complies with the General Principles in terms of LUPA and SPLUMA.

Considering the above, the application is considered desirable, and should be supported by the Municipality.

# Stanford Emergency Housing - Zoning Map



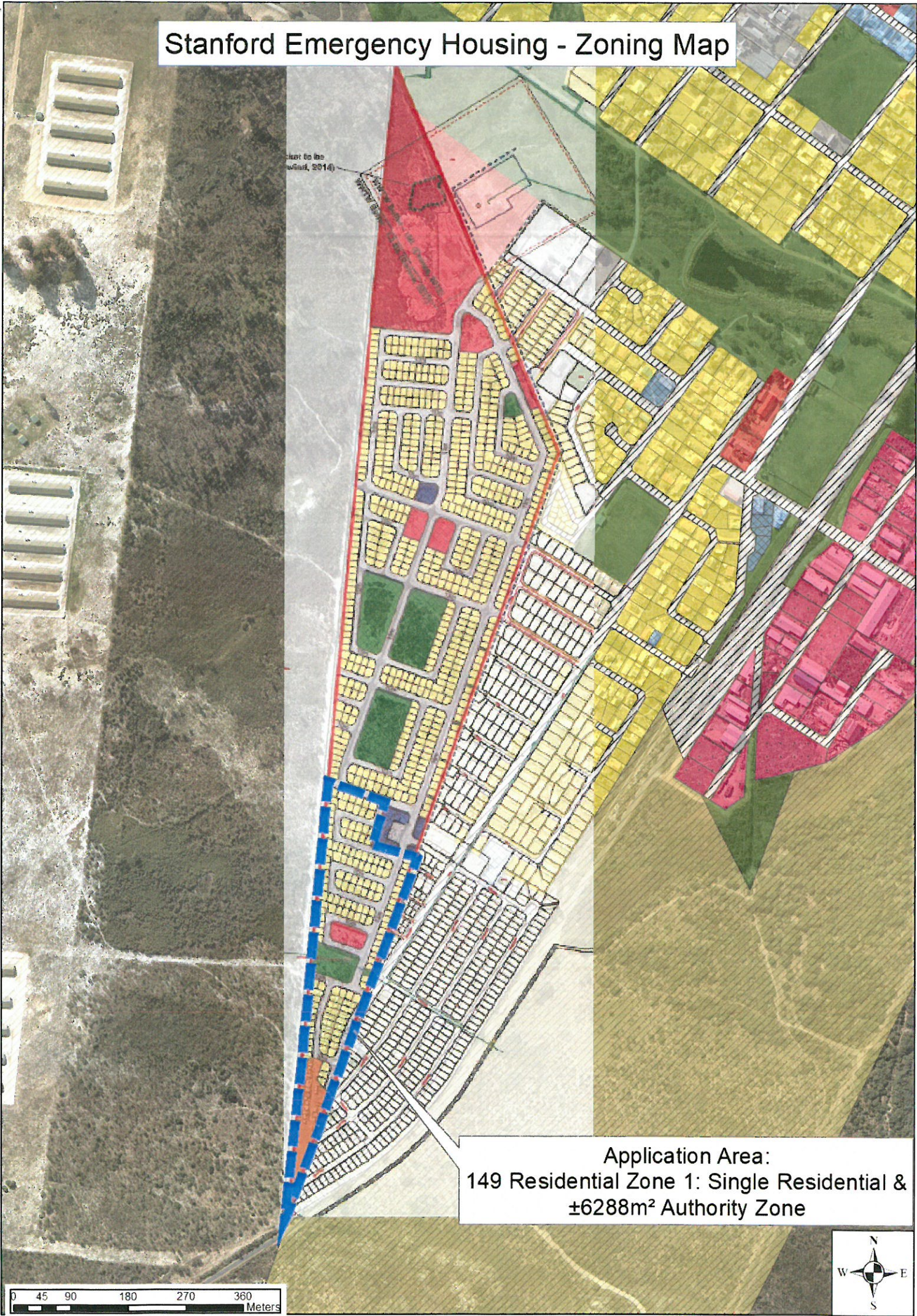
Application Area:  
149 Residential Zone 1: Single Residential &  
±6288m<sup>2</sup> Authority Zone

0 45 90 180 270 360 Meters



# Stanford Emergency Housing - Zoning Map

Start to the  
west, 2014)



Application Area:  
149 Residential Zone 1: Single Residential &  
±6288m<sup>2</sup> Authority Zone



0 45 90 180 270 360 Meters