



**OVERSTRAND MUNISIPALITEIT**  
**ERF 726, BUFFELSWEG 72,**  
**PRINGLEBAAI: AANSOEK OM**  
**ONDERVERDELING EN**  
**HERSONERING: PLAN ACTIVE (nms**  
**ENTK FAMILIETRUST)**

Kragtens Artikel 47 en 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Erf 726, Pringlebaai, naamlik:

**Onderverdeling**

Aansoek ingevolge Artikel 16(2)(d) van die Verordening ten einde Erf 726, Pringlebaai in 4 gedeeltes te onderverdeel, naamlik Gedeelte A ( $\pm 1240\text{m}^2$ ), Gedeelte B ( $\pm 1262\text{m}^2$ ), Gedeelte C ( $\pm 1050\text{m}^2$ ), en Gedeelte D ( $\pm 1285\text{m}^2$ ).

**Hersonering**

Aansoek ingevolge Artikel 16(2)(a) van die Verordening ten einde die nuutgeskepte Gedeelte D ( $\pm 1285\text{m}^2$ ) vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Oopruimtesone 1: Natuurreservaat (OS1) te hersoneer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weeksdag tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus, en by die Betty'sbaai Biblioteek, Clarencerylaan, Betty'sbaai.

Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening by die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) voor of op **22 April 2022** met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me. H van der Stoep** by 028313 8900. 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. **29/2022**

**OVERSTRAND MUNICIPALITY**  
**ERF 726, 72 BUFFELS ROAD,**  
**PRINGLE BAY: APPLICATION FOR**  
**SUBDIVISION AND REZONING: PLAN**  
**ACTIVE (obo ENT K FAMILY TRUST)**

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to Erf 726, Pringle Bay; namely:

**Subdivision**

Application in terms of Section 16(2)(d) of the By-Law to subdivide Erf 726, Pringle Bay into 4 portions, namely Portion A ( $\pm 1240\text{m}^2$ ), Portion B ( $\pm 1262\text{m}^2$ ), Portion C ( $\pm 1050\text{m}^2$ ), and Portion D ( $\pm 1285\text{m}^2$ ).

**Rezoning**

Application in terms of Section 16(2)(a) of the By-Law to rezone the newly created Portion D ( $\pm 1285\text{m}^2$ ) from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1).

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus, at the Betty's Bay Library, Clarence Drive, Betty's Bay.

Any written comments must be submitted to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) in accordance with the provisions of Sections 51 and 52 of the said By-law on or before **22 April 2022**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Senior Town Planner, Ms. H van der Stoep** 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 to formulate their comment.

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

Municipal Notice No. **29/2022**

**UMASIPALA WASE-OVERSTRAND**  
**ISIZA ESINGUERF 726, 72 BUFFELS**  
**ROAD, PRINGLE BAY: KUNGENISWE**  
**ISICELO SOKWAHLULA-HLULA**  
**NOKUCANDA KWAKHONA:**  
**NGABAKWAPLAN ACTIVE (egameni le-**  
**ENTK FAMILY TRUST)**

Kukhutshwe isaziso esimayela nemiba emayela neSoloty lama47 nama48 loMthethwana osisiHlomelo Somthethwana kaMasipala waseOverstrand ongezicwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) ngokwezi zicelo zilandelayo ngeSiza esinguErf 726, Pringle Bay; ezaziwa ngolu hlobo:

**Ukwahlula kwakhona**

Isicelo singemiba yokusetyenziswa kweSoloty le16(2)(d) loMthethwana ohambelana nokwahlulahlula isiza esinguErf 726, Pringle Bay sibe zinxalenye ezi4, ezibizwa ngeNxalenye uPortion A ( $\pm 1240\text{m}^2$ ), iNxalenye enguPortion B ( $\pm 1262\text{m}^2$ ), iNxalenye enguPortion C ( $\pm 1050\text{m}^2$ ), neNxalenye enguPortion D ( $\pm 1285\text{m}^2$ ).

**Ukucanda kwakhona**

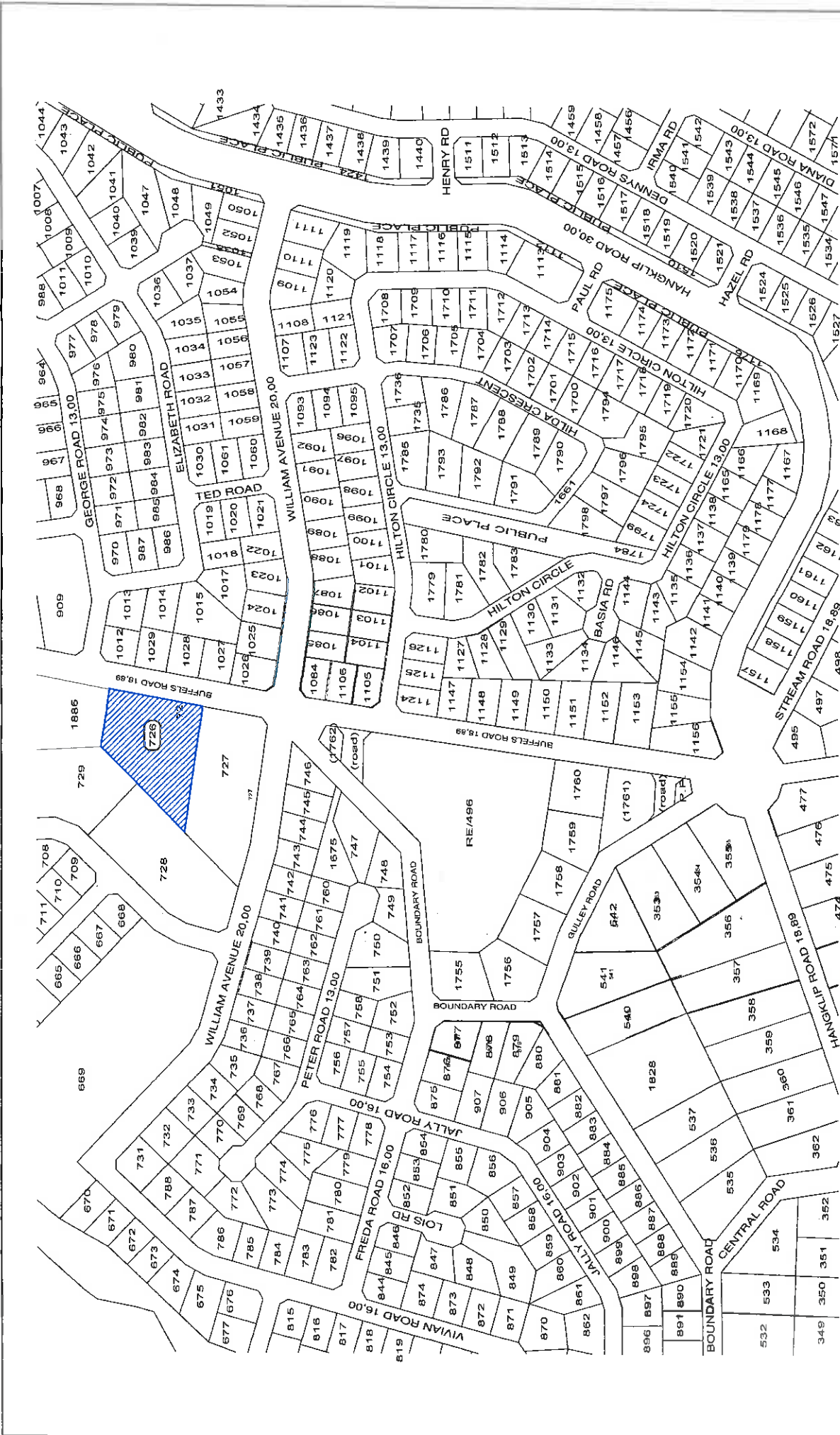
Isicelo esimayela nemiba yeSoloty le16(2)(a) loMthethwana ongokwahlulahlula kwakhona indawo entsha eyakhiweyo neyaziwa ngokuba yiNxalenye enguPortion D ( $\pm 1285\text{m}^2$ ) ukusuka kwiZowuni 1 eyiNdawo yokuHlala iResidential Zone 1: neSingle Residential (SR1) eyiNdawo elungiselelwe Umntu Ohlala Yedwa neZowuni eyiNdawo eVulekileyo iOpen Space Zone 1: noMyezo weZilwanyana iNature Reserve (OS1).

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Lezicwangciso ngeDolophu kwa16 Paterson Street, Hermanus, eBetty's Bay Library, Clarence Drive, Betty's Bay.

Naziphi na izimvo ezibhaliweyo mazingeniswe kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngokwezibonelelo zeSoloty lama-51 nelama-52 zoMthethwana ochazwe ngentla ngaphambi okanye ngomhla **wama22 Epreli 2022**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mcwangcisi Omkhulu weDolophu, Nkszn. H van der Stoep** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifika emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe leZicwangciso zeDolophu apho igosa likaMasipala liza kumnceda ukungenisa izimvo zabo ngokusemthethweni.

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

Inothi kaMasipala uNomb. **29/2022**



Scale: 1:1000  
 Drawing No: 1000/2018/100  
 Date: 10 JANUARY 2018

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 726  
 PRINGLE BAY**

All distances approximate  
 and subject to survey.  
**COPY RIGHT RESERVED**



Stads- en Streeksbeplanners

ER 726 Pringle Bay

NOTES:  
 726

**PROPOSED SUBDIVISION AND REZONING****ERF 726 PRINGLE BAY****DIVISION: CALEDON****OVERSTRAND MUNICIPALITY****MOTIVATION REPORT****1. BACKGROUND**

Plan Active Town & Regional Planners has been appointed by E.W. Ottermann, on behalf of The ENTK Family Trust, the owner of erf 726 Pringle Bay, to apply for the subdivision and rezoning of a portion of the subject property.

Erf 726 Pringle Bay is 4 837m<sup>2</sup> in extent and is held by Title Deed No. T14326/2021.

The subject property is a vacant portion of land. The owner intends to subdivide erf 726 Pringle Bay into four portions to create three (3) single residential erven and one (1) public open space portion.

**2. APPLICATION DETAILS**

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the subdivision of erf 726 Pringle Bay;
- Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the rezoning of a portion of erf 726 Pringle Bay.

### **3. NEED AND DESIRABILITY**

#### **3.1 PROPERTY DESCRIPTION**

Erf 726 Pringle Bay is situated at 72 Buffels Road, Pringle Bay. Refer to the locality plan attached.

Erf 726 Pringle Bay is 4 837m<sup>2</sup> in extent and is held by Title Deed No T14326/2021.

The subject property is a vacant portion of land and characterized by natural vegetation (Fynbos). The site gradually slopes in a south-easterly direction (as indicated by the contours on the subdivision plan).

#### **3.2 ZONING**

Erf 726 Pringle Bay has the following land use rights:

ERF NUMBER	ZONING
Erf 726 Pringle Bay	Residential Zone 1: Single Residential (SR1)

Surrounding properties are zoned for single residential and public road purposes.

#### **3.3 LAND USE**

The subject property is currently a vacant portion of land.

Land uses that surround the subject property are dwellings, vacant erven and public roads.

### **3.4 THE POTENTIAL OF THE PROPERTY**

Erf 726 Pringle Bay is currently an exceptionally large portion of land zoned Residential Zone 1: Single Residential (SR1) in the middle of an existing residential area. It is proposed to keep the zoning and land use of three proposed portions of erf 726 Pringle Bay to create three (3) single residential erven. The location of the subject property within an existing established single residential area allows the property to be developed for low impact land uses.

In the early 2000's an open space corridor was determined by the Nature Conservation Department of the Municipality in this specific area of Pringle Bay. The latter document is the basis on which subdivisions are evaluated in the area. The minimum required erf size is 1 000m<sup>2</sup> and the open space corridor must be provided in line with the aforementioned document. The open space corridor (±10 292m<sup>2</sup> in extent) represents the sensitive dune and wetland areas. To comply with the latter, a portion is created and will be rezoned from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1). Refer to the letter from Mrs Hanneen van der Stoep dated 19 March 2020 confirming the need to address the open space corridor with future subdivision applications.

When evaluating the proposed subdivision and rezoning against surrounding erf sizes, minimum erf sizes, minimum street frontage widths, compliance with the open space corridor, etc. it is evident that the subject property has the potential to be subdivided and rezoned to create three (3) residential erven of at least 1000m<sup>2</sup> and larger in extent and a conservation area / open space portion. Compliance with the minimum erf size requirement confirms the compatibility with the area.

A stricter building line applies on the newly created portions on the common boundary with the nature reserve portion. This does however not impact on the developable land since the extent of the erven is on the larger side. The contours of the site have been surveyed and favour subdivision.

Compliance with the current spatial planning policies (discussed in this report) support and confirm the potential of the subject property for development. In addition, similar subdivisions have been approved in the area. 3

### 3.5 PROPOSAL

The following are proposed:

- The subdivision of erf 726 Pringle Bay in terms of Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, to create three (3) single residential erven and one (1) conservation area / open space portion as follows:
  - Portion A: ±1240m<sup>2</sup>
  - Portion B: ±1262m<sup>2</sup>
  - Portion C: ±1050m<sup>2</sup>
  - Portion D: ±1285m<sup>2</sup>
- The rezoning of Portion D, a portion of erf 726 Pringle Bay, from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1) in terms of Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

The potential of the subject property is discussed in detail in *Section 3.4 Potential of the property*.

The owner intends to subdivide erf 726 Pringle Bay into four portions to create three (3) single residential erven and one (1) public open space portion. As previously mentioned, in the early 2000's an open space corridor was determined by the Nature Conservation Department of the Municipality in this specific area of Pringle Bay. The latter document is the basis on which subdivisions are evaluated in the area. The minimum required erf size is 1 000m<sup>2</sup> and the open space corridor must be provided in line with the aforementioned document. The open space corridor (±10 292m<sup>2</sup> in extent) represents the sensitive dune and wetland areas. To comply with the latter, a portion is created and will be rezoned from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1).

It was agreed with the Pringle Bay Ratepayers Association that it would be a condition of sale if future owners of these properties wish to subdivide, the portions of their properties that fall within this corridor be ceded to Council. In addition, the building line abutting the conservation area must be a minimum of 5m.

When the proposed subdivision and rezoning of a portion of erf 726 Pringle Bay were considered cognisance was taken of the following criteria:

- physical characteristics of the subject property;
- surrounding and minimum erf sizes;
- nature conservation area requirement;
- accessibility to the subject properties;
- impact on the character of the area;
- erf shapes;
- applicable spatial planning policies and densification guidelines.

Firstly, it is proposed to subdivide erf 726 Pringle Bay to create three (3) Residential Zone I: Single Residential and one (1) conservation area / open space portion. The proposed subdivision will be as follows:

<b>TOTAL AREA</b>	4 837m <sup>2</sup>
<b>AREAS FOR SUBDIVISION</b>	Portion A: ±1240m <sup>2</sup> Portion B: ±1262m <sup>2</sup> Portion C: ±1050m <sup>2</sup> Portion D: ±1285m <sup>2</sup>
<b>OWNERS</b>	The ENTK Family Trust
<b>TITLE DEED</b>	T14326/2021

Secondly, it is proposed to rezone Portion D, a portion of erf 726 Pringle Bay, from Residential Zone 1: Single Residential (SR1) to Open Space Zone 1: Nature Reserve (OS1). The zonings of the respective portions after subdivision and rezoning will be as follows:

		<b>EXISTING / PROPOSED ZONING</b>	<b>TRANSFEREES</b>
<b>AREAS FOR SUBDIVISION</b>	Portion A: ±1240m <sup>2</sup>	Residential Zone 1: Single Residential	The ENTK Family Trust
	Portion B: ±1262m <sup>2</sup>	Residential Zone 1: Single Residential	The ENTK Family Trust
	Portion C: ±1050m <sup>2</sup>	Residential Zone 1: Single Residential	The ENTK Family Trust
	Portion D: ±1285m <sup>2</sup>	Open Space Zone 1: Nature Reserve	Overstrand Municipality
<b>TITLE DEED</b>	T14326/2021		

Refer to the subdivision plan for erf 726 Pringle Bay attached.

The Overstrand Municipality's densification policy establishes the principle of incremental densification in an established residential area if it does not have a detrimental impact on its character. It is important to enhance and protect the character of the existing low-density residential areas such as Pringle Bay, while still sensitively densifying where appropriate. This ensures that a wide range of erf sizes and types of development are available, not only within Pringle Bay, but also within the entire Greater Hermanus area.

The subdivision lines were determined to create erven of at least 1 000m<sup>2</sup> in extent to meet the minimum erf size requirement. The proposed subdivision lines were created in a manner to ensure optimal views from the subject property. The conservation area corridor plan / guideline development plan received from the municipality was used to demarcate the portion for conservation / open space purposes.

Minimum common boundary building lines of 2m (from the proposed subdivision lines / new erf boundaries) and street building lines of 4m will apply to all the newly created portions. A minimum common boundary building line of 5m will apply to the newly created erven where the erven share a common boundary with the conservation area corridor.

It was attempted to keep the subdivision lines as simple and practical as possible to avoid creating asymmetrical erf shapes that would have an impact on the future development of the subject properties as well as the character of the area. Pringle Bay is characterised by various shaped erven and as a result the proposed erf shapes after subdivision are still compatible with the area.

The proposed subdivision and rezoning adhere to all other land use restrictions in the Overstrand Land Use Scheme Regulations (2020). The impact of the proposed subdivision and rezoning is considered a low impact land use application.

The coverage for the respective portions after subdivision will be 0% since the respective portions remain undeveloped. A maximum coverage of 50% for the SR1 zoned erven must be adhered to once the respective portions are developed in future. Since the newly created residential portions will be transferred to prospective buyers in future, any future development of Portions A to C, portions of erf 726 Pringle Bay, will be done in accordance with the land use restrictions applicable to the relevant zoning.

Refer to Section 3.15 of this report for further motivation in terms of the relevant spatial planning policies.

The proposed subdivision and rezoning will not have a negative impact on the surrounding erven as the proposed zoning, land use and erf sizes are compatible with the immediate area and no deviations from the applicable zoning parameters are proposed.

The proposed subdivision and rezoning of a portion of erf 726 Pringle Bay are not in contrast to the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application.

### **3.6 ECONOMIC IMPACT**

The proposed subdivision and rezoning will have a positive impact on the economy of the area. By allowing the subdivision and rezoning of the subject properties, it creates three additional single residential portions from which the municipality can attain bulk service levies as well as monthly rates and taxes. Furthermore, the three portions after subdivision will be vacant portions of land and this implies that the future construction of a dwelling with an outbuilding on each of the respective properties will create temporary employment opportunities. The new portions will be occupied by new families who will invest and spend in the immediate local business area.

The proposed subdivision and creation of 3 residential erven will allow for the provision of increased residential accommodation in a well-located area.

### **3.7 SOCIAL IMPACT**

The proposal will have a positive social impact as the proposed subdivisions will facilitate additional ownership of property. The impact that new families to the area will have will be beneficial and no negative impacts are anticipated.

The impact on the social wellbeing and social coherence of the adjacent community will be minimal given the extent of the proposed portions after subdivision as well as the fact that the zoning and land use of the newly created portions will be in line with the zoning and land uses associated with the immediate area.

### **3.8 COMPATIBILITY WITH SURROUNDING LAND USES**

The subject property is situated in an existing low-density residential area. The application proposes to create three (3) single residential erven and a nature conservation / open space portion. The respective land uses will therefore be for single residential (dwellings with outbuildings) and nature conservation uses. The proposed subdivision and rezoning create erven that are compatible with the surrounding zonings and land uses of the area.

As mentioned in Sections 3.4 and 3.5 of this report the surrounding erf sizes, the minimum erf size for the area, the street frontage widths of existing erven of similar sizes, the proposed layout and shapes of the new residential portions that are compatible with the layout and erf shapes of the existing residential area, compliance with the nature conservation requirement for the area, etc. proof that the subdivision and rezoning are compatible with the existing context and character of the area. Properties of  $\pm 720\text{m}^2$  -  $5000\text{m}^2$  in extent exist in the immediate vicinity of erf 726 Pringle Bay. The extent of the newly created portions still promotes and is compatible with the existing low-density residential area.

According to the development rules of the Overstrand Land Use Scheme (2020) the subdivision and rezoning will allow for the development rules for erven  $>400\text{m}^2$  to apply to the three newly created single residential portions. The proposed subdivision and rezoning will therefore maintain the existing development parameters that apply to the existing residential erven in the immediate vicinity.

### **3.9 IMPACT ON EXTERNAL ENGINEERING SERVICES**

Erf 726 Pringle Bay is not serviced, but one service connection is available to the subject property. New services for the additional portions created will be provided in line with the Overstrand Municipality's regulations for installing services infrastructure.

A bulk services contribution levy will be payable by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council.

Previous discussions with the Overstrand Municipality's Engineering Services Department (Denovan van Rhodie, Senior Operational Manager: Kleinmond) confirmed that the municipality's capacity in terms of sewerage tankers were expanded for the area. The municipality will therefore be able to service the sewerage tanks of the proposed new erven. The necessary services are therefore available to accommodate the proposed three (3) residential erven pending the upgrade of the sewer services (in line with the Sewer Master Plan) for the area.

### **3.10 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY**

The proposed subdivision will have no impact on the general safety and wellbeing of the surrounding community. It is anticipated that three new families will potentially occupy the three respective residential erven after the proposed subdivision of erf 726 Pringle Bay.

Furthermore, the construction of new dwellings on the respective portions after subdivision will conform to the relevant land use and construction guidelines of the municipality. The latter will ensure the safe construction of the dwellings and guarantee the safety and minimal noise pollution during construction to the immediate community.

Since the proposed subdivision and rezoning are not associated with a noxious trade with polluting air emissions the impact on the health of the community will be kept to a minimum.

### 3.11 IMPACT ON HERITAGE

The application does not involve changing the character of a site larger than 5 000m<sup>2</sup> (subject property is 4 837m<sup>2</sup> in extent). Consequently, the proposed application for the subdivision and rezoning does not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Erf 726 Pringle Bay is not earmarked for heritage conservation purposes in the Overstrand Heritage Report (2009). The subject property does not fall within the Heritage Overlay Zone demarcated in the Overstrand Municipal Growth Management Strategy (2010).

The subject property is a vacant portion of land. The impact on the visual landscape of the area will be kept to a minimum since the future dwellings on Portions A to C, portions of erf 726 Pringle Bay, will be developed in line with the zoning parameters for Residential Zone I: Single Residential erven as stipulated in the Overstrand Municipal Land Use Scheme Regulations (2020).

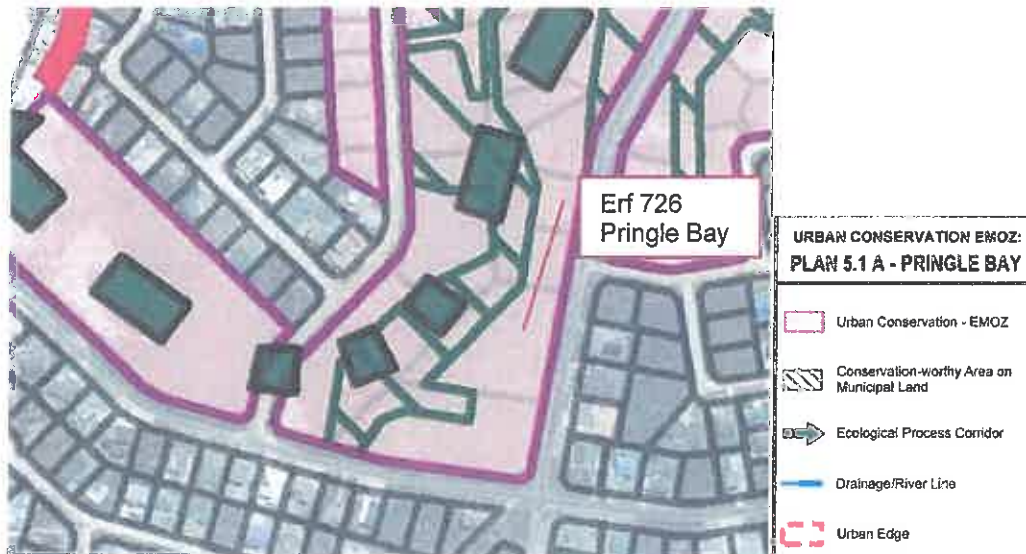
From the above it is evident that the proposed application does not encompass any heritage significance and therefore the impact on the heritage value of the area will be kept to a minimum.

### 3.12 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed subdivision and rezoning (land use application) to create three single residential erven and a conservation area / open space portion do not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998). Subdivision and rezoning are not NEMA listed activities.

Certain listed activities in terms of NEMA might become applicable if facilities and infrastructure are constructed in future and will be dealt with as separate environmental applications when the need arises in future.

The subject property is demarcated as Urban Conservation Area in terms of the Environmental Management Overlay Zone (EMOZ, 2020). In addition, a conservation area corridor runs over the western portion of the subject property. Refer to the extract from the EMOZ for Pringle Bay below:



*Map 1: Environmental Management Overlay Zone (EMOZ, 2020): Pringle Bay*

This application includes the subdivision of the western section of the subject property (Portion D) and the subsequent rezoning from SR1 to OS1 to meet the conservation area corridor requirement of the municipality. Portion D, a portion of erf 726 Pringle Bay, will be ceded to the municipality.

Should the future development of the respective properties trigger a NEMA application (removal of vegetation; wetland; etc.), due process will be followed prior to the commencement of the construction on site. The onus is with the landowner to inform potential buyers that some of the proposed properties fall within a demarcated wetland area. New property owners might have to apply for environmental authorization, depending on the development proposed for each respective property. New property owners should be made aware that the erven are not sold with the required rights in terms of NEMA.

### **3.13 TRAFFIC IMPACT, PARKING AND ACCESS**

The subject property abuts Buffels Road (existing tarred road) on its eastern erf boundary. The newly created residential portions (Portions A to C) will continue to take access from Buffels Road as depicted on the subdivision plan. The exact position of the access points / gates will only be determined once building plans are available and submitted in future for the respective portions.

Portion D, a portion of erf 726 Pringle Bay, will be landlocked. This portion will however be rezoned from SR1 to OS1 and will form part of the greater nature conservation area / corridor identified for this area. Hence, access to this portion is not a requirement.

The impact on the traffic of Pringle Bay and the immediate area will be kept to a minimum since the proposal is in line with the status quo for the area. A Traffic Impact Assessment / Statement is not required since the proposed development does not create an additional 50 trips or more to the area and since the access to the respective portions can easily be addressed.

The development of the respective portions after subdivision will comply with the relevant scheme regulations' parking requirements – i.e. at least two parking bays / garages must be provided for on site for each new portion created.

### **3.14 TITLE DEED**

Title Deed No. T14326/2021 has no restrictions that need to be removed to accommodate the proposed subdivision and rezoning of erf 726 Pringle Bay. A conveyancer's certificate from Mr H.L. van Zyl at Van Zyl Kruger Attorneys will follow.

There is a bond registered against the subject property. The bondholder's consent dated 11 February 2022 is attached.

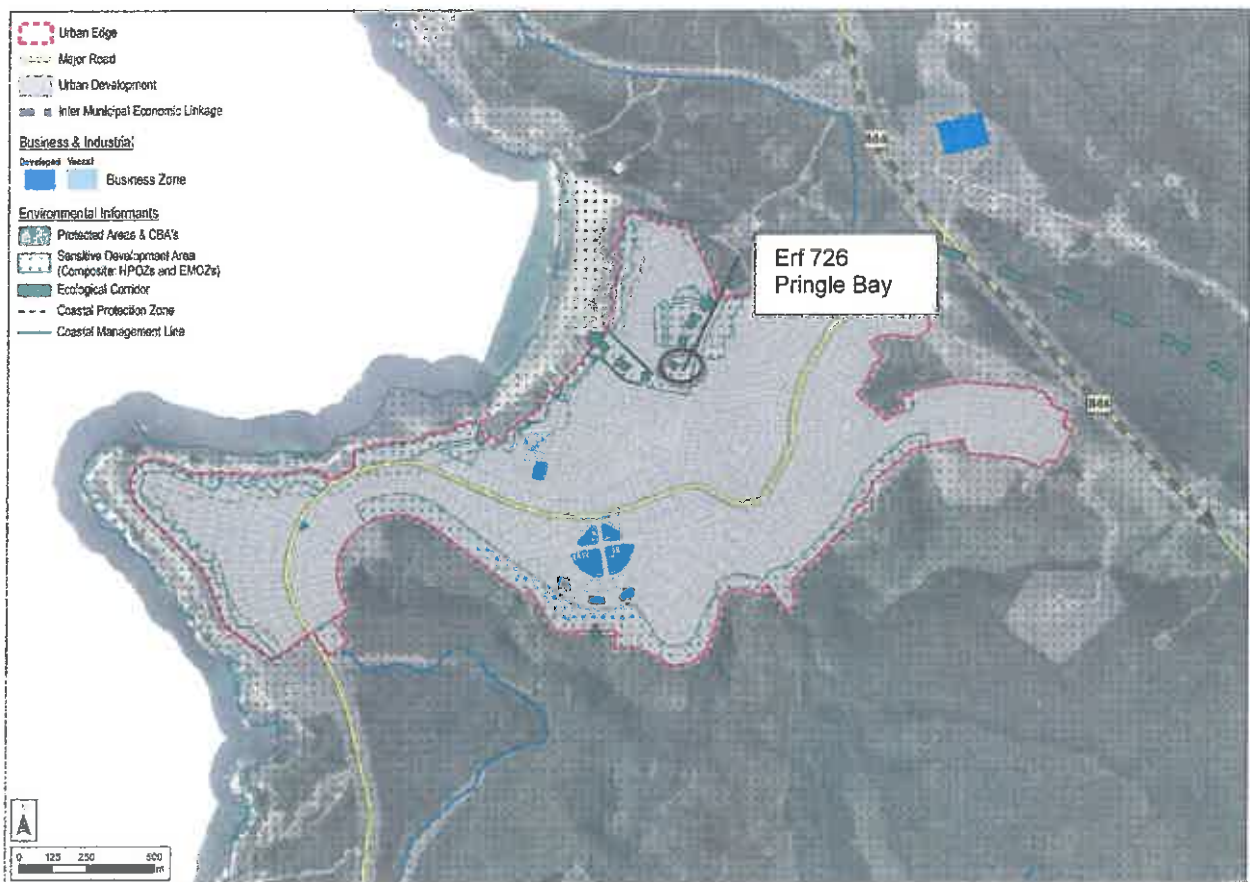
### **3.15 FORWARD PLANNING AND LAND USE DOCUMENTS**

#### **3.15.1 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF, 2014)**

The Provincial Spatial Development Framework (PSDF, 2014) supports densification. The PSDF (2014) regards subdivisions as one of the options of urban development tools available to achieve appropriate densification in the Western Cape.

#### **3.15.2 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (2020)**

The *Overstrand Spatial Development Framework (2020)* earmarks the area where erf 726 Pringle Bay is situated, for urban development purposes. An ecological corridor runs over the western section of the subject property as indicated on the Pringle Bay Spatial Proposal Plan (2020) - see below. The zoning and use of the subject property for the single residential erven will remain unchanged (Residential Zone 1: Single Residential). It is proposed to rezone Portion D, a portion of erf 726 Pringle Bay, from SR1 to OS1 to meet the conservation area / corridor requirement for this area. The proposed subdivision plan was therefore compiled in line with the Pringle Bay Spatial Proposal Plan (2020). The impact of the proposed subdivisions and rezoning on the spatial integrity of the area will be minimal and is therefore consistent with the Overstrand SDF (2020).



Map 2: Pringle Bay Spatial Proposals Plan (2020)

### 3.15.3 OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY

#### (2010)

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) specifies that erf 726 Pringle Bay forms part of Planning Unit no. 2. This planning unit stipulates that the status quo of the area (i.e. single residential) must be maintained. Refer to the OMGMS plan (2010) attached.

The Overstrand Municipality's densification policy establishes the principle of incremental densification in an established residential area if it does not have a detrimental impact on its character. It is important to enhance and protect the character of the existing low-density residential areas such as Pringle Bay, while still sensitively densifying where appropriate. This ensures that a wide range of erf sizes and types of development are available, not only within Pringle Bay, but also within the entire Greater Hermanus area.

With this application incremental development is proposed. The proposed erf sizes of between 1050m<sup>2</sup> and 1262m<sup>2</sup> are not smaller than the smallest erf in the immediate vicinity (which is a mere ±720m<sup>2</sup>) or the average erf sizes for the area. In addition, the proposed erf sizes of between 1050m<sup>2</sup> and 1262m<sup>2</sup> do not deviate more than 10% from the minimum erf size contemplated for this area. Erf 726 Pringle Bay is considered an exceptionally large property situated in the middle of Pringle Bay and this must be taken into consideration when considering the merit of the application. The proposal will therefore impact on the density of the area while still retaining the status quo.

The layout of the proposed single residential erven is practical in respect to access, developable areas, connecting to bulk services and the installation of services.

The proposal will promote land development in a location that is sustainable. The proposed subdivision and rezoning are to an improved erf within an established residential area and therefore will not impact on urban sprawl or upon a sensitive environment.

### 3.16 PLANNING PRINCIPLES

The planning principle of spatial resilience does not apply to this application.

Spatial justice: The proposed land use application ties in with the existing character of the area and will not have a negative impact on the surrounding properties.

This principle addresses the need to address the past imbalances with regard to opportunity. This application is located on an erf as per the establishment of the Pringle Bay Township and is this principle not applicable.

Spatial sustainability: The proposed subdivision and rezoning are to create three single residential erven and a conservation area portion. As contemplated in Section 3.15 the proposed land use application it is in line with the spatial planning policies for the area.

The layout of the proposed single residential erven is practical with respect to access, developable areas, connecting to bulk services and the installation of services. The visual impact will be kept to a minimum since the portions will be developed in line with the relevant land use scheme regulations. Since the status quo of the area will be maintained, it is submitted that the proposed future dwellings with outbuildings / garages on Portions A to C, portions of erf 726 Pringle Bay, will be compatible with the character of the area and will not impact negatively on the existing rights of anyone else.

By creating the conservation area portion (Portion D) the proposal ensures that the environmental management proposals for the area are met. Areas earmarked for conservation remain protected with this application proposal.

As a result, the proposed subdivision and rezoning will have no adverse impact on the spatial sustainability of the area.

Efficiency: The subject properties are easily accessible and conveniently located close to major routes. The subdivision and rezoning of erf 726 Pringle Bay will have a low impact on the character and ambiance of the existing residential area as motivated in this report. It proves to be efficient to allow the subdivision and rezoning since the impact will be kept to a minimum, while new portions are created for families to obtain and develop. As motivated in the above sections of the report the proposal is compatible with surrounding properties in the immediate area.

The proposed subdivision and rezoning prove to be efficient since it discourages the phenomenon of urban sprawl, encourages densification and more compact towns and cities, all of which relates to more responsible resource and infrastructure use and sustainable development. Moreover, the proposal is efficient in that it optimizes existing resources and infrastructure and continues the existing suburban development typology.

Good administration: Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning

legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

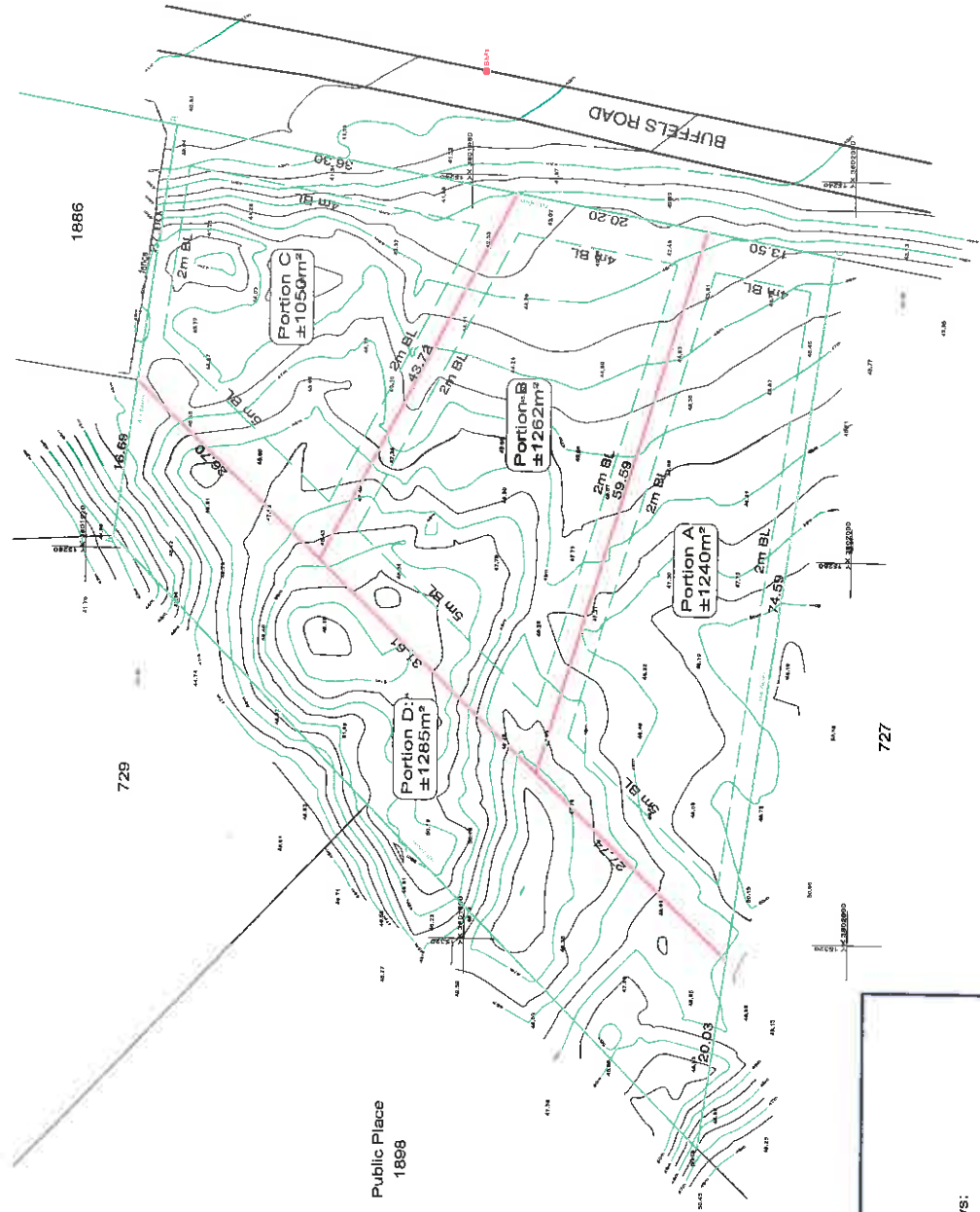
#### **4. RECOMMENDATION**

When this application is evaluated it is important to take note of the following:

- The proposed application will not have a negative impact on the existing land use rights of the subject property or those of surrounding properties;
- The minimum erf size requirement (guideline) of  $\pm 1000\text{m}^2$  for SR1 zoned properties in this area is met with this proposal;
- Cognisance was taken of the conservation area / corridor present on the subject property (Portion D to be rezoned from SR1 to OS1 and ceded to Overstrand Municipality);
- The proposal is compatible with the existing character and erf sizes of the immediate area;
- The zoning of Residential Zone I: Single Residential and land use (single residential) are compatible with the surrounding zonings of the area;
- The proposed subdivision and rezoning comply with the spatial planning policies for the area;
- Impact on the traffic and services will be kept to a minimum;
- The proposed land use application does not trigger any listed activities in terms of NEMA (Act 107 of 1998);
- The application is fully compliant with the applicable planning principles described in the LUPA (2014) and SPLUMA (2013).

With regards to the above mentioned it would be appreciated if the application for the subdivision and rezoning of erf 726 Pringle Bay be approved.





**Notes:**

- Erf boundaries
- Subdivision lines

Erf 726 Pringle Bay to be subdivided as follows:

- Portion A: ±1240m²
- Portion B: ±1262m²
- Portion C: ±1050m²
- Portion D: ±1285m²

Zoning:

- Portions A, B & C: SR1
- Portion D: OS1

**PLAN Active**  
Stads- en Streeksbeplanners  
Town & Regional Planners

Property Description:  
**ERF 726**  
**PRINGLE BAY**

Plan Description:  
**SUBDIVISION**  
**PLAN**

Scale: 1:500  
Drawing Nr: prog726ss.dwg  
Date: 11/2021

All distances approximate and subject to survey.

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