

**ERF 1201, 6 LINARIA ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR SUBDIVISION: PLANACTIVE TOWN & REGIONAL PLANNERS ON BEHALF
OF G. WILSON**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received in terms of Section 16(2)(d) of the By-Law, in order to subdivide Erf 1201, Eastcliff into two (2) portions namely: Portion A ($\pm 864\text{m}^2$) and Portion B ($\pm 922\text{m}^2$).

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **25 November 2022**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Mr. P. Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

**ERF 1201, LINARIASTRAAT 6, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA:
AANSOEK OM ONDERVERDELING: PLANACTIVE TOWN & REGIONAL PLANNERS NAMENS
G. WILSON**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang ingevolge Artikel 16(2)(d) van die Verordening, vir die onderverdeling van Erf 1201, Eastcliff in twee (2) gedeeltes naamlik: Gedeelte A ($\pm 864\text{m}^2$) en Gedeelte B ($\pm 922\text{m}^2$).

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **25 November 2022**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr. P. Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

**ISIZA ESINGU-ERF 1201, 6 LINARIA ROAD, EASTCLIFF, HERMANUS, KUMMANDLA
KAMASIPALA WASEOVERSTRAND: ISIZA NGOKWAHLULUHLULA: NGABAKWAPLANACTIVE
TOWN & REGIONAL PLANNERS EGAMENI LIKA G. WILSON**

Kukhutshwe inothisi engemiba yeSolotyama-48 Omthethwana kaMasipala waseOverstrand ngesiHlomelo soMthethwana ongeziCwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) inothisi ithi kufunyenwe isicelo esingemiba yeSolotyale16(2)(d) loMthethwana,ukuze kohlwahlulwe iSiza esinguErf 1201, Eastcliff sibe zinxalenye ezimbini (2) ezibizwa: Inxalenye (Portion) A ($\pm 864\text{m}^2$) neNxalenye (Portion) B ($\pm 922\text{m}^2$).

linkcukacha ezipheleleyo mayela nesi siphakamiso siyafumaneka kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Izicwangciso ngeDolophu, 16 Paterson Street, Hermanus. Naziphi na izimvo mazingeniswe nezibonelelo zeSolotyama-51 nelama-52 loMthethwana kaMaisipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla **wama-25 EyeNkanga ka2022**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mnu. P. Roux** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angandwendwela vkwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kubanceda ukufaka izimvo zabo ngokusemthethweni.



Scale: **NTS**
 Drawing Nr: 1201_herml.drw
 Date: SEPTEMBER 2022

Plan Description:
LOCALITY MAP

Property Description:
**ERF 1201
 HERMANUS**

All distances approximate
 and subject to survey.
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PlActive
 Stads- en Streeksbeplanners
 Town & Regional Planners

PROPOSED SUBDIVISION

ERF 1201 HERMANUS

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mr. G. Wilson, the owner of Erf 1201 Hermanus, has instructed the company Plan Active Town and Regional Planners, to apply for the subdivision of the subject property.

It is the intention of the owner to subdivide Erf 1201 Hermanus to create one additional erf. The Title Deed applicable to Erf 1201 Hermanus does not contain any restrictions that need to be addressed in order for the proposed application to be approved.

Erf 1201 Hermanus is 1 785m² in extent and is held by Title Deed Number T37809/2020.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 1201 Hermanus.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 1201 Hermanus is located on the corner of Protea Road and Linaria Road, Eastcliff, Hermanus and is 1 785m² in extent. Please refer to the enclosed locality plan and the aerial photograph below.



3.2 ZONING

Erf 1201 Hermanus is zoned Residential Zone 1 and it is used as such. The surrounding properties are also zoned for single residential purposes, public roads, and public open space. Please refer to the zoning map abstract below:



3.3 LAND USE

Erf 1201 Hermanus is used for residential purposes. A double storey dwelling, and double garage are established on the subject property.

The land uses that surround Erf 1201 Hermanus are single dwellings, public roads, and public open spaces. It is therefore evident that Erf 1201 Hermanus is situated within a predominantly single residential area.

3.4 PROPOSAL

The following is proposed in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 1201 Hermanus into Portion A and Portion B.

3.4.1. PROPOSED SUBDIVISION

Erf 1201 Hermanus is 1 785m² in extent. The intention of the owner of the property is to subdivide Erf 1201 Hermanus into two portions, Portion A, and Portion B. The subject property is one of the larger erven in this specific area of Eastcliff, Hermanus. The erven situated in Linaria Road vary in size from 857m² to 3 350m² in extent as tabled below:

Extent of erven within Linaria Road, Hermanus					
Erf number	7323	7324	1206	1218	1219
Extent in (m²)	857	857	3350	1190	1190

The detail of the proposed subdivision is tabled below:

Proposed subdivision of Erf 1201 Hermanus			
Portion	Extent (m ²)	Zoning	Land use
Portion A	±864	Residential Zone 1	Residential
Portion B	±922	Residential Zone 1	Vacant

The proposed subdivision of Erf 1201 Hermanus follows the same configuration as the residential erven in the same residential block and would also be of a similar size. After the subdivision of the subject property, Portion A and Portion B, the two portions will be $\pm 864\text{m}^2$ and $\pm 922\text{m}^2$ in extent, respectively.

The proposed subdivision line that is now the new common boundary line between Portion A and Portion B will not have any impact on the existing structures situated on the subject property, as approved building plans do exist for the existing structures. No departures from the land use restrictions are required.

The proposed subdivision will have a positive impact on the economy of the area. By allowing the subdivision, one additional residential property will be created from which the municipality can attain bulk service levies as well as monthly rates and taxes. Future plans to develop the vacant erf will create temporary employment during the construction phase thereof.

3.5 ACCESS

Pedestrian access to Erf 1201 Hermanus is from Protea Road and vehicular access is from Linaria Road.

As depicted on the approved building plan attached as Annexure A, and the aerial photograph below, the existing access points to the dwelling and garage will be retained (proposed Portion A, a portion of Erf 1201 Hermanus) after the proposed subdivision application has concluded.



Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy the subject erf falls within Planning Unit 14 which is located on the eastern side of the Hermanus CBD and includes the Eastcliff high income residential area. Incremental development through subdivision to allow for a second and third dwelling units respectively is proposed for approximately 20% of the area/dwellings in this planning unit. The proposal can potentially contribute 128 additional dwelling units, increasing the gross density from 4.9 to 6.4 dwelling units per hectare.

We are therefore of the opinion that the proposed subdivision is in line with the **Overstrand Growth Management Strategy (2010)** and can the proposed subdivision be supported.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

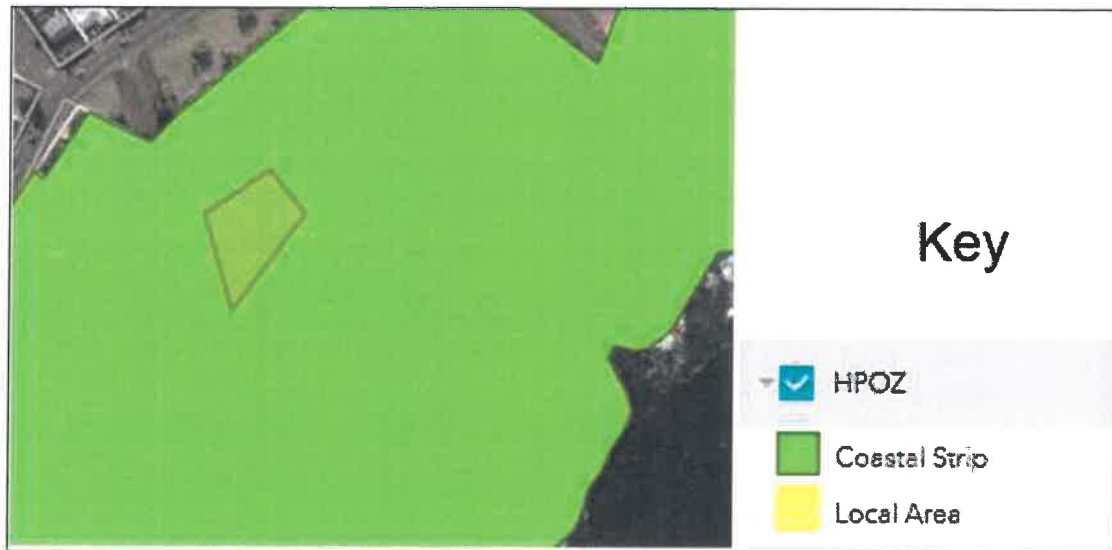
3.9.1 HERITAGE VALUE

Erf 1201 Hermanus is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

In light of the above mentioned it is evident that the proposed subdivision will not have a negative impact on the heritage value of the subject property or the greater area of Eastcliff, Hermanus.

The subject property is situated in an area classified as the coastal strip as seen in the abstract below from the Overstrand Municipal GIS System. The proposed subdivision does not have any impact on the aforementioned area.



3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed subdivision does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed subdivision is in line with the current erf sizes and land use tendencies in the vicinity within the Eastcliff, Hermanus area. The proposed subdivision will create an opportunity for future landowners to obtain land.

Spatial sustainability: The proposed subdivision is in line with the current character of the established residential area. The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and erf size of Portion A and Portion B will be in line with the residential character of this specific area of Eastcliff.

Efficiency: The proposed application for the subdivision of Erf 1201 Hermanus will promote the optimisation of the use of space within a developed residential area. The subject property is also situated in close proximity to Main Road, Hermanus which makes the subject property very accessible.

Spatial Resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

Good administration: Our Company 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 Amended By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

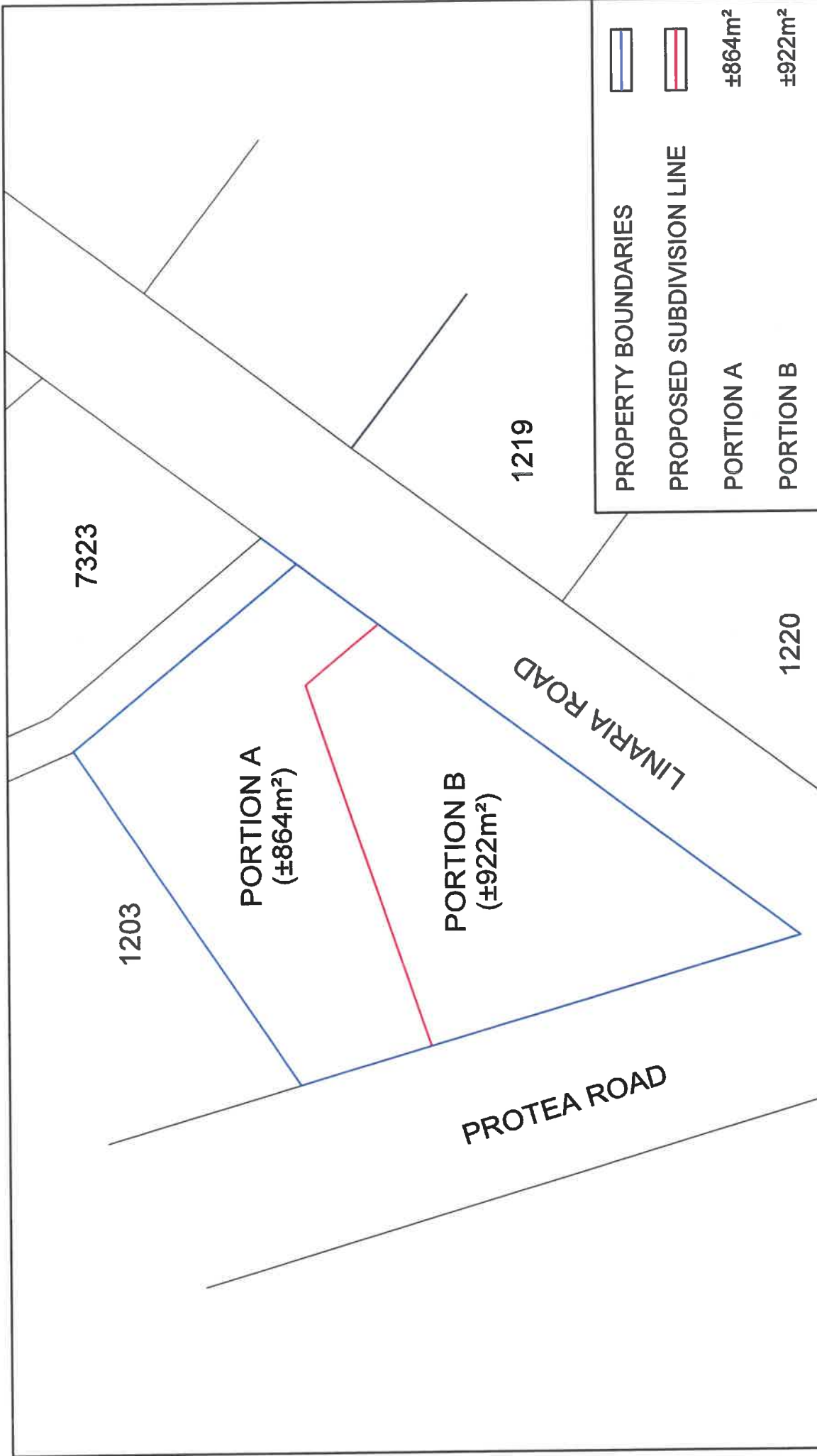
When this application is evaluated, it is important to take note of the following:

- The proposed subdivision of Erf 1201 Hermanus falls within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;

Motivation report

- The subject property falls within an already serviced area and the new portion can easily connect to existing services;
- The proposed subdivision will not have a negative impact on the current character and land values of the surrounding erven.
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the subdivision of Erf 1201 Hermanus.



PROPERTY BOUNDARIES	
PROPOSED SUBDIVISION LINE	
PORTION A	±864m ²
PORTION B	±922m ²

PLAⁿActive Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey. COPY RIGHT RESERVED	Property Description: ERF 1201 HERMANUS	Plan Description: SUBDIVISION PLAN	Scale: 1:500 Drawing Nr: subdivision erf 1201.drw Date: AUGUST 2022	
		ERF 1201 HERMANUS			SUBDIVISION PLAN