

ERF 2908, 171 7th STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: A NAUDÉ ON BEHALF OF ML NAUDÉ

Notice is hereby given in terms of Section 48 of the Overstrand Municipality 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 for the subdivision of Erf 2908, Hermanus into two (2) portions namely Portion A approximately 421m² in extent and a Remainder approximately 496m² in extent.

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 and at the Hermanus Library. 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 **3 March 2023**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr P Roux** at 028-313 8983. 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 2908, 171 7^{de} STRAAT, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK VIR ONDERVERDELING: A NAUDÉ NAMENS ML NAUDÉ

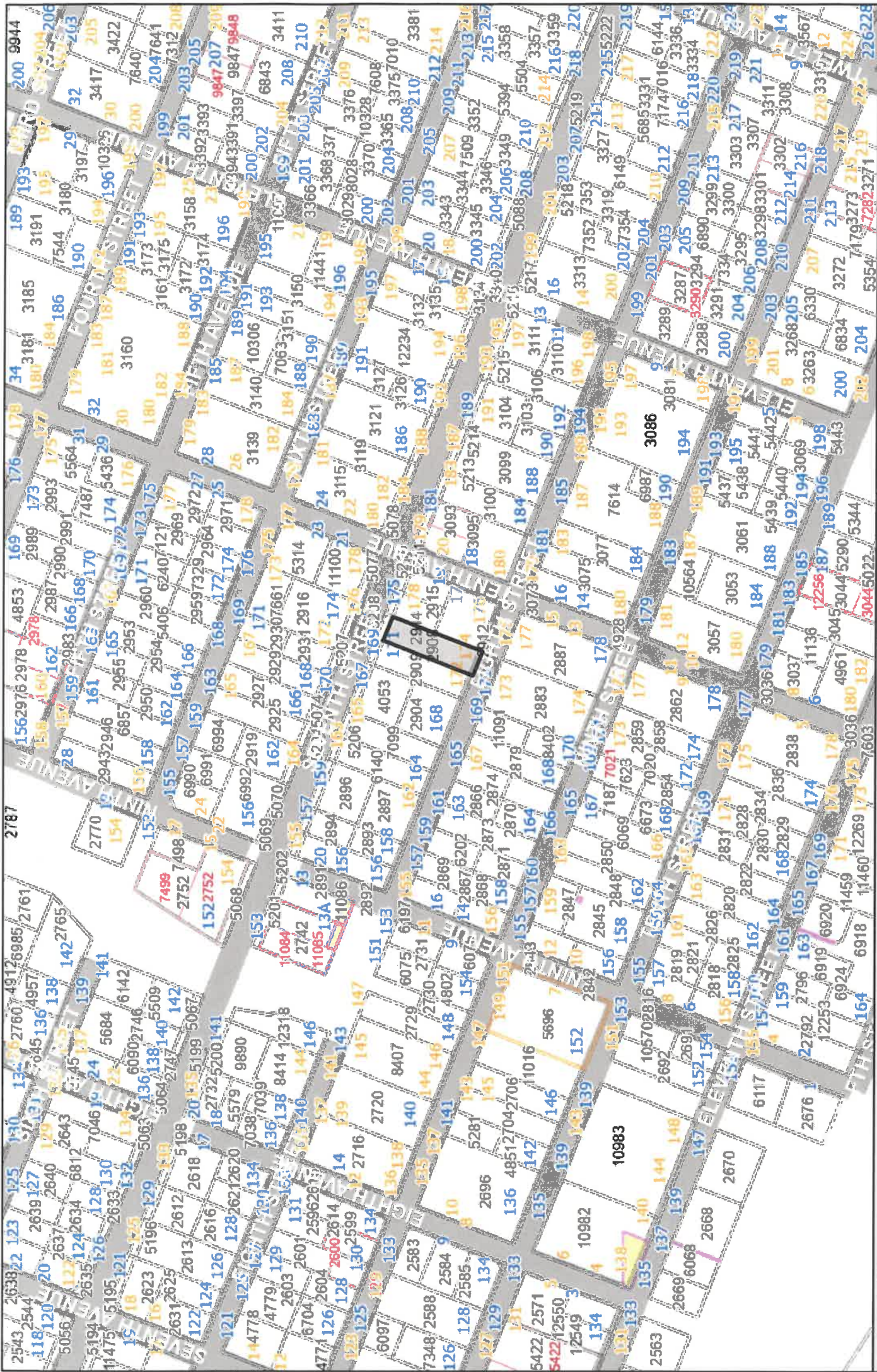
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang is in terme van Artikel 16.(2)(d) van die Verordening vir die onderverdeling van Erf 2908, Hermanus in twee (2) gedeeltes naamlik Gedeelte A ongeveer 421m² groot en 'n Restant ongeveer 496 m² groot.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Hermanus Biblioteek. 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 **3 Maart 2023**, 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 8983. 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 SAMA-2908, 171 7th STREET, EVOËLKLIP, EHERMANUS, UMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKWAHLULA: NGU- A NAUDÉ OBO ML NAUDÉ

Isaziso sinikwe ngokuphathelele kwiCandelo lama-48 - lomThetho kaMasipala wesiLungiso wase-Overstad kuYilo lokuSetyenziswa koMhlaba kaMasipala (*the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning*), 2020, (UmThetho kaMasipala) ukuba isicelo sifunyanwe ingokuphathelele kwicandelo lesi-2)(d) lomThetho kamasipala ukwahlula isiza sama-2908,eVoëlklip, eHermanus. Ixalenye endululwayo A ±421m² ubukhulu nentsalela yenxalenye yesiza sama- 2908 engama- ±496m² ubukhulu.

linkcukacha ezipheleleyo ngokuphathelele kwisindululo zikhona ukuba zihlolwe ngeentsuku zeveki zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, Hermanus nakwiThala leencwadi laseHermanus, Nawaphi na amagqabantshintshi abhaliweyo mawangeniswe ngokuphathelele kwiCandelo lama-51 nelama-52 lomThetho kaMasipala zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**3 EyoKwindla 2023** unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika amagqabantshintshi. Xa ufuna ukubuza into malunga nesi saziso ungatsalela, u**Mnu. P Roux** kule nombolo 028-313 8983. UMasipala usenokungavumi kuwamkela amagqabantshintshi afike emva komhla wokulwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa akubhala amagqabantshintshi wakhe.



Locality Map

Erf 2008, 171 7th street, Voelklip, Hermanus



PROPOSED SUBDIVISION
ERF 2908 HERMANUS

VISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

The owner of Erf 2908 Hermanus, Mrs. Mara Lydia Naude, has instructed me, Mrs. Andrea Naude to apply for the subdivision of Erf 2908 Hermanus.

The owner intends to subdivide Erf 2908 Hermanus to create one additional erf. The Title Deed applicable to Erf 2908 Hermanus contains no restrictions that need to be addressed in order for the proposed application to be approved.

Erf 2908 Hermanus is 917m² in extent and is held by Title Deed Number T17766/2006.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the amended Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 2908 Hermanus.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 2908 Hermanus is located between 7th and 8th Street Voëlklip, Hermanus, and is 917m² in extent. Please refer to the enclosed locality plan.

3.2 ZONING

Erf 2908 Hermanus is zoned Residential Zone 1 and is utilized as such. The surrounding properties are zoned for single residential purposes, public roads and public open space.

3.3 LAND USE

Erf 2908 Hermanus is used for residential purposes. A double storey dwelling and triple garage are established on the subject property. These structures have been indicated on the proposed subdivision plan and covers ±228m² of the subject erf. Access to Erf 2908 Hermanus is currently obtained from 7th Street, Voëlklip.

Land uses that surround Erf 2908 Hermanus are single dwellings, public roads, and public open spaces. It is therefore evident that Erf 2908 Hermanus is situated within a predominantly single residential area.

4 PROPOSAL

The following is proposed:

- Chapter 4, Section 16(2)(d) of the amended Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 2908 Hermanus.

The intention of the owner of the subject property is to subdivide Erf 2908 into two portions, Portion A and a remaining extent.

4.1. Proposed Subdivision

The detail of the subdivision can be described as follows:

Subdivision of Erf 2908 Hermanus			
Proposed Portions	Size	Land use	Zoning
Portion A	±421m ²	Vacant	Residential Zone 1
Remainder Erf 2908	±496m ²	Existing dwelling and garages	Residential Zone 1

The proposed subdivision of Erf 2908 Hermanus follows the approximate same configuration as the residential erven in the Voëlklip area and would also be of a similar size. Erven alongside 7th Street are smaller due to road widening that took place. The extent of the erven are reduced by ±75m² per erf.

The subdivision line was determined by the position and total extent of the existing dwelling and to make provision for private open space. Proposed Portion A is ±421m² in extent and the remaining extent of Erf 2908 is ±496m² in extent. the coverage of the existing dwelling and garages are ±228m² in extent. The coverage therefore constitutes 46% that is below the allowable 50% coverage in terms of the Overstrand Municipality Zoning Scheme Regulations. The approved building plans indicate that

the existing structures are 1.2m from the lateral boundaries and were constructed as such. 1.2m lateral building lines applied at the time of the building plan submissions. More restrictive building lines have now been imposed as indicated on the enclosed subdivision plan and as a result of the proposed subdivision line a building line encroachment is not triggered.

The proposed subdivision will have a positive impact on the economy of the area, by allowing the subdivision of the subject erf. One additional residential property will be created from which the municipality can attain bulk service levies as well as monthly rates and taxes. Future possible plans of a proposed dwelling on proposed Portion A will create temporary employment during the construction phase thereof.

4.3. The Title Deed restrictions

The enclosed Title Deed, T17766/2006, contains no restrictive conditions that have to be addressed and no bond is registered against the property.

5. ACCESS

Vehicular and pedestrian access to proposed Portion A that is vacant will be from 8th Street and will be determined by the future owner of this portions that will be confirmed by means of a building plan submission. The existing access to the Remainder Erf 2908 Hermanus will continue to be from 7th Street and will remain the same.

6 SERVICES

Erf 2908 Hermanus is situated in an already developed residential area, municipal services already exist, and have capacity to which the newly created erf could connect to. All required services will be installed according to the specifications of the Overstrand Municipality.

7 TITLE DEED

The Title Deed T17766/2006 has no restrictions that need to be addressed in order for the owner to subdivide Erf 2908 Hermanus and to utilise the subject property to its fullest potential.

There is no bond registered against Erf 2908 Hermanus.

8 FORWARD PLANNING

Overstrand Municipal Spatial Development Framework (2020).

In terms of the Overstrand Spatial Development Framework the subject property is situated within an existing urban area where densification within urban areas is encouraged to limit urban sprawl. The residential zoning of both portions will be retained after the subdivision application has been concluded.

Overstrand Growth Management Strategy (2010)

The *Overstrand Municipal Growth Management Strategy (OMGMS, 2010)* specifies that Erf 2908 Hermanus forms part of Planning Unit no. 6. A variety of densification interventions are proposed for this planning unit consisting of incremental densification by subdivision and allowing for second and third dwelling units etc.

Each application should be dealt with on its own merit. Erf 2908 Hermanus is one of the larger erven in this residential block and double the size of an average residential erf in the area. The areas of the newly created erven will still be compatible with the areas of the residential erven in the vicinity and can therefore be supported.

8.1 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

8.1.1 HERITAGE VALUE

Erf 2908 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.

Considering 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 Hermanus.

8.1.2 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).

9 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 Voëlklip area. The proposed subdivision will create an opportunity for future landowners to obtain land and prevent urban sprawl.

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 the created portions will be in line with the residential character of the Voëlklip area.

Efficiency: The proposed application for the subdivision of Erf 2908 Hermanus, will promote the optimisation of the use of space within a developed residential area.

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: I am 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 By-law on Municipal Land Use Planning, 2020.

10 RECOMMENDATION

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

- The proposed subdivision of Erf 2908 Hermanus falls within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;
- 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 2908 Hermanus.

SEVENTH STREET

5208

5209

2914

Remainder
Erf 2908
±496m²

2909

15.74

Portion A
±421m²

26.75

2912

26.75

15.75

EIGHTH STREET

NOTES:

- Existing Erf Boundaries
- Proposed Subdivision Line
- Building Lines
- Existing Structures

Proposed Subdivision:
 Remainder Erf 2908: ±496m²
 Portion A: ±421m²
 Coverage of the Remainder
 Erf 2908 = 46% (±228m²) after
 subdivision.

All distances approximate
and subject to survey.

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Property Description:

ERF 2908
HERMANUS

Plan Description:

AERIAL
PHOTOGRAPH

Scale:

1:500

Drawing Nr:

her2908s.drw

Date:

11/2022

Stads- en Streeksbeplanners
Town & Regional Planners



01 DEC 2022

