

ERF 3181, 34 TENTH AVENUE, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF L ARNOT

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 3181, Hermanus into 2 portions, namely Portion A approximately 878m² in extent and Portion B approximately 1107m² 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 3181, 34 TIENDE LAAN, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM ONDERVERDELING: MNRE PLAN ACTIVE STAD- EN STREEKBEPLANNERS NAMENS L ARNOT

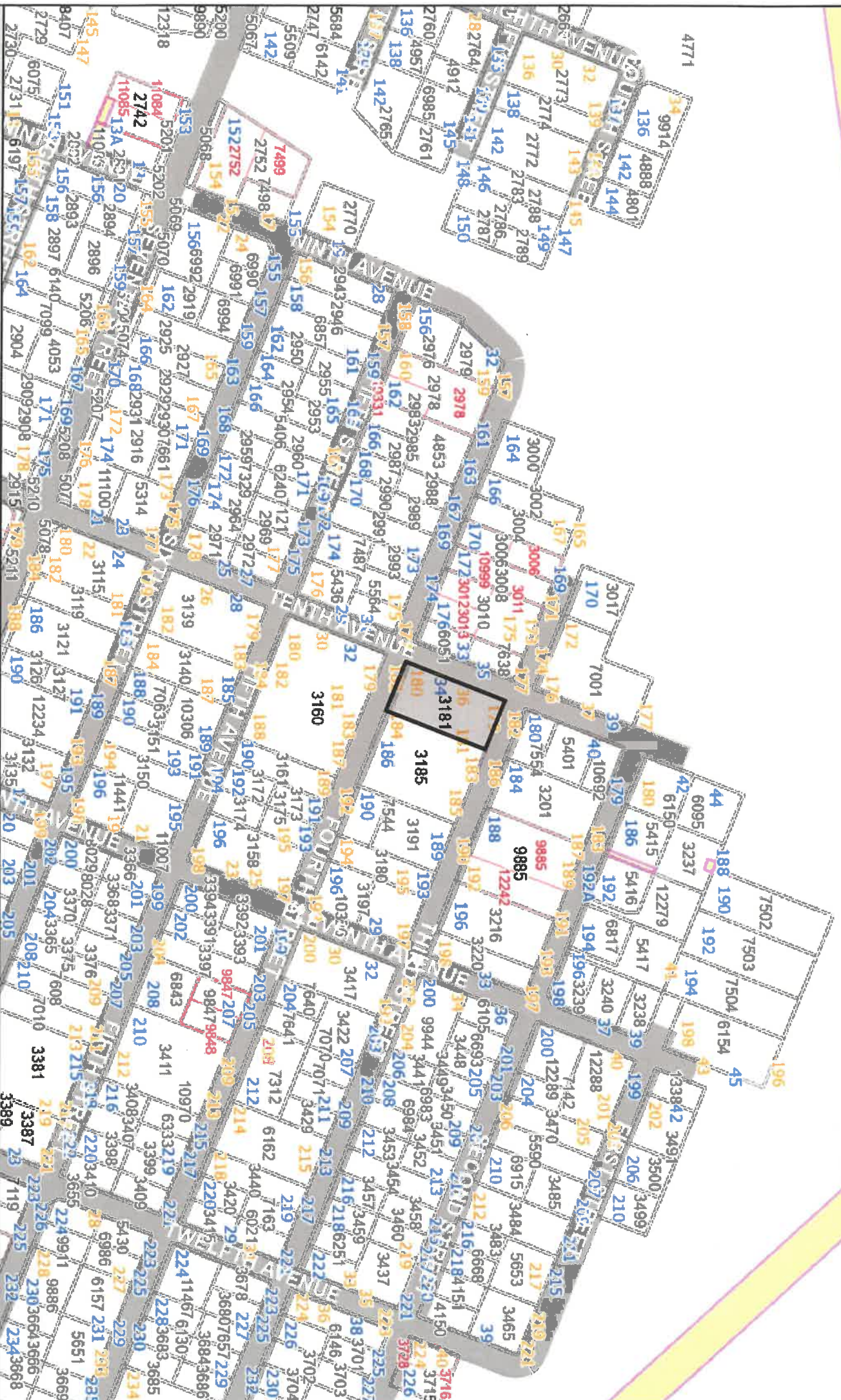
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek ontvang is in terme van Artikel 16(2)(d) van die Verordening vir die onderverdeling van Erf 3181, Hermanus in twee gedeeltes, naamlik Gedeelte A ongeveer 878m² groot en Gedeelte B ongeveer 1107m² 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 ESINGU-ERF3181, 34 TENTH AVENUE, VOËLKLIP, HERMANUS, KUMMANADLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKWAHLULAHLULA: NGABAKWAPLAN ACTIVE TOWN AND REGIONAL PLANNERS EGAMENI LIKA LESLEY ARNOT

Kukhutshwe isaziso esimayela nemiba yeSolotyama48 loMthethwana kaMasipala wase-Overstrand ngeZicwangciso zokuSetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana), isaziso esi sithi kufunyenwe isaziso esimayela nemiba yeSolotyama(2)(d) loMthethwana wokwahlulahlula kwisiza esinguErf 3181, Voëlklip, Hermanus ibe zinxalenye ezimbini 2, ezaziwa ngeNixalenye A ±878m² ngokubungakanani noB ±1107m² ngokubungakanani.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela Phakathi kwentsimbi yes08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, 16 Paterson Street, Hermanus naseHermanus Library. Naziphi na izimvo ezibhaliweyo mazingeniswe kwamasipala ngokwezibonelelo zeSolotyama51 nama52 zoMthethwana kaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi **komhla wama3 EyoKwindla 2023**, uchaze igama lakho, idilesi neenkukacha zakho, umdla kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mnu P Roux** kwa028-313 8983. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda ahlomle ngokusemthethweni.



4771

Locality Map



OVERSTRAND
MUNICIPALITY

Erf 3181, 34 Tenth Avenue, Voëlklip, Hermanus

PROPOSED SUBDIVISION

ERF 3181 HERMANUS

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mrs. L.J. Arnot, the owner of Erf 3181 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 3181 Hermanus to create one additional erf. There is a dwelling situated on Erf 3181 Hermanus and a permit to demolish the structures on the subject property was obtained from the Building Control Office and the Heritage Western Cape Department. Please refer to **Annexure A**. The Title Deed applicable to Erf 3181 Hermanus does not contain any restrictions that need to be addressed in order for the proposed application to be approved.

The subject property is 1 983m² in extent and is held by Title Deed Number T43694/2021.

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 3181 Hermanus.

3. DESIRABILITY

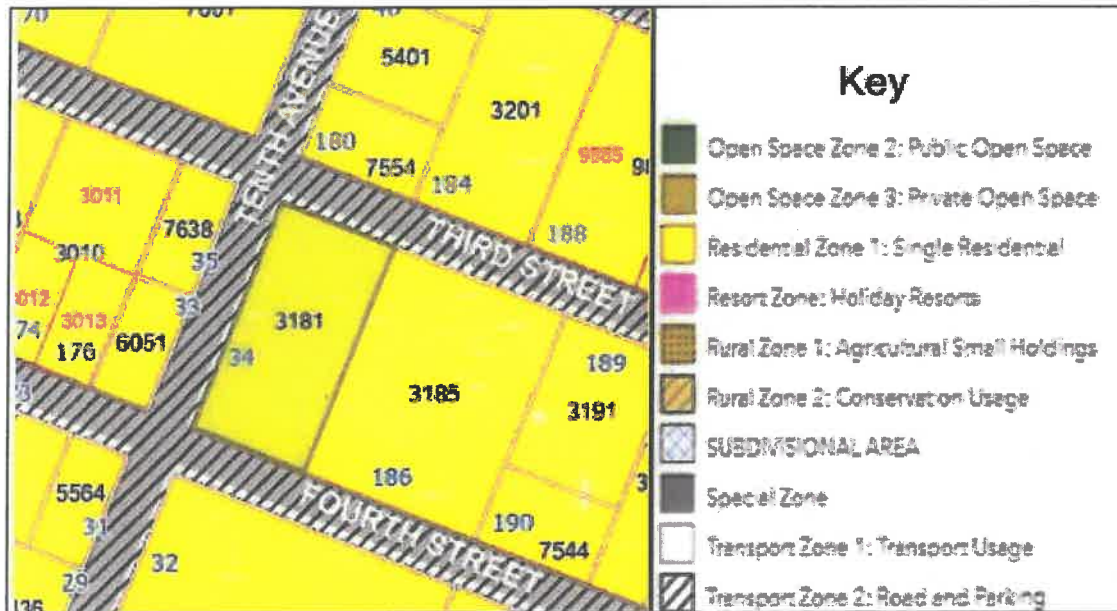
3.1 PROPERTY DESCRIPTION

Erf 3181 Hermanus is located between Third and Fourth Streets on the corner of Tenth Avenue, Voëlklip, Hermanus and is 1 983m² in extent. Please refer to the enclosed locality plan and the aerial photograph below.



3.2 ZONING

Erf 3181 Hermanus is zoned Residential Zone 1 and is used as such. The surrounding properties are also zoned for single residential purposes and public roads. Please refer to the zoning map abstract below:



3.3 LAND USE

Erf 3181 Hermanus is used for residential purposes. A dwelling with a double garage is established on the subject property.

Land uses that surround Erf 3181 Hermanus are single dwellings and public roads. It is therefore evident that the subject property 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 3181 Hermanus into Portion A and B.

3.4. Proposed Subdivision

Erf 3181 Hermanus is 1 983m² in extent. The intention of the owner of the subject property is to subdivide Erf 3181 Hermanus into two portions, Portion A and B. The subject property is one of the larger erven situated in this specific area of Voëlklip, Hermanus.

The detail of the proposed subdivision are tabled below:

Proposed subdivision of Erf 3181 Hermanus			
Portion	Extent (m²)	Zoning	Land use
Portion A	±878	Residential Zone 1	Vacant
Portion B	±1107	Residential Zone 1	Residential (total demolition permit was obtained)

The proposed subdivision of Erf 3181 Hermanus follows the same gridline configuration as the existing residential erven in the same residential block. After the subdivision of the subject property, Portion A and Portion B, portions of Erf 3181 Hermanus will be ±878m² and ±1107 m² in extent, respectively.

The proposed subdivision line will not have any impact on the existing structures situated on the subject property as the structures will be demolished. No departure from any land use restrictions apply to this application for subdivision.

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 two portions will create temporary employment during the construction phase thereof.

3.5 ACCESS

Access to Erf 3181 Hermanus is from Fourth Street and from Tenth Avenue.

At the moment the access points to Portion B, a portion of Erf 3181 Hermanus will be retained and access to Portion A, a portion of Erf 3181 Hermanus will be confirmed with a building plan submission when the intention is to develop the aforementioned portion.

3.6 SERVICES.

Erf 3181 Hermanus is situated in an already developed residential area, where municipal services already exist to which the newly created erf can connect to. All required services will be installed according to the specifications of the Overstrand Municipality.

3.7 TITLE DEED

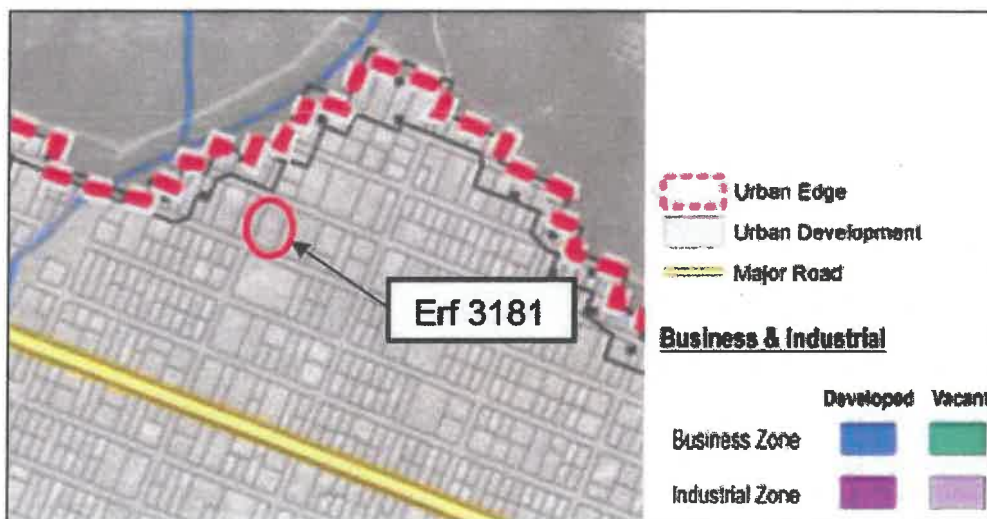
There are no restrictive Title Deed conditions in Title Deed No. T43694/2021 that need to be addressed in order for the proposed subdivision of Erf 3181 Hermanus to be approved.

There is no bond registered against Erf 3181 Hermanus.

3.8 FORWARD PLANNING

Overstrand Municipal Wide Spatial Development Framework (2020).

In terms of the Overstrand Wide Spatial Development Framework the subject property is earmarked for urban development purposes. The residential zoning of Portions A and B, portions of Erf 3181 Hermanus, will be retained after the subdivision has been concluded.



Overstrand Growth Management Strategy (2010)

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) specifies that Erf 3181 Hermanus forms part of Planning Unit no. 3. Incremental development through subdivision to allow a second and third dwelling unit is proposed for 20% of the area.

The newly created erven will still be compatible with the areas of the residential erven in the vicinity and we are therefore of the opinion that the proposal 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 3181 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.

The structures on the subject property are older than 60 years. A permit was obtained from Heritage Western Cape for the total demolition of the structures situated on the subject property.

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 Voëlklip, Hermanus.

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 Voëlklip, 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 sizes of the created portions will be in line with the residential character of this specific area of Voëlklip.

Efficiency: The proposed application for the subdivision of Erf 3181 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 3181 Hermanus falls within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;
- The subject property falls within an already serviced area and the additional 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).

Motivation report

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the subdivision of Erf 3181 Hermanus.

