

**ERF 904, 33 MITCHELL STREET, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR SUBDIVISION: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS  
ON BEHALF OF U & NA BECKMANN AND HOWARTH**

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), to subdivide Erf 904 ( $\pm 1784\text{m}$ ), Hermanus into two (2) portions namely, Portion A and Portion B, both approximately  $\pm 892\text{m}^2$  in extent.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 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](mailto:alida@overstrand.gov.za)) on or before **19 May 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 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 904, MITCHELLSTRAAT 33, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA:  
AANSOEK OM ONDERVERDELING: MNRE PLAN ACTIVE STAD- EN STREEKSBEPLANNERS  
NAMENS U & NA BECKMANN AND HOWARTH**

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), om Erf 904 ( $\pm 1784\text{m}$ ), Hermanus te onderverdeel in twee (2) gedeeltes naamlik, Gedeelte A en gedeelte B, beide ongeveer  $\pm 892\text{m}^2$  groot.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weekdae 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](mailto:alida@overstrand.gov.za)) voor of op **19 Mei 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 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 904, 33 MITCHELL STREET, EASTCLIFF, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: ISICELO FOR SUBDIVISION: MESSRS PLAN ACTIVE TOWN AND  
REGIONAL PLANNERS ON BESOKWAHLULAHULA EGAMENI LIKA-U & NA BECKMANN AND  
HOWARTH**

UMasipala waseOverstrand ukhphe isaziso esimayela nemiba yeSoloty lama-48 loMthethwana oSisihlomelo ngeZicwangciso Zokusetyenziswa koMhlaba kaMasipa e-Overstrand ku202(Umthethwana) esi saziso sithi kufunyenwe isicelo ngokwemiba le16(2)(d)ukucanda kwakhona nokwahlulahlula isiza esinguErf 904 ( $\pm 1784\text{m}$ ), Hermanus ibe zinxalenye ezimbini (2) iinxalenye ezaziwa, ngeNixalenye A (Portion A) neNixalenye B (Portion B), zombini zinobubanzi obulinganiselwa kwizikwe mitha ezi  $\pm 892\text{m}^2$  ubukhulu.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 zoMthethwana ochazwe ngentla kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphanmbi komhla wama**19 uMeyi 2023**, uchaze igama lakho, idilesi neenkukacha ofumaneka

kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathunyelwa ku**Mnu P Roux** ku028-313 8900. Umasipala angala ukwamkela izimvo ezifunyenwe ngemva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda ahlomle ngokusemthethweni.



Scale: NTS  
 Drawing Nr: local.drw  
 Date: SEPTEMBER 2022

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 904  
 HERMANUS**

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

**PROPOSED SUBDIVISION**

**ERF 904 HERMANUS**

**DIVISION: CALEDON**

**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**

**1. BACKGROUND**

Ms U. Bechmann and Mr. N.A. Howarth, owners of Erf 904 Hermanus have instructed the company Plan Active Town and Regional Planners, to apply for the subdivision of the subject property.

A demolition permit was obtained from the Heritage Western Cape Department as well as the Building Department of the Overstrand Municipality and all structures on the subject property have been demolished. The subject property is currently vacant. The intention of the owners is to subdivide the subject property into two equally sized erven.

Erf 904 Hermanus is 1 784m<sup>2</sup> in extent and is held by Title Deed Number T41015/2022.

**2. APPLICATION DETAILS**

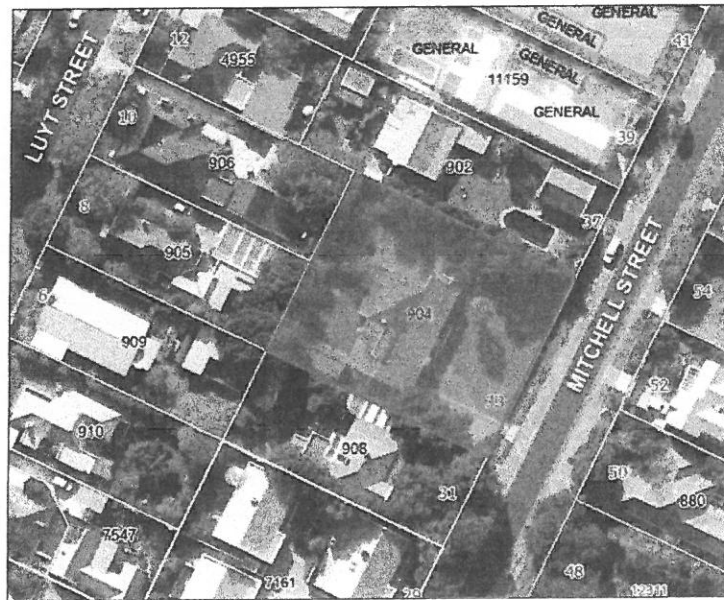
Application is made in terms of:

- 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 904 Hermanus.

### 3. DESIRABILITY

#### 3.1 PROPERTY DESCRIPTION

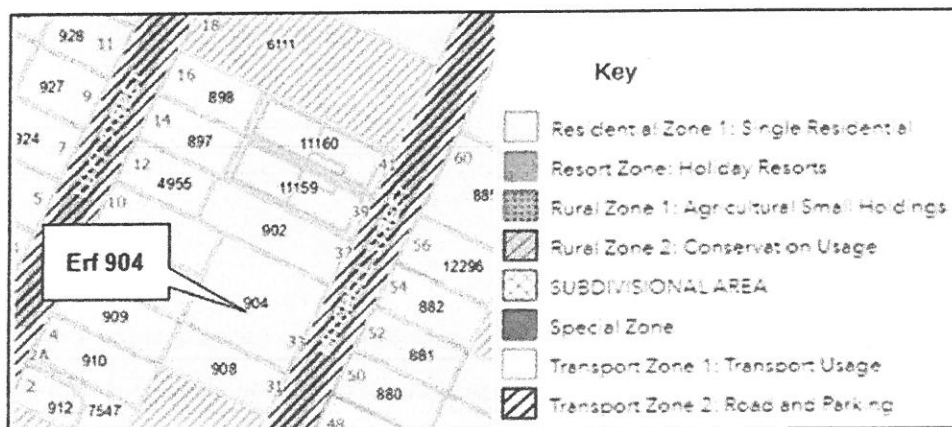
Erf 904 Hermanus is situated at 33 Mitchell Street, Hermanus and is 1 784m<sup>2</sup> in extent. Please refer to the enclosed locality plan and the aerial photograph below.



#### 3.2 ZONING

Erf 904 Hermanus is zoned Residential Zone 1.

The surrounding properties are zoned for single residential purposes, general residential purposes (town housing) and public roads.



### **3.3 LAND USE**

The subject property is currently vacant as seen in the picture below. A total demolition permit was obtained from the Building Control Department of the Overstrand Municipality and the structures have been demolished.



Land uses that surround Erf 904 Hermanus are single dwellings, town housing and public roads. It is therefore evident that the subject property is situated within a predominantly mixed 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 904 Hermanus into Portions A and B.

#### **3.4.1. PROPOSED SUBDIVISION**

Erf 904 Hermanus is 1 784m<sup>2</sup> in extent. The intention of the owners of the property is to subdivide Erf 904 Hermanus into two equally sized portions, Portion A and Portion B. The subject property is one of the larger erven in this specific area of Eastcliff,

Motivation report

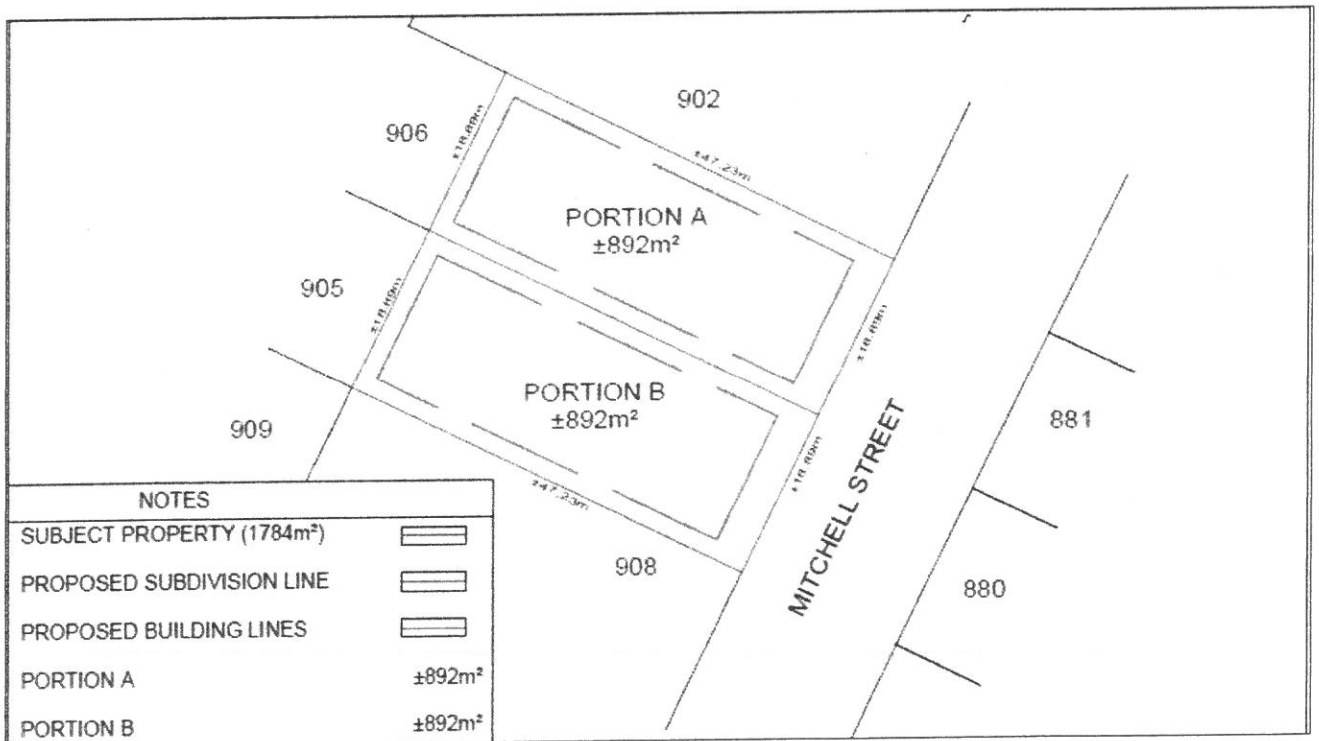
Hermanus. The erven situated in Mitchell Street vary in size from  $\pm 773\text{m}^2$  to  $1\,784\text{m}^2$  in extent as tabled below:

Extent of erven within Mitchell Street, Hermanus						
Erf number	880	12296	908	11159	902	7161
Extent in ( $\text{m}^2$ )	773	843	892	1075	1112	1784

The detail of the proposed subdivision is tabled below:

Proposed subdivision of Erf 904 Hermanus			
Portion	Extent ( $\text{m}^2$ )	Zoning	Land Use
Portion A	$\pm 892$	Residential Zone 1	Vacant
Portion B	$\pm 892$	Residential Zone 1	Vacant

The proposed subdivision of Erf 904 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, portions of Erf 904 Hermanus will be  $\pm 892\text{m}^2$  extent each, as seen in the abstract below from the proposed subdivision plan.



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 portions will create temporary employment during the construction phase thereof.

### **3.5 ACCESS**

Pedestrian and Vehicular access to Erf 904 Hermanus is from Mitchell Street.

The accesses points to proposed Portions A and B will be confirmed with building plan submissions when it is the intention to develop the aforementioned portions.

### **3.6 SERVICES.**

Erf 904 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**

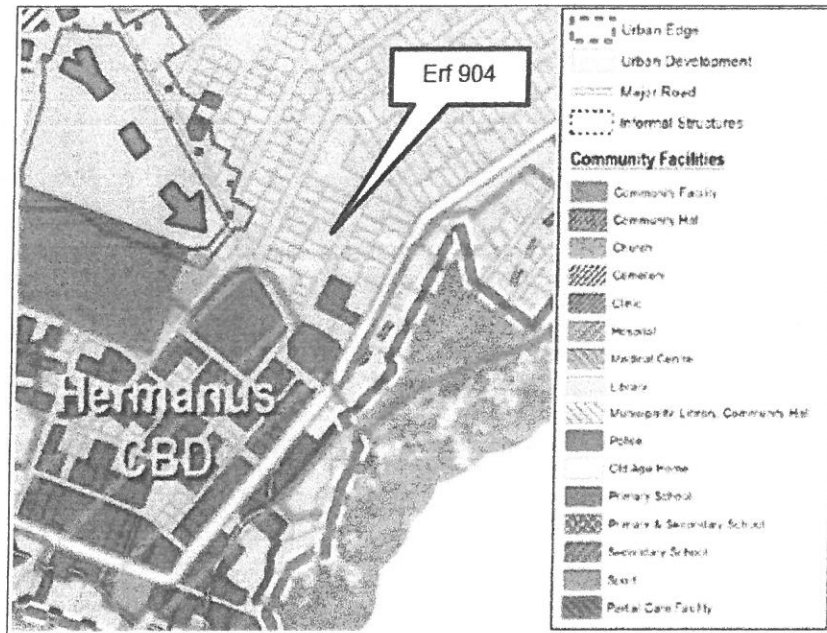
There are no restrictive Title Deed conditions in Title Deed No. T41015/2022 that need to be addressed in order for the proposed subdivision of Erf 904 Hermanus to be approved.

There is no bond registered against Erf 904 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 Portion A and Portion B, portions of Erf 904 Hermanus will be retained after the subdivision application has been concluded.



### **Overstrand Growth Management Strategy (2010)**

With reference to the Overstrand Growth Management Strategy the subject erf falls within Planning Unit 14 that 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 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 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 904 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.

A total demolition permit was issued by the **Heritage Western Cape Department**, dated **25 November 2022** and all structures on the subject property were demolished and is the subject property currently vacant.

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.

### **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 the subject property to be used more efficiently.

**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 this specific area of Eastcliff.

**Efficiency:** The proposed application for the subdivision of Erf 904 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**

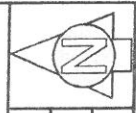
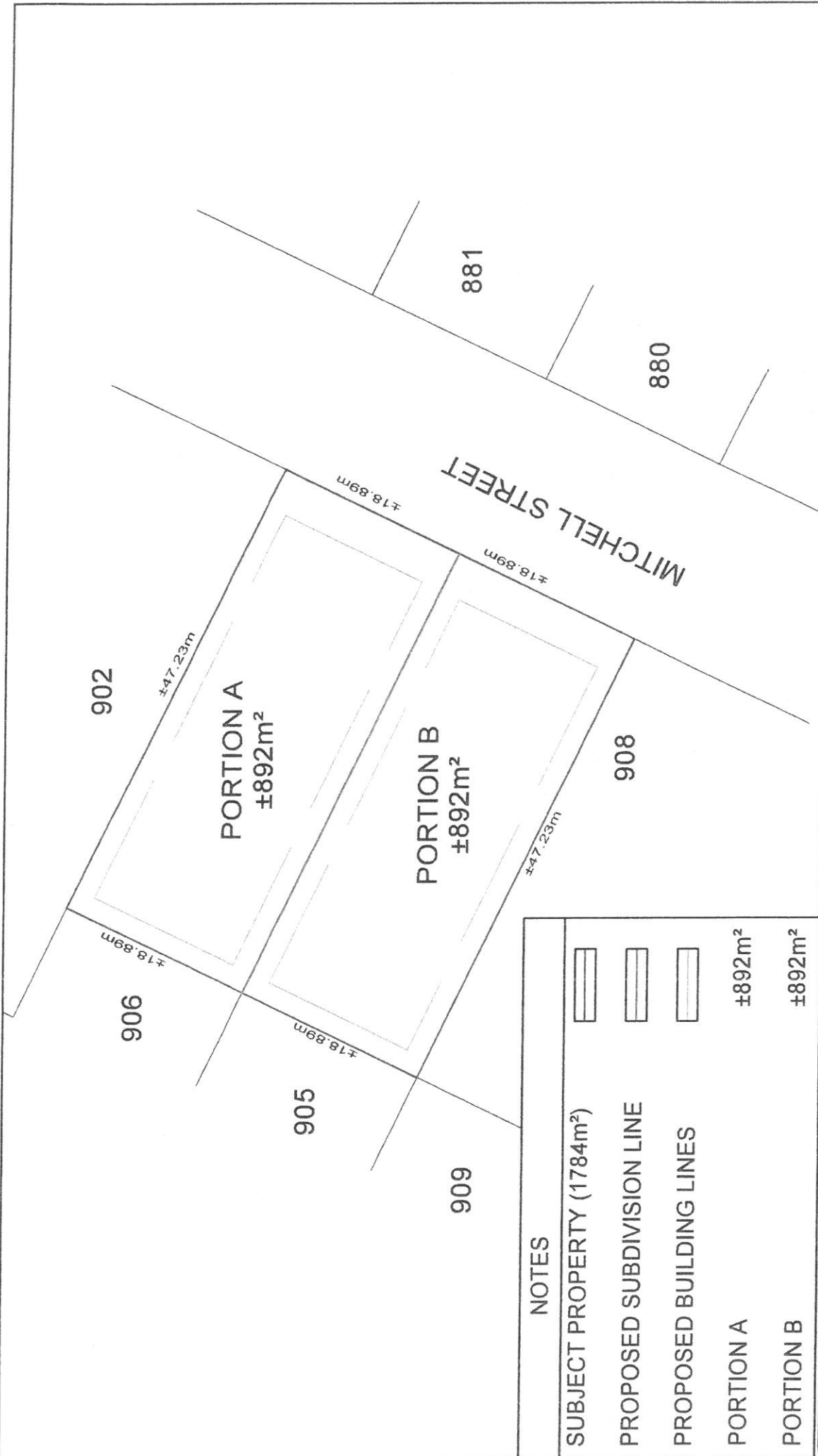
When this application is evaluated, it is important to take note of the following:

- The proposed subdivision of Erf 904 Hermanus falls within the existing land use tendencies in the area;

## Motivation report

- The proposal is compatible with the existing erf sizes in the area;
- 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 904 Hermanus.



Scale: 1:500  
 Drawing Nr: SUBDIVISION PLAN.drw  
 Date: MARCH 2023

Plan Description:  
**SUBDIVISION PLAN**

Property Description:  
**ERF 904 HERMANUS**

All distances approximate and subject to survey.  
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**PLA<sup>n</sup> Active**  
 Stads- en Streeksbeplanners  
 Town & Regional Planners

NOTES	
SUBJECT PROPERTY (1784m <sup>2</sup> )	
PROPOSED SUBDIVISION LINE	
PROPOSED BUILDING LINES	
PORTION A	±892m <sup>2</sup>
PORTION B	±892m <sup>2</sup>

