

**REMAINDER ERF 3363, 222 SEVENTH STREET AND ERF 3364, 221 SIXTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: PROPOSED CONSOLIDATION: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF KARIN DE VILLIERS TRUST**

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 for consolidation in terms of Section 16(2)(e) of the By-Law to consolidate Remainder Erf 3363 (421m<sup>2</sup> in extent) and Erf 3364 (495m<sup>2</sup> in extent), Hermanus to create a one erf approximately 916m<sup>2</sup> 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 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **28 July 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.

**RESTANT ERF 3363, SEWENDESTRAAT 222 EN ERF 3364, SESDESTRAAT 221, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: VOORGERGESTELDE KONSOLIDASIE: MNRE PLAN ACTIVE STADS- EN STREEKSBEPLANNERS NAMENS KARIN DE VILLIERS TRUST**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek om konsolidasie ontvang is ingevolge Artikel 16(2)(e) van die Verordening om Restant Erf 3363 (421m<sup>2</sup> groot) en Erf 3364 (495m<sup>2</sup> groot), Hermanus te konsolideer om een erf ongeveer 916m<sup>2</sup> groot te skep.

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 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **28 Julie 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.

**INTSALELA EZIZIZA ERF 3363, 222 SEVENTH STREET NO-ERF 3364, 221 SIXTH STREET, VOËLKLIP, HERMANUS, KUMMANDLA KAMASIPALA WASEOVERSTRAND: UHLENGAHLENGISO OLUPHAKANYISWAYO: MESSRS PLAN ACTIVE TOWN & REGIONAL EGAMENI LE-KARIN DE VILLIERS TRUST**

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-48 loMthethwana osisiHlomelo soMthethwana kaMasipala waseOverstrand ngeZicwangciso Zokusetyenziswa koMhlaba, ku2020 (UMthethwana), isaziso eso sithi kufunyenwe isicelo esimayela nemiba yokuhlengahlengiswa kweSoloty le16(2)(e) loMthethwana ngezihlengahlengiso zeNtsalela yesiza esinguErf 3363 (421m<sup>2</sup> ubukhulu) nesiza esinguErf 3364 (495m<sup>2</sup> ubukhulu), eHermanus ukwakha nokwenza isiza esinye esingumlinganiselo wobukhulu obuzizikwemitha ezizimitha ezi-916m<sup>2</sup> ubukhulu.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini kwixesha eliphakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: lizcwangciso NgeDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe kwamasipala ngokwezibonelelo zeSoloty lama-51 nelama-52 oMthethwana osele uchazwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama **28 uJulayi ku2023**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi saziso nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mnu P Roux** kwa 028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela iSebe Lezicwangciso ngeDolophu apho igosa likamasipala liza kumnceda ukuhlomla ngokusemthethweni.

# Plan Active

Stads- en Streeksbeplanners  
Town & Regional Planners

All distances approximate  
and subject to survey.  
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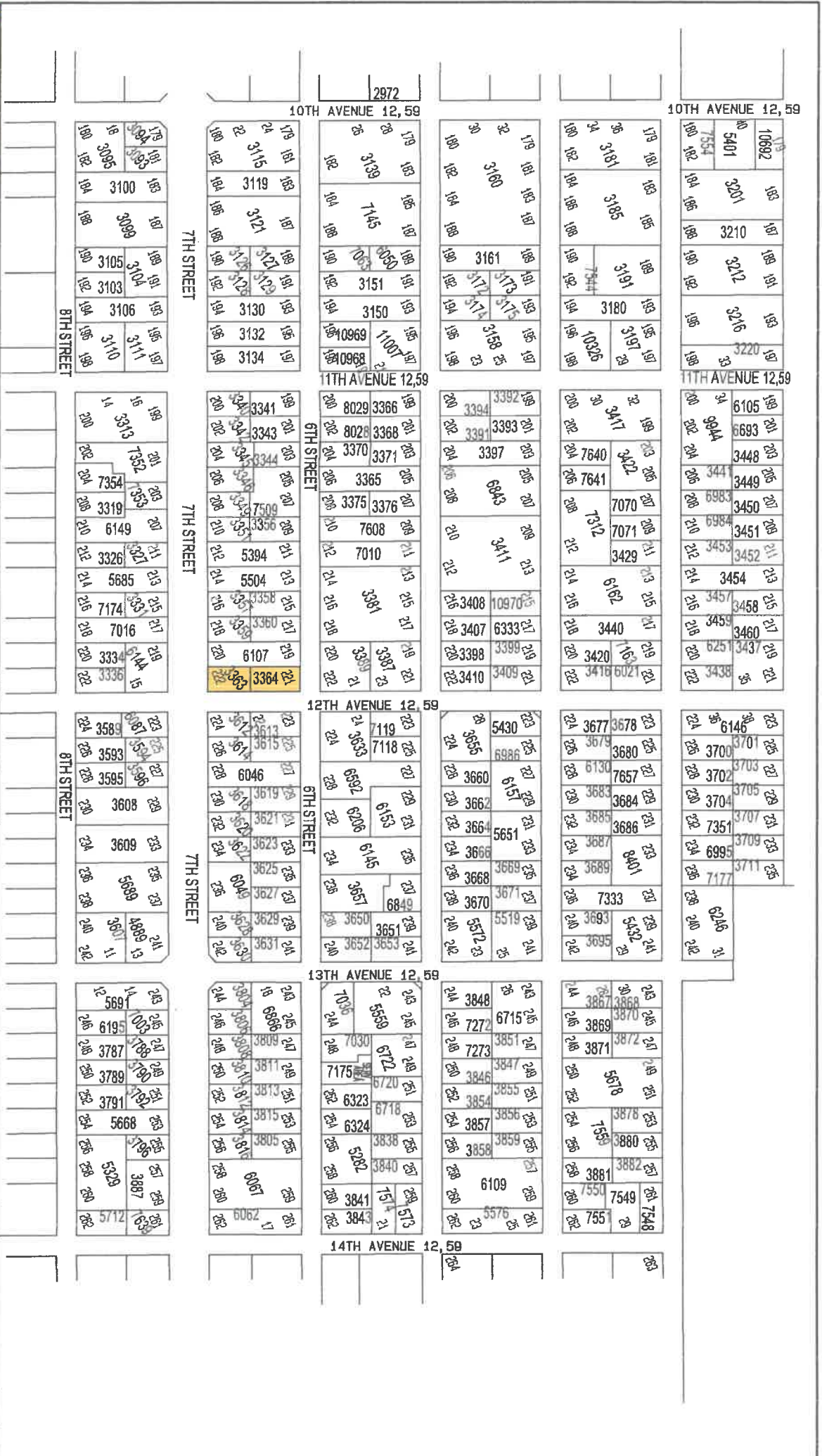
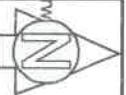
Property Description:  
**ERVEN 3363 AND 3364**

**VOELKLIP**

Plan Description:  
**LOCALITY MAP**

Scale:  
**NTS**

Drawing Nr.  
of 3363 and 3364, Voelklip, d.w.  
Date:  
**JUNE 2023**



**PROPOSED CONSOLIDATION**

**REMAINDER ERF 3363 AND ERF 3364**

**HERMANUS**

**DIVISION: CALEDON**

**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**

1. **BACKGROUND**

Mr. M. Du Toit de Villiers, on behalf of the Karin De Villiers Trust, the owner of Remainder Erf 3363 and Erf 3364 Hermanus, has instructed the company Plan Active Town and Regional Planners, to apply for the consolidation of the aforementioned erven.

The intention of the owner of the subject properties is to consolidate Remainder Erf 3363 and Erf 3364 Hermanus to create a single property to accommodate a new proposed dwelling, on the newly consolidated Erf, without departing from the Zoning Scheme Regulations. The original homestead on Erf 3364 Hermanus was demolished and subsequently the two subject properties are currently vacant.

Remainder Erf 3363 and Erf 3364 Hermanus are 421m<sup>2</sup> and 495m<sup>2</sup> in extent respectively and are both held by Title Deed Number T9798/2022.

## 2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the consolidation of Remainder Erf 3363 and Erf 3364 Hermanus.

## 3. DESIRABILITY

### 3.1 PROPERTY DESCRIPTION

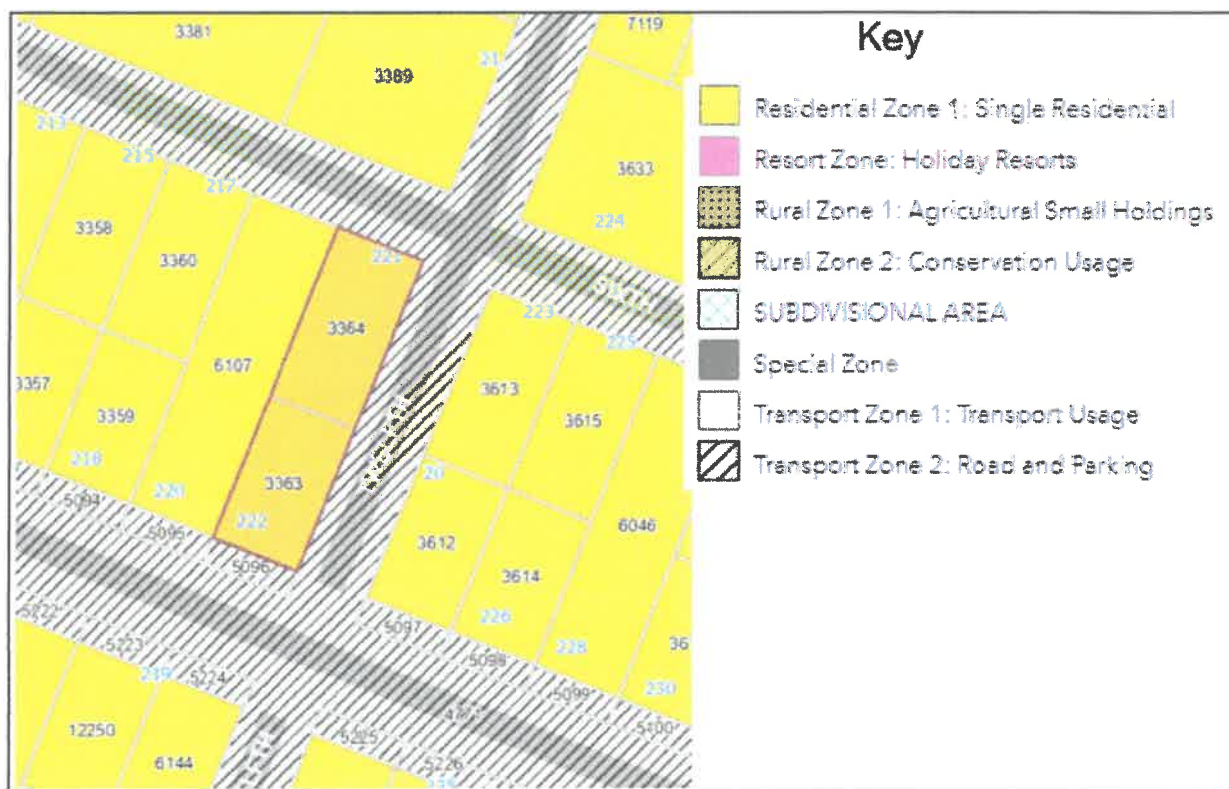
Remainder Erf 3363 and Erf 3364 Hermanus are situated at 222 Seventh Street and 221 Sixth Street, Voëlklip, Hermanus, respectively. Please refer to the enclosed locality plan and the abstract from the Overstrand GIS below.



### 3.2 ZONING

Remainder Erf 3363 and Erf 3364 Hermanus are zoned Residential Zone 1. The aforementioned erven are currently vacant, the original homestead on Erf 3364 Hermanus was demolished.

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

Remainder Erf 3363 and Erf 3364 Hermanus are currently vacant .

Land uses that surround Remainder Erf 3363 and Erf 3364 Hermanus are single dwellings and public roads. It is therefore evident that Remainder Erf 3363 and Erf 3364 Hermanus are situated within a predominantly single residential area.

### 3.4 PROPOSAL

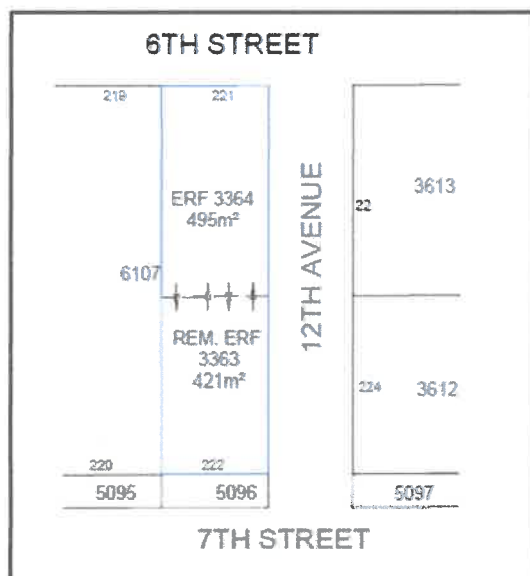
The following is proposed:

- The consolidation of Remainder Erf 3363 and Erf 3364 Hermanus in terms of Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

**3.4.1. Proposed Consolidation**

Remainder Erf 3363 and Erf 3364 Hermanus are 421m<sup>2</sup> and 495m<sup>2</sup> in extent respectively. The intention of the owner of the subject properties is to consolidate Remainder Erf 3363 and Erf 3364 Hermanus to accommodate a new dwelling, on the proposed consolidated Erf, without departing from the Zoning Scheme Regulations. The detail of the proposed consolidation is tabled below:

<b>TOTAL EXTENT OF THE PROPOSED CONSOLIDATION</b>	<b><u>±916m<sup>2</sup></u></b>
<b>PROPOSED CONSOLIDATION OF REMAINDER ERF 3363 AND ERF 3364 HERMANUS</b>	Remainder Erf 3363: <b><u>421m<sup>2</sup></u></b> Erf 3364: <b><u>495m<sup>2</sup></u></b>
Please refer to the enclosed consolidation plan and abstract below.	

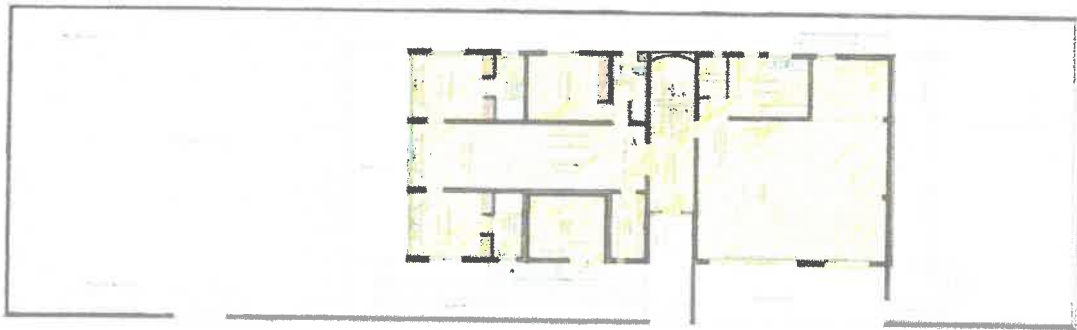


The subject properties are both zoned Residential Zone 1: Single Residential and owned by the same owner, Subsequently the subject erven can therefore be consolidated. Remainder Erf 3363 and Erf 3364 Hermanus are currently vacant.

The proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus is not in contrast with the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed consolidation.

The main reason for the proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus, is to accommodate a proposed dwelling, on the proposed consolidated Erf. As seen in the proposed plans for the new dwelling below, the dwelling will be

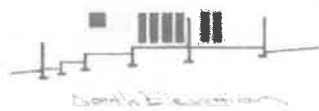
positioned on the proposed consolidated Erf without any departures from the Zoning Scheme Regulations.



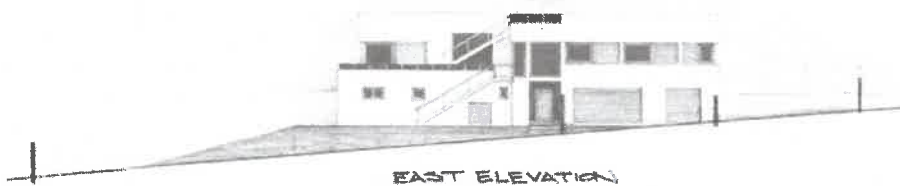
Ground Floor Plan



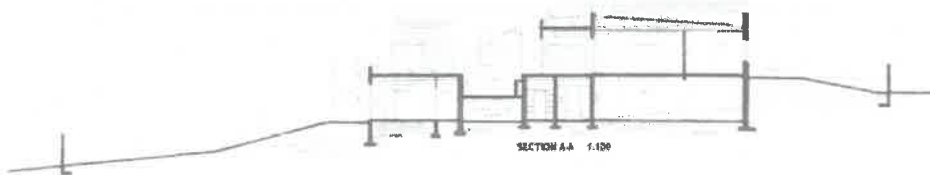
1st Floor Plan



North Elevation



EAST ELEVATION



The proposal will not have a negative impact on the environment, traffic flow or character of the area. The proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus will not have any impact on the surrounding property values. We therefore do not anticipate any problems with the proposed application. Due to the orientation of the subject erven, the consolidation will not have a negative impact on views of the surrounding residential erven.

### **3.5 ACCESS AND TRAFFIC**

Erf 3364 Hermanus is accessible via 6th Street and 12<sup>th</sup> Avenue, Voëlklip. Remainder Erf 3363 Hermanus is accessible via 12<sup>th</sup> Avenue Hermanus. Both erven are currently vacant, and the access points will be confirmed with a building plan submission for the consolidated erf when the owner develops the site.

The proposed consolidated erf will still be used for single residential purposes and no additional erven are proposed, therefore the impact on the traffic flow in the area will marginally decrease.

### **3.6 SERVICES**

All services on the subject properties already exist. The proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus will not require any additional services.

### **3.7 TITLE DEED**

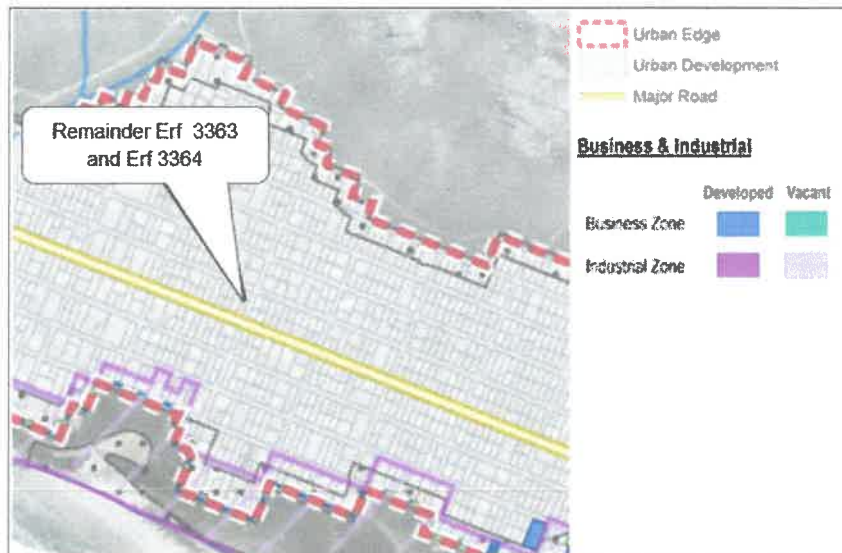
Title Deed Number T9798/2022 has no restrictions that need to be addressed in order for this application for the proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus to be approved.

There are no bonds registered against the Remainder Erf 3363 and Erf 3364 Hermanus.

### 3.8 FORWARD PLANNING

#### **Overstrand Municipal Spatial Development Framework (2020).**

The Overstrand Spatial Development Framework (2020) earmarks the area where Remainder Erf 3363 and Erf 3364 Hermanus are situated, for urban development purposes. Refer to the abstract from the Spatial Development Framework Plan (2020) below.



The land use of the newly consolidated property will remain in accordance with the zoning that is Residential Zone I: Single Residential. As a result, the impact of the proposed consolidation on the spatial integrity of the area will be minimal and is therefore consistent with the **Overstrand Municipal Spatial Development Framework (2020)**.

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

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) specifies that Remainder Erf 3363 and Erf 3364 Hermanus form 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.

This application does however not propose to create any additional portions, nor does it propose the construction of an additional dwelling unit on the subject property. The density will therefore decrease.

From the above it is evident that the proposed consolidation adheres to the spatial planning policies for the Voëlklip area and subsequently falls within the existing land use tendencies for the Voëlklip area.

### **3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION**

#### **3.9.1 HERITAGE VALUE**

Remainder Erf 3363 and Erf 3364 Hermanus are not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The properties are not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject properties are 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 subject properties are situated in close proximity of Seventh Street(R43), Hermanus, which is classified as HPOZ Scenic Drives (Route of Regional Scenic Significance HPOZ) as seen in the abstract below from the Overstrand Municipal GIS System. The proposed consolidation does not have any impact on the aforementioned road.



In light of the above mentioned it is evident that the proposed consolidation 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 consolidation 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 consolidation is compatible with the current erf sizes and land use tendencies in the vicinity within the specific area of Voëlklip, Hermanus.

**Spatial sustainability:** The proposed application will have no impact on the conservation worthy areas of Voëlklip, Hermanus. Spatially the land use and erf size of the consolidated property will be in line with the residential character of this specific area of Voëlklip.

**Efficiency:** The proposed application for the consolidation of Remainder Erf 3363 and Erf 3364 Hermanus will promote the optimisation of the use of space within a developed residential area. The proposed consolidated property will be 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 main reason for the proposed consolidation is to accommodate a new dwelling without departing from the Zoning Scheme Regulations;
- The proposed consolidation of Remainder Erf 3363 and Erf 3364 Hermanus falls within the existing land use tendencies of the area;
- The proposal is compatible with the existing erf sizes in the area;
- The proposed consolidation will not have a negative impact on the current character and land values of the surrounding erven;
- No additional services are required with the proposed application for consolidation;
- 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 consolidation of Remainder Erf 3363 and Erf 3364 Hermanus.

222

# 6TH STREET

219

221

ERF 3364  
495m<sup>2</sup>

6107



REM. ERF  
3363  
421m<sup>2</sup>

# 12TH AVENUE

22

3613

224

3612

220

222

5095

5096

# 7TH STREET

TO CREATE A NEWLY CONSOLIDATED  
PROPERTY OF 4916m<sup>2</sup>

ZONING: SR1

NEWLY CONSOLIDATED PROPERTY



EXISTING ERF BOUNDARIES



PROPOSED CONSOLIDATION:

-REMAINDER ERF 3363

421m<sup>2</sup>

-ERF 3364

495m<sup>2</sup>

All distances approximate  
and subject to survey.

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Property Description:

**ERVEN 3363 & 3364  
VOELKLIP**

Plan Description:

**CONSOLIDATION  
PLAN**

Scale:

**1 : 600**

Drawing Nr:

consolidation.drw

Date:

MAY 2023



**Plan  
Active**

Stads- en Streekbeplanners  
Town & Regional Planners

