

ERVEN 4779 & 2603, 125 & 127 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: CK RUMBOLL AND PARTNERS ON BEHALF OF M.E ANDRAG

Notice is hereby given in terms of Section 48, read with Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for the consolidation of Erven 4779 & 2603, Voëlklip, Hermanus, to create a consolidated erf of ± 1242m² 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) on or before **1 July 2022**, 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.

ERWE 4779 & 2603, 125 & 127 AGTSTE-STRAAT, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM KONSOLIDASIE: CK RUMBOLL AND PARTNERS NAMENS M.E ANDRAG

Kennis word hiermee gegee ingevolge Artikel 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om konsolidasie van Erwe 4779 & 2603, Voëlklip, Hermanus, om 'n gekonsolideerde erf van ± 1242m² te skep.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende woensdae 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 **1 Julie 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.

ERVEN 4779 & 2603, 125 & 127 EIGHTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: ISICELO SOKUMANYANISWA: CK RUMBOLL AND PARTNERS EGAMENI LE M.E ANDRAG

Isaziso sikhutshwe ngokwemiqathango yeCandelo 48, elifundwa kunye neCandelo 16(2)(e) loMthetho kaMasipala oLungisiweyo wokuSetyenziswa koMhlaba woMasipala wase-Overstrand 2020 sokokuba isicelo sifunyenwe sokuhlanganiswa kweZiza 4779 & 2603, e-Voëlklip, e-Hermanus, ukulungiselela ukuyila isiza esihlanganisiweyo ± 1242m² ubukhulu.

linkcukacha ezipheleleyo ephathelelene nesindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi **komhla, wama-1 kaJulayi 2022**, unike igama lakho, idilesi neenkukacha zoxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **uMnu P. Roux** kule nombolo 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

APRIL
2022

**TOWN PLANNING APPLICATION FOR PROPOSED CONSOLIDATION
OF ERF 2603 AND ERF 4779, HERMANUS**



Ref: HER/12414/GT-ZN



Authority:

OVERSTRAND MUNICIPALITY

Compiled by:

GENO THERON FOR
CK RUMBOLL & PARTNERS
022 482 1845
16 RAINIER STREET
MALMESBURY
7300

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1. INTRODUCTION

This office is applying for the necessary land use approval to consolidate two erven (Erf 4779 & 2603, Hermanus) into one land unit on behalf of Magdalena Enslin Andrag, registered owner of aforementioned erven.

Power of Attorney is attached as Annexure A.

2. PURPOSE OF APPLICATION

The purpose of this motivation report is to apply for a:

Consolidation of Erf 4779 and Erf 2603, Hermanus, into one land unit of 1242m² in terms of Section 16 (2) (e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning (2020).

Application Form is attached as **Annexure B.**

3. PROPERTY DESCRIPTION

The information below provides an overview of the properties concerned. A copy of the **Title Deed** as well as the **SG Diagrams** are attached as **Annexure C.**

ERF 4779 & 2603, Hermanus	
SIZE/S	Erf 4779: 747m ² Erf 2603: 495m ²
OWNER/S	Magdalena Enslin Andrag
ZONING	Residential Zone 1: Single Residential
CURRENT LAND USES	Dwelling House & Vacant Land
TITLE DEED NR	T66047/2015
RESTRICTIONS	The applicable title deed contains no restrictive conditions which can prohibit the proposal.
SERVITUDES	According to the SG Diagram there are no registered servitudes over the property.
BOUNDARIES	North : 8 th Street
	East : Erf 2601
	South : Erf 2604
	West : Erf 4778

4. LOCATION

Erf 4779 & 2603 is located within the urban area of Hermanus east and it makes access onto 8th Street. Hermanus is a coastal town which falls within the jurisdiction of the Overstrand Municipality. The town is situated ± 120 km east of Cape Town and ± 140 km west of Swellendam. Refer to **Locality Plan** attached as Annexure D.

Figure 1. Aerial View/location



5. ZONING AND LAND USES

5.1 Current zoning and land use

The subject properties are zoned Residential Zone 1: Single Residential according to the Overstrand Municipality Land Use Scheme (2020). Erf 2603 is a vacant site while Erf 4779 is improved with a dwelling house (see **Approved Building Plans** attached as Annexure G). Both properties gain access off 8th Street to the north as seen below.



Figure 2. Land use

5.2 Surrounding zoning and land uses

As seen in the **Figure 3** below, the predominant land use in the area is residential of nature. Properties adjacent to the site all have uniform Residential Zone 1 zonings and land uses accordingly (dwelling houses). Pockets of open spaces are situated in and around the area and a strip of open space demarcated as nature reserve runs along the coastal front. There are also General Residential Zone 3 sites that host flats and Business Zone 3 sites that are occupied by local business to the south of the subject properties. Consolidating the two erven will only result in the joining of two properties: seeing that the property is already being utilised as if one because both properties are owned by 1 owner, **no adverse effect** is expected on both neighbouring properties and surrounding area.

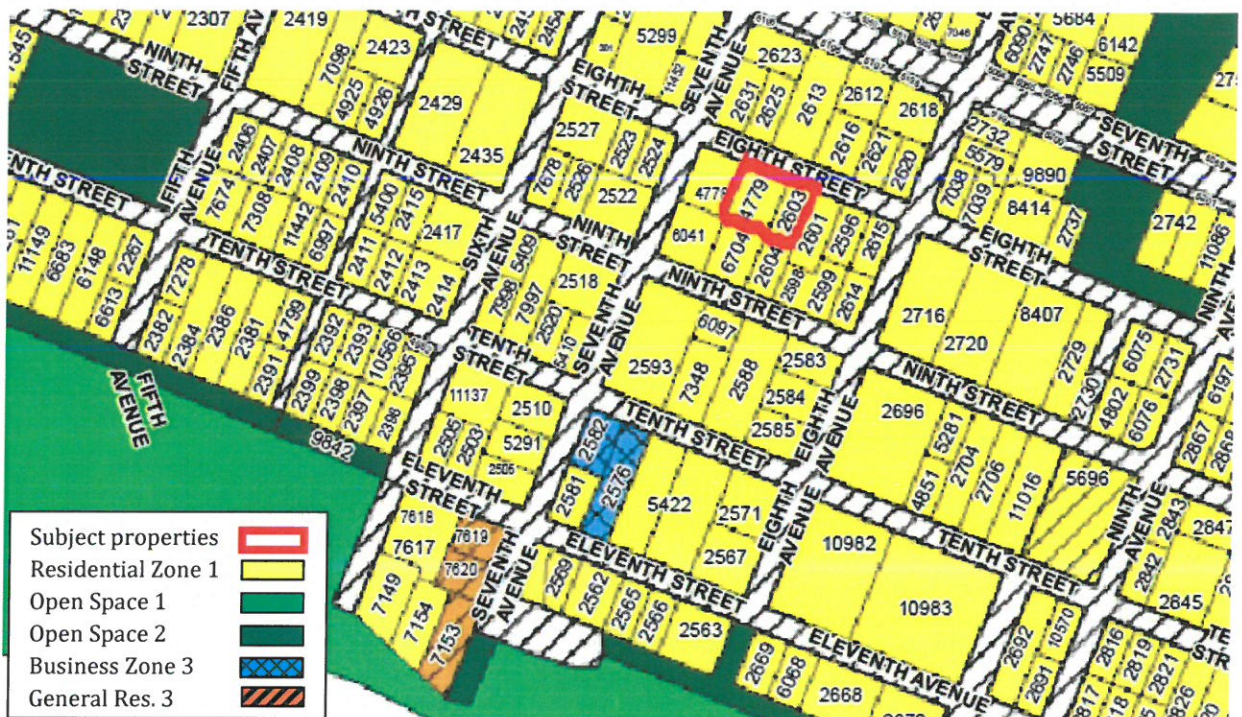


Figure 3. SDF extract

6. DEVELOPMENT PROPOSAL

The purpose of this motivation report is to apply for a consolidation under the Residential Zone 1 zoning of Erf 4779 and 2603, Hermanus. Details regarding the proposal are discussed below:

6.1 Consolidation

It is the desire of the owner of Erf 4779 and 2603, Hermanus, to consolidate the two erven into one land unit as seen in the **Figure 4** below. Erf 4779 is improved with a dwelling house, while Erf 2603 is vacant. Both properties are zoned Single Residential Zone 1.

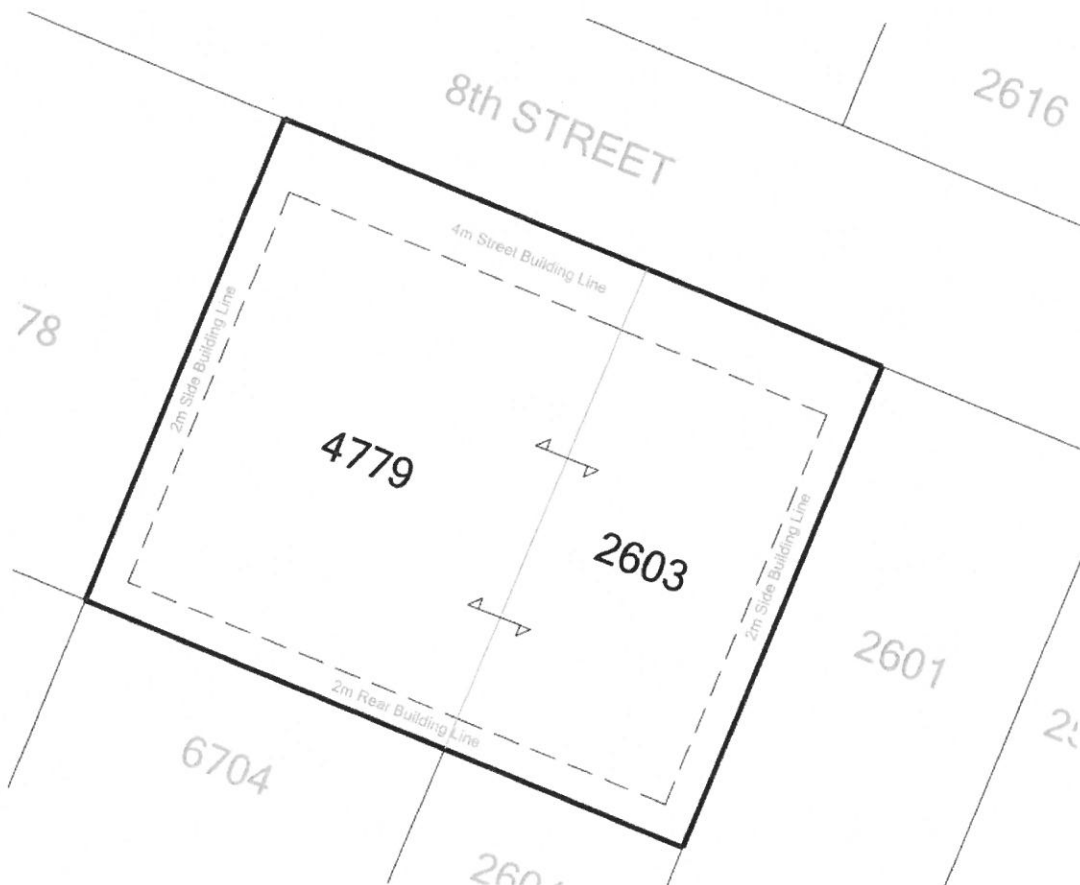


Figure 4. Consolidation extract

It is the desire of the owner to improve the current dwelling with building additions but it has been brought under her attention that in order to make these building additions, a consolidation is necessary. The application is thus for the consolidation of the erven in order to have the building capacity for the desired additions.

The proposed consolidation will see **both properties retain their Residential Zone 1 zoning**, whilst the opportunity arises for the owner to enjoy and live on a site that speaks to their desire and that suits their lifestyle on the consolidated property, maximizing the potential of the properties and also its location. The consolidated erf will measure 1242m² in extent. See **Consolidation Plan** attached as **Annexure E**.

Current Erf	Area	Zoning
4779	747m ²	Residential Zone 1
2603	495m ²	Residential Zone 1
After consolidation		
Consolidated Erf	1242m ²	Residential Zone 1

The general urban form of the area is made up of a good combination of erven generally ranging in size of between ±500m², ±600 - 900m² and also ±1200m²+. As seen in table above, in its current form the subject properties also fall within the first two brackets. Subsequently, after consolidation, the size of the consolidated property will double (1242m²) and, as seen in **Annexure F**, is consistent with the general form of the larger properties in Hermanus East. **Annexure F** illustrates that there are a number of properties which were formulated through means of consolidation or which retained its initial larger form. In a radius of ±350m, there are more than 25 properties which are larger than 1200m² (this figure increases in a ±500m radius) which means the proposed consolidation will result in an erf that conforms to the urban fabric of the given area.



Figure 5. Larger erven in area

Furthermore to staff this point, the property across the site measures 1378m² in extent. Accommodating these larger erven translates the notion that larger properties in the area are considered to **not have an adverse impact on the character or form of Hermanus East**. The fact that many owners has retained larger properties in the area and some may have opted the consolidation approach, speaks to the truth that many homeowners have similar desires and outlooks in terms of lifestyle and more specifically the life they bought into which they felt Hermanus would give them.

Hermanus has always had its natural features (sea, land, mountains and life form) be the pinnacle of the town's attractiveness. **Consolidating the erven and offering a larger property for the owner to live more conveniently and to the owners desire, is consistent with the vision of the coastal town to provide spectacular natural beauty while its residents are the heart and soul of the town.**

7 OVERSTRAND MUNICIPALITY LAND USE SCHEME

As previously mentioned, both properties are zoned Residential Zone 1 according to the Swartland Municipal Land Use Planning By-law. No change in the zoning is proposed which stimulates the zoning schemes Residential Zone 1 objective for the land use to be residential of nature and ultimately **protect quality and character of the area**. Through the retaining of the properties zoning, the character of the area is thus undeterred by the proposal.

Considering that no building plans have been proposed at this time, there is no development proposal to assess in terms of the criteria set out under Residential Zone 1 zoning in the Overstrand Municipality Land Use Scheme. The parameters applicable to this particular zoning will be relevant at building plan submission stage.

Given the information above it is considered favourable for the proposed consolidation to be approved as it complies with the development vision as set out in the Overstrand Municipal Land Use Scheme (2020).

8 ACCESS & PARKING

8.1 Access

As seen on the **Consolidation Plan**, attached as **Annexure E**, no change of access is proposed. The newly created erf will retain access onto 8th Street, north of the properties.

8.2 Parking

The Overstrand Municipality Land Use Scheme outlines the requirement of 2 parking bays per dwelling unit are required. After the consolidation, there will be ample room for the required parking bays and parking will thus be provided in accordance with the provisions as set out in the Overstrand Municipality Land Use Scheme (2020).

9 SERVICES

The existent services are sufficient for the proposal. One of the erven already has a dwelling house with the necessary services connections. Existing services connections are thus deemed sufficient.

10 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK, 2020

The Overstrand Spatial Development Framework, 2020, provides the planning guidelines that guide future planning and development in Hermanus and the greater Overstrand Municipal Area. The SDF outlines the spatial proposal for Hermanus East, being a low density residential suburban area situated in a pristine natural landscape. Proposing a consolidation of two Residential Zone 1 zoned properties will adhere to the ideals of having the area remain of low density. Consolidating the two erven protects the areas low density.

The Overstrand SDF's spatial directives for the region include for **the area to be a “memorable and distinctive Overstrand”**. The purpose of this application is to consolidate two properties. The consolidation will allow the owner to maximise the potential of the land which is worthy of the beautiful setting. Through the restructuring of the urban settlement (through consolidation of the two erven), the owner is afforded an opportunity to utilise a greater erf which will enhance the attractiveness of the place whilst still retaining its social and functional quality of the area. It is worth mentioning that although the consolidation will result in a bigger erf, it still conforms to the general form of Hermanus East. Consolidating the erven will contribute to the area being distinctly recognisable for its unapologetically large erven.

Becoming and maintaining an environmentally sustainable and resilient place is another directive envisioned by the SDF. The proposal does not impact on any environmental attributes nor does it threaten any way of life. It continues to envision the municipality to be a **liveable Overstrand**. No change of zoning is proposed and therefore by retaining its predominantly residential character on site, it protects the character of the area which is a liveable place.

Through the proposed consolidation, the **full potential for the subject properties are thus increased** granting the owner greater developable land which in essence will result in an attractive place/area to live in as envisioned by the SDF. The sense of place is also both protected and retained.

Taking into account the above, the proposal is considered to be consistent with the proposals of the Overstrand SDF, 2020.

11 PRINCIPLES OF LAND USE PLANNING

The proposed development supports the principles of Chapter VI (Article 59) of the Land Use Planning Act, Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act, Act 16 of 2013, as follows:

1. PRINCIPLE OF SPATIAL JUSTICE –

The proposal does not negatively impact any persons nor does it prohibit the previously disadvantaged from access to and use of land. The Overstrand Municipal Land Use Scheme and SDF is guided and adheres to the principle of spatial justice as contemplated in SPLUMA; considering the latter, the proposed consolidation does not support any further spatial imbalances.

2. PRINCIPLE OF SPATIAL SUSTAINABILITY –

The proposed consolidation will have no effect on any unique or prime agricultural land as the property holds no agricultural attributes. No heritage resources will be affected or impacted by the consolidation. It is also worth mentioning that the proposal is within the built up area of the town which ultimately confines urban development to a given concentric area and subsequently curb urban sprawl. Zoning and land use will be retained after consolidation; therefore, the general form of the area will be retained for predominantly residential as desired by the Planning Land Use Scheme which promotes sustainable development. The land will be utilized to its full spatial potential whilst retaining the spatial form of the area. The proposal is thus considered to be spatially sustainable as it is aligned with land use policies and spatial frameworks.

3. PRINCIPLE OF EFFICIENCY –

The subject area is already modified with the necessary municipal services. Existing infrastructure and resources will be utilised especially as it is anticipated that services connections is available to the vacant site which is located in an urban area. The proposal thus satisfies the principle of efficiency based on the use of existing resources, services and infrastructure.

4. PRINCIPLE OF SPATIAL RESILIENCE –

As seen in **Annexure F**, there are a good number of properties with similar erf sizes. This is a very good testimony that the proposed consolidation is an approach which many have deemed both feasible and financially profitable whilst not altering the landscape or character of the area in a negative manner. With this in mind, the proposed consolidation can be considered to be a spatially resilient form of development. Consolidation of the given erven also does not impact on the livelihoods of communities most likely to suffer impacts of economic and environmental impacts.

5. PRINCIPLE OF GOOD ADMINISTRATION –

The application will go through its full public participation process as administered by the Overstrand Municipality. This process will be fair and afford every interested and affected party the opportunity to comment on this application. This proposal will be circulated to the necessary municipal departments for comments and recommendations.

11. CONCLUSION

The following provides a summary of the motivation as discussed in detail above. In view of the latter, the application for consolidation of Erf 4779 and Erf 2603, Hermanus, is considered desirable on the basis of the following:

- The proposal satisfies and supports the development principles as set out in **LUPA and SPLUMA**;
- The proposal adheres and conforms to the vision and spatial planning strategies of the **Overstrand Spatial Development Framework, 2020**;
- The proposed development complies with the development parameters as set out in the **Overstrand Municipal Land Use Scheme (2020)**;
- After consolidation the zoning of the properties will remain Residential Zone 1 and the consolidation will have **no adverse impact on the neighbouring properties or character of the surrounding area; on the contrary, it will enhance the low density area.**
- **Existing infrastructure** will be utilised;
- The proposal will **maximise development potential and opportunities** for the owner.
- There are no restrictions (title deed) present which can prohibit the development of the property for the intended uses.
- The dominant use of property will **remain for residential** purposes.
- The proposed development promotes a more spacious utilisation of the existing properties that contribute to the already tranquil atmosphere of this low density residential area.
- The consolidation will not have any significant impact on external engineering services, nor will it negatively impact on environmental / heritage assets.

It is therefore clear that in terms of the above, the subject application for consolidation of Erf 4779 and Erf 2603, Hermanus, can be adequately supported. The application is therefore recommended for approval.

Geno Theron – Zanelle Nortjè

for **CK RUMBOLL & PARTNERS**

KEY:

-  Consolidated Erf Boundary
-  Consolidation
-  Erf boundaries

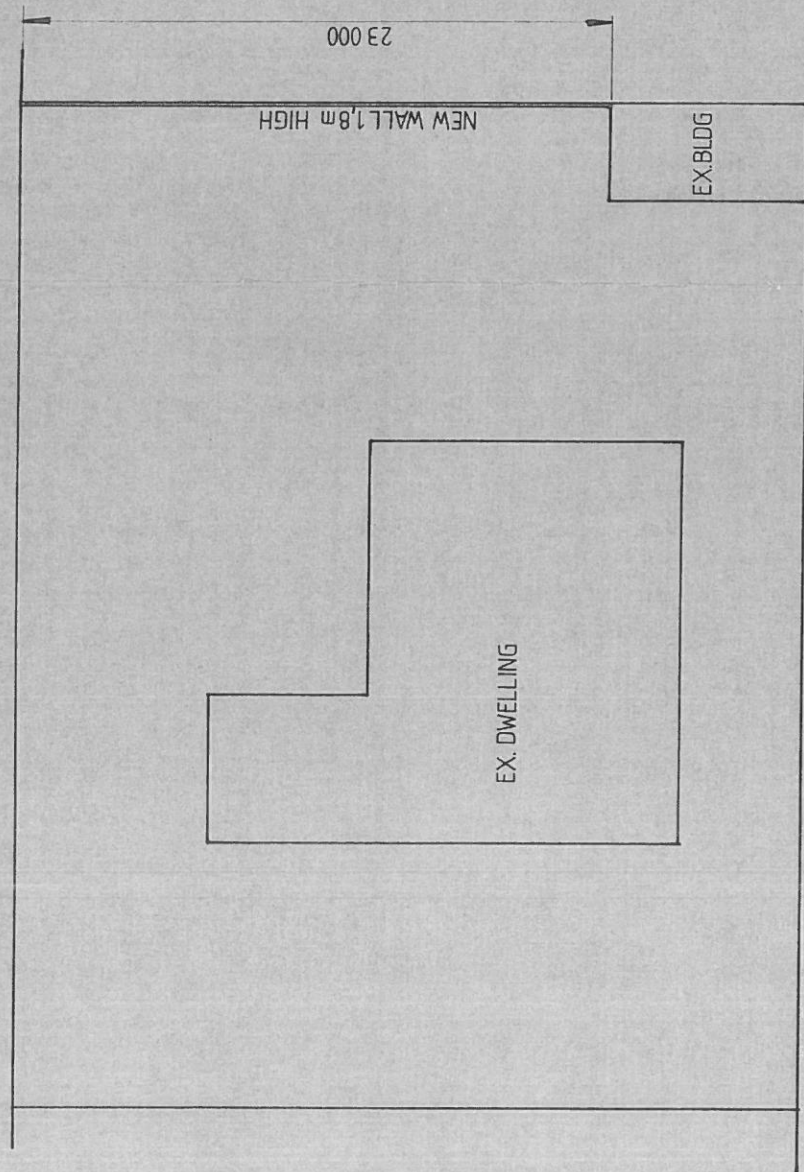
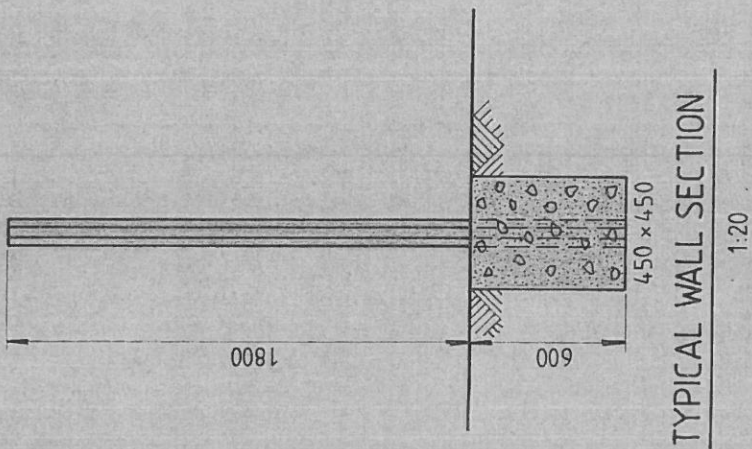
CONSOLIDATION PLAN
of
Erf 4779 and 2603, Hermanus

NOTES:

	Current area	Zoning
Erf 2603	495m ²	Residential 1
Erf 4779	747m ²	Residential 1
New consolidated erf	1 242m ²	Residential 1

TITLE:	CONSOLIDATION PLAN ERF 4779 & 2603, Hermanus
PHYSICAL ADDRESS:	125 & 127, 8th Street, Hermanus
NOTE:	ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING
COMPILED BY:	C.K. RUMBOLL & VENNOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 10 PAINEK STREET, MALMESBURY 7602, 602 7665 Fax: 021 482 1661 E-mail: erk@ckrv.co.za
DATE:	MARCH 2022
AUTHORITY:	SWARTLAND MUNICIPALITY
REF:	HER/12414/GT-ZN





PROPOSED NEW V/CRETE WALL FOR ANDRAG INVESTMENTS ON LOTS 4770 & 2603 AT VOËLKLIP, HERMANUS

DWN: A. JOONÉ
TEL 021-991100

PHOTRA/MPALA

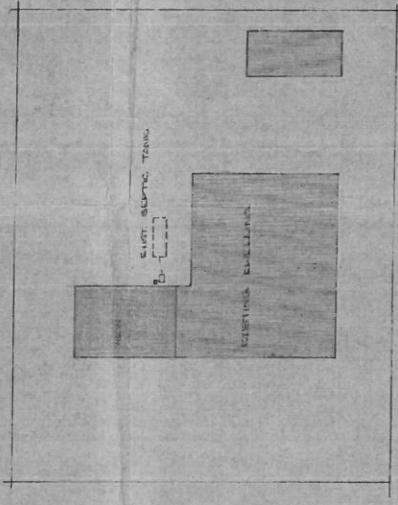
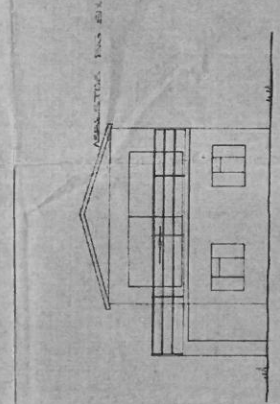
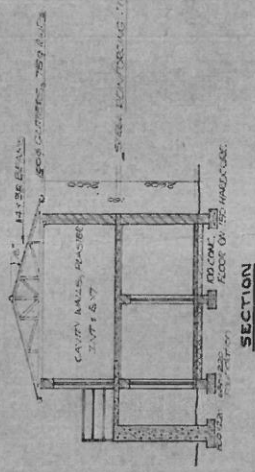
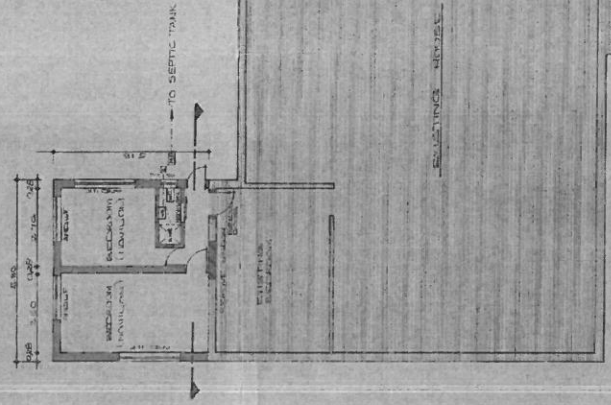
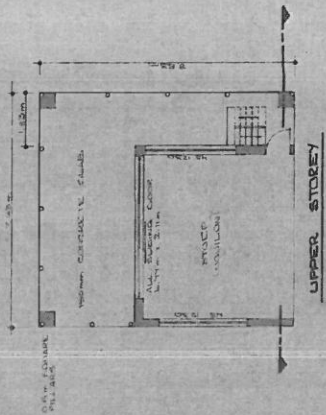
MUNICIPALITY OF HERMANUS
TOWN ENGINEER'S DEPT. BUILDING SURVEYOR'S BRANCH

Received: _____

Plan approved subject to any endorsements by the undersigned being complied with

Date 19/9/91 Claijaard
Town Engineer

PLAN NO: 91292



GROUND STOREY 1:100

FRONT ELEVATION

8 TH STREET
SITE PLAN
1:250

PROP. ALTERATIONS FOR ANDRAG INVESTMENTS
AT LOTS 1718 & 2002 VOELKLIP,
HERMANUS

W. J. J. J.

MUNICIPALITY OF BERKSHIRE
TOWN ENGINEER'S DEPT. BUILDING SURVEYOR'S BRANCH

Received: 7/16/73

Please forward notices to any endorsements by the undersigned being compiled with

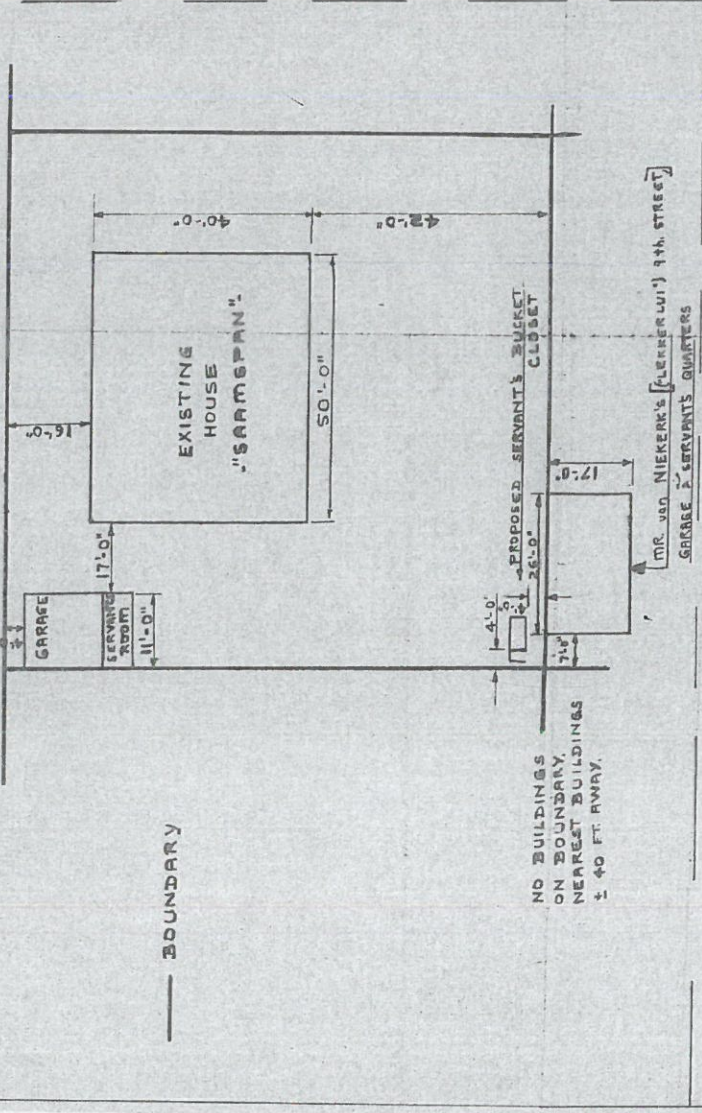
Date: 7/16/73 Town Engineer

PLAN NO: 7936C

PLAN OF SITE

SCALE: 1" = 20'

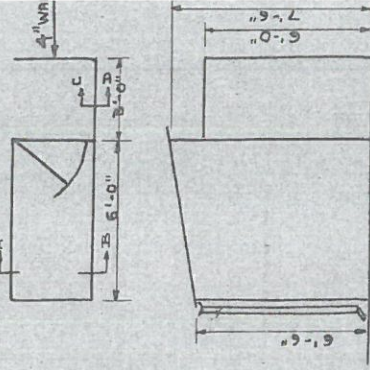
8th STREET
VOELKLIP



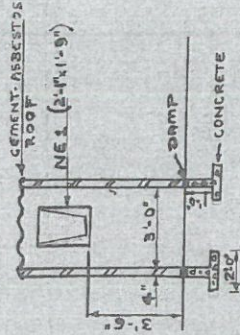
BOUNDARY

SCALE: 1" = 4'-0"

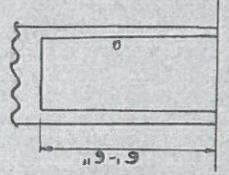
PLAN OF CLOSET



SIDE ELEVATION



SECTION "A-B"



SECTION "A-B"

HERMANUS MUNICIPALITY
TOWN ENGINEERS DEPARTMENT
BUILDING SURVEYOR'S BRANCH
RECEIVED 1/11/67 *Amphel*
DRAWINGS APPROVED SUBJECT TO THAT ANY ALTERATIONS SHOWN THEREON IN BLUE PENCIL BY THE UNDERSIGNED ARE ADHERED TO.
APPROVED BY _____ DATE _____ TOWN ENGINEER
PLAN COMMITTEE _____ DATE _____ CONDITIONS OF APPROVAL _____
PLAN NO. 67219
NO. BUILDING SURVEY FEES ARE NOT REFUNDABLE

PROPOSED SERVANT'S BUCKET

CLOSET ON "SARMSPAN" (ERWEN)

2603 A 4779 8th STREET,

VOELKLIP, HERMANUS.

OWNER: W.H. ANDRAS SIGN *W.H. Andras*

DATE: NOV 1967

*making building on the
street boundary
(which is)*

MUNICIPALITY OF HERMANUS
 TOWN ENGINEER'S DEPT. BUILDING SUPERVISOR'S BRANCH
 Recommends for approval: 22-4-63
 Approved by Plan Committee: 22-4-63
 For completion of special
 use construction of plan
 PLAN NO: 63007

MUNICIPALITY OF HERMANUS
 PLAN No. _____
 Drawing approved subject to the city stormwater
 system within 14 days referred to
 Date: _____ Town Engineer

MUNICIPALITY OF HERMANUS
 Received: 16-4-63
 Building [Signature]