



**MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL
(MPT)**

A G E N D A

DATE:	26 JULY 2018
VENUE:	TOWN PLANNING COMMITTEE ROOM HERMANUS
TIME:	14:00

OVERSTRAND MUNICIPALITY

Office of the Municipal Manager
Civic Centre
HERMANUS
7200

16 July 2018

TO : THE CHAIRPERSON AND MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

CONVENING NOTICE : SESSION OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

NOTICE IS HEREBY GIVEN that a meeting of the **Municipal Planning Tribunal (MPT)** will go into session on **Thursday, 26 July 2018 at 14:00, Town Planning Committee Room, 16 Paterson Street, Hermanus**, to consider the attached agenda.

You are kindly requested to submit any amendments/additions to Ms S Swart (sswart@overstrand.gov.za) on or before **20 July 2018**.

STEPHEN MÜLLER
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Mr S Müller (Chairperson)
2. Mr R Williams (Vice Chairperson)
3. Mr S Madikane (Member)
4. Ms D Arrison (Member)
5. Ms H Janser (Member)
6. Mr R Kuchar (Authorised Official)
7. Mr S van der Merwe (Senior Town Planner)
8. Ms H van der Stoep (Senior Town Planner)
9. Mr H Olivier (Town Planner)
10. Secretariat

1. OPENING

2. APPLICATIONS FOR LEAVE OF ABSENCE

3. CONFIRMATION OF MINUTES

3.1 Minutes of a Municipal Planning Tribunal Meeting held on 28 June 2018

4. ITEMS FOR CONSIDERATION

4.1 ERVEN 1599 AND 2461, COVE CRESCENT (SANDY COVE) AND BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEVIATION FROM THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK AND SPATIAL GROWTH STRATEGY, REZONING AND CONSOLIDATION : MESSRS WRAP ON BEHALF OF HERMANUPROP CC.

Report attached.

4.2 ERF 3506, 45 VILJOEN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA : DEPARTURE AND CONSENT USE : MESSRS WRAP ON BEHALF OF V GROVE

Report attached.

4.1

ERVEN 1599 AND 2461, COVE CRESCENT (SANDY COVE) AND BERGSIG STREET, SANDBAAI, OVERSTRAND MUNICIPAL AREA : APPLICATION FOR DEVIATION FROM THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK AND SPATIAL GROWTH STRATEGY, REZONING AND CONSOLIDATION : MESSRS WRAP ON BEHALF OF HERMANUPROP CC.

1599 & 2461 HSB (3846)**H van der Stoep****22 May 2018****(028) 313 8900****Hermanus Administration**

1. EXECUTIVE SUMMARY

An application has been received on 10 November 2017 from Messrs WRAP on behalf of Hermanuprop CC applicable to Erven 1599 and 2461, Sandbaai for the following in terms of Sections 10, 16(2)(a) and (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) in order to:

- ❖ Deviate from the Overstrand Spatial Development Framework in order to change the reservation of Erf 2461, Sandbaai from residential purposes to industrial purposes, as well as to deviate from the Overstrand Municipal Spatial Growth Management Strategy in order to change the reservation of the said property from a densification grading to a local economic industrial opportunity reservation;
- ❖ Rezoning of Erf 2461, Sandbaai from General Residential Zone 1: Town Housing to Industrial Zone I: General Industry; and the
- ❖ Consolidation of Erven 2461 and Erf 1599, Sandbaai.

A Locality Plan of the property concerned is attached as Annexure A. The proposed Site Development Plan is attached as Annexure B, while the Motivation Report from the applicant in support of the proposal is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

Erf 1599, Sandbaai is zoned as Industrial Zone 1: General Industrial and is 5274m² in extent. Industrial buildings are currently being developed on the property. The property was recently rezoned to industrial purposes subject thereto that the northern portion be developed for storage unit purposes only, mainly due to lessen any impacts on the abutting the Sandy Cove town house development.

Erf 2461, Sandbaai is zoned as General Residential Zone 1: Town Housing and is 453m² in extent, undeveloped and forms part of the Sandy Cove town house development.

4. SUMMARY OF APPLICANT'S MOTIVATION

Due to the comprehensive nature of the motivation report only the main points of motivation are summarised as follows (the detailed report is attached as Annexure C):

- ❖ The properties are surrounded with various land uses and the proposal would be aligned with the surrounding zoning logic;
- ❖ There are no restrictive title deed conditions that will prohibit the proposal;
- ❖ Should the rezoning and consolidation be approved, all buildings on the subject property will comply with the applicable development parameters;
- ❖ The consolidated property will comply with all parking requirements and access;
- ❖ No additional traffic impact is anticipated;
- ❖ There is a definite need for the expansion of industrial uses in Sandbaai in an appropriate manner which is sensitive and aligned with the surrounding locational context;
- ❖ There are adequate infrastructure services that would cater for the proposal;
- ❖ The properties are appropriately within walking distance from surrounding residential areas and would enable prospective employees to walk to work and promote pedestrianisation.
- ❖ The subject properties are not located in sensitive natural or cultural areas and will not result in an unacceptable cumulative impact;
- ❖ The approval would lead to the incremental expansion of the industrial sector in a contextually appropriate manner in Sandbaai;
- ❖ The approval would symbolise a "top down" and "bottom up" planning approach;
- ❖ The proposal would contribute to future skills development in the Greater Hermanus;
- ❖ Erf 2461 will only be used for parking purposes after consolidation;
- ❖ Except for the deviation of the Spatial Development Framework (SDF), the proposal is aligned with all other development imperatives for the Greater Hermanus as highlighted in the SDF;
- ❖ The Overstrand Municipality Growth Management Strategy (OMGMS) was compiled prior to 2006 and does not respond to the current development pressures that exist in Sandbaai therefore justifying the proposed deviation;
- ❖ No Planning Principles are impacted upon.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	YES	16.01.2018	23.02.2018
Gazette	NO		
Notices	YES	19.1.2018	23.02.2018
Ward councillor	YES	05.12.2017	12.01.2018
Total comments	ONE (1)		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 45 - 49 of the Proposed Draft By-Law on Municipal Land Use Planning?			Yes

Was the application processed correctly (if no, elaborate below):	Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)	Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation
Ward Councillor	06/12/2017	No comment.	Positive
Building Control	12/12/2017	No buildings to be erected on erf. Proposed that a servitude be registered over Erf 2461 for parking only.	Positive
Fire Department	23/01/2018	Industrial structural development must be in compliance with the National Fire Protection Regulations SANS10400 T: 2011.	Positive
Electro Technical Services	18/12/2017	No objection, since electrical connections to the properties already exist. On consolidation the connections must be combined to allow 1 service connection.	Positive
Engineering Services	08/02/2018	Attached as Annexure D.	Positive
Telkom	14/02/2018	Attached as Annexure E.	Positive

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

A valid objection was initially received from the owners (PH & C Muller) of Erf 2474 within the Sandy Cove Development, but was formally withdrawn. The objectors conditionally withdrew the objection. An agreement was reached with the landowner to plant shrubs and trees along the boundary wall as screening. The landowner agreed to this subject thereto that the Sandy Cove Home Owners Association take care of the shrubs and trees. No further comment is offered since the agreement has no relevance to the municipality, as well as in view of the contents of point 10.9 (Desirability) of this submission.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

N/A

9. MUNICIPAL ASSESSMENT OF COMMENTS

N/A

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is not completely in line with the planning objectives applicable to this application as set out below.

The objectives relating to:

Spatial Justice

The application will not perpetuate spatial injustices.

Spatial sustainability

The application is located within the urban edge and thus will not lead to urban sprawl. No natural habitat is impacted upon and will have no negative influence on the environment.

Efficiency

The application will optimize the use of property in terms of municipal services and infrastructure.

Spatial resilience

The application will ensure that the existing resource (land) is used to its maximum in an affordable manner, but it is not in line with the Overstrand Municipality's forward planning documents.

Good administration

The application follows the required planning procedures and a good public participation process has been followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Partially the same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable Policies

Consistent with the Zoning Scheme, but inconsistent with the Spatial Development Framework and the Overstrand Municipal Spatial Growth Management Strategy.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services

The existing services are available and have been viewed positively by the Engineering Department.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The application is not in line with the Overstrand Spatial documents.

10.9 THE DESIRABILITY OF THE PROPOSAL

The application is not supported due to the following:

- Spatial Planning Documents
- Provincial Spatial Development Framework, 2014:

Applicant's Motivation:

The document highlights the fact that urban centres are the main drivers of the Western Cape economy of which manufacturing contributes to 17% of the Western Cape Growth Domestic Product (GDP). Niche manufacturing is primarily settlement based and the application will contribute to appropriate expansion of the manufacturing and storage sector within an area that is settlement based. The application also complies with the top down and bottom up approach to transform urban space economy. The Provincial Spatial Development Framework (PSDF) is the top down strategy, whilst the application is a bottom up strategy. The manufacturing sector can play an integral role in skills development.

Town Planners comment:

The PSDF is a provincial strategy and the guidelines must be read in its context. The application is more storage than manufacturing and in terms of the PSDF is contributes 4,3% of the GDP. Thus to indicate that the application is imperative towards the GDP in terms of the contribution, the difference between the mentioned 17% and the 4,3% is substantial. The other aspect is the emphases on niche manufacturing, now the definition of niche in this context a specialized market. The application does not fall under this definition and thus cannot qualify as a niche site. The applicant at no stage indicates why the activities falls under a niche sector. The property has a substantial part consisting of storage units and it is unclear how this will contribute to long term skills development.

➤ Overstrand SDF, 2006:

Applicant's Motivation:

The development imperatives are to promote the provision of a range of residential densities and strategies to retain the character of the greater Hermanus. The proposal will maintain a balanced contribution towards the provision of accommodation and industrial activities.

Industrial activities should be restricted to service and clean industries of which the proposal adheres to, the same the optimal use of the provisioning of civil services and infrastructure, which the proposal adheres to.

The challenge is to retain the unique character by balancing the need for urban growth. The proposal would be an example of appropriate balancing the need for incremental industrial growth while maintaining the existing residential format.

Town Planners comment:

It is correct that the SDF dates back to 2006, but was however updated with the Growth Management Strategy and the IDF. The SDF clearly states under point 5.5.8, Development Policy that industrial initiatives should focus on the production and process of products directly related to the sub regional and local comparative advantage. New industries should be encouraged within higher growth potential urban nodes, where industrial development can be accommodated and would not impact on the established character of the town. In this case a deviation is requested relating to the site specific circumstances and the encroachment of industrial activity in a residential complex. The character of Sandy Cove will be influenced with the encroachment, which will not be to the benefit of the residential complex.

The Land Use Proposals Section 7.7.3, LPL 7: Acknowledges the need for industrial development; however it must be carefully managed within the identified existing industrial areas. It also proposes that future industrial development be located in Hawston/Fisherhaven. Such a development has been approved in Hawston and in the process to be developed.

➤ Overstrand Growth Management Strategy, 2010:

Applicant's Motivation:

The application of deviation of the SDF must be site specific. In this case the land reservation in terms of the SDF and the OGMS are out-dated, 2006 and 2010. The current development pressures as can be witness by this application. The application seeks to promote more industrial development which is located adjacent to residential properties in a harmonious and complementary manner.

The deviation is to allow the subject property for local economic/ industrial opportunities. The proposed application is not in contradiction of the

generic principles such as the optimal use of land use planning and infrastructure and ensures that scale and character in terms of architectural styling are appropriate to the immediate context. The principle of place making and the development of attractive and safe urban environments are entrenched in the application. The approval of the proposal will lead to place making and make the current vacant properties to be developed in future. This would lead to an improvement in the visual look of the street scape in Sandbaai.

Town Planners comment:

The existing development of Erf 1599 is in line with the industrial character of the Sandbaai Industrial area in terms of architectural design and not the residential complex of Sandy Cove. The proposed consolidation of Erf 2461 as a parking area will not create a transitional area between the residential development and the adjacent industrial complex. The art of place making is the strengthening the connection between people and the places they share, place making facilitates creative patterns of use, paying particular attention to the physical, cultural and social identities that define a place. Thus the interpretation of place making in the application is incorrect. The encroachment of a proposed industrial zoned erf will impact on the identity of the place making principles entrenched in the residential complex.

Sandy Cove residential complex has established its own social and physical character, which will be lost with the infringement of an industrial zoned erf to be utilized either as a hardened surfaced parking lot or industrial designed structures. The proposed mitigating measure of landscaping will not be able to respond to the loss of character of the residential area.

➤ Overstrand Integrated Development Framework,2014:

The document which relates to long term spatial development planning towards 2050 was not dealt with by the applicant. The document identified that local industrial development should be located in established industrial precincts. Existing undeveloped erven should first be developed before new portions of land be rezoned for industrial purposes.

Deliberation:

The Sandy Cove town housing development was approved during 2005/2006 as an entity that has its own General Plan and Home Owners Association. People buy into town house complexes mainly due to security and privacy advantages that it offers. In addition to the afore-said it should also be noted that Sandy Cove is located in the town housing node of Sandbaai and these complexes ensure a feeling of a safe and tranquil environment to the individual owners of erven within these complexes.

The erven at the southern side of Sandy Cove lies on the perimeter of the complex, which perimeter is regarded as the buffer between the complex and the erven south thereof. It should thus remain the buffer between the complex and the erven to the south of it. It is further the opinion that should Erf 2461 be rezoned to industrial purposes it will indeed infringe on the vested rights of the

rest of the landowners within the complex regardless of it being used for parking purposes only as per the motivation of the applicant. The fact is that it will have a permanent industrial zone "within" a town house development. (The General Plan of the complex will also need to be amended should the application be supported.) One cannot anticipate the industrial usage of Erf 2461 in the longer term even if a condition is imposed that it be used for parking purposes only. The change in usage is thus undesirable.

The comment of the applicant that each application is evaluated on its own merit and that a precedent cannot be created is only partially agreed with since precedents can in fact be created in certain instances. Because all the erven on the southern perimeter of Sandy Cove have not been developed yet it leaves the door open for developers to purchase these erven and eventually utilise it for uses other than that of town housing. Therefore, should the application be approved it may arguably set an unwanted precedent that will eventually cause further and further "infiltration" of different land uses within a well-established town house development. This will subsequently impact much more on the vested rights of the individual landowners within Sandy Cove and will also lead to negative impacts on its property values. Town house complexes are specifically designed to function as an entity and for this reason the application can also not be supported.

There is a high demand for industrial land in close proximity to the existing industrial node, but this industrial node has proverbially been "drowned" already from being further developed for industrial purposes. However, to infiltrate established residential complexes by purchasing such erven for industrial purposes would be totally out of line with town planning principles in general terms. A good balance of different usage nodes exist in that area and a mixture of land uses within these nodes would eventually change the character of the area in the long run. It is for this reason that properties are reserved for specific uses in the SDF of the Municipality and deviations should only be allowed in exceptional cases of which the application under discussion unfortunately lacks.

Erf 1599 is one of the largest industrial erven in Sandbaai and although it does not form part of the Hermanus Business Park industrial node, it is directly abutting the industrial node. It has a size of 5274m², whilst Erf 2461 is only 453m² in extent. Erf 1599 and the adjacent Erf 2848 was rezoned Industrial in 2015 to cater for the need to extent the Sandbaai Industrial Park. The consideration was that Bergsig Street will become one of the main feeders in the Greater Hermanus area and to buffer the residential complex of Sandy Cove, the rezoning was approved with the explicit condition that the rear of the aforementioned erven must be used for storage purposes and other intrusive land uses be located towards Bergsig Street. Some of the primary rights relating to the industrial zoning were prohibited. The developer was also forced to be in keep with the architectural design of the Sandbaai Industrial Park and thus defining the industrial use versus the residential use. This is to ensure that character of both types of uses is in keep with each other.

The proposed consolidation and rezoning of Erf 2461 will not be conducive to the principle of place making. The creation of a parking lot, consisting of hardened surface, which will be used by industrial activities will create a nuisance factor and operate on a 24hour basis. The applicant in purchasing Erf 1599 knew the requirement and developing rules regarding the erf. The

motivation to developed the full potential of Erf 1599, one can assume that more structures is envisaged on the erf and that the existing parking be moved to Erf 2461. The parking lot will be for the use of industrial land uses and will entail heavy vehicles moving in and out of the area 24 hours a day, which is not conducive to the residential liveability of the residential complex. Aesthetically the hardened surface parking lot is not in sync with the complex.

Although the applicant did not provide a parking layout for Erf 2462 it is estimated that depending on the type of parking layout, more or less twelve (12) – sixteen (16) additional parking bays can be provided on Erf 2462. In terms of the current approved building plans, thirty eight (38) parking bays are provided for the industrial building that is currently under construction on Erf 1599. The applicant only states that the landowner wishes to increase the parking potential of the property, but does not specifically elaborate at all on what further extensions are envisaged to justify the rezoning of a town house erf for industrial parking purposes. It is the opinion that the increase in the “parking potential” of the property should not make any significant contribution towards the overall parking requirements when the property is further developed, nor would the refusal of the application impact on the optimal development of the property. It is thus the opinion that the property is ample in size for the provision sufficient parking when it is developed to its full potential in future without having any significant negative financial implications to the landowner.

The site specific conditions attached to an application for a deviation has not been fully explained or motivated. It is still unclear why there is a need for additional parking within a residential complex. The application should therefore not be supported.

In view of the above it is the opinion that the proposal is not desirable at all from a town planning perspective.

11. RECOMMENDATION

1. that the application in terms of Sections 16(2)(a) and (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for the rezoning of Erf 2461, Sandbaai from General Residential Zone 1: Town Housing to Industrial Zone I: General Industry and the subsequent consolidation thereof with Erf 1599, Sandbaai, **be refused** in terms of the provisions of Section 61 of the By-Law; and
2. that the applicant be notified of its appeal rights in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditional approvals.

12. REASONS FOR RECOMMENDATION

- ❖ Not in line with spatial planning for the area.
- ❖ It is regarded as being undesirable from a town planning point of view.
- ❖ The motivation dealt with various generic principles of policy documents, but did not address the deviation and its implications.
- ❖ The existing development has sufficient parking on site.
- ❖ The creep into the residential complex is not conducive to the remainder of the residential complex and its owners.

- ❖ The character of the residential complex will be destroyed.
- ❖ The parking area will not be limited on type of vehicles and hour of operations and will create a nuisance factor.
- ❖ Aesthetically the hardened parking lot will be to the detriment of the residential development.

13. Annexures

Annexure A: Locality Plan
Annexure B: Site Development Plans
Annexure C: Motivation Report
Annexure D: Engineering Services
Annexure E: Telkom Services

SIGNATURES**REGISTERED PLANNER:**

Name : **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature : _____

Date: _____

ANNEXURE A



Locality map

-  Erf 1599 Sandbaal 5274m²
-  Erf 2461 Sandbaal 453m²

Plan 1

Plan prepared by: Reatlenie Jankie
 All distances approximate and subject to survey.

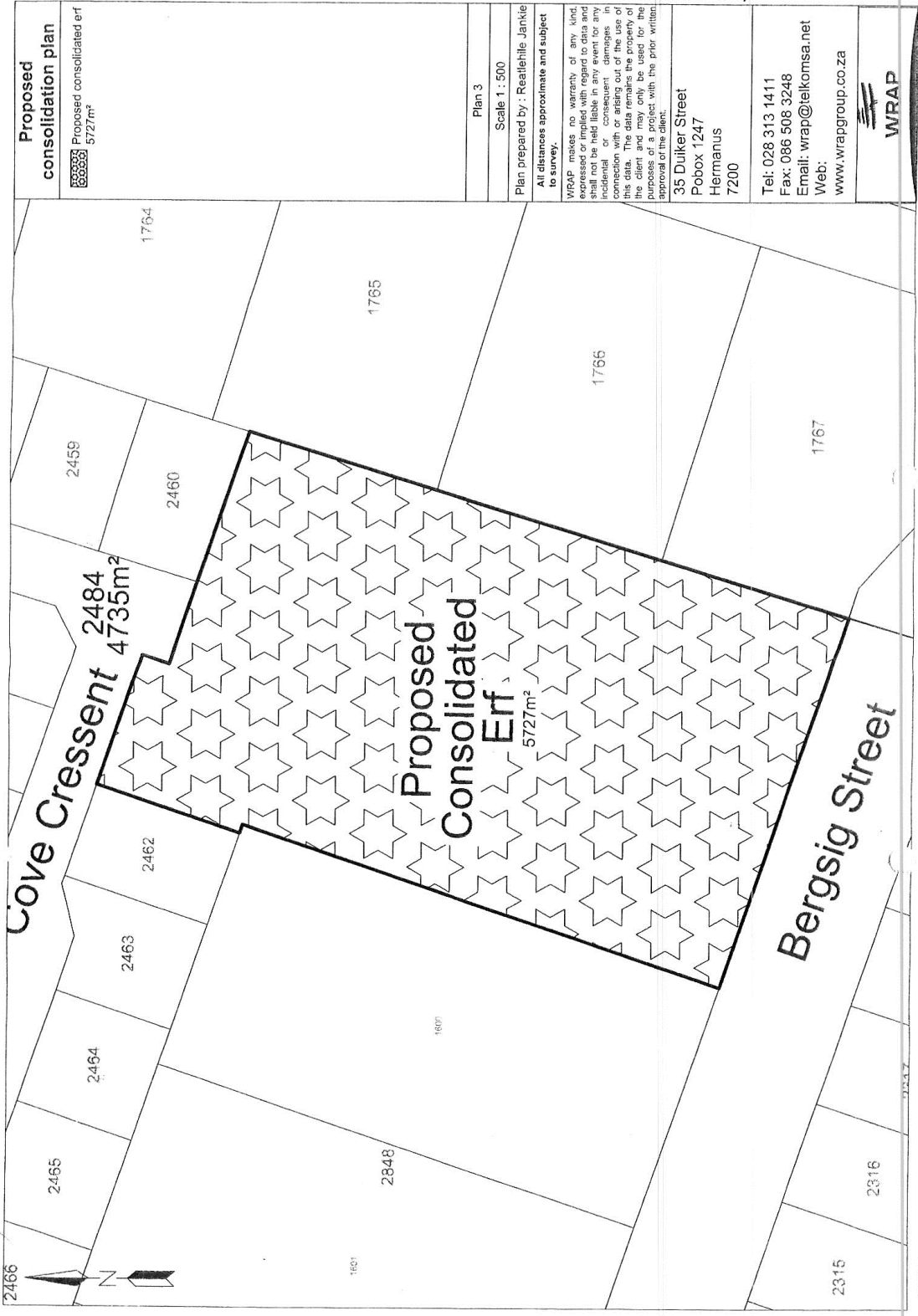
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35 Duiker Street
 Pobox 1247
 Hermanus
 7200

Tel: 028 313 1411
 Fax: 086 508 3248
 Email: wrap@telkomsa.net
 Web: www.wrapgroup.co.za



ANNEXURE B 1/4



2. BACKGROUND

Erf 1599 Sandbaai, was recently rezoned to Industrial Zone 1: General Industry. The northern portion of the property was approved to be used for storage purposes and the southern portion to be used for industrial purposes. The rezoning of the neighboring Erven 1600 and 1601 Sandbaai to Industrial Zone 1: General Industry to be used for storage purposes, was also approved. The decision also included the amendment of the land reservation of Erf 1599 Sandbaai in the Overstrand Municipal Growth Management Strategy (*hereafter referred to as the OMGMS*).

A copy of the letter of approval is attached as **Annexure C**.

3. APPLICANT'S INTENT

Erven 1599 and 2461 Sandbaai (*hereafter referred to as the subject properties*) are located on the eastern side of Sandbaai. The zoning in terms of the Overstrand Municipality Zoning Scheme, 2013 (*hereafter referred to as the OMZS*) and extents of the subject properties are as follow.

- Erf 1599 Sandbaai (5274m²)
Industrial Zone 1: General Industry
- Erf 2461 Sandbaai (453m²)
General Residential Zone 1: Town Housing

The use of the subject properties is as follow.

1. Erf 1599 Sandbaai
Industrial buildings currently under construction
2. Erf 2461 Sandbaai
Vacant

Motivation consolidation

The owner of the two properties seeks to establish an industrial enterprise on Erf 1599 Sandbaai. The industrial enterprise is intended to comprise of a light industry on the southern portion of the property and storage facilities on the northern part of the property. Erf 1599 Sandbaai does not have sufficient parking to cater to the envisaged development. The property owner bought Erf 2461 Sandbaai to solve the parking shortage. Once consolidated the area comprising of the current Erf 2461 Sandbaai will only be used for parking purposes. The reasoning is to ensure that any visual and other impact on the surrounding residential area is minimised.

Motivation for deviation from the Overstrand Municipal Spatial Development Framework and Overstrand Municipal Growth Management Strategy.

A deviation from any applicable spatial planning policy cannot be done unmethodological and must be motivated using a rational and well-reasoned motivation. The deviation application must provide compelling site-specific circumstances. Herewith is a summary of the site-specific circumstances.

WRAP

EXECUTIVE SUMMARY

Currently, the subject property is earmarked for residential purposes in the Overstrand Municipal Spatial Development Framework 2006 (*hereafter referred to as the OSDF*). An application for a deviation from the OSDF is motivated in Section 8 of this report and site-specific circumstances which justifies this are highlighted.

The property is earmarked for densification with more than 30 du per hectare in terms of the OMGMS. This proposal seeks to allow local economic opportunity/industrial development on the subject property. It is motivated in detail in Section 8 of this report why such is justified.

Based on legislative requirement the reasoning for this application is summarised as follow.

Section 10 of the Overstrand By-Law on Municipal Land Use Planning, 2015 (*hereafter referred to as the By-Law*) contains the following provisions which justifies a deviation application.

The applicable section in the By-Law	Motivation
<p>(1) An authority who takes a decision in terms of this By-Law which <u>deviates</u> from the provisions of the Municipal Spatial Development Framework and/or an applicable spatial development framework and/or Local Spatial Development Framework or policy must at the time of making a decision.</p> <p>a. Record in writing the <u>reasons</u> for the deviation.</p> <p>b. Keep record of the decision and the written reasons for the deviation.</p>	<p>Herewith is a summary of the site-specific reasons which justify the deviation from the applicable spatial planning documents.</p> <ul style="list-style-type: none"> • The OSDF is 10 years old and OMGMS is 6 years old. There is currently a process under way to review these documents; • Erf 2461 Sandbaai is located adjacent to the Erf 1599 Sandbaai and the consolidation thereof is feasible; • Cove Crescent which is directly located above the subject property proposed for consolidation acts as a buffer which would not make it possible for further encroachment of industrial activities into the existing residential area; • All access to the proposed consolidated erf is intended to be gained from Bergsig Street and no access will be gained from Cove Crescent. This is to ensure that the residential ambiance of the residential area remains unaltered; • The northern part of the property in terms of a historic approval may only be used for storage purposes and this application does not seek to alter that; and • The area is surrounded by residential and industrial uses and this approval can be deemed to be complementary and viable within the surrounding context.

WRAP


 WRAP

EXECUTIVE SUMMARY

The subject property in terms of the Local Government: Municipal Systems Act No.32 of 2000 and Regulations (*hereafter referred to as the Systems Act*) under Section 26 highlights that spatial development frameworks form part of the IDP.

Applicable Section	Motivation
26 (e) A spatial development framework which must be included in the provisions of basic guidelines for a land use management system for the municipality. (f) the council's operational strategies.	The OSDF and the OMGMS is adopted by the council and contains the councils vision for the urban form and land designation envisaged in the applicability period of the documents. Considering Council adopting these documents, only Council is empowered to deviate from the spatial planning documents. The deviation application therefore is for Council to deviate from the OSDF and OMGMS.

Considering the above, **application** is hereby made for the following:

- **Rezoning** Erf 2461 Sandbaai from General Residential Zone 1: Town Housing (GR1) to Industrial Zone 1: General Industry (IND 1) in terms of Section 16 (2) (a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Consolidation** of Erf 2461 Sandbaai with Erf 1599 Sandbaai in terms of Section 16 (2) (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Deviation** from the land reservation in the Overstrand Municipal Spatial Development Framework 2006 (OSDF) for Erf 2461 Sandbaai, after consolidation with Erf 1599 Sandbaai, to be used for industrial purposes in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000; and
- **Deviation** from the land reservation in the Overstrand Municipal Growth Management Strategy (OMGMS) of densification zone more than 30 du per hectare for Erf 2461, after consolidation with Erf 1599 Sandbaai, to be used as a local economic opportunity/industrial in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000.


 WRAP

WRAP

MOTIVATION**4. CHARACTER OF ENVIRONMENT**

The subject property is located approximately 3,7km from the Hermanus Central Business District (CBD). Sandbaai is a dynamic area which has a variety of zonings and land uses which range from residential, business and industrial which are located in a manner which makes the uses complementary to each other.

A perusal of the zoning plan (refer **Plan 2**) reveals that the properties which are located to the east of the subject property are all zoned for industrial purposes and the properties located on the north, south are all zoned for residential purposes. The approval of this proposal would therefore be aligned with this logic and valued zoning which exist in the surrounding area.

5. TITLE DEED AND PROPERTY DETAILS

The title deed of the subject property was assessed to determine if there are any restrictive conditions which may prohibit the proposed subdivision.

PROPERTY DESCRIPTION	APPROX. EXTENT	OWNERSHIP	TITLE DEED NO
Erf 1599 Sandbaai in the Overstrand Municipality, Division Caledon, Western Cape Province	5274m ²	Hermanuprop CC	T71618/2016
Erf 2461 Sandbaai in the Overstrand Municipality, Division Caledon, Western Cape Province	453m ²	Hermanuprop CC	T49039/2017

The perusal of the title deed revealed that there are no title deed restrictions which may prohibit the proposed subdivision.

6. ZONING

Should the proposed rezoning and consolidation be approved the following zoning will be applicable.

Erf number	Zoning	Use	Compliance
Proposed consolidated erf	Industrial Zone 1: General Industry	Under construction	All buildings on the subject property will have to comply with the applicable development parameters in the zoning.

7. SERVICES

There are existing services on the subject property such as electricity, water, storm water, sewage and solid waste removal and the availability will be assessed below.

7.1 Electricity

The subject properties are connected to the electricity network.

7.2 Water

The subject properties are already connected to the municipal water network.

7.3 Sewage

The subject properties are already connected to the municipal sewer network.

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7.4 Traffic impacts, parking access and other transport related considerations

The proposed consolidated erf will comply with all applicable development parameters which pertain to parking and access.

8. DESIRABILITY

In terms of Section 55 (b) and (c) of the Land Use Planning Act; 2014, an application can be refused based on it being undesirable. The measure to assess the desirability of the application is the consistency of the application with spatial development frameworks, applicable structure plans, the principles referred to in Chapter VI Land Use Planning Act; 2014 and guidelines issued by the Provincial Minister regarding the desirability of proposed development.

The proposal needs to be desirable and consistent with the logic character of Sandbaai and add value for the owner and the community. The Department of Environmental Affairs and Development Planning (DEADP) published a Guideline on Need and Desirability as part of the EIA Guideline and Information Document Series. Although this application does not include an environmental authorization application, the desirability guidelines set out in the document are also applicable in planning.

In terms of the above, several questions need to be answered about the need and desirability of a proposal, which include the following:

Need and desirability measure	Yes / Or No	Applicability to the subject farms
Is the land use considered within the timeframe intended by the existing approved SDF agreed to by the relevant environmental authority?	No	The proposal is aligned with the Western Cape Provincial Spatial Development Framework (PSDF). There are however exceptional circumstances which justify a departure/deviation from the OSDF and the OMGMS and the spatial planning initiatives section of this report will elucidate this in detail.
Does the community/area need the activity and the associated land use concerned?	Yes	There is a definite need in Sandbaai for the expansion of industrial enterprises in a manner which is sensitive to the locational context of the industrial enterprises. There is also a definite need for the valuable positive contribution which the industrial properties will make to the character of the area as elucidated in Section 3 of the report and the positive economic impact which the community of Sandbaai and surrounding residential areas will derive.
Is this development the best practicable environmental option for this land/site?	Yes	The subject properties are located within an already approved township and are not located on environmentally sensitive land.
Would the approval of this application compromise the integrity of the existing	No	The approval of this application will not compromise the existing OSDF, however

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approved and credible municipal IDP and SDF as agreed to by the relevant authorities?		the departure/deviation from the provisions of the document will respond to the current appropriate development pressures in Sandbaai. The spatial planning initiatives section of this report will elucidate this in detail.
Do location factors favour this land use?	Yes	The subject properties are well located in an easily accessible area close to the labour force. The proximity of the subject properties to Zwelihle and Mount Pleasant residential area would also result in the prospective employees walking to the proposed industrial site. This in turn would promote pedestrianisation and be appropriate within the context of taxis not travelling to Sandbaai.
How will the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas?	No	The subject properties are not located within a sensitive natural or cultural area and the approval of this proposal will not result in compromising on these areas.
Will the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	No	The approval of this proposal will not result in unacceptable opportunity costs. The approval of this proposal will provide an appropriate zoning on the proposed consolidated erf but will result in the creation of employment opportunities for residents in Sandbaai, Zwelihle and Mount Pleasant residential area.
Will the proposed land use result in unacceptable cumulative impact?	No	The proposal will not have any unacceptable impact on the society.

9. SPATIAL PLANNING INITIATIVES

Spatial planning initiatives

The proposal was assessed for consistency or inconsistency with the existing spatial planning initiatives. Where this proposal is consistent with the spatial planning initiatives it is highlighted. Where this proposal is inconsistent with the spatial planning policies it is motivated how site-specific circumstances justify the inconsistency.

Provincial Spatial Development Framework 2014 (PSDF)

The aim of the PSDF is to give spatial expression to the national and provincial development agendas and serves as a basis for coordinating, integrating, and aligning ground delivery of national and provincial departmental programmes. The framework also aims to communicate the government's spatial development intentions for the private sector and civil society. It will be assessed how the proposed development is aligned with the aims of the PSDF.

The PSDF highlights that the urban centres are the main drivers of the Western Cape economy and the manufacturing sector contribute 17% to the Western Cape GDP. The Western Cape Province's economic prospects are cited as lying in the urban economy and it is essential that this proposal is aligned with these development imperatives.

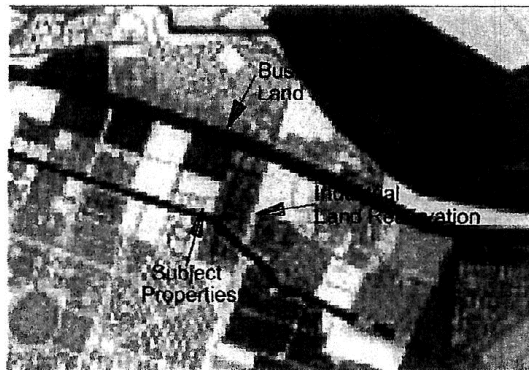
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Urban space economy imperatives	Alignment of the proposal with the imperatives
Niche manufacturing – primarily settlement based	The proposed consolidation and rezoning seeks to allocate an industrial zoning on the subject property. This will enable the property to contribute to the appropriate expansion of the manufacturing and storage sector within an area that is primary settlement based.
Both a 'top down' and 'bottom up' strategy for transforming the urban space-economy is being pursued.	This proposal is an example of a bottom up strategy where neighbours who harbour healthy relations work collaboratively towards realising the transformation of the industrial space economy in a manner which is a collaborative bottom up approach. This proposal is aligned with the PSDF which is a document compiled using the top down strategy for transforming the urban space economy. This proposal harmoniously seeks to achieve a bottom up and top down approach in urban planning.
Manufacturing can play an integral role in the in skills development.	Industrial and manufacturing uses, and zonings generally play an integral role towards the skills development of unskilled, semi-skilled and highly skilled employees. Any future industrial activity which will occur on the subject property will employ people with a variety of skills set and will play an integral role towards manufacturing improving the skills of the employees.

Overstrand Spatial Development Framework (2006)

The objective of the SDF is to formulate strategic spatially based policy guidelines and proposals where the needs, changes and growth in the area can be managed to benefit the inhabitants and the environment in the Overstrand Municipality.

The image below indicates the land reservation for the subject property as depicted in the OSDF.





MOTIVATION

The subject property is in an area which is reserved for residential purposes. It is also evident that the proposed consolidation of Erf 1599 Sandbaai and Erf 2461 Sandbaai is also located adjacent to an area which is reserved for industrial purposes.

Provision of site specific circumstances

A land use application was submitted by Plan Active and the application entailed the amendment of the residential reservation for Erven 1601, 1600 and 1599 Sandbaai to be for industrial purposes. Below the approved plan:



The approval of the amendment of the OSDF and OMGMS was subject to the condition that the northern part of Erf 1599 Sandbaai may only be used for storage purposes. The site-specific circumstance applicable in this application is that the proposed consolidated erf which is currently reserved for residential purposes also be exclusively used on the northern part for parking purposes. This would be aligned with the already approved plan and would not adversely impact on the residential character on the neighbouring residential area. The approval of this proposal would also not be an adverse deviation from the existing approvals. As can be witnessed with the above drawing, industrial activities with storage facilities have expanded further into the residential area. This proposal for a minor expansion of the industrial zoning and activities can be deemed to be minor and comparison with historic approvals which have the same site-specific circumstances as the subject property. The approval of this application would therefore not adversely impact on the existing character of the area. An examination of Erven 1601 and 1600 Sandbaai reveals that an approval already exists where storage facilities abutting the neighbouring residential area.

It is also important to note that the area to be consolidated with Erf 1599 Sandbaai (Erf 2461 Sandbaai) will only be used for parking purposes and will not be built upon.



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The OSDF is 10 years old and there is a process underway to review the document. The document can therefore be regarded as outdated and not appropriately responding to the current development pressures in the urban landscape. Apart from this proposal deviating from land reservation as elucidated in the SDF, this proposal is aligned with other core local spatial development principles which are general town planning principles which are applicable. The approval of this application will also not have an adverse impact on the existing character of the area.

Land reservation proposal

Considering the site-specific circumstances, it is therefore proposed that the land reservation for the subject property be deviated from residential purposes to industrial purposes. The deviation from this would enable the approval of this proposal.

OSDF development imperatives

Apart from the deviation from the land reservation in the OSDF it needs to be demonstrated that the approval of this proposal is well aligned with all other development imperatives in the document. This would essentially demonstrate the deviation will not have adverse implications from the other provisions of the OSDF. Herewith is a demonstration of how this document is aligned with the other development imperatives which are generally applicable to all SDF's regardless of the time when an SDF is applicable.

Greater Hermanus local spatial development principles	Alignment of this proposal
Promote the provision of a range of residential housing types and appropriate densification strategies to retain the character of the greater Hermanus.	The approval of this proposal will maintain the balanced contribution of the surrounding properties towards the provision of accommodation and industrial activities. The character of the existing environment will therefore largely be retained in the current format.
All industrial activities within the Greater Hermanus area should be restricted to service and clean light industry.	The proposed consolidated erf is proposed to have the zoning of Industrial Zone 1: General Industry. The nature of the industrial activities which may be permitted within these industries are generally service, clean and light industries. This will ensure that whatever land uses occur on the subject property in the future will be of a nature which will not be noxious and adversely impact on the neighbouring residential area.
Address civil services and infrastructure issues.	The subject properties are located within an area where there are adequate civil services to cater to proposal.
The challenge will be to retain this unique character and its attractiveness by balancing the need for urban growth.	The approval of this application would be an example of appropriately balancing the need for incremental industrial growth while maintaining the existing residential format and having appropriately integrated urban growth.

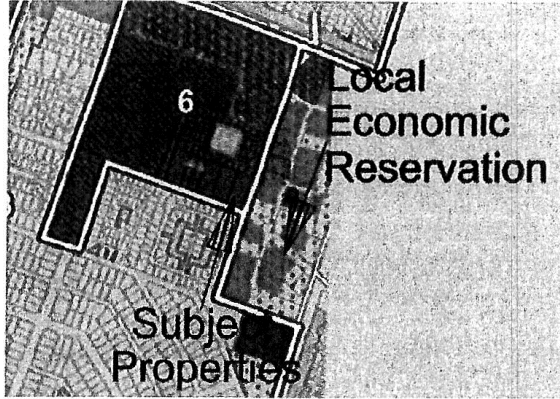
Overstrand Municipal Growth Management Strategy (2010)

The purpose of the Growth Management Strategy is to improve the Overstrand Municipality's overall environmental sustainability by enhancing the quality and efficiency of the built environment.



MOTIVATION

The image below indicates the land reservation for the subject property as highlighted in OMGMS.



The subject property is in an area which is reserved for residential purposes. It is also evident that the proposed consolidated erf is also located adjacent to an area which is reserved for local economic/industrial purposes.

This land reservation in the OMGMS of 2010 is the same as the land reservation in the OSDF 2006. This therefore in sync with forward planning thinking done prior to 2006. It is evident that this land reservation is outdated and does not respond to the existing industrial development pressures in the urban landscape which were not adequately foreseen prior to 2006. The current development pressures as can be witnessed by this application and applications approved in the past signal that there is a definite need for more industrial land uses. This application seeks to promote more industrial development which is located adjacent to residential properties in a harmonious and complementary manner. This is therefore a concrete justification for the departure from this reservation.

Site specific circumstances

The site-specific circumstances relating to the previous approvals of the subject property mirror those in the OSDF section of this report.

Land reservation proposal

Considering the site-specific circumstances, it is therefore proposed that the land reservation for the subject property be deviated from densification zone more than 30 du per hectare to allow local economic opportunity/industrial. This deviation would accommodate the approval of this application.

Except for the deviation from the land reservation in the OMGMS it is essential for this proposal to illustrate alignment with the other development imperatives enshrined in the document. This proposed deviation should not have adverse implications on the other provisions of the OMGMS. The following goals in the OMGMS are generic and generally applicable to all spatial planning policies regardless of location. It will herewith be assessed how this application is consistent with these generic principles.

Goal	The consistency of the proposal with the goals.
"Ensure optimal land use planning and the efficient use of infrastructure, services, facilities and land."	This proposal seeks to optimally make use of the urban infrastructure in the subject area in a




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	manner which will not overburden the infrastructure.
“Contribute to place making and the development of attractive and safe urban environments.”	The approval of this proposal would lead to place making and make the current vacant properties to be developed in the future. This will therefore lead to an improvement in the visual look of the street scape in Sandbaai and contribute to the residents having a greater sense of pride in their area.
“Ensure that the scale and character (in terms of bulk, height and architectural styling) of the higher density areas are appropriate to the immediate context.”	The proposal is within the scale and character of the immediately abutting residential and industrial areas styling and will smoothly and appropriately blend in with the character of the area.

The subject property is in Planning Unit 6 and a portion of this planning unit is earmarked for local economic development which provides the opportunity for mixed use development. It is therefore proposed that the proposed consolidated Erf also be earmarked for local economic development/industrial development.

Rationale

The analysis of the spatial planning initiatives has provided a clear and complete explanation of the site-specific circumstances which justify a deviation from the land reservations of the subject properties.

10. PLANNING PRINCIPLES

The proposed development was analysed for consistency with the planning principles to provide a recommendation to the Municipality for the application. These spatial planning principles are in terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 and Chapter VI of the Land Use Planning Act, 2014.

Planning principles	Consideration and impact
Spatial Justice “Refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services and land.”	The approval of this proposal will not in any way perpetuate the spatial development imbalances which are caused by apartheid spatial planning.
Spatial Sustainability “A spatially sustainable settlement will be one that ensures an equitable land market while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas a limit urban sprawl.”	This proposal is within the urban edge and will not encroach on agricultural land, environmentally sensitive areas, biodiversity rich areas and will contribute to combating urban sprawl.
Efficiency “Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources and land.”	The proposal seeks to optimise on the development potential which the subject property presents in a manner which will efficiently and effectively make use of energy and infrastructure.


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<p>Spatial Resilience "Spatial resilience in the context of land use planning refers to 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."</p>	<p>The Department of Environmental Affairs and Development Planning (DEADP) and the Overstrand Municipality have compiled spatial policies that promote resilience in land use management. It has been motivated in the spatial planning initiatives section of this report that the proposed departure/deviation from the OSDF and OMGMS is appropriate and will contribute meaningfully to spatial resilience.</p>
<p>Good Administration "Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure a joint planning approach is pursued."</p>	<p>The application process promotes consultative planning as the Municipality will advertise the proposal to the public for comment. WRAP will also respond to the comments received and take it into consideration in the planning of the project.</p> <p>All the above measures ensure that a joint planning approach is pursued to the benefit of the property owner and the community.</p>

11. EVALUATION AND CONCLUSION

Herewith a synopsis of the essential elements that makes the proposal development viable and practical on the subject property.

Application

- **Rezoning** of Erf 2461 Sandbaai from General Residential Zone 1: Town Housing (GR1) to Industrial Zone 1: General Industry (IND 1) in terms of Section 16 (2) (a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Consolidation** of Erf 2461 Sandbaai with Erf 1599 Sandbaai in terms of Section 16 (2) (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Deviation** from the land reservation in the Overstrand Municipal Spatial Development Framework 2006 (OSDF) for Erf 2461, after consolidation with Erf 1599 Sandbaai, to be used for industrial purposes in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000; and
- **Deviation** from the land reservation in the Overstrand Municipal Growth Management Strategy (OMGMS) of densification zone more than 30 du per hectare for Erf 2461 Sandbaai, after consolidation with Erf 1599 Sandbaai, to be used as a local economic opportunity/industrial in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000.

Character of the environment

The zoning plans reveal that the subject property is surrounded by properties which are zoned for industrial and residential purposes and the approval of this proposal would be aligned with the surrounding zoning logic.

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The title deeds of Erven 1599 Sandbaai (T71618/2016) and 2461 Sandbaai (T49039/2017) were perused and no restrictive conditions were found which may prohibit the approval of this proposal.

Zoning

- It is proposed that Erf 2461 Sandbaai, before consolidation, is rezoned to Industrial Zone 1: General Industry.

Services

- **Electricity:** The subject properties are already connected to the electricity network.
- **Water:** The subject properties are connected to the reliable potable Municipal water network.
- **Sewage:** The subject properties are already connected to the Municipal sewage networks.
- **Traffic impact:** No additional traffic impact is anticipated.

Desirability

- There is a definite need for the expansion of industrial land uses in Sandbaai in an appropriate manner which is sensitive and aligned with the surrounding locational context.
- There are adequate urban infrastructure services on the subject property which would cater to the proposal.
- The subject property is appropriately within a walking distance from Zwelihle and Mount Pleasant residential areas and would enable the prospective employees of the proposed consolidated erf to walk to work and promote pedestrianisation.
- The subject properties are not located within sensitive natural or cultural areas and will not result in an unacceptable cumulative impact.

Spatial planning initiatives**PSDF**

- The approval of this proposal would lead to the incremental expansion of the industrial sector in a contextually appropriate manner in Sandbaai.
- The approval of this proposal would also symbolise a "top down" and "bottom up" planning approach.
- The approval of this application would also contribute to the proposed consolidated erf in the future contributing to skills development in the Greater Hermanus.

OSDF

- Erf 2461 Sandbaai, will after consolidation with Erf 1599 Sandbaai, only be used for parking purposes.
- Except for the proposed deviation from the land use proposal plan, this proposal is aligned with all the other development imperatives for the Greater Hermanus as highlighted in the SDF.
- It is proposed that the land use proposal be deviated from for the proposed consolidated erf to have an industrial zoning.

OMGMS

- The OMGMS was compiled prior to 2006 and does not respond to the current development pressures which exist in Sandbaai therefore justifying the proposed deviation from the document.
- The consistency with the morphology and past approvals is a site-specific justification for the approval of this application.
- The approval of this application would also contribute to the proposed consolidated erf contributing to a greater mixed-use environment.


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WRAP**MOTIVATION****Planning Principles**

- **Spatial justice:** The approval of this application will not perpetuate spatial development imbalances caused by apartheid planning.
- **Spatial sustainability:** The approval of this proposal will not compromise on the spatial sustainability of Sandbaai.
- **Efficiency:** The approval of this proposal will lead to the efficient utilisation of services on the subject property while not burdening the municipal infrastructure capacity.
- **Spatial resilience:** The approval of this proposal will contribute to enhancing spatial resilience.
- **Good administration:** The public participation process will ensure that a joint planning approach is pursued.

This application took into consideration the site-specific circumstances of the subject property, title deed restrictions, and services connected to the property, various development frameworks and the planning principles. It has been motivated why this proposal is a viable and practical.


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12. RECOMMENDATION

This motivation report has provided a clear and complete analysis of the site-specific circumstances of the erf and how the proposal blends in with the existing urban tissue.

Considering the above, it is recommended that the following application be **approved**:

- **Rezoning** of Erf 2461 Sandbaai from General Residential Zone 1: Town Housing (GR1) to Industrial Zone 1: General Industry (IND 1) in terms of Section 16 (2) (a) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Consolidation** of Erf 2461 Sandbaai with Erf 1599 Sandbaai in terms of Section 16 (2) (e) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015;
- **Deviation** from the land reservation in the Overstrand Municipal Spatial Development Framework 2006 (OSDF) for Erf 2461 Sandbaai, after consolidation with Erf 1599 Sandbaai, to be used for industrial purposes in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000; and
- **Deviation** from the land reservation in the Overstrand Municipal Growth Management Strategy (OMGMS) of densification zone more than 30 du per hectare for Erf 2461 Sandbaai, after consolidation with Erf 1599 Sandbaai, to be used as a local economic opportunity/industrial in terms of Section 10 (1) of the Overstrand By-Law on Municipal Land Use Planning, 2015 and in terms of the applicable Sections of the Local Government: Municipal Systems Act No. 32 of 2000.

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEVIATION FROM THE OVERSTRAND SPATIAL
DEVELOPMENT FRAMEWORK AND SPATIAL GROWTH MANAGEMENT
STRATEGY, REZONING & CONSOLIDATION: ERVEN 2461 & 1599, SANDBAAI
(3846)**

Stormwater (SW) : In order
Electricity : In order
Water : In order
Sewer : In order
Roads and traffic : In order

Conditions:

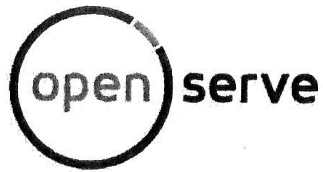
1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, an investigation be conducted with regards to the capacity required and that available, at the owner's cost;
2. that only the existing electricity connections will be available for the development, should additional capacity be required, an investigation be conducted with regards to the capacity required and that available, at the owner's cost;
3. that the electricity connections to the erven must be consolidated to one connection, and that the available capacity be combined;
4. that stormwater be allowed to discharge through the proposed erven, Sandbaai, unobstructed;
5. that no on-street parking will be allowed.



**DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES**

8/2/2018

DATE



Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spammer

Tel: 021 414 5582
Fax: 086 480 0617
Email: spammec1@telkom.co.za

Our Ref.: WWIP_WONR0307_18
Your Ref.: 1599 & 2461 HSB 3846

05 February 2018

Attention: S MÜLLER

Overstrand Municipality
HERMANUS

PLANT AFFECTED:

APPLICATION FOR DEVIATION FROM THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK AND SPATIAL GROWTH MANAGEMENT STRATEGY, REZONING AND CONSOLIDATION – ERVEN 2461 AND 1599, COVE CRESCENT IN SANDY COVE AND BERGSIG STREET, SANDBAAI

With reference to your application received December 2017.

As important COPPER are affected, please contact our representative Frederik Swart at telephone number 028 514 1199 / 081 363 7815 / FrederikS@openserve.co.za least 48 hours prior of commencement on construction work.

I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per sketch attached, Open Serve infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.


Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully



ps
Selwyn Bowers
Operations Manager
Wayleave Management: Western Region