

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
20 October 2020
(Also the agenda for the Mayoral Committee Meeting : 28 October 2020)**

9.

PORTION OF REMAINDER ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11892, HERMANUS (MOUNT PLEASANT) : DEVIATION FROM THE OVERSTRAND MUNICIPALITY SPATIAL GROWTH MANAGEMENT STRATEGY : MESSRS NUPLAN AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY / THE ADAMA FOUNDATION TRUST

Infill Housing HMP & Ptn of Erf 243, HWC

R Kuchar Senior Manager : Town & Spatial Planning

14 October 2020

(028) 3138900

1. Executive Summary

An application was received on 22 August 2019 from Messrs NuPlan on behalf of Overstrand Municipality and Adama Foundation Trust for a planning application to develop ten (ten) infill housing areas, nine (9) in Mount Pleasant and one (1) in Westdene, Hermanus. (See Annexure A.)

The application also included application for deviation in terms of the provisions of Section 10 of the Overstrand Municipality By-Law on Land Use Planning, 2015 as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Growth Management Strategy, 2010 (GMS) in order to change the reservation of seven (7) of the infill housing sites in Mount Pleasant for status quo to now allowing residential densities of 30 units/ha.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priorities

Promotion of tourism, economic and social development
Provision of democratic, accountable and ethical governance
Creation and maintenance of a safe and healthy environment

4. Delegated Authority

None

5. Legal Requirements

Section 10 of the Overstrand By-Law on Municipal Land Use Planning, 2010
Municipal Systems Act 32 of 2000 (Act 32 of 2000)

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6. Background/Discussion/Evaluation/Conclusion

Background

The infill housing application was duly advertised, and three (3) letters of objection were received. It is to be noted that all the objections were directed at Area 11 (portion of Remainder Erf 243, Hospital Street) in Westdene. The specific area in Westdene was however already identified for densification and earmarked for residential densities of more than 30 units/ha. The objections therefore do not relate to the seven (7) areas in Mount Pleasant for which the deviation is being applied for.

The specific seven (7) areas applicable are as follows:

Area 1	-	Erf 6464, 18 Angelier Street, Hermanus (Mount Pleasant)
Area 2	-	Erf 6465, 57 Dahlia Street, Hermanus (Mount Pleasant)
Area 3	-	Erf 6462, cnr Angelier- and Madeliefie Street, Hermanus (Mount Pleasant)
Area 4	-	Erf 6974, 9 Angelier Street, Hermanus (Mount Pleasant)
Area 5	-	Erf 11892, 15 Clivia Street, Hermanus (Mount Pleasant)
Area 6	-	Erf 7701, portion of Erf 7684 and a portion of Remainder Erf 243, 37 Dahlia Street, Hermanus (Mount Pleasant)
Area 7	-	Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Jasmyn- and Katjeepering Streets, Hermanus (Mount Pleasant)

The infill housing application was considered by the Municipal Planning Tribunal (MPT), and on 6 October 2020 it was resolved as follows:

- “1. *that the objections be noted;*
2. *that, in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law), the application to develop infill housing sites on Erf 6464, Hermanus (Mount Pleasant), which includes the following:*
 - *Rezoning in terms of Section 16(2)(a) from Residential Zone I :Single Residential to Subdivisional Area, and*
 - *Subdivision in terms of Section 16(2)(d) in order to create eight (8) Residential Zone I : Single Residential erven and one (1) Transport Zone II (public road) portion,*

be approved *in terms of the provisions of Section 61 of the By-Law;*
3. *that, in terms of the By-Law, the application to develop infill housing sites on Erf 6465, Hermanus (Mount Pleasant), which includes the following:*

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- Closure of a public place (Public Open Space in terms of Section 16(2)(n));
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) in order to create twenty (20) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law;

4. that, in terms of the By-Law the application to develop infill housing sites on Erf 6462, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create sixteen (16) Residential Zone I: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion,

be approved in terms of the provisions of Section 61 of the By-Law;

5. that, in terms of the By-Law, the application to develop infill housing sites on Erf 6974, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create fourteen (14) Residential Zone 1 : Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion,

be approved, in terms of the provisions of Section 61 of the said By-Law;

6. that, in terms of the By-Law, the application to develop infill housing sites on Erf 11892, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (Public Open Space) in terms of Section 16(2)(n);

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- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create ten (10) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Utility Zone: Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law;

7. that, in terms of the By-Law, the application to develop infill housing sites on Erf 7701, Portion of Erf 7684 and Portion of Erf 243, Hermanus (Mount Pleasant), which includes the following:

- Partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243) being public road portions of Aalwyn and Dahlia Streets;
- Consolidation in terms of Section 16(2)(e) of the two (2) closed road portions with Erf 7701;
- Rezoning in terms of Section 16(2)(a) of the new consolidated portion from Community Zone 1 : Community Facilities and Transport Zone 2 : Road and Parking Zone to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create fifteen (15) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space portion,

be approved in terms of the provisions of Section 61 of the By-Law;

8. that, in terms of the By-Law, the application to develop infill housing sites on Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Hermanus (Mount Pleasant), which includes the following:

- Consolidation in terms of Section 16(2)(e) of Erven 6468 and 6469, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6468 and 6469 into four (4) Residential Zone 1 : Single Residential portions;
- Consolidation in terms of Section 16(2)(e) of Erven 6476 and 6477, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6476 and 6477 into four (4) Residential Zone 1 : Single Residential Zone portions;
- Consolidation in terms of Section 16(2)(e) of Erven 6479 and 6480, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated

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portion of Erven 6479 and 6480 into four (4) Residential Zone I :Single Residential Zone portions;

- *Consolidation in terms of Section 16(2)(e) of Erven 6483 to 6490, Hermanus;*
- *Rezoning in terms of Section 16(2)(a) of the consolidated portion of Erven 6483 to 6490 from Residential Zone I :Single Residential to Subdivisional Area;*
- *Subdivision in terms of Section 16(2)(d) of the consolidated portion from Erven 6483 to 6490, to create eleven (11) Residential Zone I : Single Residential erven and one (1) Open Space Zone 2 : Public Open Space portion;*
- *Consolidation in terms of Section 16(2)(e) of Erven 6471 and 6473, Hermanus;*
- *Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6471 and 6473 into three (3) Residential Zone I : Single Residential portions;*
- *Subdivision in terms of Section 16(2)(d) of Erf 6474, Hermanus into two (2) Residential Zone I:Single Residential erven,*

be approved in terms of the provisions of Section 61 of the By-Law;

9. *that, in terms of the By-Law, the application to develop infill housing sites on a portion of Remainder Erf 243, Hermanus (Mount Pleasant), which includes the following:*

- *Rezoning in terms of Section 16(2)(a) from Business Zone 3 to Subdivisional Area;*
- *Subdivision in terms of Section 16(2)(d) to create seventy (70) Residential Zone I :Single Residential erven, three (3) Business Zone I : General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space Zone portion,*

be approved in terms of the provisions of Section 61 of the By-Law;

10. *that, in terms of the By-Law, the application to develop infill housing sites on Erf 11472, Hermanus (Mount Pleasant), which includes the following:*

- *Removal of a restrictive title deed condition, Clause C1 from Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f);*
- *Rezoning in terms of Section 16(2)(a) from General Residential Zone 3 : Flats to Subdivisional Area;*
- *Subdivision in terms of Section 16(2)(d) to create sixteen (16)*

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*Residential Zone I : Single Residential and one (1) Transport
Zone 2 : Road and Parking portion,*

be approved in terms of the provisions of Section 61 of the By-Law;

11. *that, in terms of the By-Law, the application to develop infill housing sites on portions of Remainder Erf 243, Hermanus (Westdene), which includes the following:*

- *Closure of a public place (portions of Remainder Erf 243 of land next to Hospital Road zoned Public Road) in terms of Section 16(2)(n);*
- *Rezoning in terms of Section 16(2)(a) of the closed portion from Transport Zone 2 : Road and Parking to Subdivisional Area;*
- *Subdivision in terms of Section 16(2)(d) to firstly create four (4) portions, and then further subdivision to create eighteen (18) Residential Zone I : Single Residential erven,*

be approved in terms of the provisions of Section 61 of the By-Law;

12. *that, in terms of Section 101 of the By-Law, the application for exemption, to exclude an application in terms of Section 96 of the By-Law dealing with naming of streets as part of this Land Use Planning application, **be approved** in terms of the provisions of the By-Law;*

13. *that, in terms of Section 16(2)(k) of the By-Law, the application for Phasing of the Subdivision into ten (10) phases, **be approved** in terms of the provisions of Section 61 of the By-Law;*

14. *that the decisions in paragraphs 2. - 13. above be subject to the following conditions:*

- (a) *that all the conditions imposed by Eskom be complied with;*
- (b) *that all the conditions in the Services Report be complied with;*
- (c) *that the provision of street names be addressed and the processes as required in terms of by legislation be followed;*
- (d) *that the approval does not absolve the applicant from compliance with any other relevant legislation;*
- (e) *that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and*

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- (f) *that the revised layout plan for Area 11 submitted be amended to also show the turning shunt that will be constructed for Buitekant Street in the Hospital Road road reserve, and also the bollards to be constructed between Buitekant Street shunt and Hospital Road to prevent traffic entering Hospital Street via the shunt.*
15. *that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the By-Law with regard to the above decision.*

RECOMMENDATION TO THE COUNCIL:

*that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.***"

REASONS FOR RESOLUTION:

- ❖ That the application complies with the principles as set out in SPLUMA and LUPA.
- ❖ The application complies with the Overstrand Zoning Scheme.
- ❖ The application will provide the opportunity for affordable housing to the community of Hermanus in a sustainable way, in line with the aims of the Overstrand Municipality SDF, 2006 and latest SDF, 2020 and the development pockets would ensure the optimal use of pieces of mostly vacant land and also of existing municipal services.
- ❖ In some development pockets densification in relation to the GMS, 2010 will occur (Areas 1 to 7), but the housing types that can be constructed on such erven will not be out of line with the character of such areas.
- ❖ Some development pockets (Areas 9 to 11) are on the edge of single residential areas in a mixed use area, and will create a transition between the different land uses, and is not foreseen that it would have a negative effect on the adjacent single residential areas.
- ❖ The developments will not be on environmentally sensitive land or land with heritage value.
- ❖ The objections received were adequately addressed.
- ❖ The application is desirable.

The item that served before the MPT is attached as Annexure A, while the Minutes of the MPT dated 6 October 2020 is attached as Annexure B.

The item serves to inform the Council regarding the application and the subsequent decision which was taken by the MPT and to receive Council's decision in terms of the provisions of Section 10 of the Overstrand Municipality

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By-Law on Municipal Land Use Planning, 2015 as well as the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000) to deviate from the Overstrand Municipality Growth Management Strategy (2010).

Evaluation

The infill housing land use application stems from the need of the community for housing opportunities.

This need for infill housing was also already captured in the Overstrand Municipality's Spatial Development Framework, 2020, which was already approved by Council and also formally adopted on 7 August 2020. All ten (10) areas are already identified for "housing projects on Plan 31 (showing Hermanus Status Quo).

It is also to be noted that the existing residential areas around Areas 1 to 3 have an existing density of approximately 25 units/ha. The new proposed erven will be between 135m² and 150m² in extent, with a density of approximately 53 units/ha.

Areas 4 to 6 are already situated on the fringe of a higher density area (70 units/ha) and an area with a density of approximately 25 units/ha. Areas 4 to 6 will have erven of approximately 130m² to 160m² in extent, with a density of approximately 55 units/ha.

Area 7 has an existing density of approximately 19 units/ha. The new erven will be approximately 240m² in extent, at an approximate density of 33 units/ha.

It was then also motivated in the report to the MPT that although the new erf sizes are smaller than surrounding erven, the dwellings that can be constructed on the properties would still be substantial. Double storey dwellings can for example be constructed on the smallest erven measuring 130m², up to a dwelling of 169m² in extend. This will ensure less of an impact on the character of the areas.

Conclusion

That the application be supported as per the recommendation below.

7. Financial Implications

None

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8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Item served before the Municipal Planning Tribunal on 6 October 2020

Annexure B: Minutes of the Municipal Planning Tribunal dated 6 October 2020

RECOMMENDATION TO THE COUNCIL:

that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2020

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

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PORTION OF REMAINDER ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11892, HERMANUS (MOUNT PLEASANT) : DEVIATION FROM THE OVERSTRAND MUNICIPALITY SPATIAL GROWTH MANAGEMENT STRATEGY : MESSRS NUPLAN AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY / THE ADAMA FOUNDATION TRUST

Infill Housing HMP & Ptn of Erf 243, HWC

R Kuchar Senior Manager : Town & Spatial Planning

14 October 2020

(028) 313-8900

THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON 20 OCTOBER 2020, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:

RECOMMENDATION TO THE COUNCIL:

that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :

H OLIVIER

TARGET DATE FOR IMPLEMENTATION :

11 NOVEMBER 2020

TARGET DATE TO INFORM APPLICANT :

11 NOVEMBER 2020

TARGET DATE TO INFORM OBJECTOR :

N/A

ANNEXURE A 1/31

AGENDA OF THE MUNICIPAL PLANNING TRIBUNAL

1 OCTOBER 2020

PORTION OF ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11472, 11892, HERMANUS (MOUNT PLEASANT) AND A PORTION OF ERF 243, HOSPITAL ROAD, HERMANUS (WESTDENE): APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF PUBLIC PLACES OR PART THEREOF, REMOVAL OF RESTRICTIVE CONDITIONS, DEVIATION FROM THE OVERSTRAND MUNICIPALITY SPATIAL GROWTH MANAGEMENT STRATEGY, EXEMPTION TO EXCLUDE NAMING OF STREETS AS PART OF THE APPLICATION AND PHASED PLANNING (FOR INFILL RESIDENTIAL DEVELOPMENT): MESSRS NUPLAN AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY / THE ADAMA FOUNDATION TRUST

Infill Housing HMP &
Ptn of Erf 243, HWC
H Olivier
1 September 2020

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 22 August 2019 from Messrs NuPlan Africa on behalf Overstrand Municipality and the Adama Foundation Trust in terms of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) for the following:

AREA 1 - Erf 6464, 18 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Residential Zone 1 : Single Residential to Subdivisional Area to create eight (8) Residential Zone 1 : Single Residential erven and one (1) Transport Zone II (public road) portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 2 - Erf 6465, 57 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create twenty (20) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 3 - Erf 6462, cnr Angelier- and Madeliefie Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2 : Public Open Space to Subdivisional Area to create sixteen (16) Residential Zone 1: Single Residential and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 4 - Erf 6974, 9 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create fourteen (14) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

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AGENDA OF THE MUNICIPAL PLANNING TRIBUNAL**1 OCTOBER 2020****AREA 5 - Erf 11892, 15 Clivia Street, Hermanus (Mount Pleasant)**

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area, to create ten (10) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Utility Zone: Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 6 - Erf 7701, portion of Erf 7684 and a portion of Remainder Erf 243, 37 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243), being public road portions of Aalwyn- and Dahlia Streets.
- Application in terms of Section 16(2)(e) to consolidate the two (2) closed road portions with Erf 7701 to create one (1) new portion.
- Application in terms of Section 16(2)(a) to rezone the new portion from its original Community Zone 1: Community Facilities and Transport Zone 2: Road and Parking Zone to Subdivisional Area, to create fifteen (15) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 7 - Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Jasmyn- and Katjeepering Streets, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(e) to consolidate Erven 6468 and 6469 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6476 and 6477 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6479 and 6480 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6483, 6484, 6485, 6486, 6487, 6488, 6489 and 6490, the Rezoning of the consolidated portion from Residential Zone 1: Single Residential to Subdivisional Area in terms of Section 16(2)(a) to create eleven (11) Residential Zone 1 : Single Residential erven and one (1) Open Space Zone 2 : Public Open Space portion, and the subdivision thereof in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6471 and 6473 and the subsequent subdivision of the consolidated portion into three (3) Residential Zone 1 : Single Residential erven in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(d) to subdivide Erf 6474 into two (2) Residential Zone 1 : Single Residential erven.

AREA 9 - Portion of Remainder Erf 243, Corner of R43 District Road and Malva Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Business Zone 3 to Subdivisional Area to create seventy (70) Residential Zone 1: Single Residential erven, three (3) Business Zone 1: General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open

Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 10 - Erf 11472, 47 Angelier Street, Hermanus (Mount Pleasant)

- Application for Removal of a Restrictive Title Deed Condition, Clause C(1) of Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f) of the By-Law.
- Application in terms of Section 16(2)(a) to rezone from General Residential Zone 3: Flats to Subdivisional Area, to create sixteen (16) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 11 - Portion of Remainder Erf 243, Hospital Street, Hermanus (Westdene)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (portion of Remainder Erf 243 of land next to Hospital Road zoned Public Road).
- Application in terms of Section 16(2)(a) to rezone the closed portion from Transport Zone 2: Road and Parking to Subdivisional Area, to create four (4) portions and the subsequent subdivision thereof to create a total of eighteen (18) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion.
- Application in terms of Section 16(2)(d) to subdivide the portion of Remainder Erf 243 into four (4) portions, and the subsequent subdivision thereof into eighteen (18) Residential Zone 1 : Single Residential erven and one (1) portion of public road.

Application also further made for exemption in terms of Section 101 to exclude an application in terms of Section 96 of the By-Law dealing with Naming of Streets as part of this land use planning application.

Application is also made for the Phasing of the Plan of Subdivision in terms of Section 16(2)(k) of the By-Law, into (ten) 10 phases.

Application is lastly made for deviation from the Overstrand Municipality Spatial Growth Management Strategy, 2010 in terms of Section 10 of the By-Law, as well as the provisions of the Municipal Systems Act, 2002 (Act 32 of 2000), to deviate from reserved densities.

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

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The Overstrand Municipality over the last few years has experienced difficulties in housing provision, mainly due to space constraints and the lack of affordable land. As a result of suitable vacant land parcels within the Municipality have been identified for development. Mount Pleasant and Westdene Infill Housing Scheme emerged as a response to the shortage in Hermanus.

This application deals with ten (10) pockets that have been identified in Mount Pleasant and Westdene. A total of one hundred and eighty nine (189) new single residential erven will be created, two (2) utility sites, three (3) Public Open Spaces, three (3) business sites and roads.

The ten (10) various areas involve the following applications :

AREA 1 - Erf 6464, 18 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Residential Zone 1 : Single Residential to Subdivisional Area to create eight (8) Residential Zone 1 : Single Residential erven and one (1) Transport Zone II (public road) portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 2 - Erf 6465, 57 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create twenty (20) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 3 - Erf 6462, cnr Angelier Street and Madeliefie Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create sixteen (16) Residential Zone 1: Single Residential and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 4 - Erf 6974, 9 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create fourteen (14) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 5 - Erf 11892, 15 Clivia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area, to create ten (10) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2: Road and Parking and one (1) Utility Zone: Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

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AREA 6 - Erf 7701, portion of Erf 7684 and a portion of Remainder Erf 243, 37 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243), being public road portions of Aalwyn- and Dahlia Streets.
- Application in terms of Section 16(2)(e) to consolidate the two (2) closed road portions with Erf 7701 to create one (1) new portion.
- Application in terms of Section 16(2)(a) to rezone the new portion from its original Community Zone 1: Community Facilities and Transport Zone 2: Road and Parking Zone to Subdivisional Area, to create fifteen (15) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 7 - Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Jasmyn- and Katjeepering Streets, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(e) to consolidate Erven 6468 and 6469 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6476 and 6477 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6479 and 6480 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6483, 6484, 6485, 6486, 6487, 6488, 6489 and 6490, the rezoning of the consolidated portion from Residential Zone 1: Single Residential to Subdivisional Area in terms of Section 16(2)(a) to create eleven (11) Residential Zone 1: Single Residential erven and one (1) Open Space Zone 2: Public Open Space portion, and the subdivision thereof in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6471 and 6473 and the subsequent subdivision of the consolidated portion into three (3) Residential Zone 1: Single Residential erven in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(d) to subdivide Erf 6474 into two (2) Residential Zone 1: Single Residential erven.

AREA 9 - Portion of Remainder Erf 243, Corner of R43 District Road and Malva Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Business Zone 3 to Subdivisional Area to create seventy (70) Residential Zone 1: Single Residential erven, three (3) Business Zone 1: General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 10 - Erf 11472, 47 Angelier Street, Hermanus (Mount Pleasant)

- Application for Removal of a Restrictive Title Deed Condition, Clause C(1) of Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f) of the By-Law.
- Application in terms of Section 16(2)(a) to rezone from General Residential Zone 3: Flats to Subdivisional Area, to create sixteen (16) Residential Zone 1:

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AGENDA OF THE MUNICIPAL PLANNING TRIBUNAL**1 OCTOBER 2020**

Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision in terms of Section 16(2)(d).

AREA 11 - Portion of Remainder Erf 243, Hospital Street, Hermanus (Westdene)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (portion of Remainder Erf 243 of land next to Hospital Road zoned Public Road).
- Application in terms of Section 16(2)(a) to rezone the closed portion from Transport Zone 2: Road and Parking to Subdivisional Area, to create four (4) portions and the subsequent subdivision thereof to create a total of eighteen (18) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion.
- Application in terms of Section 16(2)(d) to subdivide the portion of Remainder Erf 243 into four (4) portions, and the subsequent subdivision thereof into eighteen (18) Residential Zone 1 : Single Residential erven and one (1) portion of public road.

Application is also made for exemption to advertise the layouts without street names, as the street names have not been allocated at the time of application.

Due to the large scale and development in various pockets in Mount Pleasant and Westdene, application is made to phase the Subdivision Plan into ten (10) phases.

Application is also made to deviate from the Overstrand Municipality Spatial Growth Management Strategy, 2010 to deviate from some of the reserved densities indicated.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ The properties are municipal land with only Erf 11472, Hermanus which is private land included in the project.
- ❖ Title Deeds were scrutinized by a Conveyancer and the only restrictive conditions that have to be removed are from the Title Deed of Erf 11472, Hermanus.
- ❖ Most properties are situated in Mount Pleasant, with one (1) in Westdene.
- ❖ The character of the areas is residential character for lower and middle income groups with a mix of single and medium density residential housing. The proposed developments will complement the existing residential structure/character.
- ❖ New erven will be smaller than surrounding properties, but will still be able to be developed with approximately 120m² - 150m² top structures, and it is therefore foreseen that it would not change the character of surrounding areas.
- ❖ There are no physical or environmental constraints, and EA&DP provided confirmation that there are no NEMA triggers. All areas with indigenous vegetation were excluded from the developments.
- ❖ The application is supported by Heritage : Western Cape.
- ❖ The provision for housing is identified as a priority in the Municipal IDP.
- ❖ The SDF, 2006 identifies the need for housing, sustainable growth and densification. The Housing Policies must give effect to a "balanced mix and range for all income groups".
- ❖ In terms of the Growth Management Strategy, 2010 different Planning Units were earmarked for specific density developments. In Units 1 and 5 densification is not encouraged that will "change the existing character of the areas". It is the

opinion that erf sizes alone do not define character, and the developments in these units will be compatible with the existing character.

- ❖ Building lines for the new residential sites will be 2m street and 1m common building lines, and no departures are required.
- ❖ Most subject properties are vacant land within brown field location.
- ❖ In Area 10 the existing retail buildings (also on Erf 6184) are incorporated in the design.
- ❖ The township is fully serviced with a good public road network, and some upgrades are recommended.
- ❖ The development will be phased in ten (10) phases.
- ❖ **The development per area is as follows:**

AREA 1 - Erf 6464, Hermanus

- Eight (8) Residential portions and a road portion will be created.
- Erf sizes will be between 135m² - 150m², and access will be from the new public road.
- Coverage of 65% will be allowed, which will allow a maximum 180m² double storey unit.

AREA 2 - Erf 6465, Hermanus

- The portion is a public place (Public Open Space) which will be closed.
- Twenty (20) Residential Zone 1, one (1) Public Open Space and one (1) Utility Zone portion will be created.
- Access will be from the new public road of 6m wide.
- Typical size of new erven will be 135 m² - 150m², with 65% coverage allowing for a typical maximum 180m² double storey unit.

AREA 3 - Erf 6462, Hermanus

- Closure of a zoned only public place.
- Sixteen (16) Residential Zone 1 and a public place road will be created.
- Typical erf size will be 135m² - 150m², 65% coverage to accommodate a typical maximum 180m² double storey unit.
- A new 6m road will be created to provide access.

AREA 4 - Erf 6974, Hermanus

- Closure of a zoned only public place.
- Fourteen (14) Residential Zone 1, one (1) public open space and one (1) public road will be created.
- Typical subdivisions will be 150m² - 160m², 65% coverage will be allowed with for typical maximum 180m² double storey unit.
- Access will be obtained from the newly created road reserve.

AREA 5 - Erf 11892, Hermanus

- Closure of a public place is included.
- Ten (10) Residential erven, one (1) public road and one (1) Utility site will be created.
- Typical 150m² - 160m² Residential erven will be created, with 65% coverage allowing for a typical 180m² double storey unit.

- o Access will be from the new 6m wide public road.

AREA 6 - Erf 7701, portion of Erf 7684 and a portion of Remainder Erf 243, Hermanus

- o Closure of a public road is required. (Portions of Aalwyn- and Dahlia Streets)
- o A consolidated erf of 1630m² will be created, which will then be resized and subdivided into fifteen (15) Residential erven, one (1) public open space and a road portion.
- o Typical size of erven will be 130m² - 160m², with 65% coverage allowing for a typical 170m² - 180m² double storey unit.
- o Access will be obtained from the new 8m road portion.

AREA 7 - Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Jasmyn- and Katjiepieping Streets, Hermanus

- o 17 Existing Residential erven will be consolidated and subdivided to create 28 new Residential erven.

AREA 9 - Portion of Remainder Erf 243, Hermanus

- o The new development proposal will include Erf 6184 (existing business site), and Portion 74 will have to be sold and consolidated with Erf 6184 at a later stage.
- o Seventy (70) Residential erven, three (3) commercial sites (includes Portion 74), one (1) Public Open Space and public roads will be created.
- o Typical erf sizes will be 150m² - 200m², 65% coverage will be allowing for a typical 180m² - 220m² double storey unit.
- o Access will be provided from the newly created public road.
- o The existing building will be retained on Portion 1.

AREA 10 - Erf 11472, Hermanus

- o Title Deed T45480/2017 contains a Section C(1) that restrict uses to General Residential Zone 3. This restriction will be removed.
- o Sixteen (16) Residential portions and a public road will be created.
- o Typical erf sizes will be 150m² - 200m², 65% coverage is allowed providing for a typical 180m² double storey unit.
- o Access will be obtained from the newly created road reserve.

AREA 11 - Portions of Remainder Erf 243, Hermanus – Westdene

- o The closure of public road zoned portions of land.
 - o Four (4) portions will be created that will be further subdivided into eighteen (18) residential erven and public road portions.
 - o Typical erf sizes will be 250m² - 350m², which allow for 65% coverage with typical possible 200m² - 250m² double storey units that can be accommodated.
- ❖ A detailed Services Report pertaining to available existing services, bulk supply as well as relocation of services to enable the proposed development to proceed was done. The Municipality also confirmed availability of bulk civil and electrical

services, including water supply, sewerage network, storm water, road network and electrical services.

- ❖ A TIA was done for the project, which confirmed that the anticipated increase in traffic generated will have a moderate impact on the surrounding road network. Some affected intersections operate at undesirable levels, and mitigating measures are proposed for these intersections. The intersections at Swartdam Road and the R43 warranted to be signalized.
- ❖ Concerns were raised as to the functioning of Hospital Road and Buitekant Street in Westdene. The proposal is that Buitekant Street should remain a dead end street, to prevent "rat runs" to the hospital. It is also recommended that a paved sidewalk be constructed at least on one side of Aalwyn- and Malva Streets from the R43 to Angelier- and Suikerbossie Streets respectively.

❖ **Compliance with SPLUMA and LUPA principles :**

Spatial Justice & Resilience

- There is a need for affordable entry level housing, as prioritized in the SDF, 2006 and GMS, 2010.
- An analysis of the two (2) areas were done and chosen land portions were identified as the most suitable for additional residential opportunities.
- Spatial Justice will be ensured with secure tenure, promotion of integration and access to opportunities.

Spatial Sustainability

- The land parcels are mainly surrounded by residential units and will suitably compliment the existing residential structure/character within the neighbourhoods. No change of character is foreseen.
- Although abutting erven are larger, potential top structure with a minimum erf size of 120m² - 200m² will not have a negative effect on the character of the area.

Efficiency

- The areas are fully serviced and accessible via the public road network, with some upgrades to be done at the construction phase, for which bulk service capacities are available.
- The portions are physically suitable with no environmental and heritage constraints.
- New erven will be close to public facilities, amenities as well as public transport.

The removal of the restrictive conditions applicable to Erf 11472, Clause C1, is deemed appropriate, as the development will compliment the surrounding urban form, and -

- There is no financial value to the right and would enable the development of a housing project to the benefit of the community.
- There is no other personal benefit, but to Council to control further development.
- The Municipality will benefit as it will allow the implementation of a development proposal in line with their spatial policies for this area.
- There is no social benefit to retain the restriction.
- The removal of restriction will benefit the increasing number of residents in Hermanus seeking affordable accommodation.
- The condition will be completely removed as enjoyed by the beneficiary.

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Good Administration

The Municipality has a good public participation process.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Gazette	Yes	14 February 2020	20 March 2020
Local newspaper	Yes	12 February 2020	20 March 2020
Notices	Yes	12 February 2020	20 March 2020
Ward councillor	Yes	12 February 2020	20 March 2020
Total comments	THREE (3)		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 46 - 50 of the 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
Building Control	12/02/2020	No objection.
District Health	30/06/2020	No objection.
Waste Management	17/03/2020	No objection.
Fire Department	12/02/2020	No objection.
Engineering Services	11/08/2020	See Annexure F.
Environmental Management	11/08/2020	See Annexure G.
Eskom	14/02/2020	See Annexure H.
Western Cape Government : Transport & Public Works	27/02/2020	See Annexure I.
Western Cape Government : EADP	12/06/2020	See Annexure J.

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Heritage Western Cape	17/05/2020	See Annexure K.
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7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, APPLICANT'S RESPONSE AND MUNICIPAL TOWN PLANNER'S RESPONSE

It is to be noted that all objections relate to the proposed infill residential development in Area 11, situated in Westdene, Hermanus.

Three (3) letters of objection were received from the following parties:

- EKH Friese
- S Welmans
- MMS Fouche & SJ Calitz

1. Objection

Westdene is totally different from the other areas being developed in Mount Pleasant, and the development for infill housing with erven half the size (250m² - 350m²) as other erven in Westdene 559m² to 703m², is not compatible with the character of the existing neighbourhood and would increase noise.

Applicant's response

Council's initial decision to implement the project was to facilitate additional services erven for the ever-growing residential market in Hermanus. As land is a scarcity in Hermanus, a balanced approach had been adopted to facilitate smaller erf sizes (250m² - 350m²), but still ensuring that compatibility and complementary top structures (200m²) could be built on the said erven.

Town Planner's response

The objection and applicant's response are noted.

It must be noted that the infill development in Mount Pleasant and Westdene did take the character of surrounding erven into consideration. In certain pockets in Mount Pleasant erven of 135m² - 150m², 150m² - 160m², 160m² - 165m² and 150m² - 200m² in size are proposed. These erven are also significantly smaller than the surrounding erven, and therefore this methodology was applied to all ten (10) identified areas.

Westdene is also bordered by hospitals and old age homes to the south, and a higher density residential development is considered a good transition between larger single residential erven and the busy hospitals and old age homes to the south.

2. Objection

The potential double storey dwellings are not compatible with the character of the area mostly developed with single residential structures. Common building lines are only 1m, and double storey dwellings will

impact on privacy as people will have a view into gardens and outdoor areas.

Applicant's response

The potential unit floor areas are based on a double storey structure. Although the objectors are not in support of double storey structures, it needs to be pointed out that a single residential zoning allows it as a primary right to build double storey. The objectors have a similar right to build double storey.

Town Planner's response

Both comments are duly noted.

The applicant's opinion is supported. Any property owner in Westdene area are allowed to also construct a double storey dwelling, which could impact on surrounding neighbours' privacy.

If a person construct a double storey dwelling on one of the new erven it would be a significant building of higher value, that enhance the character from a property value perspective. If the new erven are developed single storey it would also still be 125m² - 150m² in size, which is a good size. It is therefore highly unlikely that double storey dwellings will be constructed on all eighteen (18) new erven.

3. Objection

Concern about Buitekant Street being opened towards the hospital with ambulances and taxis negatively impacting residences. Concerned the road next to Erf 7984 will be used as public parking, which is not practical.

Applicant's response

Buitekant Street will not be opened towards Hospital Street and a turning circle / shunt will be constructed within Hospital Street's boundary to ensure the existing status quo. By providing a turning shunt in Hospital Street reserve portions 1 and 2 in Area 11 have been re-designed and each portion will have been increased in size to complement and relate to the size of abutting erven. (Plan was revised.) Bollards could be considered to secure it further.

Town Planner's response

Both comments are noted.

The applicant did address the concern of Buitekant Street being open towards Hospital Road, and confirmed it will be a cul-de-sac (shunt specifically).

Also note the revised plan will do away with the large cul-de-sac road surface, therefore it would not be able to use it for parking. See Revised Plan (attached as Annexure O).

The concern regarding Buitekant Street being used as public parking is also not realistic. This means the public will purposely have to enter Buitekant Street to

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go and park in a narrow cul-de-sac (with a shunt). Should this happen the Traffic Department, if informed, will take action against such person.

4. Objection

- *The development plan of smaller erven will degrade the area, squeezing in small houses.*
- *Houses sold in this area is R1 200 000-00 and the new development will not be in line with such value.*
- *GAP houses will devalue the area and the Municipality will have to compensate residents for the drop in value.*

Applicant's response

The intention is not to provide low cost housing, but serviced erven to be sold on the open market. The purchaser will decide what the actual size and appearance of the dwelling will be, and cannot be pre-empted. All buildings will have to comply with norms and standards of the National Building Regulations.

Town Planner's response

The comments are duly noted.

As previously mentioned, the piece of land identified is between Westdene and busy hospitals and old age homes. Should any such type of developments have been developed in this strip of land, the impact on the Westdene properties could have been greater.

The development of higher density developments next to busy major roads or industrial areas or business nodes is not uncommon.

In this way impact on a less dense Single Residential area is mitigated by developing a more dense residential development next to areas with other land uses.

Although it is speculative to think that a higher density residential development would create a drop in property values in Westdene, the concerns of residents are understood since they do not know what to expect from a GAP housing project.

In conclusion, the Westdene residents' concern regarding the possible drop in property value of Westdene are noted, but this strip of land is a transitional area between two (2) land uses and should the strip be developed for medical facilities or old age homes, this also could have been seen as a devalue of Westdene.

5. Objection

The zoning of the land was in terms of the Municipal website indicated as Authority Use in 2017 for possible local Government use, and this was taken into consideration before purchasing the property.

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Applicant's response

The Town- and Spatial Planning Department has confirmed the zoning of the subject property was Transport Zone 2.

Town Planner's response

Errors on zoning maps may be corrected as is indicated on the zoning maps.

In mid-2019 all maps were reviewed and the zoning was changed to Transportation Zone II as the land was not developable due to the existing sewer line over the land.

With the shortage of land for housing this area was identified for possible development, with funding to move the sewer line.

It is to be noted that the revised zoning maps were also advertised in mid-2019 as part of a public participation process, and it was also finally Gazetted on 7 August 2020.

6. Objection

The area next to Area 11 has sewerage problems, will the new development not worsen it.

Applicant's response

The civil engineering report, as submitted with the application, specifies that a new sewer line (within Hospital Street road reserve) and reticulation system will be installed to facilitate sufficient capacity to service the local area abutting Area 11.

Town Planner's response

The comments are duly noted.

The applicant did address the concern, and as indicated this development will actually help resolve the sewerage problems experienced in Westdene.

7. Objection

Proper planning was not done to address the housing need, whilst the Municipality sell off other pieces of land for other developments.

Applicant's response

No response provided.

Town Planner's response

The statement are noted, it is not relevant and applicable to the desirability of using Area 11 for housing.

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8. Objection

There are other more suitable open spaces in a radius of 1km of Westdene that can be utilized for infill housing (8 examples provided).

Applicant's response

The statements are noted, but it is not relevant and applicable to the desirability of using Area 11 for housing.

Town Planner's response

The Municipality identified land that is not used for any specific purposes or not functional open spaces, and to therefore develop it for the infill housing.

The ten (10) areas that forms part of this application were then the first project identified, and is considered well suited for the proposed infill housing.

It is to be noted that this objection also has no relevance to the desirability of the ten (10) identified areas to be utilized for infill housing.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

See Paragraph 7 above.

Internal and External Departments

The application was supported by all internal municipal departments and external provincial and semi-state institutions.

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 in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

This application will address the need for affordable entry level housing. This will secure tenure for persons that never owned property, it will help promote integration and provide the new residents access to opportunities.

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Spatial sustainability

The proposed developments are mostly situated within or on the edge of residential areas, and although the erven are smaller than surrounding residential erven, it is not foreseen that it would negatively affect the residential character of these areas.

The pockets of land were carefully chosen and environmentally sensitive areas excluded for the development footprints.

Efficiency

The infill development areas will ensure that the existing services and road network will be used more efficiently, and will also result in upgrades of existing services to the benefit of surrounding properties.

The new erven will also be close to amenities, public facilities and public transport.

Spatial Resilience

The application will ensure that the existing resource, i.e. land is used more optimally.

Good administration

The application followed the required planning procedures in terms of the Municipal By-Law 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)

Same as Point 10.2 above.

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

The application complies with the Overstrand Municipal Wide SDF, 2006 in the following aspects:

- Pro-active identification of residential development areas for all income groups within the urban edge.
- Address the current housing backlog and future growth needs through applying densification principles within existing urban areas.

The application proposes higher densities in Areas 1 and 5 in terms of the Growth Management Strategy, 2010 as it was earmarked as status quo, and the erven will be smaller than existing surrounding erven. It is however motivated that the character of an area is not only defined by erf sizes, and that the development of this vacant land with smaller erven would not change the character of the area.

It is to be noted that the Overstrand Municipal Wide SDF, 2020 was approved by Council and already Gazetted on 7 August 2020. In terms of the new SDF all ten (10) relevant areas have been identified for "housing projects" in terms of Plan 31 Showing Hermanus Central Status Quo.

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

N/A

10.6 Impact on Municipal engineering services

An Engineering Report was prepared by Messrs Neil Lyners and Associates (RF) (Pty) Ltd for all ten (10) sites (see Annexure M). Services such as water, sewerage, storm water, electricity and the road infrastructure were evaluated and discussed.

In conclusion, it was found that existing services capacities are available for the proposed development areas. It will however be required that some existing services will have to be relocated to clear some of the areas for development.

A Traffic Impact Assessment (TIA) was also prepared for the infill residential developments by Messrs DECA Consulting Engineers (see Annexure N). New roads will be created and certain upgrades to the road infrastructure will be required. The main recommendations in the TIA are that Buitekant Street be a cul-de-sac with no access to Hospital Street, the Swartdam Road/R43 intersections be signalized and road markings should be changed at the Aalwyn Street, Malva Street and Rotary Way approach, that a paved sidewalk at least on one (1) side of Aalwyn- and Malva Street from the R43 down to Angelier Street on Suikerbossie Street respectively be constructed.

The Municipal Engineering Services Department also indicated their support for the infill developments (see Annexure F).

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

The comments from Western Cape Government : EADP was requested to ensure no listed activities would be triggered in terms of the environmental legislation. The Department indicated that no environmental process was required (see Annexure J).

The comments of Heritage Western Cape were also obtained to ensure that no Heritage Impact Study was required. It was confirmed that no Study was required (see Annexure K).

10.8 Existing and proposed zoning comparisons and considerations

All ten (10) infill residential areas are situated in predominantly residential areas.

Areas 9 and 10 are considered in a mixed use area with community facilities and two (2) existing businesses bordering these areas. This it then also the reason to formalize the two (2) existing businesses on cadastral erven and create a third business site to accommodate the neighbourhood commercial needs in this area. The proposal is in line with existing planning in the area.

Area 11 is on the border of a single residential area and the main community facility area in Hermanus, providing for the public and private hospitals, old age homes and institutions. The proposed higher density residential is considered

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a good transition between the existing single residential area and community facilities.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

This part is only relevant to Area 10, as there is a restrictive condition in the Title Deed of Erf 11472, Hermanus to be removed.

The financial or other value of the rights

The condition has no financial value. The other value is that it would ensure that the land be utilized for residential purposes, which would still be realized as it will now be utilized for GAP housing.

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal

Council is the holder of the rights for the land to be used for residential purposes only. It is Council that is now seeking to remove the same condition to just allow another type of residential development on the subject erf.

The social benefit of the restrictive condition remaining in place, and/or being removed/amended

There is no real social benefit in retaining the condition however, removing it will provide the opportunity for residents in Hermanus to obtain affordable accommodation.

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of these rights?

It will completely remove the rights.

12. THE DESIRABILITY OF THE PROPOSAL

Physical characteristics of the properties

Areas 1 to 6 are all vacant land with gentle slopes, and are ideal to be developed for residential purposes.

Area 7 is situated in the northern part of Mount Pleasant south of Rotary Way. The area has a relatively steep slope, but has already been developed with residential erven. The erven to be utilized are also all vacant and ideal to be developed.

Areas 9 and 10 are relatively flat land, with an existing community business centre and a private business site on the western side of the land. The land can easily be developed.

Area 11 is also vacant land that is very flat. The land can easily be developed.

It is to be noted that there are existing services on some of these areas, but it will be relocated as part of this project.

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Location and Accessibility

Areas 1 to 6 are situated in the western part of Mount Pleasant, south of the R43 District Road and east of Swartdam Road.

The existing road infrastructure provides access to all six (6) infill pockets, but additional short roads and some cul-de-sacs will be created to provide each individual erf with vehicle access.

Area 7 is situated in the northern part of Mount Pleasant, north of the R43 District Road. Access to this area can easily be obtained via the existing road infrastructure, and all new erven will obtain access from the existing road network. It is also recommended in the TIA that a pedestrian sidewalk be constructed on one side of Aalwyn Street up to Suikerbossie Street.

Areas 9 and 10 are situated more to the north eastern side of Mount Pleasant, just below the R43 District Road and east of Malva Street. A whole new road network will be created to serve this pocket via Malva Street to the west and Angelier Street to the south. In this way good access to each erf will be ensured. It is then also recommended in the TIA that a pedestrian sidewalk be constructed on one (1) side of Malva Street from the R43 down to Angelier Street.

Area 11 is situated in Westdene, Hermanus north of Hospital Road. Erven will obtain access from the existing road network. Buitekant Street is a cul-de-sac road with a shunt to avoid that taxi's and ambulances use this road as a short cut. The original proposal was to create a formal cul-de-sac, but due to concerns by the public that the cul-de-sac will be used as parking areas it was changed into a shunt (small scale type of cul-de-sac) that will be accommodated in the Buitekant Street and Hospital Road road reserves (see TIA attached as Annexure N, Plan D337/A11 2/01). It is also to be noted that due to traffic concerns in Hospital Road, all erven will obtain access via bell-mouth kerbs to limit erf access points in Hospital Road (also see Plan337/A11 2/01 referred to above).

It is the opinion that the traffic concerns of the public have sufficiently been addressed.

Also note that the TIA require the signalization of the Swartdam Road/R43 intersection and the changing of road markings at Aalwyn Street, Malva Street and Rotary Way approaches, to improve service levels. This will insure good accessibility.

Existing Planning and Character of the Area

Areas 1 to 6 is situated in areas with a strong single residential area. The proposal include the development of Residential Zone 1 erven between 135m² to 160m², that would allow for a double storey dwelling of approximately maximum size between 176m² to 208m² in extent. It is motivated by the applicant that the character of the area is not only defined by erf size, but the size and type of the dwellings that can be constructed to a certain extent, as can be seen with the BNG Housing development west of Areas 1 to 6, next to Swartdam Road. Erven is even smaller with 40m² dwellings, but it does not detract from the single residential character of the area. It is anyway foreseen that the houses that will be constructed on the new erven will be of higher value than the BNG housing units, as the buyers will be more financially secure.

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Area 7 is also situated in an area with a strong residential area. Although the erven will be smaller than the surrounding erven, the same opinion applicable to Areas 1 to 6 above is relevant. The new smaller erven will also be spread over the area between existing larger erven, which would ensure they blend in with the character of the existing area.

Area 9 was previously approved for business development, and is earmarked in terms of the Growth Management Strategy for business and higher density residential development of more than 30 units/ha. It will now have a mixed use character still with business sites on the western part of the infill pocket, and with erven between 150m² to 165m² in extent in the rest of the pocket. It is to be noted that the area is also buffered by sport fields to the east, nature area (and R43 Provincial Road) to the north, the existing business to the west, and community zoned erven and open spaces to the south, from any other existing residential areas. The proposal will therefore not change the character of the area.

Area 10 will provide for slightly larger erven between 150m² to 165m², allowing for a maximum double storey dwelling size of approximately 195m² and 215m². The site is also situated between community zone erven, a public open space and residential erven, and the area has a mixed residential character. The site was previously earmarked for higher density residential, and the new proposed erven are not out of line with such proposal and in line with the allocation in terms of the Growth Management Strategy, 2010 of more than thirty (30) dwelling units/ha. The character of this area will not be negatively affected.

Area 11 is situated between a single residential area and the main community facility area (hospitals, institutions and old age homes) in Hermanus. The larger area is also earmarked for industrial purposes to the north of Westdene. It is therefore the opinion that the larger area has a mixed use character. It is then also for such reason why the Westdene area was earmarked for local economic development and residential densification of more than 30 units/ha in the Growth Management Strategy, 2010.

Various objections were received that relate to the densification of the area, and the impact it would have on the privacy of residents and also the impact it would have on their property values.

It must however be noted that should this area not be developed as residential development, it could have been rezoned to business purposes and utilized as such. This could have had a greater impact on the residents of Westdene.

The proposed erven are approximately half the size than residential properties in Westdene, and will be between 250m² to 350m² in extent. It would still be possible to construct a double storey dwelling on such land of a maximum size of 325m² to 455m². The potential buyers will however determine what size dwelling their budgets will allow, but it is speculative to assume the dwellings that will be constructed on these erven will de-value the area.

Deviation from the Overstrand Municipal Spatial Growth Management Strategy, 2010 (GMS)

The infill developments in Areas 1 to 7 are in areas earmarked for status quo in terms of the GMS. This means similar size erven should be created. The applicant

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motivated that erf sizes is not the only measure to determine character and that the GMS stipulates other applications can be supported as long as the character does not change.

If the existing housing typologies in the area and also the fact that there is an existing development east of Swartdam Road with approximately 110m² erven that blends in with the area are considered, it is not foreseen that the character of the area will be changed.

The deviation from the GMS for the density reservations is therefore supported.

Phasing of the infill residential developments

The phasing of the developments is due to the fact that the infill land parcels is in ten (10) different locations, which will all have to be surveyed and have construction phases at different times. To ensure a more manageable development phase (including survey and registration of erven), a phase approach in ten (10) phases was recommended. The phasing of the development is therefore supported.

Exemption to provide street names

Street names are usually indicated on layout plans when advertised during the public participation process. Street names were not available at the stage the planning application had to be advertised. In terms of Section 101 the Municipality may exempt an application from compliance with the provisions stipulated in the By-Law with regards to incremental upgrading of existing settlements or provision of housing with the assistance of a state subsidy.

The additional time to wait for street name allocation could have held back the project, which could extend the time of the project and could lead to increases in building costs.

It is to be noted that a condition will be inserted in the approval that street names be provided for all new roads/streets created in the development pockets.

Removal of restriction in Title Deed T45480/2017 for Erf 11472, Hermanus (Mount Pleasant)

Erf 11472, Hermanus was previously sold by public tender to the Adama Foundation Trust. A specific condition by Council (Condition C1) that reads as follows:

"C1 The property may only be used for the purposes allowed for in terms of the General Residential Zone III."

This erf will be returned to municipal ownership and now be part of the proposed infill developments.

The condition will limit the development to group housing/flats, whilst single residential erven are proposed. Council has already provided their support for the infill housing development projects, and therefore it is the opinion that the removal of the condition can be supported. The removal of the condition will also have no impact on surrounding property owners, and no objections were received regarding the title deed restriction.

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13. RECOMMENDATION

1. that the objections be noted;
2. that, in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law), the application to develop infill housing sites on Erf 6464, Hermanus (Mount Pleasant), which includes the following:
 - Rezoning in terms of Section 16(2)(a) from Residential Zone I :Single Residential to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) in order to create eight (8) Residential Zone I : Single Residential erven and one (1) Transport Zone II (public road) portion,

be approved in terms of the provisions of Section 61 of the By-Law.

3. that, in terms of the By-Law, the application to develop infill housing sites on Erf 6465, Hermanus (Mount Pleasant), which includes the following:
 - Closure of a public place (Public Open Space in terms of Section 16(2)(n);
 - Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) in order to create twenty (20) Residential Zone I : Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law.

4. that, in terms of the By-Law the application to develop infill housing sites on Erf 6462, Hermanus (Mount Pleasant), which includes the following:
 - Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
 - Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) to create sixteen (16) Residential Zone I: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion,

be approved in terms of the provisions of Section 61 of the By-Law.

5. that, in terms of the By-Law, the application to develop infill housing sites on Erf 6974, Hermanus (Mount Pleasant), which includes the following:
 - Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
 - Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) to create fourteen (14) Residential Zone I : Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion,

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be approved, in terms of the provisions of Section 61 of the said By-Law.

6. that, in terms of the By-Law, the application to develop infill housing sites on Erf 11892, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (Public Open Space) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create ten (10) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Utility Zone: Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law.

7. that, in terms of the By-Law, the application to develop infill housing sites on Erf 7701, Portion of Erf 7684 and Portion of Erf 243, Hermanus (Mount Pleasant), which includes the following:

- Partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243) being public road portions of Aalwyn and Dahlia Streets;
- Consolidation in terms of Section 16(2)(e) of the two (2) closed road portions with Erf 7701;
- Rezoning in terms of Section 16(2)(a) of the new consolidated portion from Community Zone I : Community Facilities and Transport Zone 2 : Road and Parking Zone to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create fifteen (15) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space portion,

be approved in terms of the provisions of Section 61 of the By-Law.

8. that, in terms of the By-Law, the application to develop infill housing sites on Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Hermanus (Mount Pleasant), which includes the following:

- Consolidation in terms of Section 16(2)(e) of Erven 6468 and 6469, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6468 and 6469 into four (4) Residential Zone 1 : Single Residential portions;
- Consolidation in terms of Section 16(2)(e) of Erven 6476 and 6477, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6476 and 6477 into four (4) Residential Zone 1 : Single Residential Zone portions;
- Consolidation in terms of Section 16(2)(e) of Erven 6479 and 6480, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6479 and 6480 into four (4) Residential Zone 1 : Single Residential Zone portions;

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- Consolidation in terms of Section 16(2)(e) of Erven 6483 to 6490, Hermanus;
- Rezoning in terms of Section 16(2)(a) of the consolidated portion of Erven 6483 to 6490 from Residential Zone I :Single Residential to Subdivisional Area;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion from Erven 6483 to 6490, to create eleven (11) Residential Zone I : Single Residential erven and one (1) Open Space Zone 2 : Public Open Space portion;
- Consolidation in terms of Section 16(2)(e) of Erven 6471 and 6473, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6471 and 6473 into three (3) Residential Zone I : Single Residential portions;
- Subdivision in terms of Section 16(2)(d) of Erf 6474, Hermanus into two (2) Residential Zone I:Single Residential erven,

be approved in terms of the provisions of Section 61 of the By-Law.

9. that, in terms of the By-Law, the application to develop infill housing sites on a portion of Remainder Erf 243, Hermanus (Mount Pleasant), which includes the following:

- Rezoning in terms of Section 16(2)(a) from Business Zone 3 to Subdivisional Area;
- Subdivision in terms of Section 16(2)(d) to create seventy (70) Residential Zone I :Single Residential erven, three (3) Business Zone I : General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space Zone portion,

be approved in terms of the provisions of Section 61 of the By-Law.

10. that, in terms of the By-Law, the application to develop infill housing sites on Erf 11472, Hermanus (Mount Pleasant), which includes the following:

- Removal of a restrictive title deed condition, Clause C1 from Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f);
- Rezoning in terms of Section 16(2)(a) from General Residential Zone 3 : Flats to Subdivisional Area;
- Subdivision in terms of Section 16(2)(d) to create sixteen (16) Residential Zone I : Single Residential and one (1) Transport Zone 2 : Road and Parking portion,

be approved in terms of the provisions of Section 61 of the By-Law.

11. that, in terms of the By-Law, the application to develop infill housing sites on portions of Remainder Erf 243, Hermanus (Westdene), which includes the following:

- Closure of a public place (portions of Remainder Erf 243 of land next to Hospital Road zoned Public Road) in terms of Section 16(2)(n);

- Rezoning in terms of Section 16(2)(a) of the closed portion from Transport Zone 2 : Road and Parking to Subdivisional Area
- Subdivision in terms of Section 16(2)(d) to firstly create four (4) portions, and then further subdivision to create eighteen (18) Residential Zone I : Single Residential erven,

be approved in terms of the provisions of Section 61 of the By-Law.

12. that, in terms of Section 101 of the By-Law, the application for exemption, to exclude an application in terms of Section 96 of the By-Law dealing with naming of streets as part of this Land Use Planning application, **be approved** in terms of the provisions of the By-Law.
13. that, in terms of Section 16(2)(k) of the By-Law, the application for Phasing of the Subdivision into ten (10) phases, **be approved** in terms of the provisions of Section 61 of the By-Law.
14. that the decisions in paragraphs 2. - 13. above be subject to the following conditions:
 - (a) that all the conditions imposed by Eskom (attached as Annexure H), be complied with;
 - (b) that all the conditions in the Services Report (attached as Annexure F), be complied with;
 - (c) that the provision of street names be addressed and the processes as required in terms of by legislation be followed;
 - (d) that the approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (f) that the revised layout plan for Area 11 submitted (attached as Annexure O), be amended to also show the turning shunt that will be constructed for Buitekant Street in the Hospital Road road reserve, and also the bollards to be constructed between Buitekant Street shunt and Hospital Road to prevent traffic entering Hospital Street via the shunt.
15. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the By-Law with regard to the above decision.

RECOMMENDATION TO THE COUNCIL:

that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved**.

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14. REASONS FOR RECOMMENDATION

- ❖ That the application complies with the principles as set out in SPLUMA and LUPA.
- ❖ The application complies with the Overstrand Zoning Scheme.
- ❖ The application will provide the opportunity for affordable housing to the community of Hermanus in a sustainable way, in line with the aims of the Overstrand Municipality SDF, 2006 and latest SDF, 2020 and the development pockets would ensure the optimal use of pieces of mostly vacant land and also of existing municipal services.
- ❖ In some development pockets densification in relation to the GMS, 2010 will occur (Areas 1 to 7), but the housing types that can be constructed on such erven will not be out of line with the character of such areas.
- ❖ Some development pockets (Areas 9 to 11) are on the edge of single residential areas in a mixed use area, and will create a transition between the different land uses, and is not foreseen that it would have a negative effect on the adjacent single residential areas.
- ❖ The developments will not be on environmentally sensitive land or land with heritage value.
- ❖ The objections received were adequately addressed, and
- ❖ The application is desirable.

15. ANNEXURES

- Annexure A: Locality Plan
- Annexure B: Motivation Report
- Annexure C: Development Plans (subdivision, consolidation and phasing plans)
- Annexure D: Objections
- Annexure E: Comment on objections
- Annexure F: Services Report
- Annexure G: Comments: Overstrand Environmental Section
- Annexure H: Comments: Eskom
- Annexure I: Department of Transport
- Annexure J: Comments: DEA&DP
- Annexure K: Comments: Heritage Western Cape
- Annexure L: Copy of Title Deeds
- Annexure M: Engineering Report by Neil Lyners
- Annexure N: TIA report by Deca Consulting Engineers
- Annexure O: Revised Development Plan Area 11

SIGNATURE

AUTHOR:

Name: HENK OLIVIER

SACPLAN Reg No: B/8128/2004

Signature: 

Date: 4/09/2020

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1 OCTOBER 2020

REGISTERED PLANNER


Name:

S VAN DER MERWE

SACPLAN Reg No:

A/1850/2014

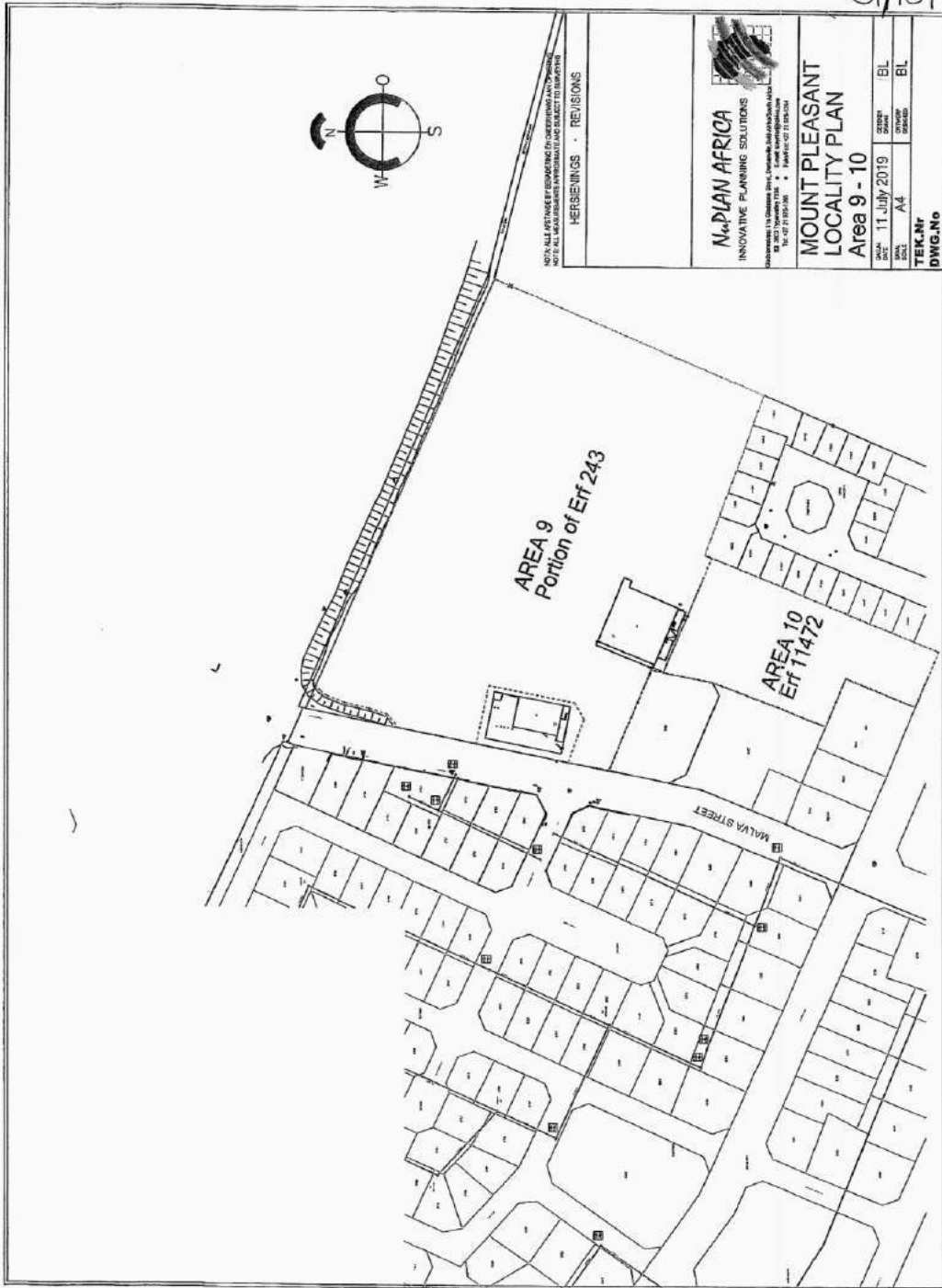
Signature:



Date:

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**MOUNT PLEASANT
 LOCALITY PLAN
 AREA 11**

DATE	27 June 2019	BY	DL
NO.	AA	BY	DL
REV.	AA	BY	DL
TEK.Nr	11/11/19		
DWG.No	11/11/19		

1. INTRODUCTION

1.1 THE ASSIGNMENT

NuPlan Africa Town Planners has been appointed by the Overstrand Municipality to lodge an application for the infill township establishment on various vacant pockets in Mount Pleasant and Westdene, Hermanus. Service sites will be developed for housing aimed at the GAP housing market to partially alleviate the housing shortages in the local Hermanus area. The Serviced sites will be sold to qualifying buyers complying with criteria set for the development.

1.2 THE BACKGROUND

Over the last few years, the Overstrand municipality has experienced difficulties in housing provision, mainly due to space constraints and the lack of affordable land. As a result, the municipality is searching for suitable vacant land parcels within the municipal boundary. In addition, they started looking inwards for small well-located vacant land pockets for residential development. Subsequently, the Mount Pleasant and Westdene infill housing scheme emerged, as a response to the housing shortage in Hermanus.

1.3 PURPOSE OF THE ASSIGNMENT

The purpose of the assignment is to obtain the necessary land-use rights to lawfully develop the said identified land pockets for affordable market housing, in terms of the Overstrand Municipal Planning By-law 2016. As such, this land-use application is for the purpose of:

- Deviation from the GMS (Policy document) to enable the subdivision of the subject properties for the identified target market segment,
- Closure of 4 public places and 2 road portions.
- Consolidation of land in terms of section 16 (2) (e),
- Rezoning of the parcels to residential zone 1, and associated land uses in terms of section 16 (2) (a),
- Subdivision of the various sites in terms of section 16 (2) (d) of the Overstrand Municipal Planning By-law, 2016.
- Removal of a restrictive title condition in terms of Section 16(2)(f) of the Overstrand Municipal By-law 2016, for the removal of clause C.1, deed of transfer T 45480/2017 (Erf 11472, Hermanus). Clause C.1 READS: *The property may only be used for the purpose allowed for in terms of the General Residential Zone III.*
- Exemption in terms of Section 101 to exclude an Application in terms of Section 96 of the By-law (Naming of Streets) as part of the Land Use Planning application, as the Naming of Streets must still be done in the social compact.
- The Phasing of the development in terms of section 16 (2) (k).

For ease of reference, individual land parcels here after referred to as AREAS, will be dealt with on an individual basis as per Section 3, below. Also see the locality plan as **PLAN 1**.

*In terms of the closure of public roads and public places, the Surveyor General requires the specific wording for these actions as per the attached status reports, to be included in the approval letter (see **ANNEXURE 5** for the said status reports).

2. PROPERTY DETAILS

2.1 PROPERTY DESCRIPTION

The following table include the property details of the subject properties:

Erf No.	Erf 6464 Hermanus (Area 1)
Extent of Property	1765,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Residential Zone 1
Current Land Use	Vacant
Title Deed No	T18413/89

Erf No.	Erf 6465 Hermanus (Area 2)
Extent of Property	3801,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Open Space Zone 2
Current Land Use	Vacant/Open Space
Title Deed No	T18413/89

Erf No.	Erf 6462 Hermanus (Area 3)
Extent of Property	2426,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Open Space Zone 2
Current Land Use	Vacant/Open Space
Title Deed No	T18413/89

Erf No.	Erf 6974 Hermanus (Area 4)
Extent of Property (ha)	3115,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Open Space Zone 2
Current Land Use	Public Park
Title Deed No	T27628/94

Erf No.	Erf 11892 Hermanus (Area 5)
Extent of Property (ha)	1915,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Open Space Zone 2
Current Land Use	Vacant/Open Space
Title Deed No	T7475/18

Erf No.	Erf 7701, Ptn of Erf 7684 & Ptn of Rem Erf 243 Hermanus (Area 6)
Extent of Property	2727,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme

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Current Zoning	Community Zone & Transport Zone 2
Current Land Use	Vacant
Title Deed No	T28635/1999

Erf No.	Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 - 6490 Hermanus (Area 7)
Extent of Property	9000 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Residential Zone 1
Current Land Use	Vacant
Title Deed No	T18414/89

Erf No.	Ptn of Erf 243 and 11472 Hermanus (Areas 9&10)
Extent of Property	2,70 ha
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Subdivisional Area & Residential Zone 3
Current Land Use	Shop (to be retained) and vacant
Title Deed No	T45480/2017 & T92094/2001
Note:	Erf 6184 is in private ownership and located inside of the subject property but does not form part of this application.

Erf No.	Ptn of Erf 243 (Hospital Road) (Area 11)
Extent of Property	5086,00 m ²
Applicable Zoning Scheme	Overstrand zoning scheme
Current Zoning	Transport Zone 2
Current Land Use	Vacant
Title Deed No	T92094/2001

The application form, depicting the general details surrounding the land-use application, is attached as **ANNEXURE 1**. Power of attorney from the Overstrand Municipality and the private landowner of erf 11472 Hermanus, in favour of Nuplan Africa is attached as **ANNEXURES 2**.

The title deeds are attached as **ANNEXURE 3**. The attached conveyance certificates confirm that there is one restrictive title condition, deed T 45480/2017 (Area 10), affecting the rezoning and/or subdivision of the subject properties (**ANNEXURE 4**).

2.2 LOCALITY

The Subject Properties are situated within the Overstrand Municipal District, and forms part of the Mount Pleasant and Westdene neighbourhoods. More specifically, the subject properties are depicted on the attached Locality Plan (**PLANS 1**).

2.3 CHARACTER OF THE SURROUNDING AREA

The greater surrounding area depicts a residential character (lower to middle income group) made-up of a mix of single and medium density residential housing with normal complimentary land-uses which are typically associated with a residential neighbourhood.

Notable destination places surrounding Mount Pleasant are:

- The Whale Coast Mall – West of Mount Pleasant,
- The Gate Way Lifestyle Centre and Overstrand industrial area – East of Mount Pleasant,
- The Hermanus New Harbour – South of Mount Pleasant,
- Sports facilities – East of Mount Pleasant, and
- Hermanus CBD – East of Mount Pleasant.

The land parcels are mainly surrounded by residential units and will suitably complement the existing residential structure/character within the neighbourhoods. An evaluation of the surrounding built form and quality depict a variation in top structure sizes as well as finishes. Similarly, the general appearance of the street scape varies significantly depending on each landowner's boundary/street fencing, landscaping and upkeep. The anticipated end-product foreseen on the subject properties, will thus not have a significant "change in character" within the neighbourhoods. Please see below two photos depicting this variation in the street scene:



Photo 2 - Showing the street scape in Katjeepering Street.

Although certain abutting erf sizes are larger than what is proposed for the subject properties, the proposed erf sizes with accompanying potential to develop same with approximately 120 - 150m² plus top structures (market housing), will complement the existing urban form in the neighbourhoods. The proposed subdivisions with accompanying potential to erect top structures of 120m² plus will thus not have any negative impact on the existing character of the area (*SDF & GMS reference not supporting subdivisions / erf sizes that lead to a change in character of an area*).

2.4 PHYSICAL AND ENVIRONMENTAL CONSIDERATIONS

The subject properties have no physical and/or environmental constraints. As such, no NEMA "triggers" are perceived to be activated and no environmental authorisation is required prior to development. Please find attached letter dated 12.6. 2019 (point 2.2) from the Western Cape Department of Environmental Affairs and Western Cape Heritage Department, attached as **ANNEXURE 8** and **ANNEXURE 9** respectively. Please note that the reference to indigenous vegetation re Areas 8 & 9: Area 8 is excluded from this application and the vegetation referred to (Area 9) is located outside of the subject property boundary of Area 9. Please refer to a letter confirmation from our environmental specialist, **Annexure 10**.

The subject properties all have moderate slopes and are deemed suitable for residential development.

3. APPLICABLE POLICY DOCUMENTATION

3.1 IDP

The IDP sets broad and general goals for the municipal area. The provision of housing is though identified as a priority. As such, the provision of serviced erven on the subject properties are well aligned with the goals of the IDP.

3.2 SDF (2006)

The SDF depicts the land use and urban form vision for the municipal area. The SDF, under Sections 5.5.4 (Urban Growth Management Policy) and 5.5.5 (Housing Policy), identifies the need for housing, sustainable growth and densification within context of the existing character of the town. The accompanying Housing Policies (Section 5.5.5 of the report) and Housing Strategies (Section 6.2.2 of the report) confirm a high priority to give effect to a "balanced mix and range for all income groups".

As depicted under the Section: Local Spatial Development Principles (page 120 onwards) "infill development" is prioritised with a range of housing options to be catered for. It is furthermore stated that erf sizes should generally be complementary to the existing status quo.

3.3 GROWTH MANAGEMENT STRATEGY (GMS)

The subject properties fall within the Hermanus Central part of the document.

In terms of the Densification proposals per identified Planning Unit, the subject properties fall into so-called demarcated Planning Units 1, 5 & 6. Units 1 & 5 are again applicable to Sites 1-7 with Sites 9 & 10 falling under Unit 6.

The Strategies for Units 1 & 5 do not encourage densification due to *the existing character of the areas*, whilst Strategies for Unit 6 refer to the so-called Swartdam Development Corridor where densification is encouraged.

As such, the strategies are interpreted that subdivisions can be supported as long as the proposed subdivisions do not change the so-called "character of the area". This also aligns with the SDF proposals. In Section 2.3 above the character of the areas are discussed. It is an accepted norm that erf sizes alone do not define the character of an area and as discussed above (Section 2.3), several factors contribute towards defining the character of an area. The development proposals are regarded as being compatible with the existing character of the areas.

4. THE APPLICATION

Due to the number of subject properties that form part of this land-use application, the details for each site will be handed separately as follows. It should be noted that the proposed Residential Zone 1 building line parameters (**Street – 2,0 meters and Common – 1,0 meter**), as stipulated in the Overstrand Municipal Planning By-Law 2016, are deemed appropriate for the proposed market segment and no building line departures are required.

As previously mentioned, the subject properties are all larger and mainly under-utilised vacant erven within a "brown fields" location. The proposed, mainly for residential land uses, is fully compatible with the existing character and urban form associated with the current surrounding land uses and built form. In Area 10, the existing retail building is incorporated in the design. Erf 6184, existing business in private ownership, is also included in the design and it is proposed that council sell the abutting newly created land to the owner of erf 6184.

The township is fully serviced and accessible via the public road network in the area. As per the attached services and transportation reports, the proposed development will require upgrades to these services and the recommendations will be implemented during the construction phase.

As the GMS includes a statement referring to "*not supporting densification due to the existing character of some areas*", the proposed subdivisions, of which some erven are smaller than the abutting developed erven, will be motivated in the motivation section of the report.

PHASING – It was recommended by the municipality that the development scheme be phased into 10 phases as the various pockets gets developed. Please see the Phasing plan attached as PLAN 5.

4.1 AREA 1 (ERF 6464 HERMANUS)

Rezoning to subdivisional area.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of erf 6464 Hermanus, into 9 land portions (8 single residential portions and 1 public road reserve). Please see attached as **Plan 2** the proposed plan of subdivision. The typical size of the subdivided portions is 135-150 m². Access to the subdivided portions will be from the newly created public road reserve. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 180 m² double storey unit can be accommodated on the proposed erven.

- Rezoning

Erf 6464 Hermanus is currently zoned Residential Zone 1. Accordingly, no bulk rezoning is required. The newly proposed road reserve must be zoned Transport Zone 2.

4.2 AREA 2 (ERF 6465 HERMANUS)

Rezoning to sub divisional area.

- Closure of public place

As per the general plan number 10849, erf 6465 Hermanus is designated as a public place. As such, the public place status needs to be closed. Accordingly, please find attached the status report from the surveyor general depicting same as **ANNEXURE 5**.

- Rezoning

Erf 6465 Hermanus is currently zoned Open Space Zone 2. Accordingly, the rezoning of the site is required from Open Space Zone 2 to Residential Zone 1 to facilitate the envisaged single residential portions on the site. The newly proposed public road needs to be zoned Transport Zone 2 and the utility site as Utility.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of erf 6965 Hermanus into 22 land portions (20 single residential portions, 1 public road and 1 utility zone). Please see attached as **PLAN 2** the proposed plan of subdivision. The typical size of the subdivided portions is 135-150 m². Access to the subdivided portions will be from the newly created public road reserve. Please note that this application proposes a one-way street for the said 6 meters road. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 180 m² double storey unit can be accommodated on the erven.

4.3 AREA 3 (ERF 6462 HERMANUS)

Rezoning to subdivisional area.

- Closure of public place

Due to the property being zoned public place, the application includes the closure of same.

- Rezoning

Erf 6462 Hermanus is currently zoned Open Space Zone 2. Accordingly, the rezoning of the site is required from Open Space Zone 2 to Residential Zone 1 to facilitate the envisaged single residential portions on the site. The newly proposed public road needs to be zoned Transport Zone 2.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of erf 6962, Hermanus into 17 land portions (16 single residential portions and 1 public road). Please see attached as **PLAN 2**, the proposed plan of subdivision. The typical size of the subdivided portions is 135-150 m². Access to the subdivided portions will be from the newly proposed 6-meter public road. Please note that this application proposes a one-way street for the said 6 meters road. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 180 m² double storey unit can be accommodated on the erven.

4.4 AREA 4 (ERF 6974 HERMANUS)

Rezoning to subdivisional area.

- Closure of public place

Due to the property being zoned public place, the application includes the closure of this public place.

- Rezoning

Erf 6974 Hermanus is currently zoned Open Space Zone 2. Accordingly, the rezoning of the site is required from Open Space Zone 2 to Residential Zone 1, to facilitate the envisaged single residential portions on the site. The newly proposed public road reserve needs to be zoned Transport Zone 2. The Public open space (Ptn 15) must be rezoned to open space 2.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of erf 6974 Hermanus into 16 land portions (14 single residential portions, 1 public road and 1 public open space). Please see attached as **PLAN 2** the proposed plan of subdivision. The typical size of the subdivided portions is 150-160 m². Access to the subdivided portions will be from the newly created public road

reserve. According to the erf sizes and the prescribed 65% coverage, (as per the Residential Zone 1 zoning parameters), a typical 180 m² double storey unit can be accommodated on the erven.

4.5 AREA 5 (ERF 11892 HERMANUS)

Rezoning to subdivisional area.

- Closure of public place

As per the general plan number 1929/2015, erf 11892 Hermanus is designated as a public place. As such, the public place status needs to be closed. Accordingly, please find attached the status report from the surveyor general depicting same as ANNEXURE 5.

- Rezoning

Erf 11892 Hermanus is currently zoned Open Space Zone 2. Accordingly, the rezoning of the site from community Zone 1 to Residential Zone 1 is required to facilitate the envisaged single residential portions. The newly proposed public road needs to be zoned Transport Zone 2 and the utility site as Utility.

- Subdivision of Land

For the purpose of creating future single residential erven, the subject property needs to be subdivided accordingly. As such, this application is for the subdivision of erf 11892 Hermanus into 12 portions (10 single residential portions, 1 public road and 1 utility site). Please see attached as PLAN 2 the proposed plan of subdivision. The typical size of the subdivided portions is 150-160 m². Access to the subdivided portions will be from the newly created 6meter public road. According to the erf sizes and the prescribed 65% coverage as per the Residential Zone 1 zoning parameters, a typical 180 m² double storey unit can be accommodated on the erven.

4.6 AREA 6 (ERF 7701, PTN OF 7684 & A PORTION OF REMAINDER 243 HERMANUS)

Rezoning to subdivisional area.

- Road Closures (Rem Erf 243 & portion of Erf 7684)

As per the general plan no. 5895/1998, two portions of Aalwyn & Dahlia Streets form part of Area 6. As such, these portions, being designated with a public road status, need to be closed accordingly. Please find attached the status report from the Surveyor General depicting same as ANNEXURE 5.

- Subdivision (Rem Erf 243 & portion of Erf 7684)

A portion of Area 6, as depicted in the attached status report, needs to be subdivided off the Remainder Erf 243 to create a separate portion which will be consolidated with the other portions to form Area 6. Similarly, the portion road (Dahlia Street - Ptn of Erf 7684) needs to be subdivided off before consolidation. Please refer to the attached Consolidation plan for Area 6. The portion of Erf 243 is depicted on the consolidation plan as Area A, measuring 1630m²

- Consolidation of Land

Due to Area 6 consisting of 3 separate erven, consolidation of land is required. As such, this application is for the consolidation of Erf 7701, a portion of Remainder 243 Hermanus and a Portion of Erf 7684, Hermanus to function as a single land parcel. See **PLAN 3**.

- Rezoning

Subsequent to consolidation, Area 6 needs to be rezoned for the purpose of township establishment as per **PLAN 2**. As such, the subdivided portions need to be rezoned Residential Zone 1, Transport Zone 2 and Open Space 2.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of the consolidated portion into 17 land portions (15 single residential portions, 1 public road reserve and 1 public open space). Please see attached as **PLAN 2** the proposed plan of subdivision. The typical size of the subdivided portions is 130 - 160 m². Access to the subdivided portions will be from the newly created 8 meters public road reserve. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 170 -180 m² double storey units can be accommodated on the proposed erven.

4.7 AREA 7 (ERVEN 6468-6469, 6474, 6476-6477, 6479-6480 & 6483-6490)

As Site 7 consists of various surveyed, unregistered erven (some of which will remain and others that will be subdivided), the various pockets will be dealt with separately.

4.7.1 ERF 6468 & 6469

- Consolidation

The two erven need to be consolidated.

- Subdivision of Land

The property will be subdivided into 4 portions.

4.7.2 ERVEN 6476 & 6477

- Consolidation

The subject properties will be consolidated.

- Subdivision

After consolidation, the site will be subdivided into 4 portions.

4.7.3 ERVEN 6479 & 6480

- Consolidation

The two erven need to be consolidated.

- Subdivision

After consolidation, the site will be subdivided into 4 portions.

4.7.4 ERVEN 6483 – 6490

Rezoning to subdivisional area.

- Consolidation

The subject properties need to be consolidated.

- Subdivision

After consolidation, the erven will need to be subdivided into 11 residential portions and a public open space.

- Rezoning

The surveyed unregistered erven on the site is currently zoned Residential Zone 1. However, the proposed open space must be zoned Open Space 2.

4.7.5 ERVEN 6471 & 6473

- Consolidation

The subject properties will be consolidated.

- Subdivision

After consolidation, the site will be subdivided into 3 portions.

4.7.6 ERF 6474

- Subdivision

After consolidation, the site will be subdivided into 2 portions.

Please see **PLAN 2** for the subdivision plan proposal for Area 7.

4.8 AREAS 9 & 10 (PORTION OF REMAINDER ERF 243 AND ERF 11472 HERMANUS)

Sites 9 & 10 consist of two subject properties. As such, they will be handled separately.

4.8.1 PORTION OF REMAINDER 243 (AREA 9)

The Ptn of Remainder Erf 243 needs to be subdivided from the Remainder erf 243 Hermanus, to create a developable erf. A Certificate of Registered Title (CRT) will facilitate the further development of the subject property. Erf 6184 is privately owned and located within the subject property. This property does not form part of the development proposal and Portion 74 needs to be sold and consolidated with Erf 6184 at a later stage.

- Subdivision to create Area 9

The subject property needs to be subdivided off the Remainder Erf 243 as to enable the further subdivision thereof.

- Rezoning

The subject property (Area 9) is currently zoned Business Zone III and Transport Zone II. As such, the property needs to be rezoned to accommodate the proposed township establishment. Accordingly, this application is for the rezoning of a portion of remainder 243 Hermanus from Business Zone III and Transport Zone II to Residential Zone 1, Commercial Zone 1, Transport Zone 2 and Open Space Zone 2 as per the proposed subdivision plan as **PLAN 2**.

- Subdivision

For the purpose of creating single residential erven, business sites, roads and public open space, the subject property needs to be subdivided. As such, this application is for the subdivision of the site into 75 land portions (70 single residential portions, 3 commercial sites, 1 public road, and 1 public open space). Please see attached as **PLAN 2** the proposed plan of subdivision for Site 9. The typical size of the subdivided residential portions is 150 - 200 m². Access to the subdivided portions will be from the newly created public roads. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 180 - 220 m² double storey unit can be accommodated on the proposed residential erven. Proposed portion 1 has an existing structure on the site and will be retained in the subdivision proposal.

4.8.2 ERF 11472 HERMANUS (AREA 10)

The Overstrand Municipality sold the subject property to a developer and the purchaser agreed to include the site in the Mount Pleasant infill project.

Rezoning to subdivisional area.

- Removal of restrictive title condition

The title deed (T 45480/2017) in section C (1), restrict the use of the site under a GR3 zoning. As the application is for a proposed zoning of Residential Zone 1 and Transport zone 1, the title deed restriction needs to be removed.

- Rezoning

Erf 11472 Hermanus is currently zoned General Residential Zone 3. Accordingly, the rezoning of the site is required from General Residential 3 to Residential Zone 1. The newly proposed road reserve must be zoned Transport Zone 2.

- Subdivision of Land

For the purpose of creating single residential erven, the subject property needs to be subdivided. As such, this application is for the subdivision of erf 11472 Hermanus into 17 land portions (16 single residential portions and 1 public road). Please see attached as **PLAN 2**,

the proposed plan of subdivision. The typical size of the subdivided portions is 150 - 165 m². Access to the subdivided portions will be from the newly created public road reserve. According to the erf sizes and the prescribed 65% coverage (as per the Residential Zone 1 zoning parameters), a typical 180 m² double storey unit can be accommodated on the proposed erven.

4.9 AREA 11 (PORTION OF REMAINDER 243 HERMANUS – WESTDENE)

- Road Closures (Rem Erf 243 & portion of Erf 7684)

Ptn of Erf 243 is currently zoned Transport 2. As such, this portion of the public road needs to be closed before it can be rezoned and subdivided.

- Subdivision to create the subject properties (B, C, D & E) Subdivision Plan 1

The four separate subject properties (Area 11 – Subdivision Plan A) (portions B, C, D & E) need to be subdivided from Remainder 243, Hermanus to form the subject properties for further development. Certificates of Registered Title (CRT) will facilitate the further development of the subject properties. Please see attached PLAN 2.

- Rezoning

The subject property is currently zoned Transport Zone 2. As such, the 4 newly created portions need to be rezoned to Residential Zone 1, to facilitate the proposed further subdivisions into single residential portions.

- Subdivision Plan 2

For the purpose of creating single residential erven, the newly created 4 portions need to be subdivided into 19 portions. As such, this application is for the subdivision of same into 18 single residential land portions and 1 public road portion. Please see attached as PLAN 2 (Area 11 - Subdivision Plan B), the proposed plan of subdivision. The typical size of the subdivided portions is 250 - 350 m². Access to the subdivided portions will be from the existing public roads abutting the development proposal.

According to the erf sizes and the prescribed 65% coverage, (as per the Residential Zone 1 zoning parameters), a typical 200 - 250 m² double storey unit can be accommodated on the proposed erven.

5. ENGINEERING AND TRAFFIC CONSIDERATIONS

Neil Lyners & Associates (RF) (Pty) Ltd, appointed Civil and Electrical Consulting Engineers, compiled a detail services report pertaining to available existing services, availability of bulk supply as well as the re-location of certain services to enable the proposed development to proceed. The proposed development, as discussed, consists of eleven areas (ten included in this application) within the existing Mount Pleasant and Westdene residential areas, all accessible from existing roads. Please refer to the completed Engineering Services Report as part of Annexure 6 describing the availability of existing services as well the required services relocation and/or upgrading together with new services to accommodate the proposed erven

per area. The report also includes a formal letter from Overstrand Municipality confirming the availability of bulk civil and electrical engineering services. The required services include potable water supply, a sewerage network, a stormwater and road network and electrical services. The estimated cost for these services is approximately R28, 6 million (Excl. VAT).

Deca Consulting Engineers conducted a TIA for the subject properties. Please refer to ANNEXURE 7 attached. The report confirms that the anticipated increase in traffic generated by the proposed development will have a moderate impact on the surrounding road network. It was found that some of the affected intersections with existing 2019 traffic volumes, operate at undesirable levels of services due to intersection spacing constraints making it not possible to signalise certain intersections. Mitigations were proposed for these intersections by means of changing road markings and alternative routes. The intersection at Swartdam and the R43 is however warranted to be signalised. During the process, certain concerns were raised as to the functioning of Hospital Road and Buitekant Street. It is proposed by Deca that Buitekant Street should remain a dead-end street and does not intersect with Hospital Street by moving the turning head to the end of the proposed erven to prevent "rat runs" along Buitekant Street. Mountable bell-mouths at the access roads off Hospital Street are proposed so that larger vehicles will still be able to hop the kerbs to pass each other. It was also noted that Hospital Street might need to be widened in the future. It was further found that the subject properties will generate a large number of non-motorised and public transport trips and that a paved sidewalk should be constructed along at least one side of Aalwyn- and Malva Street from the R43 down to Angelier Street and Suikerbossie Street respectively.

6. MOTIVATION AND DESIRABILITY

Generally, land use applications are motivated in terms of SPUMA and LUPA principles. Accordingly, the Mount Pleasant and Westdene development proposal is motivated according to the following principles (as these principle overlap, the underlying should be read as a whole):

Spatial justice & resilience:

- There is a dire need for affordable and entry level market housing in the Overstrand municipal area, so the said development proposal should be deemed a priority by the municipality. The SDF, as well as the Growth Management Strategy, prioritises housing delivery (inclusive of serviced erven) in terms of the massive "back log" in Hermanus, thus giving effect to a balanced mix and range for all income groups.
- Prior to embarking on the project, an analysis of the two neighbourhood areas were conducted to evaluate the current status of the broader urban structure and facilities as to identify suitably located vacant and underutilised land parcels that could be released for residential infill development. As such, the subject properties were identified as being available (mainly vacant) and suitable for additional residential opportunities.
- As such, council aims to ensure that the principle of spatial justice and resilience are adhered to. It will secure tenure, promote integration, and access to opportunities for local inhabitants.

Spatial Sustainability:

- The land parcels are mainly surrounded by residential units and will suitably complement the existing residential structure/character within the neighbourhoods. An evaluation of the surrounding built form and quality depict a variation in top structure sizes as well as finishes. Similarly, the general appearance of the street scape varies significantly depending on each landowner's boundary/street fencing, landscaping and upkeep. The anticipated end-product foreseen on the subject properties will thus not have a significant "change in character" within the neighbourhoods.
- Although certain abutting erf sizes are larger than what is proposed for, the subject properties, the proposed erf sizes with accompanying potential to develop same with approximately 120 -150m², plus top structures will complement the existing urban form in the neighbourhoods. The proposed subdivisions with accompanying potential to erect top structures of 120m² plus, will thus not have any negative impact on the existing character of the area (SDF & GMS reference to not supporting subdivisions / erf sizes that lead to a change in character of an area).
- As previously mentioned, the subject properties are all larger and mainly underutilised vacant land parcels within a "brown fields" location. The application to rezone and subdivide the land parcels is, as mentioned, to provide in the dire residential needs of the community. The proposed, mainly residential land use is fully compatible with the existing character and urban form associated with the current land uses and built form.

Efficiency:

- The township is fully serviced and accessible via the public road network in the area. As per the attached services and transportation reports, the proposed development will require upgrades to these services and the recommendations will be implemented during the construction phase. Generally, sufficient bulk services capacities are available with upgrades to be done where necessary.
- The subject properties are physically suitable for development as there are no environmental and heritage restraints coupled to any of the erven.
- The topography of the subject properties is equally suitable for residential development with relatively moderate slopes.
- The subject properties are easily accessible and well located in relation to public facilities, amenities as well as public transport.

Deletion of restrictive title condition erf 11472

- The removal of the restrictive title condition pertaining to Erf 11472, Hermanus (*Clause C1: The property may only be used for the purpose allowed for in terms of the General Residential Zone III.*) is deemed appropriate as to facilitate the required zoning to be allocated for the intended housing market segment. The proposed zoning fits the surrounding urban form and will complement same.
- Additional motivation for removal in terms of SPLUMA and the Overstrand Municipality By-law on Land Use Planning:

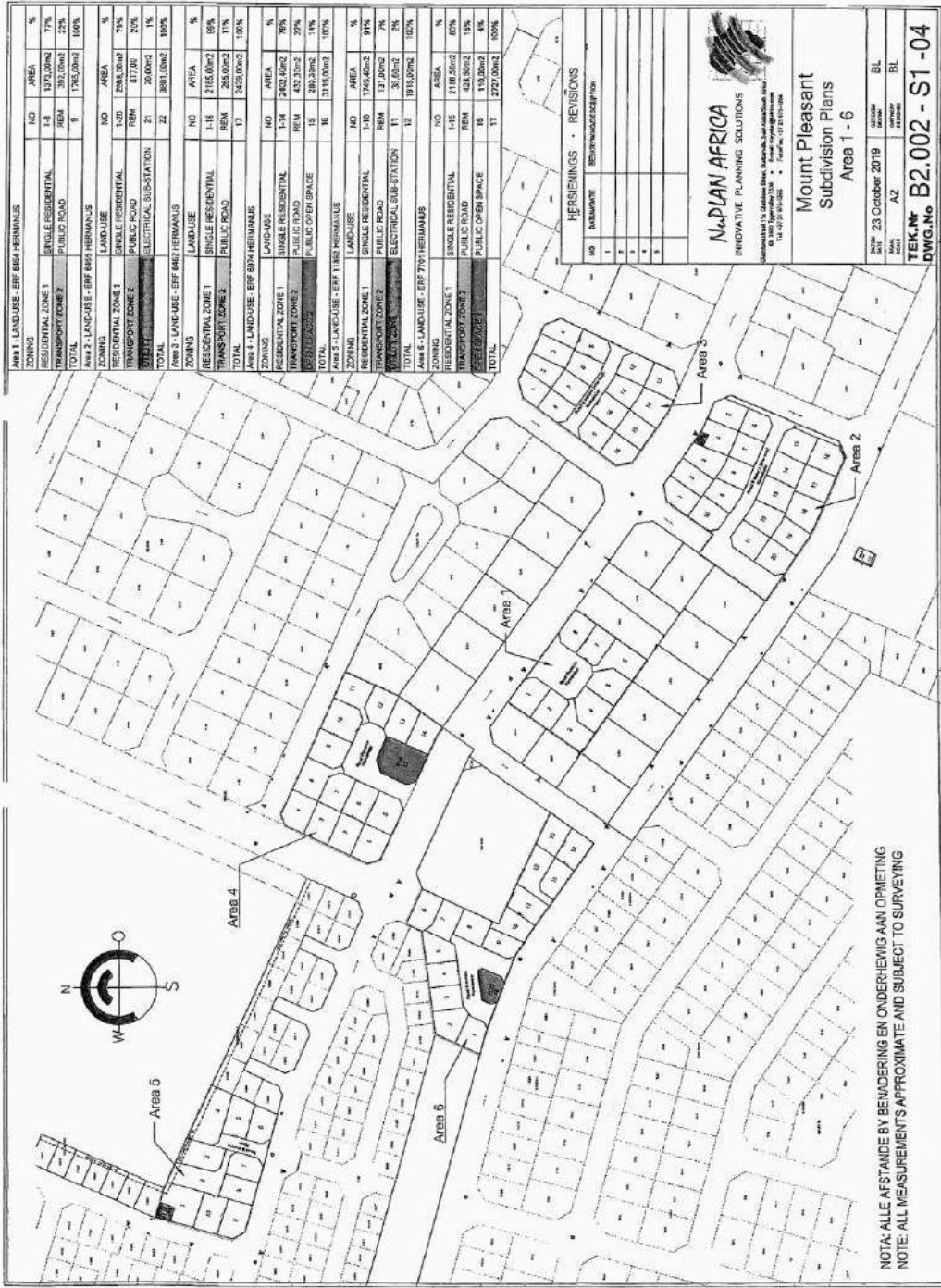
RESIDENTIAL INFILL PROJECT - MOUNT PLEASANT, HERMANUS

SECTION 39 OF LUPA CRITERIA	MOTIVATION FOR REMOVAL
<i>"(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;"</i>	There is no financial value of the rights to be removed. The "other value" is that the removal enables the landowner to implement a housing project to benefit the community in need of housing.
<i>"(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;"</i>	There are no real personal benefits other than that the condition as imposed by council was meant to control the future development of the property.
<i>"(c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is removed, suspended or amended;"</i>	The owner of the subject property seeking the removal of this title restriction will benefit as it will allow for the implementation of the development proposal. As such, the development in the area will allow for the vision pertaining to the spatial policies for the area to benefit the larger Hermanus community seeking housing opportunities.
<i>"(d) the social benefit of the restrictive condition remaining in place in its existing form;"</i>	There are no real social benefits of retaining the condition as it will then prohibit the intended housing development.
<i>"(e) the social benefit of the removal, suspension or amendment of the restrictive condition;"</i>	The removal of this restriction will enable and facilitate the development on the subject property to benefit the increasing number of residents in Hermanus seeking affordable accommodation.
<i>"(f) Whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights."</i>	The removal of the restriction will completely remove the rights of this condition as enjoyed by the beneficiary. After removal, the property will though still be subjected to the zoning scheme parameters.

Based on the need for housing in Hermanus, the availability of the under-utilised land parcels and the desirability and compatibility of the development proposal with the surrounding urban fabric, council is requested to favourably consider the application.

oooOooo

49/131



NO	AREA	%
1-4	172,00m ²	77%
5	252,00m ²	23%
8	178,00m ²	100%

NO	AREA	%
1-3	258,00m ²	76%
4	31,00	20%
5	30,00m ²	1%
22	380,00m ²	100%

NO	AREA	%
1-1E	218,00m ²	69%
REM	265,00m ²	11%
17	2403,00m ²	100%

NO	AREA	%
1-1A	242,00m ²	78%
REM	452,00m ²	29%
15	263,00m ²	11%
18	1310,00m ²	100%

NO	AREA	%
1-1G	1746,00m ²	91%
REM	131,00m ²	7%
11	35,00m ²	2%
12	1815,00m ²	100%

NO	AREA	%
1-1E	218,00m ²	67%
REM	423,00m ²	19%
16	110,00m ²	4%
17	2272,00m ²	100%

NO	DOCUMENT	REVISIONS
1		
2		
3		
4		
5		

NAPLAN AFRICA
 INNOVATIVE PLANNING SOLUTIONS
 15 1001 Springvale Rd. • Sandton, Joburg, South Africa
 Tel: +27 (0) 11 801 8000 • Fax: +27 (0) 11 801 8001

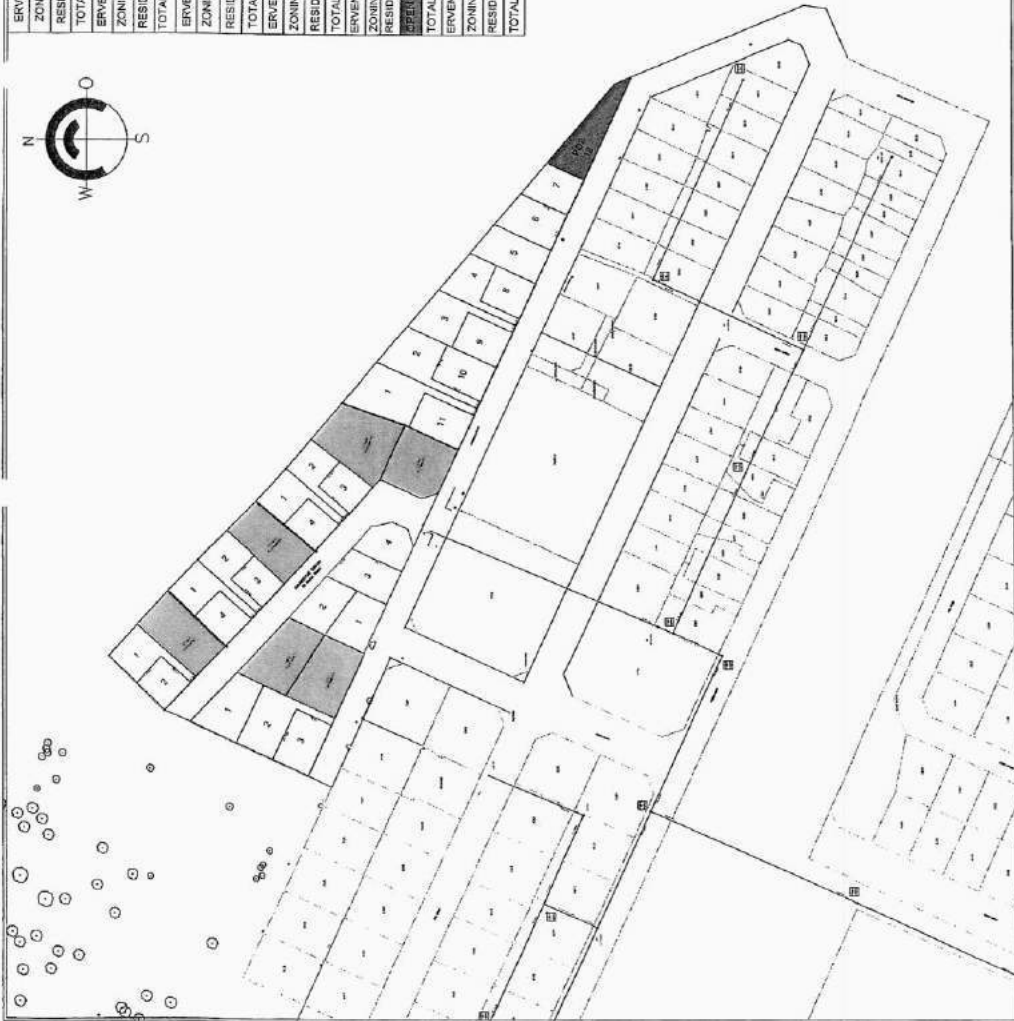
Mount Pleasant
 Subdivision Plans
 Area 1 - 6

DATE: 23 October 2019
 DRAWN BY: AZ
 CHECKED BY: BL
 SCALE: AS SHOWN

TEK.Nr B2.002 - S1-04
 DWG.No

NOTA: ALLE AFSTANDE BY BEVANDERING EN ONDERHEWIG AAN OPMETTING
 NOTE: ALL MEASUREMENTS APPROXIMATE AND SUBJECT TO SURVEYING

ERVEN 6474	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-2	511,00
TOTAL			100
ERVEN 6471 & 6473	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-3	1116,00
TOTAL			100
ERVEN 6476 & 6477	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-4	971,50
TOTAL			100
ERVEN 6478 & 6480	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-4	863,00
TOTAL			100
ERVEN 6481 - 6480	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-11	3681,00
SPREI SPACE 2	PUBLIC OPEN SPACE	12	403,90
TOTAL			100
ERVEN 6482 & 6489	LAND-USE	PRT NO/AREA	%
ZONING	SINGLE RESIDENTIAL	1-4	1199,00
TOTAL			100



SUBJECT PROPERTY POCKETS

 NOTE: ALL ATTACHMENT DRAWINGS TO BE CONSIDERED AS PRELIMINARY
 NOTE: ALI MOUJAHED APPROVED AND SUBJECT TO APPROVAL

REVISIONS - REVISIONS
 NO | DATE | DESCRIPTION
 01 | 27/07/2017 | ZONING APPROVAL

MAPLAN AFRICA
 INNOVATIVE PLANNING SOLUTIONS
 Mount Pleasant
 Subdivision Plan
 Area 7-Erf 6468 & 6490

DATE: 22 OCTOBER 2019
 DRAWN BY: A2
 CHECKED BY: BL
 APPROVED BY: BL

TEK.Nr B2.002 - S1 - 02
 DWG.No

51/131

Er Remaster 303 Elements

Zoning	Land Use	Pin No.	Area sq'	%
Residential Zone 1	Single Residential	2-77	103,000	50.0
Transport Zone 1	Public Road	75	10,000	29.0
Open Space 2	Public Open Space	73	20,000	1.00
Business 2	Commercial premises	1-2 & 74	317,000	20.0
Totals		75	200,000	100

Zoning	Land Use	Pin No.	Area sq'	%
Residential Zone 1	Single Residential	1-10	315,000	75.5
Transport Zone 1	Public Road	17	107,000	25.5
Total		17	422,000	100



NOTE: ALL MEASUREMENTS ARE APPROXIMATE. THE CLIENTS SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY SURVEY DATA AND VERIFYING THE ACCURACY OF THE MEASUREMENTS. THE CLIENTS SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

NO	DOCUMENT	REVISIONS	DESCRIPTION
1			
2			
3			

MAPLAN AFRICA
 INNOVATIVE PLANNING SOLUTIONS
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Mount Pleasant
 Subdivision Plan - Area 9 & 10

DATE: 24 October 2019

SCALE: A2

TEK No: B2.002 - S1 - 01

DWG. No: B2.002 - S1 - 01

S2/131 4/6



ZONING	LAND-USE	PTIN No	AREA	%
Residential Zone 1	Single Residential	1-18	4588.00	94
Transport Zone 2	Public Road	Rem	287.00	6
Total			4835.00	100

5/6

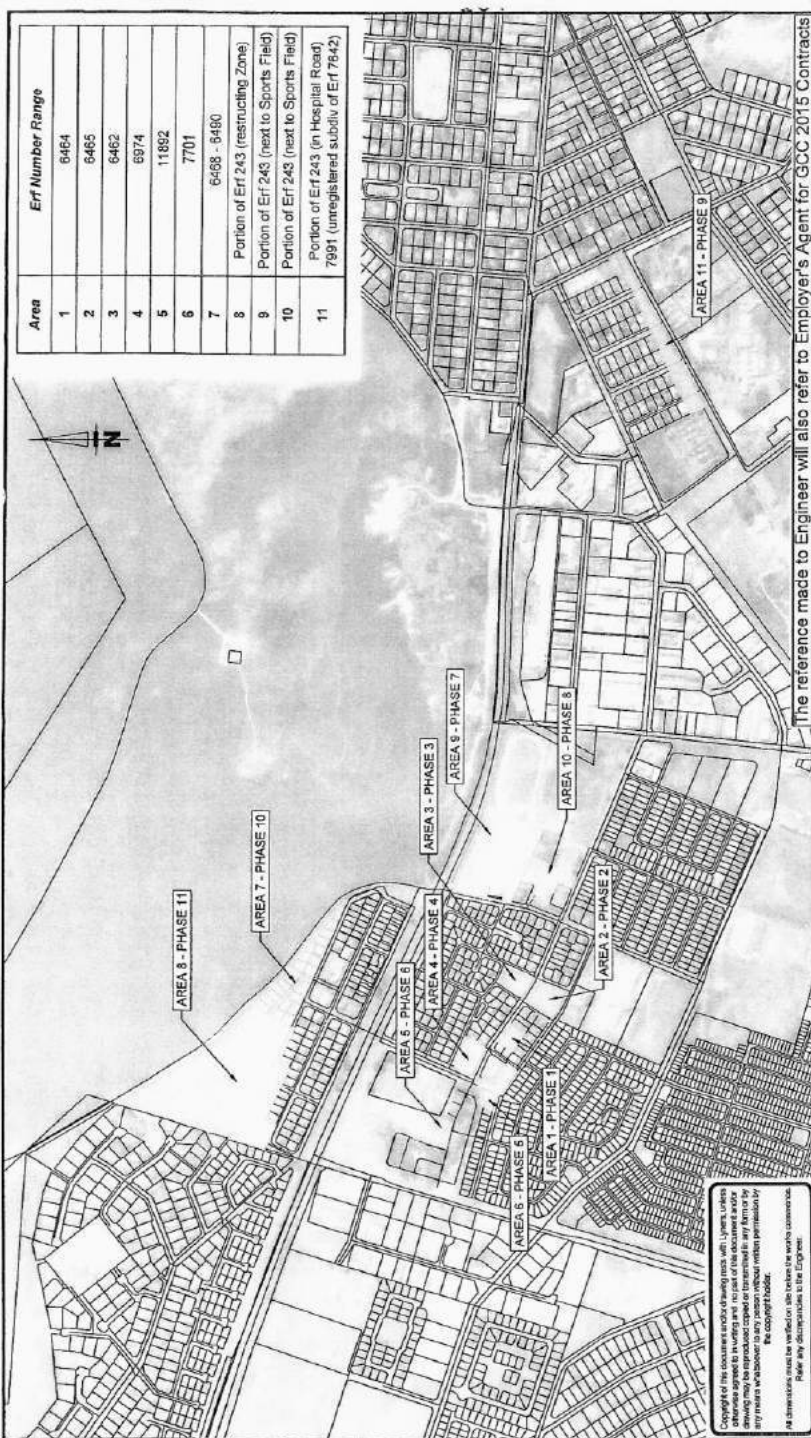


NUPIAN AFRICA
 INNOVATIVE PLANNING SOLUTIONS
 1000 University Ave, Suite 1000, Cape Town, South Africa
 Tel: +27 (0) 21 462 1111
 Fax: +27 (0) 21 462 1112
 Email: info@nupian.co.za

Consolidation Plans
 Ref: B 2.002 - CT - 01
 23 October 2019

This plan depicts the consolidation of a portion of erf 243 (Area A), erf 7884 and erf 7701. Herein to create the subject property Area 6.

54/121 6/6



Area	Erf Number Range
1	6464
2	6465
3	6462
4	6974
5	11892
6	7701
7	6468 - 6480
8	Portion of Erf 243 (restrucuting Zone)
9	Portion of Erf 243 (next to Sports Field)
10	Portion of Erf 243 (in Hospital Road) 7991 (unregistered subdiv of Erf 7642)
11	

The reference made to Engineer will also refer to Employer's Agent for GCC 2015 Contracts

SCALE	1:7500	ON A3	SHEET	1 OF 1
CONTRACT NO.	C16198	PROJECT NO.	C16198	
DRAWING NO.	18198-C-000-03	REV	A	
COORDINATE SYSTEM	WGS84 / UTM			

PROJECT	MOUNT PLEASANT IRDP DEVELOPMENT
TITLE	PHASING LAYOUT FOR AREA 1 TO 11

LYNERS
CONSULTING ENGINEERS
PO Box 480
Glenview Valley
7530
Tel: 021 944 2000 Fax: 021 944 0407
email: info@lyners.co.za

DESIGNED	GW	
DRAWN	CVH	
CHECKED	CK	

REV	DESCRIPTION	DATE	BY	CHK
A	ISSUED FOR INFORMATION	20-01-28	CVH	CK

U:\WORK\1801\18198 C - MOUNT PLEASANT SERVICES\DWG\18198-C-000-03 PHASING LAYOUT OF ERF 243.DWG
2020-01-28
lyners_18198_000.dwg



Alida Gouws - Ontwikkeling Erf 243, Hospitaalstraat, Hermanus (Westdene)

ANNEXURE 1 of 2

TP. n. / heat 55/131
(I. Olivia)

From: <scalitz@telkomsa.net>
To: <loretta@overstrand.gov.za>
Date: 2020/02/27 03:34 PM
Subject: Ontwikkeling Erf 243, Hospitaalstraat, Hermanus (Westdene)

FILE NO:	Er 243
	Hermanus
SCAN NO:	
	HMS 243
COLLABORATOR NO:	
	1388957

WIE DIT MAG AANGAAN:

Rede vir kommentaar na die sluitingsdatum van 20 Februarie 2020 is:

**Geregistreeerde brief was eers op 25 Februarie 2020 ontvang.
Datum op posstuk is 13 Februarie 2020.**

Met betrekking tot bogenoemde het ek die volgende vrae en kommentaar:

1. Buitekantstraat is huidiglik 'n doodloopstraat. Die pad was toegemaak as gevolg van verkeer naamlik Ambulanse en Taxi's wat op 'n gereelde basis hier in die pad gejaag het. Dit is gevaarlik en Buitekantstraat is 'n nou straat.
Gaan die pad steeds gesluit/Cul de sac wees? Ek verwys na die Transport Zone 2 wat op die plan langs erf 7984 aangebring is. Gaan dit 'n publieke parkeerarea wees?
Indien wel, teken ek kapsie aan aangesien soos reeds genoem, die pad baie nou is en nie prakties sal wees nie. Ek kan nie sien dat publieke parkering in 'n woonarea aangebring word nie.
2. Ons het die afgelope 10 jaar probleme ondervind met die riool. McMillan huis se riool het vir 8 jaar lank in ons erf opgestoot. Die probleem was uiteindelik na 8 jaar opgelos nadat ons aanhoudend klagtes by die Munisipaliteit ingedien het.
Ons riool was toe omlyn na die hooflyn waarna die Munisipaliteit 'n nuwe drein wat langs ons woning is op die oop grond gebou het. Die deksel stoot van tyd tot tyd op en ons moet dan die reuk verduur. Daar is ook 'n geborrel in die pype wat dan terug/opstoot in ons huis se toilette.
Indien daar sou voortgegaan word met bg projek, is my vraag hoe die riool probleem opgelos gaan word met die beplande behuising en watter waarborg daar sal wees dat ons eiendom nie agv die riool meer geaffekteer sal word nie.
3. Huidiglik grens ons leefarea en vensters en skuifdeure direk aan die beoogde erf 1 soos aangedui op plan. Ons het juis ons huis so beplan aangesien die Munisipaliteit ons gerus gestel het dat daar nooit gebou sal/kan word nie agv die riool stelsel op die oop gebied. My vraag is, wie gaan verantwoordelik wees om 'n soliede muur daar aan te bring aangesien ons privaatheid geaffekteer sal wees? Ons is nie bereid om ekstra kostes aan te gaan om ons huidige privaatheid te skend nie.
4. Gaan die wooneenhede enkel of dubbelvlak wees? Watter tipe huise word beoog om te bou.
5. Ons is van mening dat dit nie 'n goeie idee is om so na aan die Provinsiale Hospitaal wooneenhede te bou nie aangesien die Hospitaal so besig is en veral oor naweke remoerig is met Ambulanse en Polisie voertuie en mense wat skree en gil!!

28 FEB 2020

file:///C:/Users/aknoetze/AppData/Local/Temp/XPgrpwise/5E58CE2B/HermanusMun... 2020/02/28

56/131

Ek hoor graag van U.

Groete

MMS FOUCHE & SJ CALITZ (eienaars)

ERF 7984
Buitekantstraat 46a,
Westdene,
Hermanus

028 312 3933 (h)
082 334 8189 (sel)

TP. D. Ahead
(1.01.12)

3/10

57/131

From: <rosebud@telkomsa.net>
To: <loretta@overstrand.gov.za>
Date: 2020/03/03 03:17 PM
Subject: A Letter of Objection!



To Whom it May Concern

I EKH Friese of number 34A Loveday street strongly objecting the development of Area 11-Portion of Reminder Erf 243 , Hospital Street , Hermanus (Westdene)

My reasons are as follows:

1. Both members of Senior stuff of the Municipality assured me personally that it will be no change in the status of the open land adjoining mine.
2. With those development plans you got of the double story will change the character/structure of the Area and it will just devalue my property. Because of that ,The Municipality would now be reliable to compensate me for the dropping value.
3. To me the development plans are just degrading the area instead of upgrade it.The layout plans doesn't suit the character of the Area at all .If it was normal houses just like mine with the same size i would have agreed but squeezing six houses all together that is insane.Bear in mind one day the Hospital might need to expand and there will be no space for that.

Regards
EKH Friese

FILE NO:	AN 2113 v
	Memorandum
SCAN NO:	FRIESE
COLLABORATOR NO:	1390851

58/131

Loretta Gillion - OBJECTION - Municipal Notice No. 17/2020



From: Gerhard Welmans <gjwelmans@gmail.com>
To: <lpage@overstrand.gov.za>, <loretta@overstrand.gov.za>
Date: 20 March 2020 01:17 PM
Subject: OBJECTION - Municipal Notice No. 17/2020
Cc: <holivier@overstrand.gov.za>, <hvdstoep@overstrand.gov.za>
Attachments: OBJECTION LETTER - WESTDENE ERF 7986.pdf

TP. n. / hcaat
(W. Olivier)

Dear Sir / Madam,

Re: OBJECTION - Municipal Notice No. 17/2020

Please find my objection letter attached in PDF-format.
I trust all is in order and that you would take my comments into consideration.

Kind regards,

Sandra Welmans

FILE NO:	HW 06 23
	Hermanus
SCAN NO:	
COLLABORATOR NO:	1399552

Tk 0 MAR 2020
2020/03/20

5/10
59/131

45A Buitekant Street
Hermanus
7200

e-Mail: swelmans58@gmail.com
Phone: 028 312 2731 / 082 394 8639

20 March 2020

The Town Planners
Overstrand Municipality
16 Paterson Street
Hermanus
7200

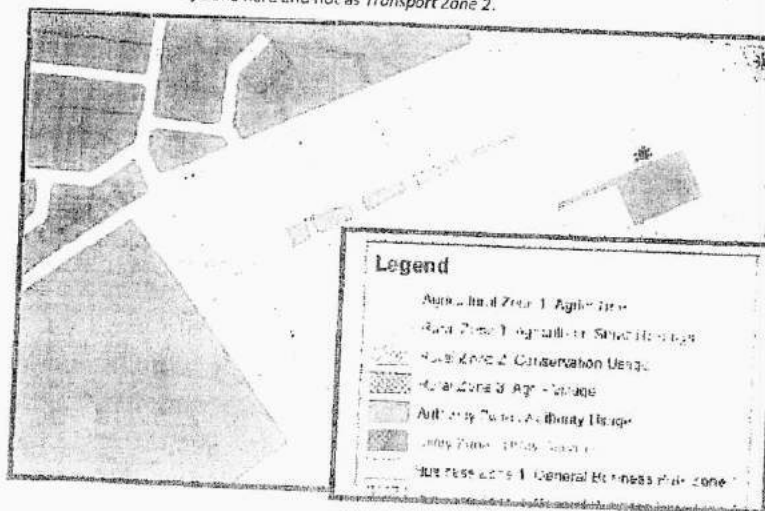
Dear Sir or Madam

Re: Area 11 - Portion of Remainder Erf 243, Hospital Street, Hermanus (Westdene)

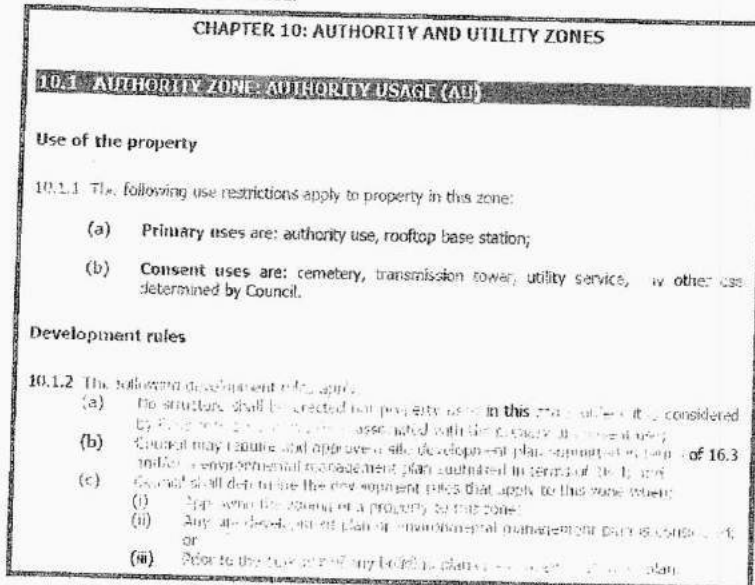
I, the registered owner of 45A Buitekant Street (Erf 7986), hereby strongly object to the proposed "infill residential development" as described as "Area 11" in your notice dated 12 February 2020.

My late husband and I purchased this property in 2017. Prior to purchasing, we did research on the vacant land next door and we were confident that future development was highly unlikely because of the size and zoning of the land. According to our research, the land was zoned for "authority use" - defined in the *Zoning Scheme Regulations* as possible uses by local government for "fire services and municipal depot with related uses or any use necessary to provide required services".

Below are extracts from the *Zwelihle-Hermanus Final Zoning Map* as published on the Overstrand Municipality's website. The vacant land (described as "Area 11" in your application) is clearly indicated as *Authority Zone* here and not as *Transport Zone 2*.



I also refer to the below extract from the *Zoning Scheme Regulations* which further convinced us that any future development was highly unlikely – or at least very limited – and that residential development would not be allowed.



I am extremely concerned about my privacy being compromised and about the increased noise pollution that will most likely be experienced from having two additional abutting neighbouring properties. A "GAP housing" development will undeniably have a negative impact on my and surrounding property values. The fact that a double-storey house could essentially be built at only 1m away from my existing boundary wall, will significantly change the way that I will have to live inside my home and also the way I utilize my garden & outdoor areas.

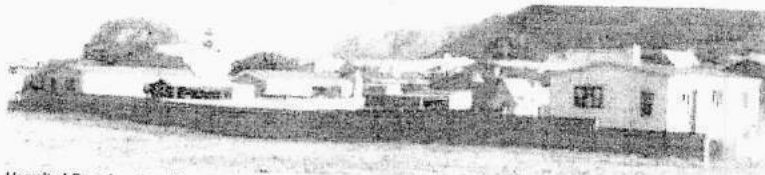
We purchased this property with retirement in mind, a decent house at the end of a quiet cul-de-sac with a location that suited our needs. We basically spent our life's savings to purchase and partly renovate this house. Now, since my husband passed away in 2018, I am left with a reduced pension as my only income. I would have great financial difficulty if I ended up needing to relocate again.

Your application focuses more on the ten Mount Pleasant areas. "Area 11" in Westdene is over a kilometer away and is separated by the other ten Mount Pleasant areas by a vast industrial area. These are two completely different neighbourhoods with completely different communities and should have been approached differently. I do not believe that your proposal will be complementary to the existing status quo of the Westdene neighbourhood. According to Property24's website there were six residential properties sold in the Westdene neighbourhood since our purchase in 2017. These transactions ranged from R640,000 to R1,950,000 – collectively these six properties sold at an average price of R1,212,500. Will the proposed development consist of homes with property values in-line with this average?

Even in the Westdene neighbourhood alone, there is a difference in character from street to street. There are only three double-storey homes in the Westdene neighbourhood. A row of higher density double-storey buildings, as suggested in your application, would seem out of place here. The character of the neighbourhood will change significantly if this "GAP housing" development is built.



Hospital Road – view from Loveday Street to Buitekant Street (image from Google's street view)



Hospital Road – view from Seeberg Street to Loveday Street (image from Google's street view)

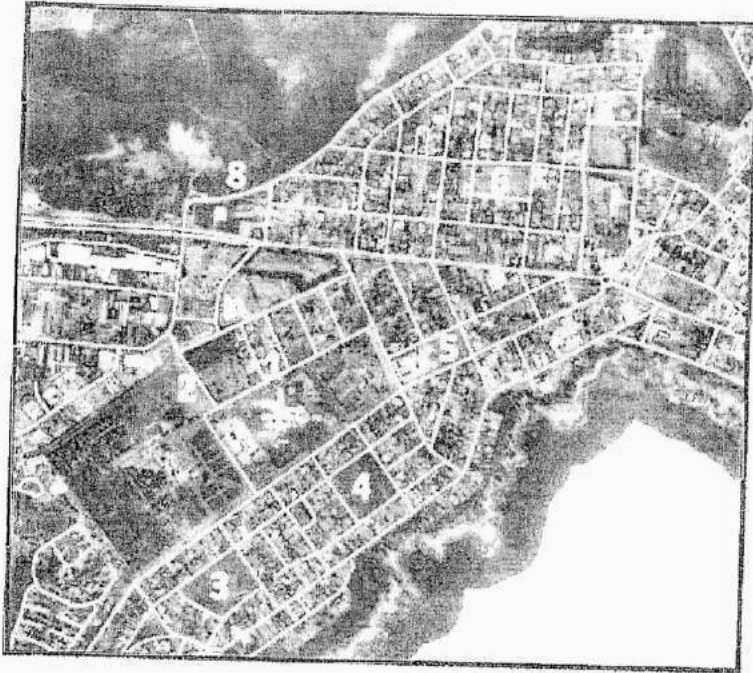


Hospital Road – view from Balfour Street to Seeberg Street (image from Google's street view)

I truly appreciate the fact that there is an affordable housing shortage in the Hermanus area and agree that there are several vacant pockets of land that are not properly utilized. However, I fail to see the reasoning for wanting to force 18 miniature residential erven into this narrow triangular-shaped strip of land (described as "Area 11" in your application).

Your proposed 18-erven residential development will border only seven existing residential erven that range in size of between 559m² and 703m². All of these abutting erven, including my own, will be much larger than your claimed 250-350m² erf sizes. Your subdivision plan appears to show most of the proposed erven to be less than half the size of the existing abutting erven.

In a radius of less than a kilometer from my home, there are several vacant undeveloped pockets of land available and all seemingly suitable for residential development. What is the reason for not selecting any of these for development? With reference to the aerial photograph below, I marked the following areas:



Mark "1" – The vacant land next to my home (described as "Area 11" in your application) along Hospital Road. As per your drawing number B2.002-S1-03B, this site measures 4835m².

Mark "2" – A vacant piece of unused land (Transport Zone 2) along Prellewitz Road and bordering the Space Agency premises measuring over 7700m². Would this not be the ideal location for your proposed "GAP housing" development? Higher density double story buildings, as suggested in your application, would not seem out of place here. As with "Area 11", this location is still included in the Westdene neighbourhood and is equally well-located. With possible cooperation from the neighbouring property owners, Communicare, of Erf 7283 an additional 10000m² of vacant land could be incorporated into a proper residential development.

Mark "3" & "4" – Two vast vacant and under-utilised "parks" (zoned Public Open Space) between Arcadia Street and Strand Street at over 20500m² & between Rochester Street and Orothamnus Street at over 17800m².

9/10

63/131

Mark "5" – Another vacant and under-utilised "park" (zoned Public Open Space) between Flower Street & Church Street measuring approximately 8000m². This piece of vacant land used to be 6620m² larger, before a portion (Erf 11154) was subdivided and rezoned to allow for a private medical facility to be built.

Mark "6" & "7" – Two vacant and under-utilised "parks" (zoned Public Open Space) Erf 4524 between Robin Avenue and Bird Lane at 11200m² and Erf 4583 between Steenbok Street and Nerina Road at 3220m².

Mark "8" – The vacant land along over 1,5 kilometers of Mountain Drive, or the over 70000m² strip of vacant land next to the R43 across from the Gateway Centre. If housing shortages are due to space constraints, should the municipal boundaries not be expanded where possible?

Without going into detailed historical and political issues, the Overstrand Municipality should surely have anticipated population growth. A popular saying comes to mind... "failing to plan is planning to fail". This is exactly what has happened in the Hermanus area and now desperate attempts are being forced into action. If "space constraints" and "lack of affordable land" were issues, why does the municipality sell off vital development land and allow it to remain vacant for such a long time? The troubled Schulphoek development with the ensuing chaos and land grabs is a prime example of greatly needed development land that was not utilized properly and is now seemingly lost for good. Should the much-anticipated development of the vacant land between Sandbaai and Onrus not be accelerated with extreme urgency? I honestly hope that affording housing was incorporated in that proposed development. Closer to home in the Westdene neighbourhood, Erf 12199 (at nearly 25,000m²) was sold off to a private company – Massbuild (Pty) Ltd – years ago and is still vacant.

I acknowledge that our town has housing issues and I am all for social integration of different communities and income groups. All developments, new and old, should be adequately "policed" by building inspectors and law enforcement officials. The reality, however, is that local municipal laws relating to building work, keeping of pets, etc. are not always adhered to and not always enforced. The magnitude of this problem is sadly more obvious in lower-income areas, including parts of the Westdene neighbourhood. You will unfortunately never be able to ensure that my proposed new neighbours are law-abiding citizens.

I would again like to highlight my strong objection to the proposed "infill residential development" as described as "Area 11" in your application. I am confident that my immediate neighbours, Mr. Friese of 34A Loveday Street (Erf 7987) and Mss. Fouche & Calitz of 46A Bultekant Street (Erf 7984) have also lodged their comments and objections. I trust sanity will prevail and that this particular area will be excluded from future proposals of this nature.

Sincerely,

Sandra Weimans
(ID no. 5806220050087)

10/10

Page 1 of 1

64/31

Loretta Gillion - Fwd: OBJECTION - Municipal Notice No. 17/2020

From: Henk Olivier
To: Loretta Gillion
Date: 22 March 2020 09:11 AM
Subject: Fwd: OBJECTION - Municipal Notice No. 17/2020
Attachments: OBJECTION - Municipal Notice No. 17/2020

sien die beswaar is na jou ook gestuur.

Henk Olivier
Town Planner : Town & Spatial Planning
Overstrand Municipality
A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
T: 028 313 8900 | F: 028 313 2093 | E: henk@overstrand.gov.za

EL 243-Hermanus
SCAN NO:
01
COLLABORATOR NO: 1440258

65/131
TP-A Theart
(Holivier)

ANNEXURE E 1/4



NuPLAN AFRICA
TOWN & SPATIAL PLANNERS

INNOVATIVE PLANNING SOLUTIONS

13 Nautilus Crescent, Big Bay, South Africa
Nautilus Singel no. 13, Big Bay, Suid - Afrika
3603 Tyger Vallei 7536 Tel: 021 975 1265 / 0825699387
Kleinbaai Services t/a NuPlan Africa Town Planners
Reg no. 2019/532018/07

11 August 2020

Henk Olivier
Town Planner: Town and Spatial Planning
16 Paterson Street
HERMANUS 7200

By email: holivier@overstrand.gov.za

Sir,

APPLICATION FOR THE INFILL TOWNSHIP ESTABLISHMENT IN MOUNT PLEASANT & WESTDENE, HERMANUS: RESPONSE TO COMMENTS RECEIVED

Council advertised the LUPA application to the public and in response, three objections were received.

The following people objected:

- MM Fouche & SJ Calitz, Erf 7984, 46A Buitekant Street, Westdene
- EKH Friese, 34A Loveday Street
- S Welmans, 45A Buitekant Street

As seen, all three objectors live in close proximity to Area 11 and the objections thus center around Area 11.

As all three objections are similar in nature, we summarise the objections as follows:

1. The proposed infill development with smaller erven in Westdene is not compatible with the character of the existing neighborhood.
2. Potential double storey residential units not compatible with existing, mainly single storey structures.
3. Privacy of neighbors will be compromised if development proceeds.
4. Buitekant Street currently a quiet cul de sac. If opened towards Hospital Street, taxi's and ambulances will use the road and negatively impact on the residents.
5. Perceived development on smaller erven will devalue area and investments.
6. The existing zoning is disputes as being "Utility" and not Transport 2.
7. The area abutting Area 11 has existing sewer problems.

Alison Town Planning Services (Pty) Ltd. Reg No. 06 0920097 T/A NuPlan Africa Town Planners

DIRECTEUR:

TL Snyen Pr. Pla. BA (M&AS) LSAB (LVRSS) (tjose: tjsny@nuplanafrika.co.za)

DK Laise Pr. Pla. BA (M&AS) LSAB (LVRSS) (tjose: dkl@nuplanafrika.co.za)

HOOFDSTAANDEUR:

D Jones Pr. Pla. BA (BAS) (LVRSS, MPH) (TG) (tjose: dandj@nuplanafrika.co.za)

A Visser Stadsplanning: Tegroek (tjose: anv@nuplanafrika.co.za)

A van Zyl Finansiële Bestuurder (tjose: anvz@nuplanafrika.co.za)

Kantore ook te Somerset West & Wellington

DIRECTORS:

TL Snyen Pr. Pla. BA (M) (TP) (MSAP) (MCTRP)

DK Laise Pr. Pla. BA (M) (TP) (MSAP) (MCTRP)

ASSISTED BY:

D Jones Pr. Pla. BA (TP), MPH, TG

A Visser Town Planning Technologist

A van Zyl Financial Manager

Offices also at Somerset West & Wellington

TP 11 AUG 2020

66/131

The erf sizes and resulting top structures will change the character of the neighborhood

The primary concern of the objectors is that the proposed development will change the neighborhood's character resulting in the loss of privacy, generate additional vehicular movement and as such resulting in a de-valuation of property values (Points 1 – 5 above). Council's initial decision to implement the project was to facilitate additional serviced erven for the ever-growing residential market in Hermanus. As land is a scarcity in Hermanus, a balanced approach had been adopted to facilitate smaller erf sizes (250 – 350m²) but still ensuring that compatible and complementary top structures (200m² plus) could be built on the said erven. The potential unit floor areas are based on a double storey structure. The objectors are not in support of double storey structures, but it needs to be pointed out that a Single residential zoning allows, as a primary right, the building of two storey units. The objectors also have a similar right to build double storey on their properties.

In summary, the municipality's decision and goal is to provide serviced erven. The intension is not to provide low cost housing but as mentioned, serviced erven to be sold on the open market. As the building of top structures are the prerogative of the purchasers of the proposed properties, the actual size and appearance cannot be preempted. All building plans though needs to adhere to the norms and standards of the National building regulations.

Future of Buitekant Street

Newly created erven will get access off Buitekant Street. Buitekant Street will not be opened towards Hospital Street and turning circle/ shunt will be constructed within Hospital Street's boundary to ensure the existing status quo. By providing a turning shunt within Hospital streets reserve, Portion 1 & 2 in Area 11 have been redesigned and each area has been increased in size to complement and relate in size to the existing abutting erven. Please refer to the attached revised layout plan for Area 11 (Plan B 2.002 – S1 – 04).

Council could consider bollards as to further secure the current status quo.

Conflict in the existing zoning of the subject property.

The Town Planning Department has confirmed the zoning of the subject property as being Transport zone 2.

Availability of other vacant and more suitable land for development

Suggestions and statements relating to the availability and suitability of alternative vacant land in Hermanus is noted but not relevant and applicable to the desirability of using Area 11 for housing.

Area abutting Area 11 has existing sewer problems

The civil engineering report, as submitted with the application, specifies that a new sewer line (within Hospital Street road reserve) and reticulation system will be installed to facilitate sufficient capacity to service the local area abutting Area 11.

African Town Planning Services (Pty) Ltd. Reg Nr. 88 0509007 T/A NuPlan Africa Town Planners

DIRECTOR:

TL Dreyer P./Ph. BA (M&AS) LSA&I LVRS&S (apost.thed@nuplanAfrica.co.za)
DK Larsen P./Ph. BA (M&AS) LSA&I LVRS&S (apost.dk@nuplanAfrica.co.za)

BYRE-STAFFAN OUDER:

D Jones P./Ph. BA (S&AS) LVRS&S, MP&I (TS) (apost.dan@nuplanAfrica.co.za)
A Vloper Raadsvoornemings Tegoroep (apost.ariane@nuplanAfrica.co.za)
A van Zyl Finansiële Bestuurder (apost.anneke@nuplanAfrica.co.za)

Kantoor ook in Somerset West & Wellington

DECELIOS:

TL Steyn P./Ph BA M (TRP) MS&P MACTRP
DK Larsen P./Ph BA M (TRP) MS&P MACTRP

ASSISTED BY:

D Jones P./Ph. BA (TRP), MP&I (TS)
A Vloper Town Planning Technologist
A van Zyl Financial Manager

Offices also at Somerset West & Wellington

67/131



D K LARSEN
Director: NuPlan Africa Town Planners

Africa Town Planning Services (Pty) Ltd. Reg. No. 86 0509067 TA/NuPlan Africa Town Planners

DIRECTOR:

TL Sijm Pr. Ph. BA M(SAS) L(SA) LVRSS (tjoe@nuplanfrica.co.za)
DK Larsen Pr. Ph. BA M(SAS) L(SA) LVRSS (epo4dk@nuplanfrica.co.za)

BYGESTAAN DEUR:

D. Jones Pr. Ph. BA (SAS) LVRSS, MPH (TS) (epoc.dan@nuplanfrica.co.za)
A. Viljoen Stadsbeplanningse Tegrotoloog (epocanto@nuplanfrica.co.za)
A. van Zyl Finansiële Bestuurder (epocanw@nuplanfrica.co.za)

Kantore ook te Somerset West & Wellington

DIREKTORS:

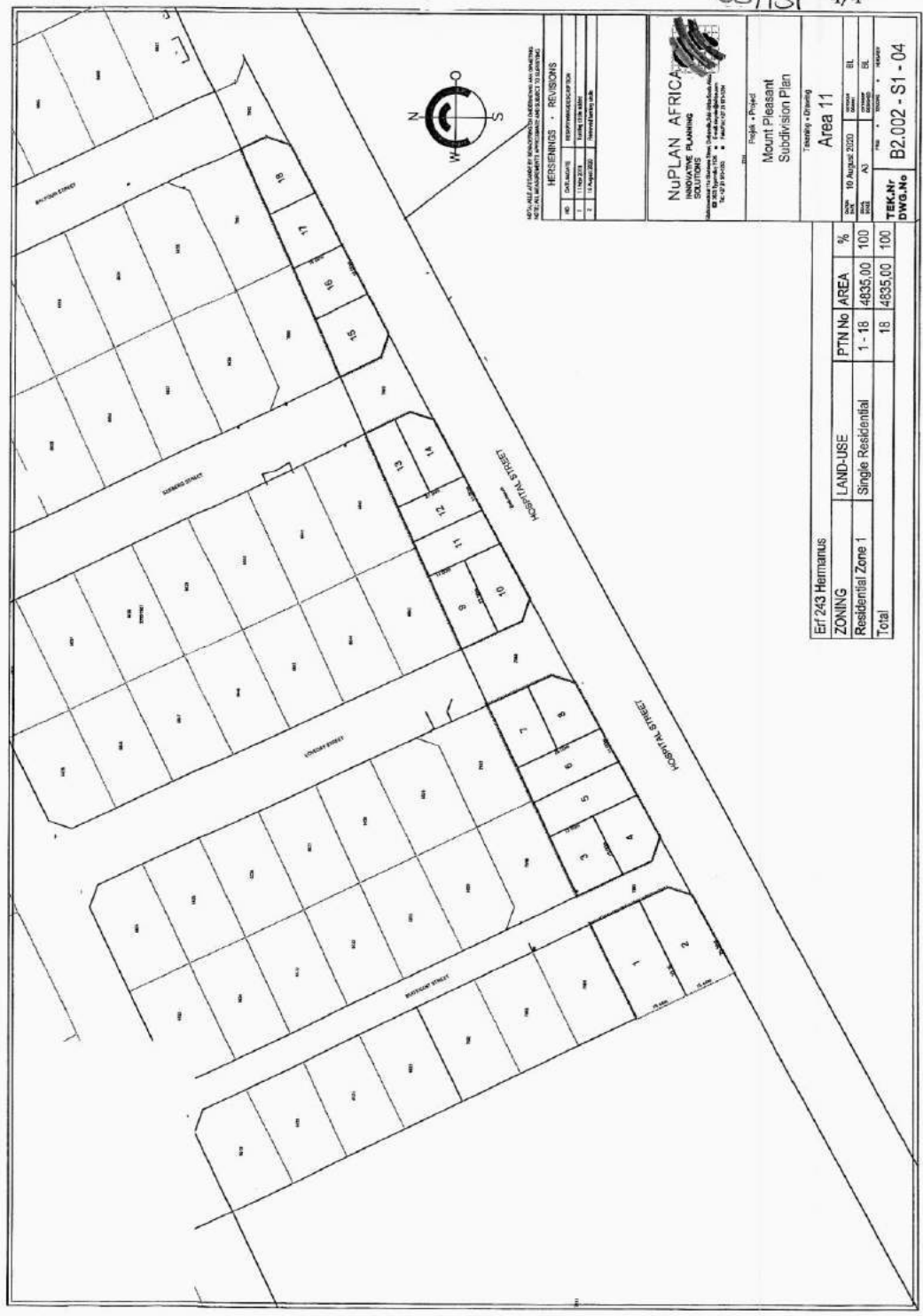
TL Sijm Pr. Ph. BA M (TRP) MSAPI MACTBP
DK Larsen Pr. Ph. BA M (TRP) MSAPI MACTBP

ASSISTED BY:

D. Jones Pr. Ph. BSc (TRP) M(Ph) (TS)
A. Viljoen Town Planning Technologist
A. van Zyl Financial Manager

Offices also at Somerset West & Wellington

68/131 4/4



REGISTRATION INFORMATION: THIS DOCUMENT IS REGISTERED IN THE DEEDS AND TRANSFER OFFICE OF THE DEPARTMENT OF LAND AND AGRICULTURE, REPUBLIC OF SOUTH AFRICA.

REVISIONS

No.	Date	Description
1	15/08/2020	ISSUE FOR COMMENT
2	19/08/2020	ISSUE FOR COMMENT

NUPLAN AFRICA
 INNOVATIVE PLANNING SOLUTIONS
 251 TROMPSBURG ROAD, SANDHURST, JOHANNESBURG, 2146
 TEL: 011 800 000 0000 • FAX: 011 800 000 0000

Project: **Mount Pleasant Subdivision Plan**

Area: **Area 11**

Scale: 1:1000

DATE: 10 August 2020

BY: [Signature]

FOR: [Signature]

TEKUN: B2.002 - S1 - 04

Erf 243 Heimarus

ZONING	LAND-USE	PTN No	AREA	%
Residential Zone 1	Single Residential	1 - 18	4635,00	100
Total		18	4635,00	100

69.131

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION &
CLOSURE OF PUBLIC PLACES OR PART THEROF, REMOVAL OF
RESTRICTIVE CONDITIONS, DEVIATION FROM THE OVERSTRAND
MUNICIPALITY SPATIAL GOWTH MANAGEMENT STRATEGY,
EXEMPTION TO EXCLUDE NAMING OF STREETS AS PART OF THE
APPLICATION & PHASED PLANNING (FOR INFILL RESIDENTIAL
DEVELOPMENT), PORTION OF ERF 243, ERVEN 6462, 6464, 6465, 6468,
6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 TO 6490, 6974, 7701,
A PORTION OF ERF 7684, ERF 11472, 11892, HERMANUS (MOUNT
PLEASANT & A PORTION OF ERF 243, HOSPITAL ROAD, HERMANUS
(WESTDENE) (3295/2019)**

Water	:	According to GLS report
Sewer	:	According to GLS report
Roads and traffic	:	According to TIA
Stormwater (SW)	:	See conditions 8, 9 & 10
Electricity	:	In order

Conditions:

1. that the developer (Overstrand Municipality) at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
2. that servitudes for municipal services be registered in respect of all main services to be taken over by the developer and all existing municipal services concerned, crossing private property;
3. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 3.1 way-leaves must be obtained from the Operational Manager;
 - 3.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
4. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;

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5. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
6. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
7. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
8. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
9. that the above stormwater management plan include the following:
 - 9.1 pre-development run-off from the catchment area;
 - 9.2 post-development run-off from catchment area;
 - 9.3 existing stormwater reticulation system and the capacity thereof;
 - 9.4 connection of internal stormwater reticulation system;
 - 9.5 overland escape routes.
10. that the connection to the stormwater reticulation system if any, be provided according to the stormwater management plan;
11. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
12. that the Implementing Agent apply for a temporary water connection on the prescribed application form, at Overstrand Municipality's Finance Department, before commencement of construction;

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13. that the connection to the main water line only be done by the Operational Department, after payment of the connection fee, by the developer;
14. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.

Dennis Hendriks
DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

11.08.2020
DATE

72/131

Office of the Director:
Infrastructure & Planning
Environmental Management

MEMORANDUM

Kantoor van die Direkteur:
Infrastruktuur & Beplanning
Omgewingsbestuur

Date : 11 August 2020

To: Loretta Gillion (Town Planning)
Van: Penelope Aplon (Environmental Management)

RE: PORTION OF ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11472, 11892, HERMANUS (MOUNT PLEASANT) & A PORTION OF ERF 243, HOSPITAL ROAD, HERMANUS (WESTDENE)

The Environmental Section has the following comments on the above mentioned erven. These erven are all severely degraded with no natural areas remaining.

Area 1: Erf 6464, Mount Pleasant Hermanus:

This office has no objection to the proposed rezoning and subdivision of this erf.

Area 2: Erf 6465, Mount Pleasant Hermanus:

This office has no objection to the proposed closure of a public place, rezoning and subdivision of this erf.

Area 3: Erf 6462, Mount Pleasant, Hermanus:

This office has no objection to the proposed closure of a public place, rezoning and subdivision of this erf.

Area 4: 6974, Mount Pleasant, Hermanus:

This office has no objection to the proposed closure of a public place, rezoning and subdivision of this erf.

Area 5: Erf 11892, Mount Pleasant, Hermanus:

This office has no objection to the proposed closure of a public place, rezoning and subdivision of this erf.

Area 6: Erf 7701, Portion of Erf 7684 and a portion of RE243, Mount Pleasant, Hermanus:

This office has no objection to the proposed closure of a public place, consolidation, rezoning and subdivision of this erf.

Area 7: Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 and 6490, Mount Pleasant Hermanus

This office has no objection to the proposed consolidation and subdivision of these erven.

2020-08-11

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Area 9: Portion of remainder Erf 243, Mount Pleasant, Hermanus:

This office has no objection to the proposed rezoning and subdivision of this erf.

Area 10: Erf 1472, Mount Pleasant, Hermanus

This office has no objection to the proposal of removal of restrictive title deed conditions, rezoning and subdivision.

Area 11: Portion of Remainder Erf 243, Westdene, Hermanus

This office has no objection to the proposed closure of a public place, rezoning and subdivision of this erf.

Kind regards,



Penelope Aplin



TP ANNEXURE H 1/4
(H. Olivier)
74/131

Overstrand Municipality

Date: 2020/02/14

Loretta@overstrand.gov.za

Enquiries:

WayleavesWesternOU@eskom.co.za

WAYLEAVE APPLICATION: APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF PUBLIC PLACES OR PART THEREOF : MOUNT PLEASANT & WESTDENE :

YOUR REF: Erven 6462, 6464, 6465, 6468-6490, 6972, 7701, 11472, 11892 & Ptn of Erf 243

ESKOM REF: 00445-20

THIS IS NOT AN APPROVAL TO START CONSTRUCTION

I hereby inform you that Eskom has no objection to 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.

1. **Eskom services are affected by your proposed works and the following must be noted:**

- a) Eskom has no objection to the proposed work and include a drawing indicating Eskom 11kV/LV underground services in close proximity.
- b) Please note that underground services indicated are only approximate and the onus is on the applicant to verify its location.
- c) There may be LV overhead services / connections not indicated on this drawing.
- d) The successful contractor must apply for the necessary agreement forms and additional cable information not indicated on included drawing, in order to start construction.

Application for Working Permit must be made to:

Customer Network Centre: Caledon

Dirk Swart

028 214 5710

SwartDi@eskom.co.za

Include Eskom Wayleave as-built drawings and all documentation, when applying for Working Permit.

Should it be necessary to move, relocate or support any existing services for possible future needs, it will be at the developer's cost. Application for relocating services must be made to Sabelo Potela on 084 745 8990 / PotelaS@eskom.co.za.

Distribution Division - Western Region [Land Development]
Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA
Tel +27 86 003 7566 www.eskom.co.za
Eskom Holdings SOC Limited Reg No 2002/015527/30

FILE NO: Erven 6464, 6465, 6462, 6974, 11892, 7701 MP + ERF 243 Westdene
SCAN NO: Eskom
COLLABORATOR NO: 1383549

TP

14 FEB 2020

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2. Underground Services

The following conditions to be adhered to at all times:

- a) Works will be carried out as indicated on plans.
- b) No mechanical plant to be used within 3.0m of Eskom underground cables.
- c) All services to be verified on site.
- d) Cross trenches to be dug by hand to locate all underground services before construction work commences.
- e) If Eskom underground services cannot be located or is grossly misplaced from where the wayleave plan indicates, then all work is to be stopped and Graham Hector from the Land Development Office to be contacted on 021 980 3551 / HectorG@eskom.co.za, to arrange the capturing of such services.
- f) In cases where proposed services run parallel with existing underground power cables the greatest separation as possible should be maintained with a minimum of 1000mm.
- g) Where proposed services cross underground power cables the separation should be a minimum of 300mm with protection between services and power cables. (Preferably a concrete slab)
- h) No manholes; catch- pits or any structure to be built on top of existing underground services.
- i) Only walk-behind (2 ton Bomac type) compactors to be used when compacting on top of and 1 metre either side of underground cables.
- j) If underground services cannot be located then the Customer Network Centre (CNC) should be consulted before commencement of any work.

3. O.H. Line Services:

- a) The following building and tree restriction on either side of centre line of overhead power line must be observed:

Voltage	Building restriction either side of centre line
11 / 22kV	9.0 m
66kV	11.0 m
132kV	15.5 m

- b) No construction work may be executed closer than 6 (SIX) metres from any Eskom structure or structure-supporting mechanism.
- c) No work or no machinery nearer than the following distances from the conductors:

Voltage	Not closer than:
11 / 22kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- d) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- e) That a minimum ground clearance of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11 / 22kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- f) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.
- g) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,

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- ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- h) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
 - i) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
 - j) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
 - k) Eskom shall at all times have unobstructed access to and egress from its services.
 - l) Any development which necessitates the relocation of Eskom's services will be to the account of the developer.
 - m) Lungile Motsisi, Eskom: Transmission must be contacted on 011 800 5734 to comment on behalf of the 400 kV OVERHEAD POWERLINES, NO WORK WITIN THIS SERVITUDE OR UNDERNEATH POWERLINES IS ALLOWED until comment from Eskom Transmission has been obtained.

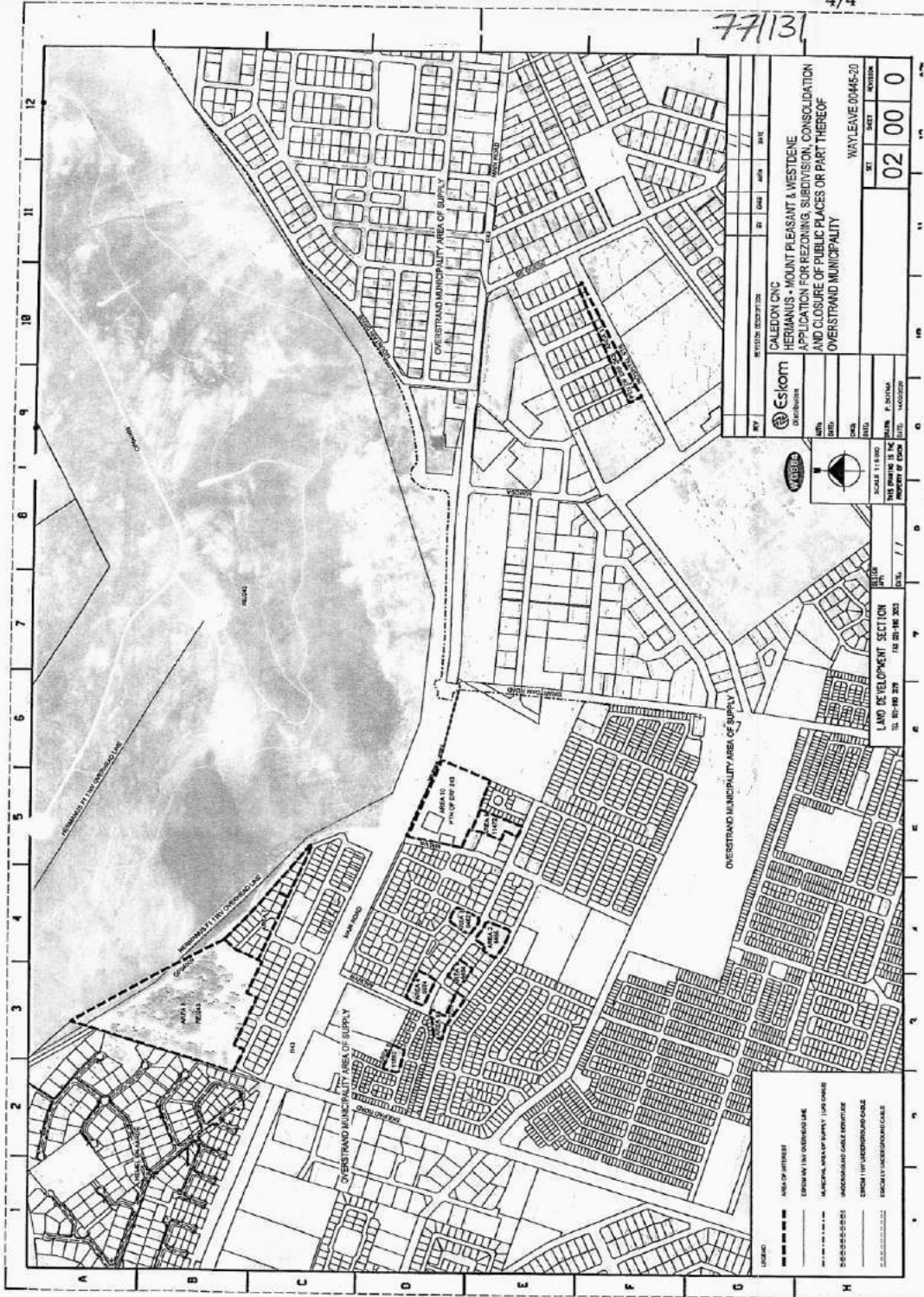
4. NOTE

Wayleaves, Indemnity form (working permit) and all as-built drawings issued by Eskom to be kept on site at all times during construction period.

Yours faithfully

LAND DEVELOPMENT (BRACKENFELL)

771131



ESKOM
 Distribution
 Date: / /
 Scale: 1:1000
 Project: 771131
 Drawing: 02.00.0
 Title: WAYLEAVE 004M5-20

OVERSTRAND MUNICIPALITY AREA OF SUPPLY
 HERMANUS + MOUNT PLEASANT + WESTERNE
 APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION
 AND CLOSURE OF PUBLIC PLACES OR PART THEREOF
 OVERSTRAND MUNICIPALITY

LAND DEVELOPMENT SECTION
 111
 11

LEGEND
 - - - - - BOUNDARY OF LOT
 - - - - - BOUNDARY OF THE OVERSTRAND AREA
 - - - - - BOUNDARY OF MUNICIPAL AREA OF SUPPLY / LOT OWNER
 - - - - - BOUNDARY OF EASEMENT
 - - - - - BOUNDARY OF INTERMEDIATE EASEMENT
 - - - - - BOUNDARY OF UNDERGROUND EASEMENT

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DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1

REFERENCE: 16/3/3/6/1/E2/15/1167/19
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: 2019-06-12

The Municipal Manager
Overstrand Municipality
P. O. Box 20
HERMANUS
7200

Attention: Mr. D. Hendriks

Tel.: (028) 313 8000
Fax: (028) 312 1894

Dear Sir

RE: APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED), WITH RESPECT TO THE PROPOSED MOUNT PLEASANT IRDP DEVELOPMENT ON ERVEN 6464, 6465, 6468, 6974, 11892, 7701, 6468, 6469, 6490, 11844-11865, 7991 AND THE REMAINDER OF ERF NO. 243, HERMANUS

1. The correspondence dated 24 April 2019, as received by this Department on 6 May 2019, refers.
2. Following the review of the above-mentioned correspondence, this Department draws your attention to the following:
 - 2.1. The proposal entails the development of low cost housing and serviced stands within the Mount Pleasant suburb.
 - 2.2. Ten areas have been included for development, with areas 8 and 9 including indigenous vegetation, however, the areas containing vegetation will be excluded from the development and treated as "no-go" areas.
 - 2.3. Erven 6465 and 6469 are zoned Open Space II and are not related to conservation use.
 - 2.4. The site is located within the urban/built up area. There are no watercourses (including wetlands) on any of the sites identified for construction.
3. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 and 3. Be advised that, based on the information provided, the proposed in-fill development on the above-mentioned properties, **does not** constitute any listed activities as defined in terms of the NEMA EIA Regulations 2014 (as amended).

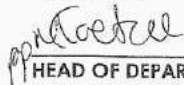
3rd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 3050/4347 Fax: +27 21 483 3098
Email: D'mitri.Matthews@westerncape.gov.za

Private Bag 39065, Cape Town, 8000
www.westerncape.gov.za/ardp

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4. The above-mentioned is based on the following:
 - 4.1. The sites zoned for open space within an urban area are not zoned for conservation use or have an equivalent zoning.
 - 4.2. Less than 300m² of indigenous vegetation will be removed as part of the proposal.
5. However, should any revision of your development comprise any activities that constitute a listed activity as defined in LN 1, 2 and 3, an application for environmental authorisation must be submitted to the competent authority and authorisation obtained before such activity(ies) may commence.
6. You are further reminded of your general duty of care towards the environment in terms of section 28(1) of NEMA which states:
"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
7. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.
8. This Department reserves the right to revise or withdraw its comments and request further information based on any information received.

Yours faithfully



HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copy to: (1) Ms. A. Meyer (Legacy Environmental Consulting)

Fax: [021] 883 2952

ANNEXURE K

81/131



ILifa leMveli iNtshona iKajoni
Efenisi Wesi-Kapa
Heritage Western Cape

Our Ref: HM/OVERSTRAND/HERMANUS/ERVEN 6464, 6446, 6442, 6974,
11892, 7701, 6468, 6490, PTN OF REM OF ERF 243
Case No.: 19031205AS0506E
Enquiries: Andrew September
E-mail: andrew.september@westerncape.gov.za
Tel: 021 483 9543
Date: 17 May 2019

Kim Pontac
PO Box 12410
Die Board
7613

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape
Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED MOUNT PLEASANT RESIDENTIAL DEVELOPMENT ON SITE 1: ERF 6464, SITE 2: ERF 6465, SITE 3: ERF 6462, SITE 4: ERF 6974, SITE 5: ERF 11892, SITE 6: ERF 7701, SITE 7: ERVEN 6468 – 6490, SITE 8: PORTION OF RE/243 (RESTRICTING ZONE), SITE 9: PORTION OF RE/243 (NEXT TO SPORTS FIELD), SITE 10: ERVEN 11844 – 11865, SITE 11: PORTION OF RE/243 (IN HOSPITAL RD); AND PORTION OF ERF 7991 (UNREGISTERED SUBDIVISION OF ERF 7642), HERMANUS, OVERSTRAND, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19031205AS0506E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 07 May 2019. This matter was discussed at the Heritage Officers meeting held on 13 May 2019.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and palaeontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.


This decision is subject to an appeal period of 14 working days. The appeal period shall be taken from the date above. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Dr. Axolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas


Street Address: Postal Address:
+ Tel: + E-mail:
Street Address: Postal Address:
+ Tel: + E-mail:

824131

1082

Prepared by me

Fee endorsement		
	Amount	Office let
Purchase price/value	R 342 000,00	R 5800
Mortgage capital Amount		
Reason for exemption		Exempt let. n


 CONVEYANCER
 JANINE FOUCHE

T 000045480 / 2017

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JANINE FOUCHE

DATA / CAPTURE
 16 AUG 2017
 MASIU TAMARA

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him by

OVERSTRAND MUNICIPALITY

which said Power of Attorney was signed at HERMANUS on 8 MAY 2017

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And the said appearer declared that his principal had, on 23 March 2016 truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

**The Trustees for the time being of ADAMA FOUNDATION TRUST
Registration Number IT256/2014**

their Successors in Title or Assigns, in full and free property

ERF 11472 (A PORTION OF ERF 243) HERMANUS
IN THE OVERSTRAND MUNICIPALITY
DIVISION CALEDON
PROVINCE WESTERN CAPE

IN EXTENT 4196 (FOUR THOUSAND ONE HUNDRED AND NINETY SIX)
Square metres

AS WILL APPEAR from Diagram S.G. No. 2611/2013 and held by Deed of Grant dated 5 August 1922 (Caledon Freeholds Volume 3 Folio 8)

A. SUBJECT to the following conditions contained in Deed of Grant dated 5 August 1922 (Caledon Freeholds Volume 3 Folio 8), namely:

"2. That all roads and thoroughfares over the land, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted or altered by competent authority.

3.

NOT SUBJECT to condition 3 on page 1 of Deed of Grant CAF3-8/1922 by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.

4. That the land hereby granted shall be subject to all rights and servitudes which now affect or at any time hereafter may be found to affect the title of the land hereby granted or which may be binding on the Government in respect of the said land as at the date hereof."

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- B. ENTITLED to the benefit of the condition created in Deed of Transfer Number T28100/1948 and referred to in the endorsement dated 10 December 1948 in Deed of Grant, Caledon Freeholds Volume 3 Folio 8 dated 5 August 1922, namely:

"The land held by Deed of Transfer No T 28100/1948 is SUBJECT to the conditions in favour of the Transferor therein, the Municipality of Hermanus as Owner of the Remainder of the Land Held by the said Deed of Grant, Caledon Freeholds Volume 3 No 8.

- (a) that it shall be used by the owner and his Successors in Title only in conjunction with and for the same purpose as the Remainder of the consolidated Erf No 282 held by the Transferee herein under Certificate of Uniform Title No 8074/1948;
- (b) that it shall not be enclosed on the southern side beyond a line running from Beacon A on diagram No 6667/48 of portion 3 of Erf 271 to a point 6 feet to the northward of Beacon D on the said diagram, the land so enclosed to be reserved to the owner of a Remainder of the land held by the Deed of Grant Volume 3 No 8 as a right of way."
- C. SUBJECT FURTHER to the following conditions imposed by the Overstrand Municipality, when approving of the sale of Erf 11472 (Portion of Erf 243) Hermanus, namely:

- "1. The property may only be used for the purposes allowed for in terms of the General Residential Zone III.
2. The height of the buildings will be limited to 2 (TWO) storeys at a height of 8 (EIGHT) metres measured from the base level to the top of the roof.
3. The development should comply with the provisions of the appropriate Scheme Regulations as promulgated.

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4. Should the PURCHASER not complete the development on the property within a period of 2 (TWO) years from date of the registration of transfer, which time period of 2 (TWO) years may on prior written application of the PURCHASER to the SELLER stating the reasons for the request, be extended by consent of the SELLER given under the hand of the Municipal Manager, which consent will not be withhold unreasonably, ownership of the property thereof shall revert back to the SELLER, and the PURCHASER, or its successors in title, shall:
 - 4.1 be compelled to sign the necessary documentation to affect transfer within 7 (SEVEN) days from receiving a notice to that effect, failing which the duly authorised agent of the SELLER is hereby appointed by the PURCHASER to sign such documentation, and
 - 4.2 be responsible for all transfer costs and statutory duties payable in connection with the retransfer of the property to the SELLER and/or any third party with regards to the purchase or retransfer of the property, and
 - 4.3 be entitled to a refund of the total purchase price mentioned in paragraph 2 hereof, free of interest on the date of registration of transfer less any damages or loss incurred by the SELLER.

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WHEREFORE the said Appearer, renouncing all rights and title which the said

OVERSTRAND MUNICIPALITY

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

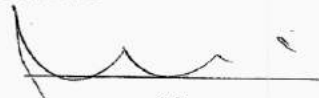
**The Trustees for the time being of ADAMA FOUNDATION TRUST
Registration Number IT256/2014**

their Successors in Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R300 000,00 (THREE HUNDRED THOUSAND RAND) excluding VAT in the sum of R42 000,00 (Forty Two Thousand Rand), total consideration paid by the transferee to the transferor being the amount of R342 000,00 (Three Hundred And Forty Two Thousand Rand).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

04 AUG 2017



q.q.

In my presence

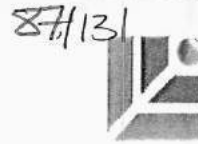


REGISTRAR OF DEEDS

N

Caring
Innovative
Focussed

Neil
LYNERS
and Associates (RF) (Pty) Ltd



Consulting Engineers & Project Managers

Our reference : 18198/COR/CK/Neil/14

Your reference :

30 July 2019

Postal Address : P O Box 4001 TYGERVALLEY 7536
Street Address : Office 2, Ground Floor, Riverside Place
South Gate Entrance, Caf Cronjé Drive
Tyger Valley Waterfront BELLVILLE 7530

Tel: +27 (0) 21 914 0300 | Fax: +27 (0) 21 914 0437
E-mail: neil@lyniers.co.za | Website: www.lyniers.co.za

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

Attention: Mr Dennis Hendriks

Sir

C18198: MOUNT PLEASANT AND WESTDENE SERVICED SITES – CIVIL AND ELECTRICAL ENGINEERING SERVICES

Neil Lyners and Associates (RF) (Pty) Ltd were appointed by Overstrand Municipality for civil and electrical engineering input on the proposed development of various infill erven in Mount Pleasant and Westdene. As part of this appointment a report is required to address the availability of existing civil and electrical engineering services as well as requirements for new services to accommodate the proposed developments.

1. DESIGN APPROACH

The purpose of this report is to determine the impact the development proposal will have on existing civil and electrical infrastructure as well as to determine the required services for the new developments. The proposed developments consist of eleven (11) areas, as indicated on the locality layout plan in Annexure A and will be developed to serve subsidized housing. The areas can be summarised as follow.

AREA	ERF NUMBERS
Area 1	Erf 6464
Area 2	Erf 6465
Area 3	Erf 6462
Area 4	Erf 6974
Area 5	Erf 11892
Area 6	Erf 7701
Area 7	Erven 6468-6490
Area 8	Portion of Erf 243 (restricting zone)
Area 9	Portion of Erf 243 (next to sports field)

SABS
ISO 9001

Neil Lyners & Associates (RF) (Pty) Ltd (2015/438525/07)

CESA

DIRECTORS: Neil Lyners Pr Eng FSAICE • Marlo Pilleppi Pr Eng MSAICE • Fred Lekker Pr Tech Eng MSAICE • Ermelinde Lyners

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Area 10	Portion of Erf 243 (next to sports field)
Area 11	Portion of Erf 243 and 7991 (unregistered subdivision of Erf 7642) (in Hospital Street)

2. EXISTING SERVICES INFORMATION

The required existing services information was obtained from the following sources:

- GIS information;
- Bulk Services availability letter from Overstrand Municipality;
- Stormwater Management Plan for retail centre in the same area (Whale Coast mall);
- Survey information;
- Layout proposals prepared by NuPlan Africa;
- Geotechnical Report.

3. SITE TOPOGRAPHY AND GEOLOGY

The areas are all located within or nearby developed areas. In general, all the sites have relative flat gradients of 2% and 10% from north to south, except for areas 7 and 8 which have steeper gradients of between 10% and 20%.

A Phase 1 Geotechnical Investigation was completed by Core Geotechnical Consultants. This report indicated in general that the different areas are underlain by unconsolidated sandy and gravel deposits of transported origin. This layer is then underlain by a layer of weathered sandstone. A perched water table can be expected between 1m and 3m for all the areas.

4. SEWER INFRASTRUCTURE

4.1. Existing sewer infrastructure

In the Bulk Services Availability letter (dated 25 April 2019) from Overstrand, it is stated that the existing Hermanus Wastewater Treatment Works (WWTW) have enough capacity to accommodate runoff from the proposed developments.

As per GLS Consulting Engineers sewer master plan (2016) for the applicable areas within Overstrand, the existing sewer networks in proximity to all proposed sites, are sufficient in terms of capacity to accommodate the demands of the new developments. Thus, no existing sewer lines will need to be upgraded, however there are some existing sewer lines that will have to be relocated to make way for the proposed developments.

Please refer to the table below for a summary of the existing sewer information for each of the areas:

AREA	EXISTING SEWER
Area 1	An existing 150mm diameter midblock sewer line is located on the southwestern border of the site which connects to the existing sewer in Roos Street.
Area 2	An existing 150mm diameter sewer line crosses the site from Roos Street to Madaliefie Street.
Area 3	An existing 200mm diameter sewer line is located northwest of the proposed site. A second 150mm diameter sewer line is located on the northern boundary of the proposed site.
Area 4	An existing 225mm diameter sewer line crosses the proposed site from Alwyn Street to Roos Street. A second sewer line is located on the northern boundary of the proposed site in Tulip Street.
Area 5	Existing 150mm diameter sewer lines are located on the western and southern sides of the proposed site.

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Area 6	An existing 150mm diameter sewer line is located in Dahlia Street, southwest of the area.
Area 7	An existing 160mm diameter sewer line is located in Kalkoentjie Street, within the area itself.
Area 8	Existing sewer lines are located in Jasmyn, Katjlepiering and Heide Streets, respectively, southeast of the area.
Area 9	An existing 150mm diameter sewer line is located in Malva Street, west of the area.
Area 10	An existing 150mm diameter sewer line is located south of the site in Angelier Street and Sonneblom Street.
Area 11	An existing 150mm diameter gravity sewer line and a sewer rising main are crossing site on the north-western edge.

4.2. New sewer infrastructure

The proposed sewer networks for the development of each of the areas will be designed in accordance with the Overstrand Municipality Draft Minimum Standards as well as the Guideline for Human Settlement Planning and Design (Red Book). The vertical designs must take into account the minimum and maximum velocity of flow, namely 0,9m/s and 3,5m/s. This will influence the spacing of manholes on steeper sections as normal spacing is between 80m and 90m. All new erven will have erf connections from the main pipe up to 1m inside the erven.

For the proposed internal sewer networks for each of the areas, new 160mm diameter underground pipelines will be installed within the proposed roads, ensuring adequate depth to enable individual erven to connect to these pipes.

The following sewer demands were calculated per area:

AREA	NUMBER OF UNITS	CALCULATED DEMAND (L/s)
Area 1	8	0.18
Area 2	20	0.39
Area 3	16	0.31
Area 4	14	0.27
Area 5	10	0.20
Area 6	15	0.29
Area 7	26	0.50
Area 8	100	1.89
Area 9	72	1.37
Area 10	16	0.31
Area 11	18	0.35

Please refer to the table below setting out external upgrading required to the existing sewer network and confirming the connection to the existing network for each of the areas:

AREA	PROPOSED SEWER
Area 1	The existing sewer line crossing Area 4 will be relocated to Angelier Street. This pipe will be installed deep enough to accommodate the new erven on Area 1. The existing midblock sewer on the southern boundary can also accommodate the new erven on its south-western boundary.
Area 2	The existing sewer line crossing Area 2 will be relocated to run within the new road reserve of this area. Erven parallel to this road reserve will be able to connect to the relocated sewer line. It will however be required to install new sewer lines for erven fronting Angelier Street and Dahlia Street. The new sewer line in Angelier Street will

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	be able to connect to the existing network in Madeliefie Street while the sewer line in Dahlia Street will have to connect to the existing network in Malva Street.
Area 3	The internal network of Area 3 will connect onto the existing sewer network in Roos Street, northwest of the proposed site. Erven fronting Tulip Street will be able to connect the existing sewer while the erven fronting Angelier Street will be able to connect to newly installed sewer line for Area 2.
Area 4	The existing sewer line crossing Area 4 will be relocated to run within the road reserve of Angelier Street. The proposed internal network of Area 4 will then connect to this relocated sewer line on the southern side of the proposed site
Area 5	The internal network of Area 5 will connect onto the existing sewer line running in Angelier Street, south of the proposed site.
Area 6	The internal network of Area 6 will connect onto the existing sewer line in Dahlia Street, south of the proposed site.
Area 7	Development in Area 7 is already underway, and an internal sewer network for this area has already been installed.
Area 8	The internal network of Area 8 will connect onto the existing internal network of Area 7 at two locations, namely in Jasmyn as well as Katjeepering Streets. A third connection for the internal network of Area 8 will be constructed on the existing sewer network in Heide Street.
Area 9	A portion of the internal sewer network of Area 9 will connect to the existing sewer in Malva Street, east of the proposed site. The remainder will connect onto the existing sewer line in Angelier Street, southeast of the area.
Area 10	The internal network of Area 10 will connect onto the existing sewer line in Angelier Street, southeast of the area.
Area 11	The existing gravity sewer line and sewer rising main, crossing the proposed site on the north-western edge will be relocated to run within the road reserve of Hospital Street. The proposed internal network of Area 11 will then connect to this relocated sewer line on the south-eastern side of the proposed site

5. POTABLE WATER INFRASTRUCTURE

5.1. Existing potable water infrastructure

In the Bulk Services Availability letter (dated 25 April 2019) from Overstrand, it is stated that the existing municipal potable water resources can supply the proposed developments.

As per GLS Consulting Engineers Water Master Plan (2016) for the applicable areas within Overstrand, the existing water network in proximity to most of the proposed sites have enough capacity to serve the proposed developments. There are however two (2) locations where the existing water network needs to be upgraded and is further discussed in the following section.

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Please refer to the table below for existing water information for each of the areas:

AREA	EXISTING WATER
Area 1	An existing midblock water pipeline is located next to the existing sewer on the southwestern border of Area 1. It is not on Area 1 though. (Pipe diameter unknown)
Area 2	An existing main water pipeline crosses the proposed site between Roos and Madaliefie Streets. (Pipe diameter unknown)
Area 3	An existing main water pipeline crosses the proposed site between Roos and Madaliefie Streets. (Pipe diameter unknown)
Area 4	An existing main water pipeline crosses the proposed site between Alwyn and Roos Streets. (Pipe diameter unknown)
Area 5	An existing 110mm diameter main water pipeline is located south of the proposed site in Angelier Street.
Area 6	An existing 150mm diameter main water pipeline is located south of the area in Dahlia Street. A second 200mm diameter main water pipeline is crossing the site from north to south, between Angelier Street and Dahlia Street.
Area 7	Existing 160mm diameter main water pipelines are located within Area 7 in Katjeepering Street and Jasmyn Street.
Area 8	Two (2) watermains crosses the proposed site between the existing reservoirs and Heide Street, in line with Sulkerkran Street. (200mm and 225mm diameters) Two (2) watermains crosses the site, parallel to the western boundary of the site, for the entire length of the boundary. (Unknown diameters) One (1) 160mm diameter watermain crosses the site from the most northern corner to Jasmyn Street, southeast of the proposed site.
Area 9	Existing smaller diameter main water pipelines are located in Malva Street and Angelier Street.
Area 10	Existing smaller diameter main water pipelines are located in Malva Street and Angelier Street.
Area 11	Existing main water pipelines are located in the existing roads northwest of the proposed site. (Buitenkant Street, Loveday Street, Seeberg Street and Balfour Street)

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5.2. New potable water infrastructure

The abovementioned required upgrades are referred to in the GLS master plan as OHW8.3 and OHW8.4 and is located on the north-eastern side of area 9. Please refer to the extract of the GLS masterplan layout in Annexure B.

The required external upgrades are as follows:

OHW8.3 – new 160mm diameter watermain (285m) in Suikerbos and Malva Streets
OHW8.4 – new 110mm diameter watermain (100m) in Angelier Street.

For the proposed internal water networks for each of the areas, new 110mm diameter underground pipelines will be installed.

The following water demands were calculated per area:

AREA	NUMBER OF UNITS	CALCULATED DEMAND (L/s)
Area 1	8	0.60
Area 2	20	1.50
Area 3	16	1.20
Area 4	14	1.05
Area 5	10	0.75
Area 6	15	1.13
Area 7	26	1.96
Area 8	100	7.52
Area 9	72	5.41
Area 10	16	1.20
Area 11	18	1.35

Please refer to the table below setting out external upgrading required to the existing water network and confirming the connection to the existing network for each of the areas:

AREA	PROPOSED WATER
Area 1	As part of Area 4, the existing watermain which crosses the site, will have to be relocated to Angelier Street. The relocated pipeline will be a 160mm diameter pipe and the section to be relocated will be between Alwyn Street and Roos Street. The internal network of Area 1 will then be able to connect to this line.
Area 2	The existing watermain crossing Area 2 will be relocated to run within the new road reserve of Area 2. The proposed erven within Area 2 will then be able to connect to this relocated watermain. For erven fronting Angelier Street and Dahlia Street, new 110mm diameter watermain will have to be installed.
Area 3	The existing watermain crossing Area 3 will be relocated to run within the new road reserve of Area 3. The proposed erven within Area 3 will then connect to this relocated watermain. New erf connections, for erven fronting Tulip Street, must be made on the existing watermain in Tulip Street. Erven fronting Angelier Street will be able to connect to the new watermain which must be installed as part of Area 2.
Area 4	The existing watermain crossing Area 4, will be relocated to run within the road reserve of Angelier Street. The proposed internal network of Area 4 will then connect to this relocated watermain on the southern side of the proposed site.
Area 5	The internal water network of Area 5 can connect to existing 110mm diameter watermain in Angelier Street.

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Area 6	The 200mm diameter watermain crossing Area 6, between Angelier and Dahlia Streets, will be relocated to Petuna Street. The internal network of Area 5 can connect to the existing network in Dahlia Street.
Area 7	The new erven as part of Area 7, will be able to connect to the existing pipe network in the area.
Area 8	<p>The two (2) watermains crossing the proposed site between the reservoirs and Heide Street, in line with Suikerkran Street, will be located within a new road reserve as part of Area 8, also in line with Suikerkran Street.</p> <p>The two (2) watermains crossing the site, parallel to the western boundary of the site, for the entire length of the boundary, will have to be relocated to fall within a new road reserve as part of Area 8.</p> <p>The watermain crossing the site from the most northern corner to Jasmyn Street, southeast of the proposed site, will be relocated to fall within the new road reserve as part of Area 8.</p> <p>The internal network of area 8 will connect to the existing network in Jasmyn, Katjepiering and Heide Streets.</p>
Area 9	The internal network of Area 9 will connect onto the existing watermain in Malva Street, east of the proposed site. A second connection will be required towards Angelier Street. The existing network in Angelier Street consists of 75mm diameter watermains which will be too small to accommodate the development of Area 9. It will therefore be required to extend the 160mm diameter watermain which was relocated as part of Areas 1 and 4 and extended for Areas 2 and 3.
Area 10	The internal network of Area 10 will connect to the new 160mm diameter watermain in Angelier Street which will be installed as part of Area 9.
Area 11	It will be required to install a new 110mm diameter watermain in Hospital Street, from De Goede Street up towards Buitenkant Street. Connections can then be made off this pipe towards Loveday, Seeberg, and Balfour Streets.

6. STORMWATER INFRASTRUCTURE

6.1. Existing stormwater infrastructure

Apart from Area 7, all the areas are undeveloped with a natural slope of between 2-17% across all areas. Most of the areas are covered with grass, reeds, trees and bushes. On Area 8, there are existing municipal housing structures, and on Area 5 there is existing informal housing.

In the Bulk Services Availability letter (dated 25 April 2019) from Overstrand, it is stated that the existing stormwater network have enough capacity to serve the proposed developments. No stormwater detention is required.

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Please refer to the table below for existing stormwater information for each of the areas:

AREA	EXISTING STORMWATER
Area 1	An existing 425mm diameter stormwater pipe is located in Dahlia Street, southeast of the proposed site.
Area 2	Existing 425mm diameter stormwater pipes are located in Roos Street and Dahlia Street.
Area 3	Existing 250mm and 425mm diameter stormwater pipes are located Roos Street, west of the proposed site.
Area 4	An existing 375mm diameter stormwater pipe is located in Angelier Street. This pipe crosses Area 6, between Angelier and Dahlia Streets, southwest of the proposed site.
Area 5	Existing 375mm diameter stormwater pipes are located in Angelier and Jakopregop Streets.
Area 6	An existing 375mm diameter stormwater pipe crosses Area 6, between Angelier and Dahlia Streets, which connects to an existing 375mm diameter stormwater pipe in Dahlia Street, southwest of the proposed site.
Area 7	An existing 475mm diameter stormwater pipe is located in Jasmyrn Street.
Area 8	Existing 450mm and 350mm diameter stormwater pipes crosses the proposed site between the reservoirs and Heide Street. Existing stormwater infrastructure is also located in Heide Street, direct north of the development.
Area 9	An existing 300mm diameter stormwater pipe is located in Angelier Street, towards the northern corner of the development area. An existing 675 mm diameter stormwater is also located Malva Street, on the western side of the proposed site.
Area 10	An existing 300mm diameter stormwater pipe is located in Angelier Street, towards the northern corner of the development area.
Area 11	Existing 300 mm diameter stormwater pipes are located in Buitenkant, Loveday, Seeberg and Balfour Streets which connect to the existing stormwater network in Hospital Street.

6.2. New stormwater infrastructure

The internal stormwater networks of all the areas will be designed to safely accommodate and convey the 1:2 to 1:5 year storm events towards existing stormwater networks, while allowance must be made for larger storm events to safely discharge stormwater above ground within the roads.

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Please refer to the table below for required upgrading to the external stormwater network and confirmation of connections to the existing stormwater network for each of the areas:

AREA	PROPOSED STORMWATER
Area 1	Stormwater from this area will not be able to freely drain towards Angelier street, nor will the proposed underground stormwater pipe network be able to connect to the existing stormwater infrastructure in this street. It will accordingly be required to install a stormwater pipe, through the existing erven on the south western boundary of this area, which will be able to connect to the existing network in Dahlia Street. This new pipe will be sized to be able to accommodate the 1:50 year storm event. A new pipe servitude will also have to be registered through the new and existing erven.
Area 2	The internal stormwater network of Area 2 will be able to connect onto the existing stormwater pipe network Roos Street and Madeliefie Street.
Area 3	The internal stormwater network of Area 2 will be able to connect onto the existing stormwater pipe network Roos Street and Madeliefie Street.
Area 4	As part of Area 6, the existing stormwater pipe which crosses this area, will have to be relocated. The internal stormwater network of Area 4 will be able to connect onto this pipe.
Area 5	The internal stormwater network of Area 5 will be able to connect onto the existing stormwater pipe in Angelier Street.
Area 6	An existing 375mm diameter stormwater pipe crosses this area between Angelier and Dahlia Streets. This pipe will have to be relocated towards Angelier Street and Petunia Street or through the proposed layout within the new road reserve. For the second option, it will be required to register a servitude through two new erven. The internal stormwater network of Area 6 will then connect onto this relocated pipe.
Area 7	The roads and stormwater for this area was already developed.
Area 8	The existing stormwater pipe which crosses the proposed site between the reservoirs and Heide Street will be relocated towards a new road reserve as part of the new development layout. The internal network of Area 8 will connect to the existing network in Jasmyn, Katjiepieling, Suikerkan and Heide Streets.
Area 9	Stormwater runoff from the R43 is discharged towards this area. It will accordingly be required to construct a cut-off channel on the northern boundary of the proposed site. The internal stormwater network of Area 9 will be able to connect onto the existing stormwater in Malva Street and Angelier and Sonneblom Streets.
Area 10	The internal stormwater network of Area 10 will be able to connect onto the existing stormwater network Angelier and Sonneblom Streets.
Area 11	The internal network of Area 11 will be able to connect onto the existing stormwater network in Buitenkant, Loveday, Seeberg, Balfour and Hospital Streets.

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7. ELECTRICITY INFRASTRUCTURE

7.1. External Electrical Services

6.1.1 Supply area

The area to be developed falls within the electricity supply area of the Overstrand Municipality, and bulk and link services will therefore be provided from the nearest municipal network with adequate capacity.

Overstrand Municipality Electrical Department has previously confirmed network requirements and proposed connection points, assuming that there is adequate electrical supply capacity available on the network for this new infill pocket developments / additional load.

All designs, material and equipment to be used as well as installation practices will therefore be based on Overstrand Municipality's guidelines for new electricity and public lighting networks.

All completed networks will be handed over to Overstrand Municipality once completed, who will then be responsible for the operation and maintenance thereof.

6.1.2 Maximum demand

Based on the latest layout drawings at the time of preparing this report, the total number of subdivided serviced opportunities is 313 for the originally referenced 9 x pockets, now known as Areas 1 to 11.

The after diversity maximum demand (ADMD) design load parameter of 2.5kVA per connection is used for the proposed township area subsidy subsidized housing customer load classification, the total additional load is calculated at 782.5 kVA.

6.1.3 Supply point

The existing miniature substations in the surrounding area will be used to connect Areas 1 to 6; 10 and 11 with new low voltage feeder cable circuits.

Areas 8 and 9 requires a new minisub each with new 11kV cables for cutting-in and extending in-between the closest existing 11kV circuit and the proposed positions of the aforementioned two (2) minisubs.

It is safely assumed at this stage after the initial correspondence with Overstrand Municipality's Electrical Department that there is adequate capacity available for this development areas on the existing municipal 11kV networks.

We are busy investigating to check the spare capacity allowances at the existing minisubs for the new low voltage connections to Areas 1 to 6; 10 and 11. The minisubs must be upgraded to larger rated units if there is not enough spare transformer capacity available.

The existing erven of subdivision Area 7 is already electrically serviced. We strongly recommend doing a visual site survey of the electrical and streetlighting networks shortly before going out to tender, to investigate whether to allow for repair items in the tender bill of quantities should the infrastructure have been vandalized or stolen since.

6.1.4 Scope of work

In order to supply these new developments of Areas 1 to 11 with adequate and reliable electricity supply, the following preliminary scope of work is proposed:

- i) Install new 11kV cable and two (2) x new 315 kVA rated miniature substations.
- ii) New low voltage distribution cables and kiosks – distribution networks from the existing and new miniature substations.
- iii) New low voltage supply house connection cables to each erf.

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- iv) New municipal streetlight networks for Areas 1 to 6 and 8 to 11.

7.2. Electrical Services

6.2.1 Low voltage networks

All medium voltage/11kV (95mm²) and low voltage distribution networks will consist of copper cables. All networks will be designed, and the installation thereof supervised by a registered Professional Electrical Engineer.

House connection cables shall be 16mm² 2-core copper type and individually fed from the distribution kiosks. Metering shall be as per the newest Overstrand Municipal guidelines for electricity services and shall be based on individual split pre-payment consumer meters.

Streetlighting for the public roads shall be fed either from the existing streetlight circuits – Areas 1 to 6; 10 and 11, and directly from the new minisubs installed at Areas 8 and 9.

7.3. Bulk Electricity Infrastructure Contribution

Development Contributions (DC's) are not payable for the development.

8. ROAD INFRASTRUCTURE

8.1. Existing road infrastructure

Due to the sizes of the developments, it is not foreseen that any upgrading to the existing roads infrastructure will be required. It will however be important to confirm this with the municipality during the following more detail stages of the project.

8.2. New road infrastructure

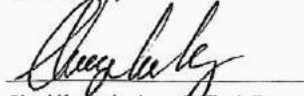
New access roads, with kerbs, will be designed in accordance with Overstrand Municipality Draft Minimum Standards as well as the Guideline for Human Settlement Planning and Design (Red Book). The widths are impacted by the size of each respective area's development as well as the positioning of the new services for the developments.

9. CONCLUSION

From the above report and services availability letter from Overstrand Municipality, it can be concluded that existing services capacities are available for the proposed development areas. It will however be required to relocate existing services to clear some of the areas for development.

We trust you will find the above in order. Please feel free to contact us should you require additional information.

Yours faithfully



Charl Koegelenberg Tech Eng
for LYNNERS

ANNEXURES

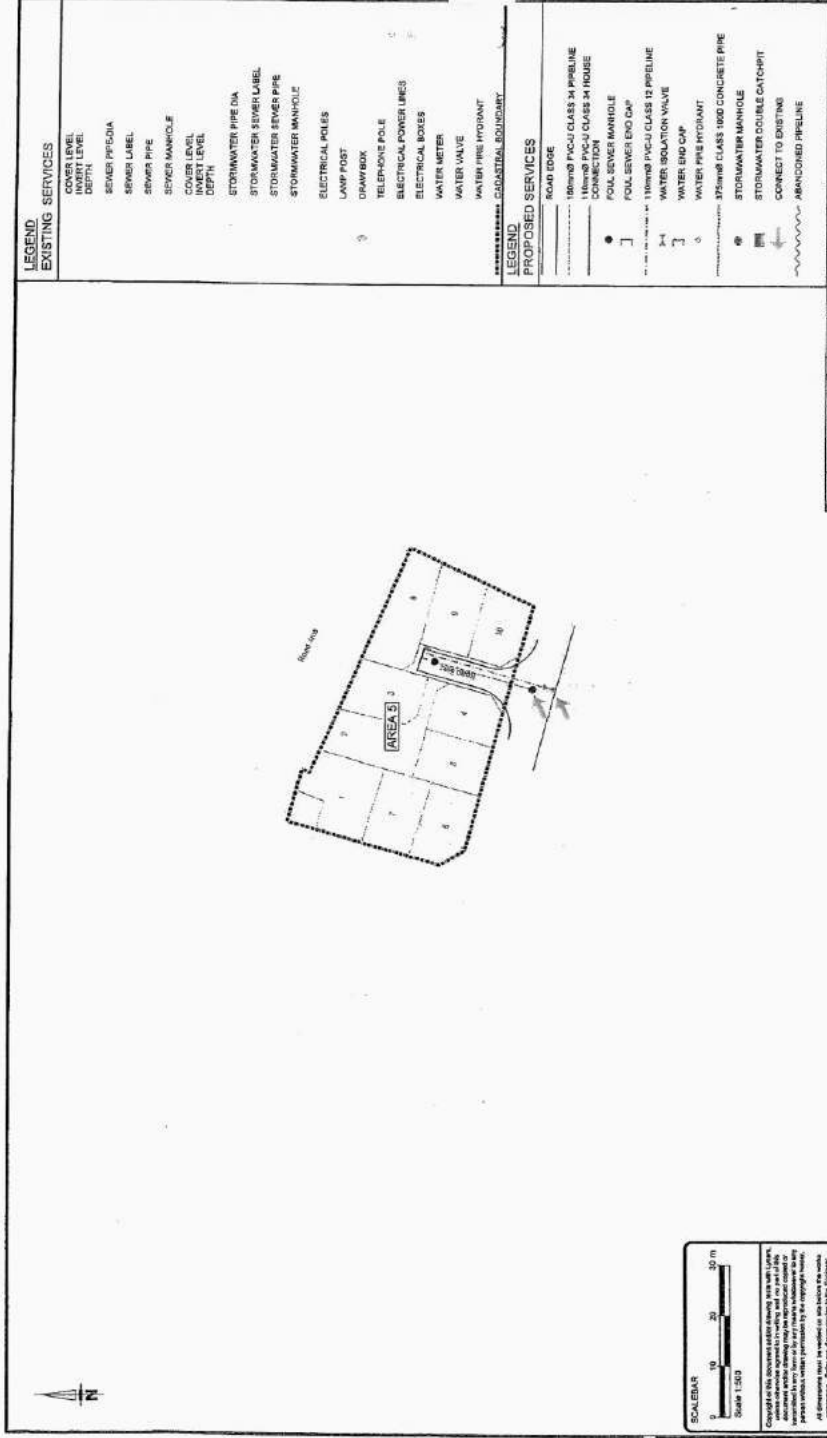
Annexure A: Preliminary Services Layouts

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ANNEXURE A

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- LEGEND**
EXISTING SERVICES
- COVER LEVEL
 - INVERT LEVEL
 - DEPTH
 - SEWER PIPE/DIA
 - SEWER LABEL
 - SEWER PIPE
 - SEWER MANHOLE
 - COVER LEVEL
 - INVERT LEVEL
 - DEPTH
 - STORMWATER PIPE DIA
 - STORMWATER SEWER LABEL
 - STORMWATER SEWER PIPE
 - STORMWATER MANHOLE
 - ELECTRICAL POLES
 - LAMP POST
 - DRINKY BOX
 - TELEPHONE POLE
 - ELECTRICAL POWER LINES
 - ELECTRICAL BOXES
 - WATER METER
 - WATER VALVE
 - WATER FIRE HYDRANT

- LEGEND**
PROPOSED SERVICES
- ROAD EDGE
 - 150mmØ PVC-U CLASS 4 PIPELINE
 - 150mmØ PVC-U CLASS 4 HOUSE CONNECTION
 - FOUL SEWER MANHOLE
 - FOUL SEWER END CAP
 - 110mmØ PVC-U CLASS 2 PIPELINE
 - WATER ISOLATION VALVE
 - WATER END CAP
 - WATER FIRE HYDRANT
 - 375mmØ CLASS 1800 CONCRETE PIPE
 - STORMWATER MANHOLE
 - STORMWATER DOUBLE CATCHPIT
 - CONNECT TO EXISTING
 - ABANDONED PIPELINE

The reference made to Engineer will also refer to Employer's Agent for GCC 2012 CONTRACT

SCALE	DATE SHEET
1:500	1 OF 1
CONTRACT No.	PROJECT No.
DE	18198
DRAWING No.	REV
18198-C-000-10	A
COORDINATE SYSTEM: WGS84 UTM	

CLIENT
OVERSTRAND
MOUNT PLEASANT AND WESTSIDE SERVICES SITES
HERMANUS

CONSULTING ENGINEERS
LYNERS
CONSULTING ENGINEERS
PO BOX 1000
1000 WINDYBUSH RD
WINDYBUSH, 6001

DESIGNED: RW
DRAWN: CJK
CHECKED: DK

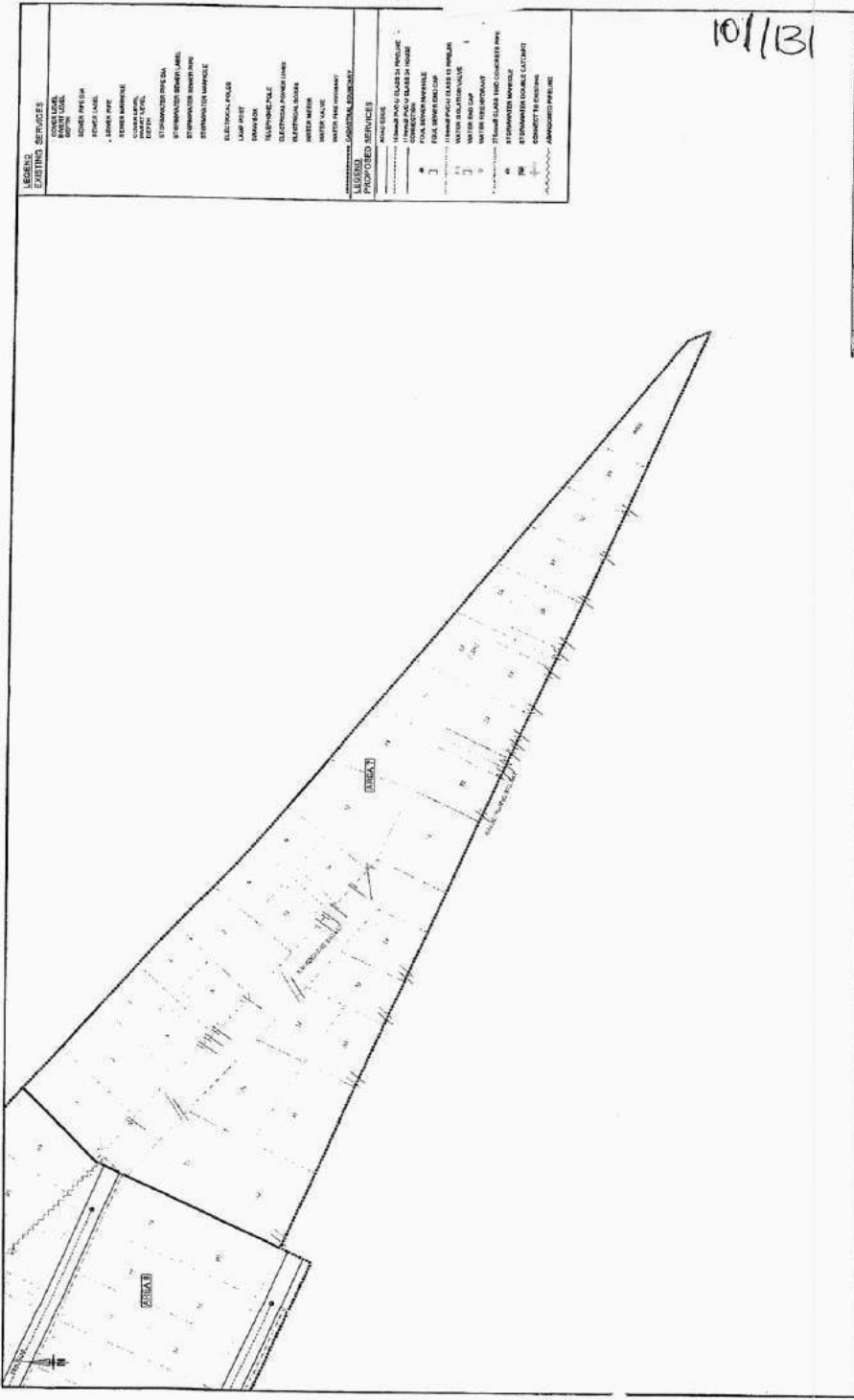
REV/DESCRIPTION	DATE	REVISED BY	REVISIONS
B FOR INFORMATION	18-06-06	[VH] CK	
A FOR INFORMATION	18-07-22	[VH] CK	

APPROVED: [Signature]
DATE: 20/08/20

PROJECT TITLE: AREA 5
PRELIMINARY SERVICES LAYOUT PLAN

UNIVERSITY OF THE FREE STATE
MOUNT PLEASANT AND WESTSIDE SERVICES SITES
HERMANUS
18198-C-000-10-14 PREL SERVICES

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LEGEND
EXISTING SERVICES
 CONDUIT
 WATER LINE
 SEWER PIPE
 ELECTRICAL
 TELEPHONE
 CABLE
 GAS
 FIBER OPTIC
 AIR CONDITIONING
 RADIANT HEATING
 ELECTRICAL PANEL
 LAMP POST
 SIGN
 MANHOLE
 VALVE
 ELECTRICAL BOX
 WATER METER
 WATER VALVE
 WATER TREATMENT

PROPOSED SERVICES
 CONDUIT
 WATER LINE
 SEWER PIPE
 ELECTRICAL
 TELEPHONE
 CABLE
 GAS
 FIBER OPTIC
 AIR CONDITIONING
 RADIANT HEATING
 ELECTRICAL PANEL
 LAMP POST
 SIGN
 MANHOLE
 VALVE
 ELECTRICAL BOX
 WATER METER
 WATER VALVE
 WATER TREATMENT

FOR INFORMATION TO THE ENGINEER AND ARCHITECT SEE THE SPECIFICATIONS AND NOTES TO THE CONTRACT DOCUMENTS.

PROJECT: MOUNTAIN VIEW AND WESTSIDE SERVICES DISTRICT - HEWLETT

CLIENT: OVERSTRAND

DESIGNER: LYNERS ENGINEERING & ARCHITECTURE

DATE: 10/13/11

SCALE: AS SHOWN

PROJECT NO: 18158-C-000-15

DATE: 10/13/11

PROJECT: AREA 7 PRELIMINARY SERVICES LAYOUT PLAN

PROJECT NO: 18158-C-000-15

DATE: 10/13/11

PROJECT: AREA 7 PRELIMINARY SERVICES LAYOUT PLAN

PROJECT NO: 18158-C-000-15

DATE: 10/13/11



Navraer:
Enquiries: Mr D Hendriks

Lêerverwysing:
File Reference: Mount Pleasant Housing

Datum:
Date: 25 April 2019

Hermanus Administrasie
Hermanus Administration

Neil Lyners & Associates Consulting Engineers
Po Box 4901
TYGER VALLEY
7536

Dear Sir

PROPOSED DEVELOPMENT: MOUNT PLEASANT IRDP HOUSING PROJECT :CONFIRMATION OF BULK SERVICES

The Overstrand Municipality hereby confirms the following:

WATER

Water for the proposed development can be supplied from the existing municipal sources. The developer will be required to upgrade the bulk or link infrastructure to service the development.

SANITATION

Enough capacity is available at the existing Hermanus Waste Water Treatment Works (WWTW) to serve the proposed development. The developer will be required to install the bulk or link services between the development and the WWTW.

WASTE REMOVAL

The municipal waste disposal site at Karwyderskraal has enough capacity to receive the waste from the proposed development.

Waste generated during the construction phase will have to be delivered to the disposal site by the developer.

Tel: (028) 313 5059

E-mail: dhendriks@goverstrand.gov.za

Postbus 20

PO Box 20

HERMANUS, 7200

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STORMWATER

Stormwater run-off within the development must be accommodated in a stormwater network catering for a 1:2 year flood recurrence period. In addition, retention pond capable of handling the 1:50 year run-off, must be constructed within the development. The developer will also be required to provide a bulk stormwater system to discharge to the coast and adhere to all the necessary and applicable legislation concerning the management of the discharging of the stormwater to the coast.

Please contact me if you require any additional information.

Yours sincerely,



Dennis Hendriks
Senior Manager:
Engineering Services

Tel: (021) 313 5059

E-mail: dhendriks@coventrand.gov.za

Postbus 20

PO Box 20

HERMANUS, 7200

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3. EXISTING ROADS AND PROPOSED ACCESS

The classification of roads in the Overstrand is based on the recommendations of the 2015 Overstrand Transport Plan by ICE Group / EFG, which made use of the 2010 South African Classification and Access Management Manual (RCAM) classification system.

The high order road network in the vicinity of the proposed housing sites include the R43 (Class 2 - Major Arterial), Bergsig Street, Schulphoek Road and Swartdam Road (all Class 4a - Collector Roads). Other roads that will be affected by traffic from the proposed housing sites are Malva Street and Rotary Way, both of which can be classified as Residential Collector Streets (Class 4b). Aalwyn Street, Angelier Street and Daffodil Street can be classified as Local Residential Streets (Class 5).

All of the proposed housing sites will gain access off Class 4b or Class 5 roads. **Table 2** indicates the required access spacing between intersections with an intermediate road side environment according to the 2016 Western Cape Provincial Access Management Guidelines (AMG).

Table 2: Access spacing requirement between intersections with an intermediate road side environment

Intersection Type	Distance Between intersections (m)			
	Class 2 (RCAM and AMG)	Class 4a (RCAM) Class 3 (AMG)	Class 4b (RCAM) Class 4 (AMG)	Class 5 (RCAM and AMG)
SFI - SFI	780	580	420	300
SFI - UFI	270	225	180	140
UFI - UFI	270	225	180	140
UFI - HVD	Not permitted	Not permitted	115	90
HVD - HVD	Not permitted	Not permitted	60	40

The following access positions are proposed for the respective housing sites:

- **Site 1** erven will obtain access off Angelier Street approximately 40 meters from the Angelier Street / Petunia Street intersection.
- Erven on **Sites 2 and 3** will obtain access from the roads bordering the sites (Tulp Street, Gousblom Street, Madoliefie Street, Angelier Street and Dahlia Street) and also from new roads bisecting each site, linking Tulp Street and Madoliefie Street. The new roads will be located at least 40 metres from the nearest intersections.
- **Site 4** will gain access off Angelier Street approximately 40 meters from the Angelier Street / Aalwyn Street intersection.
- **Site 5** will gain access off Angelier Street directly opposite Protea Street.
- **Site 6** will gain access off Dahlia Street approximately 67 meters from the Dahlia Street / Petunia Street intersection.
- **Site 7** will gain access off Katjeepering Street and Kalkoentjie Street.
- **Site 8** will gain access via the extension of the following existing streets: Katjeepering Street, Kalkoentjie Street, Lelie Street and Suikerkan Street.
- **Site 9** will gain access off Malva Street opposite Suikerbossie Street, approximately 144 meters from the R43 / Malva Street intersection as well as off Angelier Street approximately 80 meters from the Malva Street / Angelier Street intersection.
- **Site 11** will obtain access off Hospital Street, Buitekant Street, Loveday Street, Seeberg Street and Balfour Street.

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To address a concern raised by Overstrand Municipality's planners, it is proposed that Buitekant Street should remain a dead-end street that ends in a turning head and does not intersect with Hospital Street (see drawing **D337A11_2/01**). This is to prevent "rat runs" by ambulances commuting to and from the Provincial Hospital. Another concern was that Hospital Street is currently a narrow street with a lot of pedestrian and wheelchair traffic and that the road may have to be widened in the future. Larger vehicles currently hop the mountable kerb to pass each other. Based on the current cadastral information, there is sufficient space between the Area 11 erven closest to Hospital Street and the street itself to allow for future road widening. It is suggested that the road reserve should be fixed now as part of the subdivision process of the erven. For the short term solution the bell-mouths at the entrances to the new erven must be constructed with mountable kerbs so that it is possible for a vehicle to go off the road in order to make space for oncoming traffic or wheelchairs.

Most of the new intersections comply with the relevant access spacing standards. It should be kept in mind that the development is being retrofitted onto an existing road and cadastral layout and the position of intersections and accesses are in many instances fixed.

4. EXISTING TRAFFIC AND SERVICE LEVELS

The intersections expected to be affected the most by the proposed housing sites are the Aalwyn Street / R43, Malva Street / Rotary Way / R43 and Swartdam Road / R43 intersections.

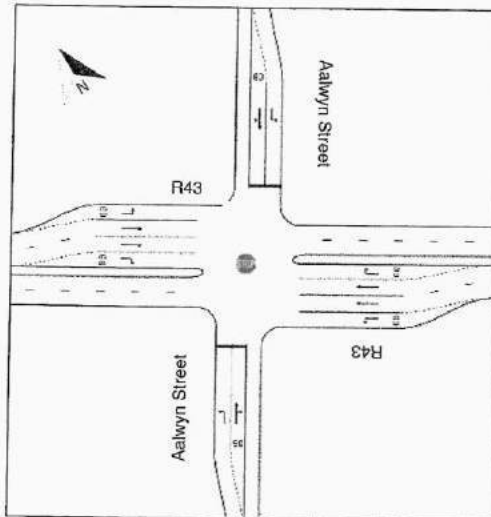
Three-hour traffic counts for the AM and PM peak hours were carried out at the above-mentioned intersections on Thursday 28 February 2019. The AM peak hour was observed between 07:00 and 08:00 and the PM peak hour between 16:00 and 17:00 for all the intersections.

The traffic volumes were used to analyse all the intersections with the SIDRA computer programme to obtain existing service levels. Service levels give an indication of the delays experienced at an intersection. A level of service A represents a short delay, while a level of service F represents unacceptably long delays. A level of service D is generally used as the lowest acceptable standard for overall intersection operation.

Aalwyn Street / R43 intersection: This is a 2-way stop controlled intersection with stop control on Aalwyn Street and free-flow on the R43. The analysis shows that all movements on the R43 operate at a level of service C or better during the AM and PM peak hours and all movements on Aalwyn Street operate at a level of service E or better during the AM and PM peak hours. If the road markings ought to be changed as shown in **Diagram 1** the levels of service on the left turn lanes will improve to a level of service A or B and only the right-and through lane will operate at a level of service F. This combination of service levels are more acceptable than with the current road markings. It is proposed that the municipality should consider changing the road markings as shown in **Diagram 1**.

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Diagram 1: Proposed road marking layout for the Aalwyn Street / R43 intersection



Malva Street / Rotary Way / R43 intersection: This is a 2-way stop controlled intersection with stop control on Malva Street and Rotary Way and free-flow on the R43. The SIDRA analysis indicates that all movements on the R43 operate at a level of service C or better during the AM and PM peak hours. Some movements on Malva Street and Rotary Way operate at a level of service F during the AM and PM peak hours. It is proposed that the road markings at Malva Street also be changed to an exclusive left lane and a shared through and right lane. This will improve the level of service on the left lanes to a level of service B or better. The through and right lane will still operate at an unacceptable level of service F.

Although the through and right movements at the Aalwyn Street and Malva Street intersections with the R43 operate at unacceptable service levels, traffic signals cannot be implemented here as the spacing to the nearest signalised intersection at Schulphoek Road is less than the required minimum distance. Vehicles exiting the southern Mount Pleasant area do have the alternative of using Schulphoek Road or Swartdam Road to exit the area during peak hours when it is difficult to exit at Aalwyn Street or Malva Street.

Swartdam Road / R43 intersection: This is a stop-controlled T-junction with stop control on Swartdam Road and free-flow on the R43. The Sidra analysis shows that all movements operate at a level of service C or better during the AM and PM peak hours except for the right turn movement on the western approach, which operates at a level of service D during the PM peak hour. The Overstrand Transport Plan indicates that this intersection should be signalised when warranted in order to mitigate service levels and queue lengths. The SADC – RTSM Volume 3 document indicates that traffic signals are warranted at a junction or crossing if any of the following three warrants are met:

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Warrant 1: The Average length of any individual queue equals or exceeds four (4) over any one hour of a normal day;

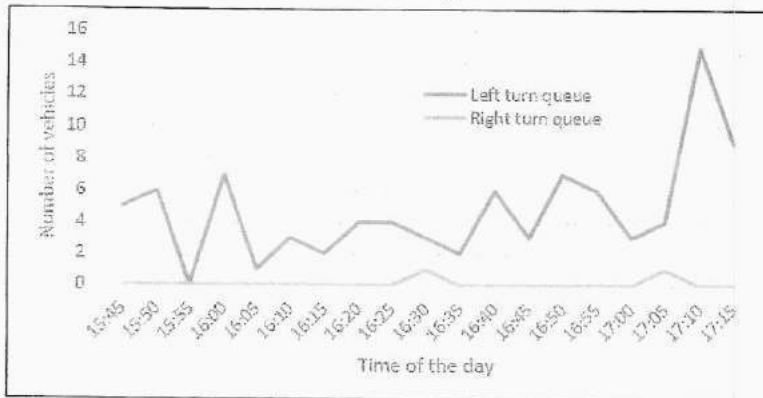
Warrant 2: The Sum of the average lengths of all queues equals or exceeds six (6) over any one hour of a normal day;

Warrant 3: The Sum of the average lengths of all queues equals or exceeds four (4) over any eight hours of a normal day (the hours do not have to be consecutive, but they may not overlap).

A queuing survey was conducted at the Swartdam Road / R43 intersection on Tuesday 30 April 2019 between 15:45 and 17:15, as the peak hour with the most cars on the Swartdam Road approach was observed between 16:00 and 17:00. The survey accounted for the left and right queues forming on Swartdam Road for a survey time of 90 minutes.

Diagram 2 shows the distribution of the total queue lengths throughout the 90 minutes. The longest average queue on an individual lane was observed between 16:20 and 17:20 and the average queue length was 5.7 vehicles for this time period. This means that **Warrant 1** is met and that traffic signals are warranted at the Swartdam Road / R43 intersection.

Diagram 2: Queue lengths on the Swartdam Road approach



Further motivation for traffic signals are the fact that the Swartdam approach is on a steep incline and that right turn traffic must cross a divided four-lane road to enter the east bound traffic stream. The current situation is that commuters cross the west bound traffic and wait in the median space before entering the east bound traffic, this causes safety issues. It is therefore proposed that the R43 / Swartdam Road intersection should be upgraded to a signalised T-junction.

Please see attached **Figure 2** for existing traffic volumes and levels of service.

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5. PLANNED DEVELOPMENTS AND ROAD IMPROVEMENT PROJECTS

A number of large developments are planned and currently under construction in the bigger Hermanus area. This includes the completion of the Whale Coast Mall in Sandbaai (*TIS: Shopping Centre Erf 1449, 14450, 14452 & 1734, Sandbaai, ITS Engineers, February 2009*). Other approved developments are the De Zandt mixed-use development in Sandbaai (*Remainder Erf 2834 Sandbaai Commonage Transport Impact Assessment, Deca Consulting Engineers, June 2018*) and the Southern Cross Mall (*Proposed development on Erf 1447 Hermanus, Traffic Impact assessment, Deca Consulting Engineers, March 2016*). It was also confirmed that a high-density residential development is planned in the near future on Erf 11180, Zwelihle in Hermanus.

The Department of Engineering Services for the Overstrand Municipality confirmed that the only road network improvement planned in the vicinity of the proposed housing sites is the westward extension of Church Street past the southern end of Zwelihle to link up with Schulphoek Road. This will be done as part of the Zwelihle high density residential development. There are no other future road upgrades planned in the vicinity of the proposed housing sites despite the large number of planned and approved developments in the area. The potential traffic impact of these developments are discussed in *Paragraph 6*.

6. BACKGROUND TRAFFIC

It is expected that the proposed infill housing development will be completed by 2024. The 2024 background traffic volumes were estimated for two scenarios:

- 1) Trips from the approved developments mentioned in paragraph 5 were added to the existing (2019) traffic volumes. Trip generation figures were obtained from the applicable TIA's and are summarised in *Table 3*.
- 2) Existing traffic volumes were increased by 4% per annum (the average growth between 2013 and 2019 based on traffic counts at the R43 / Swartdam Road and the R43 / Malva Street intersections). The trips generated by the approved developments were not added in this scenario.

After some investigation, it was decided that the most accurate estimate of the 2024 background traffic volumes would be obtained by combining the two scenarios mentioned above. Traffic volumes on the R43 was calculated by adding potential trips from the approved developments to the 2019 existing traffic volumes. Traffic volumes on the intersecting streets (Aalwyn Street, Malva Street and Swartdam Road) were calculated using the 4% per annum growth rate.

Table 3: Trips generated by the approved developments in the Hermanus area

Land use	AM			PM		
	TOTAL	IN	OUT	TOTAL	IN	OUT
Whale Coast Mall	38	25	13	265	133	133
Sandbaai Meent Grond	860	249	611	973	626	347
Southern Cross	140	91	49	1006	503	503
Schulphoek high density housing	275	96	179	275	179	96

Since the Whale Coast Mall is already operational, the trip generation figures as calculated by *ITS Engineers* in 2009 were adjusted to reflect the current situation. By comparing traffic counts at the intersections around the Whale Coast Mall, before (2013) and after (2019) construction, it

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was observed that traffic volumes have increased, but not as drastically as anticipated. The marketing body of the Whale Coast Mall confirmed that 95% of the floor space is currently occupied and the Mall is operating at 80% of its anticipated full potential. This means that the Mall is 20% from reaching its full trip generation potential.

A possible explanation for the lower-than-anticipated trip generation, is that the Mall is attracting a larger percentage of non-motorised and public transport trips than originally assumed. The Mall is located relatively close to Zwelihle and Mount Pleasant (see **Figure 1**) and it can be assumed that these areas generate more non-motorised trips. To estimate the volume of motorised traffic that could still be added by the Mall, it was assumed that 30% of the total trips as calculated by *ITS Engineers* turned out to be non-motorised trips. The remaining 70% is motorised trips and of this number, 80% is already on the road, implying that only 20% of 70% can still be added to the affected intersections.

The Year 2024 background traffic volumes calculated based on the assumptions discussed above, as well as levels of service are shown in **Figure 3**.

The three affected intersections were analysed with SIDRA computer programme to determine the baseline traffic situation against which the impact of the development could be measured for the combined scenario. The results of the analysis are discussed below.

Aalwyn Street / R43 intersection: The analysis of this 2-way stop controlled intersection with Year 2024 background traffic volumes and improved road markings indicates that all movements will continue to operate at a level of service C or better during the morning and afternoon peak hours on the R43. The through and right movements on Aalwyn Street will operate at a level of service F during the AM and PM peak hours.

Malva Street / Rotary Way / R43 intersection: The analysis of this 2-way stop controlled intersection with Year 2024 background traffic volumes and the improved road markings indicates that all movements on the R43 will operate at a level of service D or better during the morning and afternoon peak hours. The through and right movements on the Malva Street and Rotary Way approaches will operate at a level of service F.

As mentioned in paragraph 4, alternative routes are available for trips from the area south of the R43. Rotary Way is, however, the only exit for the area north of the R43. The signalisation of the R43 / Swartdam Road intersection may have a platooning effect on traffic flow, allowing more gaps for right turn traffic from Rotary Way to enter the R43. Another possible solution for the future would be to make use of the level difference between the areas north and south of the R43 to provide an underpass linking the two residential areas. This will also provide a safer alternative for pedestrians travelling between the two areas.

Swartdam Road / R43 intersection: The intersection was analysed as a signalised T-junction. The analysis indicates that the intersection will operate at a level of service A during the AM peak hour and a level of service B during the PM peak hour.

7. TRIP GENERATION

The South African COTO TMH17 trip generation document was consulted to obtain the trip generation rates for the AM and PM peak hours. The document does not distinguish between high-, low- and medium income residential developments as was the case in the previous SA Trip Generation Rates document. The Mount Pleasant housing development is situated in a low-cost housing environment, where trip generation rates are far lower than the 1-trip-per-unit rate prescribed for single residential units in the TMH17. For this study, a trip generation rate of 0,5

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trips per unit was used for all the erven with units between 60m² and 50m² in size. For the erven with units bigger than 60m², a trip generation rate of 0,85 trips per unit was assumed.

Table 4 indicates the Trip Generation Rate (TGR) with the in:out split for each land use type. The infill housing sites will have the potential to generate a total of 203 trips (51 in, 152 out) in the morning peak hour and 220 trips (154 in, 66 out) during the afternoon peak hour.

Generated trips were distributed onto the surrounding road network based on existing directional splits.

Table 4: Trip Generation Potential of the proposed infill housing sites

Land use	Unit	TGR	% In	% Out	Total	In	Out
AM							
Single residential (erf: 350-300m ²)	126	0.85	25%	75%	107	27	80
Single residential (erf: < 120m ²)	187	0.5	25%	75%	94	23	70
Business (100m ² GLA)	5.25	0.45	50%	50%	2	1	1
TOTAL					203	51	152
PM							
Single residential (erf: 350-300m ²)	126	1	70%	30%	126	88	38
Single residential (erf: < 120m ²)	187	0.5	70%	30%	94	65	28
Business (100m ² GLA)	5.25	0.1	33%	67%	1	0	0
TOTAL					220	154	66

8. TRAFFIC IMPACT

The trips generated by the proposed housing sites were added to the background traffic volumes to determine the expected total number of trips on the affected sections of the road network after completion of the development. The affected intersections were again analysed with the SIDRA computer programme to determine the expected service levels. The results are discussed below.

Aalwyn Street / R43 intersection: The analysis of this 2-way stop controlled intersection with Year 2024 total traffic volumes and improved road markings indicates that all movements will continue to operate at a level of service C or better during the morning and afternoon peak hours on the R43. The through and right movements on Aalwyn Street will operate at a level of service F during the AM and PM peak hours.

Malva Street / Rotary Way / R43 intersection: The analysis of this 2-way stop controlled intersection with Year 2024 total traffic volumes and improved road markings indicates that all movements on the R43 will continue to operate at a level of service D or better during the morning and afternoon peak hours. Some movements on the Malva Street and Rotary Way approaches will operate at a level of service F.

Swarddam Road / R43 intersection: The analysis of this proposed signalised T-junction with Year 2024 total traffic volumes indicates that the intersection will operate at a level of service B during the AM and PM peak hours.

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The proposed development will have a moderate impact on the surrounding road network. Please see attached **Figure 5** for expected total traffic volumes and levels of service of 2024.

9. PARKING

The minimum parking ratios for the proposed housing sites as indicated by the June 2013 Overstrand Municipality Zoning Scheme document are listed in **Table 5**. The parking requirement for the business erf was reduced to 4 bays per 100m² GLA because the business erf is situated in an area that generates a high percentage of non-motorised and public transport trips (see **Paragraph 10**).

Table 5: Required off-street parking for the proposed development

Land Use	Units	Required rate	Number of bays required
Single Residential Units (erf < 400m ²)	314	1	314
Business area	5,25	4	21
Total			335

The SDP indicates in the note that all the erven of approximately 150m² can accommodate a unit between 60m² and 50m² in size, as well as an on-site car port / garage and the erven of approximately 350m² can accommodate a unit between 120m² and 150m² in size, as well as an on-site car port / garage. A total of 314 parking bays will thus be provided off-street on each respective erf. The business erf with a GLA of 525m² building can accommodate approximately 26 parking bays off street and an on street embayment for delivery trucks, as can be seen in drawing **D337/PA01/01** attached. The provided total parking bays of 339 is sufficient as per the requirement.

The sizes of all parking bays should be in accordance with the South African Road Traffic Signs Manual standards.

A turn analysis was run to ensure that a WB-40 delivery truck will be able to manoeuvre within area 9 from and to the business erf. The tracks can be seen in drawing **D337/IR01/01** and **DR337/IR02/01** for the inbound and outbound movements respectively.

10. PUBLIC TRANSPORT AND NON-MOTORISED TRANSPORT

It is expected that a large number of trips generated by the proposed housing sites will be public transport trips. The development is situated west of Hermanus CBD and the nearest taxi rank is situated on the corner of Main Road in Hermanus, approximately 2.1 km away from Malva Street. There are three taxi embayments along the R43 between Schulphoek Road and Swartdam Road: One on the corner of the Schulphoek Road / R43 intersection on the southern side and two at the signalised pedestrian crossing on the R43 between Aalwyn Street and Malva Street – one on each side of the road.

It is expected that the proposed housing sites will generate a large number of non-motorised trips. There are no sidewalks along Aalwyn Street and Malva Street, but there are paved sidewalks on the northern and southern sides of the R43 and on the western side of Swartdam Road.

It is suggested that Overstrand Municipality should consider the provision of sidewalks along at least one side of Malva Street between Suikerbossie Street and the R43, and on Aalwyn Street between Angelier Street and the R43.

11. CONCLUSIONS

It can be concluded that the proposed Integrated Residential Development Program (IRDP) housing development in Mount Pleasant will have a moderate transport impact. Other conclusions drawn from the transport impact assessment may be summarised as follows:

- The proposed housing sites are situated west of the Hermanus CBD and east of Sandbaai in Mount Pleasant, a suburb of Hermanus. The sites are situated on both the northern and southern sides of the R43;
- The development consists of 314 IRDP housing units with erf sizes ranging from 150m² to 350m²;
- All of the proposed housing sites will gain access off Class 4 or Class 5 roads;
- It is proposed that the existing turning head on Buitekant Street should be moved southwards to allow for turning space at the new dead end after the addition of the Area 11 erven. Buitekant Street will stay closed to traffic from Hospital Street;
- Access roads off of Hospital Street must be constructed with mountable kerbs for the bellmouths;
- The intersections expected to be affected the most by the proposed development are the Aalwyn Street / R43, Malva Street / Rotary Way / R43 and Swartdam Road / R43 intersections;
- Movements at the affected intersections on the R43 currently operate at acceptable levels of service but the movements on Aalwyn Street, Malva Street, Rotary Way and Swartdam Road currently operate at unacceptable levels of service;
- It is proposed that the road markings on the Aalwyn Street, Malva Street and Rotary Way approaches be changed as per *Diagram 1*. This will improve the levels of service of the exclusive left turn lanes, leaving only the through and right movements that operate at unacceptable levels of service;
- Although the through and right movements at the Aalwyn Street and Malva Street intersections with the R43 operate at unacceptable service levels, traffic signals cannot be implemented here as the spacing to the nearest signalised intersection at Schulphoek Road is less than the required minimum distance. Vehicles exiting the southern Mount Pleasant area do have the alternative of using Schulphoek Road or Swartdam Road to exit the area during peak hours when it is difficult to exit at Aalwyn Street or Malva Street;
- Traffic signals are warranted at the Swartdam Road / R43 intersection based on the SADC – RTSM criteria;
- The signalisation of the R43 / Swartdam Road intersection may have a platooning effect on traffic flow, allowing more gaps for right turn traffic from Rotary Way to enter the R43. Another possible solution for the future would be to make use of the level difference between the areas north and south of the R43 to provide an underpass linking the two residential areas. This will also provide a safer alternative for pedestrians travelling between the two areas.
- The proposed development is expected to be completed by 2024. Existing traffic volumes on Aalwyn Street, Malva Street, Rotary Way and Swartdam Road were increased by 4% per annum to obtain expected 2024 traffic volumes. For the R43, the potential trips that will be generated by approved, planned developments in the area were added to existing traffic volumes to obtain the background 2024 traffic volumes. The analysis of the affected intersections with background 2024 traffic volumes indicate that all movements on the

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R43 will operate at acceptable level of services but the movements on the intersecting streets will not;

- The proposed development has the potential to generate 203 trips during the AM peak hour (51 in, 152 out) and 220 trips during the PM peak hour (154 in, 66 out);
- The analysis of affected intersections with trips from all the IRDP sites added, indicates that all movements on the R43 will continue to operate at acceptable levels of service and that the development will have a moderate impact on the surrounding road network;
- The provision of 339 parking bays, one on each erf and 26 off-street parking bays for the proposed business erf as well as one on-street embayment for the delivery trucks, will be sufficient for the proposed development;
- It is expected that the housing sites will generate a large number of non-motorised and public transport trips.

12. RECOMMENDATIONS

The recommendations made in the transport impact assessment may be summarised as follows:

- Parking bay dimensions should be in accordance with the South African Road Traffic Signs Manual;
- A turning head should be constructed at the end of Buitekant Street to close it off from Hospital Street;
- The bell-mouths of access roads off of Hospital Street should be constructed with mountable kerbs;
- An on-street embayment should be constructed for the delivery trucks at the business erf of area 9;
- The Swartdam Road / R43 intersections should be signalised;
- Levels of service on the Aalwyn Street, Malva Street and Rotary Way approaches must be improved by changing road markings as shown in *Diagram 1*;
- A paved sidewalk should be constructed on at least one side of Aalwyn Street and Malva Street from the R43 down to Angelier Street and Suikerbossie Street, respectively.

We trust that you will find this transport impact assessment in order. Please contact the undersigned should there be any queries.

Yours truly,

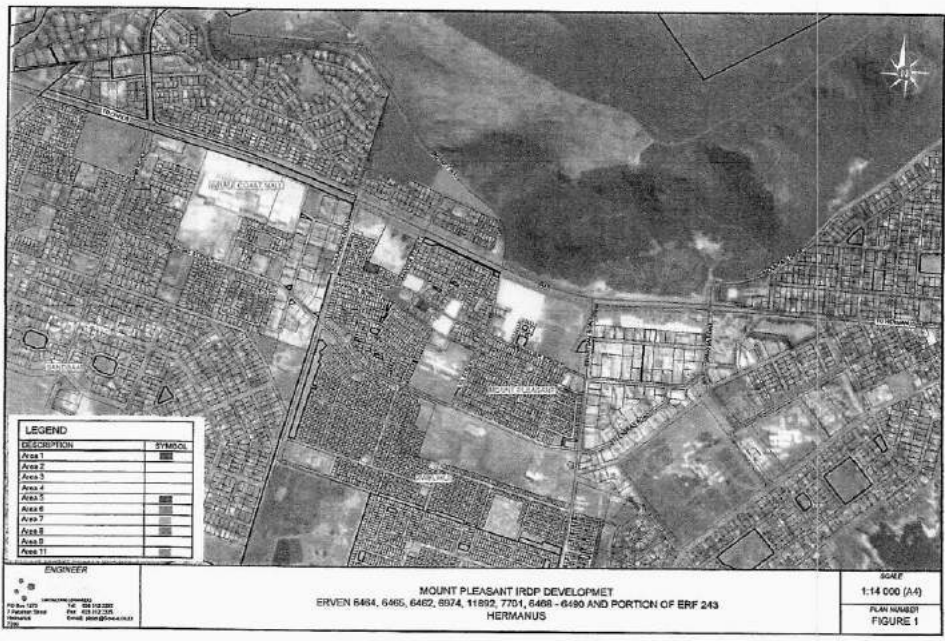


Renette Opperman (B. Eng Civil)
On behalf of: Deca

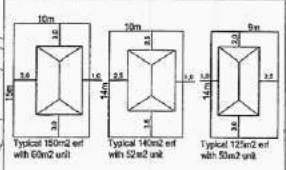
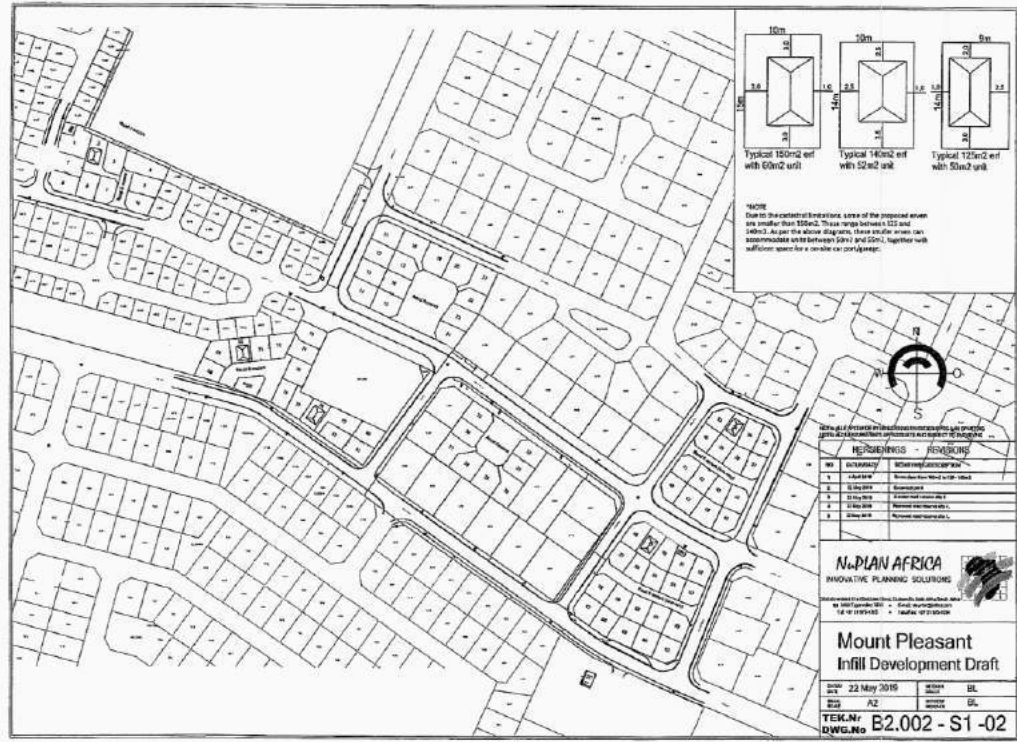
Liezl du Plooy (M.Eng Pr.Eng)

12/25

117/131



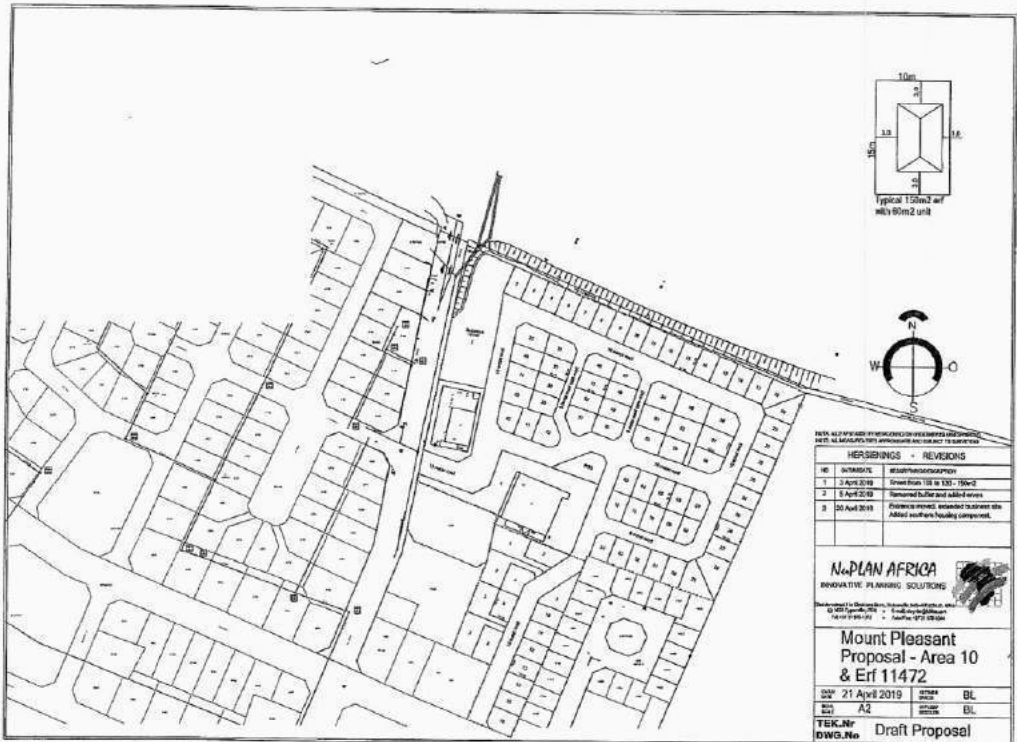
118/131



NOTE
 Ensure the smallest frontback area of the proposed erf is smaller than 150m². This will range between 125 and 140m². See also the zoning diagram. These erf sizes will accommodate units between 50m² and 60m², together with sufficient space for a vehicle on the erf.

10/20

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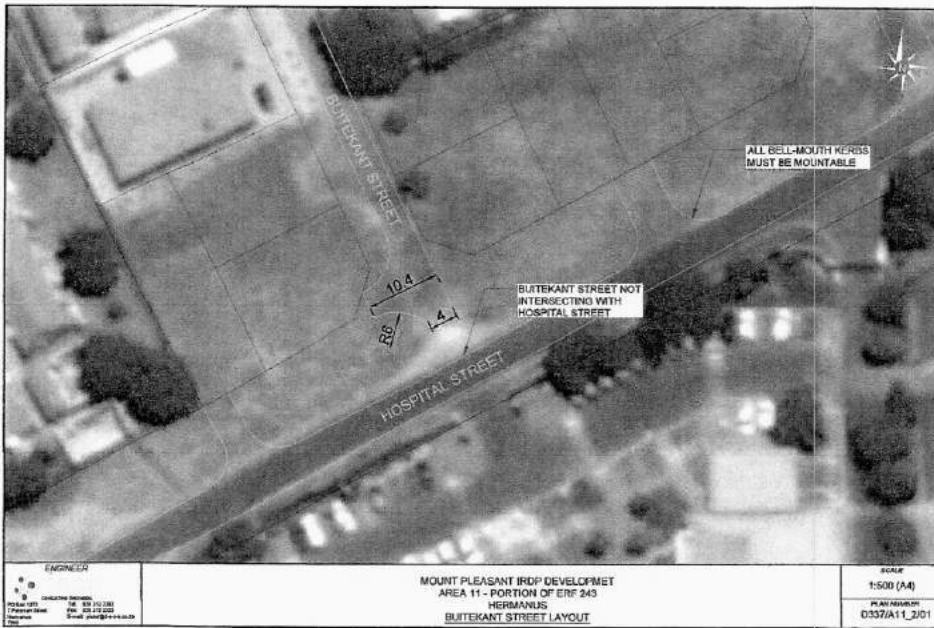


17/23

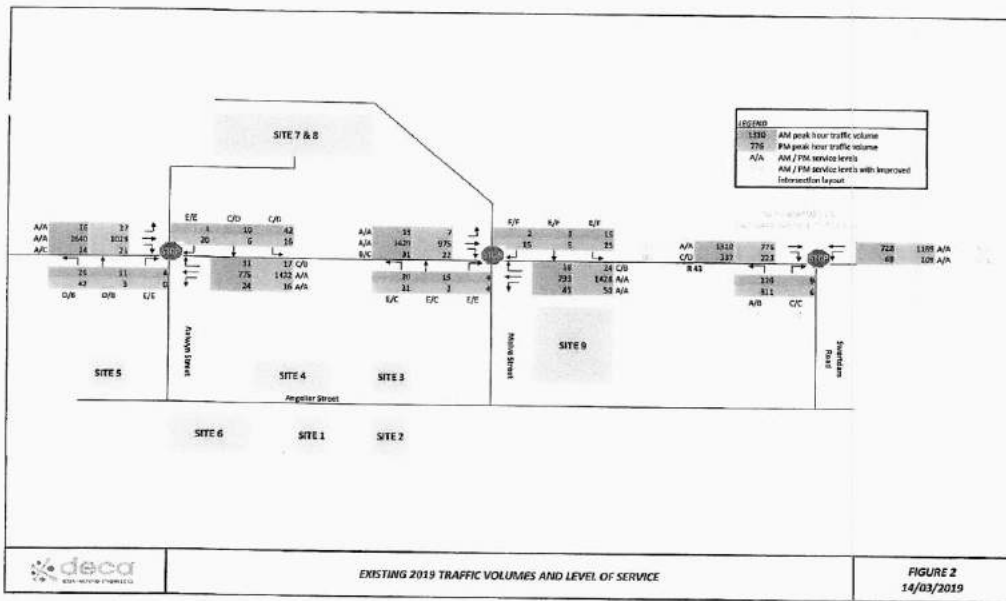
122/131



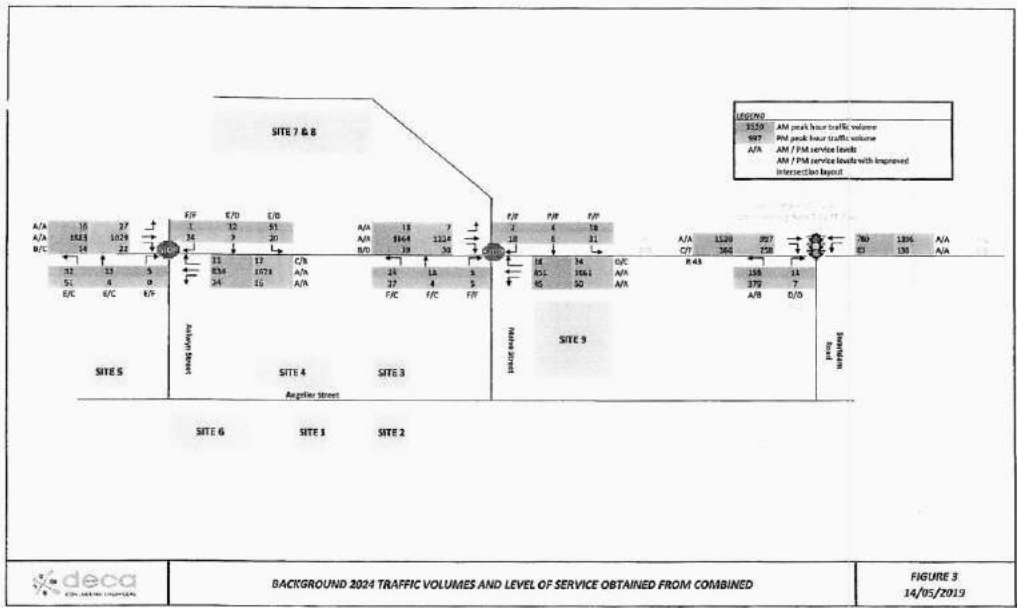
18/25
123/131



124/131



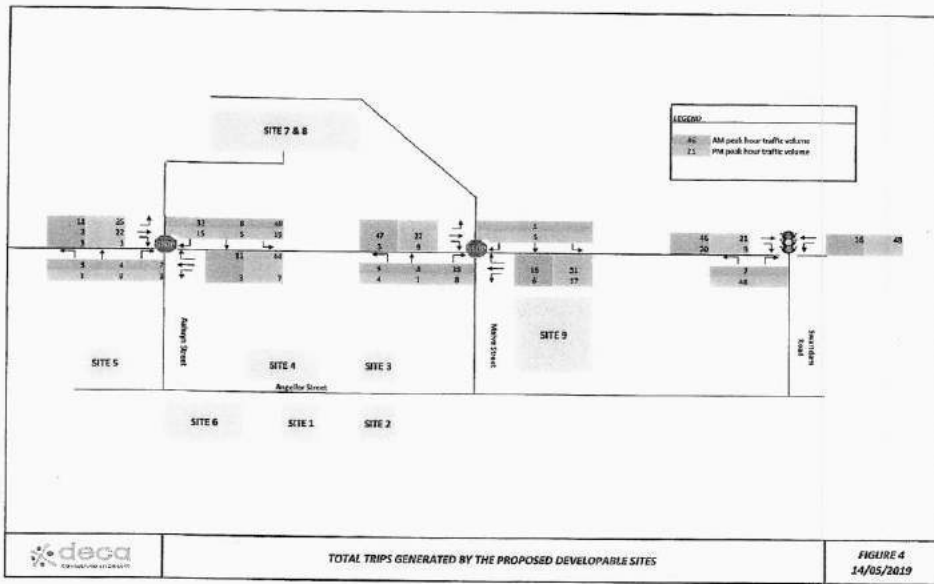
20/20
125/131



BACKGROUND 2024 TRAFFIC VOLUMES AND LEVEL OF SERVICE OBTAINED FROM COMBINED

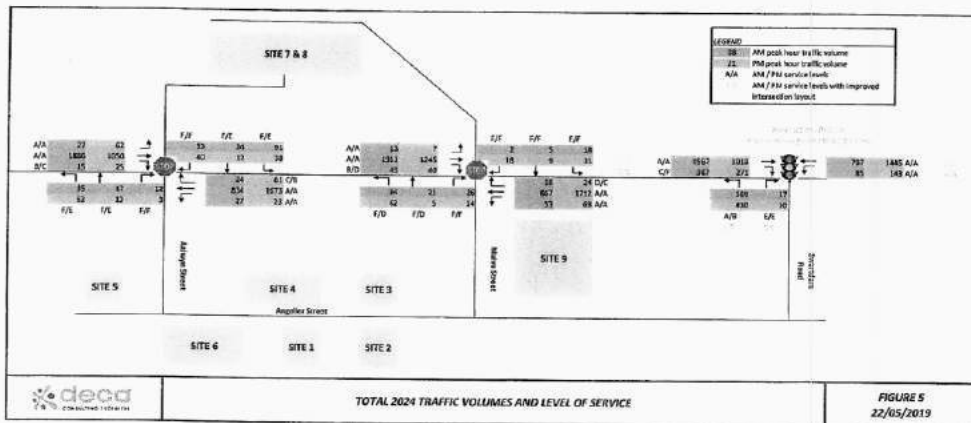
FIGURE 3
14/05/2019

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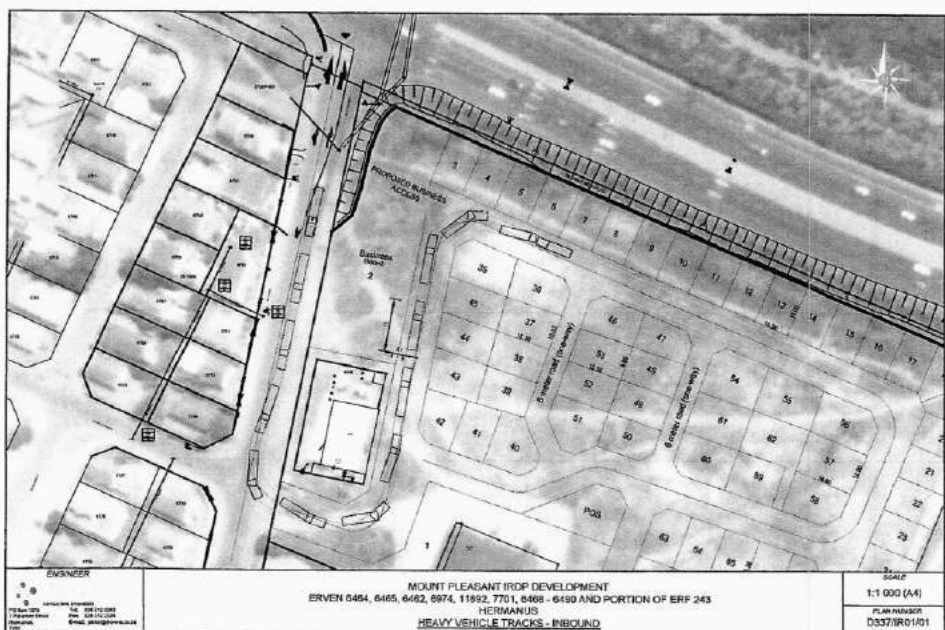


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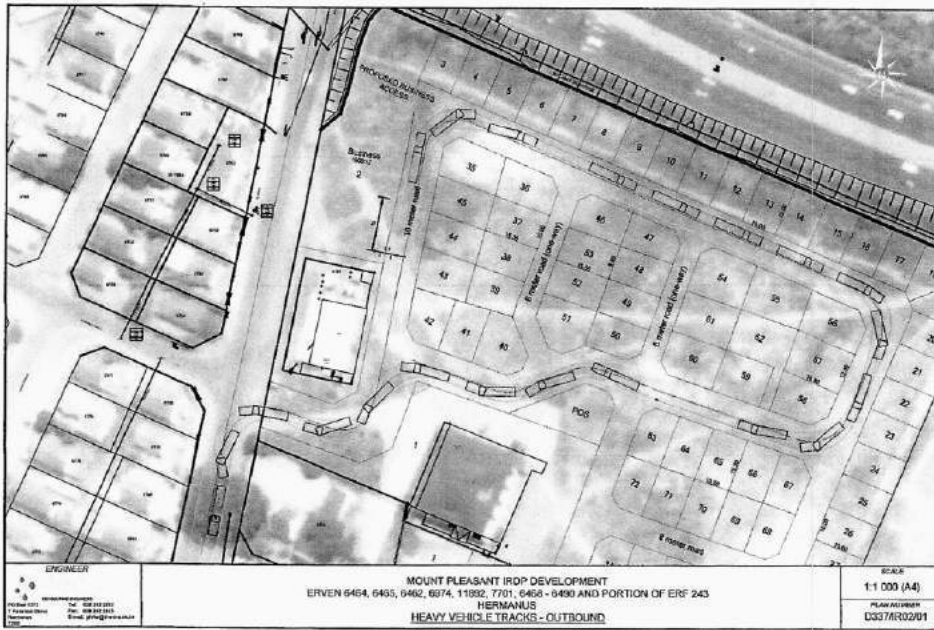


ENGINEER
12345678
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MOUNT PLEASANT IRON DEVELOPMENT
ERVEN 6464, 6465, 6462, 6974, 11922, 7701, 6466 - 6469 AND PORTION OF ERF 243
HERMANUS
HEAVY VEHICLE TRACKS - INBOUND

SCALE
1:1 000 (A4)
PLAN NUMBER
D337/IR01/01

23/23
130/131



ANNEXURE B 1/9

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4.4

PORTION OF ERF 243, ERVEN 6462, 6464, 6465, 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, 6974, 7701, A PORTION OF ERF 7684, ERF 11472, 11892, HERMANUS (MOUNT PLEASANT) AND A PORTION OF ERF 243, HOSPITAL ROAD, HERMANUS (WESTDENE): APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION AND CLOSURE OF PUBLIC PLACES OR PART THEREOF, REMOVAL OF RESTRICTIVE CONDITIONS, DEVIATION FROM THE OVERSTRAND MUNICIPALITY SPATIAL GROWTH MANAGEMENT STRATEGY, EXEMPTION TO EXCLUDE NAMING OF STREETS AS PART OF THE APPLICATION AND PHASED PLANNING (FOR INFILL RESIDENTIAL DEVELOPMENT): MESSRS NUPLAN AFRICA ON BEHALF OF OVERSTRAND MUNICIPALITY / THE ADAMA FOUNDATION TRUST

Infill Housing HMP &

Ptn of Erf 243, HWC

H Olivier

(028) 313 8900

Hermanus Administration

1 September 2020

1. EXECUTIVE SUMMARY

An application was received on 22 August 2019 from Messrs NuPlan Africa on behalf Overstrand Municipality and the Adama Foundation Trust in terms of the Overstrand Municipality By-Law on Land Use Planning, 2015 (By-Law) for the following:

AREA 1 - Erf 6464, 18 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Residential Zone 1 : Single Residential to Subdivisional Area to create eight (8) Residential Zone 1 : Single Residential erven and one (1) Transport Zone II (public road) portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 2 - Erf 6465, 57 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create twenty (20) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 3 - Erf 6462, cnr Angelier- and Madeliefie Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2 : Public Open Space to Subdivisional Area to create sixteen (16)

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Residential Zone 1: Single Residential and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 4 - Erf 6974, 9 Angelier Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (only due to Public Open Space zoning).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area to create fourteen (14) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 5 - Erf 11892, 15 Clivia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (Public Open Space).
- Application in terms of Section 16(2)(a) to rezone from Open Space Zone 2: Public Open Space to Subdivisional Area, to create ten (10) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Utility Zone: Utility Services portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 6 - Erf 7701, portion of Erf 7684 and a portion of Remainder Erf 243, 37 Dahlia Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(n) to accommodate the partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243), being public road portions of Aalwyn- and Dahlia Streets.
- Application in terms of Section 16(2)(e) to consolidate the two (2) closed road portions with Erf 7701 to create one (1) new portion.
- Application in terms of Section 16(2)(a) to rezone the new portion from its original Community Zone 1: Community Facilities and Transport Zone 2: Road and Parking Zone to Subdivisional Area, to create fifteen (15) Residential Zone 1: Single Residential erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 7 - Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Jasmyn- and Katjeepering Streets, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(e) to consolidate Erven 6468 and 6469 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6476 and 6477 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).

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- Application in terms of Section 16(2)(e) to consolidate Erven 6479 and 6480 and the subsequent subdivision of the consolidated portion into four (4) portions in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6483, 6484, 6485, 6486, 6487, 6488, 6489 and 6490, the Rezoning of the consolidated portion from Residential Zone 1: Single Residential to Subdivisional Area in terms of Section 16(2)(a) to create eleven (11) Residential Zone 1 : Single Residential erven and one (1) Open Space Zone 2 : Public Open Space portion, and the subdivision thereof in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(e) to consolidate Erven 6471 and 6473 and the subsequent subdivision of the consolidated portion into three (3) Residential Zone 1 : Single Residential erven in terms of Section 16(2)(d).
- Application in terms of Section 16(2)(d) to subdivide Erf 6474 into two (2) Residential Zone 1 : Single Residential erven.

AREA 9 - Portion of Remainder Erf 243, Corner of R43 District Road and Malva Street, Hermanus (Mount Pleasant)

- Application in terms of Section 16(2)(a) to rezone from Business Zone 3 to Subdivisional Area to create seventy (70) Residential Zone 1: Single Residential erven, three (3) Business Zone 1: General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2: Public Open Space portion respectively, and the subdivision thereof in terms of Section 16(2)(d).

AREA 10 - Erf 11472, 47 Angelier Street, Hermanus (Mount Pleasant)

- Application for Removal of a Restrictive Title Deed Condition, Clause C(1) of Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f) of the By-Law.
- Application in terms of Section 16(2)(a) to rezone from General Residential Zone 3: Flats to Subdivisional Area, to create sixteen (16) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion, and the subdivision thereof in terms of Section 16(2)(d).

AREA 11 - Portion of Remainder Erf 243, Hospital Street, Hermanus (Westdene)

- Application in terms of Section 16(2)(n) to accommodate the closure of a public place (portion of Remainder Erf 243 of land next to Hospital Road zoned Public Road).
- Application in terms of Section 16(2)(a) to rezone the closed portion from Transport Zone 2: Road and Parking to Subdivisional Area, to create four (4) portions and the subsequent subdivision thereof to create a total of eighteen (18) Residential Zone 1: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion.

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- Application in terms of Section 16(2)(d) to subdivide the portion of Remainder Erf 243 into four (4) portions, and the subsequent subdivision thereof into eighteen (18) Residential Zone 1 : Single Residential erven and one (1) portion of public road.

Application also further made for exemption in terms of Section 101 to exclude an application in terms of Section 96 of the By-Law dealing with Naming of Streets as part of this land use planning application.

Application is also made for the Phasing of the Plan of Subdivision in terms of Section 16(2)(k) of the By-Law, into (ten) 10 phases.

Application is lastly made for deviation from the Overstrand Municipality Spatial Growth Management Strategy, 2010 in terms of Section 10 of the By-Law, as well as the provisions of the Municipal Systems Act, 2002 (Act 32 of 2000), to deviate from reserved densities.

RESOLVED:

1. that the objections be noted;
2. that, in terms of the Overstrand By-Law on Municipal Land Use Planning, 2015 (By-Law), the application to develop infill housing sites on Erf 6464, Hermanus (Mount Pleasant), which includes the following:
 - Rezoning in terms of Section 16(2)(a) from Residential Zone I :Single Residential to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) in order to create eight (8) Residential Zone I : Single Residential erven and one (1) Transport Zone II (public road) portion,

be approved in terms of the provisions of Section 61 of the By-Law;

3. that, in terms of the By-Law, the application to develop infill housing sites on Erf 6465, Hermanus (Mount Pleasant), which includes the following:
 - Closure of a public place (Public Open Space in terms of Section 16(2)(n);
 - Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) in order to create twenty (20) Residential Zone I : Single Residential erven, one (1) Transport Zone 2 : Road and Parking and one (1) Utility Zone : Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law;

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4. that, in terms of the By-Law the application to develop infill housing sites on Erf 6462, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create sixteen (16) Residential Zone I: Single Residential erven and one (1) Transport Zone 2: Road and Parking portion,

be approved in terms of the provisions of Section 61 of the By-Law;

5. that, in terms of the By-Law, the application to develop infill housing sites on Erf 6974, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (only due to Public Open Space Zoning) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create fourteen (14) Residential Zone I : Single Residential erven and one (1) Transport Zone 2 : Road and Parking portion,

be approved, in terms of the provisions of Section 61 of the said By-Law;

6. that, in terms of the By-Law, the application to develop infill housing sites on Erf 11892, Hermanus (Mount Pleasant), which includes the following:

- Closure of a public place (Public Open Space) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) from Open Space Zone 2 : Public Open Space to Subdivisional Area, and
- Subdivision in terms of Section 16(2)(d) to create ten (10) Residential Zone I : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Utility Zone: Utility Services portion,

be approved in terms of the provisions of Section 61 of the By-Law;

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7. that, in terms of the By-Law, the application to develop infill housing sites on Erf 7701, Portion of Erf 7684 and Portion of Erf 243, Hermanus (Mount Pleasant), which includes the following:
- Partial closure of a public place (portion of Erf 7684 and a portion of Remainder Erf 243) being public road portions of Aalwyn and Dahlia Streets;
 - Consolidation in terms of Section 16(2)(e) of the two (2) closed road portions with Erf 7701;
 - Rezoning in terms of Section 16(2)(a) of the new consolidated portion from Community Zone 1 : Community Facilities and Transport Zone 2 : Road and Parking Zone to Subdivisional Area, and
 - Subdivision in terms of Section 16(2)(d) to create fifteen (15) Residential Zone 1 : Single Residential erven, one (1) Transport Zone 2 : Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space portion,
- be approved** in terms of the provisions of Section 61 of the By-Law;
8. that, in terms of the By-Law, the application to develop infill housing sites on Erven 6468, 6469, 6471, 6473, 6474, 6476, 6477, 6479, 6480, 6483 to 6490, Hermanus (Mount Pleasant), which includes the following:
- Consolidation in terms of Section 16(2)(e) of Erven 6468 and 6469, Hermanus;
 - Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6468 and 6469 into four (4) Residential Zone 1 : Single Residential portions;
 - Consolidation in terms of Section 16(2)(e) of Erven 6476 and 6477, Hermanus;
 - Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6476 and 6477 into four (4) Residential Zone 1 : Single Residential Zone portions;
 - Consolidation in terms of Section 16(2)(e) of Erven 6479 and 6480, Hermanus;
 - Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6479 and 6480 into four (4) Residential Zone 1 : Single Residential Zone portions;
 - Consolidation in terms of Section 16(2)(e) of Erven 6483 to 6490, Hermanus;
 - Rezoning in terms of Section 16(2)(a) of the consolidated portion of Erven 6483 to 6490 from Residential Zone 1 : Single Residential to Subdivisional Area;
 - Subdivision in terms of Section 16(2)(d) of the consolidated portion from Erven 6483 to 6490, to create eleven (11) Residential Zone 1 : Single Residential erven and one (1) Open Space Zone 2 : Public Open Space portion;

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- Consolidation in terms of Section 16(2)(e) of Erven 6471 and 6473, Hermanus;
- Subdivision in terms of Section 16(2)(d) of the consolidated portion of Erven 6471 and 6473 into three (3) Residential Zone I : Single Residential portions;
- Subdivision in terms of Section 16(2)(d) of Erf 6474, Hermanus into two (2) Residential Zone I: Single Residential erven,

be approved in terms of the provisions of Section 61 of the By-Law;

9. that, in terms of the By-Law, the application to develop infill housing sites on a portion of Remainder Erf 243, Hermanus (Mount Pleasant), which includes the following:

- Rezoning in terms of Section 16(2)(a) from Business Zone 3 to Subdivisional Area;
- Subdivision in terms of Section 16(2)(d) to create seventy (70) Residential Zone I : Single Residential erven, three (3) Business Zone I : General Business erven, one (1) Transport Zone 2: Road and Parking portion and one (1) Open Space Zone 2 : Public Open Space Zone portion,

be approved in terms of the provisions of Section 61 of the By-Law;

10. that, in terms of the By-Law, the application to develop infill housing sites on Erf 11472, Hermanus (Mount Pleasant), which includes the following:

- Removal of a restrictive title deed condition, Clause C1 from Title Deed T45480/2017 applicable to Erf 11472, Hermanus in terms of Section 16(2)(f);
- Rezoning in terms of Section 16(2)(a) from General Residential Zone 3 : Flats to Subdivisional Area;
- Subdivision in terms of Section 16(2)(d) to create sixteen (16) Residential Zone I : Single Residential and one (1) Transport Zone 2 : Road and Parking portion,

be approved in terms of the provisions of Section 61 of the By-Law;

11. that, in terms of the By-Law, the application to develop infill housing sites on portions of Remainder Erf 243, Hermanus (Westdene), which includes the following:

- Closure of a public place (portions of Remainder Erf 243 of land next to Hospital Road zoned Public Road) in terms of Section 16(2)(n);
- Rezoning in terms of Section 16(2)(a) of the closed portion from Transport Zone 2 : Road and Parking to Subdivisional Area;

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- Subdivision in terms of Section 16(2)(d) to firstly create four (4) portions, and then further subdivision to create eighteen (18) Residential Zone I : Single Residential erven,

be approved in terms of the provisions of Section 61 of the By-Law;

12. that, in terms of Section 101 of the By-Law, the application for exemption, to exclude an application in terms of Section 96 of the By-Law dealing with naming of streets as part of this Land Use Planning application, **be approved** in terms of the provisions of the By-Law;
13. that, in terms of Section 16(2)(k) of the By-Law, the application for Phasing of the Subdivision into ten (10) phases, **be approved** in terms of the provisions of Section 61 of the By-Law;
14. that the decisions in paragraphs 2. - 13. above be subject to the following conditions:
 - (a) that all the conditions imposed by Eskom be complied with;
 - (b) that all the conditions in the Services Report be complied with;
 - (c) that the provision of street names be addressed and the processes as required in terms of by legislation be followed;
 - (d) that the approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with; and
 - (f) that the revised layout plan for Area 11 submitted be amended to also show the turning shunt that will be constructed for Buitekant Street in the Hospital Road road reserve, and also the bollards to be constructed between Buitekant Street shunt and Hospital Road to prevent traffic entering Hospital Street via the shunt.
15. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the By-Law with regard to the above decision.

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that the application for the deviation of the Overstrand Municipal Growth Management Strategy, 2010 in order to provide a residential density of more than 30 units/ha in lieu of the status quo allocation (for Areas 1 to 7 for the infill housing project), in terms of Section 10 of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 and in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

REASONS FOR RESOLUTION:

- ❖ That the application complies with the principles as set out in SPLUMA and LUPA.
- ❖ The application complies with the Overstrand Zoning Scheme.
- ❖ The application will provide the opportunity for affordable housing to the community of Hermanus in a sustainable way, in line with the aims of the Overstrand Municipality SDF, 2006 and latest SDF, 2020 and the development pockets would ensure the optimal use of pieces of mostly vacant land and also of existing municipal services.
- ❖ In some development pockets densification in relation to the GMS, 2010 will occur (Areas 1 to 7), but the housing types that can be constructed on such erven will not be out of line with the character of such areas.
- ❖ Some development pockets (Areas 9 to 11) are on the edge of single residential areas in a mixed use area, and will create a transition between the different land uses, and is not foreseen that it would have a negative effect on the adjacent single residential areas.
- ❖ The developments will not be on environmentally sensitive land or land with heritage value.
- ❖ The objections received were adequately addressed.
- ❖ The application is desirable.

RESPONSIBLE OFFICIAL :**H OLIVIER**