

ERF 7052, 5 CLIFF ROAD, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: PLAN ACTIVE ON BEHALF OF JP VAN ROOYEN, CURATOR BONIS, ON BEHALF OF THE ESTATE LATE DIANE BUTLER

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application has been received in terms of Section 16(2)(d) of the By-Law for the subdivision of Erf 7052, Hermanus in two portions, namely a Portion A $\pm 1131\text{m}^2$ in extent and a Portion B $\pm 1130\text{m}^2$ in extent.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus. Any written comments must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) on or before **11 June 2021**, quoting your name, address and contact details, interest in the application, and the reasons for comment. Telephonic enquiries can be made to **Mr. H Boshoff** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them to formalize their comment.

ERF 7052, CLIFFSTRAAT 5, WESTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM ONDERVERDELING: PLAN ACTIVE NAMENS JP VAN ROOYEN, KURATOR BONIS, NAMENS BOEDEL WYLE DIANE BUTLER

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2015 (Verordening) dat 'n aansoek ingevolge Artikel 16(2)(d) van die Verordening ontvang is vir die onderverdeling van Erf 7052, Hermanus in twee gedeeltes, naamlik 'n Gedeelte A $\pm 1131\text{m}^2$ groot en 'n Gedeelte B $\pm 1130\text{m}^2$ groot.

Besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige skriftelike kommentaar moet die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) bereik voor of op **11 Junie 2021** met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Mnr. H Boshoff** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA ESINGU-7052, 5 CLIFF ROAD, WESTCLIFF, EHERMANUS, KUMMANDLAKAMASIPALA WASEOVERSTRAND: ISICELO SOKWAHLULUHLULA: NGABAKWAPLAN ACTIVE EGAMENI LIKAJP VAN ROOYEN, CURATOR BONIS, EGAMENI LELIFA NOMHLABA WONGASEKHOMOY UDIANE BUTLER

Isaziso sikhutshwe ngokwemiba yeSoloty lama48 loMthethwana kaMasipala waseOverstrand Ongumthethwana Osihlo melo NgeziCwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (UMthethwana) esithi kufunyenwe isaziso ngokwemiba yeSoloty le16(2)(d) loMthethwana ongokwahlulwahlulwa kwesiza esinguErf 7052, eHermanus sibe zizigaba ezibini, ezaziwa ngeNxalenye A ezizikwemitha ezi $\pm 1131\text{m}^2$ ngokobukhulu neNxalenye B ezi zikwemitha ezi $\pm 1130\text{m}^2$ ngokubukhulu.

linkcukacha ezihambelana nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini Phakathi kwentsimbi ye08:00 neye-16:30 kwiSebe: Izicwangciso ngeDolophu kwa16 Paterson Street, eHermanus. Naziphina izimvo ezibhaliweyo mazifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla **11 uJuni 2021**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingathunyelwa ku**Mnu H Boshoff** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifunyenwe emva komhla wokuvula. Nabani na ongakwazi ukufunda nokubhala angandwendwela iSebe Lezicwangciso ngeDolophu apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni.

PROPOSED SUBDIVISION

ERF 7052 HERMANUS

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mr. J.P. van Rooyen, Curator Bonis, on behalf of the Estate of the late Diane Buler, the registered owner of Erf 7052 Hermanus has instructed the company Plan Active to apply for the subdivision of the erf.

The intention is to subdivide Erf 7052 Hermanus to create one additional erf. The Title Deed applicable to Erf 7052 Hermanus contains no restrictions that need to be addressed in order for the proposed application to be approved.

Erf 7052 Hermanus is 2261m² in extent and is held by Title Deed Number T50233/90.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the amended Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 7052 Hermanus into 2 portions.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 7052 Hermanus is located at 5 Cliff Road, Westcliffe, Hermanus and is 2261m² in extent. Please refer to the enclosed locality plan.

3.2 ZONING

Erf 7052 Hermanus is zoned Residential Zone 1 and is utilized as such. The surrounding properties are zoned for single residential purposes, public roads and public open space.

3.3 LAND USE

Erf 7052 Hermanus is used for residential purposes. A dwelling, double garage and established garden are constructed on the subject property. These structures have been labelled on the proposed subdivision plan. Access to Erf 7052 Hermanus is obtained from Cliff Street .

Land uses that surround Erf 7052 Hermanus are single dwellings, public roads, and public open spaces. It is therefore evident that Erf 7052 Hermanus is situated within a predominantly single residential area.

3.4 PROPOSAL

The following is proposed:

Subdivision of Erf 7052 Hermanus into 2 portions in terms of Chapter 4, Section 16(2)(d) of the amended Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

Erf 7052 Hermanus is 2261m² in extent. The intention is to subdivide Erf 7052 into two portions, Portion A and B.

3.4.1. Proposed Subdivision

The detail of the subdivision can be described as follows:

Subdivision of Erf 7052 Hermanus			
Proposed Portions	Size	Land use	Zoning
PORTION A	±1131m ²	Dwelling and double garage	Residential Zone 1
PORTION B	±1130m ²	Vacant	Residential Zone 1

The proposed subdivision of Erf 7052 Hermanus follows the same configuration as some of the residential erven in the residential block where it is situated and would also be of a similar size. Erf 310 Hermanus is 1041m², Erf 6899 Hermanus is 1058m² and the adjacent erf, Erf 7051 Hermanus is 1000m² in extent respectively.

Proposed Portion A and B are ±1131m² and ±1130m² in extent respectively. The subdivision line is proposed in the middle of the site. The existing dwelling is located in such a way that it encroaches onto the proposed Portion B. Please refer to the enclosed aerial photograph. A survey was conducted in order to ascertain if the dwelling can be partially demolished and still be a functional dwelling unit. It was concluded that it could still function as a dwelling unit if a portion of the dwelling being ±70m² in extent be demolished in order to make provision for the subdivision and to provide a 2m building line. Please refer to the proposed subdivision plan.

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

In light of the above mentioned it is evident that the proposed subdivision will not have a negative impact on the heritage value of the subject property or the greater area of Hermanus.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed subdivision does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed subdivision is in line with the current erf sizes and land use tendencies in the vicinity within the Hermanus area. The proposed subdivision will create an opportunity for future landowners to obtain land.

Spatial sustainability: The proposed subdivision is in line with the current character of the established residential area. The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and erf size of the created portions will be in line with the residential character of the Hermanus area.

Efficiency: The proposed application for the subdivision of Erf 7052 Hermanus will promote the optimisation of the use of space within a developed residential area.

Spatial Resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

Good administration: Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

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

- The proposed subdivision of Erf 7052 Hermanus falls within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;
- The proposed subdivision will not have a negative impact on the current character and land values of the surrounding erven.

Motivation report

- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the subdivision of Erf 7052 Hermanus.



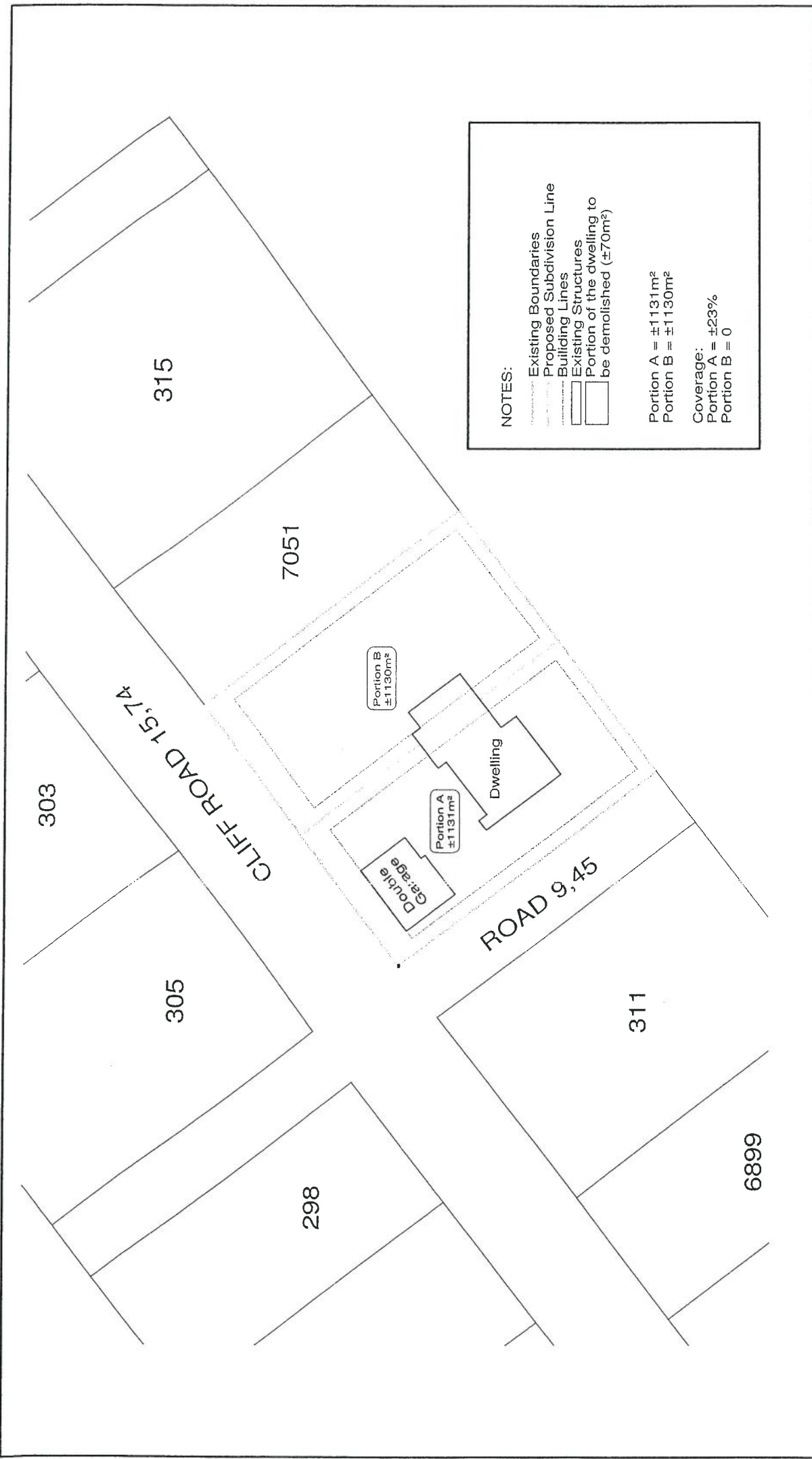
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 Date: 01/2021

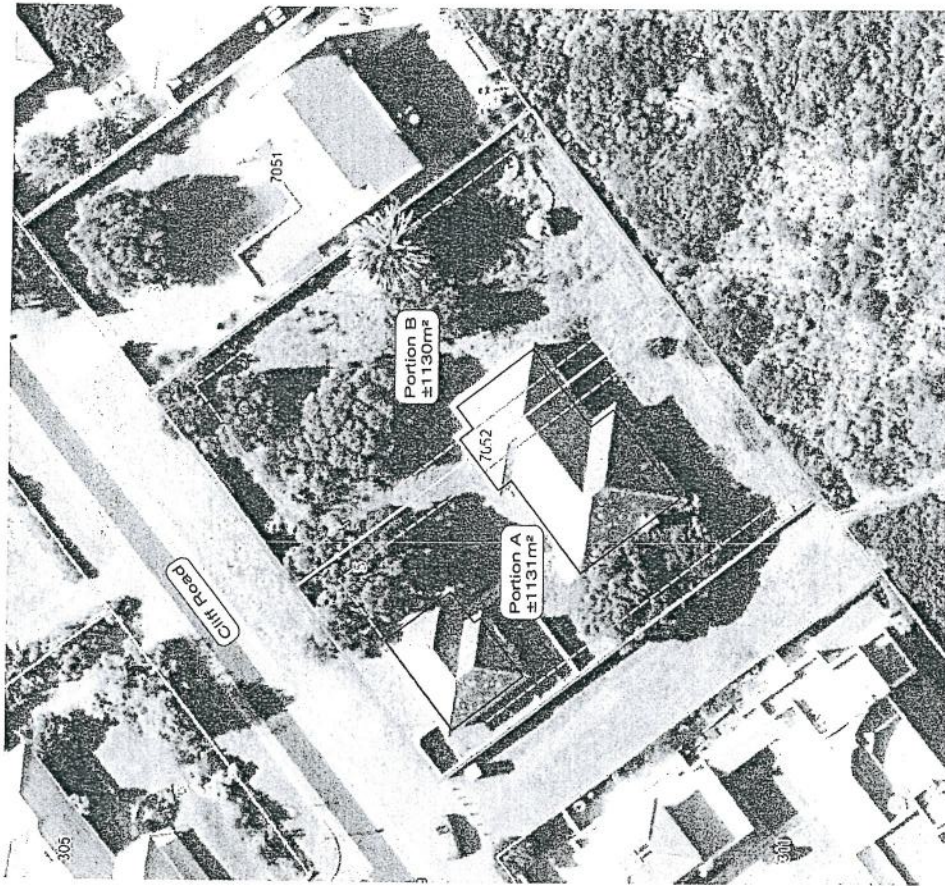
Plan Description:
**SUBDIVISION
 PLAN**

Property Description:
**ERF 7052
 HERMANUS**

All distances approximate
 and subject to survey.
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Scale: 1:750
 Drawing Nr: her7052ae.drw
 Date: 01/2021

Plan Description:
 AERIAL
 PHOTOGRAPH

Property Description:
 ERF 7052
 HERMANUS

All distances approximate
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