

Wyk 1

Raadslid: R Ross
Wykskomiteelede



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
U MASIPALA WASECAPE AGULHAS

Menere / Dames

Kennis geskied hiermee dat 'n **WYKSKOMITEE
VERGADERING** van **Wyk 1** gehou sal word op
DINSDAG, 12 November 2024

Plek: Elim Opsienersraad **Tyd:** 18:00
ten einde die onderstaande Agenda te behandel

A G E N D A

1. OPENING EN VERWELKOMING
2. PRESENSIE / AANSOEKE OM VERLOF TOT AFWESIGHEID
3. NOTULE VAN VORIGE VERGADERING: 02 October 2024
(Aangeheg)
4. SAKE VOORTSPRUITEND UIT NOTULE
5. NUWE SAKES / ALGEMEEN
 - 5.1 Subdivision: Erf 217, 20 Cilliers Street, Napier

WARD 1 – Ward Committee Meeting**2 October 2024****Napier Community Hall at 16:00****1. OPENING & WELCOMING**

Mayor welcomes Sweden officials, ward committee members, Municipal Manager and municipal officials present, and asks ward committee member A van Breda to open meeting with prayer. Mayor asks MM E Phillips to inform WC members about the relationship between CAM and international municipality.

Mr Phillips explain that the partnership between CAM and Sweden has been set for 3 years. The project regarding youth involvement to better communication and improve certain aspects of both Sweden Municipality and CAM.

Sweden officials from Umeå Municipality introduce themselves and explain their portfolios (see table below).

Name	Designation
Joline Göttfert	Politician (conservatives)
Anders Hägglund	Politician (social democrat)
Stefan Hildingsson	Director of Leisure and Sports
Cathrin Alenskär	Manager of International Affairs
Karolina Hörstedt	Project Manager
Linus Nordström	City Planner
Cathrin Backman Löfgren	School Strategist
Rebecka Janols	Innovation Strategist

Sweden official gave a short overview about the country, as CAM is the only municipality they collaborate with in SA.

Ward committee introduction takes place. All ward committee members introduce themselves and explain their portfolios. Mayor asks WC member Kevin Poulter to give introduction and background of Napier.

2. ATTENDANCE REGISTER

All present signed attendance register.

3. MINUTES OF PREVIOUS MEETING

Minutes of previous meeting approved by Okko and seconded by Ivan.

4. MATTERS ARISING FROM PREVIOUS MINUTES

There is a concern regarding the current dumping site. Too many waste are being dropped off at the site. Small scale garden services also concerning. Request from WC members are that CAM are to contact local garden services for assistance. The Mayor will have a discussion with the MM on Monday. Kevin will sent minutes of NRA meeting with MM to WC members.

5. NEW MATTERS**5.1 IDP**

Mayor give over to Lindy to explain the IDP process. Lindy starts off by playing a civic education video and Dylan will sent video to all Sweden officials.

Lindy explained that we are currently at the 5th generation of IDP stage, and have meetings with different sectors to reach more people. Provincial and National departments uses local IDP to recognise needs. CAM is currently looking for more innovative ways to reach the community.

Lindy presents Ward 1 priorities list and ask WC members to check priorities and give feedback if list need change.

Mayor explains to Sweden officials the process of the IDP, and that the community needs to understand how the IDP impacts the community, he further explains that Municipal Council give the final approval.

Kevin mention that you fail at doing your duty, if you only go to the organisation that the WC members are representing.

5.2 Ward Committee members – Portfolio and Organisations

WC members all explain their portfolios and which activities and events they were involved in this year and future planned events and projects, as well as their involvement in community.

5.3 WC members concerns

Mrs P Bruintjies requests the possibility of public wifi for Spajaardskloof residents. Mayor will contact Willem regarding this matter. Mrs Bruintjies also mention that the water containers (3000l) they have been requesting for months, but still did not receive an

answer. MM will set up a meeting with Director H Khron, Brian Neale and Sheldon
Seconds within 2 weeks.

5.4 Application – Farm 127 Bredasdorp

Ward committee members are concerned with what happened the last time. The noise levels were a big concern, it is a big agricultural problem. WC members agree with five self-catering guest accommodation, but are against to utilise a portion of the farm for a music festival.

5.5 New draft by-laws for public comment

Mayor asks everyone to take note. Kevin mentioned that there is no reason to change by-law, we have a good one at the moment, but has never been enforced.

6. CLOSING

Mayor thank everyone present. Meeting adjourned at 18:03

A handwritten signature in black ink, appearing to read 'R. Ross', with a large, stylized 'R' and 'S'.

Councillor Raymond John Ross

Our Reference Number: 15/5/3
Collaborator Reference: 2067865
Enquiries: A Theron (abrahamt@capeagulhas.gov.za)
Date: 1 November 2024



KAAP AGULHAS MUNISIPALITEIT
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PER EMAIL

TO WHOM IT MAY CONCERN

NOTICE TO AFFECTED PERSONS AND DEPARTMENTS

APPLICATION FOR SUBDIVISION: ERF 217, NAPIER

Owner : Adriaan Gerhardus Wessels
Applicant : Town & Country
Property : Erf 217 Napier
Locality : 20 Cilliers Street, Napier
Existing zoning: Single Residential

Proposal:

Application in terms of the Cape Agulhas: By-law on Municipal Land Use Planning, 2022:

- Subdivision in terms of Section 15(2)(d), into two erven, a Remainder: $\pm 574\text{m}^2$ and Portion A: $\pm 1107\text{m}^2$

Notice is hereby given in terms of section 45 of the Cape Agulhas By-law on Municipal Land Use Planning that the abovementioned application has been received and is available for inspection during weekdays between 08:00 and 16:30 at the Town Planning Department at 2 Van Riebeeck Street, Bredasdorp. Any written comments may be addressed in terms of section 50 of the said legislation to townplanning@capeagulhas.gov.za on or before 30 days (**Monday, 2 December 2024**) from the date of publication of this notice, quoting your, name, address or contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to Abraham Theron at **028 425 5500**. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

Regards

EO PHILLIPS

MUNICIPAL MANAGER

P O Box 51, Bredasdorp, 7280
1 Dirkie Uys Street, Bredasdorp, 7280

Tel: 028 425 5500, Fax: 028 425 1019

Email: info@capeagulhas.gov.za

Website: www.capeagulhas.gov.za

Cape Agulhas Municipality incorporates Bredasdorp, Napier, Struisbaai, Elim, L'Agulhas, Waenhuiskrans / Arniston

CAPE AGULHAS MUNICIPALITY

NOTICE: APPLICATION FOR A SUBDIVISION

Notice is hereby given in terms of Section 15 of the Cape Agulhas: Municipal Land Use Planning By-Law, 2022, that the Municipality has received the following application for consideration:

Owner : AG Wessels
Applicant : Town & County
Property : Erf 217 Napier
Locality : 20 Cilliers Street
Existing zoning : Single Residential
Proposal:

Application in terms of the Cape Agulhas: By-law on Municipal Land Use Planning, 2022:

1. Subdivision of Erf 217 Napier, in terms of Section 15(2)(d) into two portions, a Remainder: $\pm 574\text{m}^2$ and Portion A $\pm 1107\text{m}^2$

Details of the application can be obtained from Abraham Theron during office hours.

Motivated comments, objections, and representations on the application, submitted in terms of section 50 of the said by-law must reach the Municipality in writing on or before **2 December 2024**. Please note that any comments received after the closing date will not be considered.

Any persons who cannot read or write are invited to visit the municipal offices during normal office hours where Abraham Theron or another member of staff will assist to transcribe their comments, objections, and representations.

PLEASE NOTE: Due to the limited functioning of the Bredasdorp Post Office, all comments must be submitted via email or delivered to the nearest Municipal Office.

E.O PHILLIPS
MUNICIPAL MANAGER

Notice nr.: KL2425-00053

Municipal Offices,
1 Dirkie Uys Street, Bredasdorp
Tel: 0284255500
townplanning@capeagulhas.gov.za

Hierdie kennisgewing is ook in Afrikaans beskikbaar op aanvraag.
Esi saziso siyafumaneka ngesiXhosa xa kuceliwe



Town & Country
 Creative Land Solutions
 P.O. Box 1085
 Bredasdorp
 7280
 Tel. 028 424 1545
 Fax. 028 425 2085
 E-mail: towncountry@vodamail.co.za
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PROJECT
LOCALITY PLAN: ERF 217 NAPIER
CAPE AGULHAS MUNICIPALITY



Land Surveys • Town Planners

DRAWN LT	CHECKED LT
SCALE nts	DATE OCT 2024
DWG No. Locality Plan	REVISION
Notes: All distances & sizes are subject to final survey	



Town & Country

Creative Land Solutions

30 Unie Street
Bredasdorp
7280

Tel. 083 481 3603

E-mail: towncountry@vodamail.co.za

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PROJECT

PROPOSED SUBDIVISION
ERF 217 NAPIER



Town & Country
Creative Land Solutions

Land Surveys • Town Planners

DRAWN

LT

SCALE

1:600

DWG No.

NAP/3227

CHECKED

LT

DATE

OCT 2024

REVISION

Notes:

All distances & sizes are subject to final survey

MOTIVATIONAL REPORT

PROPOSED SUBDIVISION: ERF 217, NAPIER

REF. NAP/3227

1. INTRODUCTION

This office was appointed in October 2024 to prepare the necessary town planning application and also do the land survey to be able to subdivide erf 217, into two single residential erven.

In 2020 a similar application for the subdivision of the erf was lodged to create erf 1823. The erf was transferred in the meantime to the new landowner. With this new application the vacant portion of the erf will be subdivided and Mr Wessels will retain the remainder portion, with his existing house.

2. PURPOSE

The purpose of this motivation is for:

- The subdivision of Erf 217, Napier, in terms of Section 15 (2)(d) of Cape Agulhas Municipality: By-law on Municipal Land Use Planning (PG 8632 of 15 July 2022) into two erven, a Remainder: $\pm 574\text{m}^2$ and Portion A: $\pm 1107\text{m}^2$

3. PROPERTY DESCRIPTION

Erf 217 is located between Cilliers and New Union Street. There is an existing house on the property.

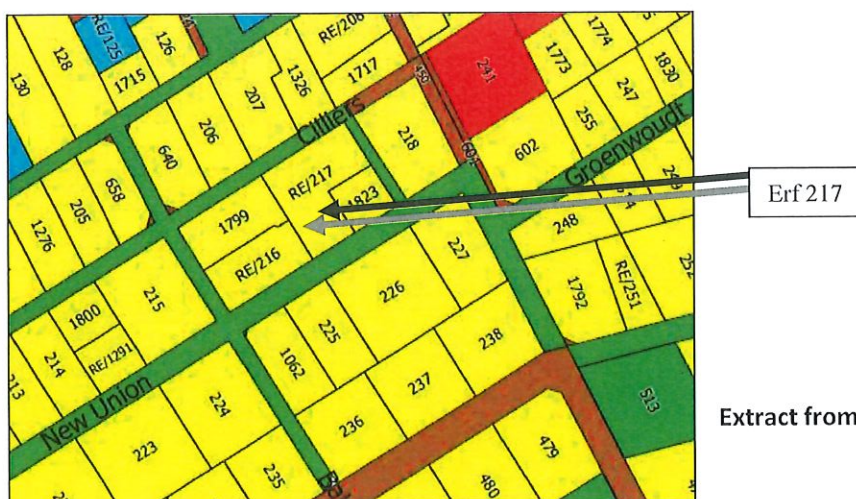
AREA	1681m ²
OWNER	ADRIAAN GERHARDUS WESSELS
TITLE DEED	T35948/2017
BOUNDARY: NORTH	Cilliers Street and erven 206, 207, 1326 & 1717
EAST	A portion of road reserve and Erven 218 and 1823
SOUTH	New Union Street and Erven 225 - 226
WEST	Erven 216 and 1799



Western Cape Province Aerial photo indicating the location of Erf 217.

4. ZONING

The current zoning of erf 217 is Single Residential Zone in terms of the Cape Agulhas Zoning Scheme By-Law. After subdivision the zoning of the remainder and the proposed Portion A remains unchanged.



Extract from the Zoning Plan

5. SURROUNDING LAND USE

The land uses surrounding erf 217 are residential of nature. Erf sizes vary between $\pm 470\text{m}^2$ to $\pm 2500\text{m}^2$.

6. PROPOSED SUBDIVISION

After subdivision the following areas are created:

Remainder: 574m^2

Portion A: 1107m^2

The existing main house is located on the Remainder. The proposed portion A is vacant.



Photo of the vacant portion of Erf 217.

7. CRITERIA FOR CONSIDERATION OF APPLICATION:

The Cape Agulhas Municipal By-Law on Municipal Land Use Planning lists a number of criteria that applications need to meet. The relevant points to the information that a planning application will have to include are listed below and the application is evaluated in terms of these points.

7.1 The desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses.

The proposal will result in the densification of an area located inside an Urban Edge, while still following the existing pattern of subdivision in this area. Densification is one of the objectives of the Provincial Spatial Development Framework.

7.2 The impact of the proposal on Municipal Engineering Services

The impact on existing municipal services will be minimal, since it is located between serviced municipal streets. All services for the new erf can connect to existing infrastructure.

- ***Rubbish Removal***

The municipality is responsible for rubbish removal and rubbish will be removed weekly.

- ***Sewer***

The Remainder already has a separate conservancy tank. The sewer for the proposed Portion A, will be installed as prescribed by the Engineering Division.

- ***Water***

Connection to the existing water line is possible.

- ***Stormwater***

The owner will be responsible for stormwater drainage from the new erf.

- ***Electricity***

The new erf can connect to the existing electrical system.

- **Road, Entrance and Parking**

Entrance to the Remainder is currently from a public street towards the east of the property. Portion A will gain access from either New Union Street or Cilliers Street. Sufficient parking will be available on both erven.

7.3 District and Municipal Forward Planning Documents

In terms of the 2024 reviewed Cape Agulhas Spatial Development Framework, the following with reference to Napier.

‘Napier is classified as a secondary service centre with a unique rural settlement character. The protection of the natural environment and heritage of the town is therefore an important consideration’.

‘Support context-sensitive densification of residential fabric in older parts of Napier in accordance with the general height and character of surrounding structures’.

The erf is included in the temporary heritage area, until a formal heritage study has been concluded and approved. This is however an area with numerous historical houses. Future development of the proposed erf, will have to comply with proposed heritage guidelines.

The proposed subdivision is compliant with the SDF, seeing that the proposal is for a context sensitive subdivision, creating an erf of $\pm 1107\text{m}^2$ and leaving a remainder of $\pm 574\text{m}^2$. Similar subdivisions were approved in this area over the last 5 years.

7.4 SPATIAL DEVELOPMENT FRAMEWORK: WESTERN CAPE

The Western Cape Spatial Development Framework recommends higher densities in towns by means of subdivision. The Provincial Government would like to see an average density of 25 units per hectare in towns. Higher densities within towns ensure the more optimal use of infrastructure and also protect the natural and agricultural environment outside the urban edges of town areas.

7.5 Complies with Section 42 of the SPLUMA and Chapter 6 of LUPA:

The Spatial Planning and Land Use Management Act (SPLUMA) and Land Use Planning Act (LUPA) came into effect in 2016 in the Cape Agulhas Municipality. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA and Chapter 6 of LUPA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and take into account—

- (i) the public interest;
- (ii) the constitutional transformation imperatives and the related duties of the State;
- (iii) the facts and circumstances relevant to the application;
- (iv) the respective rights and obligations of all those affected;
- (v) the state and impact of engineering services, social infrastructure and open space requirements;
- (vi) any factors that may be prescribed, including timeframes for making decisions.

SPLUMA and LUPA sets out the following 5 main development principles applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

Compliance with SPLUMA & LUPA Principles:

As discussed in this report, this development proposal is consistent with the approved statutory spatial policy framework for the area, as well as the Provincial Spatial Development Framework. The table below indicates how the proposed development will be consistent with the SPLUMA principles.

<i>SPLUMA & LUPA Principle</i>	<i>Compliance</i>
<i>Spatial Justice</i>	The development allows for an additional erf inside the Urban Edge – making more erven available to more people.
<i>Spatial Sustainability</i>	The proposal is in line with existing overhead planning documents. The additional erf results in densification inside the Urban Edge and also intensifying the use of existing infrastructure – without have to enlarge the existing system.
<i>Spatial Efficiency</i>	Development will make use of existing resources. With the erf well located to community and public facilities, subdivision ensures the more efficient use of well-located land.
<i>Spatial Resilience</i>	The proposal is in line with overhead planning documents recommending area sensitive densification inside the Urban Edge.
<i>Good Administration</i>	This principle has no direct bearing on the application, however, the Cape Agulhas municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

8. FURTHER MOTIVATION

CHARACTER OF THE SURROUNDING AREA

The erf is located within a residential area, in the Napier Heritage Area. The additional residential property should not have a negative impact on the character of the area, especially since both portions border onto a street. The soon-to-be-approved Napier Heritage guidelines will have to be followed with the erection of new buildings.

EXISTING RIGHTS

The proposed subdivision should not impact on any surrounding landowners' existing rights.

POTENTIAL OF THE PROPERTY

The property is zoned as Single Residential Zone, with a registered area of 1681m².

By allowing the further subdivision of erf 217, one additional residential erf will be created within a well-established part of town. This will not only allow for the optimal use of existing infrastructure, but also comply with Provincial guidelines that prescribe densification.

Napier's popularity increased significantly in the last few years and there will be constant pressure to start developing outside the town borders. The more optimal use of this erf, located inside the town boundaries, will not only provide an individual with the opportunity to invest in Napier, but it will also help to prevent the immediate infiltration of town area onto valuable agricultural land and natural vegetation. Protection of the natural biophysical environment is one of the challenges set in the Napier Spatial Development Framework and the Western Cape Development Framework.

SAFETY OF THE COMMUNITY

- All scheme regulations will be adhered to with the erection of new buildings.
- No safety risk in terms of traffic or access is foreseen.

One of the advantages of densification is that it results in better security in the neighbourhood, since there is more surveillance.

9. CONSTRAINTS AND OPPORTUNITIES

According to the title deed there are no restrictions registered against the property that could have an influence on the proposed application.

Napier's attraction to tourists and new residents is normally the rural atmosphere of the town. The subdivision creates the opportunity to create an additional erf within this unique area, without impacting negatively on this attribute. The erf is located within the Napier Heritage area and new building work will have to comply with those guidelines.

The erf is currently too big for the owner to maintain. By subdividing the property both portions will be much more manageable. Water restrictions also place limitations on gardening and make it almost impossible to maintain a garden of that size in good condition.

10. CONCLUSION

Erf 217 is a residential erf within the boundary and urban edge of Napier with development potential. The proposed subdivision of the erf is in line with surrounding land uses and erf sizes. The division will not have an undue negative impact on surrounding neighbours. The proposal is in line with national and provincial legislation, as well as policy documents and is acceptable in terms of desirability.

LT