



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

A G E N D A

DATE:	29 JANUARY 2026
VENUE:	TOWN PLANNING COMMITTEE ROOM
TIME:	10:00

OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT
Civic Centre
HERMANUS
7200

20 January 2026

TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

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

NOTICE IS HEREBY GIVEN that the **Municipal Planning Tribunal (MPT)** will go into session in the Town Planning Committee Room, Hermanus on **Thursday, 29 January 2026** at **10:00** to consider the attached agenda.

H JANSER (MS)
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Ms H Janser (Chairperson)
2. Mr S Müller (Vice Chairperson)
3. Mr H Blignaut (Member)
4. Ms R Louw (Member)
5. Mr R Kuchar (Authorised Official)
6. Mr H Olivier (Town Planner)
7. Mr SW van der Merwe (Principal Town Planner)
8. Ms H van der Stoep (Principal Town Planner)
9. Secretariat

MUNICIPAL PLANNING TRIBUNAL (MPT)

29 JANUARY 2026

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1. OPENING

2. APPLICATIONS FOR LEAVE OF ABSENCE

3. CONFIRMATION OF MINUTES

3.1 Minutes of a Municipal Planning Tribunal Meeting held on 27 November 2025

4. ITEMS FOR CONSIDERATION

4.1 ERF 3626, 9 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF REEFF PROPS (PTY) LTD

Report attached

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Report attached

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Report attached

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Report attached

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Report attached

4.1

ERF 3626, 9 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF REEFF PROPS (PTY) LTD

3626 HON (5011/2025)

H Olivier

14 November 2025

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 8 August 2025 from WRAP Project Office on behalf of REEFF Props (Pty) Ltd on Erf 3626, Onrustrivier in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) to accommodate a mixed-use development consisting of a business component on the ground floor and two (2) residential flats on the first floor.
- ❖ **Departure** in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 to relax the following building lines to accommodate the proposed structure:
 - northern lateral building line from 3m to 1,23m to accommodate the proposed encroachments on ground floor level, and to relax the same building line from 3m to 1m to accommodate the proposed encroachments on first floor level, and to allow a door and windows closer than 1,5m from the boundary, and
 - southern lateral building line from 3m to 2,6m to accommodate the proposed encroachments on first floor level.

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

Erf 3626, Onrustrivier is zoned Residential Zone 1 and measure 548m² in extend. It is vacant at this stage. It is situated in an area identified for local economic development, with existing business sites further to the north and west, a single residential area to the east and a group housing development to the west.

The owner applied to rezone the property to obtain business right to utilize the ground floor for offices and parking, and the first floor for two flats.

4. SUMMARY OF APPLICANT'S MOTIVATION

THE MOTIVATION CAN BE SUMMARIZED AS FOLLOWS:

- ❖ The property is earmarked for local economic development in terms of the Overstrand Municipality Growth Management Strategy.
 - ❖ The property will be used for business and residential purposes.
 - ❖ Currently the business area will be used for office space.
 - ❖ The business activities will be in the front of the property, with the residential activities at the rear of the property.
 - ❖ The flats will be 3-bedroom flats each with a double garage.
 - ❖ The proposed office will only be 71m², and three parking bays will be provided in line with the requirement of the Land Use Scheme.
 - ❖ Mixed development enhances people working and living in the same area, is a catalyst for economic growth and minimize traffic.
 - ❖ Application is made for permanent departures to relax the lateral building lines bordering the existing Residential Zone 1 erven to the north and south. These erven also fall in the Onrustvriër Business node and will also be rezoned to business in future.
 - ❖ The relaxation of the building lines is proposed to enable the planning of viable residential units and a business area.
 - ❖ There are no restrictive conditions in the Title Deed prohibiting this application.
 - ❖ The site can be connected to existing sewer, water and electricity services.
 - ❖ Access/egress will be from Van Blommenstein Road.
 - ❖ The proposal is consistent with the surrounding area.
 - ❖ It is not predicted to have an impact on safety and health.
 - ❖ Will not impact views, sunlight and the character of the area as the building will be single storey in line with the land use scheme.
 - ❖ No environmental impact as no EIA listed activities are triggered.
 - ❖ The property is not located in an EMOS or HPOZ area.
 - ❖ The property is situated in a Business Node in terms of the Overstrand Municipality SDF, 2020, and therefore the application is in line with this policy plan.
 - ❖ In terms of the Overstrand Municipality Growth Management Strategy, 2010 this area is earmarked for Retail area. The application is in line with this policy.
- ❖ **Consideration in terms of the Planning Principles:**

Spatial Justice

The mixed-use development will encourage economic growth and in turn could employ the less fortunate and not perpetuate apartheid spatial development imbalances.

Spatial Sustainability and Efficiency

Will increase the economic power of the Onrust area.

Spatial Resilience

The proposal is well aligned with spatial plans and policies.

Good Administration

Good public participation process will be followed by the Municipality.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	21 August 2025	26 September 2025
E-mail notices and On-site notice	Yes	21 August 2025	26 September 2025
Ward councillor	Yes	21 August 2025	26 September 2025
Total comments	TWO (2)		
Letters of support	ONE (1)		
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	26/082025	No objection.
Fire Department	26/08/2025	No objection.
District Health	12/09/2025	No objection.
Engineering Services	25/09/2025	See Annexure F.
Telkom	03/09/2025	See Annexure G.
Western Cape Government: Infrastructure (Road Planning)	07/10/2025	See Annexure H.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

The application was duly advertised in the local newspaper. Notices were e-mailed to surrounding residents in the area and the Onrustrivier Ratepayers Association. A notice board was also placed on-site by the applicant's consultant.

In the public participation process two (2) letters of objection and one (1) letter of support were received.

OBJECTIONS

- ✚ *BD Bloch*
- ✚ *Kranszicht Homeowners Association (Bev)*

SUPPORT LETTER

- ✚ *M Van Dalen*

The applicant was provided with an opportunity to respond to the objections received. The objections and support letters are attached as Annexure D and the applicant's response are attached as Annexure E respectively.

The objections, the applicant's reply and the Municipal Town Planner's response thereon can be summarized as follows:

OBJECTION 1

If retail is allowed a bottle store can be opened on the erf.

APPLICANT'S RESPONSE

The commercial space may be used for shops, offices and a restaurant as primary rights. Should a bottle store be proposed a separate application will have to be submitted and a new public participation process will have to be followed.

The concerns raised regarding the bottle store are unfounded, as no such use is proposed or applied for.

TOWN PLANNER'S RESPONSE

The applicant sufficiently addressed the objection. The objection is not relevant as no bottle store is being applied for.

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 is 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

N/A

Spatial Sustainability

The application is within the urban edge, and the application create mixed use development which will promote work a residential opportunity in close proximity and also have a positive economic impact.

Efficiency

The proposal will help develop the property to its full potential, creating economic opportunity and much needed housing opportunity.

Spatial Resilience

The proposal is well aligned with spatial plans and policies which identify this area as a Local Economic Node and a densification zone for residential opportunities.

Good Administration

Good procedure was followed with a good public participation process.

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 property is situated in a Business Node in terms of the Overstrand Municipal Wide SDF, 2020. It is also in a Local Economic earmarked area and densification zone more than 50 units per ha in terms of the Overstrand Municipality Growth Management Strategy, 2010.

This means that that the development applied for is in line with such Spatial policies/guidelines.

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

N/A

10.6 Impact on Municipal engineering services

The area is already serviced and sufficient bulk capacity to serve the development.

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

There is a condition in the Title Deed that only two dwellings may be constructed on the property. The condition is in favour of the Western Cape Government: Infrastructure (Road Planning) in terms of Act 21 of 1940. The application was circulated to Western Cape Government: Infrastructure (Road Planning) who indicated they have no objections against the application. See Annexure H.

10.8 Existing and proposed zoning comparisons and considerations

The properties to the north and west are zoned Resort. The property to the east is zoned Public Open Space and the property to the south is zoned Residential Zone 1. The proposed rezoning is not out of line with the zoning of surrounding erven.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

Erf 3626, Onrustrivier is zoned Residential Zone 1 and measure 548m² in extent. It is vacant at this stage. The property is situated in Van Blommenstein Road, in an area earmarked as a Business Road in Onrustrivier.

The owner applied to rezone the property to Business Zone 3 purposes to utilize the ground floor for an office and parking, and the first floor for two (2) flats. Application is also made to relax the lateral building lines to construct the building closer to the boundaries.

The proposal is to create a business area of 71m² (office and store area) in the front of the site next to Van Blommenstein Road and provide three (3) parking bays for commercial use. It is further proposed that two (2) double garages be provided at the rear of the property for parking for the two (2) flats proposed to be constructed on the first floor of the building. The parking for the flats will have a private entrance with a gate, with the private courtyard to manoeuvre the vehicles. A 3m wide access way to the garages is proposed, and since the garages will only serve two (2) flats, the 3m access is supported by the Municipal Engineering Branch. Each flat will have a separate staircase from ground floor.

This part of Van Blommenstein Road is in the Onrustrivier Business node and identified for commercial purposes. The proposal is therefore in line with this policy plan.

In terms of the Overstrand Municipality Growth Management Strategy, 2010, a guideline document, this area is identified for Local Economic Opportunity and

densification zone for more than 30 residential units per ha. The commercial development with flats is therefore in line with this guideline document.

Application is also made to relax the 3m southern building line for the first-floor flats to 2,6m, the northern 3m lateral building line on ground floor level to 1,23m and 1m on first floor level (flats).

The reason the 3m lateral building lines are applied is because the erven to the north and south is zoned Residential zone 1. This however limit the development potential of the site with a width of only approximately 15,5m. The probability that the sites to the north and south will however be rezoned to business purposes in future is great, considering they are situated in an earmarked Commercial node. Then 0m side building lines will be applicable.

The relaxation of the southern lateral building line will only be on first floor level, and only for 0,4m to form part of the flats on first floor. This is more for architectural effect, with no real impact on the surrounding erven or character of the area. The relaxation of the northern lateral building line on ground floor to 1,23m to accommodate the office and garages will still be set back to ensure that there are ventilation and sunlight into this area, should the property to the north be developed. The relaxation of the 3m northern lateral building line on first floor to 1m will only be to accommodate the flats, and the 0,26m overhang over the ground floor is for architectural affect.

It is to be noted that a 3m rear building line is also applicable to the residential area to the east. This building line will be complied with.

The building will be set back from the existing residential properties to the east and west, and this application should not impact surrounding property owners.

Two (2) objections were received in the public participation process. The concern is that the business portion will be used as a bottle store. In terms of the Business Zone 3 zoning a bottle store can only be allowed by way of a consent use application. Application is not made for a bottle store; therefore, the objection is not relevant.

The application was circulated to all relevant Municipal Divisions, Institutions and state departments, and no objections were received against the application.

It is to be noted that there is a condition in the Title Deed that only two dwellings may be constructed on the property. The condition is in favour of the Western Cape Government: Infrastructure (Road Planning) in terms of Act 21 of 1940. The application was circulated to Western Cape Government: Infrastructure (Road Planning) who indicated that they have no objection against the application.

Considering the above, the application for rezoning and departure to relax the building lines will not have a negative effect on surrounding property owners or the character of the area and is supported.

13. RECOMMENDATION

1. that the objections be noted.
2. that the application in terms of Section 16(2)(a) of terms the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of

Erf 3626, Onrustrivier from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) to accommodate a mixed-use development consisting of a business component on the ground floor and two (2) residential flats on the first floor, **be approved**, in terms of the provisions of Section 61 of the By-Law,

3. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 on Erf 3626, Onrustrivier for a **departure** to relax the following building lines to accommodate the proposed structure:

- northern lateral building line from 3m to 1,23m to accommodate the proposed encroachments on ground floor level, and to relax the same building line from 3m to 1m to accommodate the proposed encroachments on first floor level, and to allow a door and windows closer than 1,5m from the boundary, and
- southern lateral building line from 3m to 2,6m to accommodate the proposed encroachments on first floor level;

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

4. that the approvals in 2 and 3 above be subject to the following conditions:

- (a) that the approval only relates to the proposal as indicated on undated Plans number 5.1 and 5.2, and undated drawing no. 10, submitted with this application;
- (b) that commercial rates and taxes, as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
- (c) that building plans be submitted to the Building Control Department for approval, and that all conditions of the Building Control, Fire and Waste Management Departments be complied with at that stage;
- (d) that all conditions in the Services Report (attached as Annexure F), be complied with;
- (e) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation, and
- (f) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with.

5. That the following comments be noted:

- ❖ Telkom (Annexure G), and
- ❖ Western Cape Government: Infrastructure (Road Planning) (Annexure H).

6. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above decisions.

14. REASONS FOR RECOMMENDATION

POINT 2

- ❖ All relevant municipal departments and external departments/institutions support the application.
- ❖ Concerns/objections raised about the possibility of a bottle store being operated on the erf is not relevant, as a bottle store can only be considered if a consent use application was submitted for such rights. The application does not include an application for a bottle store.
- ❖ The application is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable as it will provide for a mixed-use development with economic opportunity and addressing a housing need, which will also help limit urban sprawl,
- ❖ The Overstrand Municipality Spatial Development Framework, 2020 identifies this area for commercial purposes and it is in the Onrustrivier Business Node. The proposal is therefore in line with this policy plan.
- ❖ In terms of the Overstrand Municipality Growth Management Strategy, 2010, a guideline document, this area is identified for Local Economic Opportunity and densification zone for more than 30 residential units per ha. The commercial development with flats is therefore in line with this guideline document.
- ❖ The Rezoning application will not have a negative impact on surrounding property owners or the character of the area

POINT 3

- ❖ The proposed Departures to relax building lines is because 3m lateral building lines will be applicable to the erf due to the residential zoning of the adjacent erven. This limits the development potential significantly.
- ❖ This area is in the business corridor, and the properties to the north and south will in all probability be rezoned in future and be utilized for business purposes.
- ❖ The owners of the residential erven to the north and south did not object against this application.
- ❖ The encroachments are support by al municipal division's institutions.
- ❖ The Departure application will not have a negative impact on surrounding property owners or the character of the area

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Plan
Annexure D:	Objections & support letter received
Annexure E:	Applicant's reply to objections
Annexure F:	Services Report
Annexure G:	Comments: Telkom
Annexure H:	Comments: Western Cape Government: Infrastructure (Road Planning)
Annexure I:	Title Deed T103/2025

SIGNATURES**REGISTERED PLANNER**Name: **HENK OLIVIER**SACPLAN Reg No: **B/8128/2004**

Signature: _____

Date: _____

REGISTERED PLANNERName : **H VAN DER STOEP**SACPLAN registration number: **A/1708/2013**

Signature : _____

Date: _____

Plan 1 - Locality Plan Erf 3626 Onrustvriër

Plan prepared by: Veronica Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



Scale 1 : 1000

Plan 2 - Aerial Plan
Erf 3626 Onrustrivier

Plan prepared by: Veronica Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,

Corner of Royal and Dirkie Uys

Street Hermanus, 7200



Project Office

Town Planning & Project Management



NTS



MOTIVATION

1. ABBREVIATIONS

Table 1

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
OMSDF	Overstrand Municipality Spatial Development Framework, 2020
B3	Business Zone 3: Local Business
GLA	Gross Leasable Area

2. PROPERTY DETAILS

Table 2

Erf Number	Erf 3626 Onrustrivier
Extent	548m ²
Zoning	Residential Zone 1: Single Residential

3. BACKGROUND AND INTENT

The subject property, Erf 3626 Onrustrivier, occupies a distinctive location on Van Blommenstein Road in Onrustrivier, surrounded by a mix of business- and residential properties, refer to **Plan 1 - Locality Plan & Plan 3 – Status Quo Zoning Plan**.

Due to its favourable position, the property presents an excellent opportunity for rezoning, as it is situated within the demarcated Onrus Business Node (N2) of Greater Hermanus (West) as indicated in the OMSDF (pg.199,200). Therefore, the proposed rezoning aligns with the future development proposals envisioned by the OMSDF. The current owner obtained the presently vacant property with the intent to use it for business and residential purposes. WRAP Project Office has been appointed to submit the land use application on behalf of the owner, refer to **Annexure A - Power of Attorney**.

The proposal includes the development of a business space on the ground floor, together with parking while accommodating two flats above the ground floor with double garages for both flats on the ground floor. The proposal is restricted by the zoning of the property which limits the property's use to single residential purposes only, which does not align with the intended use applied for. Therefore, the following applications are required:

- Rezoning from residential to business; and
- Permanent departures.



MOTIVATION

4. PROCEDURE TO ACHIEVE THE DEVELOPERS' INTENT

WRAP compiled this report to ensure the owner's vision is achieved and therefore, the following is proposed:

4.1 Rezoning of Erf 3626 Onrustrivier from Residential Zone 1: Single Residential to Business Zone 3: Local Business

The proposal seeks to rezone the property to a Business Zone in order to allow for a mixed-use development consisting of a business component on the ground floor and two residential flats on the upper level. The proposed rezoning aligns with broader spatial development objectives, promotes land-use efficiency, and supports local economic growth within a primarily residential neighbourhood.

Under the proposed zoning, the property will benefit from both primary and consent use rights that permit a range of low-impact business activities. These rights will enable the owner to operate a business component on the ground floor while providing much-needed residential flats above. For detailed plans of the proposal, refer to **Plan 5 – Site Plan** and **Annexure C – Architect Plan**.

The primary and consent uses permitted under Business Zone 3: Local Business will allow for flexible business operations in a manner that is contextually appropriate to the surrounding environment. Although the specific nature of the future business operations is not yet known, but currently proposed as offices, the OMLUS ensures that any proposed activity will be subject to the applicable land use and building regulations, which are designed to mitigate negative impacts on adjacent residential properties.

A key design consideration in this proposal is the careful separation of business and residential functions by proposing parking (double garages) for the flats at the back of the property while the business space on the ground floor will be accessed from the front of the property. This approach ensures functional efficiency and minimises potential traffic conflicts, enhancing the overall compatibility of the mixed-use development within the residential context. Refer to **Table 3** below **Figure 1** on the following page for details regarding the proposed development.

<i>Table 3: Details of proposal</i>	
Ground floor	
Office Space with bathroom and kitchenette	For staff use.
Storeroom	For office use
Two separate entrances for the flats	Entrance to stairs to access upper level.
Two double garages for the flats.	Two parking spaces for each flat.
First floor	
Unit 1: 3 Bedroom flat	-
Unit 2: 3 Bedroom flat	-



MOTIVATION



Figure 1: Draft 3-Dimensional of the proposed structure

Parking for the business and residential uses is located on the ground floor of the subject property. The applicable parking requirements according to the OMLUS are outlined in **Table 4** below:

Table 4

Offices/shops/restaurants	Four bays per 100m ² Gross Leasable Area (GLA)
Flats	1,5 bays per 1 bedroom dwelling unit Two bays per two and more bedroom dwelling units

Taking the above into account, each 100m² of GLA of the business use requires 4 parking bays. The proposed GLA is approximately 71m² and therefore, 3 parking bays (1 bay per 25m² GLA) are required. The 2 flats are proposed to be 3-bedroom flats and subsequently require a total of 4 parking bays. The proposal includes the provision of 7 parking bays, meeting the requirements as calculated above.

Mixed-use developments offer numerous benefits that enhance both the area and its community. Firstly, these developments create a vibrant and dynamic urban environment by integrating residential and business spaces within a single location. This diversity of land use encourages pedestrian activity, reduces dependence on private vehicles, and promotes a walkable, socially engaged neighbourhood. By fostering greater interaction among residents, workers, and visitors, mixed-use developments contribute to a sense of community and vitality, making the area more attractive and sustainable.

From an economic perspective, mixed-use developments can act as catalysts for local economic growth by attracting businesses, residents, and visitors. The inclusion of business spaces generates foot traffic that supports local businesses and creates job opportunities. This economic vitality benefits not only the immediate area but also has a



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ripple effect, positively influencing surrounding neighbourhoods and businesses. Additionally, mixed-use developments promote sustainability and environmental consciousness. By consolidating different activities within a single area, they reduce the need for long commutes, thus minimising traffic congestion and lowering carbon emissions.

From a social standpoint, mixed-use developments foster a strong sense of community and connectivity. The co-existence of residential and business spaces, especially along Van Blommenstein Road, encourages daily interaction among residents, workers, and visitors, creating a diverse, vibrant, and inclusive environment that enhances the overall quality of life.

The integration of both business and residential uses on the property reflects a strategic, sustainable approach to land use. By optimising the development potential of the site without compromising the residential and business character of the area, the proposal contributes to the broader planning goals of promoting mixed-use development, encouraging local economic growth, and fostering a more compact urban form. This proposal to rezone the subject property, facilitates a balanced mix of business and residential functions while ensuring that the future development integrates harmoniously into the existing urban fabric of Onrus.

4.2 Permanent departure from the 3m northern side building line to 1,23m to accommodate the ground floor of the proposed structure.

4.3 Permanent departure from the 3m northern side building line to 1m to accommodate the first floor of the proposed structure.

4.4 Permanent departure from the 3m southern side building line to 2,6m to accommodate the first floor of the proposed structure.

4.5 Permanent departure from the provisions of the land use scheme to allow a door and windows closer than 1,5m away from the boundary.

This proposal requires a permanent departure from the northern side building line to facilitate the optimal use of the subject property, in line with the mixed-use zoning application. The subject property is uniquely positioned within the Onrus Business Node, which offers significant opportunities for future economic development and land-use efficiency. The existing residential zoning constraints and building line regulations however limit the full potential of the site, particularly for a development that aims to combine business and residential uses.

While the properties adjacent to the subject property along Van Blommenstein Road are currently zoned residential, they fall within the Onrus Business Node and may, in the future, be rezoned for business use. This potential rezoning could allow the subject property to have a 0m side building line, but as these properties are still zoned residential at present, the building line requirement remains 3 meters. Therefore, permanent departure from the building lines is necessary to accommodate the proposed structure, refer to **Plan 5 – Site Plan**.

The proposed mixed-use development includes a business space on the ground floor with two residential flats above, as well as sufficient parking spaces to accommodate both uses. To accommodate the necessary footprint for the proposed business space



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and residential units, it is crucial that the northern and southern side building lines be relaxed. Without this departure, the functional layout of the development would be severely constrained, resulting in an inefficient use of space.

The departures are thus necessary to maintain the development's integrity and ensure that both business and residential components can be developed to their full capacity, refer to **Figure 2** below for the draft 3-dimensional views of the proposed structure.



Figure 2: Draft 3-dimensional views of the proposed structure

While the adjacent properties along Van Blommenstein Road are currently zoned residential, they are also within the Onrus Business Node and are likely to undergo future rezoning to business use. As such, the proposed permanent departure is aligned with the broader development objectives of the area and is a logical step towards integrating the property into the evolving character of the neighbourhood. The proposal not only supports the intended mixed-use development but also complements the existing and future land uses in the area.

The permanent departure from the northern- and southern side building lines is a proportionate response to the unique circumstances of this property and its strategic location. It will facilitate the development of a property that enhances local economic activity, supports residential needs, and contributes positively to the vibrancy and sustainability of the area. Furthermore, the door and windows situated along the northern side of the proposed structure will be closer than 1,5 meters from the boundary, but again, considering the design and location of the proposal, it is considered to not have a negative impact on the neighbouring property.

Therefore, the permanent departures sought with this application is integral to the realisation of a mixed-use development that aligns with the spatial planning goals for the Onrus Business Node. The departure ensures that the development may proceed without compromising the functionality or design quality of the project, and it will contribute to the broader urban vision of Greater Hermanus. The proposal adheres to the principles of land-use efficiency, sustainability, and economic vitality, ensuring that the development remains compatible with its surroundings while optimising the use of the property.

5. LAND USE ENVIRONMENT

The surrounding area of the subject property may be considered as a mixed-use area as depicted in **Plan 3 - Status Quo Zoning Plan**, showcasing various types of land uses coexisting within the area where the subject property is situated. This indicates that the



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proposal for a B3 zoning within the area would align with the existing character, considering that the subject property is situated within the Onrus Business node as outlined in the OMSDF. For a detailed in-depth review of how the application aligns with regulating policies, refer to *Section 10* of this report.

6. TITLE DEED

Title deed T103/2025 (refer to **Annexure B**) was perused and there are no restrictive conditions that prohibit the approval of the proposed development.

7. ZONING

The proposal requires the zoning to be Business Zone 3: Local Business. Therefore, the proposal was designed in conjunction with the zoning parameters of the B3 zoning as outlined within the OMLUS as this is a relevant consideration in terms of Section 66 (1) (a) of the OM By-Law:

Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Shops , Dwelling Unit (above ground floor) in accordance with 6.3.2, Flats (above ground floor) , Offices , Restaurant , Caretaker's Accommodation and Self-Catering.	Business space (shops/ restaurant/ offices) & Flats (above ground floor)	Applied for and motivated
Consent uses which may be applied for	Bottle Store, Business Premises, Clinic, Conference Facility, Dwelling Unit (on ground floor) in accordance with 6.3.2, Flats (on ground floor), Town Housing in accordance with 6.3.2, Tourist Accommodation, Hotel, Institution, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Recreational Facilities, Residential Building, Sale of Alcoholic Beverages, Service Station, Service Trade and Transmission Apparatus (subject to chapter 16.10).	-	-
Coverage	The maximum coverage for all buildings on the land unit is 75% .	±44%	Comply
Floor Factor	The maximum floor factor is 1.5.	±0,58	Comply



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Height	<p>i. The maximum height of a building, measured from the base level to the top of the structure, is 8,5 m.</p> <p>ii. The maximum number of storeys is 2.</p>	<p>i. Comply</p> <p>ii. 2 Storey</p>	Comply
Setback	<p>i. The Municipality may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street.</p> <p>ii. Where special circumstances exist, the Municipality may require a greater setback.</p>	<p>i. Comply, the existing structure is set back at $\pm 12,4$m from the centre line of Van Blommenstein Road.</p> <p>ii. This is noted.</p>	Comply
Building Lines	<p>i. The street building line is 0 m, provided that a 5,0 m building line applies where fuel pumps are erected;</p> <p>ii. The side building line is 0 m, provided that where any Business Zone 3 abuts another zone, the side building line is 3,0m;</p> <p>iii. The rear building line is 3,0 m, provided that where any Business Zone 3 abuts another zone, the rear building line is 3,0m; and</p> <p>iv. Provided that the Municipality may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right.</p>	<p>i. No fuel pumps are proposed.</p> <p>ii. Permanent departure from the 3m northern side building line:</p> <ul style="list-style-type: none"> - to 1,23m to allow the ground floor of the proposed structure. - to 1m to allow the first floor of the proposed structure. <p>Permanent departure from the 3m southern side building line to 2,6m to allow the first floor of the proposed structure.</p> <p>iii. Noted.</p> <p>iv. Noted.</p>	Applied for and motivated
Window and door placement	<p>i. Where a 0 m building line applies and where a wall of a building is erected 1,0 m or less from the side or rear building line, no door or window shall be permitted in the wall concerned.</p> <p>ii. Any portion of the building which contains a door or window onto a side or rear boundary shall be at least 1,5 m away from such boundary.</p>	<p>i. N.A.</p> <p>ii. Door and windows onto the side boundary is closer than 1,5m away from the boundary and permanent departure is applied for.</p>	Applied for and motivated



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Parking and access	According to Section 17.1 of the OMLUS: <u>Office/shops/restaurant:</u> Four bays per 100m ² GLA are required. <u>Flats</u> 1,5 bays per 1 bedroom dwelling unit & Two bays per two and more bedroom dwelling units	<u>Office/shops/restaurant:</u> GLA: 71m ² = 3 parking bays <u>Flats</u> 2 x 3-bedroom flats = 4 parking bays 7 Parking bays required & 7 Parking bays provided	Comply
Loading Bays	The minimum off-street loading must be provided to the satisfaction of the Engineering Department.	Noted.	Comply

8. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

8.1 Electricity, Water and Solid Waste

The subject property is connected to the existing networks in the area, which include electricity, water and sewage. Due to the scale of the proposal, it is not anticipated that the proposal will have an impact on the existing services.

8.2 Access, egress, and parking

Vehicular access and egress to the subject property will be from Van Blommenstein Road. The proposal is to have a split access point to the property in order to split the residential access from the business access.

9. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law is outlined in **Table 6** below:

Table 6

Socio-economic impact	The proposal will enable the development of a mixed-use building that contributes positively to the local economy by creating opportunities for small-scale business activity and providing additional housing options within an established neighbourhood. The inclusion of two residential flats addresses the growing demand for well-located housing, while the business component promotes local entrepreneurship and job creation. This combination enhances land-use efficiency, supports economic diversification, and contributes to a more vibrant, sustainable urban environment in Onrus.
Compatibility with surrounding uses	The proposal is deemed to be consistent with the character of the surrounding area as illustrated in Plan 4 - Proposed Zoning Plan.



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Impact on the external engineering services	Refer to Section 8 of this report. The Overstrand Municipality's Engineering Department will review the application to ensure that service capacities are adequate.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have a negative impact on the safety, health, and well-being of the surrounding community.
Impact on heritage	The property is not listed in the OM Heritage Register.
Impact on the biophysical environment	The property is located within an established urban area and is therefore not predicted that the proposal will have an impact on the biophysical environment.
Traffic impacts, parking, access and other transport related considerations	The proposal will have sufficient parking, as indicated throughout the application. The proposed use is not expected to have a large impact on traffic, as the expected traffic generation is not substantial due to the proposed split access on Van Blommenstein Road.

Impact on views, sunlight and character of the area

The proposed two-storey building is in keeping with the permissible height and development parameters of Business Zone 3: Local Business and will not significantly obstruct views or access to sunlight for surrounding properties. The current zoning of SR1 also allows a two-storey building and therefore, the proposal is not out of character with the surrounding area. The design will however be sensitively integrated into the streetscape, ensuring minimal visual intrusion. As properties along Van Blommenstein Road in Onrus is experiencing gradual diversification of land uses, the proposed mixed-use development is compatible with the evolving character of the area and will contribute to a more active and integrated neighbourhood.

Economic impact

The proposed development will have a positive economic impact by unlocking the property's full development potential. It will create opportunities for local business activity on the ground floor, potentially generating employment and supporting entrepreneurship. Additionally, the construction phase will contribute to the local economy through job creation and service procurement. The new residential units will also increase the property rates base, supporting municipal revenue and service delivery.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or forgoing valued land use rights of interested and affected parties when an application is approved. The proposed use of the subject property is not predicted to adversely affect the surrounding area as the use proposed is not a use that emanates a lot of noise or any noxious trades.

Environmental impact

No listed activities in terms of the National Environmental Management Act are triggered by this proposal.



10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the EMOZ.

10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within the HPOZ.

10.3 Spatial Planning Policies

The consistency and inconsistency of this proposal with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

PSDF

The PSDF (Provincial Spatial Development Framework) is the result of a collaborative effort between various provincial departments, government entities, the private sector, academia, and non-governmental organisations, all guided by an inter-departmental steering committee. This broad participatory process has fostered a shared spatial vision that aims to guide spatial development patterns across both urban and rural areas of the province.

Economic development is a key focus throughout the PSDF, recognised as essential for ensuring the provincial economy has a significant impact on the national economy. The ongoing growth of the provincial economy highlights the need to stimulate economic activity at lower levels of government. This application, which seeks to allow business use accompanied by residential use, aligns with the broader vision to add value to the Onrus area, thereby positively impacting the Overstrand Municipality. In this context, the application is consistent with the PSDF's emphasis on promoting economic activity, contributing to the region's development goals.

MSDF

The MSDF's purpose is to ensure compliance with national, provincial and district legislation policies and principles. The MSDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The MSDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan, the MSDF was synthesised through the influence of these policies and frameworks. Ensuring economic development take place in the OM would ensure sustainable growth of the municipal area.

The area where the subject property is located, falls within the Onrus Business Area Node (N2) as identified within the MSDF's 2050 Vision: Greater Hermanus (West). It states that business uses, commercial, retail and offices should be concentrated within demarcated business areas as far as possible. Refer to **Figure 3** on the following page for a visual illustration of the business/community node and a visual representation where the subject property is located.



MOTIVATION



Figure 3: Onrus Business Area Node (N2)

The subject property is located within the demarcated business area and the proposed rezoning is therefore in line with the future development proposals envisioned for the area within the MSDF.

Overstrand Municipal Growth Management Strategy, 2010

Although repealed, the Overstrand Municipal Growth Management Strategy is used as a guideline document to the municipality. The subject property is located within Planning Unit 1. As depicted in **Figure 4** below, it is evident that the property is located in an area earmarked as "Retail Area", which the proposal to rezone the property to a business erf fits into seamlessly.

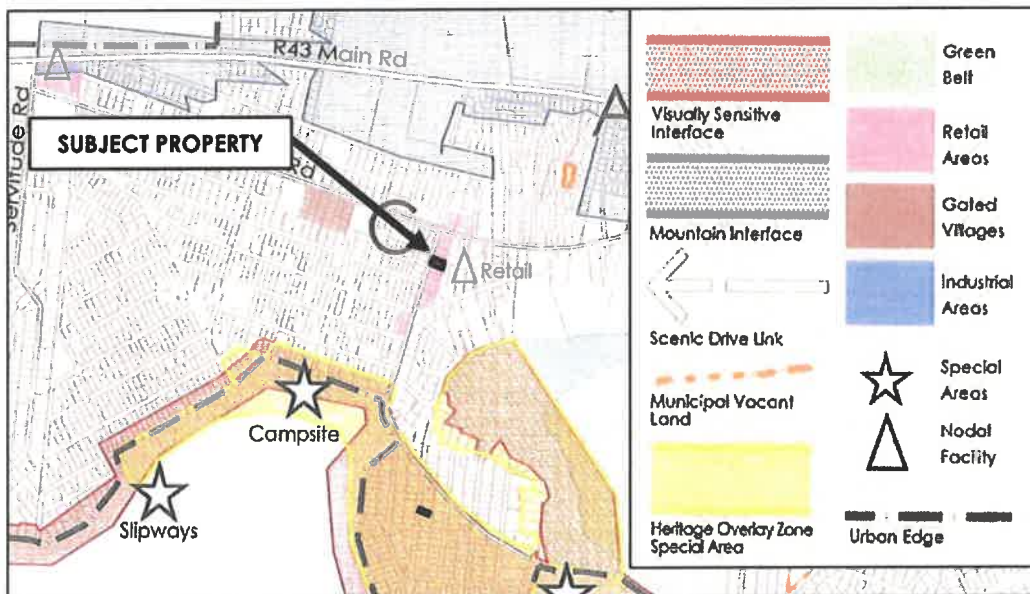


Figure 4: Extract of the OMGMS



11. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial justice

Spatial justice refers to planning proposals which do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for a business property that will be accompanied with flats would encourage economic growth that in turn could employ the less fortunate and not add to the perpetuate apartheid spatial development imbalances.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals which result in communities that are viable. This proposal is intended to increase the economic power of the Onrus area in the OM, this will ensure that the area stays in contrast with the ever-changing urban character of the greater Hermanus area.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The OM has a reputation for conducting effective public participation as part of its land use planning process. This process is an essential component of land use planning, as it allows people who may be affected by the development to provide feedback and raise any concerns or suggestions for improvement. This ensures that the development is in line with the needs and desires of the community.

All comments and feedback received during the public participation process will be carefully reviewed and considered by the relevant authorities. Any issues or concerns raised will be addressed, and suggestions for improvement will be considered where possible. This approach ensures that the final outcome benefits both the community and the developers.



CONCLUSION AND RECOMMENDATION

12. CONCLUSION

The owner has appointed WRAP Project Office to assist with the proposed application to allow the "highest and best use" of the property, in accordance with the relevant policies, legislation, and development parameters of the proposed zoning.

In accordance with the OMSDF, the area is identified as a business node that intends to accommodate smaller, localized businesses, which aligns with the purpose of this proposal. Additionally, the proposed land use of business and residential is in keeping with the surrounding area as the area comprises of business and residential uses. The proposal is therefore not considered undesirable. The development aims to preserve the character of the area and is not expected to obstruct views or sunlight.

In conclusion, the proposed development is a feasible option that aligns with the policies and legislation of the Overstrand Municipality. The owner has taken the necessary steps to ensure the proposal is planned sustainably and will also be executed sustainably. It is anticipated that the proposal will make a positive contribution to the local economy and the surrounding area of Onrus.

13. RECOMMENDATION

Based on the motivation, it is recommended that the following is approved:

- 13.1 Rezoning** of Erf 3626 Onrustrivier from Residential Zone 1: Single Residential to Business Zone 3: Local Business in terms of Section 16(2)(a) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.2 Permanent departure** from the 3m northern side building line to 1,23m to accommodate the ground floor of the proposed structure in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.3 Permanent departure** from the 3m northern side building line to 1m to accommodate the first floor of the proposed structure in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020;
- 13.4 Permanent departure** from the 3m southern side building line to 2,6m to accommodate the first floor of the proposed structure in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020; and
- 13.5 Permanent departure** from the provisions of the land use scheme to allow a door and windows closer than 1,5m away from the boundary in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

Plan 5.1 - Site Plan (Ground Floor)
Erf 3626 Onrustrivier

Plan prepared by: Veronica Jansen
Plan No. 25/083 (01)
based on plans by Vue Architects

All distances are approximate and
subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Cnr of Royal
Street & Dirkie Uys Street Hermanus, 7200



Project Office
Town Planning & Project Management

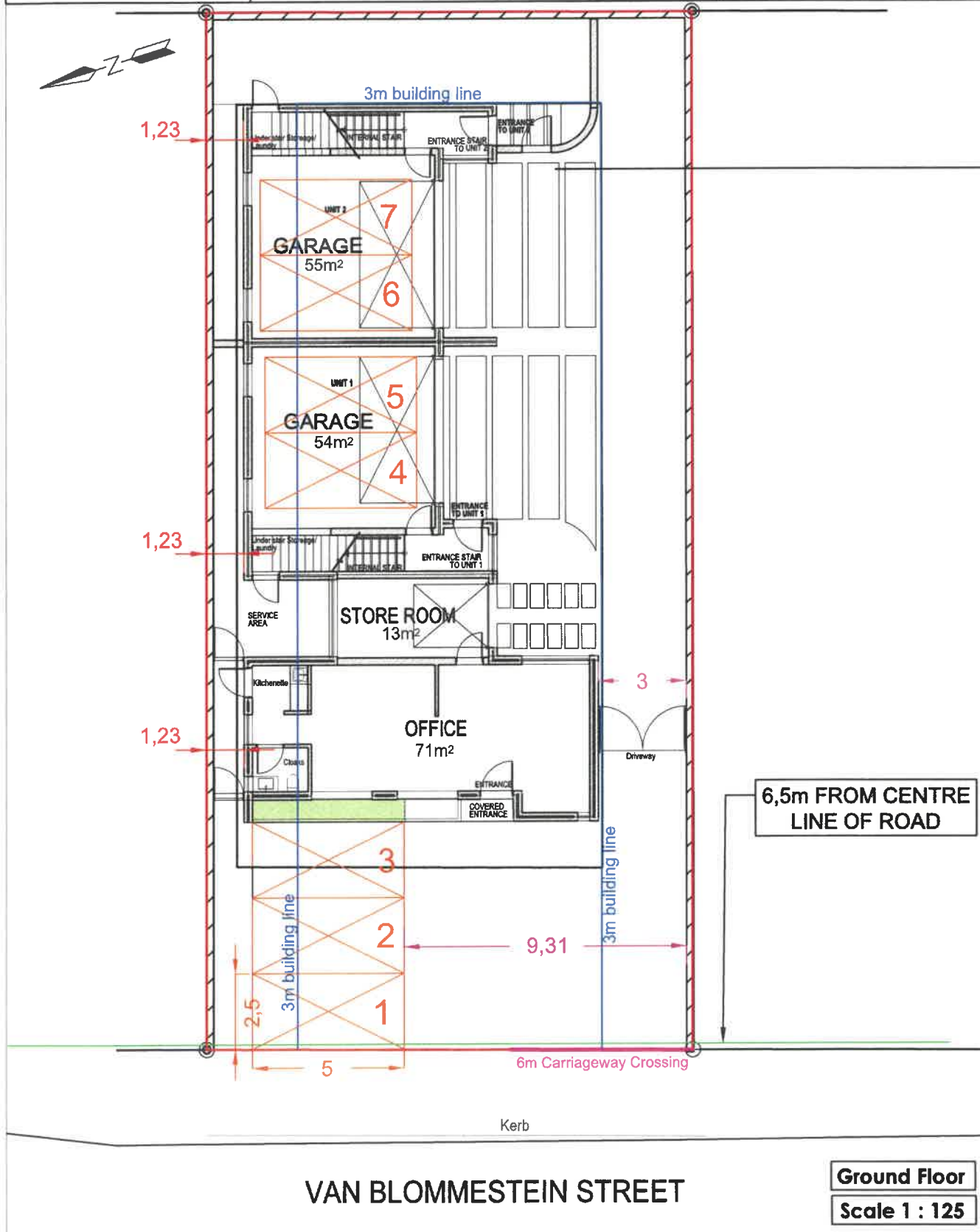
GLA: ±71m²
3 parking bays required

2 x 3-bedroom flats
4 parking bays required

7 Parking bays required
7 Parking Bays provided

Permanent Departure from the 3m northern side
building line to 1,23m to accommodate the
ground floor of the proposed structure.

Permanent departure from the provisions of the land
use scheme to allow a door and windows closer than
1,5m away from the boundary.



Ground Floor
Scale 1 : 125

Plan 5.2 - Site Plan (First Floor)
Erf 3626 Onrustrivier

Plan prepared by: Veronica Jansen
 Plan No. 25/083 (01)
 based on plans by Vue Architects

GLA: ±71m²
 3 parking bays required

2 x 3-bedroom flats
 4 parking bays required

7 Parking bays required
 7 Parking Bays provided

Permanent Departure from the 3m northern side building line to 1m to accommodate the first floor of the proposed structure.

Permanent Departure from the 3m southern side building line to 2,6m to accommodate the first floor of the proposed structure.

Permanent departure from the provisions of the land use scheme to allow a door and windows closer than 1,5m away from the boundary.

All distances are approximate and subject to a survey

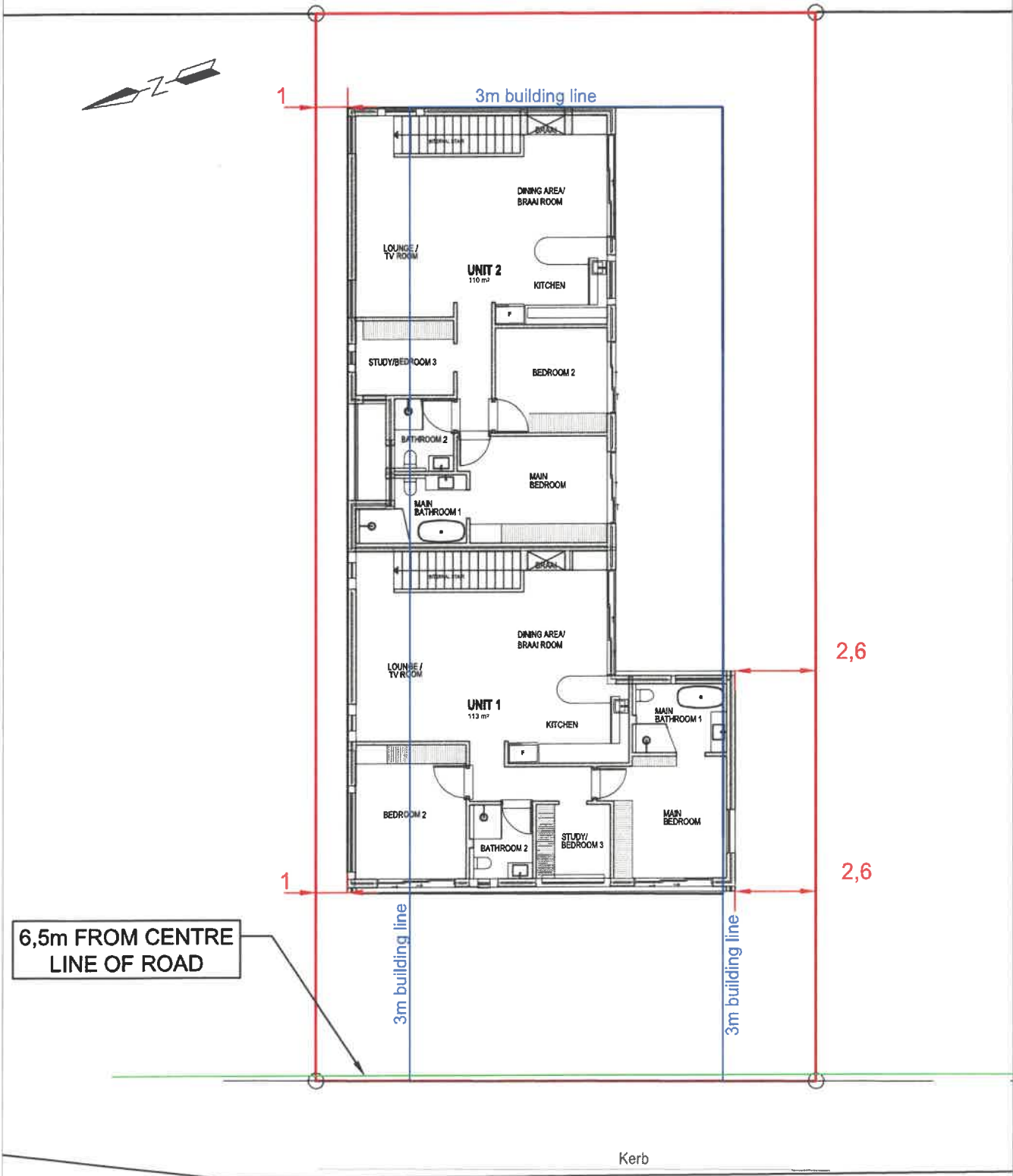
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Cnr of Royal Street & Dirkie Uys Street Hermanus, 7200



Project Office
 Town Planning & Project Management

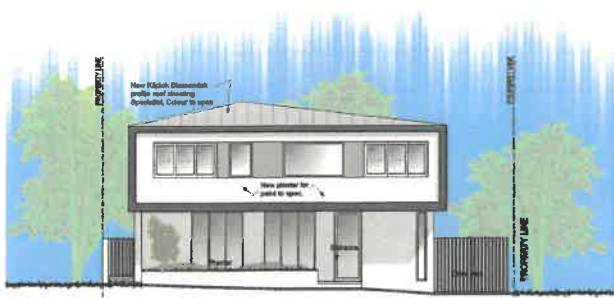
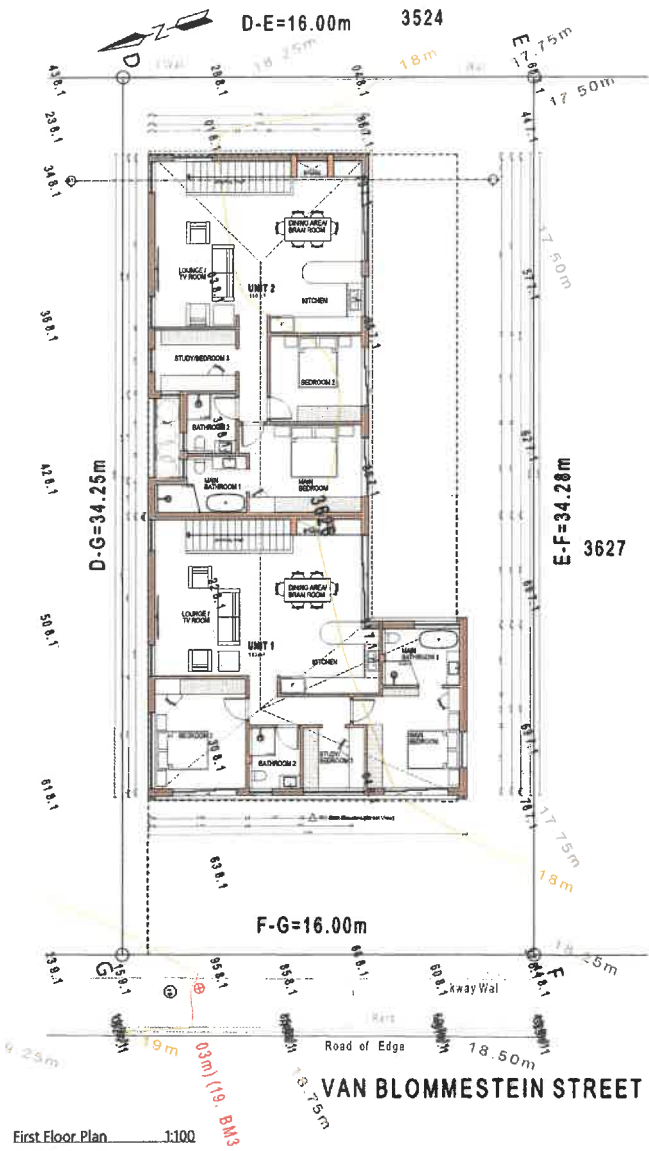
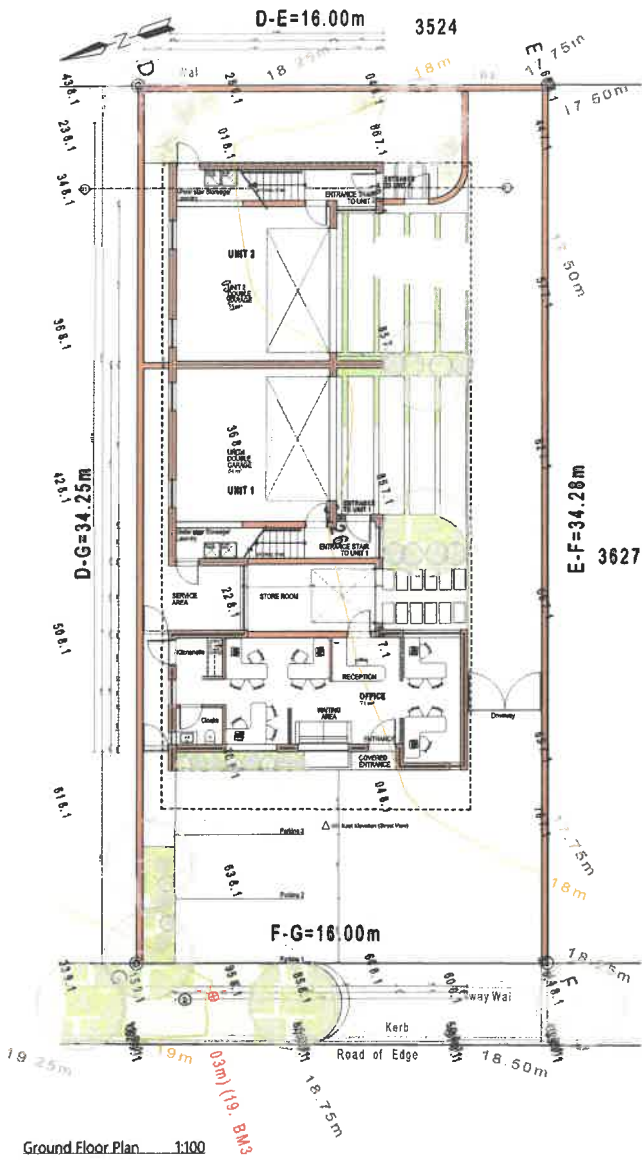


6,5m FROM CENTRE LINE OF ROAD

VAN BLOMMESTEIN STREET

First Floor

Scale 1 : 125



Ground Floor Plan 1:100

Client _____
 Architect _____
 New Development
 SKETCH PROPOSAL

VUE
 architecture

HOUSE REEF PROP
 Stand 3626,
 Onrus River,
 Hermanus,
 7201

DRAWINGS:
 - SITE/GROUND FLOOR PLAN
 - FIRST FLOOR PLAN
 - EAST ELEVATION (STREET VIEW)

SCALE: AS INDICATED
 DATE: 2022/04/09
 PAPER SIZE: A1

DRG. NO. 1.0



DIRECTORATE: PLANNING & DEVELOPMENT
TOWN & SPATIAL PLANNING

LAND USE PLANNING APPLICATION RESPONSE FORM

E-mail to relevant person stipulated on the notice: loretta@overstrand.gov.za / alida@overstrand.gov.za
16 Paterson Street / PO Box 20 HERMANUS, 7200 / Tel: 028 313 8900

APPLICATION DETAILS

Application erf number:

ERF 3626 9 VAN STOENEGH

APP ID:

5011/2025

How did you receive notice of the application?

EMAIL 22 Aug 2025

Handwritten note: *Handed over to Van Stoenege*

STATE YOUR INTEREST IN THE APPLICATION:

I AM A NEIGHBOUR

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

REASONS FOR OBJECTION / COMMENT / SUPPORT:

WILL NOT PERMIT DEVELOPMENT APPROVAL DUE TO
REFERENCES TO POSSIBLE OCCUPATION IN RETAIL SECTION
TO ALLOW BOTTLE STORE OR RELATED BUSINESSES
IF THIS IS REMOVED FROM APPLICATION I WILL RECONSIDER

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. ERF 3626 ✓
Onus River
SCAN NO.
COLLABORATOR NO.
2869638

Feel free to continue on separate page(s)...

PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (PRINT)

BEVERLY BLOCH

Your erf number:

4293

Company/Trust details:

Postal address:

6 KRAMSZI CAT, CHIAPPINI 89
Onus 7201

Contact details:

Cell:

083 252 2594

E-mail address:

bevdock18@gmail.com

Signature:

Date:

25/09/25

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed/used in the application process. Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice within the time period stated in the notice.

Loretta Gillion

From: KRANSZICHT Homeowners association <kranszichthoa@gmail.com>
Sent: Sunday, 31 August 2025 16:49
To: Loriaan Isaacs
Cc: kranszichthoa@gmail.com; Loretta Gillion; 'Bev Bloch'; Amanda Hanel; Wendy
Subject: Re: Erf 3626, 9 Van Blommenstein Street, Onrust River: attached notice must be served to each individual registered landowner within the Kranszicht development

Hallo Loriaan,

Please can you provide or direct me to the formal objection form to be completed, which I have been requested to provide to owners in the neighborhood.

It appears that the most contentious issue is the possibility of a bottle store renting/occupying the retail area.

If the developer assured us that the commercial space would not be rented to a bottle store, liquor off sales or the likes thereof, there may be fewer objections.

Please revert.

Kind Regards

Bev

On behalf of the Trustees of KRANSZICHT

Mobile 083 252 2594

FILE NO. Erf 3626-HON
SCAN NO.
COLLABORATOR NO.
2855975

Please excuse any typos as my phone has a mind and personality of its own 😊 Sent from my iPhone

On 22 Aug 2025, at 09:32, Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

TP

25 AUG 2025

Loretta Gillion

DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Loriaan Isaacs
Sent: Friday, 22 August 2025 14:39
To: Loretta Gillion
Subject: FW: Erf 3626, 9 Van Blommenstein Street, Onrust River: Public Participation - You are regarded as a potentially affected property owner

From: Maarten van Dalsen <bergviewvet@gmail.com>
Sent: Friday, 22 August 2025 14:21
To: Loriaan Isaacs <loriaanisaacs@overstrand.gov.za>
Subject: Re: Erf 3626, 9 Van Blommenstein Street, Onrust River: Public Participation - You are regarded as a potentially affected property owner

Hi Loriaan

Baie dankie !

Dis mooi - ons het geen probleem daarmee nie.

Mooi naweek

Maarten

On Fri, Aug 22, 2025 at 9:31 AM Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

To whom it may concern

ERF 3626, 9 VAN BLOMMENSTEIN STREET, ONRUST RIVER: APPLICATION FOR REZONING AND DEPARTURE: WRAP PROJECT OFFICE ON BEHALF OF REEFF PROPS (PTY) LTD

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice for your attention.

FILE NO. Erf 3626-HON
SCAN NO.
COLLABORATOR NO.
2851293

Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and Section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning application. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing difficulties in service delivery experienced by the South African Post Office, and as per the aforesaid Council resolution, **NO** registered mail/letters will be forwarded in the interim period.

TP 25 AUG 2025

32 Annexure E

1/2

REKORDBEHEER

10 OCT 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY



Project Office

Town Planning & Project Management

Our Reference: 25/83
Your Reference: 3626 HON

10 October 2025

The Municipal Manager
Overstrand Municipality
PO Box 20
Hermanus
7200

FILE NO. Erf 3626-HON

SCAN NO.

COLLABORATOR NO.

2881364

Attention: Mr H Olivier

ERF 3626 ONRUSTRIVIER: APPLICATION FOR REZONING AND PERMANENT DEPARTURE

Public Support

A letter of support was received, which is acknowledged.

The objections received to the application are addressed below:

Bottle Store

The primary concern raised relates to the notion that the proposal seeks to open and operate a bottle store on the premises.

The current application is to rezone the property from Residential Zone 1: Single Residential to Business Zone 3: Local Business, which will allow the owners to utilise a portion of the property for commercial purposes. The commercial space may be used for shops, offices, and a restaurant as primary rights.

Should a bottle store be proposed in the future, it would require approval of a separate consent use application, which would be subject to a further round of public participation.

No such application is being made as part of the current proposal. The motivation clearly states under "Consent uses which may be applied for". No such application is being submitted.

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

Office 3, Oakwood,
10 Dirkie Uys Street,
Hermanus

PostNet Hermanus Suite 170
Private Bag X16, Hermanus,
7200

Tel: +27 (0)28 313 1411
Email: admin@wrapgroup.co.za
Web: www.wrapgroup.co.za



WRAP Group Established 2002

TP
10 OCT 2025



Should a bottle store be proposed in the future, it would require approval of a separate consent use application, which would be subject to a further round of public participation.

No such application is being made as part of the current proposal. The motivation clearly states under "Consent uses which may be applied for". No such application is being submitted.

Conclusion

In conclusion, the application complies with the intent of the Land Use Management Scheme and supports the broader planning objectives of promoting mixed-use development and local economic activity within appropriately zoned areas. The proposed rezoning will enable the property to be utilised more effectively while maintaining compatibility with the surrounding character and land uses.

The concerns raised regarding a bottle store are unfounded, as no such use is proposed or applied for. Any future intention to operate a bottle store would require a separate application and further public participation.

Accordingly, it is recommended that the application for rezoning and departure be approved.

Yours faithfully

T JANSEN
PROFESSIONAL TOWN PLANNER (A/2858/2019)

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR REZONING & DEPARTURE: ERF 3626, ONRUS RIVER
(5011/2025)**

Stormwater (SW)	:	In Order
Electricity	:	Eskom Area
Water	:	In Order
Sewer	:	In Order
Roads and traffic	:	In Order

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

- 1.1 Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided).

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

- 1.2 Developments with free standing properties** (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (**2025/2026**) is as follows:

Freehold erven:

Water	R 27 598.00 x 0.884	= R 24 396.63
Sewerage	R 19 725.00 x 0.884	= R 17 436.90
Roads	R 8 845.00 x 3.00256416	= R 26 557.68
Stormwater	R 10 205.00 x 0.644	= R 6 572.02
Solid Waste	R 1 769.00 x 2.37	= <u>R 4 192.53</u>
TOTAL (inclusive of VAT)		= <u>R 79 155.76</u>

Note:

- 1.3 The above figures are estimates**

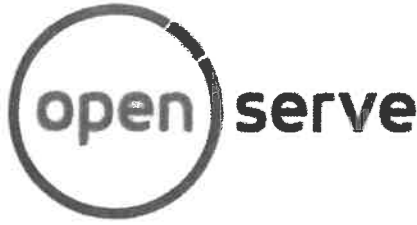
2. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;

3. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
4. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
5. that any additional and / or extended vehicle entrances will be for the owner's account;
6. that no reservation of on-street parking be allowed;
7. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
8. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

01/09/25
DATE



36
OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
04 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Annexure G
1/3

TP - A Theart
(H Olivier)

15 Bosmansdam Road
Milnerton
Cape Town
7441

Sanet Botha
Tel: 081 4093918
Email: WayleavesSR@Telkom.co.za

Our Ref.: WONR 2586 25

3 September 2025

OVERSTRAND MUNICIPALITY

Dear Sir / Madam

OPTIC FIBRE/COPPER PLANT AFFECTED

WAYLEAVE: VAN BLOMMENSTEIN STREET, ONRUS RIVER.

FILE NO. Erf 3626-HON
SCAN NO.
COLLABORATOR NO.
2858593

With reference to your application dated 22 August 2025.

As important OPTIC FIBRE cables are affected, please contact our representative Melt van As telephone number 081 3637873 at least 48 hours prior of commencement on construction work.

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

I hereby inform you that Openserve approves the proposed work indicated on your drawing in principle. This approval is valid for 6 months only, after which reapplication must be made if the work has not been completed.

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

Approval is granted, subject to the following conditions.

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

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

TP 04 SEP 2025

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

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

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

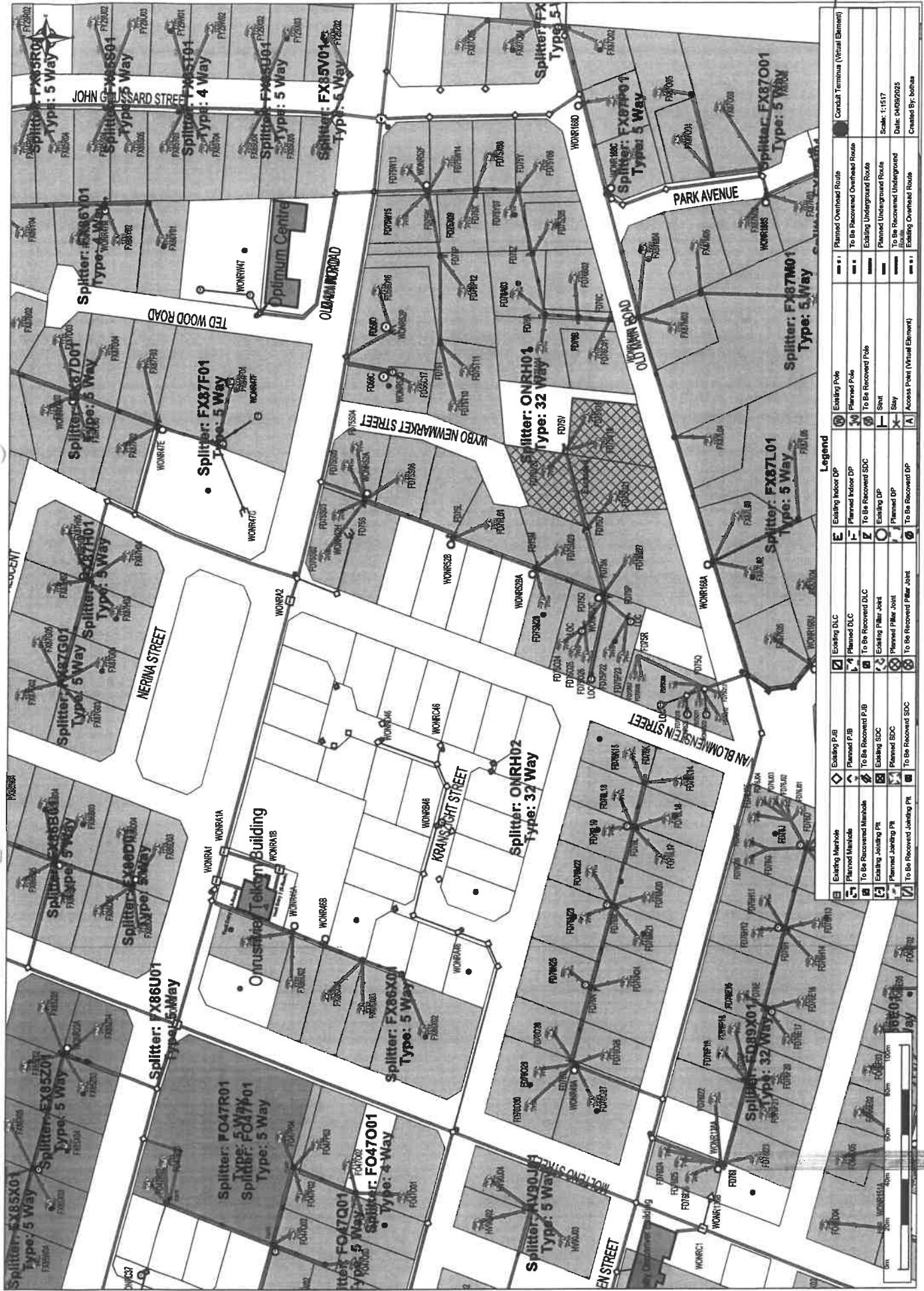
All Open Serve rights remain reserved.

Yours faithfully



Sanet Botha

Wayleave Management: Western Region & Southern Region



Legend

	Existing Manhole		Existing P/B		Existing D/LC		Existing Pole		Planned Overhead Route		Circuit Terminus (Virtual Element)
	Planned Manhole		Planned P/B		Planned D/LC		Planned Pole		To Be Recovered Overhead Route		Existing Underground Route
	To Be Recovered Manhole		To Be Recovered P/B		To Be Recovered D/LC		To Be Recovered Pole		Existing Underground Route		Planned Underground Route
	Existing Jointing P/B		Existing Jointing P/B		Existing Jointing P/B		Existing Jointing P/B		To Be Recovered Underground Route		Planned Underground Route
	Planned Jointing P/B		Planned Jointing P/B		Planned Jointing P/B		Planned Jointing P/B		To Be Recovered Overhead Route		Existing Overhead Route
	To Be Recovered Jointing P/B		To Be Recovered Jointing P/B		To Be Recovered Jointing P/B		To Be Recovered Jointing P/B		To Be Recovered Pole		Access Point (Virtual Element)

Scale: 1:1517
Date: 14/09/2025
Created By: botha



Department of infrastructure

Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB-21/316 (Application No: 2025-09-0069)

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
23 OCT 2025
Reeds deur die Stelsel
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP-A Theart
(H Olivier)

Attention: Ms L Isaacs

Dear Madam

ERF 3626, ONRUSTRIVIER: PROPOSED REZONING AND DEPARTURE

- Letter 5011/2025 to this Branch dated 21 August 2025.
- The subject property is in Onrustrivier and takes access off municipal Street (Van Blommestein).
- The proposal is for the following:
 - Rezoning of the subject property from Single Residential Zone 1 to Business Zone 3.
 - Permanent departure to relax the northern 3m building line to 1,23m to accommodate the ground floor of the proposed structure.
 - Permanent departure to relax the northern 3m building line to 1,0m to accommodate the first floor of the proposed structure.
 - Permanent departure to relax the southern 3m building line to 2,6m to accommodate the first floor of the proposed structure.
 - Permanent departure from the provisions of the land use scheme to allow a door and windows closer than 1,5m away from the boundary.
- This Branch offers no objection to the proposal in terms of the Land Use Planning Act 3 of 2014.

Yours Sincerely

DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 7 OCTOBER 2025

FILE NO. EF 3626-HON
SCAN NO.
COLLABORATOR NO.
2879298

2879044



11

STBB
 First Floor, Unit 6
 9 College Street
 Hermanus
 7200
 DoceX 45 Cape Town

Prepared by me,

[Signature]
 CONVEYANCER
 Charné Symington
 LPCM 94998

Purchase price/Value	Fee instrument	
	Amount	Office fee.
R. 1750 000,00		R. 1544,00
Mortgage capital Amount		R.
Reason for exemption	Exempt i.t. of	
	Act	

DATA / VERIFY
 09 -01- 2025
 ATHI DAVIYOI

T 000000103 / 2025

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT CHANTÉ BIANCA MOONSAMY

appeared before me, **REGISTRAR OF DEEDS: WESTERN CAPE** at **CAPE TOWN**,
 he/she, the said Appearer, being duly authorised thereto by a Power of Attorney
 granted to him/her by

PIETER HUGO STEYN
 Identity Number 620930 5102 08 0
 Married out of community of property

dated 16 November 2024
 and signed at ONRUSTRIVIER

AND the said Appearer declared that his/her principal had on **21 October 2024** truly and legally sold by Private Treaty and that he/she, the said Appearer in his/her capacity aforesaid, did, by these presents cede and transfer to and on behalf of:

REEFF PROPS PROPRIETARY LIMITED
Registration Number 2022/439051/07

its successors in title or assigns in full and free property:

ERF 3626 ONRUSTRIVIER
 IN THE OVERSTRAND MUNICIPALITY
 DIVISION CALEDON
 WESTERN CAPE PROVINCE

IN EXTENT: 548 (FIVE HUNDRED AND FORTY EIGHT) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No. T62986/1996 with Diagram LG No. 3453/1990 relating thereto and held by Deed of Transfer Number T22898/2005

- A. SUBJECT to the conditions referred to in Deed of Transfer No. T1393/1918.
- B. SUBJECT FURTHER to the following special conditions contained in said Deed of Transfer No. T16983/1944 imposed by the Caledon Divisional Council as the Controlling Authority in terms of Act 21 of 1940:-

- "1. The land may not be subdivided nor may any share in it or portion of it be sold, leased or disposed of in any way without the written approval of the Controlling Authority as defined in Act 21 of 1940.
2. Not more than two dwelling houses together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected on the land except with the approval of the Controlling Authority as defined in Act 21 of 1940.
3. No building or any structure whatsoever shall be erected within a distance of 18,89 metres from the centre line of Main Road No. 6 from Bot River to Hermanus, which passes along the northern boundary, without the written approval of the Controlling Authority as defined in Act 21 of 1940."

f

Y

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

PIETER HUGO STEYN, Married as aforesaid,

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

REEFF PROPS PROPRIETARY LIMITED, Registration Number 2022/439051/07,

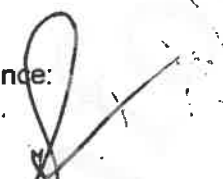
its successors in title or assigns now is and henceforth shall be entitled thereto, conformably to local customs, the State, however, reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of

R1 750 000,00 (ONE MILLION SEVEN HUNDRED AND FIFTY THOUSAND RAND).

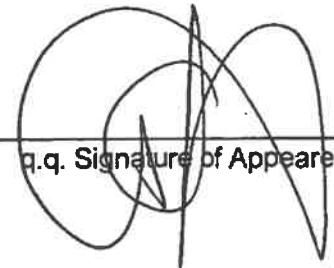
IN WITNESS WHEREOF I, the said Registrar of Deeds together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the **REGISTRAR OF DEEDS: WESTERN CAPE at CAPE TOWN** on **07 JAN 2025**

In my presence:



Registrar of Deeds



q.q. Signature of Appearer

Handwritten mark resembling a stylized 'N' or '2' at the bottom center of the page.

Handwritten mark resembling a stylized 'Y' at the bottom left of the page.