

4.2

ERF 3624, 5 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER AND ERF 3625, 7 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, DEPARTURE AND EXEMPTION OF SUBDIVISION (RIGHT OF WAY SERVITUDE): PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF QUENET'S PHARMACY (BOLAND) (PTY) LTD & MOTIFPROPS 157 (PTY) LTD

3624 & 3625 HON (5100/2025)

H Olivier

15 May 2026

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 3 October 2025 from Plan Active Town and Regional Planners on behalf of Quenet's Pharmacy (Boland)(Pty) Ltd and Motifprops 157 (Pty) Ltd on Erven 3624 and 3625, Onrustrivier in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the following:

- ❖ **Rezoning** in terms of Section 16(2)(a) of the By-Law to rezone Erven 3624 and 3625, Onrustrivier from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) to accommodate the proposed development.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the southern lateral building line applicable to Erf 3625, Onrustrivier from 3m to 0m to accommodate the proposed business unit.
- ❖ **Exemption of Subdivision** in terms of Section 26(1)(h)(v) of the By-Law for the registration of right-of-way servitudes over Erven 3624 and 3625 Onrustrivier to establish a shared vehicular access arrangement.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

Erven 3624 and 3625, Onrustrivier is zoned Residential Zone 1 and measures 547m² and 548m² in extent respectively. Both properties are vacant at this stage. It is situated in an area identified for local economic development, with existing business sites to the north and south (recently rezoned from Residential Zone 1), a single residential area to the east and a group housing development to the west.

The owners applied to rezone the properties to obtain business rights to utilize the ground floor for business purposes and parking, and the first floor for a flat each.

Application is also made to relax the southern lateral building line from 3m to 0m, as the property to the south was still zoned Residential Zone 1 when the application was submitted. It has now been rezoned to Business Zone 3: Local Business purposes.

Application is also made to register a reciprocal right-of-way over Erven 3624 and 3625, Onrustrivier, to enable them to share one access/egress point from Van Blommenstein Street.

4. SUMMARY OF APPLICANT'S MOTIVATION

THE MOTIVATION CAN BE SUMMARIZED AS FOLLOWS:

- ❖ The area has a mixed-use character with shops, restaurants, estate agencies and residential properties.
- ❖ The proposal is in line with the prevailing development pattern.
- ❖ The proposed business zoning would make provision for office, retail or restaurant space, or a combination of these uses.
- ❖ The properties are situated in an area earmarked for future economic opportunities in terms of the Growth Management Strategy (2010).
- ❖ Provision will be made for business activities on ground floor and reasonably sized two-bedroom residential flats on each building first floor.
- ❖ The buildings will be 3m from the rear boundary and the business facades orientated towards Van Blommenstein Street.
- ❖ Each business' ground floor will be 188m² in extend and have its own bathroom facilities.
- ❖ The business building will be constructed on the northern boundary, which abuts another business site, but the property to the south has a Residential Zone 1 zoning and a 3m building line is applied. Application is made to relax the southern building line to 0m to accommodate the business building.
- ❖ The flats on first floor level will be set back 5m from the northern and southern lateral boundaries. Each flat will be 124m² in extend including the 16m² balcony.
- ❖ The building to be constructed over the 3m southern building line will only be 12,2m long and is single storey with a low roof pitch. There are no door and window openings over the building line.
- ❖ The building line departure is minor, visually unobtrusive, and compatible with the existing urban environment.
- ❖ To ensure a safe access it is proposed that one shared vehicle access be created.
- ❖ A 3,275m right-of-way servitude will be created on each property, to create the single entrance-and-exit system directly onto Van Blommenstein Street.
- ❖ Each right-of-way servitude will be 3,275m x 13m. A reciprocal right-of-way will be registered in favour of the adjoining erf.
- ❖ The servitude will limit crossovers in Van Blommenstein Street, would help to create a better site layout and maximise parking, and create the efficient utilization of space.
- ❖ The registering of a right-of-way servitude can be accommodated in terms of the Planning By-Law as an exemption.
- ❖ Each property will have to provide 2 parking bays for the flat and 8 parking bays for the business component, totalling 10 parking bays per property. This is provided.
- ❖ The development will not have an adverse impact on the local traffic network, due to the modest scale of the development.
- ❖ There are no restrictions in the Title Deeds of the properties prohibiting the application.
- ❖ The properties have potential to be developed as it is situated in a mixed use precinct, it fronts Van Blommenstein Street which ensures high visibility, is in line with the aims in Growth Management Strategy (2010), is compatible with surrounding uses, will be an efficient and sustainable way to use the land and will also create business space and jobs and have a positive economic contribution.

- ❖ Will have a positive social impact as it will enhance accessibility to services, help with community integration (flats and businesses), create a more vibrant streetscape for pedestrians and will provide two housing opportunities.
- ❖ It is compatible with the surrounding area which has mixed uses.
- ❖ Water supply and impact on sewerage would not differ much than that from a residential unit.
- ❖ Stormwater management will be incorporated.
- ❖ Electricity demand will not be in peak times but during the day, with less of an impact on the electricity network.
- ❖ Modest volumes of solid waste will be created, not much higher than that of residential properties.
- ❖ The development will ensure better safety and surveillance in the area, not create excessive noise, pollution or traffic and will create facilities which is walking distance from neighbourhoods.
- ❖ The erven fall within the HPOZ, but there are no listed buildings on the sites. It will not impact the heritage significance of the Onrus Shop, which is a heritage site, lower down in Van Blommenstein Street.
- ❖ The application will have no environmental impact as the vacant sites have no sensitive environmental features or natural vegetation and there are no NEMA triggers.
- ❖ The property is earmarked for future economic opportunities in terms of the Overstrand Municipality Growth Management Strategy (2010) and is therefore in line with the aims of this document.
- ❖ In terms of the Overstrand Municipality SDF, 2020 the property is situated in the urban development area, where densification and mixed-use development is promoted.
- ❖ **Consideration in terms of the Planning Principles:**

Spatial Justice

The mixed-use development will create business opportunities and residential flats, which improves access to services and economic opportunity.

Spatial Sustainability

Existing services will be used which reduces pressure on greenfield sites and ensuring efficient use of infrastructure.

Efficiency

Land use potential will be maximized without requiring municipal services upgrades.

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	20 November 2025	16 January 2026
E-mail notices and On-site notice	Yes	20 November 2025	16 January 2026
Ward councillor	Yes	20 November 2025	16 January 2026

Total comments	ONE (1)
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	20/11/2025	No objection.
Fire Department	01/12/2025	No objection.
District Health	12/09/2025	No objection.
Municipal Environmental Division	19/01/2026	No objection.
Engineering Services	02/02/2026	See Annexure F.
Telkom	11/02/2026	See Annexure G.
Western Cape Government: Infrastructure (Road Planning)	11/02/2026	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 Onrustvriër Ratepayers Association. A notice board was also placed on-site by the applicant's consultant.

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

OBJECTION

 *WH Oosthuizen*

SUPPORT LETTER

 *M Van Dalsen*

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

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

OBJECTION

The balcony proposed for the flat on Erf 3624 will have a view directly onto the pool on Erf 3522.

APPLICANT'S RESPONSE

The balcony must be assessed within the context of the existing development rights and the surrounding urban development.

Under the current Residential Zone 1 zoning Erf 3624, Onrustrivier is already entitled to develop a double storey dwelling covering up 50% of the site, with a rear building line of 2m. Such a dwelling could lawfully include first floor living areas and balconies positioned closer to the common boundary than those proposed. From a planning perspective, this would result in a similar or potentially greater degree of overlooking than the current proposal.

The proposal only allows for residential purposes on the first floor, is set back 3m instead of 2m and thus more restrictive. It forms part of a mixed-use streetscape, where a reasonable degree of intervisibility between neighbouring properties is an acceptable and anticipated characteristic.

Swimming pools are outdoor amenities and cannot reasonably be expected to enjoy visual privacy, particularly where neighbouring properties are already entitled to develop to two storeys.

The balcony will not introduce an impact beyond what could already lawfully occur under existing zoning rights. The degree of overlooking is considered reasonable.

TOWN PLANNER'S RESPONSE

The applicant sufficiently addressed the objection, and the applicant opinion is supported.

It is to be noted even the property owner to the south of Erf 3522 can construct a double storey dwelling with balcony overlooking the pool on Erf 3522 within the existing development rights, with even a greater impact.

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 and residential opportunity in close proximity and have a positive economic impact.

Efficiency

The proposal will help develop the properties 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 for more than 50 units per ha in terms of the Overstrand Municipal Spatial Growth Management Strategy, 2010, which is a guideline document.

This means 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 there is 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 objection against the application. See Annexure H.

10.8 Existing and proposed zoning comparisons and considerations

The surrounding properties are zoned for residential purposes, but properties further north and south next to Van Blommenstein Street are zoned for business purposes.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

Erven 3624 and 3625, Onrustrivier is zoned Residential Zone 1 and measures 547m² and 548m² in extent respectively. Both properties are vacant at this stage. It is situated in an area identified for local economic development, with existing business sites to the north and south (recently rezoned from Residential Zone 1), a single residential area to the east and a group housing development to the west.

The owners applied to rezone the properties to Business Zone 3 purposes to utilize the ground floors for business purposes and parking, and the first floors for a flat on each property.

Application is also made to relax the southern lateral building line of Erf 3625 from 3m to 0m to construct the ground floor business building on the boundary with Erf 3626. Application is further made for an exemption from subdivision to allow the registration of a reciprocal right-of-way over Erven 3624 and 3625, Onrustrivier.

The proposal is to create a business area of 188m² on the ground floor of each erf, with a flat of 124m² (include the 16m² balcony) on first floor level on each erf.

There will be 10 parking bays on each erf, 2 for the flat and 8 for the business component, which is in line with the parking requirement in terms of the Planning By-Law.

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

The properties will share one access/egress point from Van Blommenstein Street, and to make it functional a right-of-way servitude of 3,275m by 13m will be registered on each property in favour of the other, to ensure a formalized access/egress point. The proposal and parking layout is supported by the Municipal Engineering Department.

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 50 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 of Erf 3625 with erf 3626 to 0m to accommodate a 12,2m long portion of the business building on the ground floor. It is to be noted that the rezoning of Erf 3626 to Business Zone 3 was approved in February 2026, after the submission of this application. The aforementioned application also included departure applications on the common boundary to relax the 3m building line to 1,23m on ground floor for the business component and the first floor to 1m to accommodate flats.

The fact is however that Erf 3626 is zoned Business Zone 3 and a 0m building line is now applicable to the southern boundary of Erf 3625.

The relaxation of the building can thus be supported.

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.

One (1) objection was received in the public participation process. The owner of Erf 3522 indicated concern about the proposed first floor balcony on Erf 3624, and that it would be overlooking the pool on his property.

The applicant did address the concern and indicated that should a dwelling be constructed on Erf 3624, a balcony can be constructed 2m from the common boundary, with even a greater impact.

It is the opinion that a first-floor balcony 3m from the common boundary would not have a greater impact, than a double storey dwelling constructed 2m from the common boundary (within the existing land use rights of the property) of Erf 3624. The applicant opinion is therefore supported and the balcony is acceptable.

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

The Municipal Waste Manager requested that waste refuse areas be provided on each erf, and the consultant did submit a revised Site Development Plan showing the position of the waste refuse area and supported by the Waste Manager.

It is to be noted that there is a condition in the Title Deed that only two dwellings may be constructed on each 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, departure to relax the building line and exemption from subdivision to register a right-of-way servitude on each property, will not have a negative effect on surrounding property owners or the character of the area, and is supported.

13. RECOMMENDATION

1. that the objection be noted.
2. that the application in terms of Section 16(2)(a) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 for the **rezoning** of Erven 3624 and 3625, Onrustrivier from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) to accommodate the proposed development, **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 for a **departure** to relax the southern lateral building line applicable to Erf 3625, Onrustrivier from 3m to 0m to accommodate the proposed business unit, **be approved**, in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 26(1)((h)(v) of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 for the **exemption of subdivision** for the registration of right-of-way servitudes over Erven 3624 and 3625, Onrustrivier to establish a shared vehicular access arrangement, **be supported**, in terms of the provisions of Section 61 of the By-Law;
5. that the approvals in 2 - 4 above be subject to the following conditions:
 - (a) that the approval only relates to the proposal as indicated on Plan numbers W4501001 Rev 08 dated 4 September 2025 and W4501002 Rev 07 dated 18 August 2025, 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 the reciprocal right-of-way servitudes be registered over Erf 3624 and 3625 prior to building plan approval.
6. that the following comments, be noted:
- ❖ Telkom (Annexure G), and
 - ❖ Western Cape Government: Infrastructure (Road Planning) (Annexure H).
7. that the applicant and persons who commented 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.
- ❖ The concern/objection raised that the proposed first floor balcony on Erf 3624 would impact the pool area on Erf 3522 is noted. However, should Erf 3624 be developed within its existing land use rights a double storey dwelling with balconies can be constructed 2m from the common boundary. The proposal would therefore not have a greater impact on the objector than should it be developed within its existing development rights.
- ❖ 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 Onrustvriër 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 50 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 departure to relax building line is because 3m lateral building line with Erf 3626 is because on submission of the application Erf 3626 was still zoned Residential zone 1. (*Note it has since been rezoned to Business Zone 3*).
- ❖ This area is in the business corridor, and the properties to the north and south is already zoned and/or be utilized for business purposes.
- ❖ The owners of the residential erven to the east and west did not object against the departure application.
- ❖ The encroachment is supported by all municipal divisions and other 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: Comment: Telkom
Annexure H: Comment: Western Cape Government: Infrastructure (Road Planning)
Annexure I: Title Deeds T101/2025 and T102/2025

SIGNATURES**REGISTERED PLANNER**

Name: **HENK OLIVIER**

SACPLAN Reg No: **B/8128/2004**

Signature: _____

Date: _____

REGISTERED PLANNER

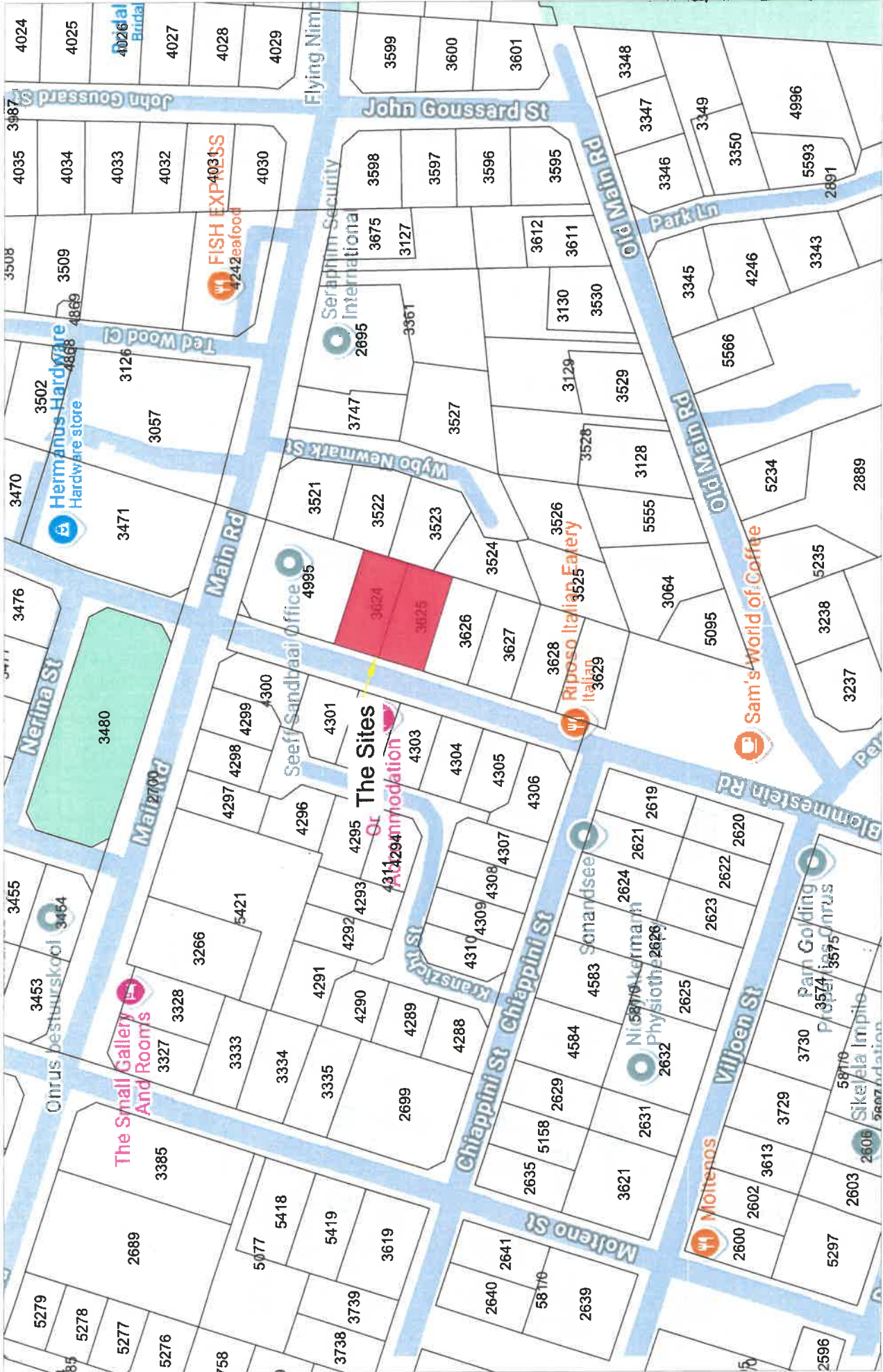
Name : **H VAN DER STOEP**

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

Signature : _____

Date: _____

Annexure A



Scale: NTS
 Drawing N624 OnrustrivierL.dwg
 Date: 2 Oct 2025

Plan Description:
LOCALITY MAP

Property Description:
3624 & 3625 ONRUSTRIVIER

All distances approximate and subject to survey.
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PLAN Stads- en Streeksbeplanners
 Town & Regional Planners

**PROPOSED REZONING, BUILDING
LINE DEPARTURES AND RIGHT OF
WAY SERVITUDES**

ERVEN 3624 & 3625 ONRUSTRIVIER

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Plan Active Town and Regional Planners has been appointed by Quenet's Pharmacy Boland (Pty) Ltd, the registered owner of Erf 3624 Onrustrivier, and Motifprop 157 (Pty) Ltd, the registered owner of Erf 3625 Onrustrivier, to prepare and submit the necessary land use applications to the Overstrand Municipality. The applications pertain to the following development rights and planning approvals:

- Rezoning of Erven 3624 and 3625 Onrustrivier from Residential Zone 1 to Business Zone 3: Local Business;
- Departure from the applicable lateral building line of Erf 3625 Onrustrivier; and
- Registration of Right-of-Way Servitudes over each erf to formalise shared access arrangements.

There are no mortgage bonds registered over either of the subject properties. A review of the Title Deeds further confirms that no restrictive conditions exist that would prohibit the proposed rezoning, building line departure, or registration of servitudes. The title particulars are as follows:

- Erf 3624 Onrustrivier: Extent 547 m², held under Title Deed No. T101/2025;
- Erf 3625 Onrustrivier: Extent 548 m², held under Title Deed No. T102/2025.

2. APPLICATION DETAILS

This application is submitted in terms of the relevant provisions of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020, and seeks approval for a combination of land use actions relating to Erven 3624 and 3625 Onrustrivier. The components of the application are brought in accordance with the following legislative provisions:

- **Chapter 4, Section 16(2)(a):**

Application for the rezoning of Erven 3624 and 3625 Onrustrivier from Residential Zone 1: Single Residential to Business Zone 3: Local Business.

- **Chapter 4, Section 16(2)(b):**

Application for departure from the prescribed lateral building line applicable to Erf 3625 Onrustrivier.

- **Chapter 4, Section 26(1)(h)(v):**

Application for exemption from subdivision procedures to allow for the registration of reciprocal right-of-way servitudes over Erven 3624 and 3625 Onrustrivier.

These servitudes will formalise the proposed shared vehicular access arrangement and qualify as an exempted application in terms of the By-law.

3. NEED AND DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erven 3624 and 3625 Onrustrivier are located at 5 and 7 Van Blommenstein Street, respectively, within a well-established and sought-after mixed-use precinct in the coastal town of Onrustrivier. The immediate surroundings comprise a diverse urban fabric that includes shops, restaurants, estate agencies and residential properties. Collectively, these uses contribute to a vibrant and dynamic streetscape.

The subject erven measure 547 m² (Erf 3624) and 548 m² (Erf 3625), respectively. In terms of the Overstrand Municipality Zoning Scheme, both properties are currently zoned Residential Zone 1: Single Residential and are presently vacant.

3.2 ZONING

Both Erf 3624 and Erf 3625 Onrustrivier are zoned Residential Zone 1: Single Residential (SR1) in terms of the Overstrand Municipality Zoning Scheme. The zoning permits the following:

- Primary Uses: crèche, dwelling house, guest rooms, home occupation, second dwelling unit, and self-catering.
- Consent Uses: day care centre, greenhouse, guest house, house shop, institution, place of instruction, place of worship, residential building, and intensive horticulture.

The broader surrounding area reflects a diverse zoning mix, predominantly comprising:

- Business Zone 3 (B3): accommodating shops, restaurants, estate agents and similar enterprises;
- Residential Zone 1 (SR1): developed and vacant single residential erven; and
- Resort Zone: The Coastal Caravan Park located at the southern end of Van Blommenstein Street.

This zoning context underscores the suitability of the proposed land use applications, particularly the rezoning of the subject properties to Business Zone 3: Local Business, which aligns with the established mixed-use character of the area.

Refer to the attached zoning map extract for a spatial representation of the zoning context.



3.3 LAND USE

Erven 3624 and 3625 Onrustrivier are currently vacant. The adjoining land uses are as follows:

- North: Business purposes
- East: Residential purposes
- South: Business purposes

This immediate context illustrates the gradual transition from residential to business activities along Van Blommenstein Street. The surrounding properties accommodate a variety of uses, including shops, cafés, estate agencies, and restaurants, which contribute to the established mixed-use character of the precinct.

The proposed rezoning and associated applications are therefore consistent with the prevailing development pattern and will reinforce the area's role as a vibrant, accessible, and integrated local business node.

3.4 PROPOSAL

The following land use applications are proposed in terms of the relevant provisions of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, and seeks approval for a range of land use actions pertaining to erven 3624 and 3625, Onrustrivier:

- **Chapter 4, Section 16(2)(a):**

Application for the rezoning of Erven 3624 and 3625 Onrustrivier from Residential Zone 1: Single Residential to Business Zone 3: Local Business.

- **Chapter 4, Section 16(2)(b):**

Application for departure from the prescribed lateral building line applicable to Erf 3625 Onrustrivier.

- **Chapter 4, Section 26(1)(h)(v):**

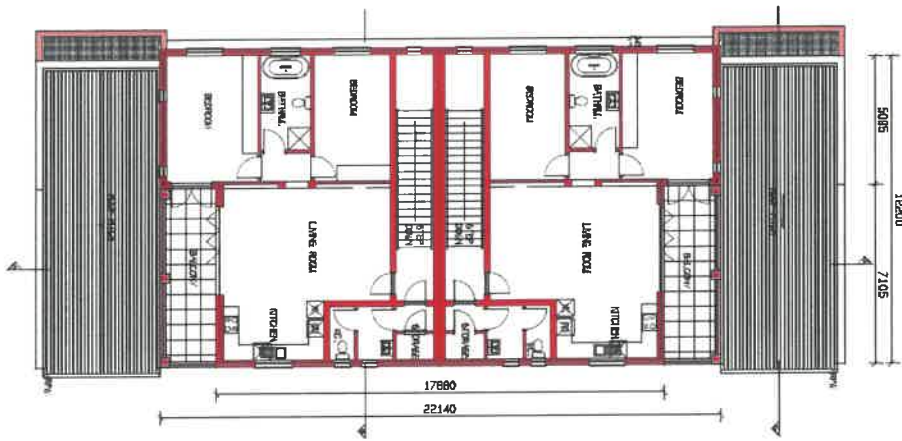
Application for exemption from subdivision procedures to allow for the registration of reciprocal right-of-way servitudes over Erven 3624 and 3625 Onrustrivier.

Further technical details and supporting documentation are provided in the following sections of this report.

3.4.1 Proposed Rezoning

The owners of Erven 3624 and 3625 Onrustrivier intend to establish a development comprising retail space, office space, a restaurant, or a combination of these primary uses permitted under the proposed Business Zone 3: Local Business zoning category.

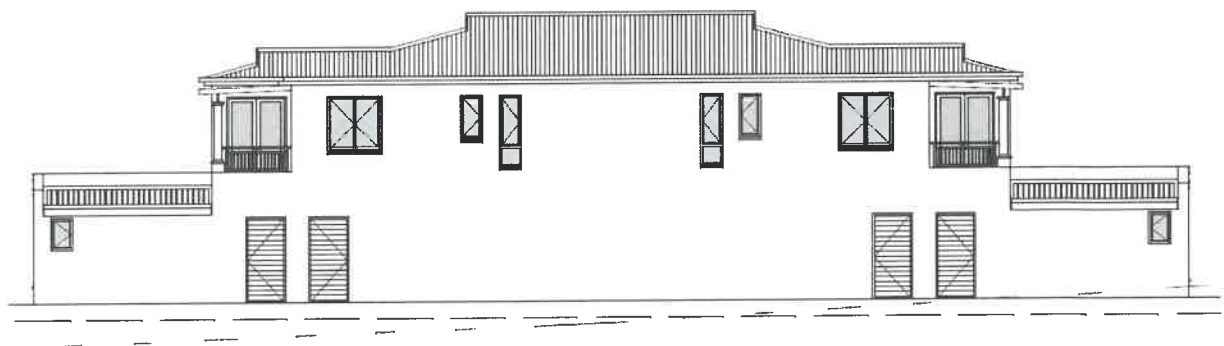
At present, the erven are zoned Residential Zone 1: Single Residential. However, the properties are situated within an area earmarked for future economic opportunities in



First Floor Plan

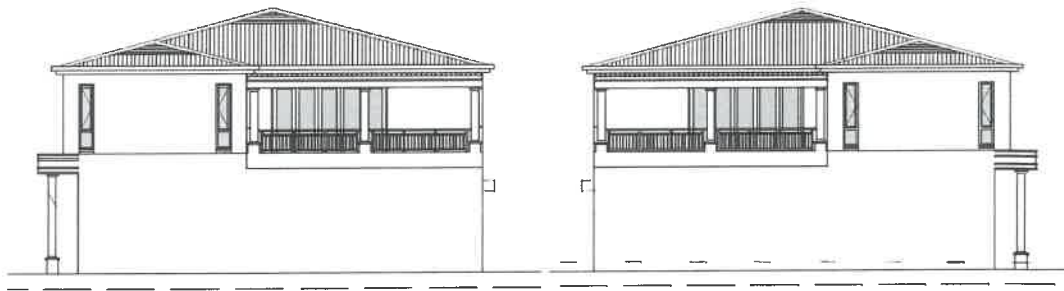


Street Elevation



Rear Elevation





Side Elevations

The proposed structures on Erven 3624 and 3625 Onrustvriev have been designed as a cohesive development, sharing a common boundary wall and presenting a mirrored architectural form.

Setbacks and Orientation:

The buildings are set back approximately 3 metres from the rear boundary, with the primary business façades orientated towards Van Blommenstein Street, ensuring high visibility and exposure to both vehicular and pedestrian traffic. Parking bays will be accommodated in front of each building, with detailed parking provision addressed in a later section of this report.

Ground Floor Business Units:

Each ground floor business unit will measure approximately 188 m², supplemented by a covered walkway of ±26 m² along the street frontage. Each unit will be fitted with bathroom facilities (toilet and hand basin), as well as a washing sink, as indicated on the enclosed building plans.

The business units extend up to the northern boundary of Erf 3624 Onrustvriev and the southern boundary of Erf 3625 Onrustvriev, in accordance with the provisions of Business Zone 3 regulations, where a 0 m lateral building line applies. The low mono-pitch roofs and parapet walls along these boundaries have been designed to minimise visual and amenity impacts on neighbouring properties.

Building Line Considerations:

In terms of zoning requirements, the northern and southern boundaries of Erf 3624 Onrustvriev will abut properties of a similar zoning, where a 0m building line is permissible. However, along the southern boundary of Erf 3625 Onrustvriev, which adjoins a Residential Zone 1 property, a 3m building line applies. The necessary

building line departure application is addressed in the subsequent section of this report.

First-Floor Residential Flats:

Above the ground-floor business units, a two-bedroom flat is proposed on each erf. These flats are set back approximately 5m from the respective northern and southern lateral boundaries, with a common wall along the shared boundary between the erven. Access to each flat is provided via separate staircases positioned on either side of this boundary.

Each flat comprises an open-plan living room and kitchen, two bedrooms, a bathroom, and a balcony of $\pm 16 \text{ m}^2$ facing north (Erf 3624) and south (Erf 3625). In addition, each staircase landing provides access to a guest bathroom (toilet and hand basin) and a small storage room. The flats are $\pm 124 \text{ m}^2$ in extent, excluding the balconies.

This design approach ensures a balanced integration of business and residential components while maintaining compatibility with the surrounding urban fabric. The mirrored design across the two erven further reinforces architectural cohesion and efficient use of the site.

3.4.2 Proposed Building Line Departure

In terms of the Overstrand Municipality Zoning Scheme, Business Zone 3 permits 0m lateral building lines where properties share boundaries with similarly zoned erven. Erf 3624 Onrustrivier abuts a Business Zone 3 property to the north, allowing its business unit to extend up to this boundary in full compliance with zoning provisions.

A building line departure is, however, required along the southern building line of Erf 3625 Onrustrivier, which abuts Erf 3626 Onrustrivier, a vacant Residential Zone 1 property. Here, a 3m building line applies. The proposed development seeks a departure from this requirement from 3m to 0m to accommodate the planned business unit, as reflected in the submitted building plans on Erf 3625 Onrustrivier.

The ground floor business unit on Erf 3625 Onrustrivier measures approximately 188 m^2 , complemented by a covered walkway of $\pm 26 \text{ m}^2$ along the street frontage. Internally, it will be fitted with appropriate facilities, including a bathroom (toilet and hand basin) and a washing sink, ensuring functionality for a range of business uses.

The section of the building that encroaches into the southern building line is limited in length to only 12.2 m, running alongside the boundary with Erf 3626 Onrustrivier. The structure has been designed as a single-storey element, with a low mono-pitch roof and a parapet wall. The parapet serves primarily as an aesthetic feature, providing architectural cohesion and enhancing the visual appearance of the building, while the low roofline ensures the development remains unobtrusive.

Key factors ensuring that the proposed departure will not negatively affect Erf 3626 include:

- **Height and Scale:** The single-storey height, combined with the low roof pitch, ensures the building does not create an overbearing presence.
- **Aesthetic Treatment:** The parapet wall enhances the building's appearance, improving integration into the streetscape without adding bulk.
- **Encroachment Extent:** The encroachment is confined to a modest 12.2m section of the boundary, limiting the potential impact to a short interface.
- **Vacancy and Future Use:** Erf 3626 is currently vacant, and the proposed development will not compromise its future use for residential purposes.
- **Mixed-Use Context:** The surrounding environment already accommodates both business and residential activities, ensuring compatibility with the area's established character.
- **Doors and Windows:** There are no doors or windows proposed within the northern and southern walls of the business building located on ground floor.

In summary, the proposed departure is minor, visually unobtrusive, and compatible with the existing urban environment, while respecting the development potential of Erf 3626 Onrustrivier.

3.4.3 Proposed Right of Way Servitude

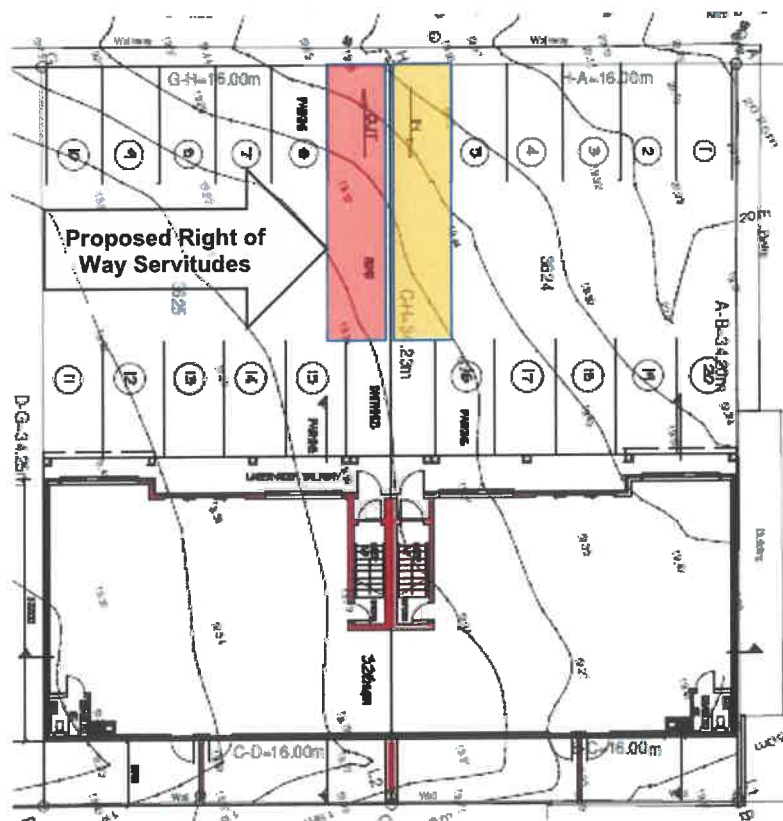
To ensure safe and efficient access to the proposed development, it is intended to establish a shared vehicular access arrangement across the common boundary of Erven 3624 and 3625 Onrustrivier.

Access Configuration:

A 3.275m wide entrance will be provided on Erf 3624 Onrustrivier and a 3.275 wide exit on Erf 3625 Onrustrivier. These two access points will be positioned centrally, straddling the common boundary between the erven. Together, they create a unified single entrance-and-exit system directly onto Van Blommenstein Street.

Extent of Servitude Areas:

The proposed Right of Way Servitudes will extend from the street boundary up to the start of the on-site parking bays located in front of the ground-floor business units. Each servitude will therefore measure approximately 3.275m x ±13m, registered reciprocally in favour of the adjoining erf. This arrangement ensures that both erven enjoy equal rights of access and egress, while formalising the practical use of a shared access point.



Operational and Urban Design Benefits:

This centralised access arrangement:



- Reduces the number of vehicle crossovers onto Van Blommenstein Street, thereby improving traffic safety and pedestrian movement.
- Creates a coherent and legible site layout, reinforcing the mirrored design of the proposed buildings.
- Promotes efficient utilisation of space by avoiding redundant, duplicated entrances and maximising the area available for parking.

In terms of Chapter 4, Section 26(1)(h)(v) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, applications for the registration of servitudes of right of way to allow access to adjoining properties are specifically listed as exempted applications. This exemption recognises that such servitudes do not constitute subdivisions, provided they are solely for access purposes. The proposed servitudes on Erven 3624 and 3625 accordingly qualify as exempted applications.

In conclusion, the reciprocal Right of Way Servitudes represent a practical, efficient, and policy-compliant solution to access. By centralising the entrance and exit, the proposal enhances both the functionality and urban design quality of the development, while ensuring alignment with the Overstrand By-law.

3.5 TRAFFIC IMPACT, PARKING AND ACCESS

The proposed development has been designed to provide safe vehicular access and sufficient on-site parking in accordance with the requirements of the Overstrand Municipality Zoning Scheme Regulations.

Parking Requirements (Scheme Regulations):

- Residential Component: Each flat requires 2 parking bays. With two flats proposed (one per erf), the total requirement is 4 bays.
- Business Component: Each business premises measures approximately 188 m² GLA. At the prescribed ratio of 4 bays per 100 m², each unit requires 7.52

bays (rounded up to 8 bays). For both business units, this results in a total requirement of 16 bays.

Total Parking Requirement:

- Residential = 4 bays
- Business = 16 bays
- Overall = 20 bays

Parking Provision (on-site):

A total of 10 parking bays will be provided on each erf, resulting in a combined supply of 20 bays across the two erven.

Compliance Assessment:

The parking provision of 20 bays matches the calculated requirement of 20 bays in full. The development therefore complies with the Scheme Regulations in respect of parking provision.

Traffic and Access Considerations:

Vehicular access will be managed via a centralised entrance on Erf 3624 and exit on Erf 3625, formalised by reciprocal right of way servitudes. This arrangement:

- Limits the number of vehicle crossovers along Van Blommenstein Street, improving pedestrian safety;
- Ensures smooth ingress and egress, reducing potential congestion;
- Facilitates a logical traffic flow across the site, reinforcing the mirrored layout of the buildings and parking areas.

Given the adequate provision of parking and the efficient access design, the proposed development will have no adverse impact on the local traffic network. The scale of the proposal is modest and well-suited to the capacity of Van Blommenstein Street and its existing mixed-use environment.

3.6 TITLE DEED

The subject properties are formally registered as Erf 3624 Onrustrivier and Erf 3625 Onrustrivier.

- Erf 3624 Onrustrivier: Extent 547 m², held under Title Deed No. T101/2025, registered in the name of Quenet's Pharmacy Boland (Pty) Ltd.
- Erf 3625 Onrustrivier: Extent 548 m², held under Title Deed No. T102/2025, registered in the name of Motifprop 157 (Pty) Ltd.

A review of both Title Deeds confirms that no restrictive conditions exist which would prohibit or limit the proposed rezoning, building line departure, or registration of right of way servitudes.

In addition, no mortgage bonds are registered against either property.

3.7 THE POTENTIAL OF THE PROPERTY

The subject properties, Erven 3624 and 3625 Onrustrivier, occupy a strategic location along Van Blommenstein Street within an established and vibrant mixed-use precinct. The area already accommodates a variety of commercial and residential activities, including shops, cafés, restaurants, and estate agencies, which contribute to a dynamic urban environment.

The properties are currently vacant and therefore present a unique development opportunity to introduce a well-designed, mixed-use scheme that combines ground-floor business uses with first-floor residential accommodation. This development potential is supported by several factors:

- **Location and Exposure:** The street frontage onto Van Blommenstein Street ensures high visibility to both vehicular and pedestrian traffic, offering excellent

commercial exposure.

- **Policy Alignment:** The properties are situated within an area identified in the Growth Management Strategy (2010) as suitable for future economic opportunities, reinforcing their potential for business development.
- **Compatibility with Surroundings:** The proposed uses are fully compatible with the existing land use mix, providing a seamless transition between residential and commercial activities.
- **Efficient Land Use:** Developing the erven for both business and residential purposes ensures a compact, sustainable land use pattern consistent with the principles of the Land Use Planning Act (LUPA).
- **Economic Contribution:** The proposed development will stimulate local economic activity by creating business space, supporting job opportunities, and enhancing the commercial offering in Onrustrivier.

In summary, the subject properties offer significant potential to contribute positively to the ongoing growth and diversification of Van Blommenstein Street as a local mixed-use corridor, while ensuring optimal utilisation of vacant urban land.

3.8 ECONOMIC IMPACT

The proposed development of Erven 3624 and 3625 Onrustrivier will generate a range of positive economic benefits at both a local and municipal scale.

Local Business Stimulation: The introduction of new retail, office, or restaurant space will strengthen the commercial offering along Van Blommenstein Street, attracting additional customers and increasing footfall for surrounding businesses.

Job Creation: Construction of the development will create short-term employment opportunities in the building industry, while the completed project will sustain long-term jobs in retail, office, hospitality, and property management.

Rates and Taxes: Rezoning to Business Zone 3 and the development of currently vacant land will significantly increase the municipal rates base, ensuring a greater contribution to municipal revenue.

Multiplier Effect: The investment in these erven will have a spill-over effect on the surrounding area, encouraging further private investment and contributing to the ongoing upliftment of the Van Blommenstein Street precinct.

In summary, the proposed development represents a modest yet meaningful economic injection into Onrustrivier, balancing new commercial activity with residential accommodation and supporting sustainable urban growth.

3.9 SOCIAL IMPACT

The proposed development on Erven 3624 and 3625 Onrustrivier will deliver several positive social outcomes that extend beyond the site itself, contributing to the broader community:

Enhanced Accessibility of Services: By introducing new retail, office, or restaurant space, the development will bring services closer to local residents, reducing the need for longer travel and supporting a more walkable neighbourhood.

Community Integration: The mixed-use nature of the proposal, with business uses on the ground floor and residential flats on the first floor, aligns with contemporary urban design principles that promote social interaction and the integration of living, working, and leisure activities.

Activation of Public Space: The mirrored design, street-facing entrances, and covered walkways will encourage pedestrian activity along Van Blommenstein Street, creating a safer, more vibrant streetscape through natural surveillance and increased activity.

Housing Choice: The inclusion of two well-sized two-bedroom flats adds to the diversity of housing options in Onrustrivier, catering for different household types and reinforcing the principle of mixed-use, inclusive neighbourhoods.

Neighbourhood Vitality: By developing currently vacant erven, the project removes underutilised spaces and replaces them with active land uses that contribute to the vitality and character of the area.

In summary, the proposed development will strengthen the social fabric of Onrustvriev by combining housing, employment, and community-oriented business opportunities in a compact and accessible form.

3.10 COMPATIBILITY WITH SURROUNDING LAND USES

The subject properties are located within an established mixed-use precinct along Van Blommenstein Street, where a variety of business and residential activities coexist. The immediate surroundings include shops, cafés, estate agencies, restaurants, and single residential dwellings, which together create a vibrant and diverse urban environment.

The proposed rezoning to Business Zone 3: Local Business, with ground-floor business premises and first-floor residential flats, is fully compatible with this setting for the following reasons:

Mixed-Use Transition: The development provides a natural transition between residential and commercial activities, reinforcing the existing character of Van Blommenstein Street as a mixed-use corridor.

Scale and Form: The proposed buildings are two storeys in height, which is consistent with other developments in the area. The low mono-pitch roof design ensures that the development integrates harmoniously without imposing excessive bulk or height on neighbouring properties.

Residential Interface: On Erf 3625, where the southern boundary abuts Erf 3626 (a vacant Residential Zone 1 property), the design incorporates a single-storey form along the boundary, ensuring minimal impact on potential future residential development.

Street Activation: The orientation of the business units toward Van Blommenstein Street, together with the inclusion of covered walkways, enhances pedestrian activity and contributes positively to the streetscape.

Complementarity: The introduction of new business premises and two residential flats complements existing land uses by diversifying the local economy while

maintaining residential opportunities within the same development.

In conclusion, the proposed development is entirely compatible with surrounding land uses, strengthens the mixed-use character of the precinct, and promotes the efficient use of strategically located vacant land.

3.11 IMPACT ON EXTERNAL ENGINEERING SERVICES

In assessing the impact of the proposed development on municipal services, it is important to weigh the difference between what could reasonably be expected under the current Residential Zone 1 rights versus the proposed Business Zone 3 with two flats.

Water Supply: Under existing zoning, each erf could accommodate a dwelling house, a second dwelling, and potentially a self-catering unit, resulting in a higher peak water demand if both erven were fully developed for residential purposes. The proposed development introduces two business units ($\pm 188 \text{ m}^2$ each) and two two-bedroom flats. The water demand associated with this scale of business activity, combined with two small residential units, is comparable and in some respects lower than what could be expected from multiple large households on each erf.

Sewerage: A fully residential scenario could generate higher domestic effluent volumes due to multiple bathrooms, kitchens, and laundry facilities. The proposed development generates a modest and predictable effluent load, with two business units (fitted with staff/customer ablutions and sinks) and two residential flats. This places no greater demand on the municipal sewer system than the potential full residential build-out.

Stormwater: Both scenarios would result in similar roof coverage and paved areas. The proposed business/residential development incorporates stormwater management consistent with municipal standards, with no greater impact than a conventional residential build-out.

Electricity Supply: Residential dwellings typically have high peak demands in the early morning and evening. By contrast, the proposed business uses will generate

electricity demand more evenly during daytime hours, complemented by two modest flats. This balanced demand profile may in fact ease pressure on the network compared to larger multi-dwelling households.

Solid Waste: Residential properties generally produce continuous household waste streams. The proposed businesses will generate modest volumes of commercial waste, while the two flats will contribute limited household waste. The combined output is comparable to, and not greater than, the likely waste volumes from two fully developed residential erven.

Conclusion:

When compared with the likely service demands of a fully developed residential scenario under current rights, the proposed development of two business premises and two residential flats will not impose a greater burden on external engineering services. On the contrary, it offers a balanced and efficient use of existing municipal infrastructure capacity.

3.12 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY

The proposed development of Erven 3624 and 3625 Onrustrivier has been designed to integrate sensitively into its context and will not compromise the safety, health, or wellbeing of the surrounding community. On the contrary, it is anticipated to provide several positive contributions:

Safety and Natural Surveillance: By replacing two vacant erven with active business frontages and residential units, the development will enhance street activity along Van Blommenstein Street. Increased pedestrian movement, street-facing entrances, and the presence of residents above the shops will provide natural surveillance, thereby contributing to a safer public environment.

Health and Amenity: The proposed businesses will be of a local scale and appropriate to the area. No uses are envisaged that would generate excessive noise, pollution, or traffic beyond what is typical for a mixed-use environment. This ensures compatibility with surrounding residential properties and maintains a healthy living environment.



Wellbeing and Community Cohesion: The provision of ground-floor businesses within walking distance of neighbouring homes improves access to goods and services, reducing the need for long vehicle trips. The inclusion of two flats adds residential presence, strengthening the sense of community and reinforcing mixed-use, walkable neighbourhood principles.

Built Form Considerations: The development has been designed with a low mono-pitch roof, parapet walls for visual cohesion, and a two-storey scale that complements the surrounding built environment. These design measures avoid overshadowing or overbearing impacts on adjacent properties, including Erf 3626.

In conclusion, the proposed development will positively impact safety, health, and wellbeing by introducing activity, natural surveillance, and accessible local services, while avoiding negative externalities that could compromise community amenity.

3.13 IMPACT ON HERITAGE

The subject properties, Erven 3624 and 3625 Onrustrivier, fall within the Heritage Protection Overlay Zone (HPOZ) as defined in the Overstrand Municipality's Zoning Scheme. The erven themselves are ungraded and have not been identified as heritage resources.

However, within the broader Van Blommenstein Street context, the Onrus Shop, located at 19 Van Blommenstein Street (Erf 3065), has been identified in the Overstrand Heritage Survey (2012) as a building older than 60 years and of contextual value. The structure, built in the 1940s, is a double-storey corner shop with a mono-pitched roof and splayed corner. While ungraded and of limited intrinsic value, it is formally recognised under the zoning scheme as being of contextual significance.

The proposed development on Erven 3624 and 3625 Onrustrivier is situated further up Van Blommenstein Street, separated from the Onrus Shop by several intervening properties and existing mixed-use activities. The new buildings, designed as contemporary two-storey structures with a low mono-pitch roof and modest scale, will

integrate into the existing urban fabric without directly impacting the heritage significance of the Onrus Shop.

Key considerations:

- **No Direct Impact:** The subject erven are vacant and ungraded; no demolition or alteration of heritage resources is proposed.
- **Contextual Integration:** The proposed buildings respect the scale and rhythm of the streetscape, complementing rather than detracting from the character of Van Blommenstein Street.
- **Separation Distance:** The Onrus Shop is located at the lower end of the street, and the proposed development will not alter its immediate setting or streetscape prominence.

Conclusion:

While the Onrus Shop is a recognised heritage-related feature in Van Blommenstein Street, the proposed development of Erven 3624 and 3625 will have no adverse impact on its contextual value or heritage setting. The subject erven are ungraded and unassessed, and the proposal is therefore compliant with heritage-related provisions of the zoning scheme and the National Heritage Resources Act (Act 25 of 1999).

3.14 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

Erven 3624 and 3625 Onrustvriër are vacant urban plots located within an established mixed-use area. The sites have already been disturbed through historical subdivision and servicing, and no sensitive environmental features or natural vegetation remain.

The development will not impact waterways, wetlands, or conservation-worthy habitats. Any construction-related dust or noise will be temporary and manageable through standard practices.

The development does not trigger any listed activities as defined in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) or its associated

regulations. As such, the proposed work and land use changes do not require environmental authorisation in terms of NEMA.

Conclusion:

The proposal will have no significant impact on the biophysical environment, as the erven form part of the existing urban footprint and are suitable for development.

3.15 FORWARD PLANNING AND LAND USE DOCUMENTS

The proposed land use applications for Erven 3624 and 3625 Onrustvriev are aligned with the spatial intent and development objectives of both the Overstrand Spatial Development Framework (SDF, 2020) and the Overstrand Municipal Growth Management Strategy (OMGMS, 2010).

Overstrand Spatial Development Framework (2020): The SDF identifies the subject erven as being located within the urban development area, where land use intensification and diversification are encouraged. This designation specifically promotes mixed-use development that enhances the efficiency of existing infrastructure and supports the consolidation of Onrustvriev's urban footprint.

Overstrand Municipal Growth Management Strategy (2010): The OMGMS designates the Van Blommenstein Street precinct as an area earmarked for future economic opportunities. The proposed rezoning to Business Zone 3, together with the introduction of ground-floor business uses and first-floor residential flats, directly supports this strategic objective by fostering a vibrant, accessible, and economically active corridor.

Conclusion:

The proposed development is consistent with both forward planning and land use policy documents. It advances the municipality's goals of intensification, diversification, and economic growth within an existing urban node, while making efficient use of vacant serviced land.

3.16 PLANNING PRINCIPLES

In terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) – SPLUMA, and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) – LUPA, the proposed land use application must be assessed against the principles, development norms, and decision-making criteria outlined in the applicable legislation.

This application has been prepared with due regard to these statutory requirements and demonstrates compliance with both national and provincial planning policy frameworks. The proposal for Erven 3624 and 3625 Onrustrivier aligns with the guiding principles of spatial justice, spatial sustainability, efficiency, and good administration, as detailed below:

Spatial Justice: The development makes productive use of vacant land located within the existing urban footprint. By introducing local business opportunities and residential flats in a walkable, mixed-use environment, it improves access to services and economic opportunities for the surrounding community.

Spatial Sustainability: The proposal consolidates development within an existing serviced area, reducing pressure on greenfield sites and ensuring efficient use of infrastructure. The scale and design of the development are appropriate to the local context and compatible with the mixed-use character of Van Blommenstein Street.

Efficiency: The development optimises two underutilised erven by combining business premises with residential flats, thereby maximising land use potential without requiring additional municipal infrastructure upgrades. The shared access arrangement further promotes efficiency in site design and traffic management.

Good Administration: Our firm is committed to the principle of good administration and will continue to cooperate fully with the Overstrand Municipality to ensure a time-efficient and transparent land use application process. This application will follow all

due procedures as stipulated in the municipality's planning by-law, as well as relevant provincial and national land use legislation.

Conclusion: The application for rezoning, building line departure, and registration of right of way servitudes demonstrates full compliance with the intent and requirements of SPLUMA and LUPA, advancing principles of sustainable, just, and efficient spatial planning.

4. RECOMMENDATION

Having regard to the statutory frameworks, planning policies, design proposals, and site context, it is recommended that the land use application for Erven 3624 and 3625 Onrustrivier be supported and approved for the following reasons:

Rezoning: The rezoning of the erven from Residential Zone 1: Single Residential to Business Zone 3: Local Business will optimise the use of vacant, serviced urban land. It will contribute to the diversification of Van Blommenstein Street as a mixed-use corridor and aligns directly with the Overstrand SDF (2020) and Growth Management Strategy (2010), which earmark the area for economic opportunities.

Building Line Departure: The proposed building line departure along the southern boundary of Erf 3625 is modest in extent, applies only to a single-storey structure, and incorporates a low mono-pitch roof and parapet design that minimises bulk. It will not negatively affect the adjoining Erf 3626 (Residential Zone 1, currently vacant). The departure therefore represents a reasonable and justifiable relaxation, ensuring efficient land use without adverse impacts.

Right of Way Servitudes: The reciprocal 3.275m x 13m Right of Way Servitudes on each erf will formalise a centralised entrance (Erf 3624) and exit (Erf 3625), improving traffic safety and site functionality. This arrangement reduces the number of vehicle

crossovers onto Van Blommenstein Street and qualifies as an exempted application under Section 26(1)(h)(v) of the Overstrand Land Use Planning By-law (2020).

Parking Provision: The provision of 20 parking bays (10 per erf) exactly meets the Scheme requirement for both the residential and business components. This confirms compliance with municipal standards and ensures no external parking pressure will be generated.

Policy Alignment: The proposal gives effect to SPLUMA (2013) and LUPA (2014) principles of spatial justice, sustainability, and efficiency by intensifying development within the existing urban footprint, diversifying land uses, and optimising infrastructure without the need for costly bulk service upgrades.

Heritage Considerations: The subject erven are ungraded and unassessed within the Heritage Protection Overlay Zone. The proposal will not adversely affect the contextual value of the Onrus Shop at 19 Van Blommenstein Street, which is separated from the site by intervening mixed-use properties.

Environmental Considerations: The erven are previously disturbed, urban plots with no environmental sensitivity. The development does not trigger listed activities under NEMA (1998), and no environmental authorisation is required.

Engineering Services: Existing municipal infrastructure for water, sewer, stormwater, electricity, and solid waste collection has adequate capacity to accommodate the proposed development. Demand levels are comparable to, or less than, what could be expected if the erven were fully developed under their current residential zoning.

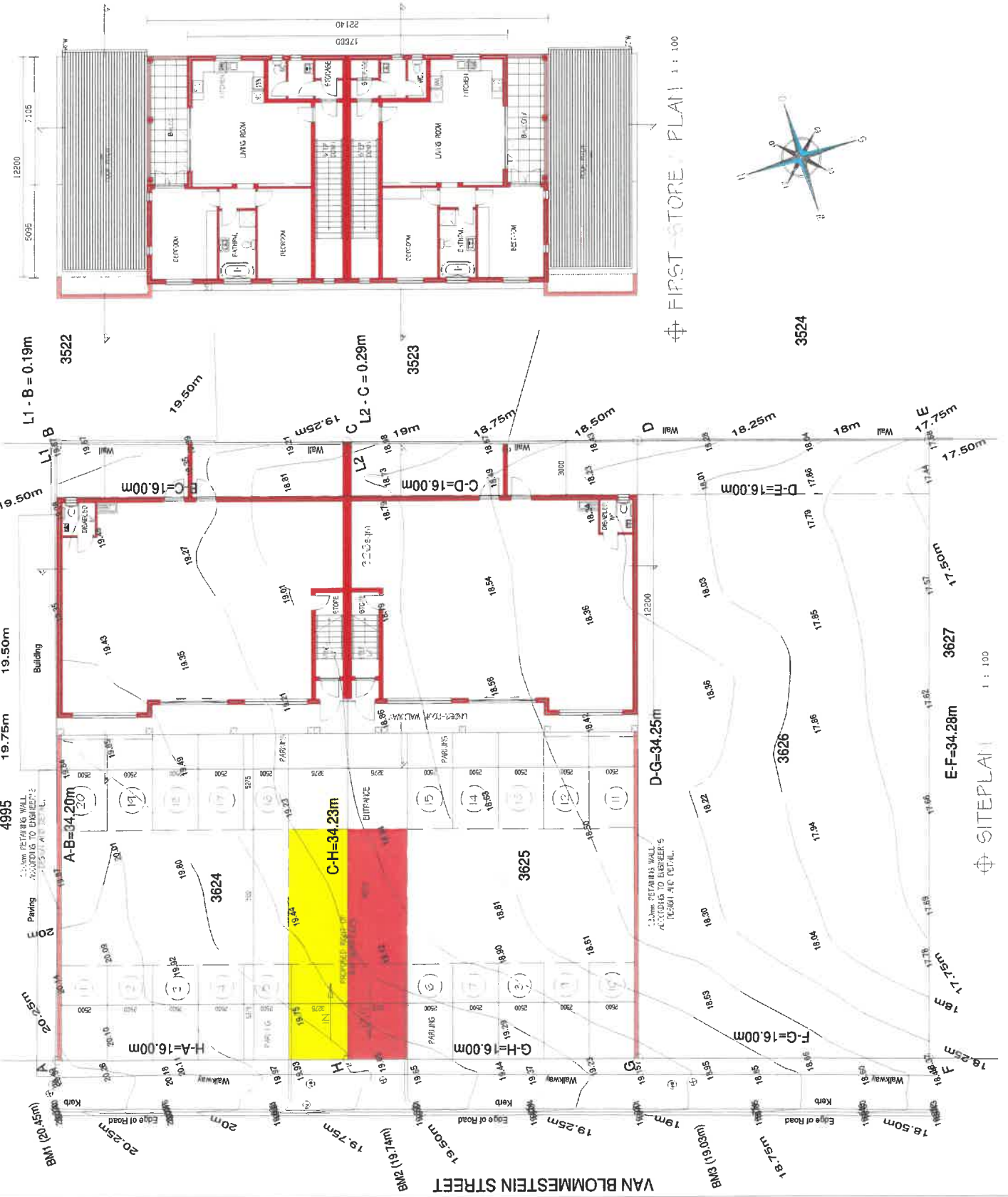
Economic and Social Benefits: The development will contribute to local economic growth through business opportunities, job creation, and increased municipal revenue. Socially, it will add two well-designed residential flats, improve walkable access to services, and enhance the vitality and safety of Van Blommenstein Street through increased activity and natural surveillance.

Overall Recommendation:

The application for rezoning, building line departure, and registration of right of way servitudes for Erven 3624 and 3625 Onrustrivier should be supported and approved as it represents a policy-compliant, contextually appropriate, and socially and economically beneficial development that makes efficient use of well-located urban land.



AREA SCHEDULE	
DESCRIPTION	PER UNIT
CONCRETE/	37mm
MAIN BUILDING	40mm
UNDER-ROOF WALLING	50mm
FLOORING & ROOF	5.4sq
PAVING AREA (M ²)	12.4sq
AREA PER UNIT	1.4sq
CALCULATED PER UNIT	1.4sq



⊕ FIRST-STOREY PLAN! 1 : 100

⊕ SITEPLAN 1 : 100

bba
BASSON
ARCHITECTS

MICHELLE MARTIN 20620 ARCHITECT
 IN ASSOCIATION WITH LE TISSIER ARCHITECTS
 4 ALBERTSDORP WEG • P.O. BOX 1033 • 2141 BT BT
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 BLOUWBAARG (LUR) ARG (SUN) ARG (SUN) ARG (SUN)

CLIENT:
 ANTON GLENET & HONIE VILJOEN
 PROJECT:
 PROPOSED BUILDING ON
 EXISTING STANDS 3624
 & 3625, INDUSTRIAL
 ZONE
 TOWNHIP 19:
 SITEPLAN
 FIRST-STOREY PLAN

SCALE: 1 : 100
 DATE: 20 OCT 2015
 DRAWN: M. VILJOEN
 CHECKED: H. VILJOEN
 APPROVED: M. VILJOEN

ALLE WATERS MET OP TIERSCH (KONINKRIJK NEDERLAND)
 BAAN ONTOEGANG MET MET DE KUNSTEN (KONINKRIJK NEDERLAND)
 TOEGANG VOORBEREIDEN (KONINKRIJK NEDERLAND)

REEF WATERS:
 DOP:

104

Annexure D

1/5

Loretta Gillion

[OBJECTION]

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
21 JAN 2026
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Willie Oosthuizen <willieoosthuizen@hotmail.com>
Sent: Tuesday, 06 January 2026 16:42
To: Loretta Gillion
Subject: OBJECTION
Attachments: blom1.jpg; blom2.jpg; blom3.jpg

TP-A Theart (Holivier)

Dear Loretta

Hereby my objection regarding the new building on erf 3624 van Blommensteinstreet, onrusrivier.

Kind Regards

Willie en Wilma Oosthuizen
Owners of Wybo Newmark 3 (Erf 3522)

FILE NO. <u>Erf 3624E</u>
<u>3625 - HON</u>
SCAN NO.
COLLABORATOR NO.
<u>2957772</u>

TP 21 JAN 2026



**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 29 HERMANUS, 7200 / Tel: 028 313 8900

APPLICATION DETAILS

Application erf number: 3624+3625 **3522 ERECTED**

APP ID:

How did you receive notice of the application?

STATE YOUR INTEREST IN THE APPLICATION:

OWNERS OF HOUSE ON 3522

TICK RELEVANT BOX



OBJECTION

COMMENT

SUPPORT

REASONS FOR OBJECTION / COMMENT / SUPPORT:

AS YOU CAN SEE ON SA PLANS DRAWING "A" OUR POOL IS RIGHT IN THE VIEW OFF THE PROPOSED FLAT ON TOP OF THE PROPOSED SHOPS (3624). WE OBJECT TO THAT THE BALCONY ON THE SIDE OF AND TOWARDS 4995 IS OPEN AND LOOKS DIRECTLY ONTO THE POOL

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

PERSONAL INFORMATION (To be completed in full - Compulsory)

Name & surname (PRINT)

W H + W OOSTHUIZEN

Your erf number: **3522**

Company/Trust details:

Postal address:

**11 WALKERBAY CRESCENT
HERMANUS HEIGHTS | HERMANUS 7200**

Contact details:

Cell: **082 900 7440 / 082 808 8279**

E-mail address: **willie.oosthuizen@hotmail.com**

Signature:

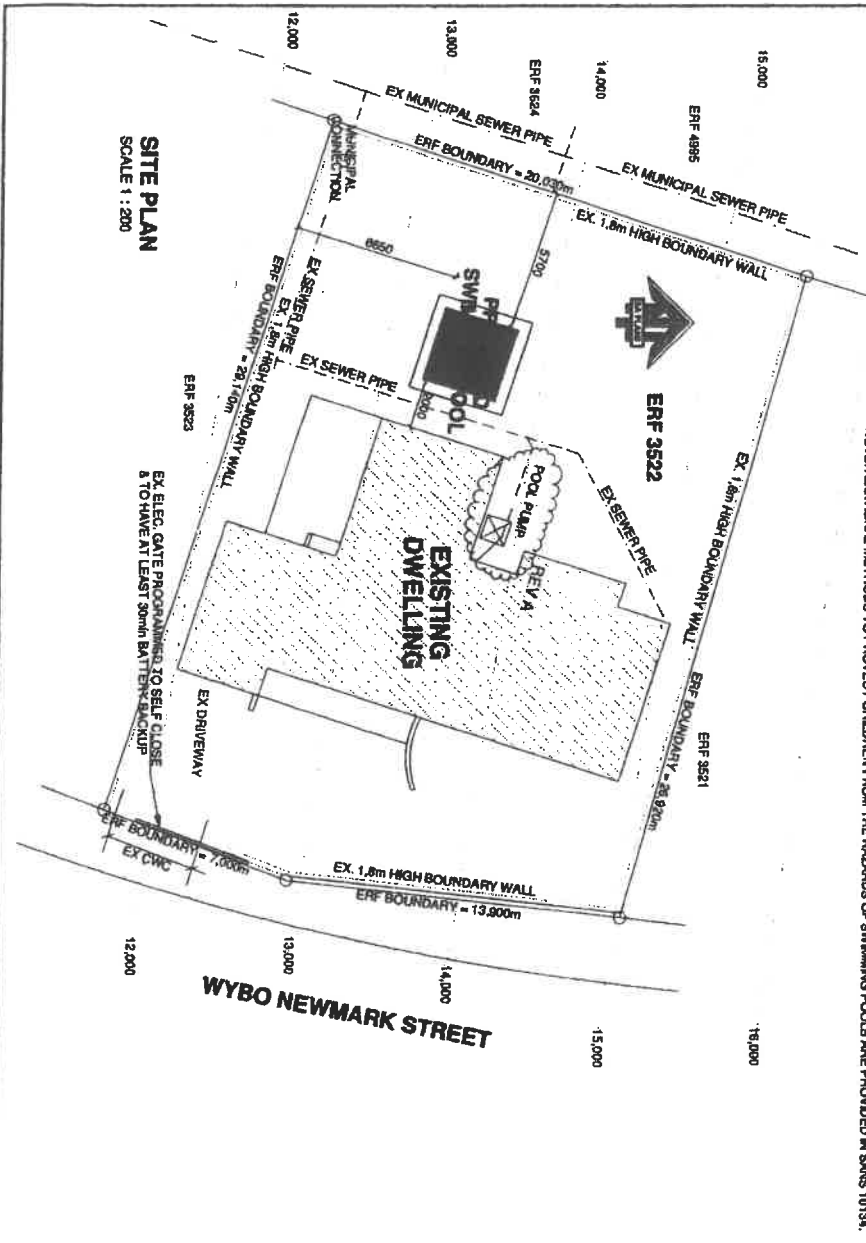
[Handwritten signature]

Date: **5/1/26**

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.

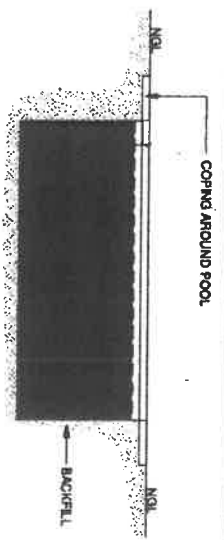
5/1/26

A



SITE PLAN
SCALE 1 : 200

POOL SECTION
SCALE 1 : 50



SANS 10400 PART D (PUBLIC SAFETY)

4.1 SWIMMING POOLS AND SWIMMING BATHS:

4.1.1 A WALL OR FENCE SHALL BE PROVIDED BY THE OWNER OF A SITE WHICH CONTAINS A SWIMMING POOL OR BATH TO PREVENT ACCESS TO SUCH POOL FROM ANYWHERE OTHER THAN (SEE FIGURE 2) (REFER TO ORIGINAL DOCUMENT)

4.1.2 THE SWIMMING POOL OR BATH GATE SHALL BE LOCKED

4.1.3 BUILT UP SWIMMING POOL GATES THAT CAN BE LOCKED

4.1.4 A WALL OR FENCE SHALL BE PROVIDED IN ANY PART OF SUCH FENCE

4.1.5 A WALL OR FENCE SHALL BE PROVIDED IN ANY PART OF SUCH FENCE

4.1.6 SUCH FENCE AND GATE WITHIN IT SHALL BE NOT LESS THAN 1.2M IN HEIGHT FROM GROUND LEVEL AND SHALL NOT HAVE ANY OPENING PERMITTING A 100MM DIA. BALL TO PASS THROUGH.

4.1.7 CONSTRUCTION REQUIREMENTS OF ANY STEEL FENCE AND GATE SHALL COMPLY WITH SANS 1990

NOTE: ADDITIONAL METHODS TO PROTECT CHILDREN FROM THE HAZARDS OF SWIMMING POOLS ARE PROVIDED IN SANS 10134.

SAFETY GUIDELINES

FURTHER SAFETY GUIDELINES FOR OWNERS OR OCCUPYERS IN TERMS OF SANS IN SUMMARY AS FOLLOWS:

1. CONSIDER OTHER PROTECTIVE DEVICES THAT SHOULD BE INSTALLED BY REPUTABLE MANUFACTURERS/PLUMBS ONLY.
2. ENSURE COMPETENT ADULT SUPERVISION AT THE SWIMMING POOL WHENEVER THE GATE IS NOT LOCKED.
3. STIPULATE THAT CHILDREN MAY NOT USE THE SWIMMING POOL DURING ABSENCE OF SUCH COMPETENT ADULT SUPERVISION, UNLESS UNDER THEIR OWN PARENTAL CARE.
4. PROMPTLY OBTAIN RELEVANT EMERGENCY INSTRUCTIONS (WITH RELEVANT TELEPHONE NUMBERS) AND OTHER RELATED PROCEDURES NEAR THE SWIMMING POOL.
5. PROVIDE A SUITABLE DEVICE WITH WHICH A NON-SWIMMER CAN PULL A DISTRESSED CHILD/PERSON TO SAFETY AT GLOBE PROXIMITY TO THE SWIMMING POOL EDGE.
6. ENSURE THAT OBJECTS (E.G. DECK CHAIRS, WHEELBARROWS, ETC.) ONTO WHICH A CHILD COULD CLIMB SO TO SCALE THE ENCLOSURE ARE NOT LEFT UNATTENDED IN THE VICINITY OF THE SWIMMING POOL.
7. KEEP A REGULAR CHECK ON THE CONDITION AND OPERATION OF THE SWIMMING POOL ENCLOSURE STRUCTURES AND MECHANISMS AS PER NEER ABOVE.
8. KEEP SWIMMING POOL AREA FREE OF OBSTRUCTIONS AND ITEMS OR STRUCTURES WITH SHARP EDGES OR PROJECTIONS THAT COULD CAUSE INJURY TO CHILDREN.

FURTHER RECOMMENDATIONS AS COULD/SHOULD BE APPLIED TO RULES GOVERNING THE SAFETY AROUND A COMMUNITY USE SWIMMING POOL, BUT NOT LIMITED TO, THE FOLLOWING:

1. NO GLASS BOTTLES OR CONTAINERS TO BE PERMITTED IN THE SWIMMING POOL AREA.
2. NO DIVING OR BOMB-DROPPING PERMITTED.
3. NO RUNNING ALLOWED AROUND THE SWIMMING POOL EDGE

NOTES:

NEW 3.0m x 3.0m FIBREGLASS AQUA 3 SWIMMING POOL BY TRADEMARK POOLS

POOL BACKWASH TO BE DISCHARGED INTO SEWER ONLY.

OVERFLOW TO STORM WATER SYSTEM ONLY.

NOTES:

POOL BACKWASH TO BE DISCHARGED INTO SEWER ONLY.

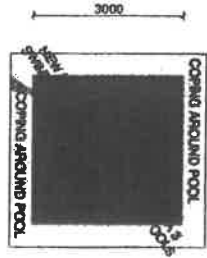
OVERFLOW TO STORM WATER SYSTEM ONLY.

POOL TO BE CONSTRUCTED OF 450g REINFORCED LAMINATED FIBREGLASS

POOL TO BE BACKFILLED WITH CLEAN SAND FILL

NO SOIL TO BE BANKED AGAINST ANY WALL OR FENCE

ALL EXCAVATED SOIL TO BE REMOVED FROM SITE



POOL LAYOUT
SCALE 1 : 100

SA PLANS
ARCHITECTURAL DESIGNS

WYLAND BLDG 010
35 MARITIME ROAD
ROOSENBURG

TEL: +2771 691 6762
FAX: 021 551 6288
EMAIL: info@sa-plans.co.za

MR W OOSTHUIZEN, BLP 3522
3 WYBO NEWMARK STREET, ONE LIST

PROJECT: NEW SWIMMING POOL

SITE PLAN, LAYOUT & SECTIONS

DRAWN / GETEKEN
PCM(CAD) PAD 20918

DATE / DATUM
JULY 2024

DRAW No / TEK No.
0724/TMPOOSTHUIZEN

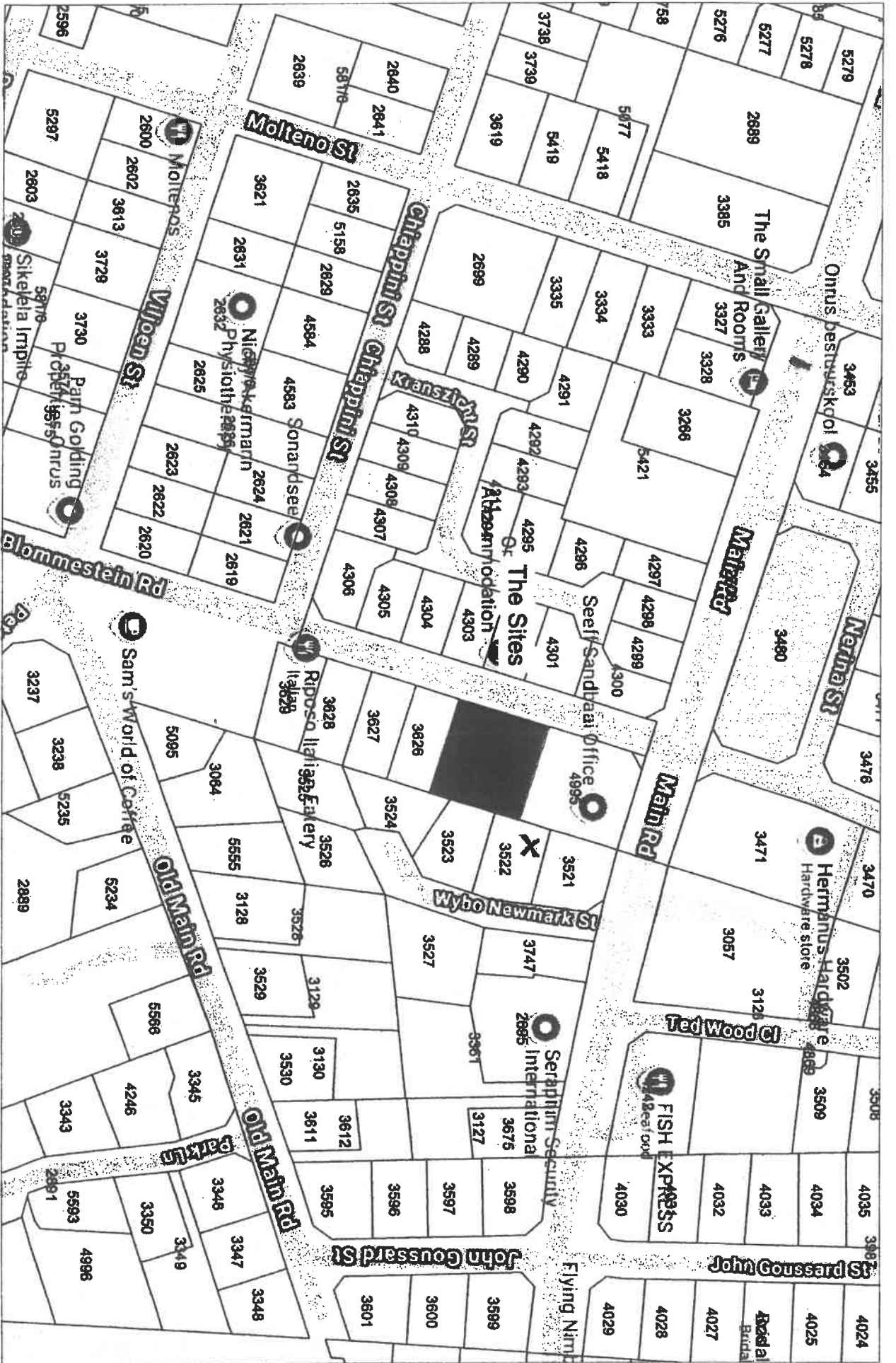
[Signature]
CLIENT SIGNATURE

08/07/2024

[Signature]
DESIGNER'S SIGNATURE

Trademark Pools

1572 289 280



Wybo Newmark is onrus.

Plan Active

Stads- en Streekspeplanners Town & Regional Planners

All distances approximate and subject to survey.
COPY RIGHT RESERVED

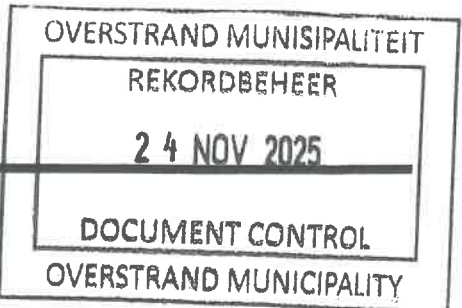
Property Description:
3624 & 3625

ONRUSTRIVIER

Plan Description:
LOCALITY MAP

Scale:
NTS
Drawing No: 3624 Onrustdivien.dwg
Date: 2 Oct 2025





5/5

Loretta Gillion

From: Maarten van Dalsen <bergviewvet@gmail.com>
Sent: Friday, 21 November 2025 15:05
To: Loriaan Isaacs
Subject: Re: Erven 3624 & 3625, 5 & 7 Van Blommenstein Street, Onrustrivier: Public Participation - You are regarded as a potentially affected property owner

[support letter]

Dear Loriaan

We have no objection .

Thanks for the email.

Kind regards

Maarten

FILE NO.	Erven 3624 & 3625 - Hon
SCAN NO.	
COLLABORATOR NO.	2913048

On Thu, Nov 20, 2025 at 10:58 AM Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

To whom it may concern

ERF 3624, 5 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER AND ERF 3625, 7 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER: APPLICATION FOR REZONING, DEPARTURE AND EXEMPTION OF SUBDIVISION (RIGHT OF WAY SERVITUDE): PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF QUENET'S PHARMACY (BOLAND) (PTY) LTD & MOTIFPROPS 157 (PTY) LTD

You are regarded as a potentially affected property owner.

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

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.

Kindly regard this email as your formal notification of such land use application. Kindly provide your comment, objection or representations, if any, directly to Loretta Gillion (loretta@overstrand.gov.za) on or before **16 January 2026**.

TP
21 NOV 2025

Also note that the notice will be available at the Division: Town & Spatial Planning, and on the municipal webpage at the following link: <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>



TOWN & REGIONAL PLANNERS
STADS-EN STREEKSBEPLANNERS

Annexure E 1/2

6 Magnolia St / Str
PO Box / Posbus 296
HERMANUS
7200
Tel: (028) 313 1673
Email:

planactive@hermanus.co.za
Website: www.planactive.co.za

Our reference: PA25060

Date: 28 January 2026

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS, 7200

For Attention: Mr. Henk Olivier

Sir

ERF 3624, 5 VAN BLOMMENSTEIN STREET, ONRUSTRIVIER AND ERF 3625, 7 VAN
BLOMMENSTEIN STREET, ONRUSTRIVIER:

APPLICATION FOR REZONING, DEPARTURE AND EXEMPTION OF SUBDIVISION

Your email dated 26 January 2026 refers.

An objection was received from the following neighbouring and interested property owner:

• WH Oosthuizen

The objection relates specifically to the concern that the balcony of the proposed first-floor flat will overlook the swimming pool area on Erf 4995 Onrustrivier, resulting in a perceived loss of privacy.

It is acknowledged that the proposed flat includes a balcony; however, this must be assessed within the context of existing development rights and the surrounding urban environment.

FILE NO.	Erven 3624
	3625-HON
SCAN NO.	03
COLLABORATOR NO.	2970547

Page 1

Divine Inspiration Trading 329 (Pty) Ltd. trading as Plan Active
Reg. No. 2006/030921/07
Vat. No. 4770250340

Under the current Residential Zone 1 zoning, Erf 3624 Onrustrivier is already entitled to develop a double-storey dwelling covering up to 50% of the site, with a rear building line of 2 metres. Such a dwelling could lawfully include first-floor living areas and balconies positioned closer to the common boundary than those proposed. From a planning perspective, this would result in a similar or potentially greater degree of overlooking than the current proposal.

The proposed development, by contrast:

- Provides ground-floor business uses, limiting residential use to a single flat above;
- Is set back approximately 3 metres from the rear boundary, which is more restrictive than the 2 m rear building line applicable under Residential Zone 1; and
- Forms part of a mixed-use streetscape, where a reasonable degree of intervisibility between neighbouring properties is an accepted and anticipated characteristic.

Swimming pools are outdoor amenities and, in an established mixed-use urban area, cannot reasonably be expected to enjoy complete visual privacy, particularly where neighbouring properties are already entitled to develop to two storeys.

In summary, the proposed balcony does not introduce an impact beyond what could already lawfully occur under existing zoning rights. The degree of overlooking is therefore considered reasonable, compliant, and acceptable in planning terms and does not constitute sufficient grounds to object to the proposed development.

Accordingly, the objections do not present grounds for refusal, and the application should be favourably considered.

Yours faithfully



John Mc Lachlan

Annexure F 1/3

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, DEPARTURE & SUBDIVISION (RIGHT
OF WAY SERVITUDE), ERVEN 3624 & 3625, ONRUS RIVER (51000/2025)**

Water	:	Refer to conditions
Electricity	:	Eskom Area
Sewer	:	Refer to conditions
Stormwater	:	Refer to conditions
Roads and traffic	:	Refer to conditions

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 -0.048=	-R 1 324.70
Sewerage	R 19 725.00 x -0.048=	-R 946.80
Roads	R 8 845.00 x 5.3025642=	R 46 901.18
Stormwater	R 10 205.00 x 3.28499951=	R 33 523.42
Solid Waste	R 1 769.00 x 2.73750=	R 4 842.64
TOTAL (inclusive of VAT)	=	R 82 995.74

Future development on Erven 3624 & 3625 (including future building plans) – per 100 sq. meter GLA:

Water	R 27 598.00 x 0.4=	R 11 039.20
Sewerage	R 19 725.00 x 0.4=	R 7 890.00
Roads	R 8 598.00 x 2.8205=	R 24 974.44
TOTAL (inclusive of VAT)		=R 44 195.06

Please note that the above figures:

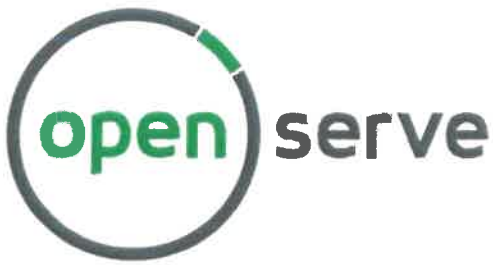
- a) Are estimated amounts that may be adjusted.
 - b) Are subject to annual tariff adjustments.
 - c) Do not include investigation and connection fees.
 - d) Do not include bulk electricity cost. Please contact Overstrand Municipality's Electrical Division for more details, Not for Eskom Areas.
- 2 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 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, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Principal Technologist: Engineering Services (Hermanus) for written approval;
 - 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, both the existing and the proposed vehicular access to the proposed erven be provided with road infrastructure to allow access to the proposed erven. Such infrastructure must comply with the specifications of the Department: Operational Services (Hermanus).
 - 8 that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;

- 9 that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

02/02/2026
DATE



Annexure G 1/3

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

Our reference: WWIP_WONR0409_26
Your reference: 3624 & 3625 HON
Enquiries: P. Ngqakayi
TEL: 0437056236/0813922403
EMAIL: Portian@openserve.co.za

11 February 2026

Overstrand Municipality
16 Paterson Street
Hermanus
7200
P O Box 20

Attention: Loriaan Isaacs

FILE NO. Erven 36256
3625-HON
SCAN NO.
COLLABORATOR NO.
2977189

OPTIC FIBRE & COPPER PLANT AFFECTED

Re: Request for comment: Erven 3624 & 3625, 5 & 7 Van Blommenstein Street, Onrustrivier
With reference to your application received 21 November 2025.

As important cables are affected, please contact our representative **Melt Van As** telephone number **081 348 2317**, I hereby inform you that Open Serve 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 is not completed.

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

Approval is granted, subject to the following conditions.

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

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

Telkom SA SOC Limited: Reg no 1991/005476/30. Directors: MS Moloko (Chairperson), SN Maseko (Group Chief Executive Officer), D Reyneke (Acting Group Chief Financial Officer), N Kapila*, PCS Luthuli, DD Mokgatle, KW Mzondeki, F Petersen-Cook, KA Rayner, A Samuels, SP Sibisi, H Singh, RG Tomlinson, LL Von Zeuner.
Company Secretary: AC Ceba *India

Internal Use

TP 11 FEB 2026



2/3



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

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

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

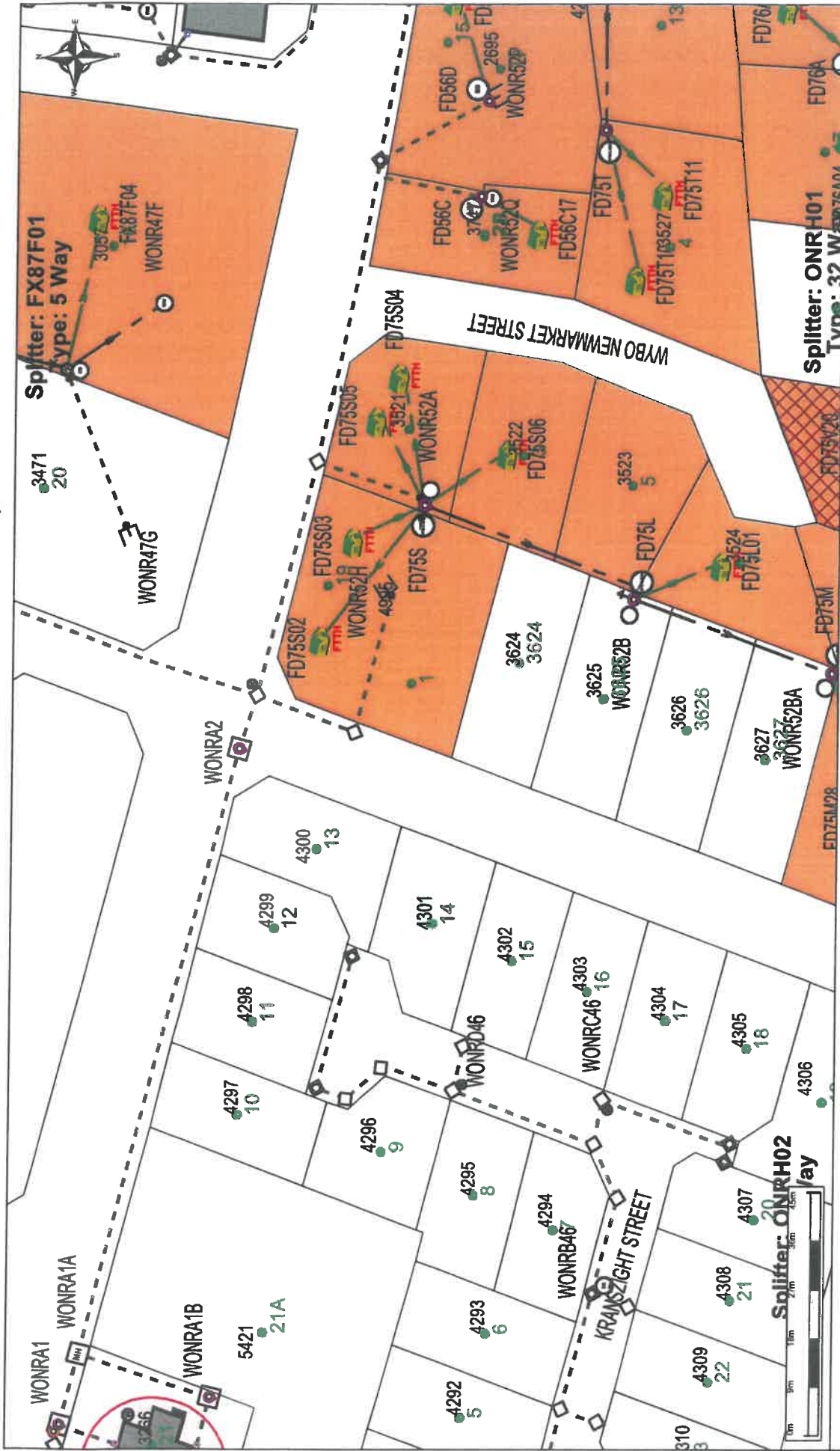
Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully

P Ngqakayi

For Selwyn Bowers
Operations Manager
Wayleave Management: Southern and Western Region



Legend		Planned Overhead Route		Conduit Terminus (Virtual Element)	
	Existing Manhole		Planned Overhead Route		Conduit Terminus (Virtual Element)
	Planned Manhole		To Be Recovered Overhead Route		Existing Underground Route
	To Be Recovered Manhole		Existing Underground Route		Planned Underground Route
	Existing Jointing Pit		To Be Recovered Underground Route		Existing Overhead Route
	Planned Jointing Pit		Access Point (Virtual Element)		
	To Be Recovered Jointing Pit				
	Existing DLC				
	Planned DLC				
	To Be Recovered DLC				
	Existing Pole				
	Planned Pole				
	To Be Recovered Pole				
	Existing DP				
	Planned DP				
	To Be Recovered DP				

Scale: 1:1000
Date: 11/02/2026
Created By: Ngqakapz



**Western Cape
Government**

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-21/325 (Application No: 2026-01-0035)

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Ms L Isaacs

Dear Madam

ERVEN 3624 AND 3625, ONRUSTRIVIER: APPLICATION FOR REZONING, DEPARTURE AND EXEMPTION OF SUBDIVISION (RIGHT OF WAY SERVITUDE)

1. Your letter 5100/2025 to this Branch dated 20 November 2025 refers.
2. The subject properties are in Onrusrivier and take access off municipal street (Van Blommestein).
3. The proposal is for the following:
 - 3.1. Rezoning of erven 3624 and 3625 from Single residential zone 1 to Business Zone 3.
 - 3.2. Departure to relax southern lateral building line from 3m to 0m to accommodate the proposed business unit.
 - 3.3. Exemption for the registration of a right of way servitude over erven 3624 and 3625 to establish a shared vehicular access arrangement.
4. 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

DATE: 11 FEBRUARY 2026

ENDORSEMENTS

1. Overstrand Municipality
Attention: Ms L Isaacs (e-mail: loriaanisaacs@overstrand.gov.za)
2. District Roads Engineer Paarl
(email: DREPaarl.Technical@westerncape.gov.za)
3. Ms PZ Govu (e-mail)
4. Mr DD Fortuin (e-mail)

11

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

Prepared by me

CONVEYANCER
TIAAN ESTERHUYSE
LPCM NUMBER 89105

Fee endorsement		Office fee.
Amount		
Purchase price/Value	R. 7850 000,00	R. 1544,00
Mortgage capital Amount		R.
Reason for exemption	Cat. section. Act.	Exempt i.t. §

DATA / VERIFY
09-01-2025
ATHI DAMOYI

T 000000101 / 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 thereof 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

Page 2

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:

QUENET'S PHARMACY (BOLAND) PROPRIETARY LIMITED
Registration Number 1970/016240/07

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

ERF 3624 ONRUSTRIVIER
IN THE OVERSTRAND MUNICIPALITY
DIVISION CALEDON
WESTERN CAPE PROVINCE

IN EXTENT: 547 (FIVE HUNDRED AND FORTY SEVEN) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No. T62986/1996 with Diagram LG No. 3451/1990 relating thereto and held by Deed of Transfer Number T22896/2005

- 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."

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

QUENET'S PHARMACY (BOLAND) PROPRIETARY LIMITED, Registration Number 1970/016240/07

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 850 000,00 (ONE MILLION EIGHT 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

d. q. Signature of Appearer

For Information Only

11

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

Prepared by me

CONVEYANCER
TJAN ESTERHUYSE
LPCM NUMBER 88105

	Fee endorsement Amount	Office fee
Purchase price/Value	R. 1 850 000,00	R. 154,00
Mortgage capital Amount		R.
Reason for exemption	Exempt i.s.g. section.....Act.....	

DATA / VERIFY
09-01-2025
ATHI DAMOYI

T 000000102 / 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:

MOTIFPROPS 157 PROPRIETARY LIMITED
Registration Number 1997/012474/07

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

ERF 3625 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. 3452/1990 relating thereto and held by Deed of Transfer Number T22897/2005

- 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.
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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

MOTIEBROPS 157 PROPRIETARY LIMITED, Registration Number 1997/012474/07,

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 850 000,00 (ONE MILLION EIGHT 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.

THIS 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

a.d. Signature of Appearer

For Information

For Information