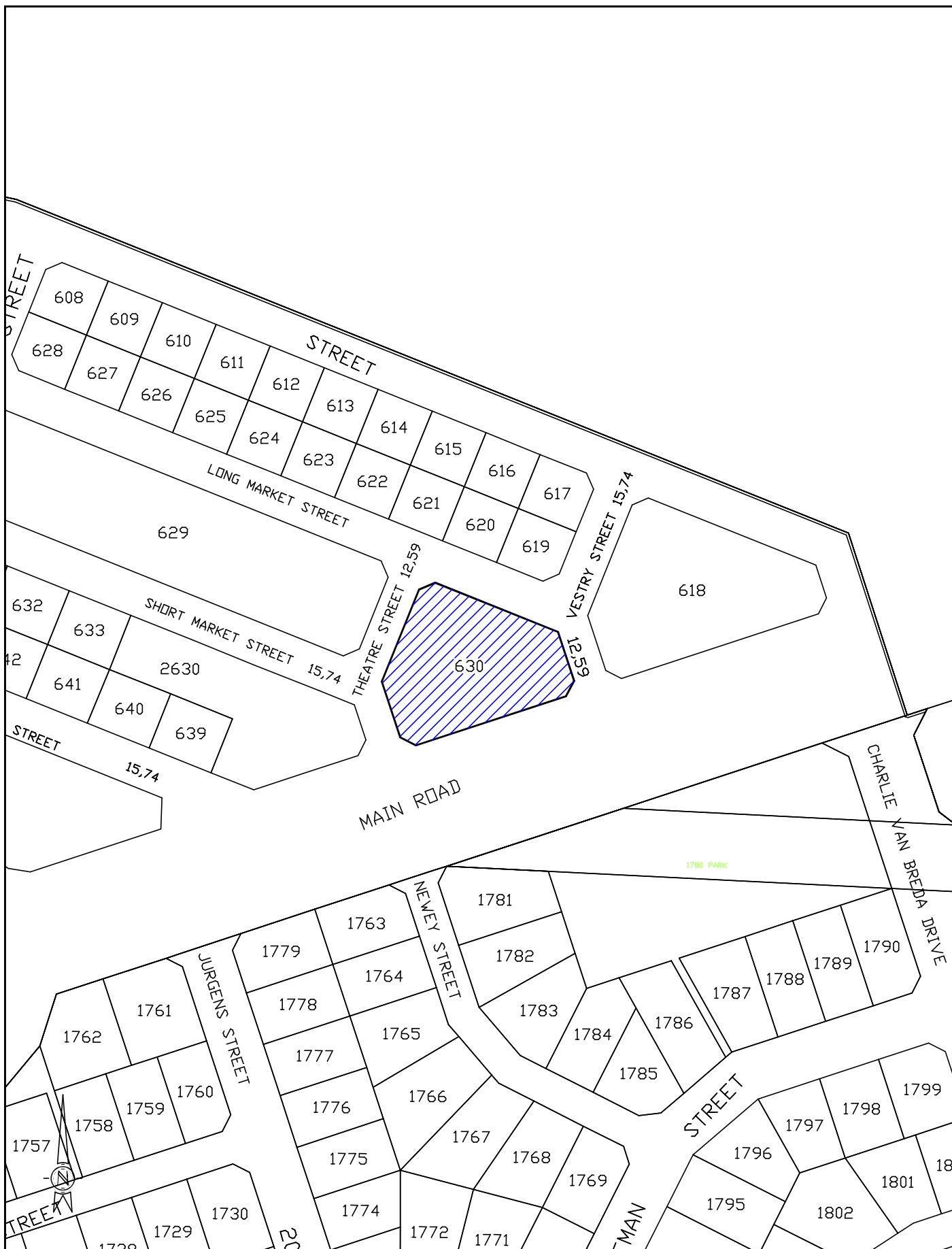


OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<u>ERF 630, 20 LANGMARK STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION AND CONSENT USE: TOWN & COUNTRY CREATIVE LAND SOLUTIONS ON BEHALF OF BEW LINK (PTY) LTD</u> Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to Erf 630, Pearly Beach, namely: <u>Removal of restrictive title deed conditions</u> Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition C.I.4(b) as contained in Title Deed T28553/2025. <u>Consent use</u> Application in terms of Section 16(2)(o) of the By-Law to accommodate the proposed dwelling on the property. Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Division: Town and Spatial Planning, 16 Paterson Street, Hermanus, Gansbaai Library, Main Road, Gansbaai and on the municipal webpage at the following link https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) on or before 20 November 2026, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the Principal Town Planner, Mr. SW van der Merwe at 028-3138900. The Municipality may refuse to accept comments after the closing date. Any person who cannot read or write can visit the Division: Town and Spatial Planning where they will be assisted by a municipal official in formulating their comments. <i>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.</i>	<u>ERF 630, LANGMARKSTRAAT 20, PEARLY BEACH, OVERSTRAND MUNISIPALE AREA: AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDE EN VERGUNNINGSGEBRUIK: TOWN & COUNTRY CREATIVE LAND SOLUTIONS NAMENS BEW LINK (PTY) LTD</u> Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoek van toepassing op Erf 630, Pearly Beach, naamlik: <u>Opheffing van beperkende titelaktevoorwaardes</u> Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaktevoorwaarde C.I.4(b) soos vervat in Titelakte T28553/2025. <u>Vergunningsgebruik</u> Aansoek ingevolge Artikel 16(2)(o) van die Verordening om die voorgestelde woonhuis op die eiendom te akkomodeer. Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 en 16:30 by die Afdeling: Stads- en Streekbeplanning te Patersonstraat 16, Hermanus, Gansbaai Biblioteek, Hoofweg, Gansbaai en op die munisipale webtuiste by die volgende skakel https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) landuse@overstrand.gov.za) voor of op 20 November 2026, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Hoofstadsbeplanner, Mr. SW van der Merwe by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Afdeling: Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer. <i>U aandag word gevestig op die Bepalinge van die "POPI" Wet, en aangesien u opmerking deel sal uitmaak van 'n openbare deelname proses, u derhalwe toestem dat u naam, van, kontakbesonderhede en kommentaar(e) openbaar gemaak mag word.</i>	<u>ISIZA 630, 20 LANGMARK STREET, PEARLY BEACH, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICelo SOKUSUSWA KWEMIQATHANGO EZITHINTELAYO KUXWEBHU LOBUNINI (TITLE DEED) NOKUSETYENZISWA KWEMVUME: TOWN & COUNTRY CREATIVE LAND SOLUTIONS EGAMENI LE-BEW LINK (PTY) LTD</u> Kukhutshwa isaziso ngokweCandelo 47 nele-48 loMthetho kaMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), sokuba ezi zicelo zilandelayo zifunyenwe malunga neSiza 630, ePearly Beach <u>Ukususwa kwemiqathango ethintelayo kuxwebhu lobunini</u> Isicelo ngokwemiqathango yeCandelo 16(2)(f) loMthetho kaMasipala sokususwa komqathango othintelayo woxwebhu lobunini u-C.I.4(b) njengoko uqulethwe kuXwebhu Lobunini u-T28553/2025. <u>Ukusetyenziswa kwemvume</u> Isicelo ngokwemiqathango yeCandelo 16(2)(o) loMthetho kaMasipala sokuvumela ukwakhiwa kwendawo yokuhlala ecetywayo kwipropati. linkcukacha ezipheleleyo malunga neziphakamiso ezingentla ziyafumaneka ukuze zihlolwe ngeentsuku zeveki phakathi kwentsimbi yesi-08:00 neye-16:30 kwiCandelo: loCwangciso lweDolophu noMhlaba (Division: Town and Spatial Planning), 16 Paterson Street, eHermanus; kwiThala leeNcwadi laseGansbaai, eMain Road, eGansbaai; kunye nakwiwebhusayithi kamasipala kwikhonkco elilandelayo https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Naziphi na izimvo mazibhalwe phantsi kwaye zifike kuMasipala (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngomhla okanye ngaphambi koko 20 Novemba 2026, kunye negama lakho, idilesi, iinkcukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba ingenziwa UMcwangcisi weDolophu oyiNqununu, uMnu SW van der Merwe kule nombolo 028-3138900. UMasipala unokwala ukwamkela izimvo emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iCandelo: loCwangciso lweDolophu noMhlaba apho aya kuthi ancediswe ligosa likamasipala ekuqulunqeni izimvo zabo. <i>Nceda uqaphele ukuba ngokoMthetho woKhuseleko lweNgcaciso loLwazi loBuqu (POPIA), uya kuba ungena kwinkqubo kawonke-wonke kwaye uvuma ukuba igama lakho, ifani, iinkcukacha zoqhagamshelwano kunye nezimvo zingabhengezwa / zisetyenziswe kwi (isicelo) inkqubo.</i>
EW JANTJIES Acting Municipal Manager / Waarnemende Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200		
		Notice no. / Kennisgewing nr. / Inothiye yeNomb: 218/2026



Town & Country

Creative Land Solutions

P.O. Box 1085
Bredasdorp
7280

Tel. 083 481 3603
083 412 4698

E-mail: towncountry@vodamail.co.za

PROJECT

LOCALITY PLAN: ERF 630 PEARLY BEACH
OVERSTRAND MUNICIPALITY



Town & Country
Creative Land Solutions

Land Surveyors • Town Planners

DRAWN

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SCALE

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DWG No.

Locality

CHECKED

LT

DATE

JUL 2026

REVISION

Notes:

ALL AREAS AND DISTANCES SUBJECT TO SURVEY

MOTIVATIONAL REPORT
REMOVAL OF A TITLE DEED RESTRICTION AND CONSENT USE:
ERF 630 PEARLY BEACH
REF. PEA/3493

1. INTRODUCTION

This office was appointed by Bew Link Proprietary Limited, the registered owner of Erf 630 Pearly Beach, to prepare and submit an application for the removal of a restrictive title deed condition and a consent use. The property is situated at 20 Long Market Street, Pearly Beach, and is zoned Community Zone 1: Community Facilities.

The owner proposes to establish a privately owned, publicly accessible, non-commercial community library. Residents will be able to borrow books or read on the premises. The library will also function as an occasional art gallery where artists may display their work. A dwelling house is proposed on the same land unit for the owner's representative and library manager, who will oversee the facility and reside on the property.

2. PURPOSE

The purpose of this motivation is to apply for:

- Removal of restrictive title deed condition C.I.4(b), in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. The condition restricts the property to the erection of a place of assembly and must be removed to allow the land uses permitted by the current Community Zone 1 zoning.
- Consent use, in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to permit one dwelling house on Erf 630 for occupation by the owner's representative and library manager.

“dwelling house” means a self-contained, inter-leading group of rooms used for the accommodation and housing of a single family (together with adequate sanitary facilities and a kitchen and such outbuildings as are ordinarily used therewith), provided further that a dwelling house may not have more than two kitchens;

3. PROPERTY DESCRIPTION

Erf 630 Pearly Beach is an irregularly shaped land unit of 2 903m² situated at 20 Long Market Street. Prominently located on Main Road, the property is readily accessible and bounded by public streets on all sides. It is presently vacant.

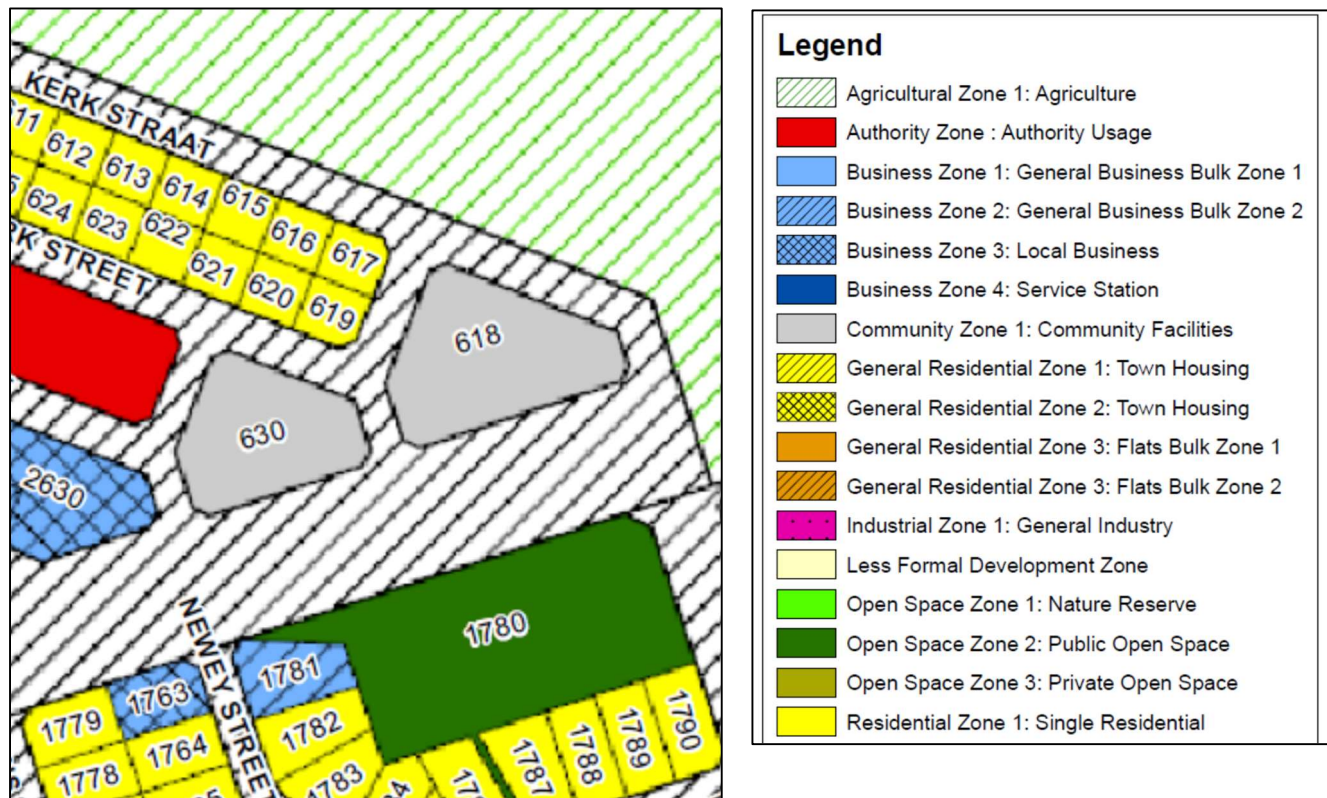
ERF	630
AREA	2 903m ²
OWNER	BEW LINK PROPRIETARY LIMITED (Reg. No. 2017/275987/07)
TITLE DEED	T28553/2025
BOUNDARY: NORTH	Long Market Street and Erven 619 - 621
EAST	Road and Erf 618
SOUTH	Main Road and a public park
WEST	Road en Erf 2630



Google Earth extract, illustrating the location of Erf 630 Pearly Beach.

4. ZONING AND TITLE DEED RESTRICTION

Erf 630 is zoned Community Zone 1: Community Facilities in terms of the Overstrand Municipality Land Use Scheme, 2020. The primary uses include in terms of the By-Law a clinic, crèche, day care centre, multi-purpose centre, place of assembly, place of instruction and place of worship. A dwelling house is listed as a consent use. Please refer to the extract from the zoning plan below.



Extract from the Pearly Beach Zoning plan, indicating the zoning of Erf 630 as Community Zone 1.

Title Deed T28553/2025 contains condition C.I.4(b), which reads: "it shall be used only for the purpose of erecting thereon a place of assembly".

4. This erf shall be subject to the following conditions, provided especially that where, in the opinion of the Administrator after consultation with the Townships Board and the Local Authority, it is expedient that the restriction in any conditions should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose :-

(a) it shall not be subdivided ;

(b) it shall be used only for the purpose of erecting thereon a place of assembly ;

The Community Zone 1 zoning of the erf is however broader and more responsive to present community needs than the historic deed restriction. Community Zone 1 permits a place of instruction as a primary use and a dwelling house with municipal consent. The proposed library and gallery therefore accord with the zoning, while the residence is dealt with through this consent use application.

The definition of a 'place of instruction': A civic facility for the promotion of knowledge to the community, including a public library, public art gallery or museum.

5. CURRENT LAND USE AND SURROUNDING LAND USE

Erf 630 is currently vacant and largely covered by natural vegetation. The proposal is an opportunity to introduce a carefully planned facility from the outset, subject to approved building plans and all applicable municipal requirements.

The property is separated from neighbouring erven by public road. Surrounding uses include residential uses towards the north, vacant land towards the east, open space / towards the south, across from Main Road and commercial and authority uses towards the west.



View towards the north



View towards the east



View towards the south



View towards the west



View towards the north-west (Overstrand authority use)

6. PROPOSED LIBRARY AND ART GALLERY

The concept site plan provides for a library and gallery building of approximately 70m², together with a stoep/patio of approximately 50m², where visitors can sit. The library will make books available to Pearly Beach residents for borrowing and on-site reading. The library will generally be open from 10:00 - 12:00 and 15:00 - 18:00 on weekdays.

The gallery component will provide local and visiting artists with an opportunity to display art in an accessible community setting. Although the facility will be privately owned and funded, it will operate as a community library and public art gallery for the benefit of the Pearly Beach community. Access will not be limited to the owner, invited guests or a private group. Membership will be available to Pearly Beach residents, who will be entitled to borrow books, read and conduct research on the premises and attend appropriate educational and cultural activities. Regular opening hours will be published and displayed at the property, and a membership and borrowing register will be maintained. Local artists will also be invited to display their work in the gallery. The resident library manager will be responsible for the day-to-day administration, public access, book-lending system, maintenance and security of the facility.

The proposed use is educational, cultural and community orientated. It is not a place for commercial entertainment and it will not generate late-night noise or intensive traffic. Operating arrangements can be managed to protect residential amenity, while the site layout leaves substantial space for natural vegetation and on-site parking.

Parking requirements for a library it not specifically specified. Parking required for a school is 1 bay per classroom and for a place of worship 1 bay per 6 seats. We allowed for 6 parking bays for the library of 50m², although this most likely far too many. Parking for the dwelling will be provided inside the garage / store.



Extract from the concept site plan.

7. PROPOSED REMOVAL OF THE TITLE DEED RESTRICTION AND CONSENT USE

Condition C.I.4(b) limits the property to a place of assembly. This historic restriction prevents the owner from exercising the wider, municipally approved Community Zone 1 rights, including a place of instruction, and prevents the proposed dwelling house despite the use being allowed as a consent use.

The application does not seek a rezoning or an unrestricted commercial right. The Community Zone 1 zoning will remain in force and the Municipality will retain control over land use, building plans, access, parking, services and development parameters. The remaining title deed conditions, including the prohibition on subdivision, the two-thirds coverage limitation and the 4,72m street building line, are not included in this application and remain unaffected.

One dwelling house is proposed for the owner's representative and library manager. Permanent occupation will support daily administration, book control, maintenance, security and passive surveillance. The dwelling will remain on the same cadastral unit as the community facility and will be subject to the Single Residential Zone 1 development parameters applicable to a dwelling house in Community Zone 1.

Section 35(4) of the Municipal Planning By-Law requires consideration of the value and benefits attached to a restriction and the social benefit of retaining or removing it. The restriction's original community-purpose intention is preserved and enhanced: the main use remains the provision of an educational / cultural facility, but the obsolete single-use wording is removed. No meaningful financial or personal right of another party is lost, because the zoning and municipal approval process continue to protect neighbours and the public. Removal will provide a direct social benefit through access to books, reading space and art, and a practical personal benefit by enabling the owner to develop and manage the property lawfully.

Restrictive title deed condition	Application and planning response
C.I.4(b): "it shall be used only for the purpose of erecting thereon a place of assembly"	Removal of condition C.I.4(b) is applied for so that the property may be used in accordance with its Community Zone 1 zoning, including a place of instruction and an approved dwelling house.

Application is also made to allow for a dwelling on the property. The library manager will reside permanently on site. A store / garage will provide storage for a vehicle, but also additional space for garden tools, etc.

8. CRITERIA FOR CONSIDERATION OF THE APPLICATION

The Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 lists the criteria that must be considered when deciding a land use application. The proposal is evaluated below against the criteria relevant to this application.

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

The proposal is desirable because it brings a vacant, centrally accessible Community Zone 1 property into beneficial use without changing its zoning. A privately owned, publicly accessible, non-commercial community library and gallery will broaden access to knowledge, reading, culture and local art in Pearly Beach. The dwelling is secondary to and supportive of the community function, and will improve management and security. The modest building footprint, substantial remaining open area and road separation from neighbours limit potential land use impacts.

8.2 The impact of the proposal on Municipal Engineering Services

The proposal comprises one modest community facility and one dwelling house on an existing urban erf. No subdivision or large-scale intensification is proposed. Service connections and any required upgrades will be confirmed with the relevant municipal departments and will be for the owner's account.

○ *Rubbish Removal*

Normal municipal refuse removal will be used. Refuse generated by the library/gallery and dwelling is expected to be limited and can be stored on-site in screened containers for collection in accordance with municipal requirements.

- **Sewer**

The proposed buildings will be supplied with a conservancy tank, that will be emptied as required.

- **Water**

Water supply will be obtained from the municipal network, subject to confirmation of the connection point and capacity by the relevant municipal department. Any connection or upgrade costs will be borne by the owner.

- **Storm water**

Stormwater will be managed on the property and discharged only as approved by the Municipality. The retention of substantial natural vegetation and permeable areas will assist infiltration and reduce runoff. Detailed drainage measures will accompany the building plans where required.

- **Electricity**

Electricity will be supplied from the existing network. Any new connection, metering arrangement or network alteration required for the proposal will be undertaken at the owner's cost.

- **Road, Entrance and Parking**

Erf 630 is bounded by several public streets and is therefore highly accessible. The final vehicular access position and design will be determined to the satisfaction of the Municipality, with due regard to Main Road and the surrounding local street network. No access is proposed from Main Road. Access to the library is proposed from Theatre Street and access to the dwelling from Long Market Street.

The Land Use Scheme requires two on-site parking bays for a dwelling house on an erf larger than 400m². Parking for the library and gallery will be provided at the ratio determined by the Municipality in terms of Section 17.1, taking account of the modest floor area and the manner in which the facility will operate.

The property is sufficiently large to accommodate the required access and parking while retaining substantial natural and landscaped areas. The site development plan can be refined in accordance with the Municipality's final parking and engineering requirements.

Use	Scheme position	Proposed development	Compliance / parking
Library and art gallery	Place of instruction: primary use in Community Zone 1	Library/gallery ±70m ² and open patio ±50m ²	Community-oriented use; parking to be determined under Section 17.1
Dwelling house	Consent use in Community Zone 1	One dwelling for the owner's representative / library manager	SR1 development parameters; two on-site parking bays

Final parking numbers and bay dimensions will be confirmed on the building plans.

The site development plan makes provision for a garage and 6 on-site parking bays.

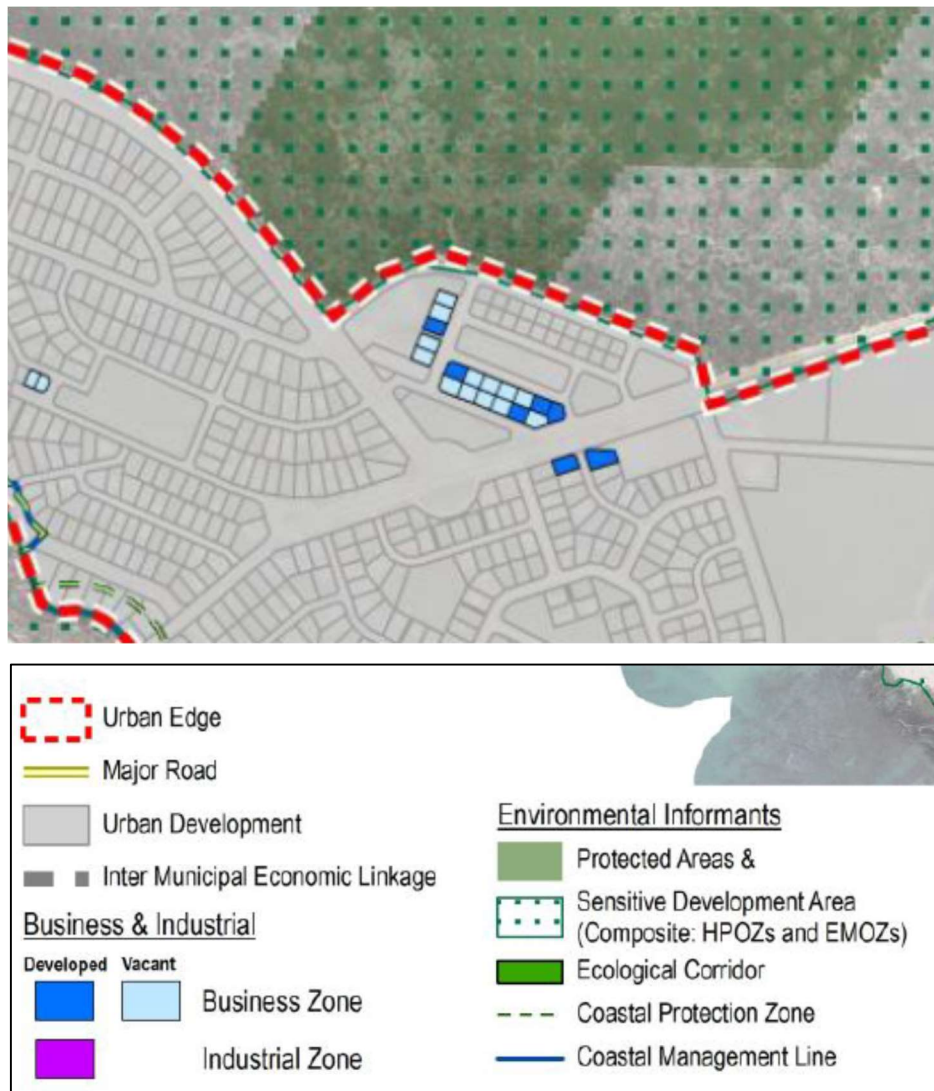
8.3 Municipal Forward Planning Documents

Overstrand Municipal Spatial Development Framework, May 2020

The Overstrand Municipal Spatial Development Framework, May 2020 identifies Pearly Beach as an established retirement and holiday settlement and promotes appropriate infill development on vacant land already demarcated for urban development. It further seeks to contain the settlement within its urban edge, maintain its distinctive village and rural character, preserve its natural setting and support well-designed spaces and facilities that enable social, recreational and cultural participation.

Erf 630 is situated within the established urban footprint and is already zoned Community Zone 1; consequently, the proposed library, art gallery and associated manager's dwelling do not constitute outward urban expansion or introduce an incompatible commercial use. Instead, the proposal brings vacant, appropriately zoned land into beneficial community use and supports the SDF's objectives relating to compact settlement development, efficient use of existing infrastructure and access to community and cultural facilities. Although Table 2.25 records an existing local library and does not identify an additional municipal library as a quantified requirement by 2031, the proposed facility is

privately provided and will complement, rather than duplicate or replace, existing municipal services by offering additional access to books, reading space and art. Plan 68 also places the erf within the urban development area and outside the principal mapped Sensitive Development Areas; nevertheless, the limited building footprint and retention of substantial natural vegetation respond positively to the SDF's requirement that the character and environmental setting of Pearly Beach be protected. Overall, the application is consistent with the applicable spatial development and growth-management principles of the Municipal Spatial Development Framework.



Extract from the Overstrand Spatial Development Framework

Environmental Management Overlay Zone

The Overstrand Municipality Environmental Management Overlay Zone Regulations, 2020 were considered in relation to Erf 630 Pearly Beach. These Regulations apply in addition to the ordinary land-use controls where land falls within a spatially delineated Environmental Management Overlay Zone. Based on the available municipal spatial information, Erf 630 does not fall within the Coastal Protection, Urban Conservation, Riverine, Protected Area Buffer or other mapped EMOZ. The property is situated within the established Pearly Beach urban area, north of Main Road, while the mapped sensitive environmental area is predominantly situated south of Main Road. Accordingly, the EMOZ Regulations do not create an additional consent requirement or prohibit the proposed privately owned and funded library, art gallery and dwelling house. Nevertheless, the environmental objectives underlying the Regulations remain relevant to the design of the proposal. The buildings have therefore been concentrated on a limited part of the 2 903m² property, allowing a substantial portion of the existing natural vegetation and permeable ground surface to be retained. Final building placement, access, parking, stormwater management and vegetation clearance should be undertaken sensitively and remain subject to any separate environmental authorisation that may be required in terms of NEMA or other applicable environmental legislation.

8.4 Spatial Development Framework: Western Cape

The Western Cape Provincial Spatial Development Framework was approved in 2014 and serves as the Province's strategic spatial planning framework.

The proposal supports the provincial emphasis on using existing urban land and infrastructure efficiently, strengthening settlement functionality and improving access to social opportunities. A small community library and gallery within the urban edge represents context-sensitive investment in social and cultural infrastructure.

The proposed development complements the PSDF spatial goals that aim to place the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in urban areas;
- (iii) Strengthened resilience and sustainable development.

Key policies supported by this application include:

Policy E3: Revitalise and Strengthen Urban Space-Economies as the Engine of Growth

The proposal makes productive use of vacant, well-located urban land and adds a community asset that can support local readers, families, artists and cultural activity.

1. The investment is located within the established settlement and close to existing roads and services, avoiding unnecessary outward expansion and strengthening Pearly Beach as a functional place in which residents can meet everyday social and cultural needs.

Policy S3: Ensure Compact, Balanced and Strategically Aligned Activities and Land Uses

The use of an existing Community Zone 1 erf for a library, gallery and supporting residence aligns land use with the intended social role of the site and promotes a balanced settlement structure.

The proposal promotes functional integration by locating a modest community facility within an established residential settlement, using available infrastructure and retaining a substantial portion of the property as natural or landscaped open area.

8.5 Compliance with Section 42 of SPLUMA and Chapter VI of LUPA

The Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the Western Cape Land Use Planning Act, 2014 (LUPA) provide the statutory framework for spatial planning and land use management and seek, among other objectives, to address spatial and regulatory imbalances.

Section 42 of SPLUMA and Chapter VI of LUPA require the decision-maker to consider the applicable development principles and all facts and circumstances relevant to an application.

- the development principles set out in Chapter 2 of SPLUMA;
- the sustainable use and protection of land and natural resources;

- national and provincial government policies;
- the municipal spatial development framework; and, where relevant:
 - (i) the public interest;
 - (ii) constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open-space requirements; and
 - (vi) any prescribed factors, including decision-making timeframes.

SPLUMA and LUPA set out five main development principles applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Spatial efficiency
4. Spatial resilience
5. Good administration

Compliance with SPLUMA and LUPA Principles:

The proposal is consistent with the statutory spatial policy framework and the current zoning of the property. The table below summarises compliance with the development principles.

<i>SPLUMA & LUPA Principle</i>	<i>Compliance</i>
<i>Spatial Justice</i>	The proposal improves access to books, reading space and art within Pearly Beach and places a resource for the residence in an accessible urban location.
<i>Spatial Sustainability</i>	It reuses existing urban land and infrastructure, avoids outward settlement expansion and retains a substantial portion of the property as natural or landscaped open area.
<i>Spatial Efficiency</i>	The existing Community Zone 1 site, road network and municipal services are used efficiently for a modest facility and one supporting dwelling.

<i>SPLUMA & LUPA Principle</i>	<i>Compliance</i>
<i>Spatial Resilience</i>	Removing the obsolete single-use restriction allows the property to respond to current community needs while remaining subject to the adaptable municipal land-use framework.
<i>Good Administration</i>	The application follows the statutory process, provides the relevant plans and specialist information, and enables transparent consideration of affected rights and public benefit.

9. ADDITIONAL MOTIVATION

CHARACTER OF THE SURROUNDING AREA

No rezoning is proposed. The library and art gallery are compatible with the existing Community Zone 1 zoning and the residential context of Pearly Beach. The modest scale, substantial road separation, retention of natural vegetation and absence of intensive commercial entertainment will protect the quiet character of the surrounding area.

EXISTING RIGHTS

The removal of condition C.I.4(b) will not create unfettered development rights. The Community Zone 1 zoning, consent-use approval, remaining title conditions and municipal building-plan controls will continue to regulate the property. Neighbouring owners retain all rights to participate in the statutory process and to have amenity impacts considered.

ENTRANCE AND PARKING

Access and on-site parking will be provided to the satisfaction of the Municipality. The property's multiple street frontages and generous area allow a safe access solution to be developed without relying on neighbouring properties.

SERVICES

All municipal service connections and any required upgrades will be installed in accordance with municipal and National Building Regulations. The limited scale of the proposal is not expected to place an unreasonable burden on existing infrastructure.

POTENTIAL OF THE PROPERTY

The site's Community Zone 1 zoning, position on Main Road, accessibility, generous extent and separation from adjoining residential erven give it strong potential as a community knowledge and cultural resource. The proposal converts a vacant site into a useful public-facing facility while retaining space for natural vegetation and future landscaping.

The removal of the restriction limiting Erf 630 to a “place of assembly” will not be detrimental to Pearly Beach, as the property will retain its Community Zone 1 zoning and remain dedicated primarily to a community-serving purpose. The proposed library and art gallery will provide educational, cultural and social benefits, while likely generating fewer traffic, parking, noise and after-hours impacts than a conventional place of assembly used for large gatherings.

SAFETY OF THE COMMUNITY

- The resident library manager will provide passive surveillance and an on-site presence outside library operating hours. This is a meaningful safety benefit on a currently vacant site.
- The library and gallery are quiet uses. Controlled operating hours, safe access, adequate parking, compliant building plans and lighting designed to avoid nuisance can ensure that the facility operates safely and respectfully within the neighbourhood.

10. CONSTRAINTS AND OPPORTUNITIES

The engineering geological investigation completed in June 2026 identified shallow hardpan calcrete and variable founding conditions. These conditions are manageable, provided that foundation design, excavation, drainage and construction follow the geotechnical recommendations and are addressed by the appropriate professionals at building-plan stage.

The historic single-use title condition is the principal land use constraint. Its removal will align the title with the current Community Zone 1 framework and enable an educational, cultural and residentially supported community facility. The site's size and visibility create an opportunity to retain vegetation, establish an attractive landmark and contribute positively to the social life of Pearly Beach.

11. CONCLUSION

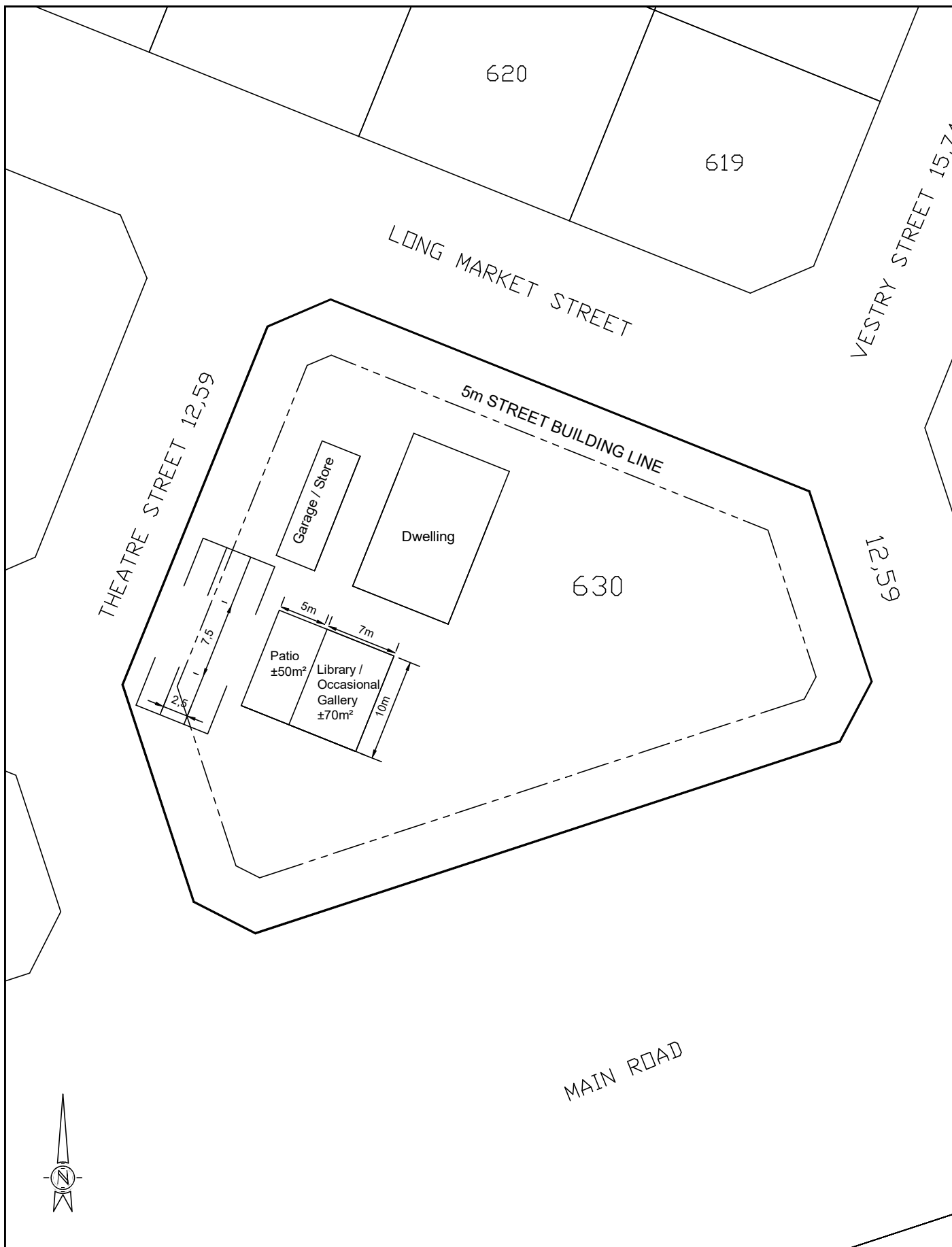
From the above it can be concluded that the application for:

- Removal of restrictive title deed condition C.I.4(b), in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to remove the restriction limiting Erf 630 to a place of assembly;
- Consent use, in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to permit one dwelling house for occupation by the owner's representative and library manager;

meets the criteria of SPLUMA, LUPA and the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, is consistent with the Overstrand Spatial Development Framework and the Community Zone 1 zoning, is desirable, and should therefore be supported by the relevant authorities and approved by the Overstrand Municipality.

The library will promote literacy, reading and access to information, while the gallery will promote knowledge and appreciation of visual art by displaying the work of local and visiting artists in an accessible community setting.

LT



Town & Country
Creative Land Solutions

P.O. Box 1085
Bredasdorp
7280

Tel. 083 481 3603
083 412 4698

E-mail: towncountry@vodamail.co.za

PROJECT

CONCEPT SITE PLAN: ERF 630 PEARLY BEACH
OVERSTRAND MUNICIPALITY



Land Surveyors • Town Planners

DRAWN

LT

SCALE

1: 500

DWG No.

PEA/3493

CHECKED

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DATE

JULY 2026

REVISION

Notes: ALL AREAS AND DISTANCES
SUBJECT TO SURVEY