

OVERSTRAND MUNISIPALITEIT	OVERSTRAND MUNICIPALITY	UMASIPALA WASE-OVERSTRAND
RESTANT ERF 384 EN ERF 12308, FLOWERSTRAAT 37, WESTCLIFF, HERMANUS: AANSOEK OM SLUITING VAN GEDEELTE OPENBARE OOPRUIMTE, SLUITING VAN GEDEELTE PUBLIEKE PAD, ONDERVERDELING, HERSONERING EN KONSOLIDASIE: PLAN ACTIVE STADS- EN STREEKBEPLANNERS NAMENS OVERSTRAND MUNISIPALITEIT EN MEDBUILD PROPERTIES (PTY) LTD Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), asook die Wet op Plaaslike Regering: Munisipale Finansiëlebestuur (Wet 56 van 2003) (die Wet), word hiermee kennis gegee van die volgende aansoeke van toepassing op Restant Erf 384 en Erf 12308, Hermanus, naamlik: Paragraaf 1: Sluiting van publieke oopruimte ingevolge Artikel 16(2)(n) van die Verordening vir die sluiting van 'n gedeelte (±153m²) van Restant Erf 384, Hermanus. Sluiting van publieke pad ingevolge Artikel 16(2)(n) van die Verordening vir die sluiting van gedeeltes (±207m² en ±340m²) van Restant Erf 384, Hermanus. Onderverdeling ingevolge Artikel 16(2)(d) van die Verordening om Restant Erf 384, Hermanus te onderverdeel om Gedeelte A (±700 m²) groot en 'n Restant te skep. Hersonering ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van voorgestelde Gedeelte A vanaf Oopruimtesone 2 na Gemeenskapssone 1 om parkering en toegang vir die voorgestelde mediese fasiliteit op die gekonsolideerde eiendom te akkommodeer. Konsolidasie ingevolge Artikel 16(2)(e) van die Verordening om Gedeelte A (±700m²) met Erf 12308 (7342m²) te konsolideer om een erf van ongeveer ±8042m² groot te skep. Besonderhede aangaande die voorstel lê ter insae gedurende weekdae tussen 08:00 en 16:30 by die Departement: Stads- en Streeksbeplanning te Patersonstraat 16, Hermanus en die munisipale webtuiste by die volgende skakel https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Enige kommentare op die voorstel moet skriftelik wees in ooreenstemming met Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) landuse@overstrand.gov.za) bereik voor of op 20 November 2026, met u naam, adres en kontak-besonderhede, belang in die aansoek, asook die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, Me. Y Macala by 028 313 5088. Paragraaf 2: Die Raad se voorname ingevolge die Wet om die nuut geskepte Gedeelte A ('n gedeelte van Restant Erf 384 Hermanus) in 1. hierbo oor te dra met die volgende besonderhede: Koper: Medbuild Properties (Pty) Ltd Ligging: Voor Flowerstraat 37, Hermanus, aangrensend tot Erf 12308 Hermanus Grootte: ± 700m² Koopsom: R450.00/m² (BTW uitgesluit) Doel: Parkering Volledige besonderhede rakende die voorstel in paragraaf 2 hierbo is per afspraak beskikbaar gedurende weekdae tussen 08:00 en 16:30 by die Eiendomsbestuur Afdeling, h/v Molteno- en Viljoenstraat, Onrustrivier. Enige kommentaar moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (h/v Molteno- en Viljoenstraat, Onrustrivier / (f) 028 316 3721 / (epos) merasmus@overstrand.gov.za) moet bereik voor of op 20 November 2026. Telefoniese navrae kan gerig word aan die Senior Administratiewe Beampte, Me. M Erasmus by 028-316 5602. Die Munisipaliteit mag weier om kommentare wat na die sluitingsdatum ontvang word, te aanvaar. Enige persoon wat nie kan lees of skryf nie kan die Departement Stads- en Streeksbeplanning 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, kontak-besonderhede en kommentaar openbaar gemaak mag word.</i>	REMAINDER ERF 384 AND ERF 12308, 37 FLOWER STREET, WESTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CLOSURE OF PORTION OF PUBLIC OPEN SPACE, CLOSURE OF PORTION OF PUBLIC ROAD, SUBDIVISION, REZONING AND CONSOLIDATION: PLAN ACTIVE TOWN AND REGIONAL PLANNERS (PTY) LTD ON BEHALF OF OVERSTRAND MUNICIPALITY AND MEDBUILD PROPERTIES (PTY) LTD 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), as well as the Local Government: Municipal Finance Management Act (Act 56 of 2003) (the Act), of the following applications applicable to Remainder Erf 384 and Erf 12308, Hermanus, namely: Paragraph 1: Closure of public open space in terms of Section 16(2)(n) of the By-Law for the closure of a portion of Remainder Erf 384, Hermanus, approximately 153m² in extent. Closure of public road in terms of Section 16(2)(n) of the By-Law for the closure of portions (±207m² and ±340m²) of Remainder Erf 384, Hermanus. Subdivision in terms of Section 16(2)(d) of the By-Law to subdivide Remainder Erf 384, Hermanus to create Portion A (±700 m²) in extent and a Remainder. Rezoning in terms of Section 16(2)(a) of the By-Law to rezone proposed Portion A from Open Space Zone 2 to Community Zone 1 to accommodate parking and access for the proposed medical facility on the consolidated property. Consolidation in terms of Section 16(2)(e) of the By-Law for the consolidation of Portion A (±700m²) with Erf 12308 (7342m²) in extent to create one erf approximately ±8042m² in extent. Details regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus on the municipal webpage at the following link https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Any comments on the proposal must be in writing in accordance with Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) on or before 20 November 2026, quoting your name, address and contact details, interest in the application, as well as the reasons for comment. Telephonic enquiries can be made to the Town Planner, Ms. Y Macala at 028 313 5088. Paragraph 2: Council's intention to transfer the newly created Portion A (a portion of Remainder Erf 384 Hermanus) in 1. above with the following details: Purchaser: Medbuild Properties (Pty) Ltd Locality: In front of 37 Flower Street, Hermanus, adjacent to Erf 12308 Hermanus Size: ± 700m² Purchase price: R450.00/m² (VAT Excluded) Purpose: Parking Full details regarding the proposal in paragraph 2. above are available per appointment for inspection during weekdays between 08:00 and 16:30 at the Property Management Division, c/o Molteno and Viljoen Street, Onrustrivier. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (c/o Molteno and Viljoen Street, Onrustrivier / (f) 0283163721 / (email) merasmus@overstrand.gov.za on or before 20 November 2026. Telephonic enquiries can be made to the Senior Administrative Officer, Ms. M Erasmus at 028 316 5602. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town and Spatial Planning Department where a municipal official will assist them in order to formalize their comment. <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>	INTSALELA YESIZA UERF 384 NE-ERF 12308, 37 FLOWER STREET, WESTCLIFF, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKUVALA INXALENYE ESISOHLULO SENDAWO EVULEKILEYO, UKUVALWA KWENXALENYE YESOHLULO SENDLELA KAWOKEWONKE, UKWAHLULAHLULA, UKUCANDA KWAKHONA NOKYONDELELANISA: NGABAKWAPLAN ACTIVE TOWN NABACWANGCISI BENGINGQI (PTY) LTD EGAMENI LUKAMASIPALANWASE-OVERSTRAND NE MEDBUILD PROPERTIES (PTY) LTD Kukkhutshwe isaziso esingemiba yeSolotya lama-47 nelama-48 loMthethwana Osisihlomelo Somthethwana kaMasipala waseOverstrand ngeZicwangciso Zokusetyenziswa koMhlba kaMasipala ku2020 (Umthethwana), kwakunye noRhulemente waseKhaya: Umthetho Wolawulo Lwemali kaMasipala (Umthetho 56 ka2003) (Umthethoth), osebenza kwezi zicelo zilandelayo kwiNtsalela yesiza i Erf 384 ne Erf 12308, Hermanus, ezibizwa: Umlhathi 1: Ukuvalwa kwendawo evulekileyo kawonkewonke ngokwemiba yeSolotya le16(2)(n) loMthethwana ongokuvalwa kwenxalenye esi sohlulo neNtsalela uErf 384, Hermanus, engumlinganiselo oli- 153m² ubukhulu. Ukuvalwa kwendawo evulekileyo neyindlela kawonkewonke ngokwemiba yeSolotya le16(2)(n) loMthethwana ongokuvalwa kwenxalenye ezi zohlulo (±207m² and ±340m²) zeNtsalela ka-Erf 384, Hermanus. Ukucanda kwakhona ngokwemiba yeSolotya le16(2)(d) loMthethwana ongokwahlulula Intsalela enguErf 384, Hermanus ukudala Isohlulo esitsha esisohlulo A (±700 m²) ubungakanani neNtsalela. Ukucanda kwakhona ngokwemiba yesolotya le16(2)(a) loMthethwana wokucanda kwakhona inxalenye esiSohlulo A esiphakanyisiweyo ukusuka kwiKwiBala Elivulekileyo uZowuni 2 ukya kwiZowuni YoLuntu ukulungiselela indawo yokupaka nokufikelela kwifasilithi yonyango ephakanyisiweyo kumhlaba oyondlelanisiweyo. Ukuyondelelanisa ngokwemiba yeSolotya le16(2)(e) loMthethwana ongokuyondelelanisa inxalenye esiSohlulo A (±700m²) neSiza uErf 12308 (7342m²) ubungakanani ukudala isiza esinye esimalunga ne-±8042m² ngokomlinganiselo. linkcukacha eziphelelyo mayela nesi siphakamiso ziyafumaneka ukzue zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-8:00 neye-16:30 kwiCadenlo: Lezicwangciso zeDolophu 16 Paterson Street, Hermanus nakwiwebbhpeyiji kamasipala kwelighakamshela lilandelayo https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Naziphi na izimvo ezibhalwe phantsi mazibhalwe phantsi zifike kwamaspala ngokwezibonelelo zeSolotya lama- 51 nelama-52 loMthethwana kwaMasipala (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngomhla okanye phambikomhla wama 20 Novemba 2026, uchaze igama lakho, idilesi neenkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo, nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMcwangcisi weDolophu, Nkszn. Y Macala at 028 313 5088. Umlhathi 2: Iinjongo yebhunga ukukhuphela inxalenye entsha esiSohlulo A (inxalenye eyiNtsalela Erf 384 Hermanus) ku 1. ngentla nezi nkcukacha zilandelayo: Umthengi: Medbuild Properties (Pty) Ltd INgingqi: Ngaphambi kwesitrato l- 37 Flower Street, Hermanus, esimelele neNtsalela Erf 12308 Hermanus Isayizi: ± 700m² Ixabiso Lokuthenga: R450.00/m² (VAT Excluded) Injongo: Indawo yokuPaka linkcukacha eziphelelyo mayela nesiphakamiso sikumhlathi 2. ngasentla ziyafumaneka ngokwenza idinga uuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30 kwiCandelo Lolawulo Lwempahla, c/o Molteno and Viljoen Street, Onrustrivier. Naziphi na izimvo mazibhalwe phantsi, uchaze igama lakho, idilesi neenkcukachadofumaneka kuzo, kwanomdla wakho kwesi sicelo nezizathu zakho zokuhlomla, zimvo ezo mazifike kwaMasipala c/o Molteno and Viljoen Street, Onrustrivier / (f) 0283163721 / (I-imeyile) merasmus@overstrand.gov.za ngomhla okanye ngaphambi komhla wama 20 Novemba 2026. Imibuzo ngefowuni ingabuzwa kwiGosa Eliphezulu kuLawulo, Nkszn. M Erasmus kwa-028 316 5602. Umasipala angala ukwamkela izimvo ezifike emv komhla wokuvala. Nabani na ongakwazi ukufunda okanye ukubhala makaye kwiSebe LeziCwangciso zeDolophu noBume beNdawo apga igosa likamasipala liza kumnceda afake izimvo zakho ahlomle ngokusemthethweni. <i>Nceda uqaphele ukuba ngokwemiba yesolotya loMthetho ongokhuseleko Lwengxelo Yomntu (POPIA), uza kube ungena kwinkqubo yoluntu ngoko ke uvumelana kwaye uvumela ukusetyenziswa kwegama lakho, ifani yakho, iinkcukacha ofumaneka kuzo izimvo (uluvo) zakho zingadizwa /zingasetyenziswa kwinkqubo (kwisicelo) yesicelo.</i>
EW JANTJIES Acting Municipal Manager / Waarnemende Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200		



MOTIVATION REPORT

Closure of Portions of Public Road & Public Place, Subdivision, Rezoning and Consolidation

ERF 384 HERMANUS | DIVISION: CALEDON | OVERSTRAND MUNICIPALITY

Applicant / Purchaser	Medbuild Properties (Pty) Ltd (Reg: 2022/738205/07)
Representative	Mr Jacobus (Jaco) Claassens
Contact	jaco@cozainvestments.com 082 567 8952
Seller / Municipality	Overstrand Municipality
Property	A Portion of Remainder Erf 384 Hermanus (a Portion of Public Road Reserve and a Portion of Public Place)
Title Deed — Erf 384	Certificate of Registered Title 8206/1930 (Caledon Freeholds Vol. 3 No. 8, 5 August 1922) and Title 1855/2025
Registered Owner — Erf 384	Council of the Municipality of Hermanus (now Overstrand Municipality)
Parent Erf to Consolidate With Owner	Erf 12308 Hermanus Medbuild Properties Pty Ltd
Approximate Extent of Portion of Erf 384 Hermanus	±700 m ²
Town Planner	Plan Active — Town & Regional Planners
Date	May 2026

1. BACKGROUND

This motivation report is submitted in support of a combined land use application on behalf of Medbuild Properties (Pty) Ltd (hereinafter referred to as “the Applicant”) in respect of a portion of Remainder Erf 384 Hermanus, situated adjacent to Erf 12308 Hermanus.

The Applicant is the registered owner of Erf 12308 Hermanus, by virtue of Deed of Transfer T1855/2025. Erf 12308 measures 7 342 m² and is held subject to conditions imposed by Overstrand Municipality, which restrict the property’s use to the development of medical and related community facilities.

Remainder Erf 384 Hermanus forms part of the municipal road reserve network and Public Open Space in Westcliff, Hermanus. A portion of this Remainder Erf, measuring approximately ±700 m², is situated in Flower Street, Hermanus, and is directly adjacent to Erf 12308. The Applicant has applied to the Property Administration of the Overstrand Municipality for the purchase and alienation of this portion for the purpose of consolidated parking in association with the proposed medical development on Erf 12308.

At an ordinary meeting held on 25 February 2026, Council resolved in principle to approve the direct alienation of the portion of Remainder Erf 384 Hermanus ($\pm 700 \text{ m}^2$) to the Applicant, subject to a number of conditions, including the undertaking of a public participation process and the obtaining of all required land use approvals.

A signed Deed of Sale was subsequently concluded between Overstrand Municipality (Seller) and Medbuild Properties (Pty) Ltd (Purchaser) on 31 March 2026 (Purchaser) and 7 April 2026 (Seller). The Deed of Sale is subject to a number of suspensive conditions, including the fulfilment of all requisite town planning approvals within 18 months of the date of signature.

Simultaneously with the signing of the Deed of Sale, Overstrand Municipality granted a Special Power of Attorney on 7 April 2026. In terms of the Special Power of Attorney, Overstrand Municipality, as registered owner of Erf 384 Hermanus, nominates and appoints Medbuild Properties (Pty) Ltd and/or its appointed consultant/town planner as its lawful agents to appear before Overstrand Municipality and any other Government Departments to submit the required land use applications, including the closure of a portion of public road and public open space, subdivision, rezoning and consolidation, in terms of the Overstrand Municipality By-law on Municipal Land Use Planning (2020). The Power of Attorney expressly confirms that all application costs shall be borne by the Applicant without any cost to the Municipality.

2. APPLICATION DETAILS

This application is submitted to Overstrand Municipality in terms of the Overstrand Municipality By-Law on Municipal Land Use Planning (2020) ("the By-Law") and seeks the following combined approvals:

No.	Application Type	Legal Basis	Affected Land
1	Closure of a portion of Public Place	Section 16(2)(n) of the By-Law	153 m ² portion of Public Open Space (Erf 384)
2	Closure of portions of Public Road	Section 16(2)(n) of the By-Law	207 m ² and 340 m ² portions of Public Road Reserve (Erf 384)
3	Subdivision of Remainder Erf 384	Section 16(2)(d) of the By-Law	Portion A $\pm 700 \text{ m}^2$ to be excised from Remainder
4	Rezoning of Portion A	Section 16(2)(a) of the By-Law	From Public Road/Public Open Space to Community Zone 1 (Consent Use – Institutional)

5	Consolidation with Erf 12308	Section 16(2)(e) of the By-Law	Portion A ($\pm 700 \text{ m}^2$) consolidated with Erf 12308 ($7\,342 \text{ m}^2$)
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In addition, the closure of portions of Flower Street and Fourie Street forming part of the public road and public place identified on General Plan TP 4668 (SG No. A3601/1930) requires the amendment of that General Plan in terms of Section 25(3) of the By-Law. A Status Report was obtained from the Surveyor-General: Western Cape on 8 May 2026 (Ref: S/2479/42 Vol.1 p330), confirming the scope of the required closures and the endorsements necessary. The Status Report is valid for three years.

A subdivision diagram prepared by Van Dyk & Ass. Inc., Land Surveyors (P.O. Box 2025, Hermanus), dated April 2026, depicts the proposed configuration. The diagram shows Portion A – Rem. Erf 384 Hermanus ($\pm 700 \text{ m}^2$) comprising the following components:

- 153 m^2 — Portion of Public Open Space (Public Place) – Erf 384 shown on General Plan TP 4668
- 207 m^2 — Portion of Public Road Reserve – Erf 384 forming part of Flower Street
- 340 m^2 — Portion A, being a small extension of Fourie Street - Erf 384

3. DESCRIPTION OF PROPERTY AND LOCALITY

3.1 Remainder Erf 384 Hermanus

Remainder Erf 384 Hermanus forms part of the public open space and public road reserve network within Westcliff, Hermanus in the Overstrand Municipal area. This specific portion of Rem. Erf 384 is an elongated, irregular-shaped parcel running broadly in a north-west to south-east direction along what was historically designated as a public road and public open space on General Plan TP 4668, registered in 1930.



The portion subject to this application ($\pm 700 \text{ m}^2$) is situated in Fourie & Flower Streets, Hermanus, at the south-western corner of Erf 12308. The Surveyor-General's records confirm that the relevant portions are classified as Public Place and Public Road on General Plan TP 4668.

3.2 Erf 12308 Hermanus

Erf 12308 Hermanus measures $7\,342 \text{ m}^2$ and is held by Deed of Transfer T1855/2025 (registered 22 January 2025) by Medbuild Properties (Pty) Ltd. The property is located on the corner of Albertyn Street and Flower Street in Hermanus and is subject to conditions of title imposed by Overstrand Municipality requiring its development for medical facilities and related community uses in accordance with the parameters set out in Tender SC2331/2022.

The western boundary of Erf 12308 abuts Remainder Erf 384. The proposed consolidation of Portion A with Erf 12308 will provide the Applicant with additional space to accommodate additional parking associated with the planned medical facility.

4. NATURE AND MOTIVATION OF APPLICATIONS

4.1 Closure of a Portion of Public Place — Section 16(2)(n)

Section 16(2)(n) of the By-Law authorises the Municipality to close a public place or a portion thereof. The 153 m^2 component of the subject portion is classified as Public Open Space (Public Place) on General Plan TP 4668. The closure of this portion is necessary to enable the subdivision and subsequent consolidation with Erf 12308 for parking purposes.

The portion of Public Place proposed for closure is not currently developed or used for any active public open space or recreational function. Its closure will not deprive the public of any existing open space

amenity. The Applicant will bear all costs related to the public participation process required in connection with the closure.

The Council resolution of 25 February 2026 confirmed that the subject land can be classified as a non-viable property, supporting the principle of its alienation and closure. The Surveyor-General's Status Report confirms that an amendment to General Plan TP 4668 is required to give effect to the closure of this portion.

Section 16(2)(n) criteria are addressed as follows:

- The closure is in the public interest, as it facilitates a medical development that directly addresses community health needs in Hermanus.
- The portion to be closed serves no current recreational or open space function and is classified as non-viable by the Municipality.
- A public participation process will be undertaken by way of newspaper advertisement, at the Applicant's cost, as required by the Council resolution and Section 16 procedures.
- No adverse impact on the broader open space network of Hermanus is anticipated as a result of the closure.

4.2 Closure of Portions of Public Road — Section 16(2)(n)

Section 16(2)(n) of the By-Law authorises the Municipality to close a public road or a portion thereof. The 207 m² and 340 m² components of the subject portion forms part of the road reserve of Flower and Fourie Streets as shown on General Plan TP 4668. These portions of road reserve are not used as a through-road and do not serve an active traffic function in the immediate vicinity of Erf 12308.

The closure of these portions of public road is consistent with the Municipality's own resolution to alienate the property, and is supported by the finding that the land is classified as non-viable. The Surveyor-General: Western Cape has confirmed the scope of the road closure and the consequential amendment to General Plan TP 4668 required in terms of Section 25(3) of the By-Law.

Section 16(2)(n) criteria are addressed as follows:

- The portions of road reserve proposed for closure forms a narrow strip in front and to the side of Erf 12308, abutting the subject property, and do not function as a primary or secondary through-road.
- Closure of these portions will not prejudice the road network, as no through-traffic movement depends on its retention.
- The written consent of the Municipality as the relevant authority, in the form prescribed by Section 25(3) of the By-Law and the Surveyor-General's requirements, will be obtained and included in the application for amendment of the General Plan.
- All costs associated with the road and public place closure, advertisement, surveying, and amendment of the General Plan will be borne by the Applicant.

4.3 Subdivision of Remainder Erf 384 — Section 16(2)(d)

Section 16(2)(d) of the By-Law authorises the subdivision of land into two or more portions. The subdivision of Remainder Erf 384 Hermanus is required to excise Portion A ($\pm 700 \text{ m}^2$) from the Remainder, in order to enable the separate transfer and subsequent consolidation of Portion A with Erf 12308. The subdivision diagram by Van Dyk & Ass. Inc., dated April 2026 (Scale 1:500), confirms the proposed configuration.



The Deed of Sale provides that a registered land surveyor will measure the exact extent of Portion A upon subdivision, and the final purchase price will be calculated by multiplying the surveyed area by R450.00/m² (VAT excluded). The subdivision and consolidation are required as material conditions of the Deed of Sale.

4.4 Rezoning of Portion A — Section 16(2)(a)

Section 16(2)(a) of the By-Law authorises the rezoning of land from one land use zone to another. Upon closure of the public road and public place portions, and following subdivision, Portion A will need to be rezoned to an appropriate land use zone to permit its consolidation in association with Erf 12308. The proposed zoning is Community Zone 1 (Consent Use: Institutional), consistent with the Overstrand Land Use Scheme.

The rezoning is justified by the following considerations:

- The land is no longer required for public road or public open space purposes, having been classified as non-viable by the Municipality.
- The rezoning to a zone similar of that of Erf 12308 Hermanus is directly aligned with the special condition imposed by Overstrand Municipality in the Deed of Sale, which requires that the additional portion of property ($\pm 700\text{m}^2$) be used exclusively for parking purposes and that this condition be registered against the title deed of the consolidated property.
- No structure of any kind (other than a boundary wall or fence with prior approval) may be erected on Portion A, further confirming the appropriateness of a low-intensity parking usage.
- The proposed parking use is ancillary to the medical development on Erf 12308, which is a permitted and encouraged land use in the area.

In terms of Section 16(2)(a) of the By-Law, the following considerations support the approval of the rezoning: (a) the proposed use is compatible with the intended purpose of the consolidated Erf 12308, which is zoned for medical facility development; (b) the rezoning is consistent with the conditions of alienation imposed by the Municipality itself; (c) the rezoning will not result in any negative impact on the character or amenity of the surrounding area; and (d) the proposal is consistent with the relevant spatial development frameworks and policies applicable to the area.

4.5 Consolidation with Erf 12308 — Section 16(2)(e)

Section 16(2)(e) of the By-Law authorises the consolidation of two or more portions of land into one erf. The consolidation of Portion A ($\pm 700\text{ m}^2$) with Erf 12308 Hermanus ($7\,342\text{ m}^2$) is a mandatory condition imposed by the Municipality in both the Council resolution of 25 February 2026 and the signed Deed of Sale. The consolidation is required to be affected simultaneously with the registration of the transfer of Portion A.

Upon consolidation, the resultant erf will comprise approximately $8\,042\text{ m}^2$. The conditions applicable to the consolidated property, as imposed by Overstrand Municipality and to be registered against the title deed, include:

- The property may only be used for parking purposes (applicable to Portion A).
- No structures of any kind, excluding a boundary wall or fence with prior approval, may be erected on the portion derived from Erf 384.
- Should existing electrical overhead lines on the property require removal and relocation, all costs shall be borne by the Purchaser.

5. ACCESS AND PARKING

The consolidated erf (Erf 12308 with Portion A) will be developed primarily for medical facilities and related community uses. Portion A ($\pm 700 \text{ m}^2$), acquired from Remainder Erf 384 Hermanus, is designated exclusively for parking purposes as a condition imposed by Overstrand Municipality. The consolidated erf will therefore provide an on-site parking area directly accessible from Flower Street, serving the future medical facility. The portion of Fourie Street (340 m^2) will be used as the access point to Erf 12308 Hermanus.

The provision of dedicated parking on Portion A (360 m^2) will ensure that the medical development on Erf 12308 provides additional parking opportunities. The parking area will be designed in accordance with applicable parking standards and will be clearly demarcated, with appropriate access arrangements to be confirmed at the building plan approval stage.

Vehicular access to the consolidated property is from Flower Street via the closed portion of Fourie Street (340 m^2) and will provide adequate capacity for the anticipated traffic volumes associated with a medical facility. No structures other than a boundary wall or fence (with prior approval from the delegated authority of the Municipality) may be erected on Portion A, confirming its suitability as an open parking area and access.

6. MUNICIPAL SERVICES

The Applicant will be responsible for all costs relating to the connection of any municipal services to Portion A and to the consolidated erf. Should any existing services need to be relocated or secured by means of registration of a servitude in favour of Overstrand Municipality as a result of the alienation, all related costs shall be for the account of the Applicant in terms of clause 14.11 of the Deed of Sale.

The Deed of Sale specifically provides that the existing electrical overhead line on Portion A shall be removed and the electrical services relocated. This relocation shall include the installation of distribution kiosks, new streetlights, underground feeder cables, and streetlight cabling, all at the sole cost and expense of the Applicant (clause 18.5 of the Deed of Sale). These works will be undertaken as part of the development phase of Erf 12308.

Water, sewerage, stormwater, and other municipal service connections for the medical development will be dealt with at the building plan approval stage, in consultation with the relevant technical departments of Overstrand Municipality. The proposed land use applications are not anticipated to create any material demand for additional bulk municipal services beyond what is already available in the area.

7. FORWARD PLANNING

The proposed development on Erf 12308 Hermanus is specifically intended for medical facilities and related community services, as required by the conditions of Deed of Transfer T1855/2025 and as approved by Overstrand Municipality under Tender SC2331/2022. The acquisition and consolidation of Portion A from Remainder Erf 384 will provide additional parking and site functionality for the medical development.

From a forward planning perspective, the consolidation of Portion A with Erf 12308 aligns with the Municipality's own spatial planning objectives for the area. The provision of a well-serviced, accessible medical facility in Hermanus addresses a documented community need and contributes positively to the long-term development trajectory of the town.

8. TITLE DEED CONDITIONS

Erf 384 Hermanus is held under Certificate of Registered Title 8206/1930, issued on 30 September 1930 at the Office of the Registrar of Deeds, Cape Town. The property measured 13 Morgen, 48 787 square feet. The registered owner is the Council of the Municipality of Hermanus (now Overstrand Municipality). An Amendment to General Plan Caveat was issued by the Surveyor-General: Western Cape on 21 February 2024 (Ref: S/2479/42 v.1), noting a previous closure of portions of road and public place as two additional erven (Erven 12878 and 12879 Hermanus) under Municipality Approval Ref 384 HWC dated 8 September 2022. The current application relates to the same General Plan file.

Erf 12308 Hermanus is held under Deed of Transfer T1855/2025. The following conditions of title are relevant:

A. Subject to the conditions as are mentioned in Deed of Grant dated 5th August 1922 (Caledon Freeholds Volume 3 number 8): "That the land hereby granted shall be subject to all rights and servitudes which now affect, or at any time hereafter may be found to affect, the title of the land hereby granted, or which may be binding on the Government in respect of the said land as at the date hereof."

B. Subject to the following conditions imposed and enforceable by The Overstrand Municipality: The Property may only be used for the development of medical facilities and related community facilities, which has been applied for and approved by Overstrand Municipality in accordance with the parameters set out in Tender SC2331/2022.

Upon consolidation of Portion A with Erf 12308, the new title deed of the consolidated property will additionally reflect the conditions imposed by the Municipality in terms of the Deed of Sale, namely that

Portion A may only be used for parking purposes and that no structures (other than a boundary wall or fence) may be erected thereon.

9. ECONOMIC IMPACT

The development of a medical facility on the consolidated Erf 12308 will generate significant economic benefits at both the local and regional level. The construction phase will create temporary employment opportunities in the building and related trades, while the operational phase will provide permanent employment in the healthcare, administrative, and support services sectors.

The establishment of a medical facility in Hermanus will reduce the need for residents to travel to larger centres for medical care, thereby retaining healthcare expenditure within the local economy. Medical facilities also tend to catalyse complementary economic activity in surrounding areas, including pharmacies, specialist practices, and related services.

The alienation of a non-viable portion of Remainder Erf 384 at a market-related price (R450.00/m²) also generates direct financial revenue for Overstrand Municipality, which can be applied to service delivery and municipal infrastructure.

10. SOCIAL IMPACT

Access to quality healthcare is a fundamental social need. The Hermanus area has experienced significant population growth in recent years, placing increasing demand on existing medical infrastructure. The development of a new medical facility on Erf 12308, enabled by the consolidation with Portion A for parking, will directly address this demand and improve access to healthcare for residents of Hermanus and the broader Overstrand area.

The proposed parking and access usage of Portion A will enhance the accessibility and functionality of the medical facility, ensuring that patients, visitors, and staff have adequate and conveniently located access and parking. This is particularly important for a medical facility, where patients may have mobility limitations or require emergency access.

The conversion of a currently unutilised road reserve fragment into a productive parking and access area associated with a community health facility represents a clear net social benefit to the Hermanus community.

11. COMPATIBILITY WITH SURROUNDING LAND USES

The proposed parking and access use of Portion A is ancillary and low-impact in nature, fully compatible with the surrounding urban fabric. The immediate surroundings of Erf 12308 are characterised by a mix of residential, commercial, and institutional uses, consistent with the character of a town centre fringe area in Hermanus. A medical facility with associated parking is an accepted and desirable land use in such a context.

The parking area on Portion A will be an open surface area with no structures (other than a boundary wall or fence), resulting in minimal visual and environmental impact on neighbouring properties. The proposal does not introduce any incompatible uses, noise, or other amenity impacts that would be detrimental to the surrounding area.

The conditions of sale imposed by Overstrand Municipality — restricting the use of Portion A exclusively to parking and prohibiting the erection of structures — provide a further safeguard ensuring that the long-term use of the land remains compatible with surrounding land uses.

12. HERITAGE AND BIOPHYSICAL ENVIRONMENT

12.1 Impact on Heritage Resources

The subject property comprises a narrow strip of road reserve and public open space that has historically formed part of the municipal land network in Hermanus. There are no known heritage resources, structures of historical or architectural significance, or archaeological sites within or immediately adjacent to Portion A. The land has not been developed and does not contain any built heritage features.

The application is not anticipated to trigger a formal Heritage Impact Assessment (HIA) under Section 38 of the National Heritage Resources Act 25 of 1999 (NHRA), as the proposed development does not fall within a proclaimed heritage area. The Applicant will nonetheless comply with all applicable NHRA requirements if any heritage resources are encountered during site preparation.

12.2 Impact on the Biophysical Environment

Portion A is located within the established urban area of Hermanus and forms part of an existing road reserve and public place area. The land does not form part of any conservation area, critical biodiversity area (CBA), or ecological support area (ESA) as identified in the Western Cape Biodiversity Spatial Plan.

No significant biophysical impacts are anticipated as a result of the proposed closure, subdivision, rezoning, and consolidation. The conversion of the land usage to an open parking and access area will

result in minimal additional impervious surface. Stormwater management provisions will be addressed at building plan approval stage in accordance with the requirements of Overstrand Municipality.

The proposal does not trigger any Environmental Impact Assessment (EIA) obligations under the National Environmental Management Act 107 of 1998 (NEMA), as the activities involved are not listed activities requiring environmental authorisation.

13. PUBLIC PARTICIPATION

In accordance with the Council resolution of 25 February 2026 and the requirements of Section 16 of the By-Law, a public participation process will be followed for the proposed transfer by way of the publication of an advertisement in a local newspaper. The cost of the advertisement is to be borne by the Applicant.

In addition, the required amendment of General Plan TP 4668 under Section 25(3) of the By-Law requires written consent from the Municipality confirming that the proposed closure of portions of Flower Street, Fourie Street, and the portion of Public Place adjoining Erven 11154 and 12308 Hermanus be affected as one or more additional erven. The prescribed form of consent will be obtained from the Municipality and submitted to the Surveyor-General: Western Cape together with the requisite survey diagrams for registration purposes.

14. PLANNING PRINCIPLES

The proposed land use applications are aligned with the core development principles set out in the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA):

Spatial Justice

The development of a medical facility in Hermanus addresses a demonstrable community need and ensures that health services are accessible to the residents of the town and surrounding area, regardless of socio-economic status. The consolidation of Portion A to provide parking enhances the accessibility of the medical facility for all users, including those with mobility limitations.

Spatial Sustainability

The proposal makes productive and sustainable use of a currently non-viable municipal land fragment, avoiding indefinite sterilisation of urban land. The medical development on Erf 12308 will ensure that the community benefit is realised in a sustainable manner.

Efficiency

The alienation and consolidation of Portion A with Erf 12308 optimises the use of both parcels of land by enabling a single, well-planned development outcome. The proposal avoids inefficient land use by concentrating development on an existing serviced urban site.

Spatial Resilience

The development of medical infrastructure in Hermanus contributes to the resilience of the community by ensuring that health services are available locally. The proposed parking provision enhances the operational resilience of the medical facility by ensuring adequate and accessible parking for patients, visitors, and particularly staff.

Good Administration

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

15. APPLICABLE LEGISLATION AND POLICY

Section 16(2) of the Overstrand Municipality By-Law on Municipal Land Use Planning specifically authorises the following land use approvals relevant to this application:

- Section 16(2)(a): Rezoning of land from one land use zone to another.
- Section 16(2)(d): Subdivision of land into two or more portions.
- Section 16(2)(e): Consolidation of two or more portions of land into one erf.
- Section 16(2)(n): Closure of a public place or a portion thereof.
- Section 16(2)(n): Closure of a public road or portion thereof.

The By-Law further provides, under Section 25(3), for the amendment of a General Plan where a closure of a public road or public place is effected, requiring a written notification or consent to be provided by the Municipality to the Surveyor-General to amend General Plan No. TP 4668 (SG No. A3601/1930).

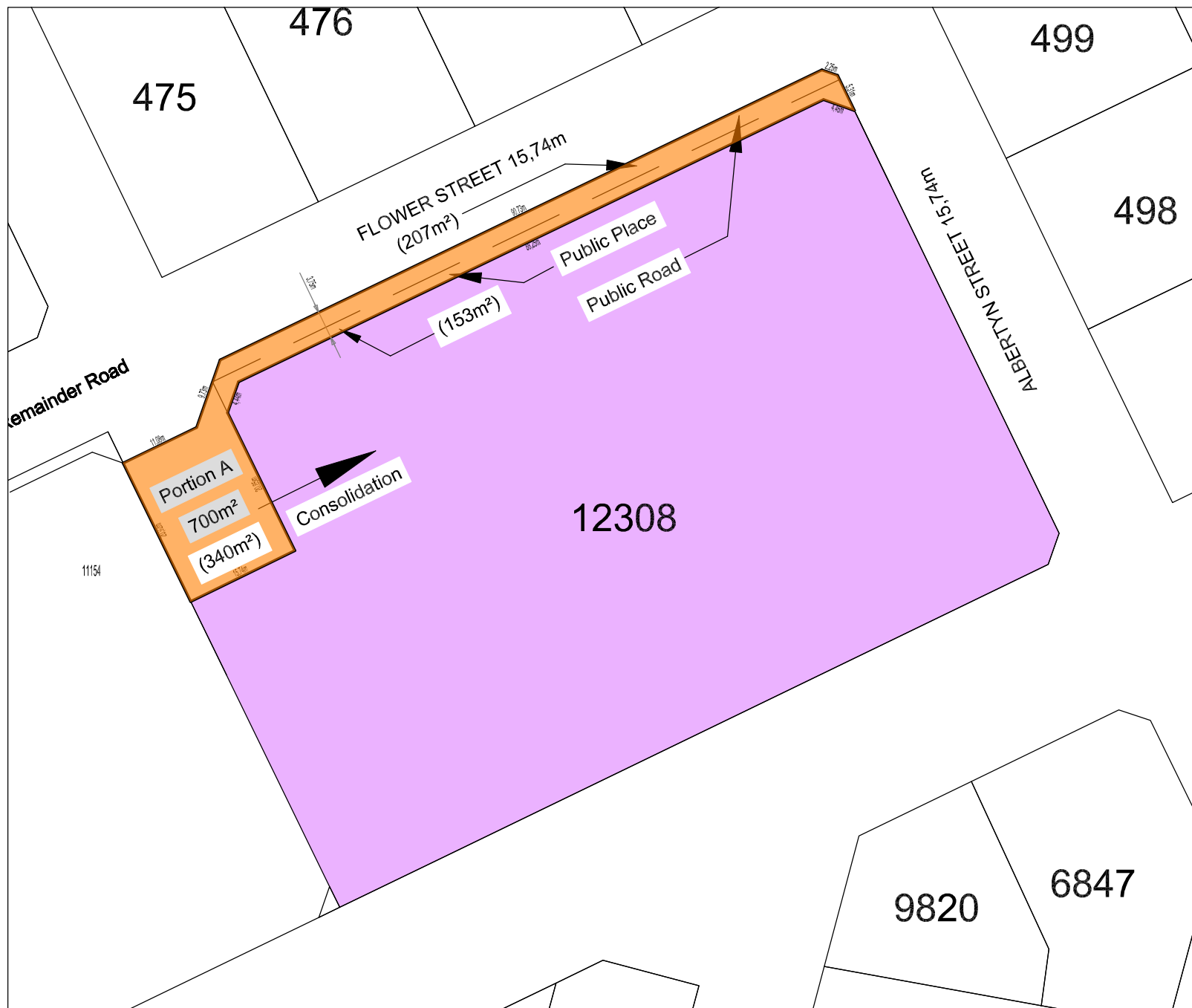
16. RECOMMENDATION

Having regard to all the above, it is respectfully submitted that the proposed combined land use applications are well-motivated, desirable, and in accordance with the applicable legislative and policy framework. The applications are further directly aligned with the conditions imposed by Overstrand Municipality itself in its Council resolution of 25 February 2026 and the signed Deed of Sale.

Accordingly, the Authorised Official of Overstrand Municipality is respectfully requested to approve the following applications in terms of Section 16(2) of the Overstrand Municipality By-Law on Municipal Land Use Planning (2020):

- The closure of a 153 m² portion of Public Place (Section 16(2)(n)), being a portion of Erf 384 Hermanus as shown on General Plan TP 4668 (SG No. A3601/1930).
- The closure of a 207 m² and 340 m² portion of Public Road (Section 16(2)(n)), being a portion of the Flower Street and Fourie Street road reserve as shown on General Plan TP 4668.
- The subdivision of Remainder Erf 384 Hermanus to excise Portion A (±700 m²) therefrom (Section 16(2)(d)).
- The rezoning of Portion A from Public Road/Public Open Space to Community Zone 1 (Consent Use: Institutional) to be used for parking purposes subject to the conditions of title imposed by the Municipality (Section 16(2)(a)).
- The consolidation of Portion A with Erf 12308 Hermanus, simultaneously with the registration of transfer of Portion A (Section 16(2)(e)).
- The amendment of General Plan No. TP 4668 (SG No. A3601/1930) in terms of Section 25(3) of the By-Law, by adding the closed portions of Flower Street, Fourie Street, and Public Place as one additional erf to be consolidated with Erf 12308 Hermanus.

It is respectfully submitted that the proposed applications are consistent with sound planning principles, the strategic objectives of Overstrand Municipality, and the applicable legislative framework. Approval of these applications will directly enable the development of a critically needed medical facility in Hermanus, to the benefit of the broader community.



NOTES:

- Portion A, a portion of Erf 384 Hermanus = 700m²
- Erf 12308 Hermanus

Proposed Consolidation:
Portion A + Erf 12380 Hermanus
= 8042m²