

OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<u>ERF 3830, GANSBAAI (KOLGANSBAAI), OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION AND AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN AND EXISTING CONDITIONS OF APPROVAL: ALZO CONSTRUCTION (PTY) LTD ON BEHALF OF GANSBAAI INV (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 3830, Gansbaai, namely: <u>Rezoning and subdivision</u> Application in terms of Section 16(2)(a) and Section 16(2)(d) of the By-Law for the rezoning of Erf 3830, Gansbaai to Subdivisional Area Zone and the subsequent subdivision to create the following: 20 General Residential Zone 1: Town Housing (GR1) erven; 1 Open Space Zone 3: Private Open Space (OS3) erf; 2 Transport Zone 2: Private Road and Parking (TR2) erven. <u>Amendment of the approved site development plan and existing conditions of approval</u> Application in terms of Section 16(2)(h) of the By-Law for the amendment of the approved site development plan and existing conditions of approval to comply with the Overstrand Municipality Land Use Scheme Regulations, 2020. 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, 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 16 October 2026, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the Town Planner, Mr SW van der Merwe at 028 313 8088. 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 3830, GANSBAAI (KOLGANSBAAI), OVERSTRAND MUNISIPALE AREA: AANSOEK OM HERSONERING, ONDERVERDELING EN WYSIGING VAN DIE GOEDGEKEURDE TERREINONTWIKKELINGSPLAN EN BESTAANDE GOEDKEURINGSVOORWAARDES: ALZO CONSTRUCTION (PTY) LTD ON BEHALF OF GANSBAAI INV (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 3830, Gansbaai, naamlik: <u>Hersonering en onderverdeling</u> Aansoek ingevolge Artikel 162(a) en Artikel 16(2)(d) van die Verordening vir die hersonering van Erf 3830, Gansbaai na Onderverdelingsareasone en die daaropvolgende onderverdeling om die volgende te skep: 20 Algemene Woonzone 1: Dophuisskema (GR1) erwe; 1 Oopruimte Sone 3: Privaat Oopruimte (OS3) erf, en 2 Vervoersone 2: Privaat Pad en Parkering (TR2) erwe. <u>Wysiging van die goedgekeurde terreinontwikkelingsplan en bestaande goedkeuringsvoorwaardes</u> Aansoek ingevolge Artikel 16(2)(h) van die Verordening vir die wysiging van die goedgekeurde terreinontwikkelingsplan en goedkeuringsvoorwaardes om aan die Overstrand Munisipaliteit Soneringskema regulasies, 2020 te voldoen. Besonderhede aangaande die voorstel lê ter insae gedurende weekdae 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 16 Oktober 2026, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, Mr SW van der Merwe by 028 313 8088. 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 3830, GANSBAAI (KOLGANSBAAI), INDAWO KAMASIPALA WASE-OVERSTRAND: ISICELO SOKUCANDWA NGOKUTSHA, UKWAHLULWA NOKULUNGISA ISICWANGCISO SOPHUHLISO LWENDAWO ESIVUMELWEYO NEMIGAQO EKHOYO YOKUVUMELWA: I-ALZO CONSTRUCTION (PTY) LTD EGAMENI LE GANSBAAI INV (PTY) LTD</u> Isiziso ngoko ke sinikezelwa ngokwemiqathango yeCandelo lama-47 kunye nelama-48 loMthetho kaMasipala wase-Overstrand oLungisiweyo woCwangciso loSetyenziso loMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), wezicelo ezilandelayo ezisebenza kwiSiza 3830, Gansbaai, ezizezi: <u>Ukucandwa ngokutsha nokwahlulwa</u> Isicelo ngokwemiqathango yeCandelo 16(2)(a) kunye neCandelo 16(2)(d) loMthetho kaMasipala sokucandwa ngokutsha kweNdawo 3830, iGansbaai ibe yiNdawo yokuCandwa kunye nolwahlulo-hlulo olulandelayo ukwenza oku kulandelayo: 20 Indawo Yokuhlala Ngokubanzi 1: Iploti yeNdawo yokuhlala yeDolophu (GR1); 1 Indawo Evulekileyo 3: Iploti yeSithuba Esivulekileyo Yabucala (OS3); 2 Indawo yezoThutho 2: Iploti yeNdlela yaBucala kunye neNdawo yokuPaka (TR2). <u>Ulungiso lwesicwangciso sophuhliso lwendawo esivunyiweyo kunye neemeko ezikhoyo zokuvunywa</u> Isicelo ngokwemiqathango yeCandelo 16(2)(h) loMthetho kaMasipala sokulungiswa kwesicwangciso sophuhliso lwendawo esivunyiweyo kunye neemeko ezikhoyo zokuvunywa ukuze kuthotyelwe iMimiselo yeSikimu sokuSetyenziswa koMhlaba sikaMasipala wase-Overstrand, ka-2020. Iinkcukacha ezipheleleyo mayela nezi ziphakamiso zingentla ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: LeziCwangciso zeDolophu noBume beNdawo, 16 Paterson Street, nakwiwebhpheyiji kamasipala kweli qhakamshela lilandelayo 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 16 EyeDwarha 2026, kunye negama lakho, idilesi, iinkcukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo ngomnxeba ingenziwa kuMcwangcisi weDolophu, 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>
Dr DGI O'Neill Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200		
Notice No / Kennisgewing nr / Inombolo yesaziso: 187/2026		



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28 July 2026

To: The Municipal Manager, Overstrand Municipality (Gansbaai Administration)
Directorate: Planning and Development

**REVISED APPLICATION FOR REZONING AND SUBDIVISION OF ERF 3830 (PORTION OF ERF 623),
KOLGANSBAAI AS WELL AS AMENDMENT OF APPROVED SDP.**

1. Background and Context

The owner of Erf 3830 Gansbaai, Gansbaai INV (PTY) LTD, has granted the developer and purchaser Alzso Construction (PTY) LTD power of attorney to proceed with the subdivision application and they have in turn appointed Frederik vd Merwe to submit the subdivision application on their behalf.

In terms of the rezoning and subdivision approval dated 12 November 2007 Erf 623 Gansbaai was subdivided into 43 single residential erven and one group housing erf (Erf 3830) designated for 20 units. While the initial phase of the development saw 20 of the single residential plots transferred, the 2008 global financial crisis halted progress, leading to a collapse in consumer trust and the withdrawal of bank financing. This period of dormancy resulted in significant vandalism and cable theft, rendering the remaining units unsaleable.

The Home Owners Association (HOA) has now resolved to implement a special levy to repair damaged services in collaboration with the Municipality and a private developer.

As part of this revival, the developer has acquired Erf 3830 with the intent to finally realize the 20 group housing units originally approved in 2007.

The main purpose of this application is to change the form of ownership from sectional title to individual Full Title for each Town House.

Modern buyers and financial institutions show a strong preference for Full Title ownership, which offers greater transparency in ownership and facilitates easier financing. The Sectional Titles Act was created for dividing buildings into sections and common property enabling individual ownership of units such as flats alongside joint ownership of common areas. The development on erf 3830 will consist of 20 individual plots and houses with no joint ownership of any common areas. These plots are ideally suited for full title ownership.

2. Application

2.1 Rezoning of Erf 3830 to a Subdivisional Area Zone in terms of section 16(2)a of the Amended Overstrand Municipal By – Law on Municipal Land Use Planning of 2020.

2.2 Subdivision in terms of section 16(2)d into 20 separate Full Title erven with the zoning of General Residential Zone 1(town housing) 1 Private Open Space and 2 Private Road ,Transport Zone 2 erven, as opposed to a Sectional Title scheme. Please note that the second portion of private road, Transport Zone 2 is adjacent to the entrance of the development and is required as a splay on the corner as part of the entrance road.

2.3 Amendment of approved Site Development plan in terms of section 16(2)h of the regulations.

The development parameters of previously approved SDP relates to the old Gansbaai Zoning Scheme which has been replaced by the 2020 regulations on Municipal Land Use Planning.

An amended site development plan for 20 units is attached and submitted for approval to comply with the 2020 Zoning Scheme Regulations for General Residential Zone 1. This plan is consistent with the approved SDP and complies to all scheme regulations pertaining to density, height, building lines and coverage of the 2020 regulations.

The only amendments required to the 2007 approval relates to building height and building lines(as house sitings have changed) and we hereby apply for the amendment of the 2007 conditions of approval and architectural guidelines to allow for a maximum building height of 8m above base level opposed to 7.5 m in the previous approval and amendment of the building lines in accordance to the amended SDP. Please note the building lines complies with the 2020 Regulations for General Residential Zone 1(Town housing) no special approval for departures are required.

It should also be noted that the house footprints are the maximum that will be built. During the marketing stage buyers may request changes to smaller or single storey units.

3 . Desirability

Erf 3830 Is located in Kapokblom Street, Kolgansbaai as indicated on the attached locality plan and it forms part of a residential development of 60 units. The subdivision of this property will make smaller and more affordable quality single title sea side houses available to the market.

The subdivision will enable the developer to revive the development which will also act as a stimulus for the rest of the single residential erven. Development of the property wil stop further vandalism and destruction of service as well as possible illegal occupation and erection of unauthorised structures. Full Title subdivision will ensure that individual owners are directly responsible for the maintenance of their properties, which, coupled with the HOA's

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properties, which, coupled with the HOA's commitment to service repairs, ensures the long-term viability of the Kolgansbaai development.

Existing services will be repaired and utilized without creating pressure on the services infrastructure.

4. Impact on Services and Traffic:

The subdivision of erf 3830 will have no additional impact on services availability. The development of 20 units on the property was part of the original 2007 approval which included availability of bulk services to the property. All internal services and roads as well as the external road sewer and water connections were built and approved. The vandalised internal services are in the process of repair by Adenco Construction and is funded by the Home Owners Association by means of a special levy from the owners.

Access to the development is by means of the extension of Kapokblom Street serving a limited developed area. There will only be 60 residential units in the total Kolgansbaai development of which the 20 units of erf 3830 forms part. The proposed subdivision will not create any additional traffic as the development of 20 units forms part of the original approval.

5. Environmental and Heritage Impact:

The development, of erf 623 of which Erf 3830 forms part, was the subject of a comprehensive Environmental Impact Assessment and all the conditions, as confirmed by the attached ROD have been met. The milkwood groves were demarcated and have been conserved in open spaces amounting to 18% of the development and a search and rescue operation was carried out before services construction. In addition to this an amount of R 300 000 was paid into a conservation fund in order to secure the long-term conservation of equivalent habitat in locations more strategic for conservation land-use. The proposed development does not depart in any way from the previous approval except for the form of ownership. Subsequent to this the internal service road was constructed and services such as water, sewer and electrical reticulation were installed. The subdivision will thus have no further environmental nor heritage impact.

6. Landscape Significance HOPZ.

The purpose of this zone is to ensure that any land use application resulting in additional development rights complies with the existing character and contextual significance of the landscape. This does not apply to erf 3830 as no additional rights are created.

The development however has a low Landscape impact due to the following mitigating factors.

- The site is relative level with no major inclines and does not require any special landscape treatment.
- The houses will not exceed 8m in height and it will have no visual impact on views from the coast or towards the mountains.
- There are no established trees that need removal, milkwood groves in the rest of the development were incorporated into the open space system for protection.
- The houses will be styled in a contemporary Cape Vernacular with pitched roofs, white rendered walls and dark IBR roof sheeting.
- Landscaping, tree planting on sidewalks and individual gardens will be of an endemic nature

with no grass lawns allowed.

7. Impact on adjoining and internal property owners:

The Home Owners Association is satisfied with the proposed development as the originally approved density is not exceeded and it would not incur any additional cost to the members of the HOA. (Approval attached)

The development has been advertised before the initial approval and no adjoining owner has objected and the development does not deviate from the original approval. It also conforms with the forward planning guidelines as detailed in paragraph.

There is thus no negative impact on any internal or adjoining owners.

8. Title restrictions

There are no title restrictions affecting the subdivision (copy attached).

9. Bond holder permission.

There is no bond on the property.

10. Social benefit.

The revival of the development will broaden the Municipality's income base in the form of additional rates and taxes which could be used for housing, services and other social projects, assisting the previously disadvantaged community.

11. Forward Planning and Zoning and Land Use.

11.1 Compliance with the Overstrand Growth Management Plan;

11.1.1 Density Compliance

The proposed density of 20-30 units per ha aligns with the Overstrand GMS (2010) standard benchmark for residential development and there is no need for any amendment.

11.1.2 Zoning Compliance

The site is Zoned General Residential Zone 1 (Town Housing) and the application complies with this.

The application is thus in line with the Overstrand Growth Management Strategy and the Overstrand Spatial Development Framework and all other relevant Planning Legislation and Regulations.

12. Planning Principles

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

12.1 Spatial Justice:

The subdivision complies with the existing zoning and the approved site development plan. The development will be done in accordance with existing approvals and will have no negative spatial implications.

12.2 Spatial Sustainability:

Although it would be separate title units the development will be done in a homogeneous architectural style to form an aesthetically pleasing street scape.

12.3 Efficiency:

The higher density of the development contributes to the optimization of land use and infrastructure. The subdivision and subsequent development will provide an alternative to normal single residential houses to provide smaller units with less maintenance catering for “lock up and go” market.

12.4 Spatial Resilience:

A small development of 20 homes can significantly contribute to spatial resilience which is the ability of a community to withstand, adapt to and recover from economic or environmental shocks by focussing on resource self-sufficiency and strategic integration into the existing urban fabric.

Spatial resilience of the development must also be seen in the context of the whole development that was designed to integrate the open space system by means of a network of walkways linking the open spaces with access to the beach, this does not only have recreational value but can also be used as an emergency exit if the main entrance becomes unusable due to some form of disaster such as a major fire (see attached layout plan). The proximity of the site to shopping facilities, workplace, other facilities and links to existing infrastructure contributes to its resilience. The residential units will be developed with solar power as a backup system in case of emergency. Home owners will also be encouraged to install water tanks for the collection of rainwater from the roofs, as an emergency supply.

13. Good Administration.

The applicant is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient uncomplicated land use planning process. The application will follow due process as stipulated by the relevant By-law and related Provincial and National legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020. We will in turn appreciate regular feedback on the progress of the application.

14. Conclusion.

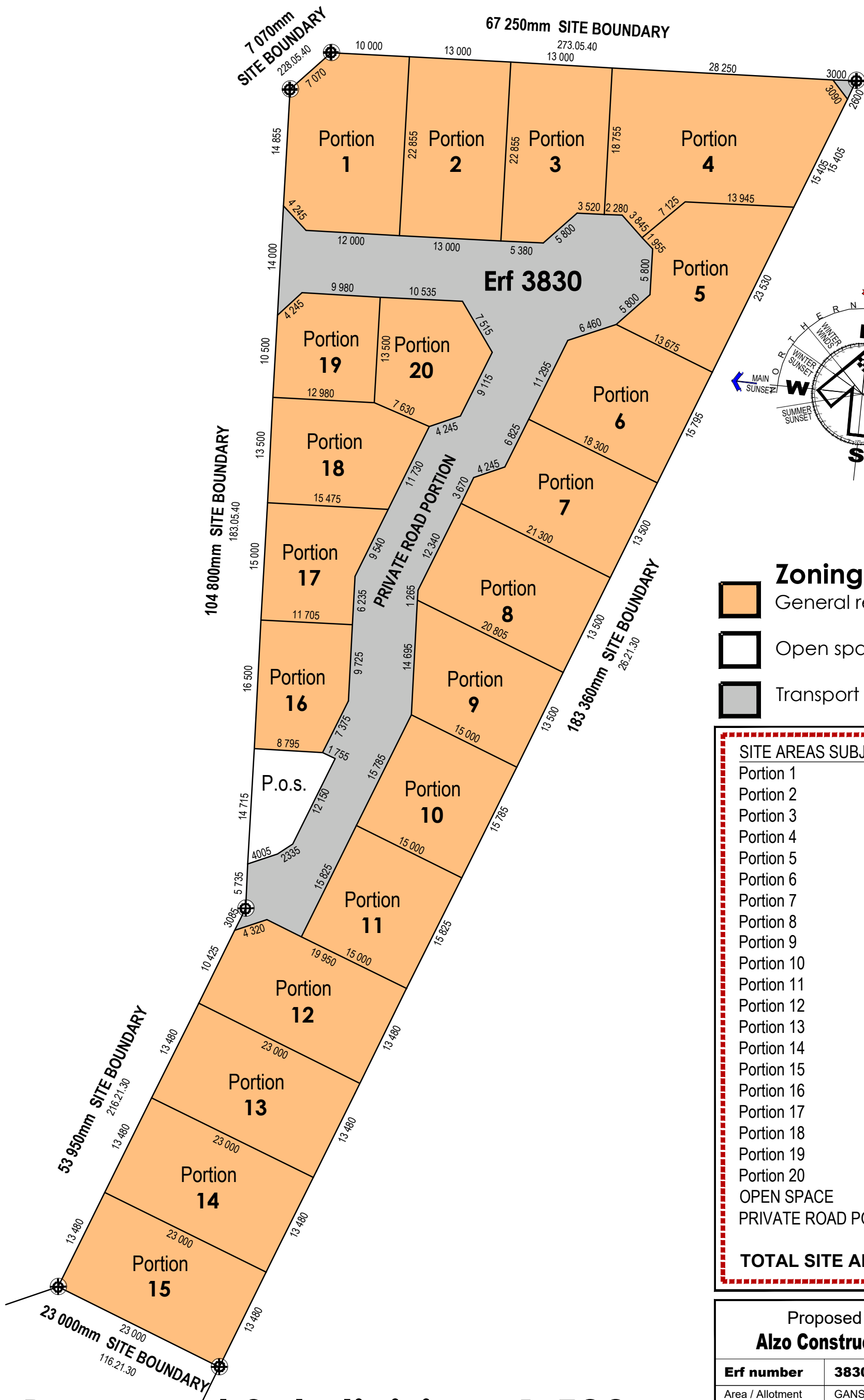
Under the provisions of the relevant Land Use Planning legislation, we request the Municipality's favourable consideration of this rezoning and subdivision to allow for 20 separate title plots as per the attached layout and amended site development plan. This will provide the necessary impetus to complete this long-standing development and contribute to the local economy.

Yours faithfully,

Frederik vd Merwe

Attachments:

- Subdivision Plan
- Approved Site Development Plan



Zoning

-  General residential Zone 1
-  Open space zone 3
-  Transport Zone 2

SITE AREAS SUBJECT TO SURVEY:	
Portion 1	326.00m ²
Portion 2	297.00m ²
Portion 3	274.00m ²
Portion 4	486.00m ²
Portion 5	274.00m ²
Portion 6	279.00m ²
Portion 7	263.00m ²
Portion 8	287.00m ²
Portion 9	242.00m ²
Portion 10	237.00m ²
Portion 11	239.00m ²
Portion 12	309.00m ²
Portion 13	309.00m ²
Portion 14	309.00m ²
Portion 15	309.00m ²
Portion 16	183.00m ²
Portion 17	192.00m ²
Portion 18	237.00m ²
Portion 19	171.00m ²
Portion 20	191.00m ²
OPEN SPACE	105.00m ²
PRIVATE ROAD PORTION	1161.00m ²
TOTAL SITE AREA	6680.00m²

Proposed Subdivision	
Alzo Construction Pty. (Ltd)	
Erf number	3830
Area / Allotment	GANSBAAI
Zoning	GR 1 TOWN HOUSING
Drawing Stage	PROPOSED SITE LAYOUT
Date	27 MARCH 2025

Drawing Number:	3830 / 01 / SDP
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Proposed Subdivision 1:500

Erf 3830 - Gansbaai