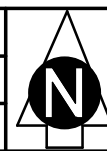
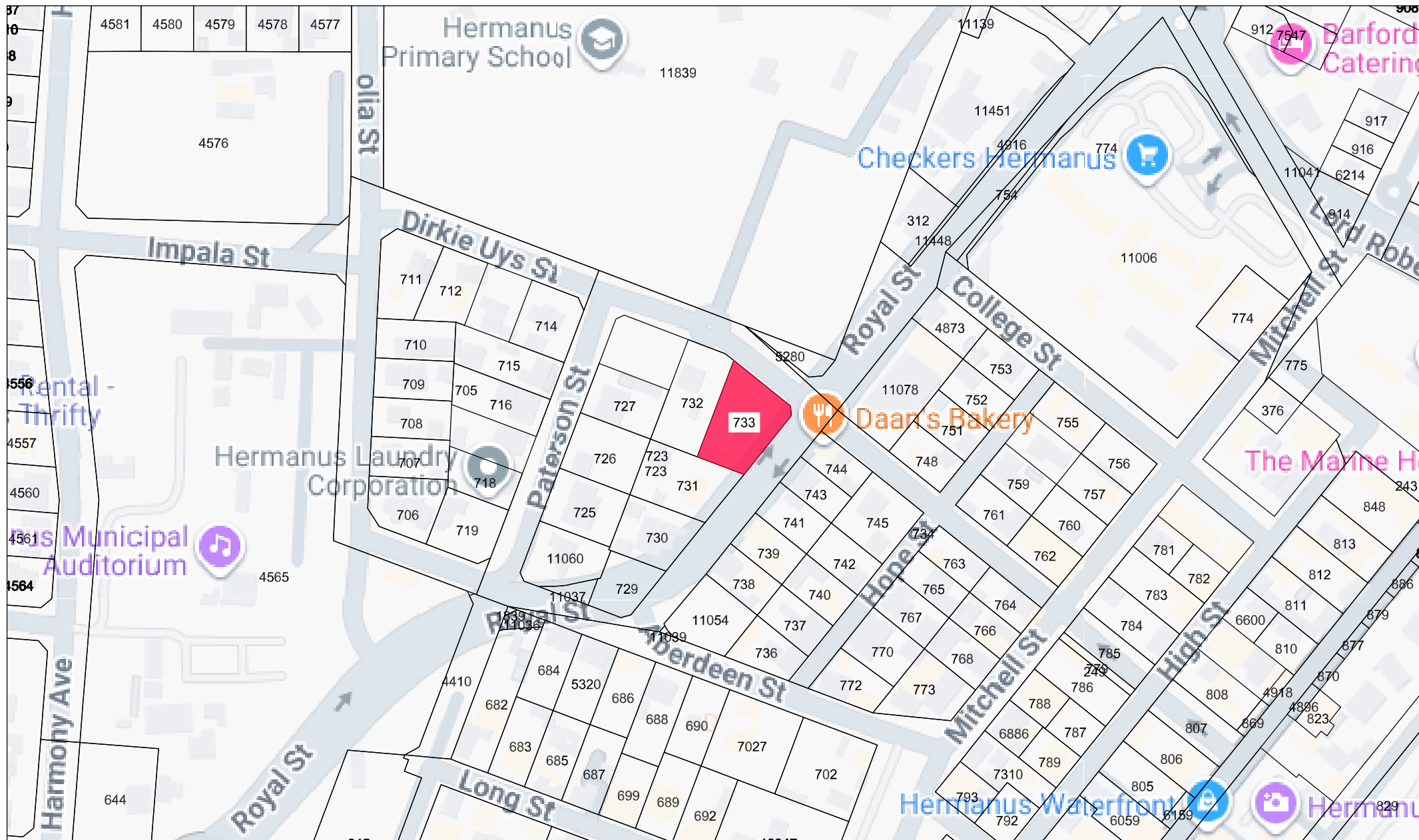


OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<u>ERF 733, 14 DIRKIE UYS STREET, NORTHCLIFF, HERMANUS: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF GRABOUW DIERE KLINIEK CC</u> Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of an application received for a removal of restrictive title deed conditions in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C.(a), C.(b), C.(c) & C.(d) as contained in Title Deed T18164/2023 of the property to align with the existing business zoning of the property and to accommodate the continued lawful operation of an established veterinary clinic and any future development of the property. Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town and Spatial Planning, 16 Paterson Street, Hermanus and on the municipal webpage at the following link https://www.overstrand.gov.za/document/to-wn-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 13 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, Mrs. H. van der Stoep at 028-3138900. The Municipality may refuse to accept comments after the closing date. Any person who cannot read or write can visit the Town and Spatial Planning Department where they will be assisted by a municipal official in formulating their comments.	<u>ERF 733, DIRKIE UYSSTRAAT 14, NORTHCLIFF, HERMANUS: AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDES: PLAN ACTIVE STADS- EN STREEKSBEPLANNERS NAMENS GRABOUW DIERE KLINIEK BK</u> Kennis word hiermee gegee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 van 'n aansoek ontvang vir 'n opheffing van beperkende titelaktevoorwaardes ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaktevoorwaardes C.(a), C.(b), C.(c) & C.(d) soos vervat in Titelakte T18164/2023 van die eiendom om in lyn te wees met die bestaande besigheidssonering van die eiendom en om die voortgesette wettige bedryf van 'n gevestigde veeartskliniek te akkommodeer, asook toekomstige ontwikkeling van die eiendom. Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning te Patersonstraat 16, Hermanus en op die munisipale webtuiste by die volgende skakel https://www.overstrand.gov.za/document/to-wn-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 13 November 2026, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Hoof Stadsbeplanner, Me. H. van der Stoep 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.	<u>ISIZA ESINGU-ERF 733, 14 DIRKIE UYS STREET, NORTHCLIFF, HERMANUS: ISICELO SOKUSHENXISA IIMEKO EZIYIMIQOBO KWITAYITILE ZOBUNINI: NGABAKWAPLAN ACTIVE NABACWANGCISI BENINGQI EGAMENI LEKLINIKI YEGRABOUW DIERE KLINIEK CC</u> Kukhutshwe isaziso esimayela nemiba yeSoloty lama-47 nelama-48 loMthethwana kaMasipala wase-Overstrand OngeziCwangciso ZokuSetyenziswa koMhlaba kaMasipala ku2020 osebenziseka kwisicelo sokushenxiswa kweemeko eziyimiqobo kwiitayitile ngokwemiba yeSoloty le16(2)(f) loMthethwana ngokushenxiswa kweemeko eziyimiqobo kwiitayitile zobunini eyile C.(a), C.(b), C.(c) & C.(d) njengoko iqulethwe kwiTayitile Yobunini T18164/2023 yomhlaba/yesiza ukuze ungqamane nokucanda indawo yoshishino esele ikhona kwisiza ukulungiselela indlela yokusebenza nokumisela ngokusemthethweni ikloniki yezilwanyana esele ikhona kwanoluphina uhlobo lophuhliso olunokuqhutywa kwixesha elizayo kwesi siza/kulo mhlaba. linkcukacha ezipheleleyo mayela nezi siphakamiso zingentla ziyame fumaneka ukuze zihlolwe kwiintsuku zaphakathi evelini phakathi kwentsimbi ye-08:00 neye-16:30 kwiCandelo: LeziCwangciso LweDolophu noBume beNdawo, 16 Paterson Street, Hermanus nakwiwebhpeyiji kamasipala kweli qhakamshela lilandelayo https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Naziphi na izimvo ezibhalwe phantsi mazifike kwaMasipala (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngomhla okanye phambi komhla wama-13 Novemba 2026, ubhale igama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMcwangcisi OyiNtloko kwiDolophu, Nkskz. H. van der Stoep ku-028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiCandelo LeziCwangciso zeDolophu noBume beNdawo apho baza kuncedwa ligosa likamasipala ukungenisa izimvo zabo bahlomle ngokusemthethweni.
<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>	<i>U aandaq word gevestig op die Bepalings van die "POPI" Wet, en aangesien u opmerking deel sal uitmaak van 'n openbare deelname proses, u derhalwe toestem dat u naam, van en kontakbesonderhede openbaar gemaak mag word.</i>	<i>Nceda uqaphelele ukuba Uthetho omayela noMthetho Wokhuseleko Lwengxelo Ngomntu (POPIA), uza kuba ungena kwinkqubo yoluntu ngoko ke uvumela kwaye uvumelana nokusetyenziswa kwegama lakho, ifani, iinkcukacha ofumaneka kuzo kunye noluvo(nezimvo) zakhe zingadizwa / zingasetyenziswa (kwisicelo) kwinkqubo.</i>
EW JANTJIES Acting Municipal Manager / Waarnemende Munisipale Bestuurder / Umphathi Kamasipala Obambeleyo PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200		

Notice no. / Kennisgewing nr. / Inothi yeNomb: 212/2026



MOTIVATION REPORT

Application for Removal of Restrictive Title Deed Conditions

ERF 733 | NORTHCLIFF, HERMANUS | OVERSTRAND MUNICIPALITY

Property	Erf 733, Northcliff, Hermanus
Street Address	14 Dirkie Uys Street, Northcliff, Hermanus
Municipality	Overstrand Local Municipality
Division	Caledon, Western Cape Province
Extent	1 334 m ²
Title Deed	T18164/2023
Registered Owner	Grabouw Diere Kliniek CC (Reg. No. 2005/106054/23)
Zoning	Business Zone 2: General Business (B2)
Application Type	Removal of Restrictive Title Deed Conditions C(a), C(b), C(c) and C(d)
Prepared by	Plan Active Town & Regional Planners

1. BACKGROUND

This motivation report has been prepared in support of an application for the removal of restrictive title deed conditions imposed on Erf 733, Northcliff, Hermanus, in terms of the applicable land use planning legislation administered by the Overstrand Local Municipality.

The property is located at 14 Dirkie Uys Street, Northcliff, Hermanus, within the Overstrand Municipal Area, Division of Caledon, Western Cape Province. The erf measures 1 334 m² in extent and is currently registered in the name of Grabouw Diere Kliniek CC under Title Deed T18164/2023.

The property has operated as a veterinary clinic for many years, providing essential animal healthcare services to the Hermanus community. The business use was established in good faith, consistent with the applicable zoning of the property as a Business Zone 2: General Business (B2) site under the Overstrand Zoning Scheme. Zoning Certificates issued by the Overstrand Municipality in October 2012 and July 2022 both confirm the business zoning of the property and the permissibility of business premises as a primary land use.

It has since come to light that the title deed of the property contains restrictive conditions — conditions C(a), C(b), C(c) and C(d) — which were imposed by the Administrator at the time of the original grant and

which restrict the use of the property to residential purposes. These conditions were inadvertently overlooked when the property was first converted to and utilised for veterinary and business purposes. The restrictions were not removed as they ought to have been at the time the property's zoning was amended to business use.

The purpose of this application is to formally rectify this oversight by securing the removal of the said restrictive title deed conditions, thereby ensuring that the lawful business use of the property is reflected consistently in both the zoning status and the title deed.

2. APPLICATION DETAILS

The following application is lodged with the Overstrand Local Municipality in terms of Section 16(2)(f) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020:

Application	Removal of Restrictive Title Deed Conditions
Conditions to be Removed	Conditions C(a), C(b), C(c) and C(d) as contained in Deed of Transfer No. T18164/2023, referring back to conditions imposed by Deed of Transfer No. 10244/1930
Authorising Legislation	Section 16(2)(f) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020
Property	Erf 733, Northcliff, Hermanus
Title Deed Reference	T18164/2023
Registered Owner	Grabouw Diere Kliniek CC
Existing Zoning	Business Zone 2: General Business (B2)
Existing Use	Veterinary Clinic / Business Premises

3. DESCRIPTION OF PROPERTY AND EXISTING USE

3.1 Property Description

Erf 733 is situated at 14 Dirkie Uys Street in the Northcliff suburb of Hermanus, within the Overstrand Municipal Area. The property has an extent of 1 334 m².

It was first transferred by Deed of Transfer T10244/1930 and subsequently held under Deed of Transfer T21918/1991, before being transferred most recently under Title Deed T18164/2023 to Grabouw Diere Kliniek CC.

The property is located within an established mixed-use commercial area in Hermanus, which has over the decades transitioned from residential to business-orientated use consistent with the business zoning applicable to the area.

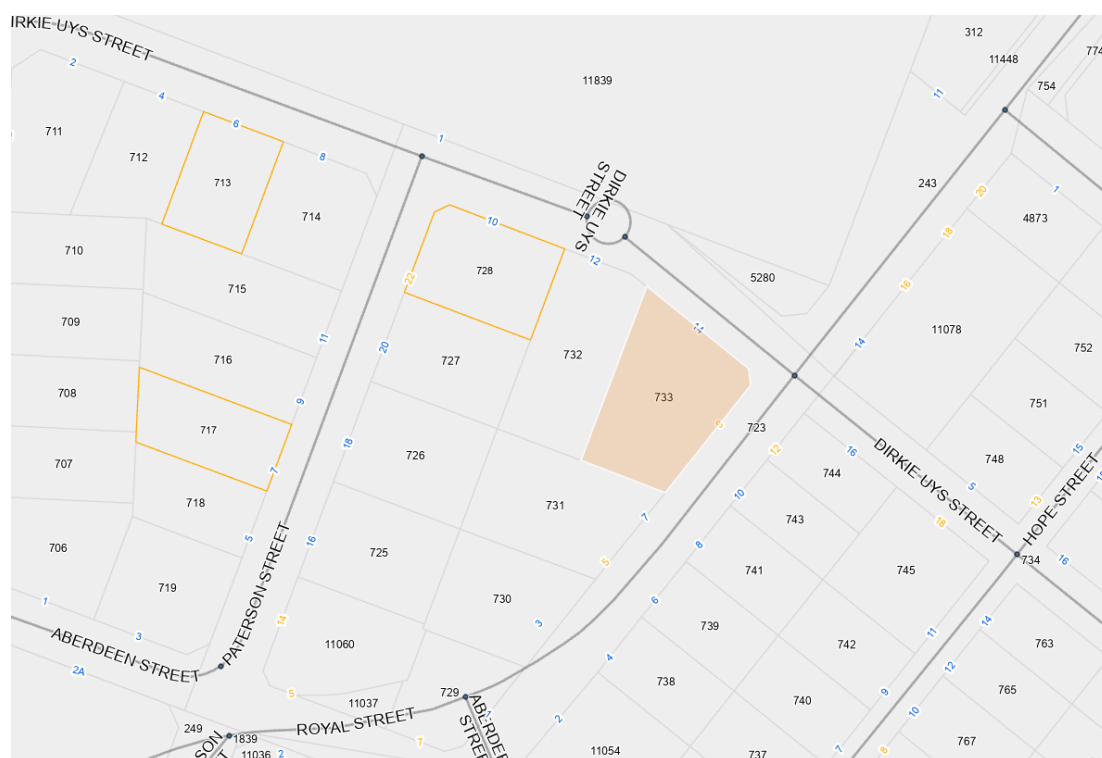


Figure 1: Aerial Locality Plan — Erf 733, 14 Dirkie Uys Street, Northcliff, Hermanus

3.2 Existing Zoning

The property is zoned Business Zone 2: General Business (B2) in terms of the Overstrand Municipality Integrated Zoning Scheme By-law.

The applicable development parameters are confirmed by the Zoning Certificate dated 8 July 2022 issued by the Overstrand Director: Infrastructure and Planning (Reference 733 HNC), as follows:

Development Parameter	Specification
Zoning	Business Zone 2: General Business (B2)
Primary Use	Business premises, caretaker's accommodation, conference facility, flats (above ground floor), guest house, hotel, place of assembly, place of instruction and self-catering
Coverage	75%
Floor Factor	1.5
Height	8.5 m / 2 Storeys
Street Building Line	0 m (subject to setback requirements)

Heritage Overlay	Situated within the Local Area of the Heritage Protection Overlay Zone (HPOZ)
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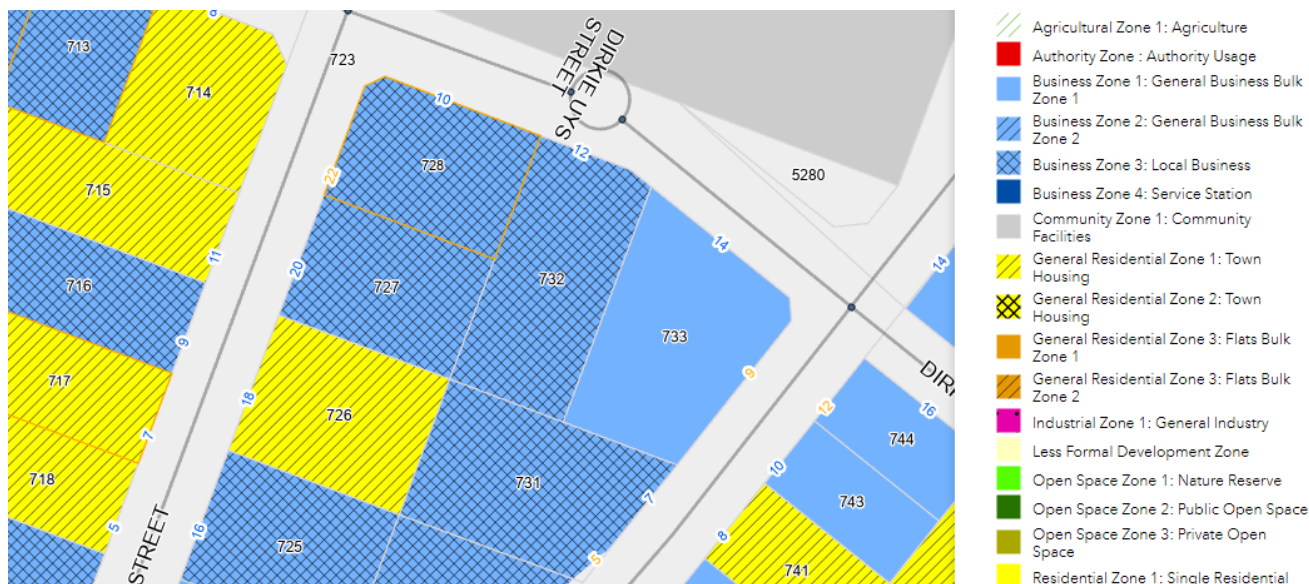


Figure 2: Zoning Map Extract — Erf 733, Northcliff, Hermanus (Business Zone 2: General Business)

The 2012 Zoning Certificate (Reference 733 HNC, dated 10 October 2012) similarly confirms the property's zoning under the predecessor scheme as General Business Bulk Zone I, with permitted land uses including blocks of flats, residential buildings, licensed hotels, shops, business premises and parking garages.

The consistent application of business zoning over a period spanning more than a decade confirms that the business use of the property has been recognised and supported by the Municipality for many years.

3.3 Existing Land Use

The property is currently used as a veterinary clinic — Hermanus Animal Hospital — providing veterinary medical services and animal care to the residents of Hermanus and the surrounding region. This use constitutes a business premises use, which is a primary permitted use under the B2 zoning.

The veterinary clinic has operated from the property for many years and is well-established within the community. The use is consistent with the character of the surrounding area, which is predominantly commercial and business in nature.

4. RESTRICTIVE TITLE DEED CONDITIONS

4.1 Nature and Origin of the Restrictions

The title deed of the property (T18164/2023) contains special conditions imposed by the Administrator, as referred to in Deed of Transfer No. 10244/1930, in terms of a Deed of Grant dated 5 August 1922 (Caledon Property Volume 3 No. 8), issued in terms of Section 10 of Act 15/1887. The relevant conditions are as follows:

Condition C(a): That the above erf be used for residential purposes only.

Condition C(b): That the above erf be not sub-divided without the approval of the Administrator.

Condition C(c): That not more than one dwelling be erected on the above erf and that not more than one-half of the area of the above erf be built upon.

Condition C(d): That all buildings to be erected on this property shall stand back not less than 10 feet from the line of any street or avenue on which the Lot may abut, such space may be used as gardens but shall not be built upon.

These conditions were imposed over a century ago in an era when the land in question was intended for residential development. They reflect the planning paradigm of the early twentieth century and are entirely incompatible with the present-day zoning and use of the property.

4.2 How the Restrictions Conflict with Current Zoning and Use

The four conditions together impose a residential-only land use restriction, a limitation to a single dwelling, a coverage restriction of 50%, and a 10-foot (approximately 3 metre) street setback applicable to a residential use context. Each of these conditions is in direct conflict with the current B2 zoning and the legitimate business use of the property:

- Condition C(a) restricts use to residential purposes only. The property is zoned B2 (General Business) and is lawfully operated as a veterinary clinic, which is a business premises use. The condition fundamentally contradicts the approved zoning.
- Condition C(b) restricts sub-division without the Administrator's approval. The Administrator as a post no longer exists in the current constitutional dispensation. This condition is in any event inconsistent with the subdivision provisions of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020.
- Condition C(c) limits development to a single dwelling and restricts coverage to 50% of the erf. Under the B2 zoning, coverage of 75% is permitted and multiple business and mixed-use structures may be erected. The single dwelling limitation is entirely inconsistent with the approved zoning.

- Condition C(d) imposes a 10-foot street setback based on a residential building line. Under the B2 zoning scheme, the street building line is 0 metres (subject to municipal setback conditions), rendering this historical residential setback condition obsolete and conflicting.

The continued presence of these conditions on the title deed creates legal uncertainty regarding the status of the existing veterinary clinic and any future development of the property in accordance with its approved zoning. The removal of the conditions is therefore necessary to align the title deed with the lawfully approved land use and zoning of the property.

5. MOTIVATION FOR REMOVAL — SECTION 16(2)(f) BY-LAW CRITERIA

Section 16(2)(f) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020 authorises the Municipality to consider applications for the removal of restrictive conditions in a title deed. The criteria applicable to such applications are addressed in turn below.

5.1 The Desirability of the Proposed Land Use

The removal of the title deed restrictions will facilitate the continued lawful operation of an established veterinary clinic on a property that has been zoned for business use for many years. Veterinary services are an important and necessary community facility, serving both domestic pet owners and the agricultural sector in the greater Hermanus area. The proposed land use is desirable, socially beneficial and consistent with the business character of the surrounding area.

5.2 The Impact on Surrounding Land Uses and Property Values

The property has operated as a veterinary clinic for an extended period without any known adverse impact on surrounding properties. The immediate surrounding area is characterised by a mix of commercial, business and professional uses consistent with the B2 zoning. The removal of the restrictions will have no negative impact on surrounding land uses or property values. On the contrary, the formalisation of the existing use will provide greater legal certainty for all property owners in the area.

5.3 The Applicable Spatial Development Framework and Zoning Scheme

The Overstrand Spatial Development Framework (SDF) identifies the Hermanus central business area as a primary commercial node, with business and mixed-use development encouraged along main streets and within the established business precinct. The property is located within this commercial node and its zoning is consistent with the SDF's spatial vision for the area.

The Overstrand Integrated Zoning Scheme By-law confirms Business Zone 2 as the applicable zone, with business premises as a primary use. The title deed restrictions, dating back to 1922, are entirely at odds with both the SDF and the zoning scheme and serve no useful planning purpose in the current context.

5.4 The Established and Proposed Pattern of Land Use in the Area

The established pattern of land use in the Northcliff area of Hermanus is predominantly commercial and business in nature. Properties in the immediate vicinity are used for a range of business, professional and mixed-use purposes. The residential conditions in the title deed are therefore entirely out of step with the established land use pattern of the area and have been so for a considerable period.

5.5 Whether the Restriction Still Serves its Original Purpose

The restrictions were imposed in 1922 as part of a residential estate development in the early years of Hermanus's establishment as a coastal town. The original purpose of maintaining a low-density residential character in the area has long since been superseded by the Municipality's decision to zone the property for general business use. The restrictions no longer serve any useful planning, environmental or social purpose and their retention on the title deed is an anachronism that creates unnecessary legal uncertainty.

5.6 Any Relevant Considerations of Public Interest

The continued operation of the veterinary clinic serves a clear public interest in terms of access to animal healthcare services in Hermanus. The removal of the title deed restrictions will ensure that this community facility can continue to operate with full legal certainty. There are no public interest considerations that would support the retention of the residential restrictions on a property that has been zoned and used for business purposes for many years.

6. HISTORY OF ZONING AND MUNICIPAL RECOGNITION

The business zoning of the property is not a recent development. The following zoning certificates demonstrate a consistent and long-standing municipal recognition of the business use of Erf 733:

Date	Zoning Description	Key Parameters
10 October 2012	General Business Bulk Zone I	Permitted uses: blocks of flats, residential buildings, hotels, shops, business premises, parking garages. Floor Factor: 0.9–1.5. Height: 4 storeys maximum.
8 July 2022	Business Zone 2: General Business (B2)	Primary uses: business premises, guest house, hotel, place of assembly, self-catering. Coverage: 75%. Floor Factor: 1.5. Height: 8.5 m / 2 storeys.

Both zoning certificates were issued to Plan Active Town & Regional Planners (Reference 733 HNC) by the Overstrand Director: Infrastructure & Planning. The consistency of the business zoning across two separate zoning scheme regimes over a period of more than a decade confirms that the Municipality has recognised and endorsed the business use of the property throughout this period.

It is self-evident that the restrictive title deed conditions were inadvertently overlooked at the time the property's zoning was amended and when the property was first utilised for business purposes. This application seeks to remedy that oversight.

The Municipality's own zoning records confirm that Erf 733 has been zoned for general business use since at least 2012. The removal of the residential title deed restrictions is necessary to align the title deed with the Municipality's own land use decisions.

7. TITLE DEED

The property is held under Deed of Transfer T18164/2023, registered at the Office of the Registrar of Deeds, Cape Town, on 15 May 2023. The deed was transferred from Wadgo Properties CC (Registration Number 1991/004309/23) to Grabouw Diere Kliniek CC (Registration Number 2005/106054/23) at a purchase price of R5 000 000,00 (Five Million Rand).

The following conditions are relevant to this application and are sought to be removed:

- Condition C(a): Residential use restriction;
- Condition C(b): Subdivision restriction (Administrator approval);
- Condition C(c): Single dwelling and 50% coverage limitation;
- Condition C(d): 10-foot residential street setback.

These conditions are referred to in the current title deed and originate from Deed of Transfer No. 10244/1930, having been imposed in terms of a Deed of Grant dated 5 August 1922 (Caledon Property Volume 3 No. 8) issued under Section 10 of Act 15/1887.

No other restrictive conditions relevant to the current application or the business use of the property are identified in the title deed.

8. MUNICIPAL SERVICES

The property is an established developed erf within the Hermanus urban area, fully connected to all municipal infrastructure services including water supply, sewerage, stormwater and electricity. The removal of the title deed restrictions does not involve any change in land use, additional development or

increase in bulk that would impact on municipal service provision. All existing service connections and infrastructure are adequate for the continued operation of the veterinary clinic.

9. ACCESS AND PARKING

The property is accessed from Dirkie Uys Street, Northcliff, Hermanus. Parking and access for the veterinary clinic are provided on-site in accordance with the requirements of the Overstrand Zoning Scheme By-law. The removal of the title deed restrictions does not alter the access or parking arrangements for the property, and no new development is proposed in connection with this application.

10. HERITAGE CONSIDERATIONS

The 2022 Zoning Certificate confirms that the property is situated within the Local Area of the Heritage Protection Overlay Zone (HPOZ) as contemplated in the Overstrand Integrated Zoning Scheme By-law. This means that any future development or alterations to structures on the property that exceed prescribed thresholds will require heritage assessment and approval in terms of the National Heritage Resources Act 25 of 1999 (NHRA).

The 2012 Zoning Certificate further notes that the existing building on the property is older than 60 years and is therefore subject to the provisions of the NHRA, which requires that any proposed alteration or demolition of such a structure be referred to Heritage Western Cape for assessment and approval.

This application is limited to the removal of title deed restrictions and does not involve any development, alteration or demolition of structures. No heritage impact assessment is therefore required in connection with this application. Should any future development be proposed on the property, the applicable heritage requirements will be addressed at that time.

11. OTHER RELEVANT LEGISLATION

The following legislation is relevant to this application:

- Overstrand Municipality By-law on Municipal Land Use Planning, 2020 — Section 16(2)(f) provides the direct authorisation for the removal of restrictive title deed conditions within the Overstrand Municipal Area.
- Overstrand Zoning Scheme — defines the applicable zoning, development parameters and land uses for the property.
- Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) — establishes the national framework for spatial planning and land use management, including the principles of developmental orientation, spatial justice, efficiency, sustainability and good administration.

- National Heritage Resources Act 25 of 1999 (NHRA) — applies to the property by virtue of the age of the existing building and the HPOZ overlay, although no heritage approvals are required for this specific application.
- Deeds Registries Act 47 of 1937 — governs the registration of title deed conditions and the endorsement of title deeds following the removal of conditions.

12. PLANNING PRINCIPLES (SPLUMA)

Section 7 of SPLUMA sets out the development principles which must guide spatial planning and land use management decisions. This application is consistent with the following principles:

- Spatial Justice: The removal of archaic residential restrictions imposed in 1922 promotes equitable access to land use rights consistent with the current approved zoning of the property.
- Spatial Efficiency: The continued operation of the veterinary clinic on a business-zoned property contributes to the efficient use of urban land and infrastructure in an established commercial area.
- Sustainability: The existing business use of the property supports a sustainable urban economy and the provision of community services in Hermanus.
- Spatial Resilience: The business zoning and use of the property contribute to the economic resilience of the Hermanus commercial node.
- Good administration: Plan Active Town and Regional Planners is committed to the principle of good administration and will cooperate fully with the Overstrand Municipality to ensure a time-efficient and transparent land use planning process. This application follows due process as stipulated in the Overstrand Municipality's Bylaw on Municipal Land Use Planning, 2020, and all relevant provincial and national land use planning legislation.

13. RECOMMENDATION

It is respectfully submitted that this application be approved for the following reasons:

- The property has been zoned Business Zone 2: General Business (B2) and has been recognised as a business-use property by the Overstrand Municipality for over a decade, as evidenced by Zoning Certificates issued in 2012 and 2022.
- The property has been operated as a veterinary clinic for many years, which constitutes a permitted business premises use under the B2 zoning.

- The restrictive title deed conditions C(a), C(b), C(c) and C(d) are entirely incompatible with the current zoning of the property and were inadvertently overlooked when the property's zoning was amended and when business use was first established.
- The conditions date from 1922 and no longer serve any planning, social or environmental purpose in the context of the current B2 zoning and the established commercial character of the area.
- The removal of the conditions will align the title deed with the Municipality's own land use decisions and will provide legal certainty for the registered owner and the community.
- The application meets all the criteria applicable under Section 16(2)(f) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020, and is consistent with the planning principles of SPLUMA.
- No adverse impacts on surrounding land uses, property values, municipal services or heritage resources are anticipated.

It is accordingly recommended that the Overstrand Local Municipality approve the removal of Conditions C(a), C(b), C(c) and C(d) from the title deed of Erf 733, Northcliff, Hermanus (T18164/2023), and that the necessary endorsement be effected at the Deeds Registry, Cape Town.

Prepared by:

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PO Box 296, Hermanus, 7200

planactive@hermanus.co.za

Date: May 2026