

**OVERSTRAND MUNISIPALITEIT**  
**RESTANT VAN PLAAS 581,**  
**KINGSWAY, ONRUSTRIVIER, OVERSTRAND**  
**MUNISIPALE AREA: AANSOEK OM**  
**VERGUNNINGSGEBRUIK: MNRE WRAP**  
**PROJECT OFFICE NAMENS OVERSTRAND**  
**MUNISIPALITEIT EN A BRONKHORST**

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Restant van Plaas 581, Onrustrivier (die eiendom), naamlik:

**Vergunningsgebruik**

Aansoek ingevolge Artikel 16(2)(o) van die Verordening vir 'n toeriste fasiliteit vir die bedryf van 'n koffiestalletjie in 'n skeepshouer.

Besonderhede aangaande die voorstel lê ter insae gedurende weeksdag tussen 08:00 en 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) voor of op **04 Julie 2025**, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. H. Olivier** 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 Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

**Munisipale Kennisgewing Nr.97/2025**

**OVERSTRAND MUNICIPALITY**  
**REMAINDER OF FARM 581, KINGSWAY,**  
**ONRUSTRIVIER, OVERSTRAND MUNICIPAL**  
**AREA: APPLICATION FOR CONSENT USE:**  
**MESSRS WRAP PROJECT OFFICE ON**  
**BEHALF OF OVERSTRAND MUNICIPALITY**  
**AND A BRONKHORST**

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 Remainder of Farm 581, Onrustrivier (the property), namely:

**Consent use**

Application in terms of Section 16(2)(o) of the By-Law for a tourist facility to allow the operation of a coffee stall in a shipping container.

Full details regarding the proposal above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus.

Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **04 July 2025**, 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. H. Olivier** 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 Planning Department where they will be assisted by a municipal official in formulating their comments.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

**Municipal Notice No.97/2025**

**UMASIPALA WASE-OVERSTRAND**  
**INTSALELA YEFAMA 581, KINGSWAY,**  
**ONRUSTRIVIER, OVERSTRAND**  
**UMMANDLA KAMASIPALA: ISICELO**  
**SOKUSETYENZISWA KWEMVUME: WRAP**  
**PROJECT OFFICE EGAMENI LIKAMASIPALA**  
**WASE-OVERSTRAND KUNYE NO-A**  
**BRONKHORST**

Isaziso sinikwe apha ngokweCandelo lama-47 nelama-48 loMthetho kaMasipala oLungisiweyo we-Overstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, wowama-2020 (uMthetho kaMasipala) wezi zicelo zilandelayo zisebenza kwiNtsalela yeFama 581, i-Onrustrivier (ipropati), eyile:

**Sokusetyenziswa kwemvume**

Isicelo ngokweCandelo le-16(2)(o) loMthetho kaMasipala kwiziko labakhenkethi ukuvumela ukusebenza kwendawo yokuthengisela ikofu kwisikhongozeli sokuthumela ngenqanawa.

linkcukacha ezipheleleyo malunga nesi siphakamiso singasentla ziyafumaneka ukuze zihlolwe phakathi evekini phakathi kwe-08:00 kunye ne-16:30 kwiSebe: UCwangciso lweDolophu, 16 Paterson Street, Hermanus.

Nawaphi na amagqabantshintshi kufuneka abhalwe kwaye afikelele kuMasipala (16 Paterson Street, Hermanus / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi **04 kukaJulayi 2025**, kunye negama lakho, idilesi, iinkcukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zokuphawula. Imibuzo yeTelephonic inokwenziwa **kuMcwangcisi weDolophu, uMnu. H. Olivier** ngo-028-3138900. UMasipala usenokwala ukwamkela izimvo emva komhla wokuvala. Nawuphi na umntu ongakwaziyo ukufunda nokubhala angatyelela iSebe loCwangciso lweDolophu apho aya kuncediswa ligosa likamasipala ekuqulunqeni izimvo zakhe.

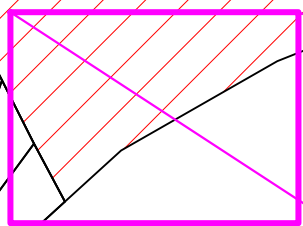
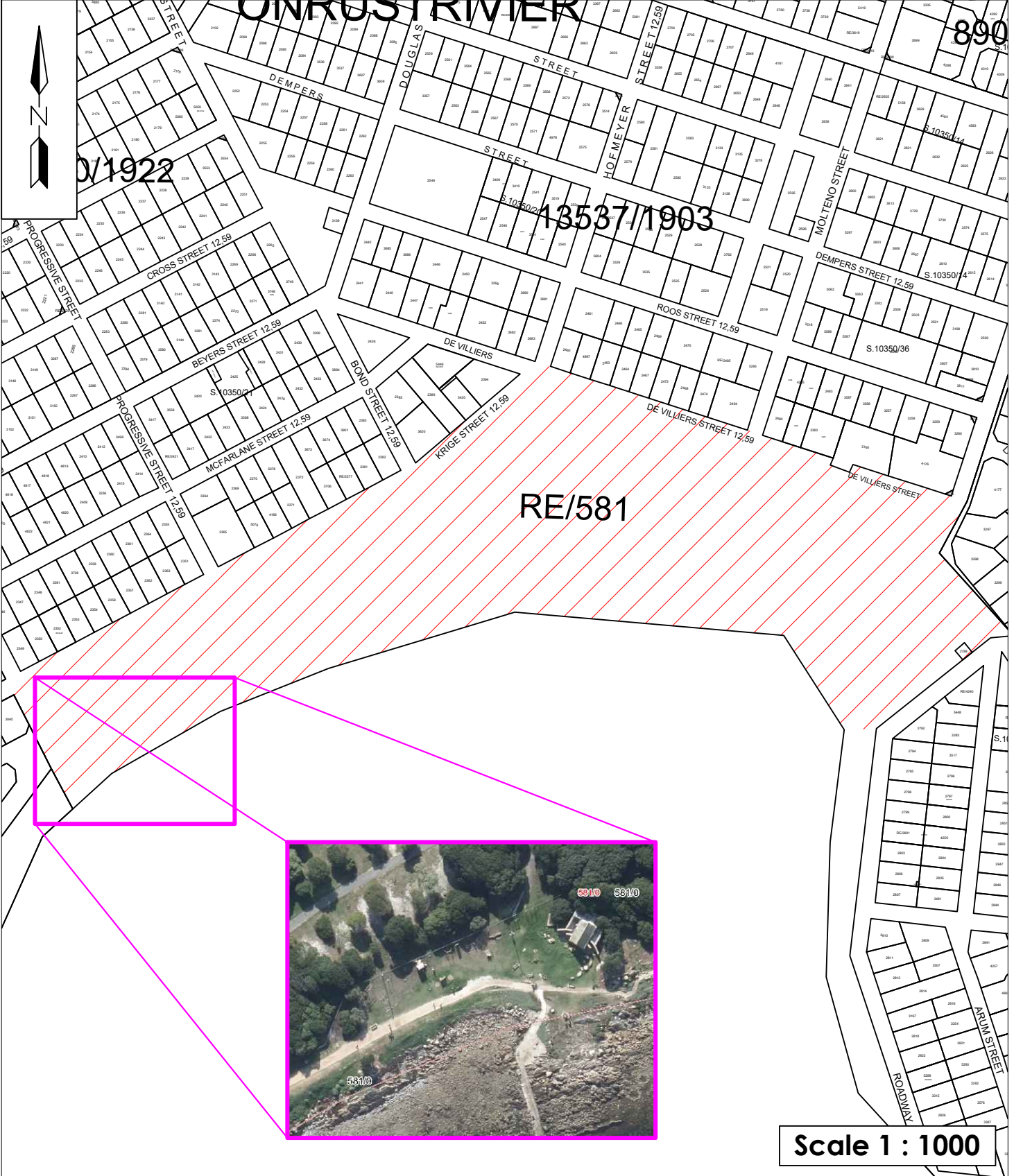
Umphathi kamasipala, Umasipala iOverstrand, Ibhokisi yePosi 20, **HERMANUS**, 7200

**Inombolo yesaziso. 97/2025**

# 1. Locality Plan

## Remainder of the Farm 581 Onrustrivier

Plan prepared by: Thian Jansen  
Tel: 028 313 1411  
Email: admin@wrapgroup.co.za  
Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermanus, 7200



**Scale 1 : 1000**

**1. ABBREVIATIONS**

<b>OM</b>	Overstrand Municipality
<b>OMLUS</b>	Overstrand Municipality Land Use Scheme, 2020
<b>BY-LAW</b>	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
<b>PSDF</b>	Western Cape Provincial Spatial Development Framework, 2014
<b>MSDF</b>	Overstrand Spatial Development Framework, 2020

**2. SUMMARY OF PROPERTY DETAILS**

<b>Property description</b>	REMAINDER OF THE FARM ONRUSTRIVIER 581, CALEDON
<b>Current zoning</b>	Open Space Zone 2: Public Open Space
<b>Extent of applications area</b>	14,8m <sup>2</sup> and a total footprint, including the deck, of only 35,8m <sup>2</sup>

**3. BACKGROUND AND INTENT**

The subject property, being the Remainder of the Farm Onrustrivier No. 581, Division Caledon, is the designated commonage for the Onrustrivier area and is owned by the Overstrand Municipality (refer to **Plan 1: Locality Plan**). The commonage encompasses various tourist attractions and community facilities, including several tidal pools such as Davies Pool, as well as the Onrus Caravan Park. This application is submitted on behalf of the Overstrand Municipality and The Onrus River Homeowners Association. The specific area of interest within the broader commonage is the community zone located between Davies Pool and the Onrus Caravan Park.



*Figure 1: Application Area*

The application is submitted to permit the upgrading of the existing and popular coffee kiosk located within the identified community area. The proposal entails the installation of a new, purpose-fitted coffee container. This improvement is expected to enhance the overall visitor experience and contribute positively to the social character and vibrancy of the area by fostering a stronger sense of community. ORHA has appointed WRAP Project Office to submit the application on Overstrand

Municipality and their behalf. (refer to **Annexure A: Powers of Attorney**). To achieve this vision the approval of the following application is required:

- Consent Use for a tourist facility.

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#### 4. PROCEDURE TO ACHIEVE THE OWNERS' INTENT

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WRAP compiled this report to ensure that the applicant's requirements are met. The following is proposed:

##### 4.1 Consent Use for a tourist facility to allow the installation of a coffee container.

The purpose of this application is to obtain the necessary land use approval to permit the upgrading of the existing and well-frequented coffee kiosk situated within the community node between Davies Pool and the Onrus Caravan Park. The proposal entails the installation of a new coffee container that will provide an improved and better-equipped facility for both residents and visitors. Several considerations support the approval of this proposal:

##### 4.1.1 Improvement of Visitor Experience

The existing kiosk serves a vital social function within the commonage and is a much-loved stop for both residents and tourists visiting the tidal pools, green spaces, and Onrus beachfront cliff path. The upgrade to a new, purpose-designed container will significantly improve the aesthetic quality, service efficiency, and overall user experience. The improved facility will provide adequate shelter and workspace for staff and a more professional offering to customers.



*Figure 2: Proposed coffee container*

##### 4.1.2 Promotion of Community Engagement and Vibrancy

The kiosk does not only functions as a coffee vendor, but it also acts as a local gathering point. Whether for morning walks, beach visits, or community events, the



site plays a key role in fostering social interaction. Upgrading this facility reinforces its role as a safe, welcoming, and vibrant community space. The provision of informal amenities in accessible public areas is widely recognised as a key contributor to social cohesion.

### **4.1.3 Minimal Environmental Impact**

The proposed upgrade will not involve any significant changes to the surrounding natural environment. The new coffee container will occupy the same space as the existing kiosk. It will have a slightly larger footprint to improve the internal operation and will be erected with due regard to environmental sensitivity. The structure is removable and non-permanent. This ensures that the integrity of the commonage as a public green space is maintained.

### **4.1.4 Support for Local Economic Activity**

The coffee kiosk represents a small-scale local economic development opportunity. It provides employment and supports small business development in line with the Municipality's goals of promoting local entrepreneurship. The improved facility will allow the vendor to offer services more efficiently and consistently, with the potential to expand offerings and increase employment opportunities in the future.

### **4.1.5 Public Safety and Functionality**

The proposed coffee container will be designed and positioned to improve operational functionality and safety. The existing kiosk is not ideally equipped for weather protection or storage. The upgraded facility will address these issues, providing a safer and more practical space for staff and customers alike. Improved infrastructure will also help manage waste more effectively, reducing the risk of environmental degradation.

### **4.1.6 Community Support and Oversight**

This application is submitted on behalf of the Overstrand Municipality and The Onrus River Homeowners Association, reflecting direct support from the local community. The Association plays an active role in ensuring that developments within the commonage are appropriate, beneficial, and sensitively managed. Their involvement in the application provides confidence that the upgraded facility will continue to operate responsibly and in the interest of the broader community.

The proposal to upgrade the existing coffee kiosk through the installation of a new container is both modest in scale and highly beneficial in outcome. It will improve visitor enjoyment, support local business, enhance the community node, and align with municipal objectives without causing harm to the environment or surrounding uses. Approval of this application is therefore considered to be in the public interest.

### **4.1.7 Site Infrastructure and Design Considerations**

The proposed upgraded coffee kiosk, to be housed within a converted container structure, will have a total roof-covered area of approximately 14.8m<sup>2</sup>, with the total developed area including an adjacent deck measuring approximately 35.8m<sup>2</sup>. The compact footprint ensures the facility remains appropriate to the scale and character of the surrounding public space, while the inclusion of the deck will improve functionality by offering customers a safe and pleasant area to queue or enjoy refreshments.



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The modest structure size ensures the facility does not dominate or detract from the visual quality of the coastal setting. Instead, it complements the existing recreational use of the commonage, offering convenience and comfort without compromising the openness or accessibility of the area.

### 4.1.8 Services and Utility Connections

The coffee kiosk will make use of existing municipal water and electricity connections, which are already in place at the current kiosk location. This means that no additional load will be placed on the municipal network, and there is no need for intrusive trenching or infrastructure upgrades. The use of established connections ensures a low-impact installation, supporting the principle of minimal disruption to the environment and surrounding public amenities.

Importantly, no drainage infrastructure will be installed. The operation will not generate a large amount of greywater, making a permanent outflow system unnecessary. Wastewater will be managed internally using portable or self-contained solutions, such as greywater tanks or collection containers, and will be removed off-site as required. This approach aligns with best practices for temporary or semi-permanent installations in environmentally sensitive areas and ensures the protection of the coastal environment from potential contamination.

### 4.1.9 Functional and Sustainable Design

The proposed container structure is a prefabricated solution that allows for efficient delivery and installation. It is fully removable, should future needs or municipal planning priorities change, and will be positioned in such a way that pedestrian movement and views across the commonage are not obstructed. The use of a container also provides a robust and weather-resistant environment for the vendor, improving health, safety, and working conditions compared to the existing kiosk.

The inclusion of a decked area serves to extend the functionality of the facility by creating a transition space between the kiosk and the surrounding public realm. The deck will not be raised beyond what is necessary for level access and will be designed using durable, natural-looking materials that complement the coastal environment.

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## 5. LAND USE ENVIRONMENT

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There is a mixture of zonings surrounding the subject property, although the area is considered to be a public open space, the application is located between the Onrus Caravan Park which is a resort and a residential area. The surrounding area's zoning is illustrated in Plan 2 – Status Quo Zoning Plan.

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## 6. TITLE DEED

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The Title Deed T13893/1941 & T51582/2009 (refer to **Annexure B**) was perused and there are no restrictive conditions prohibiting the consent use of the property.



**7. ZONING**

The following zoning parameters were assessed in conjunction with the OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:

<b>OPEN SPACE ZONE 2: PUBLIC OPEN SPACE (OS2)</b>			
<b>Land Use Restrictions</b>			
	<b>Parameters</b>	<b>Proposal</b>	<b>Comply/ deviate</b>
<b>Primary use</b>	Public Open Space	• <b>Public Open Space</b>	Comply
<b>Consent uses that may be applied for</b>	Cemetery, Environmental Facilities, Informal Trading (Subject to the Provisions of Chapter 16.10), Recreational Facilities, <b>Tourist Facilities</b> , Transmission Apparatus (Subject to the Provisions of Chapter 16.10), Urban Agriculture, Utility Service, any other Related Uses Permitted by the Municipality	• <b>Tourist Facilities</b>	Applied for and motivated
<b>Development Parameters</b>			
a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. <b>Comply, refer to Plan 4 – Site Plan</b>			
b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. <b>Noted, if any studies are required by the municipality, it will be complied with.</b>			
c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when: (i) the zoning of a land unit to this zone is approved; (ii) any environmental impact report is considered; (iii) any environmental management plan is considered; and (iv) any site development plan is approved.			
d) No structure shall be erected or use practised except such as is compatible with “public open space” as defined. <b>Noted and complied with.</b>			
e) Structures/buildings may be erected with the written consent of the Municipality, should the Municipality deem it necessary, provided that the Municipality may impose conditions relating to design, architecture and developments parameters. <b>Noted and will be complied with.</b>			



**7. SERVICES**

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

**Electricity, Water, Sewage and Solid Waste**

The proposed container will be connected to the existing municipal electricity, ensuring that the facility is fully serviced without the need for any additional installations. There will be no water connection as the status quo use of water cans will continue to be used. As the operation does not involve any on-site food preparation requiring waterborne sanitation, no sewage will be generated as a result of its use.

Solid waste generated from daily operations will be responsibly managed. All waste will be collected on-site, stored in appropriate receptacles, and regularly transported to the nearest municipal waste transfer station for proper disposal. This approach ensures that waste is managed in an environmentally responsible manner, in line with municipal waste management practices.

**Access and Egress**

No vehicular access is required for the operation of the proposed coffee container. Patrons will access the facility on foot, as it is situated within a well-used public open space that is already frequented by pedestrians, beachgoers, and local residents. The kiosk is intended to serve visitors who are already making use of the surrounding recreational amenities, and as such, no dedicated parking or vehicle access is necessary. This pedestrian-oriented approach supports sustainable mobility and preserves the tranquil, informal character of the coastal environment.

**8. NEED & DESIRABILITY**

The need and desirability of the approval and implementation of this proposal in accordance with Section 66(1)(c) of the OM By-Law can be illustrated as follow:

**Need and desirability.**

The need for the land use application is a result of addressing all the land use requirements and ensuring the property meets the needs of the owner. To achieve this, the proposed applications are required.

Socio-economic impact	The proposal supports local economic development by providing an opportunity for small business growth and local employment. It enables a micro-enterprise to operate in a sustainable, low-impact manner while serving both residents and tourists. The upgraded kiosk also contributes to the informal economy and enhances visitor satisfaction, which may increase the economic activity in the surrounding area.
Compatibility with surrounding uses	The proposed use is highly compatible with the character and function of the surrounding area, which includes recreational and tourist-oriented facilities such



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	as the tidal pools and caravan park. The coffee kiosk is a natural extension of these uses, offering a convenient and low-key amenity that enhances the overall user experience of the public space without introducing conflict or disruption.
Impact on the external engineering services	The proposal will have a negligible impact on external engineering services. It uses existing municipal water and electricity connections without the need for new infrastructure. No sewage will be generated, and solid waste will be responsibly managed and removed to the local transfer station. The minimal reliance on services supports cost-effective and efficient municipal resource use.
Impact on safety, health and wellbeing of the surrounding community	The coffee container will offer a safe, clean, and accessible amenity within a well-used public space. By encouraging passive surveillance and activity in the area, the presence of the kiosk may also enhance the perceived safety of the space. The availability of refreshments and informal seating contributes positively to the wellbeing and comfort of users, particularly families and the elderly.
Impact on heritage	There will be no adverse impact on heritage resources as the proposed structure is small in scale, temporary in nature, and not located within a declared heritage site or visually sensitive precinct. The design and placement will respect the informal coastal character of the area and will not interfere with cultural or historic features of the commonage.
Impact on the biophysical environment	The proposal has a <b>low environmental footprint</b> . The container is a prefabricated structure, and no major drainage or major excavation will occur. The installation is <b>reversible/removable</b> , ensuring that the natural environment remains largely undisturbed. Waste will be managed responsibly, protecting the sensitive coastal ecosystem.
Traffic impacts, parking, access and other transport related considerations	There will be no additional traffic impacts as the kiosk is intended for use by pedestrians already visiting the area. No vehicular access is required, and no new parking infrastructure is necessary. This supports a pedestrian-friendly, low-impact development approach and preserves the natural, car-free quality of the surrounding public space.

### **Impact on views, sunlight and character of the area**

The proposed coffee container will have no significant impact on scenic views, sunlight access, or the prevailing character of the area. The structure is modest in scale, with a total covered area of approximately 14.8m<sup>2</sup> and a total footprint, including the deck, of only 35.8m<sup>2</sup>. Its low height and unobtrusive profile ensure that it will not obstruct coastal or mountain views, which are integral to the enjoyment of the commonage and surrounding public spaces.



In terms of sunlight, the structure will not cast excessive shadowing on any adjacent public amenity or natural feature. The kiosk's position has been carefully considered to minimise any visual intrusion and to maintain an open, light-filled environment that supports recreational use.

With respect to the character of the area, the proposed container will be designed and finished in a manner that is sympathetic to the informal, coastal identity of Onrustvievier. It will enhance, rather than detract from, the vibrancy and functionality of the commonage by providing an aesthetically appropriate and community-focused amenity. The container is also removable, preserving the long-term flexibility of the space and ensuring that the natural and informal atmosphere of the area is retained.

### **Economic impact**

The proposed upgrading of the coffee kiosk will have a positive economic impact at both the local and municipal levels. The kiosk represents a form of informal, small-scale economic activity that contributes to the diversity and resilience of the local economy. Its presence within a well-used public space provides a low-barrier opportunity for local entrepreneurship, creating a platform for income generation and potential job creation.

By enhancing the quality and functionality of the existing facility, the upgrade is likely to attract more consistent patronage from both residents and tourists. This increased activity will support the viability of the business, contributing to sustainable micro-enterprise development. Furthermore, the presence of the kiosk adds value to the broader tourism and recreational offering in Onrustvievier, potentially encouraging longer stays and increased visitor spending in the area.

The kiosk also operates without requiring substantial municipal investment or ongoing subsidies, while still contributing to the activation and maintenance of public space. In this way, it delivers economic benefits without placing a financial burden on the local authority.

Overall, the upgraded facility will strengthen the role of the commonage as a social and economic asset, supporting inclusive growth and adding to the vibrancy of the public realm.

### **Opportunity cost**

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is not predicted to have a negative impact on the surrounding properties.

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## **9. POLICIES AND REGULATIONS**

### **9.1. Environmental Management Overlay Zone (EMOZ)**



## MOTIVATION

The property is located within the Environmental Management Overlay Zone (EMOZ), with portions also falling within the Coastal Protection Overlay Zone and the Urban Conservation Overlay Zone.

The specific area where the proposed coffee container will be positioned does not fall within the Urban Conservation Overlay Zone. As such, the proposal will have no impact on the heritage significance or conservation objectives associated with that zone.

The location is however within the Coastal Protection Overlay Zone and to ensure compliance with the guidelines set out in the EMOZ, the application was evaluated in terms of the provisions of Schedule A & B of the Environmental Management Overlay Zone 2020:

<b>SCHEDULE A</b>		
<b>PROHIBITED ACTIVITIES IN OVERSTRAND ENVIRONMENTAL MANAGEMENT OVERLAY ZONES</b>		
<b>Prohibited Activity</b>	<b>Applicable Environmental Management Overlay Zone (EMOZ)</b>	<b>Applicable to the application or not</b>
	<b>Coastal</b>	
Agricultural practices within this EMOZ which may cause water logging and siltation.	X	N/A
Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.	X	N/A
Development or agriculture on slopes steeper than 1:4.	X	N/A
Establishment of Informal settlements or Temporary Relocation Areas.	X	N/A
No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.	X	N/A
Placement of religious symbols or memorabilia.	X	N/A
Harvesting /collection of kelp / seaweed in municipal designated "no-take" zones.	X	N/A
Harvesting, collection, moving, loading drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF.	X	N/A
Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated and signposted by the Municipal Council for such purposes.	X	N/A
Modification of the littoral active zone / functional dune systems in absence of approved management plans.	X	N/A
Feeding, disturbing / pursuit of fauna.	X	N/A



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Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.	X	N/A
Defacing/damaging / removing of any notice, sign, barrier building or other infrastructure.	X	N/A
Playing or tampering with any rope, float, buoy, vessel, shelter or similar life - saving device.		N/A
Staying overnight.	X	N/A
The discharging of domestic effluent / grey water into all natural systems.	X	N/A
Tampering with security / surveillance infrastructure.	X	N/A
Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.	X	N/A
Graffiti, vandalism or damaging of municipal infrastructure.	X	N/A
Littering	X	N/A
Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items	X	N/A
Dog walking / exercising of dogs in non-designated zones.	X	N/A

<b>SCHEDULE B ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT IN OVERSTRAND ENVIRONMENTAL OVERLAY ZONES</b>		
<b>A) Activities Only Permitted With Council Consent</b>	<b>Applicable Environmental Management Overlay Zone (EMOZ)</b>	<b>Applicable to the application or not</b>
	<b>Coastal</b>	
Permission for the utilization of access routes to permitted kelp / seaweed harvesting sites.	X	N/A
Removal or destruction of vegetation which is protected and/or of conservation concern.	X	N/A
Dune maintenance on private land as per approved dune maintenance management plans.	X	N/A
Excavation and destruction or removal of substrate (soil, substrate, rock, shellgrit, dune sediment, mineral deposits).	X	N/A
Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.	X	N/A
<b>B) Permit Upon Approval By Delegated Authority and / Receipt of Tariff</b>	<b>Applicable Environmental Management</b>	<b>Applicable to the application or not</b>



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	Overlay Zone (EMOZ)	
	Coastal	
Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse / wetland.	X	N/A
Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.	X	N/A
Commercial filming.	X	N/A
Construction or placement of any temporary object, building, shelter, path or structure.	X	N/A
Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.	X	N/A
Launching of vessels at registered launch sites.		N/A
C) Council Authorisation Pending Consent Use Application / Lease Agreement / Applicable Tariffs as applicable	Applicable Environmental Management Overlay Zone (EMOZ)	Applicable to the application or not
	Coastal	
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	N/A
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	N/A
Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery.	X	N/A
Encroachment of private buildings, structures, infrastructure, access routes.	X	The coffee container will be positioned within this zone.
Commercial Harvesting/collection and removal of any natural resource.	X	N/A
Construction or placement of any permanent object, building, shelter, pathway or structure.	X	A portion of the property is located inside of the buffer.

The proposed upgrading of the existing infrastructure is not expected to have a negative impact on the EMOZ.



### **9.2. Heritage Protection Overlay Zone (HPOZ)**

The subject property is located along a 'Route of Regional Scenic Significance' and within the Landscape Significance HPOZ. The scenic and landscape qualities of the area will remain unaffected. The proposal does not introduce major physical changes on the property that could alter the visual character or impact the surrounding environment.

### **9.3. Heritage Protection Overlay Zone (HPOZ) Spatial Planning Policies**

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014.

### **9.4. Overstrand Municipality Spatial Development Framework, 2020 (MSDF)**

The spatial planning framework for the greater Hermanus area is structured around three interconnected sub-areas, namely Hermanus West, Hermanus Central, and Hermanus East. The settlement of Onrustrivier falls within the Hermanus West area, which is characterised by its residential neighbourhoods, public open spaces, and strong linkages to coastal and tourism-related activities.

Although the sub-areas are distinct in terms of land use patterns and development intensity, the Local Spatial Development and Growth Management Principles apply holistically across the entire urban area of Hermanus. These principles are therefore presented in an integrated manner, reflecting a cohesive planning approach that supports the town's long-term sustainability and inclusive growth.

One of the core planning objectives is to promote Greater Hermanus not only as a premier tourism destination, but also as a diverse and regionally significant urban node. This vision aims to facilitate the diversification and spatially integrated expansion of the local economy, with a particular focus on inclusive development, the strengthening of local enterprise, and the responsible utilisation of public assets.

The proposed upgrading of the coffee container aligns directly with these spatial principles. It enhances the tourism and recreational value of a well-used coastal public space, supports local entrepreneurial activity, and contributes to a more vibrant and accessible public realm. In doing so, it plays a modest but meaningful role in reinforcing Hermanus West's position within the broader spatial and economic framework of Greater Hermanus.

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## **10. PLANNING PRINCIPLES**

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Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided by. Policy proposals in SPLUMA which are pertinent to this proposal are recorded:

### **Spatial sustainability and Efficiency**

The proposed upgrade of the coffee container represents a form of spatially efficient land use that maximises the utility of existing public space without requiring additional land or infrastructure. By making use of existing municipal water and electricity connections and avoiding extensive earthworks, the proposal ensures minimal environmental impact and responsible utilisation of existing resources. It promotes sustainable development by supporting walkability, limiting dependence on



## MOTIVATION

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vehicular access, and encouraging local economic activity within a defined urban edge.

### **Spatial resilience**

The proposal supports the principle of spatial resilience by introducing a flexible, low-impact, and reversible intervention in a public coastal area. The containerised structure can be removed or relocated if necessary, and its design and function are adaptable to seasonal variations in demand or changes in environmental conditions. Furthermore, by fostering local enterprise and informal trade in a changing economic climate, the proposal contributes to economic resilience and diversification within the broader Hermanus area.

### **Good administration**

The application has been initiated by The Onrus River Homeowners Association, a recognised community organisation, in collaboration with the Overstrand Municipality as the property owner. This reflects a transparent, participatory planning process, consistent with the principle of good administration. The proposal is aligned with municipal development policies, and all relevant overlay zones and spatial considerations have been duly assessed to ensure procedural compliance and accountability.



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## **11. EVALUATION**

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The proposal to upgrade the existing coffee kiosk with the installation of a new container on the Remainder of Farm Onrustrivier No. 581 Caledon aligns strongly with the overarching spatial planning and land use management objectives of the Overstrand Municipality and the principles of the SPLUMA.

The development supports local socio-economic development by encouraging micro-enterprise and small business opportunities within a strategically located public open space. It is an appropriate, low impact use that enhances the recreational experience of residents and visitors alike, while remaining fully compatible with the surrounding land uses such as the tidal pools and the Onrus Caravan Park.

The structure will be modest in scale, non-invasive, and fully serviced through existing municipal water and electricity connections, with no requirement for additional infrastructure. No sewage will be generated, and solid waste will be responsibly managed and removed. Importantly, the proposal does not require any new access routes or parking bays, as it caters to pedestrians and does not generate additional vehicular traffic.

From a spatial planning perspective, the proposal demonstrates a commitment to spatial sustainability, efficiency, and resilience. It utilises public land effectively, reinforces the identity and character of the area, and contributes to the vibrancy and accessibility of the commonage without disrupting natural or heritage features. Although the property is subject to several overlay zones, the proposed location of the container does not fall within the Urban Conservation Overlay Zone, and its temporary, flexible nature ensures minimal impact on the Coastal Protection Overlay Zone.

In addition, the application has been prepared in collaboration with The Onrus River Homeowners Association and reflects the needs and aspirations of the local community. It supports inclusive and transparent governance, consistent with the principle of good administration.

In light of the above, the application represents a balanced and contextually appropriate intervention that advances the planning objectives for Hermanus West and should therefore be supported by the Municipality.

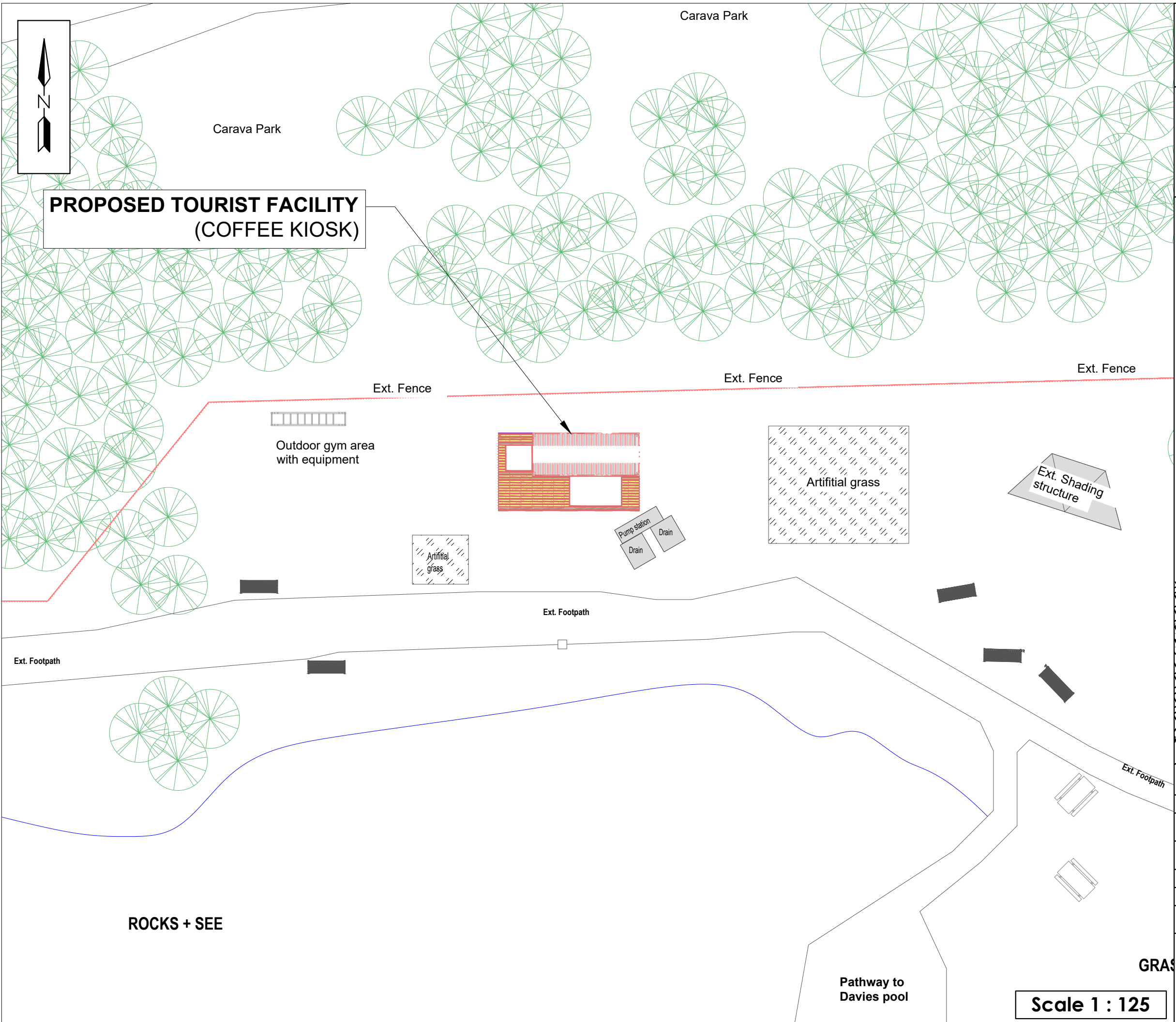
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## **12. RECOMMENDATION**

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That the following application be approved:

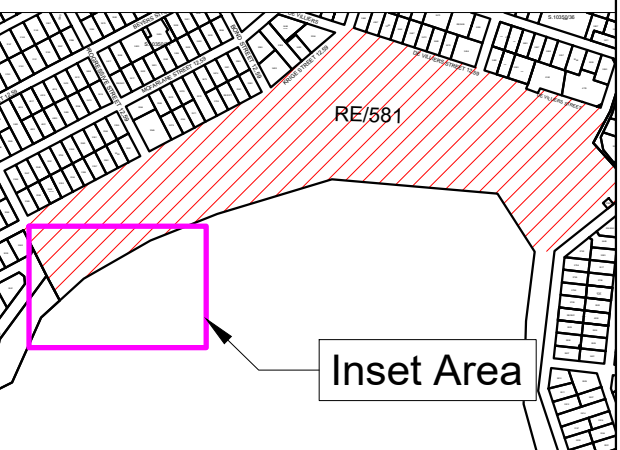
**12.1 Consent Use** on the Remainder of Farm Onrustrivier No. 581, Caledon in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4.1 Site Plan  
 Remainder of the Farm 581  
 Onrustrivier

Container = 14,8m<sup>2</sup>

Total footprint of Coffee Kiosk  
 = 35,8m<sup>2</sup>



Plan Number: 25/40(001)

Plan prepared by: Thian Jansen on 09/04/2025  
 Based on plans by Engelbrecht & Scorgie Architects

All distances are approximate  
 and subject to a survey

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**WRAP** Project Office  
 Town Planning & Project Management

**Scale 1 : 125**