



**ERF 3770, 252 NINTH STREET & ERF 3772, 254 NINTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF AM GOLDING**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for a consolidation in terms of Section 16(2)(e) of the By-Law, to consolidate Erf 3770 (495m<sup>2</sup> in extent) and Erf 3772 (495m<sup>2</sup> in extent) to create one erf approximately 990m<sup>2</sup> in extent.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus. Any comments on the proposal must be submitted in writing in accordance with the provisions of Sections 51 and 52 of the By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **Friday, 15 November 2024** quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Town Planner, Mr. P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

**ERF 3770, NEGENDESTRAAT 252 & ERF 3772, NEGENDESTRAAT 254, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM KONSOLIDASIE: MNRE WRAP PROJECT OFFICE NAMENS AM GOLDING**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir 'n konsolidasie ingevolge Artikel 16(2)(e) van die Verordening, om Erf 3770 (495m<sup>2</sup> groot) en Erf 3772 (495m<sup>2</sup> groot) te konsolideer om een erf ongeveer 990m<sup>2</sup> groot te skep.

Volledige besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingevolge die bepalings van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **Vrydag, 15 November 2024** bereik, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar. Telefoniese navrae kan gerig word aan **Stadsbeplanner, Mnr. P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar 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 formaliseer.

**ISIZA 3770, 252 NINTH STREET & ISIZA 3772, 254 NINTH STREET, VOËLKLIP, HERMANUS, INDAWO KAMASIPALA OVERSTRAND: UKUHLANGANISWA OKUCETYWAYO: WRAP PROJECT OFFICE EGAMENI AM GOLDING**

Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), ukuba isicelo sifunyenwe sokudityaniswa ngokweCandelo le-16(2)(e) loMthetho kaMasipala, ukuze kudityaniswe iSiza-3770 (495m<sup>2</sup> ngokobukhulu) kunye neSiza-3772 (495m<sup>2</sup> ngokobukhulu) ukudala isiza esinye esimalunga nama-990m<sup>2</sup> ngokobubanzi.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu, 16 ePaterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo zingangeniswa ngokungqinelana nemigaqo yeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi koko **uLwesihlanu 15 EyeNkanga 2024**, ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo ngomnxeba ingenziwa **kuMnu. P Roux** apha 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.

#overstrand4all



# 1. Locality Plan Erven 3770 & 3772, Hermanus

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



**Project Office**  
Town Planning & Project Management



**Scale 1 : 1000**



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### 1. ABBREVIATIONS

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<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>LUPA</b>	Western Cape Land Use Planning Act, 2014.
<b>MSDF</b>	Overstrand Spatial Development Framework, 2020
<b>SR1</b>	Residential Zone 1: Single Residential

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### 2. PROPERTY DETAILS

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<b>Erf Number</b>	Erf 3770 Hermanus	Erf 3772 Hermanus
<b>Extent</b>	495m <sup>2</sup>	495m <sup>2</sup>
<b>Zoning</b>	Residential Zone 1: Single Residential	

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### 3. BACKGROUND AND INTENT

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Erven 3770 and 3772, Hermanus (hereafter referred to as the subject properties), are located in Voëlklip, Hermanus (refer to **Plan 1 – Locality Plan**). The proposal is to consolidate the two properties and register the consolidated property in the name of the prospective owner.

The subject properties are already developed, but once the consolidation is approved and transferred to the prospective owner, the new owner will appoint an architect to draft new building plans for planned additions on the proposed consolidated erf. The current owner has appointed WRAP Project Office to submit this land use application on his behalf (refer to **Annexure A – Power of Attorney**).

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### 4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

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WRAP compiled this report to ensure the prospective property owner's requirements are met. The following is proposed:

#### 4.1 Consolidation of Erven 3770 and 3772, Hermanus:

The proposal is to consolidate the two properties to enable the new owners to manage it more effectively and to allow for the submission of building plans for additions to the existing dwelling. In addition to this, there are several reasons why the prospective owner seeks to consolidate these properties. Some potential benefits of consolidation include:

Consolidating the two properties will result in increased property value. By combining the properties into one, the prospective owner will create a larger and more valuable piece of real estate, especially with the construction of a new dwelling. This can be particularly advantageous given that the properties are situated in a desirable area with unique features.



## MOTIVATION

The consolidation will also improve efficiency, simplifying the management and maintenance of the combined property until the new dwelling is constructed. This streamlined approach reduces the complexity of dealing with two separate properties.

In addition, the prospective owner stands to reduce expenses through consolidation. This includes savings on property rates, utilities, and general maintenance costs, which would otherwise apply to each property individually.

Finally, the consolidation will provide the prospective owner with greater control over the combined property. This is beneficial for owners who wish to ensure that the property aligns with their vision and is used in the most effective way possible.

Overall, consolidating these two properties can provide many benefits, including increased property value, improved efficiency, reduced expenses, and greater control.

Proposed Consolidation	
Erf 3770, Hermanus	495m <sup>2</sup>
Erf 3772, Hermanus	495m <sup>2</sup>
Consolidated Property	± 990m <sup>2</sup>

### 5. LAND USE ENVIRONMENT

The properties surrounding the subject properties are predominantly zoned for residential purposes. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

### 6. TITLE DEED

Title deeds T37935/2020 and T37937/2020 (refer **Annexure B – Title Deed**) were perused and there are no restrictive conditions that prohibit the consolidation of these two properties.

### 7. ZONING

The following zoning parameters were assessed in conjunction with the SR1 OMLUS zoning as this is a relevant consideration in terms of Section 66(1)(q) of the OM By-Law:



**MOTIVATION**

<b>RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL</b>			
<b>Land Use Restrictions</b>			
	<b>Parameters</b>	<b>Proposal</b>	<b>Comply/ deviate</b>
<b>Primary use</b>	Crèche, <b>Dwelling House</b> , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	One Dwelling	Comply
<b>Consent use that may be applied for</b>	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	-	N/A
<b>Development parameters</b>			
<b>Coverage</b>	The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area: 400m <sup>2</sup> and greater = 50%	To be complied with.	Comply
<b>Building lines</b>	(i) The street building line is determined in accordance with the net erf area: 400 m <sup>2</sup> and greater = 4m  (ii) The side and rear building lines are determined in accordance with the net erf area: Greater than 400 m <sup>2</sup> = 2m	There is an existing garage in the northwestern corner of the property.	Comply
<b>Height</b>	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	To be complied with.	Comply
<b>Garages and carports</b>	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	To be complied with.	Comply



**8. 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 subject properties are connected to the OM's networks, which include electricity, water and sewage. The proposal of this application will not place any additional load on the existing services as the consolidated property will be used as one property with one dwelling unit and not as two properties (with two dwelling units).

Solid waste is collected by the OM on a weekly basis.

**Access and Egress**

Access and egress to the proposed consolidated property is proposed to be from 9<sup>th</sup> Street.

**9. NEED AND 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 was a result of addressing all the land use requirements and ensuring the property meets the requirements of the prospective property owner. In order to achieve this, the prospective property owner is required to address the need and desirability of the proposed development.

Socio-economic impact	It is not expected that the proposed consolidation will have a socio-economic impact on the area.
Compatibility with surrounding uses	The proposal is not out of character with the surrounding residential area. The development proposal is not predicted to have a negative impact on the surrounding area.
Impact on the external engineering services	Refer Section 9.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health and wellbeing of the surrounding community.
Impact on heritage	Both properties are developed and not registered within the heritage register for the area.
Impact on the biophysical environment	It is not predicted that the proposal will have an impact on the biophysical environment.



## MOTIVATION

Traffic impacts, parking, access and other transport related considerations	The proposal is not expected to have an impact on traffic and the access and parking will be provided in terms of the OMLUS.
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### **Impact on views, sunlight and character of the area**

The subject properties are located in a residential setting and any proposed future development will be required to be aligned with the development parameters set out in the OMLUS.

### **Economic impact**

The proposed consolidation will not have an economic impact.

### **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 surrounding properties.

### **Environmental impact**

The subject properties are not located within an environmentally important area.

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## **10. POLICIES AND REGULATIONS**

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### **10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)**

Neither of the subject properties are situated within the Environmental Protection Overlay Zones. (EMOZ).

### **10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)**

Neither of the subject properties are situated within the Heritage Protection Overlay Zone (HPOZ).

### **10.3 Spatial Planning Policies**

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014 or the Overstrand Spatial Development Framework, 2020.

The consolidation of the properties is not restricted and the utilisation of the consolidated property for its primary use is not predicted to be out of character for spatial planning policies.



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## 11. 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 below:

### **Spatial justice**

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. The proposal to consolidate the properties is not predicted to contribute to past spatial injustices.

### **Spatial sustainability and Efficiency**

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is to utilise these two vacant subject properties to its maximum extent. The proposed consolidation of the properties will optimise the utilisation of space on the consolidated property.

### **Spatial resilience**

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

### **Good administration**

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process.

The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly



## EVALUATION AND RECOMMENDATION

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### 12. EVALUATION

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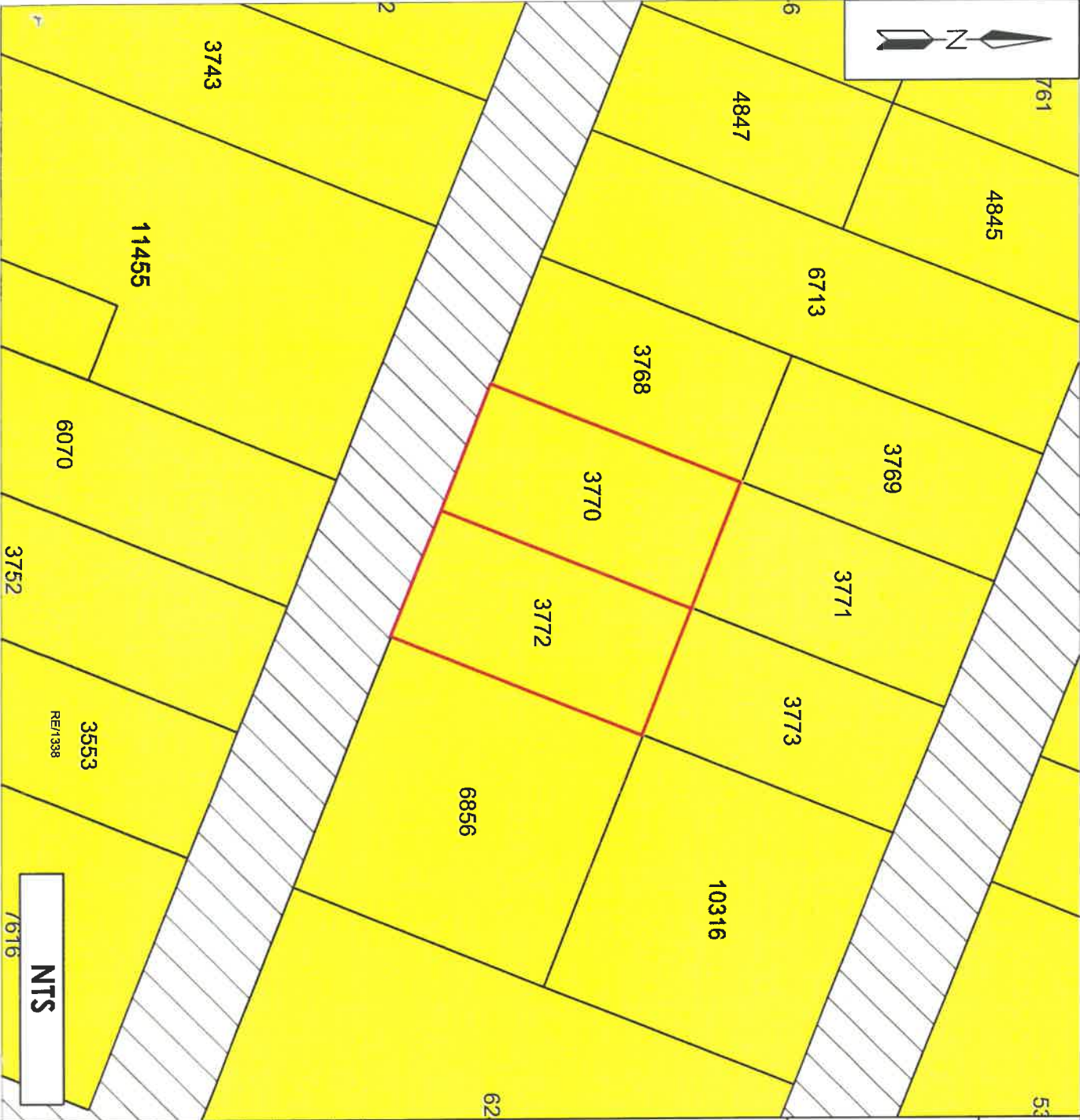
This application has been submitted to obtain approval from the Overstrand Municipality to consolidate the two subject properties. The proposed consolidation aligns with the guidelines established by the OMLUS and the zoning of the properties in question. The proposal is consistent with the neighbouring residential area and will not be considered as out of the ordinary. The proposal is also consistent with all applicable land-use planning regulations.

### 13. RECOMMENDATION


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Based on the abovementioned motivation, it is recommended that the following be approved:

**13.1 Consolidation** of Erven 3770 and 3772, Hermanus in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



## 2. Zoning Plan Erven 3770 & 3772, Hermannus

-  Residential Zone 1: Single Residential
-  Transport Zone 2: Road and Parking (Public)

Plan prepared by: Thain Jansen

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

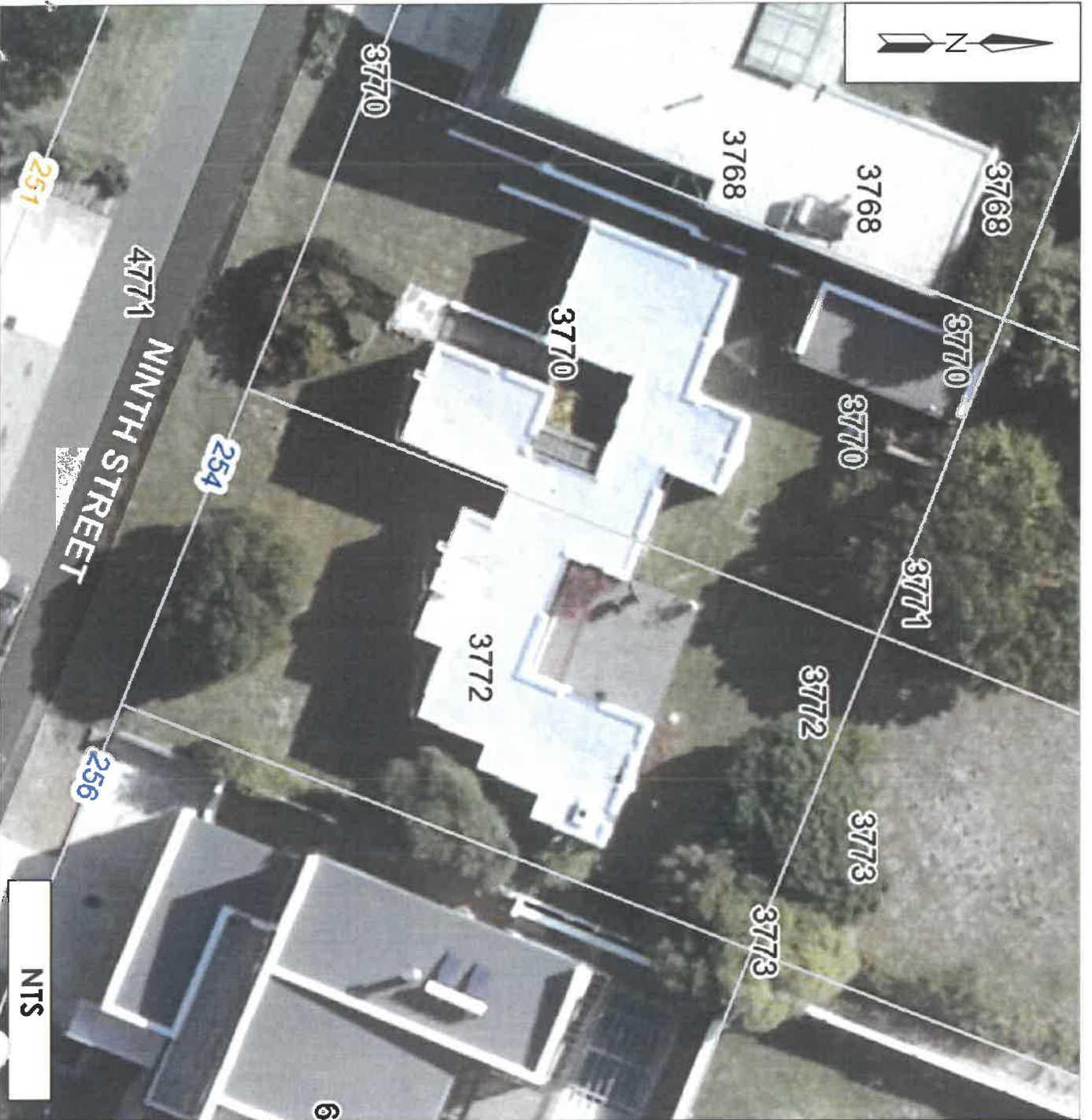
Email: [admin@wrqgroup.co.za](mailto:admin@wrqgroup.co.za)

Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermannus, 7200



**Project Office**  
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NTS



### 3. Aerial Plan Even 3770 & 3772, Hermanus

Plan prepared by: Thion Jansen

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

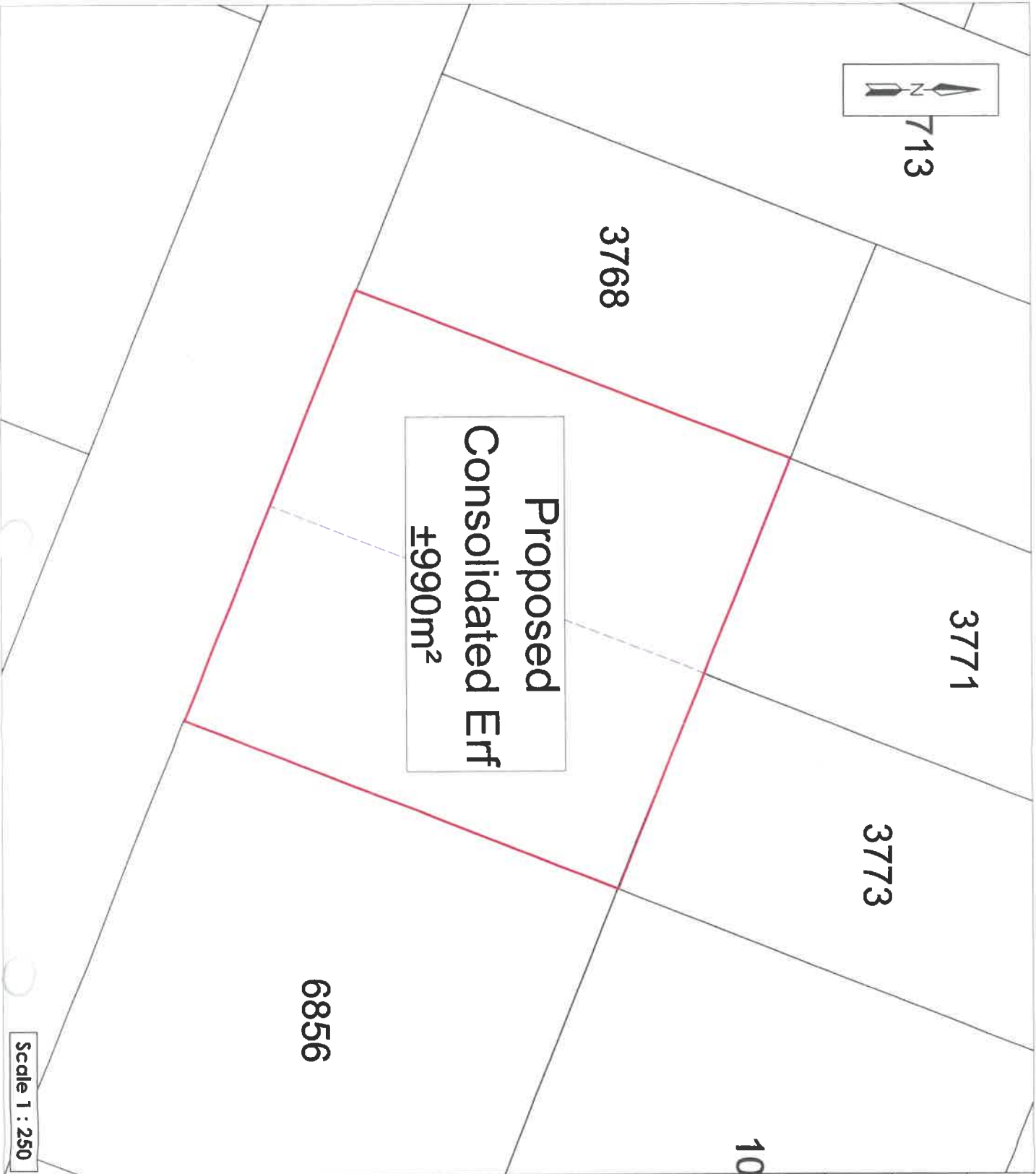
Email: [admin@wrappgroup.co.za](mailto:admin@wrappgroup.co.za)

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Corner of Royal and Dirkie Uys  
Street Hermanus, 7200



**Project Office**  
Town Planning & Project Management

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4. Consolidation Plan  
Erfen 3770 & 3772 Hermanus

Erf 3770, Hermanus  
495m<sup>2</sup>

Erf 3772, Hermanus  
495m<sup>2</sup>

Proposed Consolidated Erf  
±990m<sup>2</sup>

Plan prepared by: Thion Jansen  
Plan Number 24/150(001) - 25/09/2024

All distances are approximate  
and subject to a survey

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