



**ERF 120, 31 CLIFF STREET & ERF 129, 58 VYFER STREET, DE KELDERS, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CHA STRENGER**

Notice is hereby given in terms of Section 48, read with Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for the consolidation of Erf 120 (595m<sup>2</sup> in extent) and Erf 129 (595m<sup>2</sup> in extent), to create one erf approximately 1190m<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 and Gansbaai Library, Main Road, Gansbaai. 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, 24 January 2025** quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Town Planner, Mr. SW van der Merwe** 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 120, CLIFFSTRAAT 31 & ERF 129, VYFERSTRAAT 58, DE KELDERS, OVERSTRAND MUNISIPALE AREA:  
AANSOEK OM KONSOLIDASIE: MNRE WRAP PROJECT OFFICE NAMENS CHA STRENGER**

Kennis word hiermee gegee ingevolge Artikel 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is om konsolidasie van Erf 120 (595m<sup>2</sup> groot) en Erf 129 (595m<sup>2</sup> groot), om een erf ongeveer 1190m<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 en Gansbaai Biblioteek, Hoofweg, Gansbaai. 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, 24 Januarie 2025** 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. SW van der Merwe** 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 120, 31 CLIFF STREET & ERF 129, 58 VYFER STREET, DE KELDERS, INDAWO KAMASIPALA  
OVERSTRAND: UKUHLANGANISWA OKUCETYWAYO: WRAP PROJECT OFFICE EGAMENI CHA STRENGER**

Isaziso siyanikezelwa ngokwemigaqo yeCandelo lama-48, elifundwa kunye neCandelo le-16(2)(e) loMthetho kaMasipala oLungisiweyo kaMasipala waseOverstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), sokuba isicelo sifunyenwe sokumanyanisa yeSiza-120 (595m<sup>2</sup> ngokobubanzi) kunye neSiza-129 (595m<sup>2</sup> ngokobukhulu), ukuyila isiza esinye. malunga ne-1190m<sup>2</sup> ububanzi.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha eveki phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangciso ngeDolophu, 16 Paterson Street, Hermanus kunye neThala leeNcwadi laseGansbaai, eMain Road, eGansbaai. Naziphi na izimvo ngesindululo mazingeniswe ngokubhaliweyo ngokungqinelana nezibonelelo zeCandelo lama-51 kunye nelama-52 oMthetho kaMasipala kwaye zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi koko **uLwesihlanu, 24 EyoMqungu 2025** Imibuzo ngomnxeba ingenziwa kuMchwangcisi weDolophu, **uMnu. SW van der Merwe** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvala Nawuphi na umntu ongakwaziyo ukufunda okanye ukubhala unokutyelela iSebe loCwangciso lweDolophu apho umasipala lgora liya kubancedisa ukuze bazenze zibe sesikweni izimvo zabo.

# 1. Locality Plan Erven 120 & 129, De Kelders

Plan prepared by: Thian Jansen

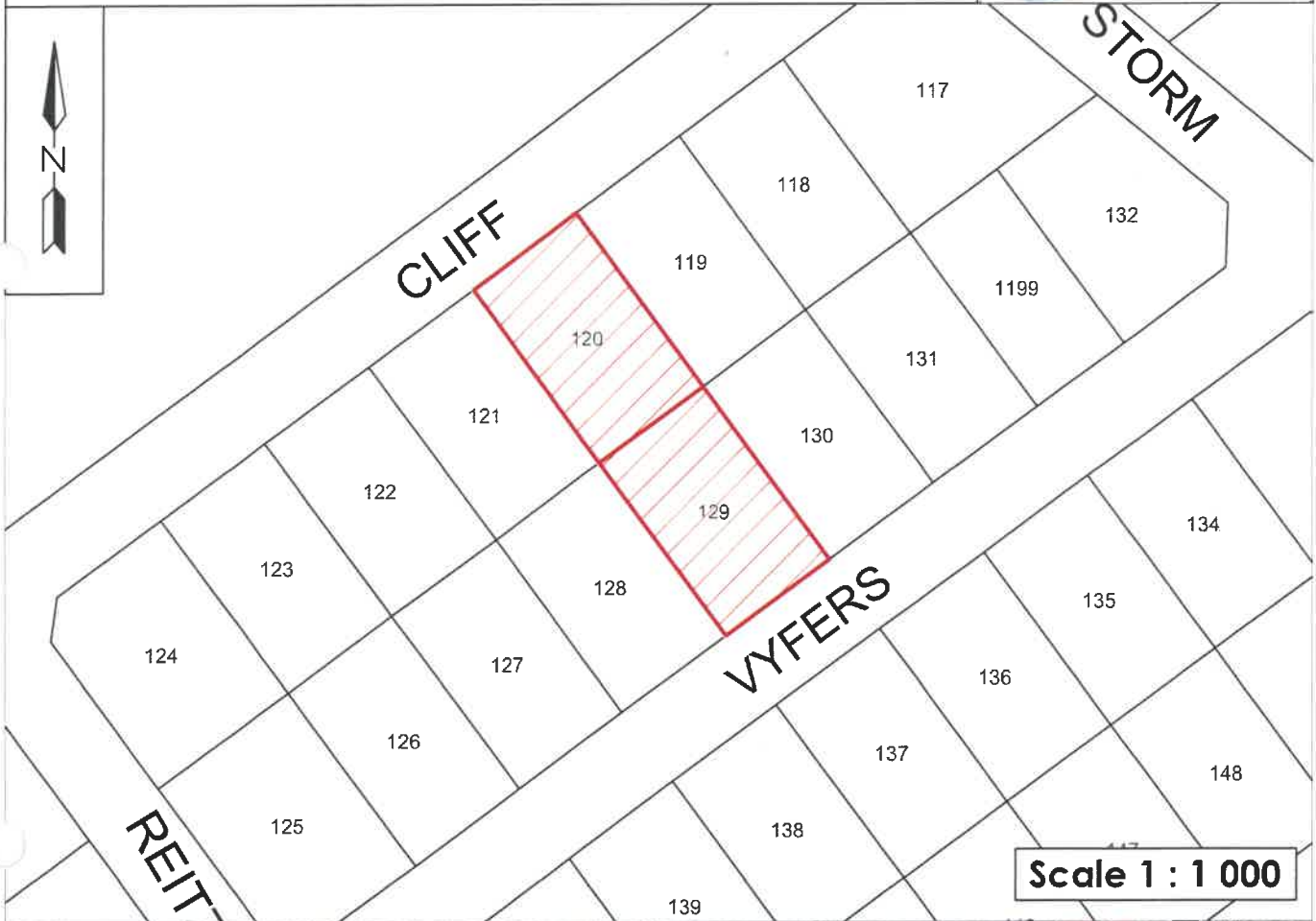
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



**Project Office**  
Town Planning & Project Management





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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 120 De Kelders	Erf 129 De Kelders
<b>Extent</b>	595m <sup>2</sup>	595m <sup>2</sup>
<b>Zoning</b>	Residential Zone 1: Single Residential	

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### 3. BACKGROUND AND INTENT

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Erven 120 and 129, De Kelders (hereafter referred to as the subject properties), are located along the scenic coastline in De Kelders, a sought-after residential area characterised by its natural beauty and tranquil surroundings (refer to **Plan 1 – Locality Plan**). The proposal entails the consolidation of the two properties, prompted by the recent acquisition of Erf 129 De Kelders by the current owner.

Both subject properties are currently developed with individual dwelling houses. The owner intends to enhance the functionality and aesthetic appeal of the consolidated property by demolishing the existing dwelling on Erf 129 De Kelders. This will allow for the construction of a new extension, seamlessly integrated with the existing dwelling on Erf 120 De Kelders, creating a single, cohesive residential structure that optimises the use of the consolidated site.

To facilitate this process, the owner has engaged WRAP Project Office, a professional town planning and development consultancy, to prepare and submit the required land use application on their behalf (refer to **Annexure A – Power of Attorney**). This proposal aligns with the owner's vision of creating a harmonious residential environment while adhering to applicable planning and zoning requirements.

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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 120 and 129, De Kelders:

The proposal is to consolidate the two properties to enable the owners to manage it more effectively and to allow for the submission of building plans for additions to the



## MOTIVATION

existing dwelling. In addition to this, there are several reasons why the 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 owner will create a larger and more valuable piece of real estate, especially with the extension of the one existing dwelling. This can be particularly advantageous given that the properties are situated in a desirable area with unique features.

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

In addition, the 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 the subject properties can provide many benefits, including increased property value, improved efficiency, reduced expenses, and greater control.

Proposed Consolidation	
Erf 120, De Kelders	595m <sup>2</sup>
Erf 129, De Kelders	595m <sup>2</sup>
Consolidated Property	±1190m <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 T17727/2018 and T23922/2024 (refer to **Annexure B – Copy of the Title Deeds**) were perused and there are no restrictive conditions that prohibit the consolidation of the subject 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 House	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	To be complied with.	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 both Cliff and Vyfer 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 to Section 8 of this report.
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.
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 located within an environmentally important area as discussed in *Section 10* below.

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**10. POLICIES AND REGULATIONS**

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

Both of the subject properties are situated within the Coastal Protection Overlay Zones (EMOZ). The proposed consolidation is not expected to have an impact thereon.

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

Erf 120, De Kelders is situated within the Coastal Strip Overlay Zones (HPOZ). The proposed consolidation is not expected to have an impact thereon.

**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 on the following page:



### **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 subject 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 subject properties to its maximum extent. The proposed consolidation of the subject 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.

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### 13. RECOMMENDATION

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

- 13.1 Consolidation** of Erven 120 and 129, De Kelders in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

## 2. Zoning Plan Erven 120 & 129, De Kelders



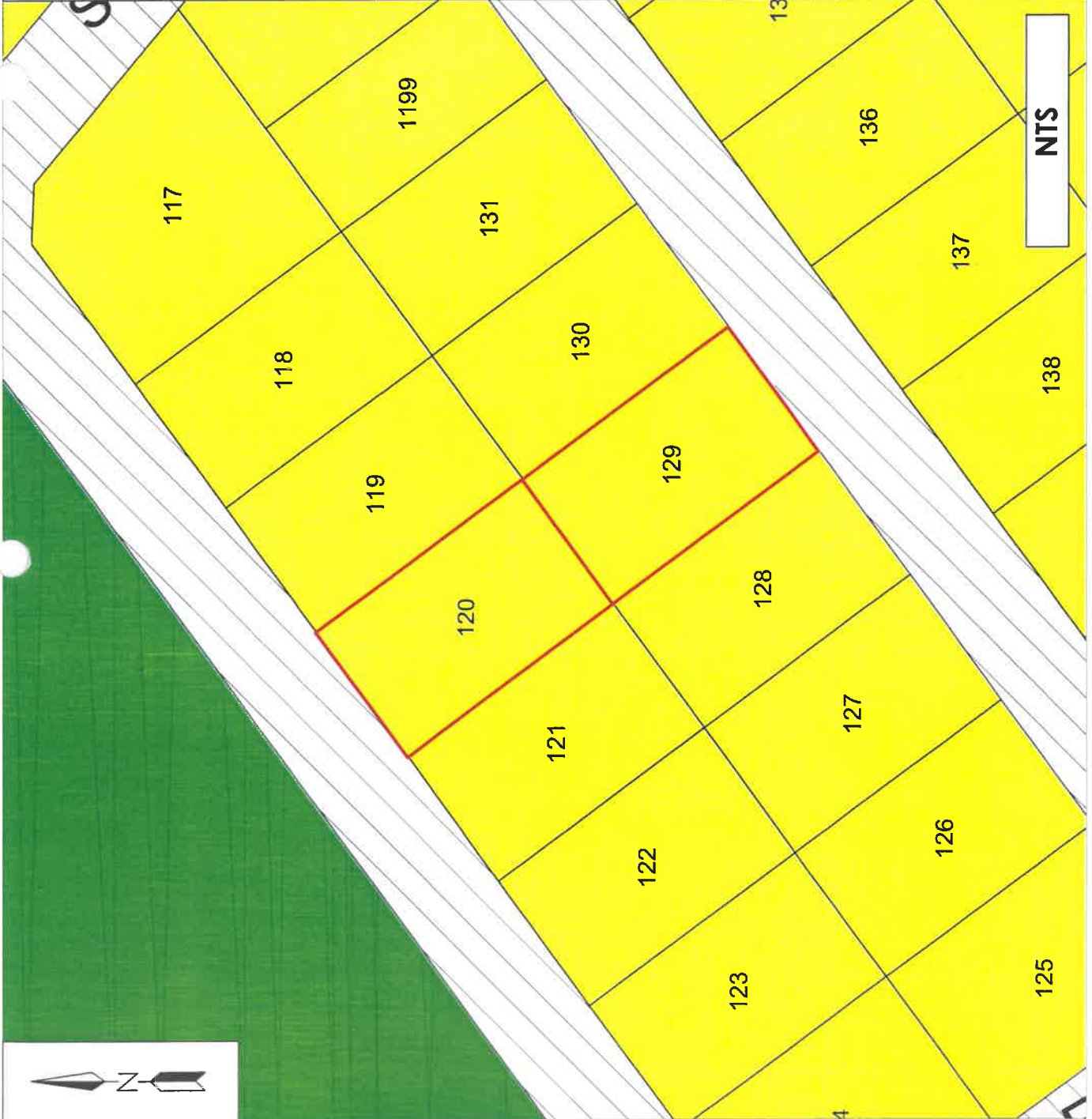
Residential Zone 1: Single Residential



Transport Zone 2: Road and Parking  
(Public)



Open Space Zone 1: Nature Reserve



Plan prepared by: Thain Jansen

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

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

Unit B, Standard House,

Corner of Royal and Dirkie Uys

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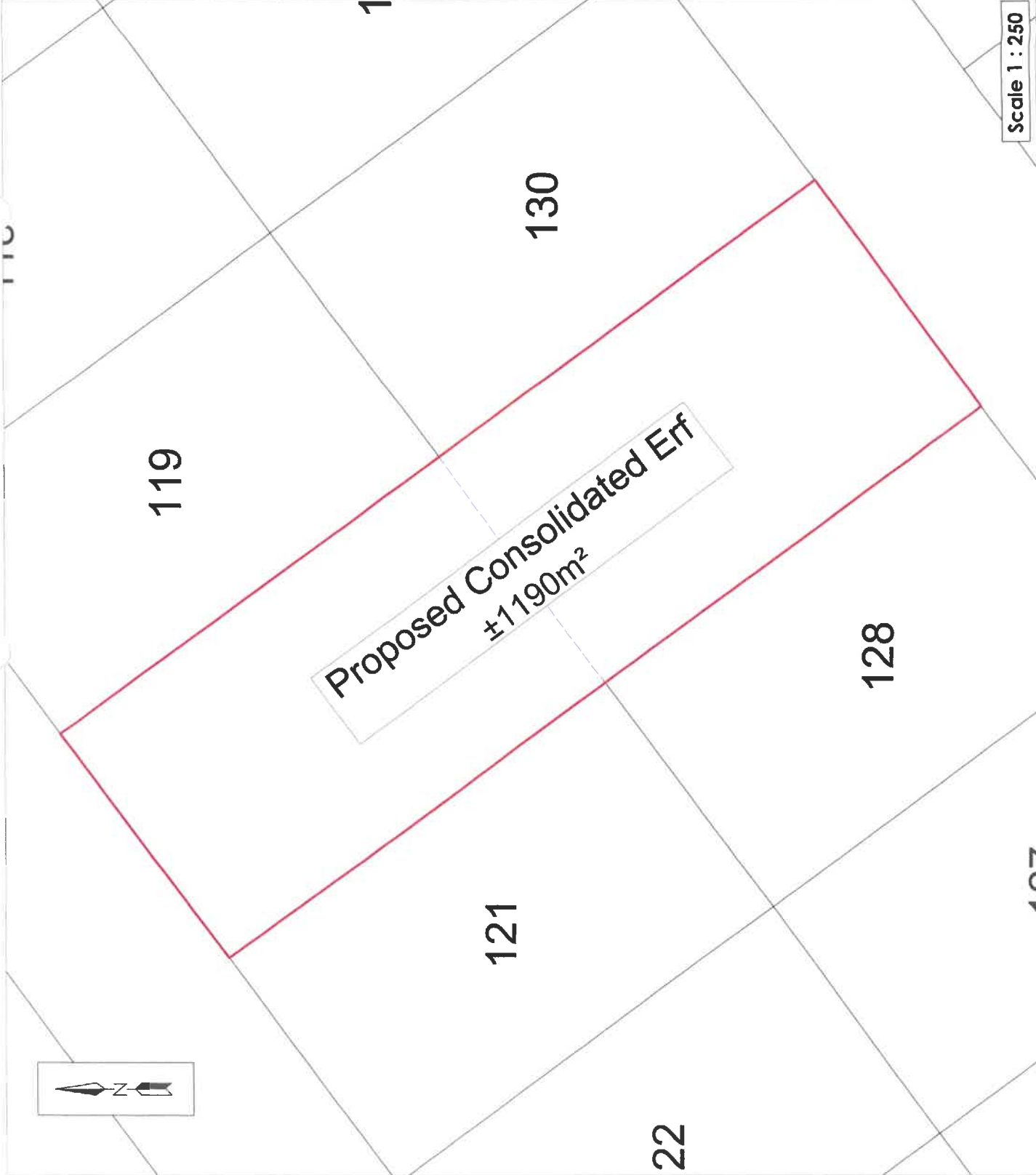
**Project Office**  
Town Planning & Project Management

3. Consolidation Plan Erven 120 & 129 De Kelders
Erf 120, De Kelders 595m <sup>2</sup>
Erf 129, De Kelders 595m <sup>2</sup>
Proposed Consolidated Erf ±1190m <sup>2</sup>

Plan prepared by: Thian Jansen  
 Plan Number 24/167/001 - 15/11/2024  
 All distances are approximate  
 and subject to a survey  
 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 : 250