

**MUNISIPALITEIT OVERSTRAND  
ERWE 260, 284 & 295, WESTCLIFFWEG 97,  
WESTCLIFF, HERMANUS: AANSOEK OM  
KONSOLIDASIE: MINRE PLANACTIE TOWN &  
REGIONAL PLANNERS NAMENS MKA ESSER**

Kennis word hiermee gegee ingevolge Artikel 47 & 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir die konsolidasie van Erf 260 ongeveer 142m<sup>2</sup> groot, Erf 284 ongeveer 12m<sup>2</sup> groot en Erf 295 ongeveer 815m<sup>2</sup> groot, om 'n gekonsolideerde erf van ongeveer 969m<sup>2</sup> te skep.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus. Enige kommentare moet skriftelik wees, u naam, adres, en kontakbesonderhede bevat, sowel as u belang in die aansoek en die redes vir kommentaar, welke kommentaar die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) moet bereik voor of op **15 Junie 2023**. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr H Boshoff** by 028 313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persone wat nie kan lees of skryf nie kan bogenoemde toepaslike Munisipale Departement 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. 36/2023*

**OVERSTRAND MUNICIPALITY  
ERVEN 260, 284 & 295, 97 WESTCLIFF ROAD,  
WESTCLIFF, HERMANUS: APPLICATION FOR  
CONSOLIDATION: MESSRS PLANACTIE  
TOWN & REGIONAL PLANNERS ON BEHALF  
OF MKA ESSER**

Notice is hereby given in terms of Section 47 & 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 260 approximately 142m<sup>2</sup> in extent, Erf 284 approximately 12m<sup>2</sup> in extent and Erf 295 approximately 815m<sup>2</sup> in extent, to create a consolidated erf of approximately 969m<sup>2</sup>.

Details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus. Any comment must be in writing, quoting your name, address and contact details, as well as your interest in the application and the reasons for comment, which comment must reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **15 June 2023**. Telephonic enquiries can be made to the **Town Planner, Mr H Boshoff** at 0283138900. The Municipality may refuse to accept comments received after the closing date. Any persons who cannot read or write may visit the above appropriate Municipal Department where a Municipal official will assist them in formulating their comment.

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

*Municipal Notice No. 36/2023*

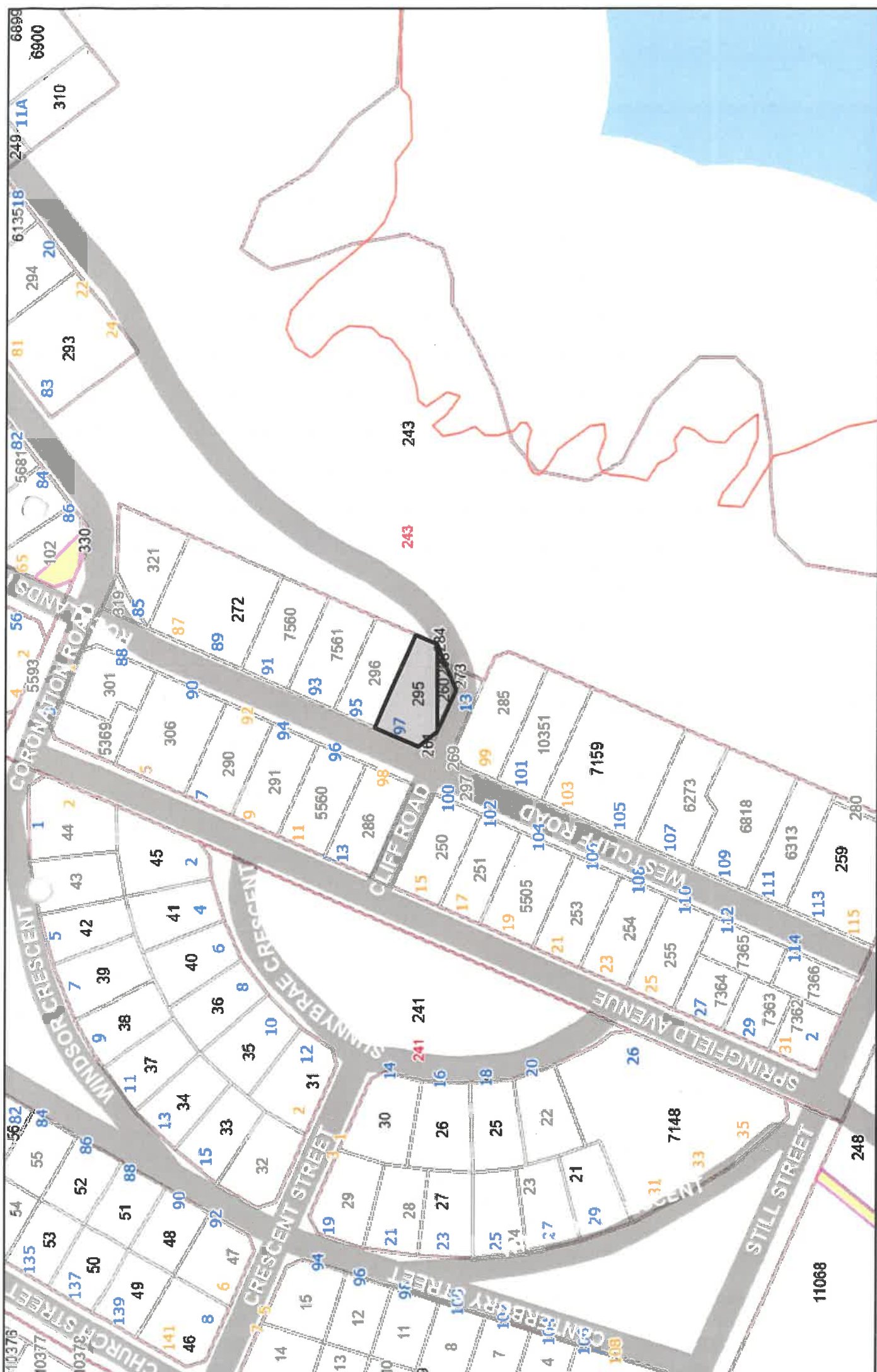
**IZIZA EZINGU260, 284 & 295, 97 WESTCLIFF  
ROAD, WESTCLIFF, HERMANUS,  
NGUMASIPALA WOMMANDLA I-  
OVERSTRAND: ISICELO  
SOKUHLENGHLENGISA: MESSRS  
PLANACTIE TOWN & REGIONAL PLANNERS  
EGAMENI LIKA-MKA ESSER**

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-47 & lama-48, elifundeka neSoloty le16(2)(e) loMthethwana likaMasipala waseOverstrand OngokuHlomela IziCwangciso Zokusetyenziswa koMhlaba ku2020 esi saziso sithi kufunyenwe isicelo esingokuhlengahlengiswa kwesiza esingu-Erf 260 esingumlinganiselo omayela nemitha 142m<sup>2</sup> ubukhulu, isiza esingu-Erf 284 esingumlinganiselo ozimitha ezi-12m<sup>2</sup> ubukhulu nesiza esingu-Erf 295 esingumlinganiselo ozimitha ezingama815m<sup>2</sup> ubukhulu, ukudala isza esihlengahlengisiweyo esiyi-erf ozimitha ezi-969m<sup>2</sup> ubukhulu.

Iinkcukacha ezipheleleyo mayela nezi zindululo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela kwishesha eliphakathi kwentsimbi ye08:00 neye16:30 kwiSebe:IziCwangciso zeDolophu, 16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo zingangeniswa kwaMasipala (16 Paterson Street, Hermanus / (f)0283132093 (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za))\_ ngomhla okanye ngaphambi komhla **15 uJuni 2023**, uchaze igama lakho, idilesi yakho neenkukacha zakho, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathunyelwa ku**Mcwangcisi weDolophu, Mnu. H Boshoff** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe leziCwangciso ngeDolophu apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni

Umlawuli kaMasipala, Overstrand  
Municipality, P.O. Box 20, **HERMANUS**, 7200

*Inothisi kaMasipala Nomb. 36/2023*



Locality Map  
 Erven 260, 284 & 295, 97 Westcliff Road, Westcliff, Hermanus

**PROPOSED CONSOLIDATION**

**ERVEN 260, 284 AND REMAINDER 295**  
**HERMANUS**

**DIVISION: CALEDON**  
**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**

1. **BACKGROUND**

Mr .F.F. Daniells on behalf of Ms. M.K.A. Esser, the owner of Erven 260, 284 and Remainder Erf 295 Hermanus, has instructed the company Plan Active Town and Regional Planners, to apply for the consolidation of the aforementioned erven.

As per **S.G. Diagram 5014/47**, Erf 271 Hermanus was consolidated with Erf 282 Hermanus to create Erf 295 Hermanus. The erf was then subdivided to create Erf 296 and Remainder Erf 295 Hermanus as per **S.G. Diagram 5015/47**. Erf 284 Hermanus was previously a portion of Erf 243 Hermanus (commonage) as per **S.G. Diagram 6666/48**. Erf 260 Hermanus was previously known as a portion of Portion 1 of Erf 271 Hermanus.

Erven 260 and 284 Hermanus are 142m<sup>2</sup> and 12m<sup>2</sup> in extent respectively and are held by Title Deed Number T16483/2022. Remainder Erf 295 is 815m<sup>2</sup> in extent and is held by Title Deed Numbers 37728/1999 and T21829/2011.

## **2. APPLICATION DETAILS**

Application is made in terms of:

- **Chapter 4, Section 13(5) and (6) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020**, an owner who believes that the zoning map contains an error in respect of their property may apply to the Municipality for the zoning to be corrected.
- **Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020**, for the consolidation of Erven 260, 284 and Remainder Erf 295 Hermanus.

## **3. DESIRABILITY**

### **3.1 PROPERTY DESCRIPTION**

Erven 260, 284 and Remainder 295 Hermanus are located on the corner of Cliff Road and Westcliff Road, Westcliff, Hermanus. Please refer to the enclosed locality plan and the aerial photograph below.

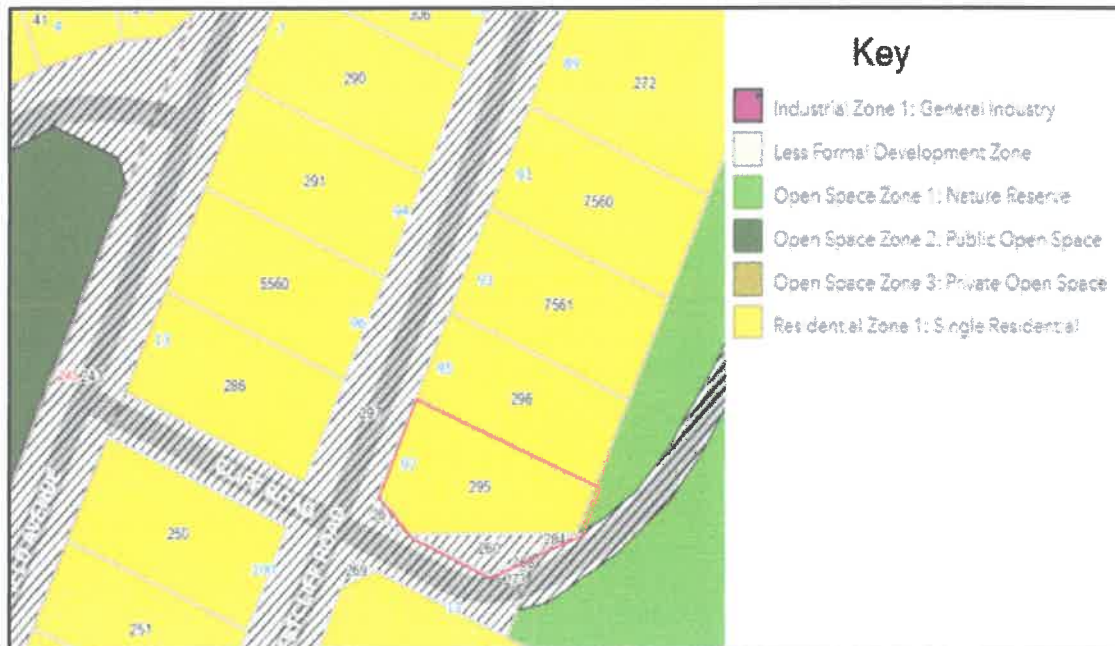


### **3.2 ZONING**

Remainder Erf 295 Hermanus is zoned Residential Zone 1 and is used as such. Erven 260 and 284 Hermanus are zoned Transport Zone 2: public road as per the Geographic Information System of the Overstrand Municipality. A status report, attached as Annexure A obtained from the Surveyor-General's Office dated 5

**September 2022** states that Erven 260 and 284 Hermanus are identified as **ordinary erven** according to their records. The Property Administration Department of the Overstrand Municipality confirmed telephonically that the erven are not part of the Municipal Asset Register and that the zoning of the aforementioned erven has been incorrectly allocated and it should be Residential Zone 1. The subject erven can therefore be consolidated as the zoning of all the erven is Residential Zone 1. It should also be noted that Erven 260 and 284 Hermanus were registered in the owner's name as recent as 2022 – they are held by Title Deed Number T16483/2022.

The surrounding properties are also zoned for single residential purposes, public roads, nature reserves and public open space. Please refer to the zoning map abstract below:



### 3.3 LAND USE

Erven 260, 284 and Remainder Erf 295 Hermanus are used for residential purposes. A single storey dwelling and single garage are situated on Remainder Erf 295 Hermanus, and a portion of the swimming pool is situated on Erf 260 Hermanus.

Land uses that surround Erven 260, 284 and Remainder Erf 295 Hermanus are single dwellings, public roads, nature reserve and a public open space. It is therefore evident that Erven 260, 284 and Remainder Erf 295 Hermanus are situated within a predominantly single residential area.

### 3.4 PROPOSAL

The following is proposed:

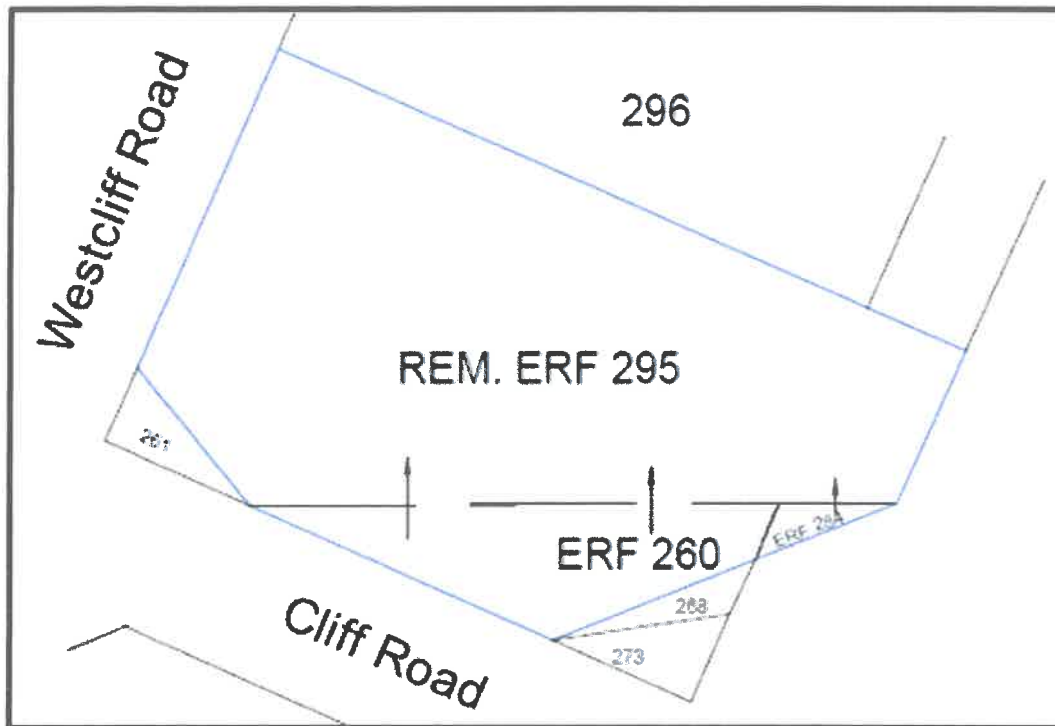
- **Chapter 4, Section 13(5) and (6) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020**, an owner who believes that the zoning map contains an error in respect of their property may apply to the Municipality for the zoning to be corrected.
- **Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020**, for the consolidation of Erven 260, 284 and Remainder Erf 295 Hermanus.

A status report, attached as Annexure A, was obtained from the Surveyor-General's office and is dated **5 September 2022**. The status report states that Erven 260 and 284 Hermanus are identified as ordinary erven according to their records. The Property Administration Department of the Overstrand Municipality also confirmed that the erven are not part of the Municipal Asset Register and that the zoning of the aforementioned erven has been incorrectly allocated and it should be Residential Zone 1. Please refer to our email correspondence with the Property Administration Department of the Overstrand Municipality that we have attached as Annexure B.

#### 3.4.1. Proposed Consolidation

The intention of the owner of the subject properties is to consolidate Erven 260, 284 and Remainder Erf 295 Hermanus. The subject erven are owned by one owner, and the subject erven are already used as one consolidated erf. The detail of the consolidation is tabled below:

<b>TOTAL EXTENT OF THE PROPOSED CONSOLIDATION</b>	<b>±969m<sup>2</sup></b>
<b>PROPOSED CONSOLIDATION ERVEN 260, 284 AND REMAINDER ERF 295 HERMANUS</b>	Erf 260: <b>142m<sup>2</sup></b> Erf 284: <b>12m<sup>2</sup></b> Remainder Erf 295: <b>815m<sup>2</sup></b>
Please refer to the enclosed consolidation plan and abstract below.	



As per the Geographical Information System of the Overstrand Municipality, Erven 260 and 284 Hermanus are zoned Transport Zone 2: Public Road: A status report from the Surveyor-General's Office dated 5 September 2022 however confirms that erven 260 and 284 Hermanus are indicated as ordinary erven according to their records. The Property Administration Department of the Overstrand Municipality confirmed that the zoning of the aforementioned erven has been incorrectly allocated and should also be Residential Zone 1. The subject erven can therefore be consolidated as the zoning of the erven are Residential Zone 1.

The proposed consolidation of Erven 260, 284 and Remainder Erf 295 Hermanus is not in contrast with the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application. The subject properties are owned by the same owner and are already used as one erf and therefore will the proposed consolidation be desirable.

The proposed consolidation of the abovementioned properties will not have a negative impact on the environment, traffic or character of the area. The land use will remain unchanged. We therefore do not anticipate any problems with the proposed application.

### 3.5 ACCESS

Pedestrian access to the dwelling situated on Remainder Erf 295 Hermanus is via Cliff Road over Erf 260 Hermanus. Vehicular access to Remainder Erf 295 Hermanus, the single garage, is currently from Westcliff Road. The existing access points will remain unchanged and no new access points are proposed. Erven 260 and 284 Hermanus are used as an extension of the Remainder Erf 295 Hermanus.

The subject properties will still be used for single residential purposes only, no additional erven are proposed and therefore the impact on the traffic flow in the area will remain unchanged.

### 3.6 SERVICES.

All services on Remainder Erf 295 Hermanus already exist and the consolidation of Erven 260 and 284 Hermanus with Remainder Erf 295 Hermanus will not require any additional services.

### 3.7 TITLE DEED

Title Deed Numbers T16483/2022, T37728/1999 and T21829/2011 have no restrictions that need to be removed in order for this application for the consolidation of erven 260, 284 and Remainder Erf 295 Hermanus to be approved. The ownership of the subject properties are tabled below for easy reference:

Erf No.	Title Deed No.	Description	Date captured	Owner
Erven 260 & 284	T16483/2022	Sole ownership	23 April 2022	Ms. M.K.A. Esser
Rem. Erf 295	T21829/2011	Half ( $\frac{1}{2}$ ) share	16 May 2011	Ms. M.K.A. Esser
Rem. Erf 295	T37728/1999	Half ( $\frac{1}{2}$ ) share	19 April 2011	Ms. M.K.A. Esser

There are no bonds registered against Erven 260, 284 and Remainder Erf 295 Hermanus.

### 3.8 FORWARD PLANNING

#### **Overstrand Municipal Spatial Development Framework (2020).**

The Overstrand Spatial Development Framework (2020) earmarks the area where Erven 260, 284 and Remainder Erf 295 Hermanus are situated, for urban development purposes. Refer to the Spatial Development Framework Plan (2020) below. The land use of the newly consolidated property will remain unchanged (Residential Zone I: Single Residential for single residential use). As a result, the impact of the proposed consolidation on the spatial integrity of the area will be minimal and is therefore consistent with the **Overstrand Municipal Spatial Development Framework (2020)**.



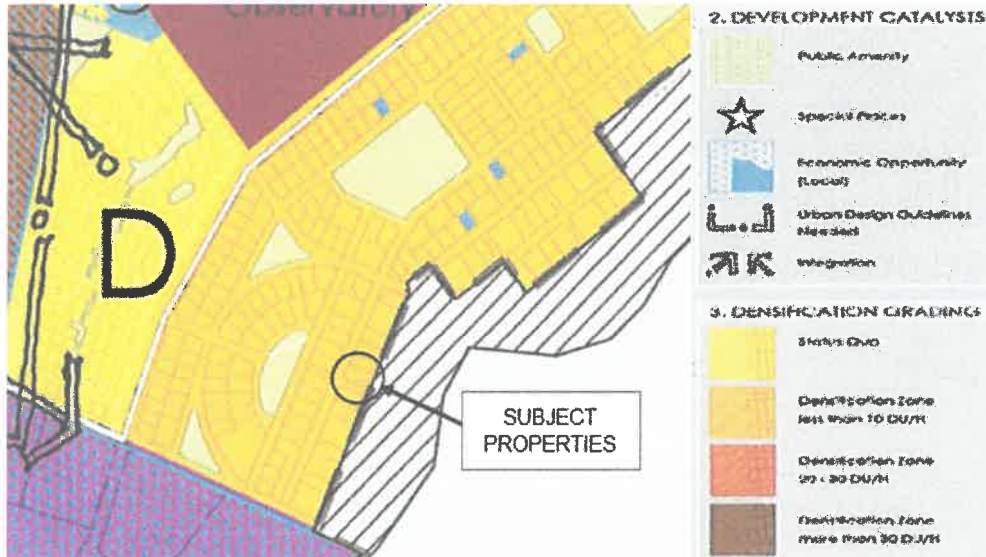
#### **Overstrand Growth Management Strategy (2010)**

The Overstrand Municipality's densification policy stipulates that it is important to enhance and protect the character of the existing low-density residential area such as Westcliff, while still sensitively densifying where appropriate. This ensures that a wide range of erf sizes and types of development are available within the greater Hermanus area. We are of the opinion that the proposal is in line with the **Overstrand Growth Management Strategy (2010)** and can the proposed consolidation be supported.

The Overstrand Municipal Growth Management Strategy (OMGMS,2010) specifies that Erven 260, 284 and Remainder Erf 295 Hermanus are part of Planning Unit

no. 16 that consists of the established Westcliff residential area. Refer to the extract from the OMGMS (2010) Proposals Plan below for Hermanus Central:

Densification is proposed for this area by means of subdivision to allow for a



second  
and third  
dwelling  
unit

respectively.

This application does however not propose to create any additional portions, nor does it propose the construction of an additional dwelling unit on the subject property. The density will therefore remain unchanged.

From the above it is evident that the proposed consolidation adheres to the spatial planning policies for the Hermanus area and subsequently falls within the existing planning for the Hermanus area.

### 3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

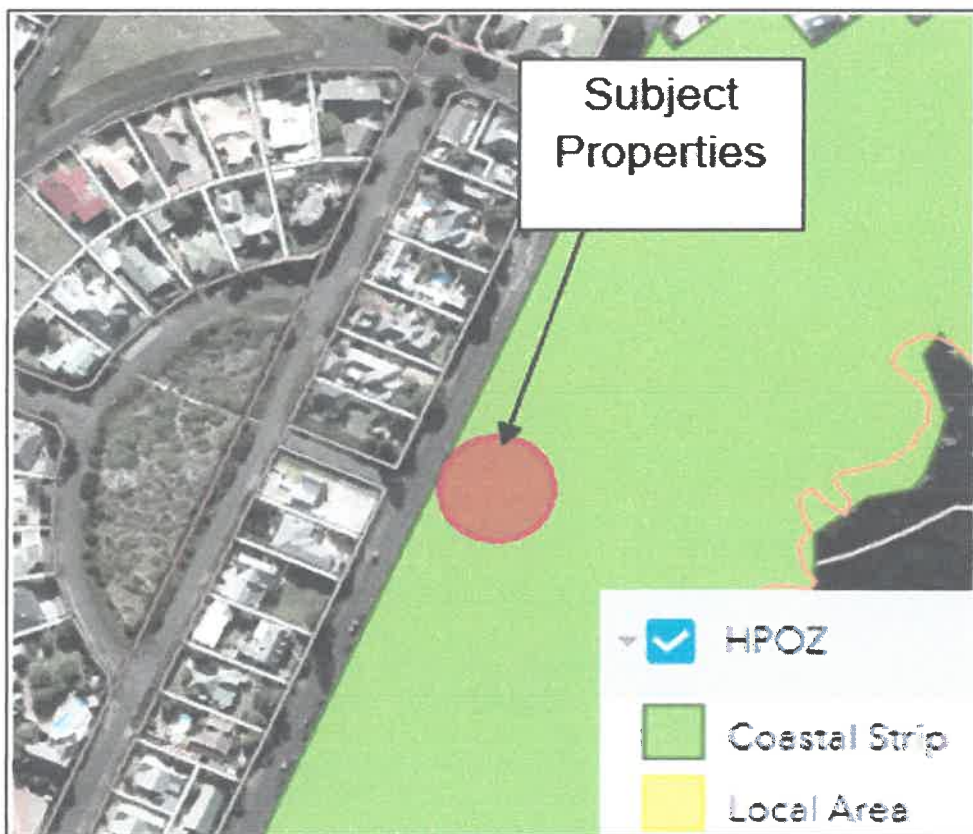
#### 3.9.1 HERITAGE VALUE

Erven 260, 284 and Remainder Erf 295 Hermanus are not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject properties are not associated with any important persons or groups or important events and activities. The subject properties have no association with the history of slavery and are not used for living heritage.

In light of the above mentioned it is evident that the proposed consolidation will not have a negative impact on the heritage value of the subject properties or the greater area of Westcliff, Hermanus.

The subject properties are situated in an area classified as the coastal strip as seen in the abstract from the Overstrand Municipal Geographical Information System. The proposed consolidation does not have any impact on the aforementioned area.



### **3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT**

The proposed consolidation does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

### 3.10 PLANNING PRINCIPLES

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

**Spatial Justice:** The proposed consolidation is in line with the current erf sizes and land use tendencies in the vicinity within the Westcliff, Hermanus area. The proposed consolidation allows the smaller erven to be used as an extension of Remainder Erf 295 Hermanus. It is also important to note that the subject properties are already used as a consolidated property.

**Spatial sustainability:** The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and erf size of the consolidated property will be in line with the residential character of this specific area of Westcliff.

**Efficiency:** The proposed application for the consolidation of erven 260, 284 and Remainder 295 Hermanus will promote the optimisation of the use of space within a developed residential area. The proposed consolidated property is very accessible.

**Spatial Resilience** in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

**Good administration:** Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

#### 4. **RECOMMENDATION**

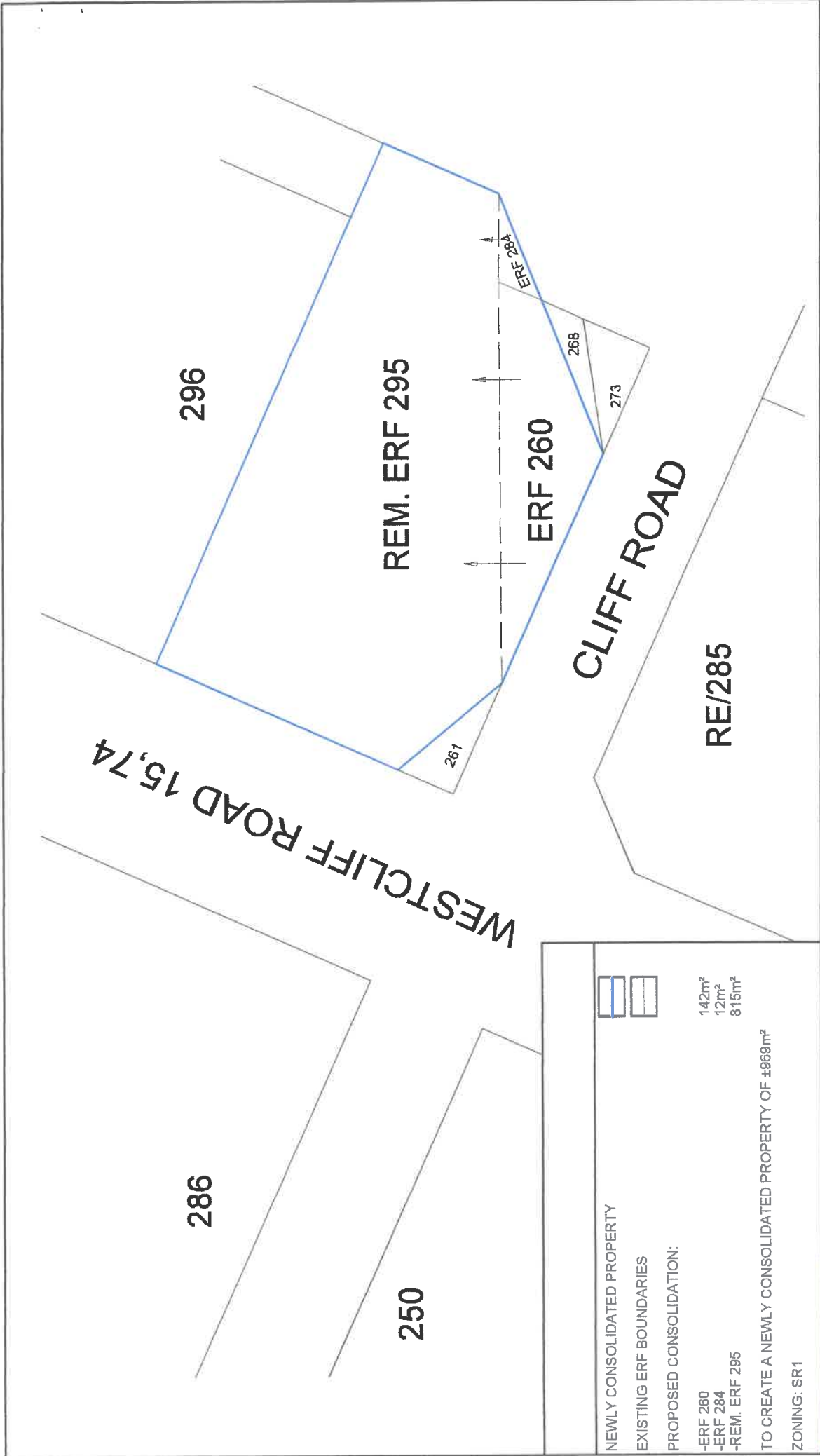
When this application is evaluated, it is important to take note of the following:

- The proposed consolidation of erven 260, 284 and Remainder Erf 295 Hermanus fall within the existing land use tendencies in the area;
- The proposal is compatible with the existing erf sizes in the area;
- The proposed consolidation will not have a negative impact on the current character and land values of the surrounding erven.
- The subject properties are already used as one consolidated erf;
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the consolidation of Erven 260, 284 and Remainder Erf 295 Hermanus.



<b>PLAn</b> Active	Stads- en Streeksbeplanners Town & Regional Planners		Property Description: <b>ERVEN 260, 284 AND          REM. ERF 295          HERMANUS</b>		Plan Description: <b>LOCALITY MAP</b>		Scale: <b>NTS</b> Drawing Nr: erf 295 hermanus.dtw Date: <b>AUGUST 2022</b>	
	All distances approximate and subject to survey.  COPY RIGHT RESERVED		S. 2479/11 S. 2479/17 S. 2479/11					



NEWLY CONSOLIDATED PROPERTY

EXISTING ERF BOUNDARIES

PROPOSED CONSOLIDATION:

- ERF 260 142m²
- ERF 284 12m²
- REM. ERF 295 815m²

TO CREATE A NEWLY CONSOLIDATED PROPERTY OF ±969m²

ZONING: SR1



142m²  
12m²  
815m²



Stads- en Streeksbeplanners  
Town & Regional Planners

All distances approximate and subject to survey.

COPY RIGHT RESERVED

Property Description:  
ERVEN 260, 284 AND  
REMAINDER ERF 295  
HERMANUS

Plan Description:  
**CONSOLIDATION  
PLAN**

Scale: **1:400**  
Drawing Nr: consol plan.dwg  
Date: SEPTEMBER 2022

