

ENQUIRIES | NAVRAE: Mr S van der Merwe (Senior Town Planner)  
FILE REF | LEËRVERW: 95&96 GPB  
APP ID | AANSOEK ID: 4324/2023  
DATE | DATUM: 06 February 2023

Dear Interested and Affected Party

REGISTERED MAIL

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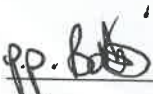
**NOTICE TO AFFECTED PERSONS**

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**ERVEN 95 & 96, 2 & 3 SPIN STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION ON BEHALF OF SANMALIEN GROENEWALD & JACOB KEYTER VIVIERS**

Attached please find a self-explanatory notice for your attention.

Yours faithfully



S MÜLLER  
DIRECTOR: INFRASTRUCTURE AND PLANNING

**ERVEN 95 AND 96, 2 AND 3 SPIN STREET, PEARLY BEACH, OVERSTRAND MUNICIPAL AREA:  
APPLICATION FOR CONSOLIDATION: MESSRS WRAP PROJECT OFFICE ON BEHALF OF SANMALIEN  
GROENEWALD & JACOB KEYTER VIVIERS.**

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 that an application has been received to consolidate Erven 95 and 96, Pearly Beach in order to create one erf approximately 1692m<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, Paterson Street, Hermanus. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **Friday, 17 March 2023**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **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.

**ERVEN 95 AND 96, SPINSTRAT 2 & 3, PEARLY BEACH, OVERSTRAND MUNISIPALE AREA: AANSOEK  
OM KONSOLIDASIE: MNRE WRAP PROJECT OFFICE NAMENS SANMALIEN GROENEWALD & JACOB  
KEYTER VIVIERS**

Kennis word hiermee gegee ingevolge Artikel 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is om Erwe 95 en 96, Pearly Beach te konsolideer ten einde een erf ongeveer 1692m<sup>2</sup> groot te skep.

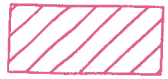
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in ooreenstemming met die bepalings van Artikels 51 en 52 van bogenoemde Verordening by die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **Vrydag, 17 Maart 2023**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **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.

**IZIZA 95 NE-96, 2 AND 3 SPIN STREET, PEARLY BEACH, INDAWO KAMASIPALA WASE-OVERSTRAND:  
ISICELO SOKUHLANGANISA: WRAP PROJECT OFFICE EGAMENI SANMALIEN GROENEWALD &  
JACOB KEYTER VIVIERS**

Isaziso siyanikezelwa ngokweCandelo lama-48, elifundwa kunye neCandelo le-16(2)(e) loMthetho kaMasipala weOverstrand woCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 sokuba isicelo sifunyenwe ukudibanisa iSiza 95 no-96, ePearly Beach ukuze kuyilwe indawo enye emalunga ne-1692m<sup>2</sup> kwindawo.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama- **uLwesihlanu 17 EyoKwindla 2023** unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela, **uMnu SW van der Merwe** kule nombolo 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

# 1. Locality Plan Erven 95 & 96 - Pearly Beach



Subject property

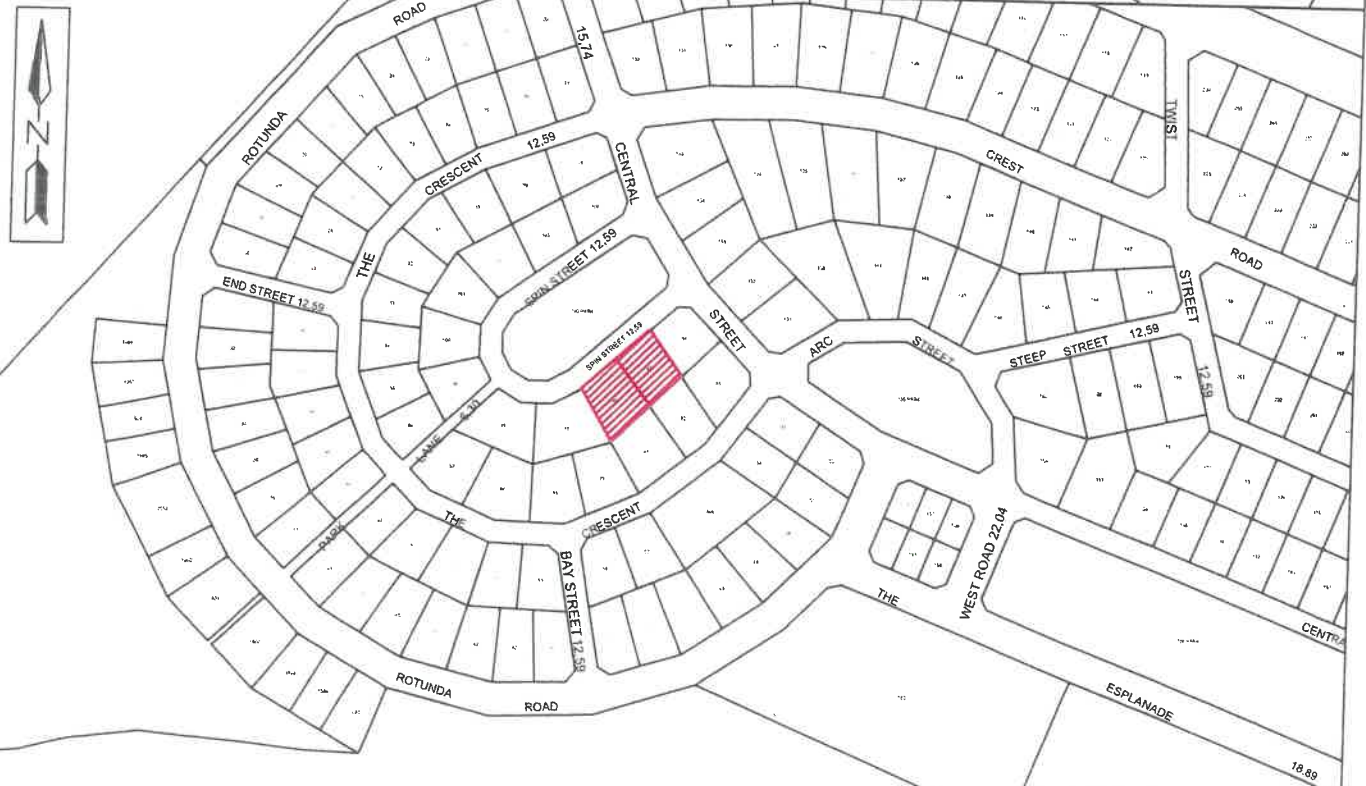
Plan prepared by: Thian Jansen  
 Tel: 028 313 1411  
 Email: admin@wrapgroup.co.za  
 Unit B, Standard House,  
 Corner of Royal and Dirkie Uys  
 Street Hermanus, 7200



**Project Office**  
 Town Planning & Project Management



**Scale 1 : 1000**



**Scale 1 : 4 000**



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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 95 Pearly Beach	Erf 96 Pearly Beach
<b>Extent</b>	789m <sup>2</sup>	903m <sup>2</sup>
<b>Zoning</b>	Residential Zone 1: Single Residential	

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### 3. BACKGROUND AND INTENT

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Erven 95 and 96 Pearly Beach, hereafter referred to as the subject properties, are located in the residential area of Pearly Beach in Spin Street (refer **Plan 1 – Locality Plan**). The property owner of Erf 95 Pearly Beach purchased and is in the process of taking transfer of Erf 96 Pearly Beach. Her intention is to consolidate these properties and create a large property. As the transfer has not been registered yet, both property owners have appointed WRAP Project Office to submit this land use application on their behalf (refer **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 property owner's requirements are met. The following is proposed:

**4.1 Consolidation** of Erven 95 and 96, Pearly Beach in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

There are several reasons as to why the property owner wants to consolidate these two properties. Some potential benefits of consolidation include:

- **Increased property value:** Combining two properties into one can create a larger and more valuable piece of real estate. This can be especially beneficial if the properties are located in a desirable area or if they have unique features or amenities.
- **Improved efficiency:** Consolidating two properties can make it easier to manage and maintain the combined property. This can be especially useful for property owners who have multiple properties that are spread out across a large area.
- **Reduced expenses:** By consolidating two properties, a property owner may be able to save money on items like property taxes, utilities, and maintenance costs.
- **Greater control:** Consolidating two properties can give a property owner greater control over the combined property. This can be useful for property owners who want



## MOTIVATION

to ensure that the properties are being used in the best way possible to meet their vision.

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

Proposed Consolidation	
Erf 95, Pearly Beach	789m <sup>2</sup>
Erf 96, Pearly Beach	903m <sup>2</sup>
Consolidated Property	±1692m <sup>2</sup>

### 5. APPLICATION

Considering the above, application is made for the following:

**5.1 Consolidation** of Erven 95 and 96, Pearly Beach in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

### 6. 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).

### 7. TITLE DEED

Title deeds T36398/2013 and T119081/1997 (refer **Annexure B – Title Deeds**) were perused and there are no restrictive conditions that prohibit the consolidation of these properties.

### 8. 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>Primary use</b>	Crèche, <b>Dwelling House</b> , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House
<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.	-
<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%	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	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.	Comply
<b>Garages and carports</b>	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	Comply
		Comply



**9. 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 an additional load on the existing services as the consolidated property will only be used for single residential purposes.

Solid waste will be collected every week by the OM and taken to the nearest transfer station.

**Access and Egress**

Access and egress to the proposed consolidated property is proposed from Spin Street.

**10. 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 property owners. In order to achieve this, the 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	The subject property is not listed in the OM Heritage Register.
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 is being provided in terms of the OMLUS.



To meet their requirements, the property owners have appointed WRAP Project Office to submit this application to ensure the additions are not in contravention of any policies, legislation, or title deed conditions.

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

The subject properties are located in a residential setting and any proposed building plans will be scrutinized by the building control department to ensure the proposed development is 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 property is not located within an environmentally important area.

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**11. POLICIES AND REGULATIONS**

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

The subject property is not located within the EMOZ.

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

The subject property is not located within the HPOZ.

**11.3 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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**12. 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.



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### **Spatial sustainability and Efficiency**

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is to utilise the property to its maximum extent. The proposed consolidation and improvement of the property will optimise the utilisation of space on the 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.



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**13. 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 property 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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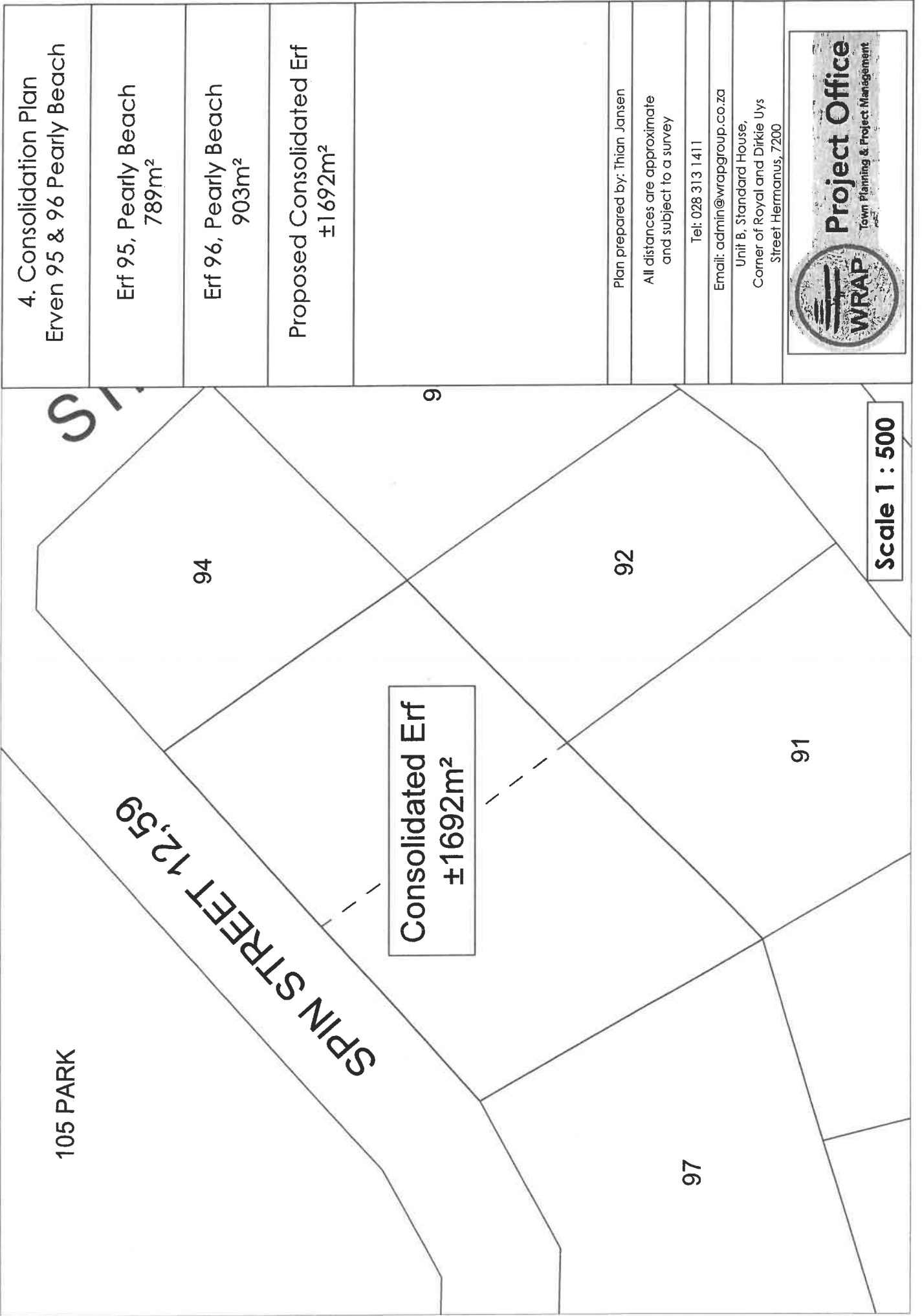
**14. RECOMMENDATION**

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

- 14.1 Consolidation** of Erven 95 and 96, Pearly Beach in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.





4. Consolidation Plan  
Erven 95 & 96 Pearly Beach

Erf 95, Pearly Beach  
789m<sup>2</sup>

Erf 96, Pearly Beach  
903m<sup>2</sup>

Proposed Consolidated Erf  
±1692m<sup>2</sup>

Plan prepared by: Thian Jansen

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

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

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Corner of Royal and Dirkie Uys  
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**Project Office**  
Town Planning & Project Management

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