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ERF 932, 30 MARINE DRIVE, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR SUBDIVISION: KROEP & ROSSOUW PROFESSIONAL LAND SURVEYORS ON BEHALF OF UNIVERSITY CAMPUS LIVING (PTY) LTD & OPHISOL (PTY) LTD

932 HVM (4946/2025)

H Olivier

26 January 2026

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 28 March 2025 from Kroep & Rossouw Professional Land Surveyors on behalf of University Campus Living (Pty) Ltd and OPHISOL (Pty) Ltd in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 to subdivide Erf 932, Vermont into 2 portions namely, Erf X ($\pm 567\text{m}^2$) and a Remainder ($\pm 509\text{m}^2$).

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

Erf 932 is situated on the corner of Marine Drive and Albatross Street, Vermont. There was a dwelling on the property, but it was recently demolished.

The property is situated in a single residential area of Vermont and measures 1076m^2 in extent. It has a slight gradient with a slope in a southern direction, and all vegetation has been removed from the property.

An application has now been received to subdivide the property into two (2) single residential erven.

4. SUMMARY OF APPLICANT'S MOTIVATION

THE MOTIVATION CAN BE SUMMARIZED AS FOLLOWS:

- ❖ There is no bond registered on the property.
- ❖ There are no restrictive conditions in the Title Deed prohibiting the subdivision.
- ❖ New Portion X will have access from Marine Drive and the Remainder Erf 932 from Albatross Street.
- ❖ Additional electricity of 5,96kVA will be required. Each property will be provided with 8KW solar and inverter systems.
- ❖ The natural fall on the property to the southeastern corner will ensure that stormwater will drain to Marine Drive.
- ❖ The stands will connect to the 160mm sewer main in Marine Drive.
- ❖ The Erf X will have a new water connection in Marine Drive while the Remainder will use the existing connection in Albatross Street.

- ❖ The property is zoned Single Residential (SR 1)
- ❖ The surrounding area has single residential stands.
- ❖ There are no servitudes on the property.

Desirability

- The old dwelling was removed, and the owner wants to build two smaller houses, which will allow more economical access to the scarce land.
- Although this will lead to densification, coverage will not be increased. The Growth Management Strategy does not recommend increased density but considering the new building lines that will be applicable, there will be fewer square meters that can be built than allowed on one property. This will retain the character of monolithic rather than augmented structures.
- The property direct west (Erf 562 is 714m² and Erf 1163 directly north is 614m², which compare well with the proposed erven of 567m² and 509m².
- Other erven n Hermanus West precinct, Planning Unit 1, Coastal Interface Zone A3 are similar size, and some are smaller than 500m².

The erf is situated in an Environmental Overlay Zone (EMOZ), but:

- It does not have environmentally sensitive features,
- It will be a low-impact subdivision as it is in line with surrounding land use patterns and density in Vermont, and the modest scale ensures that the visual and ecological footprint is minimal.
- Existing roads and services will be used, which supports the EMOZ principle of efficient land use within existing urban footprint.
- Environmental consideration and Compliance – All environmental and building regulations will be complied with, and measures will be undertaken to ensure minimal disruption of the natural character of the area.
- EMOZ regulations- No prohibited activities will take place.
- There will be compliance with the Coastal Interface Zone A3 constraints, and no Departures of height or coverage are applied for.
- Coastal Environmental Overlay Zone Schedule A and B will not be triggered as no prohibited activities will take place and any activities where councils consent is required will be applied for if applicable.

Heritage Protection Overlay Zone (HPOZ)

- The proposed size of the portions after subdivision will be in line with other properties in the same overlay zone to preserve the grain of the environment with limited building footprints and low building to plot ratio.
- The front façade from Marine Drive will decrease due to the building lines of the subdivision.
- The site is situated in a Coastal Strip Heritage Protection Zone, but it is not earmarked as a Local Heritage Site.
- The new proposed erf sizes compare well with the existing grain and texture of the surrounding area.
- The Heritage and Aesthetics committees will consider any building plans building height, roof treatment, architectural style etc. will be dealt with.

PLANNING PRINCIPLES

- ❖ **Spatial Justice**
Limited impact on spatial justice other than creating two more affordable properties thus making access to land easier.
- ❖ **Spatial Sustainability**
Densification counteracts urban sprawl and protects agricultural land. The stand is large at 1076m², and surrounding properties are closer to 500m² in size. No EMOZ activities are triggered, and it will enhance the objectives of the HMOZ.
- ❖ **Efficiency**
Will be a more efficient use of land as infrastructure and maintenance cost will be lower. Densification is evident in the Coastal strip, which help optimally use engineering services, open spaces and community services.
- ❖ **Spatial Resilience**
No comment provided.
- ❖ **Good Administration**
The correct consultation process is followed in consultation with the Municipality, and relevant government tiers and the public are enabled to participate.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	Yes	21 August 2025	26 September 2025
E-mail notices & on-site notice	Yes	21 August 2025	26 September 2025
Internal departments	Yes	21 August 2025	26 September 2025
Ward councillor	Yes	21 August 2025	26 September 2025
Total comments	NINE (9)		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 46 - 50 of the By-law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Fire Department	26/08/2025	No objection, subject to compliance with fire regulations.

Building Control	28/08/2025	No objection.
Overberg District Health	12/09/2025	No objection.
Municipal Environmental	14/10/2025	No objection.
Engineering Services	26/08/2025	See Annexure F.
Telkom	27/08/2025	See Annexure G.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

The application was duly advertised in the local newspaper. Notices were e-mailed to surrounding residents in the area and the Vermont Ratepayers Association. A notice board was also placed on-site by the consultant.

Eight (8) objections were received in time, and one (1) late objection was received. The one objection was submitted as a petition with eight (8) property owners providing comments. The format was not correct, but the points of objection are the same as submitted by other objectors.

List of objectors	
1. K Kielblock	
2. Dr CJ Barnard	
3. AJ Franken	
4. SM Viljoen	
5. K (Heyns) Barnard	
6. A Penver	
7. KF Pretorius	
8. GV Attorneys – Ms A Visser	<i>PETITION LIST</i>
9. A Visser on behalf of M Barnard –	<i>LATE OBJECTION</i>

The applicant was provided with an opportunity to respond to the objections received. The objections are attached as Annexure D and the applicant's response is attached as Annexure E respectively.

The objections, the applicant's reply and the Municipal Town Planner's response thereon can be summarized as follows:

OBJECTION 1

THE COMMENTS AND LETTERS FORM PART OF THE PETITION LIST.

APPLICANT'S RESPONSE

The petition list does not conform to the prescribed format.

The concerns will be responded to, but the Municipality will have to determine the validity of the petition list.

TOWN PLANNER'S RESPONSE

The comments are noted. The objections submitted as a petition does not conform to the prescribed format as stipulated in the By-law.

Full letters with reasons, persons details and addresses of the objectors were however submitted. The points of objections are the same as received from the other objectors and will anyway be discussed in this report.

The administration will only inform the person who submitted the "petition" of the final decision when made by the deciding authority.

**OBJECTION 2*****INCONSISTENT WITH THE OVERSTRAND SDF SPATIAL PLANNING POLICIES.***

SDF designate the area as low-density coastal village.

SDF states densification must be directed at urban nodes where bulk infrastructure exists, edge settlement like Vermont should not be subjected to incremental urban intrusion and green corridors and natural linkages should be conserved.

APPLICANT'S RESPONSE

- Vermont is within the urban edge, and the proposal is rather managed infill within the existing town footprint.
- The SDF promotes the provision for different housing types.
- The SDF allows appropriate infill that remain consistent with the surrounding pattern and seeks to prevent mass housing, multistorey, or bulk apartments, not individual subdivisions and detached dwellings.
- There is no public green corridor in this area, and limited infill planning can be allowed provided that the village character be maintained and the environmental and character guidelines are met.

TOWN PLANNER'S RESPONSE

The Overstrand Municipality SDF, 2020 does allow some infill planning within the urban edge, and the applicants comments are correct in such regard.

The Overstrand also approved a Overstrand Municipality Spatial Growth Management Strategy (OMSGMS) in 2010, as a tool to guide densification. It has the status as a guideline document at this stage.

In terms of the OMSGMS the area is earmarked as Status Quo. Although no densification is promoted in this area, development that is in line with the surrounding area can be considered. Erf 932 is situated in a Visually sensitive interface area, and buildings with fragmented form rather than monolithic form is recommended. No increase in height and coverage should be allowed.

The OMSGMS will be further elaborated on in the evaluation part of this report.

+ OBJECTION 3
ENVIRONMENTAL THREATS/CONCERNS

- *Loss of natural vegetation and habitat.*
- *Soil erosion and disturbance of natural drainage.*
- *Increased risk of invasive alien species.*
- *Reduced ecological connectivity for green spaces.*
- *Reduce biodiversity and scenic value of neighbourhood.*
- *The Vermont seafront is a highly sensitive and unique coastal environment that has always been characterized by low-density development and natural village feel.*
- *Densification should not be allowed in coastal green belt areas.*

APPLICANT'S RESPONSE

- Natural Fynbos- Infill planning is better than urban sprawl for conservation principles.
- The site is disturbed and does not represent an intact natural fynbos ecosystem.
- Ecological corridors and Fragmentation - Will not fragment any green corridor and is not a designated conservation area or critical biodiversity area.
- Soil disturbance, runoff and alien species intrusion - Indigenous vegetation will be established in the setback for the buildings and since the erf is a low point, storm water will not affect other properties as there is an existing catch pit on the street corner. No increase in stormwater is expected.
- Reduce biodiversity and neighbours' scenic value - The site does not represent an intact natural habitat, and the proposal will not affect the regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the development pattern of the surrounding area.
- The environmental sensitivity is acknowledged. The EMOZ guidelines intend to guide development in harmony with the environment, not necessarily prohibit any change.
- The remarks in the *Silvermine* judgement that the registration of a subdivision per se has no effect on the environment, as it is only potentially affected what is physically done on the land. The application does not seek authorization of any particular use; there is thus no obvious negative environmental or biodiversity impacts or impact on infrastructure/services.

TOWN PLANNER'S RESPONSE

The objections and response thereon are noted.

The application was circulated to the Municipal Environmental Division, who provide comments in terms of EMOZ and Environmental Legislation. It was indicated that there is no objection against the application.

+ OBJECTION 4
INCOMPATIBILITY WITH THE ESTABLISHED CHARACTER OF VERMONT

- *Inconsistent with the low-density, Village character of Vermont.*
- *The area has a tranquil atmosphere, large erven and indigenous vegetation, and increased density will fragment erven and threaten visual and environmental integrity.*

- *The proposal is out of scale and character.*
- *This is a low-density development area with a natural rural village feel.*
- *The subdivision will negatively impact the character, diminish the scenic value of the area and set a precedent for more subdivisions.*
- *The SDF earmarks Vermont as a low-density residential area to protect the rural character.*
- *Densification should be directed at established urban nodes.*
- *Approving this application will directly contradict this policy and undermine the planning vision adopted by Council.*

APPLICANT'S RESPONSE

- Sufficient information was provided with factual comparisons showing the subdivision is consistent with the established scale and character of the area.
- Application is not done for a high-density use, and the zoning will remain Residential Zone 1.
- Coverage will not increase and more restrictive building lines will limit seafront stance, preserving open space and being visually coherent with the village form.
- The proposal represents a balanced and responsible form of infill development that is consistent with municipal planning objectives, promotes sustainable land use and supports orderly development of the coastal settlement.

TOWN PLANNER'S RESPONSE

This area has a strong single residential character. There are properties in the area (100m radius) measuring minimum 585m² and the largest 2039m². The erven fronting Marine Drive for 140m east and west of the erf were considered and the smallest erf is 684m² and the largest (excluding Erf 932) is 986m².

There are erven behind the seafront erven that is 585m² and 614m², and there were also subdivisions of erven 555 and 552 for portions of 535m² and 555m², but these approvals lapsed. However, no smaller subdivisions were approved next to Marine Drive in this area.

The applicant did provide additional information regarding erf sizes of the larger surrounding areas of Vermont and Onrustrivier. This will be discussed in more detail under Objection Point 6.

Then further, the subdivision will create a new boundary with a total of 4m building lines in the centre of the existing property in a north south direction. It would however allow a 3m Land Use Scheme and 3,15m Title Deed street building line for a new dwelling next to Albatross Street, instead of the existing 4m building line. Coverage will not increase and the building height restriction will remain the same. Properties with sea views down Albatross Street could therefore be impacted.

It is the opinion that careful consideration should be given in considering this application, especially considering that the sea front row of erven has a specific character with larger erven in this area. It will be further elaborated in the evaluation part of this report.

 **OBJECTION 5**
INFRASTRUCTURE AND SERVICES CAPACITY CONSTRAINTS

The Vermont infrastructure was designed for low-density development and increase in density would place pressure on the systems potentially leading to overloading of sewerage network, increased stormwater and flooding risk, and degradation of road surfaces due to more traffic. No evidence was provided to confirm there is sufficient capacity or infrastructure has been upgraded.

APPLICANT'S RESPONSE

- The Municipal Engineering Branch confirmed there is sufficient services capacity for the subdivision of the erf.
- Further, the Municipality may impose a condition of approval that a bulk services fee be charged that can be used to upgrade external Municipal services.
- Internal engineering services will be for the cost of the developer.
- The developer will have to contribute R68 142,00 as a bulk services levy to the Municipality.
- There is compliance with the Overstrand Municipality Water Services Development Plan (WSDP) and there will be no significant impact on the existing Wastewater Treatment Works.
- Storm water will not be impacted as Erf 932 is situated in a low point and potential runoff will not impact other properties.
- Sufficient capacity exists in the street segment and the adjacent intersections to accommodate the new estimate traffic for the one additional stand.

TOWN PLANNER'S RESPONSE

The comments are noted.

The Municipal Engineering Branch did confirm to the applicant that there is sufficient services capacity in the area to accommodate the application. There is also sufficient accessibility to the Municipal road network.

Eskom provides electricity in the area. The application was circulated to Eskom and no comment was received, and it is then considered that Eskom has no objection against the application.

 **OBJECTION 6**
CUMULATIVE PRECEDENT AND PROPERTY VALUE RISK.

- *Could create a precedent for more such applications, possibly impact the character of the area in the long term and potentially leading to a reduction in property values for property owners who purchased in this area for the low-density character.*
- *Erode the peaceful character, diminish aesthetic appeal and undermine existing houses property values.*
- *SDF warns against piecemeal, ad hoc approvals undermining the settlement character.*

APPLICANT'S RESPONSE

- Factual comparisons were provided that the subdivision is in line with the established scale and character and does not create a precedent for similar subdivisions.
- In Hermanus West Precinct, Planning Unit 1, Coastal Interface A3, several erven of comparable or smaller size already exist, demonstrating consistency with the established development pattern. Many erven are smaller than 500m².
- In the immediate area Erf 562 is 714m² in size and Erf 1163 is 614m² in size.
- Erf 561 at 34 Marine Drive measures 684m² in size.
- This confirms the development will be in harmony with the prevailing scale and grain of development along local and broader Vermont contexts.
- The average erf size within the Heritage Protection Overlay Zone is approximately 632m², with a standard deviation of 214m².
- Around 50% erven fall between 418m² and 567m².
- Regarding potential precedent, only three erven larger than 1000m² in the Protection Overlay Zone (Erven 932, Erf 3044 and 4176) has realistic potential to be subdivided. This cannot be considered a precedent.
- With regards to impact on property values, it can only be considered if any disadvantages will result from the proposal on a neighbouring property, which would not have been known or reasonably been expected by informed parties in the purchase or sale of their own properties. The neighbours would have known or could reasonably have expected that this would also happen with the property.
- Property value is what a person would pay for a property, and a buyer would pay at the time of sale, and the modifier of such potential is existing controls laid down in the Scheme and Title Deed conditions. Informed parties would acquaint themselves with the permissible limits.
- Market conditions may also influence if properties in the surrounding area will or will not be exploited. This will all be used to determine market price.
- Aesthetics, intrusion, overshadowing and invasion of privacy are examples of disadvantages, but only commence and derogate from the market value if it exceeds the expectations of the hypothetical informed parties.
- The objectors should have been aware the Overstrand Scheme disadvantages allowing for a main and second dwelling on a property.

TOWN PLANNER'S RESPONSE

The comments are noted.

The erven under 500m² identified by the applicant are some smaller Residential Zone 1 erven mostly in Onrustrivier, and some Group Housing erven. The erven that were listed by the applicant that falls in the Heritage Protection Overlay Zone is noted. The smallest Residential Zone 1 erf on the list in Vermont are 538m² (Erven 1168 and 1169). It is also to be noted that there were several erven in this wider identified area and sea front areas that were already smaller and closer to 500m² in extend, and there was already a specific character for smaller erven for such areas.

The same with Erf 2792, Onrustrivier which measures 481m². Surrounding erven are mostly under 500m², and this was the character of the area when that part of Onrustrivier was established.

The applicant's motivation is that erven in the Protection Overlay Zone has an average erf size of 632m². Both Vermont and Onrustrivier erven were considered in such calculation. The afore mentioned and the comment that 50% erven fall between 418m² and 567m² is questioned, as the smallest erf on the list is 486m². The applicant also worked out a deviation/variation of 214m² and now apply it downwards to motivate his case. The correctness of the afore-mentioned motivation is therefore not concurred with in motivating precedent. The opinion is however that the concerns are more about the specific impact on the character of the immediate surrounding area, than the creation of a precedent.

The applicants' comments on property values are noted, and to a large extent concurred with. The only point that is not supported is, that it could reasonably have been expected by surrounding neighbours that application would be made for the subdivision of the erf. It is reasonable for surrounding property owners to know that the property owner could construct a main and second dwelling on the property, but this subdivision allows for two main dwellings and two second dwellings in the same area, that would not necessarily have been reasonably expected by neighbours. The same with the fact that a 3,15m Title Deed street building line for the new portion next to Albatross Street will be applicable for the construction of the dwelling (and 4m for garaging with direct access from the street), and not a general 4m building line.

It is fair to say that a smaller vacant plot next to the sea front would be less expensive than a larger plot. Property value is however also determined by the size and standard of the building that will be constructed on such stand. It is therefore speculative to presume that the subdivision of the erf will lower or raise the property values of surrounding properties.

OBJECTION 7

LACK BASIC TRANSPARENCY AND APPLICANTS TRACK RECORD.

- *The owners only have a track record in student accommodation developments in Potchefstroom, but no record in coastal or environmentally sensitive residential areas are available.*
- *Their record raises concern if they can undertake a responsible development in this sensitive area.*

APPLICANT'S RESPONSE

- The applicant's personal background and portfolio is not a planning consideration in terms of the planning By-Law. The legal requirement is that the decision-maker only considers all relevant matters to his decision.
- The future development will comply with all applicable regulations.
- The quality and appropriateness of the development will be governed by the Overstrand Municipalities approval conditions and building control processes.

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant's opinion that the personal background and portfolio is not a planning consideration is supported.

OBJECTION 8
INADEQUATE NOTIFICATIONS TO NEIGHBOURS.

The notice was not properly served to neighbours and owners of adjacent properties; this diminished our opportunity to review the application in a timely manner.

APPLICANT'S RESPONSE

- There was compliance with Section 46 and 47 of the By-Law in terms of public notice.
- The Municipality oversees the advertisement process and supervises such process.
- A notice board was placed on-site, and the application was advertised in the local newspaper on 22 August with a closing date of 26 September 2025.

TOWN PLANNER'S RESPONSE

The comments are noted.

E-mail notices were sent to twelve (12) surrounding property owners, and a notice board was also placed on the site by the applicant to inform interested and effected parties of the application.

Applications for subdivision into two portions usually do not get advertised in the newspaper, but this application was advertised in the local newspaper.

The e-mail notices, notice board and advertisement in the paper were done on 22 August 2025, with a closing date for objections being 26 September 2025. This means a period of 35 days. This complies with the 30-day minimum period that must be provided for public to comment.

The public participation process therefore complies with the By-law.

OBJECTION 9
COMPARISON OF ERF SIZES AND SURROUNDING DEVELOPMENT RIGHTS

- *Comparing that the subdivision will be in line erf 516 in Marine Drive which is 713m² in extent is misleading, and other erven in Albatross Street have erf sizes of 962m² per plot.*
- *The erven will be substantially smaller than surrounding erven.*
- *Other erven mentioned that are smaller are not in the immediate area and should not be used in the comparison.*

APPLICANT'S RESPONSE

- There is a variation of erf sizes along Marine Drive, reflecting the organic development pattern rather than a uniform subdivision structure.
- While some erven along the seafront exceeds 900m², the SDF does not prescribe a minimum erf size for individual streets but promotes appropriate infill that maintains the overall character and scale. Erven of 509m² and 567m² remain compliant with the requirement.

- The proposal is compatible with numerous properties in the same Overlay Zone, urban fabric and visual catchment of Marine Drive.
- The proposal represents a modest refinement of the existing zoning rights, rather than a departure of the spatial intend of the SDF and zoning scheme.
- Placement of the dwellings will ensure the open streetscape and seafront views are preserved with building lines, height restrictions and landscape treatment in line with municipal standards.
- The objectors generally misunderstood the application and incorrectly assumed the application will be for a subdivision for cluster accommodation.
- The existing zoning does make provision for a primary dwelling and second dwelling, and this counteracts urban sprawl and is in line with sustainable development principles and contribute to the optimization of existing services infrastructure.
- The property owner can without any form of application construct a dwelling and second dwelling on the property. This application only allows for separate ownership. It is accepted that the Municipality will stipulate a condition that only one dwelling may be erected on each new plot.
- The approval of the subdivision will thus not increase development rights such as coverage, height restrictions or construct larger or more dwellings.

TOWN PLANNER'S RESPONSE

The comments area noted.

These concerns were already addressed under Objection 4 and 6.

The applicant indicate that it is accepted that the Municipality will stipulate a condition that only one dwelling may be erected on each new plot. The Municipality do not as a standard measure insert such conditions, and therefore the full extent of two plots with two main dwellings and two second dwellings will have to be evaluated by the Municipality.

OBJECTION 10 **HERITAGE CONCERNS**

- *The area is well known for its historic community of artists, poets and writers, with Erf 932 in the centre of the historic part of town.*
- *Jan Rabie and his wife Marjorie Wallace lived in the house behind Erf 932, and visitors to the property included Ingrid Jonker, Breyten Breytenbach, Uys Krige and Andre P Brink, renowned people. Jan Rabie pool is also in this area.*
- *Katinka Heyns, one of the most famous film producers, and her husband Chris Barnard, a renowned writer also lived on Erf 932.*

APPLICANT'S RESPONSE

- The artistic and literary community that has historically enriched this area is acknowledged.
- Erf 932 is however not located within a formally declared Heritage Area and not identified on the Overstrand Heritage Register.
- The application therefore complies with the statutory framework.

TOWN PLANNER'S RESPONSE

The comments of the objector and applicant are noted.

The application was circulated to the Municipal Building Division who comment in terms of the HPOZ areas and the Overstrand Heritage Register. They have no objections against the application.

The property is situated in the "Coastal Strip" area in the Heritage Protection Overlay Zone which will be further discussed under the Evaluation heading.

 **GENERAL COMMENTS BY APPLICANT**

The decision must be based on accurate findings of fact and a correct application of law.

The objections are vague and unsubstantiated allegations not supported by any facts, have no merits and are at best highly speculative. It is insufficient information to make a decision that the application lacks desirability.

TOWN PLANNER'S RESPONSE

The application will be considered in terms of the criteria for decision making as stipulated in terms of Section 66 of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS

All Municipal Branches and other institutions support the application.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**10.1 Background**

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

The application has no real impact on Spatial Justice.

Spatial Sustainability

The application will densify the area and help limit urban sprawl, which ensure that agricultural land and sensitive environmental land will not be developed. Sustainable spatial planning should however also consider the character of the area and surrounding properties owners' rights and be compatible with the surrounding area.

Efficiency

The application will be a more efficient use of land as infrastructure and maintenance cost will be lower. It will help to optimally use engineering services, open spaces and community services. The Municipality will also receive additional rates and taxes for the new additional erf.

Spatial Resilience

The SDF and other guideline document promote densification, but it must be sustainable.

Good Administration

Procedure as determined by the relevant By-Law of the Municipality has been followed and a good public participation process was followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

The application is consistent with the planning principles.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies

In terms of the Overstrand Growth Management Strategy, 2010 (a guideline document), this area of Vermont has a Status Quo allocation. Some subdivisions have been allowed in the past in such areas if it is in line with surrounding development.

In terms of the Overstrand Municipality SDF, 2020 this area is earmarked for urban development. Some form of densification can be allowed if it is in line with surrounding development.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services

The area is already serviced, and the new residential erf will link into existing services infrastructure.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The surrounding area is developed with single Residential Zone 1 properties. The zoning of the two new erven will still be Residential Zone 1. It is thus in line with surrounding development.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

Erf 932 is situated on the corner of Marine Drive and Albatross Street, Vermont. There was a dwelling on the property, but it recently has been demolished.

The property is situated in a single residential area of Vermont.

The property measures 1076 m² in extend. It has a slight gradient with a slope in a southern direction, and all vegetation has been removed from the property.

An application has now been received to subdivide the property into 2 single residential erven, Portion X (±567m²) and a Remainder (±509m²).

The application was advertised, and 9 objections were received, of which one was late. One objection with various letters attached was submitted as a petition. It did not come in the format as prescribed as stipulated in the By-Law. The points of objection are however the same as in the other letters of objection. Only the person who submitted the petition will be informed of the outcome of this application.

The objections received related to services infrastructure, heritage concerns, the public participation process, the applicants track record, comparisons with surrounding erf sizes and the character of the area, that a precedent will be created, influencing property values, and concerns that the proposal is not in line with spatial planning policies. The above-mentioned concerns were discussed in detail in the report, and the comparison with surrounding erf sizes, character of the area and if there is compliance with spatial policies (SDF and OMSGMS), will again be elaborated on.

The SDF, 2020 does allow densification within the Urban Edge. The OMSGMS, 2010, a guideline document went one step further identifying which areas can be densified. In terms of such guideline document this area of Vermont is identified as Status Quo, meaning no densification. The interpretation has however always been that infill subdivision can be considered, if the new plots are consistent with the density and character of surrounding erven.

The other objections or concerns with regards to comparison of erf sizes and character of the area is thus important measures to considered to determine if the proposal is in line with the surrounding area.

The applicant provided various figures and calculations as to what erf sizes should be considered as consistent with this area. It can clearly be identified in the erf sizes, that in the immediate area there is one existing property below 600m² (585m²) in size, but on the sea front next to Marine Drive over approximately a distance of 300m the smallest erf is 684m². There is a clear pattern in this area that there are larger erven in Marine Drive. Should the erf be subdivided, the Remainder will have a street frontage of 15,733m, with the Portion X with a street frontage of 15,71m. The smallest erf over a 300m distance in Marine Drive has a street frontage of 18,89m. This means on the Remainder a building with a width of 10,483m can be constructed within building lines, whilst on the other existing smallest erf of 684m² in extend a building of 14,89m wide can be constructed within the building lines. This means that any proposed buildings, especially on the Remainder will be so limited in building footprint, and it would probably only be possible to construct a monolithic building of double storey height on the property, to get returns on an expensive sea front property. If the erven get too small it is more difficult to create fragmented buildings and considering the prize that will have to be paid for such beach front plot, it is understandable a future owner want to develop the property to its full potential.

The sea front erven next to Marine Drive fall within the Coastal Strip in the HPOZ. The aim of the Coastal Strip is for example for the following purposes:

- "To protect and enhance the nature of the transition zone between the built fabric along the coastal strip, including the first line of erven, facing the coast, the coastal walkway and the coastline.
- To ensure the retention of the relatively fine grain form of development characteristics of the Overstrand holiday home vernacular evident along the coastal strip."

Considering the above, the erven next to Marine Drive has its own specific character of larger erven, which creates a transition between the natural environment to the south and the larger urban development of Vermont to the north which, allow for smaller erven. This proposed application for erven with sizes of 509m² and 567m² is not in line with the character of the erven next to Marine Drive.

The application was circulated to all relevant Municipal branches and other departments/institutions. No objections were received.

It is the opinion that the application will have a negative impact on the character of the sea front erven in Marine Drive.

13. RECOMMENDATION

1. that the objections be noted.
2. that the application in terms of Section 16.(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the **subdivision** of Erf 932, Vermont into 2 portions namely, Erf X (±567m²) and a Remainder (±509m²), **not be approved**, in terms of the provisions of Section 61 of the By-Law.
3. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2020 regarding the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ The property is earmarked for *Status Quo* in terms of the Overstrand Municipality Spatial Growth Development Framework, and subdivision can only be considered which are in line with the density of the surrounding area.
- ❖ There are erven of 585m² and 614m² in the immediate area in Vermont, but the erven next to Marine Drive that falls in the Coastal Strip of the Heritage Protection Overlay Zone has a specific character with larger erven, with the smallest erf over a 300m distance next to the road being 684m² in extent. The proposed new erven of 509m² and 567m² is not in line with the size if the erven in Marine Drive, and therefore not in line with the character of this area.
- ❖ Should the application be approved, the erven will have very narrow street frontages and Erf X will have a development footprint width of 11,648m and the Remainder of 10,483m. Sea front erven is expensive and a potential buyer will have to maximize his/her development to get value for money, and to do that monolithic double storey structures will be the only way to maximize the development, which is not in line with the aims of the Coastal Interface as stipulated in the Overstrand Municipality Growth Spatial Management Strategy, 2010.
- ❖ The proposed subdivision will also mean that for a dwelling on the Remainder only a 3,15m Title Deed building line and 3m Land Use Scheme building line will be applicable for the dwelling (garage with direct access from the street remains 4m) next the Albatross Street, which could impact surrounding property owners.
- ❖ A subdivision will also allow for a main dwelling and second dwelling on both erven, which could impact the character of the surrounding area and create a higher populated area. It is noted that the applicant indicated the Municipality can insert a condition that no second dwellings be allowed on the two erven.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Subdivision Plan
Annexure D:	Objections received
Annexure E:	Applicant's response on objections
Annexure F:	Services Report
Annexure G:	Comment: Telkom

SIGNATURES**TOWN PLANNER**

Name: **H OLIVIER**

SACPLAN registration number: **B/8128/2004**

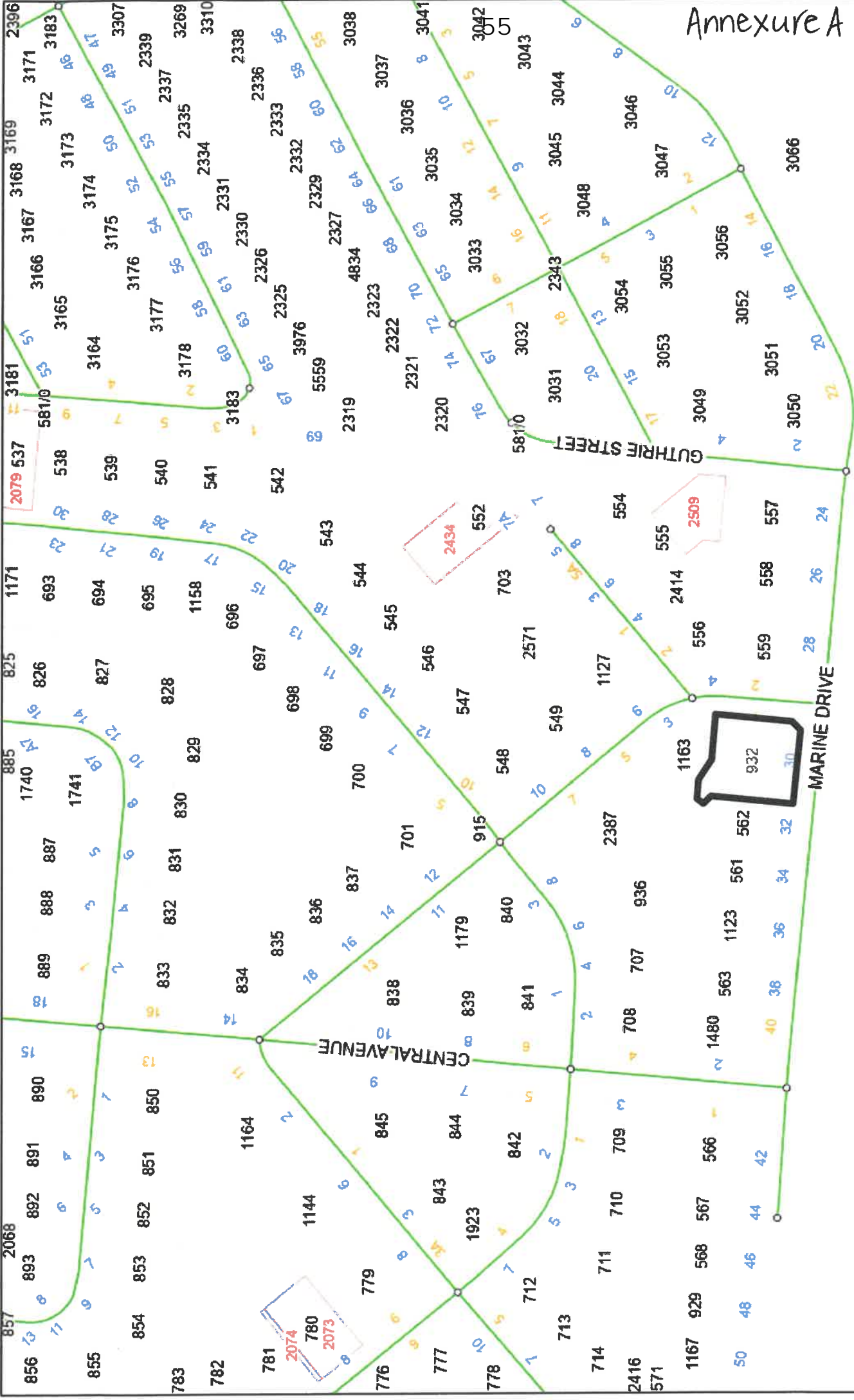
Signature: _____

Date: _____

REGISTERED PLANNERName: **H VAN DER STOEP**SACPLAN registration number: **A/1708/2013**

Signature: _____

Date: _____



Annexure A

Locality Map

Erf 932, 30 Marine Drive, Vermont

Date: 2025/03/28



Annexure B 1/11

MOTIVATION MEMORANDUM

AIM:

APPLICATION IN TERMS SECTION 16(2)(d) OF THE OVERSTRAND BY-LAW ON MUNICIPAL LAND USE PLANNING (2020) FOR THE SUBDIVISION OF THE REMAINDER OF ERF 932 VERMONT.

PREPARED FOR :

OVERSTRAND MUNICIPALITY

PREPARED BY:

KROEP & ROSSOUW INCORPORATED
PROFESSIONAL LAND SURVEYORS

CLIENT:

UNIVERSITY CAMPUS LIVING (PTY) LTD
&
OPHISOL (PTY) LTD

1. INTRODUCTION

The owners of the Remainder of Erf 932 wants to subdivide the property into 2 portions.

All pertinent information and motivation for the application is detailed in this report.

2. PROPERTIES TO BE SUBDIVIDED

REMAINDER OF ERF 932 situated in VERMONT

Diagram S.G. No. 8875/1969.

Size: 1076 square meters.

Zoning: **"SINGLE RESIDENTIAL" (SR1)**

On Subdivisional Plan depicted as figure: A B C D E F G H J K A

3. LOCALITY

The property is situated in 30 Marine Drive, Vermont. Please see the attached Locality Plan.

4. MORTGAGED BOND

There is no bond registered over the property.

5. TITLE DEED AND RESTRICTIONS

The property is held by deed of transfer no. T 5471/2025.

There is no condition of title that restricts the subdivision of the property.

Please see the attached Conveyance Certificate.

6. OWNERS

The property is owned by two companies:

1. UNIVERSITY CAMPUS LIVING (PTY) LTD
2. OPHISOL (PTY) LTD

Please see the attached CIPC documents of the companies.

7. ACCESS

The property has access from Marine Drive as well as Albatros Avenue.

The proposed Erf X will have access from Marine Drive, while the Remainder of Erf 932 will have access to Marine Drive as well as Albatros Avenue.

8. ELECTRICITY

For the new dwelling an additional 5.95kVA will be required. A new 8kW Solar and Inverter system will form part of each new dwelling. Please see the attached Engineering Services Report.

9. STORM WATER

The property has a natural fall towards the South Eastern side. This will allow surface drainage to Marine Drive.

10. SANITATION

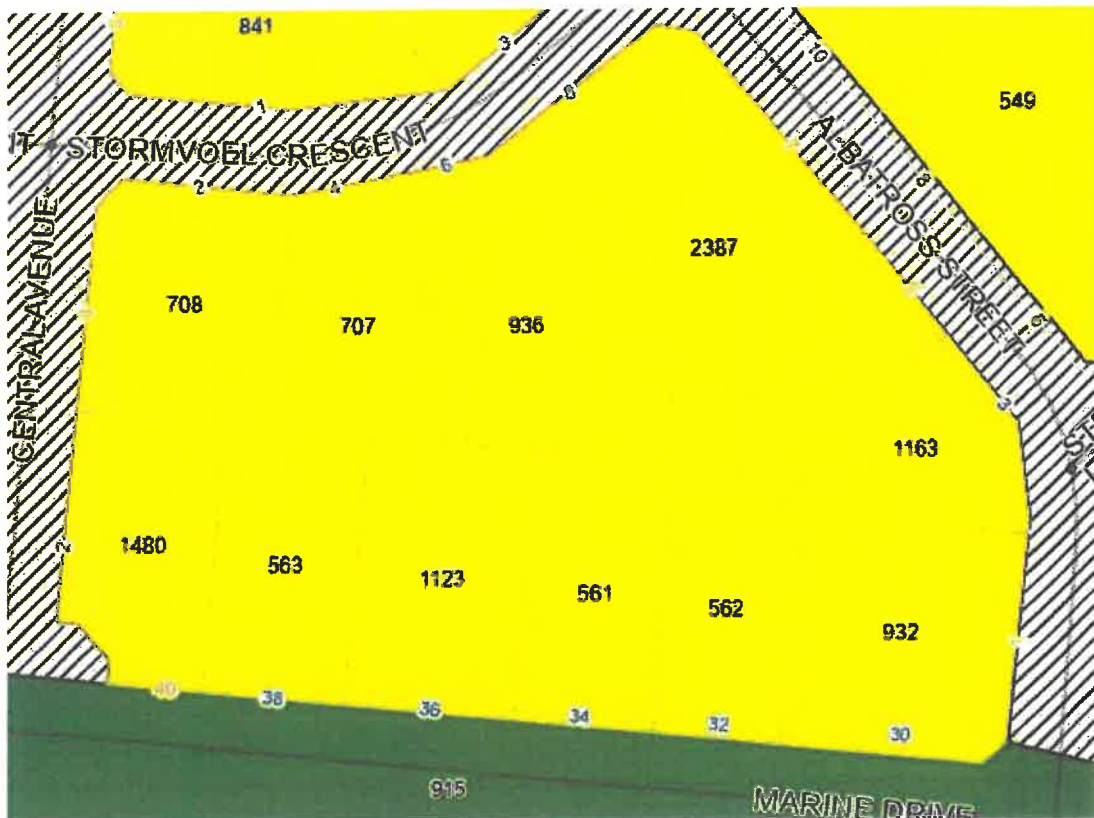
The proposed stands will connect to the 160mm Sewer main in Marine Drive. For more information please see the attached Engineering Services Report.

11. WATER

The proposed Erf X will have a new connection in Marine Drive, while the Remainder of Erf 932 will use the existing connection in Albatros Avenue.

12. ZONING:

The zoning of the property is “**Single Residential (SR1)**”



13. EXISTING AND SURROUNDING LAND USE:

The Land Use of the property is currently and will also stay Single Residential after the subdivision. All the surrounding stands are also Single Residential.

14. SERVITUDES:

There is no servitude registered over the property.

15. DESIRABILITY:

A Demolition permit for the existing house has been obtained. The owner want to develop the two stands each with its own smaller house rather than a single big house. This will allow more economical access to land that is very scarce.

Although this will lead to densification of land units, the same coverage will apply to the new erven. According to the Growth Management Strategy no increase in coverage should be considered in the sensitive coastal zone. If one considers the newly created boundary with associated building lines, less area will be available to build upon. Less square metres will actually be built than if it was only one property. This will retain the character of monolithic rather than agmented structures.

According to Section 18.1.2 of the By-Law, subdivision in an area will generally be allowed if it is consistent with the planning policies and the average size and density of surrounding residential properties.

The property has two directly adjacent properties. The property directly west (Erf 562) is 714sqm while the Erf directly North (Erf 1163) is 614sqm which compare very well with our proposed Erven of 567sqm and 509sqm respectively.

Other erven situated in the Hermanus West precinct, Planning Unit 1, Coastal Interface Zone A3 that are of similar size includes, but is not limited to the following erven:

Erven 2349, 2350, 2352, 2353, 2354, 2359, 2357, 2362, 2363, 2351, 2794, 2795, 2978, 2799, 2801, 2803, 2806, 2807, 2810, 2811, 2812, 2822, 3315, 2826, 3386, 2907, 2908, 2911, 2913, 2914, 1917, 2918, 3003, 3005, 3005, 3006, 3008, 3009 - which are all smaller than 500sqm.

16. MOTIVATION IN TERMS OF THE ENVIRONMENTAL MANAGEMENT ZONE (EMOZ):

Erf 932 in Vermont is currently developed with a single residential dwelling, for which a demolition certificate has already been obtained. The proposed development entails the subdivision of this erf into two residential portions, each measuring just over 500 m² in extent.

The property falls within the Environmental Management Overlay Zone (EMOZ), as designated in the Overstrand Municipality's spatial planning framework. This overlay aims to manage development to preserve ecological integrity and maintain natural processes.

While Erf 932 is situated within this overlay zone, it is important to note the following:

1. No Environmentally Sensitive Features:

The site is not located within or adjacent to a wetland, drainage line, or ecological corridor. The terrain is relatively flat and does not include steep slopes or heritage vegetation.

2. Low-Impact Subdivision:

The proposed subdivision into two residential portions is consistent with surrounding land use patterns and density in Vermont. The modest scale ensures that the visual and ecological footprint of the development is minimal.

3. Existing Infrastructure and Access:

Both newly proposed erven will be serviced by existing road infrastructure, and there is no need for new access routes or additional municipal infrastructure. This supports the EMOZ principle of efficient land use within existing urban footprints.

4. Environmental Considerations and Compliance:

The future development of each subdivided portion will comply with all applicable environmental and building regulations. Measures will be taken to ensure minimal disruption to the natural character of the area, including managing stormwater runoff and preserving any existing indigenous vegetation where applicable.

The proposal is aligned with the goals of the EMOZ, namely to promote responsible development that respects the environmental significance of the coastal zone. By limiting the subdivision to two portions and utilizing existing infrastructure, the proposed development supports compact urban form, avoids environmental degradation, and ensures continued protection of the coastal environment.

Erf 932 Vermont is situated in Coastal interface zone A3. The following constraints are applicable:

“Walled gated villages should be discouraged to encourage a sense of accessibility to the coastal edge.”

The proposed subdivision into two will not lead to a gated village. Both portions of the property will have its own access to existing streets and will function on its own.

“Design controls should be implemented along the first row of erven to ensure the retention of the existing fine grain nature of the built form and its coastal resort character.”

Traditional building forms will be utilized on the proposed portions. The same coverage will apply for the proposed portions as the original Remainder of Erf 932. No departures to allow greater height or coverage should be approved along this sensitive coastal zone. It can be noted that the resultant portions will be of similar size of other erven in this coastal zone. It is not necessary to apply for any increase in height or coverage.

Coastal Environmental Management Overlay Zone (EMOZ) Regulations

Schedule A lists prohibited activities in the coastal overlay zone. It can be noted that the subdivision and development of Erf 932 is not prohibited nor will lead to any activities listed in this Schedule A.

Schedule B lists activities only permitted with council consent. It can be noted that no protected tree will be removed or destructed without council consent.

Any excavation or construction will only be performed with council consent and approval in line with applicable legislation.

The Application Site is relatively close to the **Urban Low Risk Zone** in terms of the Urban Conservation Overlay, but is not affected by the latter classification.

17. MOTIVATION IN TERMS OF THE HERITAGE PROTECTION OVERLAY ZONE (HPOZ)

General

Building plans will be submitted to the Overstrand Heritage and Aesthetics Committee for approval, but no relaxation of height or coverage will be applied for.

Onrust HPOZ

The purpose of the Onrust HPOZ is to protect the views from the main access road to the beach area and sea, protect the natural environment frame of the lagoon area, protect the public space environment of the Point area, protect the framed sea views on the Point area to the South of Beach Road, to protect the natural interface between the camping ground and the coastline and the context of the coastal walkway.

The grain and texture of existing built form with fragmented rather than monolithic building forms must be adhered to. It can be noted that the proposed size of the portions after subdivision, will be in line with other properties in the same overlay zone to preserve the grain of the environment with limited building footprints and low building to plot ratios.

It can be noted that due to the newly created boundary with accompanied building lines, the possible front façade from Marine Drive will actually decrease. This will discourage larger monolithic structures with horizontal emphasis and

encourage fragmented character. No visually impermeable boundary walls will be erected.

The Application Site is located in the **Coastal Strip Heritage Protection Zone**. This zone ensure that the land use applications comply with the existing character of the surrounding area. As the Application Site is located in the transition zone between urban development and natural coast, the importance of this Overlay Zone is evident. According to Section 9, these designated zones should *"... protect and enhance the nature of the transition zone between the built fabric along the coastal strip, including the first line of erven facing the coast, the coastal walkway and the coastline"*. Erf 932 has not been earmarked as a Local Heritage Site.

If the subdivision application succeeds, it will result in two stands of 567m² and 509m², respectively. This compares well with the existing **grain and texture** of the surrounding area of erven of approximately 500m². The following erven are all smaller than said 500m², i.e. Erven 2349, 2350, 2352, 2353, 2354, 2359, 2357, 2362, 2363, 2351, 2794, 2795, 2978, 2799, 2801, 2803, 2806, 2807, 2810, 2811, 2812, 2822, 3315, 2826, 3386, 2907, 2908, 2911, 2913, 2914, 1917, 2918, 3003, 3005, 3006, 3008, and 3009. The proposed subdivision will, accordingly, support the HMOZ objective of *"... retaining the relatively fine-grain form of development characteristic of the Overstrand holiday home vernacular evident along the coastal strip"* (see Section 9.2.4 of the Regulations).

When examining the newly established boundary along with the specified building lines, as proposed in the land development application, less space will be available for construction. The actual built-up area will be smaller than if it were a single property. As per the By-law, the proposed building plans will be submitted and subject to the scrutiny of the relevant **Heritage and Aesthetics** Committees. If the subdivision application is approved, the specific requirements from Overstrand Municipality (HMOZ) regarding the **building heights, roof treatment, architectural style**, etc., will be dealt with.

Heritage Significance

It can be noted that the property is not listed as a site of Historical or Heritage significance in the *DRAFT Public Participation Document June 2009*. A demolition permit for the existing building has already been obtained.

18. SPLUMA DEVELOPMENT PRINCIPLES:

The Spatial Planning and Land Use Management Act (Act 16 of 2013), provides for the normative evaluation of spatial planning applications. Some of these principles have been referred to in the subdivision application. However, the following principles find specific application:

Principle of Spatial Justice

"Whereby – past development imbalances must be redressed through improved access to land"

As this application has very little impact for spatial justice other than creating two more affordable properties thus making access to land easier.

Principle of Spatial Sustainability

"Whereby – prime agricultural land must be protected and promote land development that are sustainable and limits urban sprawl."

It can be noted that densification counteracts urban sprawl and thereby protects agricultural land. The proposed subdivision application supports the surrounding area's development patterns, as the existing stand is relatively large (1076m²). It has been illustrated that most of the surrounding properties are closer to 500m². In addition, the proposed subdivision does not trigger environmental concerns from the EMOZ as described in the sections above. Similarly, the proposed subdivision will enhance the objectives of the HMOZ, as new structures will also be subject to the relevant Heritage and Aesthetics Committees.

Principle of efficiency

"Whereby – land development optimises the use of existing resources and infrastructure."



This application is an efficient use of the land. Low density development results in more expensive infrastructure provision and maintenance. This application optimizes the use of existing infrastructure. Land area is at a premium in coastal towns, especially in Hermanus West. Densification trends are evident in the surrounding area, especially the Coastal Strip (HMOS). The area is characterised by medium-density residential units, which reflect optimal usage of engineering services, open space and community services.

19. IMPACT OF THE SPATIAL DEVELOPMENT FRAMEWORK

The **Overstrand Spatial Development Framework (2020)** illustrates various spatial factors that influence the application indirectly. It is evident that Erf 932 is located within the Urban Edge, and numerous Critical Biodiversity and Protected Areas encompass the area. It identifies the Ecological Process Corridors nearby and the various Urban Conservation Zones. None of these physical and spatial features impact the Application Site, but serve to illustrate the merits of appropriate densification and improved access to this unique suburb of Overstrand.

20. CONCLUSION

The subdivision is in line with the developmental policy. We therefore recommend that the application be supported.

Yours faithfully,


H. T. DU PREEZ

SUBDIVISION PLAN: REMAINDER OF ERF 932 VERMONT

SCALE 1 : 300

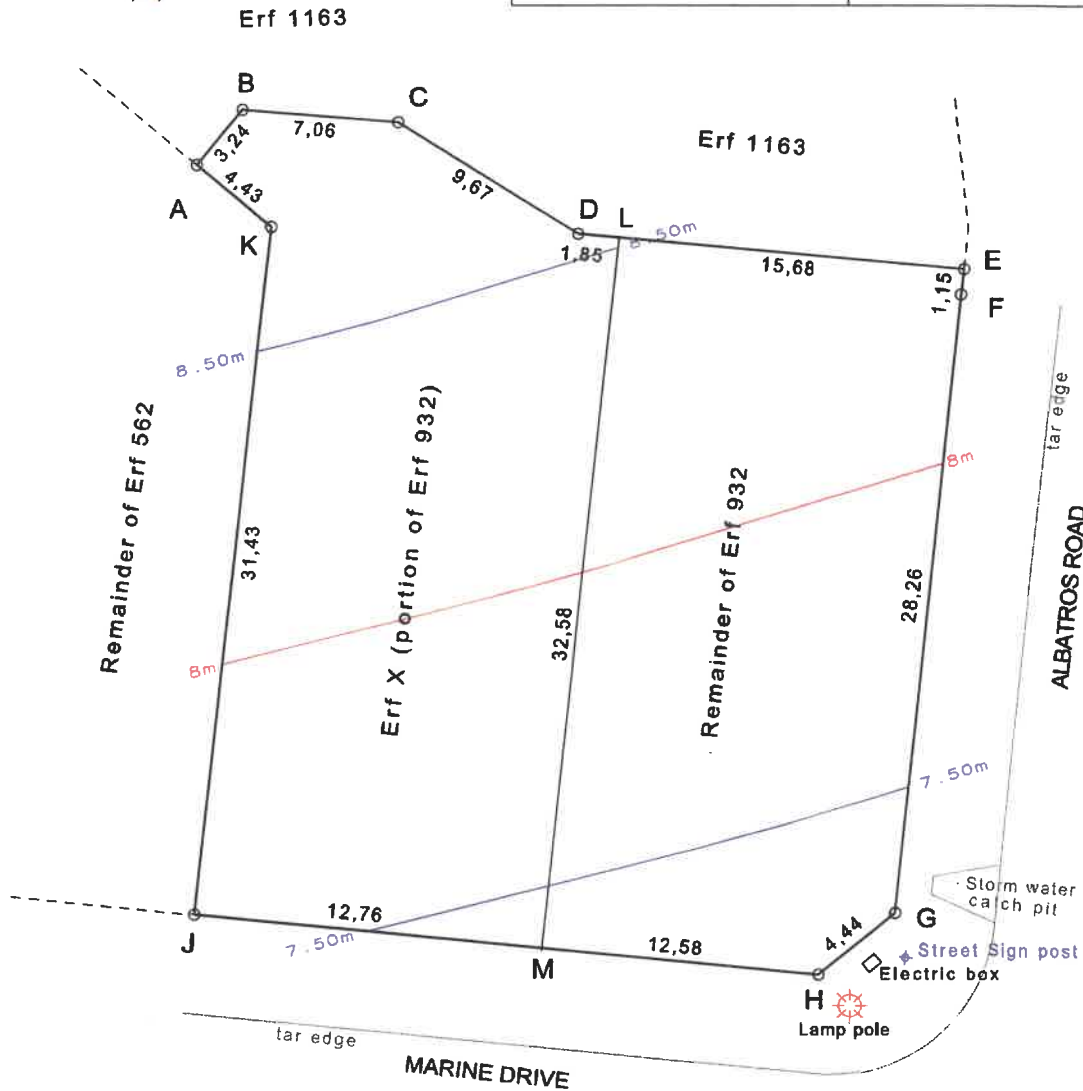


**PROPOSED SUBDIVISION OF THE
REMAINDER OF ERF 932 (Figure ABCDEFGHJKA)**

Description	Figure	Area
Erf X	ABCDLMJKA	567 sqm
Remainder of Erf 932	LEFGHML	509 sqm

Proposed Zonings

Erf X	Single Residential (SR1)
Remainder of Erf 932	Single Residential (SR1)



Note:

No buildings indicated on the property because the existing building will be demolished.
Demolition permit has been issued.

K&R Kroep & Rossouw

Professionele Landmeters / Professional Land Surveyors
Tel 018 294 7000 / 293 0250, Fax 018 297 4890
P.O. Box 112, 104 Peter Mokaba Avenue, Potchefstroom, 2520
admin@geopro.co.za

Loretta Gillion

From: Annalie Wehmeyer <annalie@gvlaw.co.za>
Sent: Monday, 29 September 2025 11:40
To: Loretta Gillion
Cc: Gerrit Visser
Subject: RE: Objection 30 Marine drive Erf 932 Vermont

<p>OVERSTRAND MUNISIPALITEIT</p> <p>REKORDBEHEER</p> <p>29 SEP 2025</p> <p>DOCUMENT CONTROL</p> <p>OVERSTRAND MUNICIPALITY</p>
--

Good day Loretta

ERF 932 VERMONT, also known as 30 Marine Drive, Vermont

I confirm that the comments and letters form part of a petition list for the objection against the subdivision of the above erf.

I will act as the contact person.

Please send all correspondence to myself.

Thank you

Kind regards

Annalie Visser

<p>FILE NO. ERF 932 ✓</p> <p>Vermont</p> <p>SCAN NO.</p> <p>COLLABORATOR NO.</p> <p>2872613</p>



PROKUREURS / ATTORNEYS

M5 PLACE, 2A HIBISCUS STREET

DURBANVILLE, 7550

TEL: (021) 979 5445

FAKS: (021) 086 616 9885

EMAIL: annalie@gvlaw.co.za

GERRIT VISSER INC/ING

REG NO: 2004/010042/21

DIRECTOR: GERRIT JACOBUS VISSER (BA LLB)

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From: Loretta Gillion <loretta@overstrand.gov.za>

Sent: Monday, 29 September 2025 10:28

To: PostNet Hermanus Sandbaai <hermanussandbaai@postnet.co.za>; Annalie Wehmeyer <annalie@gvlaw.co.za>

Subject: RE: Objection 30 Marine drive Erf 932 Vermont

Dear Sir / Madam

Kindly indicate whether these comments form part of a petition list.

If yes, the format in which it was submitted is not acceptable. Kindly refer to Section 51 of the By-Law:- [Town & Spatial Planning - Overstrand Municipality](#).

Kindly advise.

Regards

Loretta Gillion

Administrative Officer: Town & Spatial Planning

The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus

Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 25 September 2025

Dear Dr O'Neill,

I/We, the undersigned, hereby lodge my/our strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

The proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Lacking basic transparency and track record disclosure
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I/We therefore respectfully request that the Municipality **refuse this application**

I/We reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

Gillian Coetzee

50 Fisante Crescent, Vermont

info@gill.org

083 554 4919



To:

The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

**Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932,
30 MARINE DRIVE, VERMONT**

Date: [Insert Today's Date]

Dear Dr O'Neill,

I, the undersigned, hereby lodge my objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

1. Incompatibility with the Established Character of Vermont

The proposed subdivision into two portions is inconsistent with the existing low-density, village character of Vermont. This area is renowned for its tranquil atmosphere, large erven, indigenous coastal vegetation, and harmonious integration with the natural environment. Increasing density will set a precedent for further fragmentation of erven, which threatens the visual and environmental integrity of the neighbourhood.

2. Negative Environmental and Biodiversity Impacts

Vermont forms part of a sensitive coastal ecological corridor, with indigenous fynbos and dune vegetation supporting a variety of bird, insect and small mammal species. Subdivision and subsequent construction could result in:

- Loss of natural vegetation and habitat
- Soil erosion and disturbance of natural drainage
- Increased risk of invasive alien species colonisation
- Reduced ecological connectivity between remaining green spaces

The environmental sensitivity of this area warrants a precautionary approach.

3. Infrastructure and Services Constraints

The municipal infrastructure in Vermont (roads, stormwater, sewerage, water supply) was designed to support low-density development. Any increase in density will place additional pressure on these systems, potentially leading to:

- Overloading of sewerage networks
- Increased stormwater runoff and flooding risks
- Degradation of local road surfaces due to more traffic

No evidence has been provided that adequate capacity exists to accommodate densification without negative impacts on current residents.

4. Cumulative Precedent and Property Value Risks

Granting this application would set an undesirable precedent for similar subdivisions in the area. Incremental erosion of erf sizes threatens the long-term character and appeal of Vermont as a quiet residential enclave, potentially reducing property values for existing owners who purchased specifically for its low-density and natural character.

In conclusion, I respectfully request that the Municipality refuse this subdivision application on the basis that it is inconsistent with the spatial character and environmental sensitivity of Vermont, poses risks to local infrastructure, and would undermine the objectives of sustainable and orderly spatial planning.

I reserve the right to submit further evidence or representations should the matter proceed to further consideration.

Kind regards,
Aletta Webster

Negester South, Main Road, Room 12
alettawebster1933@gmail.com

082 316 2108



The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus

Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 25 September 2025

Dear Dr O'Neill,

I/We, the undersigned, hereby lodge my/our strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

The proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Lacking basic transparency and track record disclosure
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I/We therefore respectfully request that the Municipality **refuse this application**

I/We reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

TRAIPEERS 082 7750604

thre@bergstanie.co.za



*of Strandlaperhu
Vermont*

To:

The Municipal Manager
 Overstrand Municipality
 16 Paterson Street
 Hermanus
 Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 26 September

Dear Dr O'Neill,

I, the undersigned, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**.

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists;**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion; and**
- **Green corridors and natural linkages must be conserved.**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

- **Destroy natural fynbos and habitat**
- **Disrupt ecological linkages between remaining green areas**
- **Increase soil disturbance, runoff and invasive alien species intrusion**
- **Reduce biodiversity and scenic value of the neighbourhood**

Once this habitat is lost, it cannot be restored — the ecological damage would be **irreversible**.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against "**piecemeal, ad hoc approvals**" that cumulatively undermine settlement character. This proposal is precisely such an example.

6. Conclusion

In light of the above, this proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality **refuse this application** in order to uphold the intent of the Overstrand SDF and protect the natural, social and economic integrity of Vermont.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

Simon Christian Barnard
50 Fisante Crescent, Vermont
simonbarnard@gmail.com
072 233 5464



To:

The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

**Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30
MARINE DRIVE, VERMONT**

Date: 25 September 2025

Dear Dr O'Neill,

I, the undersigned, hereby lodge my objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

1. Incompatibility with the Established Character of Vermont

The proposed subdivision into two portions is inconsistent with the existing low-density, village character of Vermont. This area is renowned for its tranquil atmosphere, large erven, indigenous coastal vegetation, and harmonious integration with the natural environment. Increasing density will set a precedent for further fragmentation of erven, which threatens the visual and environmental integrity of the neighbourhood.

2. Negative Environmental and Biodiversity Impacts

Vermont forms part of a sensitive coastal ecological corridor, with indigenous fynbos and dune vegetation supporting a variety of bird, insect and small mammal species. Subdivision and subsequent construction could result in:

- Loss of natural vegetation and habitat
- Soil erosion and disturbance of natural drainage
- Increased risk of invasive alien species colonisation
- Reduced ecological connectivity between remaining green spaces

The environmental sensitivity of this area warrants a precautionary approach.

3. Infrastructure and Services Constraints

The municipal infrastructure in Vermont (roads, stormwater, sewerage, water supply) was designed to support low-density development. Any increase in density will place additional pressure on these systems, potentially leading to:

- Overloading of sewerage networks
- Increased stormwater runoff and flooding risks
- Degradation of local road surfaces due to more traffic

No evidence has been provided that adequate capacity exists to accommodate densification without negative impacts on current residents.

4. Cumulative Precedent and Property Value Risks

Granting this application would set an undesirable precedent for similar subdivisions in the area. Incremental erosion of erf sizes threatens the long-term character and appeal of Vermont as a quiet residential enclave, potentially reducing property values for existing owners who purchased specifically for its low-density and natural character.

In conclusion, I respectfully request that the Municipality refuse this subdivision application on the basis that it is inconsistent with the spatial character and environmental sensitivity of Vermont, poses risks to local infrastructure, and would undermine the objectives of sustainable and orderly spatial planning.

I reserve the right to submit further evidence or representations should the matter proceed to further consideration.

Kind regards,



Rutger Van Huyssteen Boshoff

6 Strandloper Close

VERMONT 7201

rutgersnr@boscor.co.za

0827710030

To:

The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

**Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30
MARINE DRIVE, VERMONT**

Date: 25 September 2025

Dear Dr O'Neill,

I, the undersigned, hereby lodge my objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

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In conclusion, I respectfully request that the Municipality refuse this subdivision application on the basis that it is inconsistent with the spatial character and environmental sensitivity of Vermont, poses risks to local infrastructure, and would undermine the objectives of sustainable and orderly spatial planning.

I reserve the right to submit further evidence or representations should the matter proceed to further consideration.

Kind regards,



Rutger Van Huyssteen Boshoff

6 Strandloper Close

VERMONT 7201

rutgersnr@boscor.co.za

0827710030

To:
 The Municipal Manager
 Overstrand Municipality
 16 Paterson Street
 Hermanus
 Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 25 September 2025

Dear Dr O'Neill,

(Barnard)

I, KATINKA HEYNS, previous owner of 30 Marine Drive, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**. In addition, **critical questions about the identity, track record and intentions of the applicants remain unanswered.**

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion**
- **Green corridors and natural linkages must be conserved**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

14/5

- Destroy natural fynbos and habitat
- Disrupt ecological linkages between remaining green areas
- Increase soil disturbance, runoff and invasive alien species intrusion
- Reduce biodiversity and scenic value of the neighbourhood

Once this habitat is lost, it cannot be restored — the ecological damage would be **irreversible**.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against "**piecemeal, ad hoc approvals**" that cumulatively undermine settlement character. This proposal is precisely such an example.

KB.

6. Lack of Transparency and Applicant Track Record

In addition to the planning concerns above, I note with concern that **very little is known publicly about the applicant companies**, namely University Campus Living (Pty) Ltd and Ophisol (Pty) Ltd. They appear to be active in private student accommodation developments in Potchefstroom, but no public record of similar work or experience in coastal or environmentally sensitive residential areas is available.

All known activities are concentrated in the dense urban student accommodation zone around North-West University in Potchefstroom as delineated in the table below. No public record exists of either company having completed any developments in environmentally sensitive coastal zones, low-density residential areas, or the Overstrand Municipality.

Known Projects Linked to University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd

Company	Known Development / Property	Address	Nature of Use	Source / Notes
University Campus Living (Pty) Ltd	The Bell	63 Molen Street, Potchefstroom (NWU precinct)	Accredited private student accommodation	Listed on North-West University's accredited student housing provider list
University Campus Living (Pty) Ltd	The Oaks	76 Steve Biko Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Sofia	71 Molen Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Rezoning Application	71 Molen Street, Potchefstroom	Rezoning from Residential 3 to Residential 4 to allow hotel, place of instruction, social hall, restaurant	Published in North West Provincial Gazette (2017), submitted via H&W Town Planners

This track record raises concerns about their suitability to undertake responsible development in a biodiverse, low-density, fynbos coastal corridor like Vermont, where inappropriate urban-style development could cause irreversible environmental and spatial damage.

R.B.

7. Conclusion

In light of the above, this proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Lacking basic transparency and track record disclosure
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality **refuse this application** and require full disclosure from the applicants before any further steps are taken.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

K. Barnard.

KATINKA(HEYNS) BARNARD.
9 STER ONRUS SUID
TEL 083 610 0525

To:

The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

**Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30
MARINE DRIVE, VERMONT**

Date: 22 September 2025

Dear Dr O'Neill,

I, the undersigned, hereby lodge my objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

1. Incompatibility with the Established Character of Vermont

The proposed subdivision into two portions is inconsistent with the existing low-density, village character of Vermont. This area is renowned for its tranquil atmosphere, large erven, indigenous coastal vegetation, and harmonious integration with the natural environment. Increasing density will set a precedent for further fragmentation of erven, which threatens the visual and environmental integrity of the neighbourhood.

2. Negative Environmental and Biodiversity Impacts

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- Loss of natural vegetation and habitat
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- Increased stormwater runoff and flooding risks
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No evidence has been provided that adequate capacity exists to accommodate densification without negative impacts on current residents.

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Granting this application would set an undesirable precedent for similar subdivisions in the area. Incremental erosion of erf sizes threatens the long-term character and appeal of Vermont as a quiet residential enclave, potentially reducing property values for existing owners who purchased specifically for its low-density and natural character.

In conclusion, I respectfully request that the Municipality refuse this subdivision application on the basis that it is inconsistent with the spatial character and environmental sensitivity of Vermont, poses risks to local infrastructure, and would undermine the objectives of sustainable and orderly spatial planning.

I reserve the right to submit further evidence or representations should the matter proceed to further consideration.

Kind regards,

Gerrit Jacobus Visser



c/o 22 Marine Drive and 2 Guthrie Street
Onrus Rivier
gv@gvlaw.co.za
079 5077 245

Loretta Gillion

From: Annalie Wehmeyer <annalie@gvlaw.co.za>
Sent: Friday, 26 September 2025 21:26
To: Loretta Gillion
Cc: gerrit visser
Subject: Fwd: Objection Subdivision 30 Marine Drive Erf 932 Vermont
Attachments: OBJECTION GJ VISSER.pdf

THE MUNICIPALITY OVERSTRAND

Good day

Subdivision 30 Marine Drive Erf 932 Vermont

Inadequate Notification to Neighbours

We wish to note that the **notice of the proposed subdivision was not properly served to neighbours and owners of adjacent properties**, which significantly **diminished our opportunity to review the application in a timely manner**. Our first opportunity to access the application was only this morning.

As a result, we would like to formally **include additional observations** that we have identified upon reviewing the application, as detailed above, and request that these be taken into account in the Municipality's consideration of the proposal.

Comparison of Erf Sizes in Application

The application cites Erf 561 (713 m²) as being "in line" with the proposed subdivided erven. This is **misleading**,

- Erf 561 itself is among the smallest on Marine Drive, whereas adjacent seafront erven are significantly larger. In fact, the **adjacent erven on Marine Drive (Nos. 22–35) and Albatros 5 and 6 has an average 962 m² size per plot**, showing that the proposed erven would be **substantially smaller than the prevailing local pattern**.
- Other list of smaller erven cited in the application are only mentioned by erf no's and are not in the immediate vicinity, making them inappropriate for comparison.

Marine Drive is a **unique seafront strip**, and relevant comparisons must be drawn from **directly adjacent Marine Drive erven**, not inland plots.

We trust you find this in order.

Kind regards

Gerrit and Annalie Visser

22 Marine Drive

GV PROKUREURS / ATTORNEYS

M5 PLACE, 2A HIBISCUS STREET

DURBANVILLE, 7550

TEL: (021) 979 5445

FAKS: (021) 086 616 9885

EMAIL: annalie@gvlaw.co.za

GERRIT VISSER INC/ING

REG NO: 2004/010042/21

DIRECTOR: GERRIT JACOBUS VISSER (BA LLB)

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Loretta Gillion

From: Annalie Wehmeyer <annalie@gvlaw.co.za>
Sent: Monday, 29 September 2025 10:57
To: Loretta Gillion
Subject: RE: Objection Vermont Ruthger Boshoff
Attachments: Objection to subdivision 2.docx

Good day
I refer to you email below.
Please use the attached letter of objection for Mr Boshoff.

Can you please inform as what the process is from here and also dates for the Council to sit on these matters and if we will be notified of decisions.

Thank you
Annalie

 **PROKUREURS / ATTORNEYS**
M5 PLACE, 2A HIBISCUS STREET
DURBANVILLE, 7550
TEL: (021) 979 5445
FAKS: (021) 086 616 9885
EMAIL: annalie@gvlaw.co.za

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REG NO: 2004/010042/21
DIRECTOR: GERRIT JACOBUS VISSER (BA LLB)

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From: Loretta Gillion <loretta@overstrand.gov.za>
Sent: Monday, 29 September 2025 10:43
To: overberg@iafrica.com
Cc: annalie@gvlaw.co.za
Subject: RE: Objection Vermont

Dear Sir / Madam

The email below refers.

Four (4) separate letters of objection were received from Rutger Van Huyssteen Boshoff against the proposal on Erf 932 Vermont, and it is unclear why 4 letters were submitted.

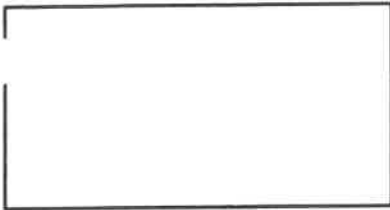
Kindly advise which document is the **FINAL** objection letter. Do you wish to still combine all 4 letters and submit one complete/comprehensive letter of objection?

Regards

Loretta Gillion

Administrative Officer: Town & Spatial Planning
 Directorate: Planning & Development, Overstrand Municipality, Hermanus
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
 T: 028 313 8900 | E: loretta@overstrand.gov.za

From: Grand Select Four <overberg@iafrica.com>
Sent: Thursday, 25 September 2025 21:15
To: Loretta Gillion <loretta@overstrand.gov.za>
Cc: annalie@gvlaw.co.za
Subject: Objection Vermont



Overstrand Municipality

A: 1 Magnolia Street,
 Hermanus, 7200
P: P.O Box 20, Hermanus,
 7200
T: +27 (0)28 313 8000 | **F:**
 +27 (0)28 312
 1894<>
E:
enquiries@overstrand.gov.za
W: www.overstrand.gov.za

Vision Statement: "To be a centre of excellence for the community"

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Directorate: Planning & Development, Overstrand Municipality, Hermanus
A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
T: 028 313 8900 | E: loretta@overstrand.gov.za

From: PostNet Hermanus Sandbaai <hermanussandbaai@postnet.co.za>
Sent: Friday, 26 September 2025 14:39
To: Annalie Wehmeyer <annalie@gvlaw.co.za>
Cc: Loretta Gillion <loretta@overstrand.gov.za>
Subject: Objection 30 Marine drive Erf 932

Kind regards 

PostNet Sandbaai

Address: Cnr R43 & Sandbaai Main Road, Sandbaai, Hermanus 7200
Tel: +27 (0)28 316 4175/6 | Whatsapp: +27 (0)66 117 3606
E-mail: hermanussandbaai@postnet.co.za | Fax2Email: +27 (0)86 680 8431
Website: <http://sandbaai.postnet.co.za>



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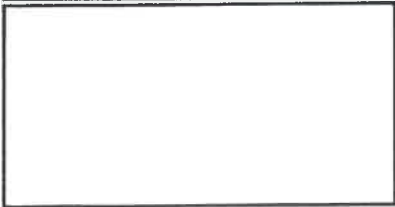
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- Business Cards & Flyers
- ID & Passport Photos
- Criminal Record Checks
- Credit Reports
- Internet Cafe
- Email Facilities
- Scanning



Overstrand Municipality
A: 1 Magnolia Street, Hermanus, 7200
P: P.O Box 20, Hermanus, 7200

Loretta Gillion

From: PostNet Hermanus Sandbaai <hermanussandbaai@postnet.co.za>
Sent: Friday, 26 September 2025 14:39
To: Annalie Wehmeyer
Cc: Loretta Gillion
Subject: Objection 30 Marine drive Erf 932
Attachments: 20250926133939.pdf; 20250926133929.pdf; 20250926133916.pdf; 20250926133901.pdf

Kind regards 

PostNet Sandbaai

Address: Cnr R43 & Sandbaai Main Road, Sandbaai, Hermanus 7200
 Tel: +27 (0)28 316 4175/6 | Whatsapp: +27 (0)66 117 3606
 E-mail: hermanussandbaai@postnet.co.za | Fax2Email: +27 (0)86 680 8431
 Website: <http://sandbaai.postnet.co.za>

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Loretta Gillion

From: Grand Select Four <overberg@iafrica.com>
Sent: Monday, 29 September 2025 12:09
To: Loretta Gillion
Cc: annalie@gvlaw.co.za
Subject: RE: Objection Vermont
Attachments: Objection to subdivision 2.docx

Good day

Please find attached the final objection as requested.

Thanking you.

Regards

Rutger Boshoff

From: Loretta Gillion [mailto:loretta@overstrand.gov.za]
Sent: Monday, 29 September 2025 10:43
To: overberg@iafrica.com
Cc: annalie@gvlaw.co.za
Subject: RE: Objection Vermont

Dear Sir / Madam

The email below refers.

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Kindly advise which document is the **FINAL** objection letter. Do you wish to still combine all 4 letters and submit one complete/comprehensive letter of objection?

Regards

Loretta Gillion

Administrative Officer: Town & Spatial Planning
Directorate: Planning & Development, Overstrand Municipality, Hermanus
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To: Loretta Gillion <loretta@overstrand.gov.za>
Cc: annalie@gvlaw.co.za
Subject: Objection Vermont

**Overstrand
Municipality**

26/55

A: 1 Magnolia Street,
Hermanus, 7200**P:** P.O Box 20, Hermanus,
7200**T:** +27 (0)28 313 8000 | **F:**
+27 (0)28 312
1894**E:**
enquiries@overstrand.gov.za
W:www.overstrand.gov.za

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Please consider the environment before printing this correspondence.

Loretta Gillion

From: Gerrit Visser <gv@gvlaw.co.za>
Sent: Tuesday, 23 September 2025 12:11
To: Loretta Gillion
Subject: Fwd:
Attachments: OBJECTION GJ VISSER.pdf

**OBJECTION AGAINST SUB-DIVISION OF ERF 932 VERMONT
THE OVERSTRAND MUNICIPALITY**

Dear Dr O'Neill and Loretta
Please find attached objection to the above application for sub-division of Erf 932 Vermont.
Please acknowledge receipt by return email.

Regards

Gerrit Visser

 **PROKUREURS / ATTORNEYS**

M5 PLACE, 2A HIBISCUS STREET

DURBANVILLE, 7550

TEL: (021) 979 5445

FAKS: (021) 086 616 9885

EMAIL: annalie@gvlaw.co.za

GERRIT VISSER INC/ING

REG NO: 2004/010042/21

DIRECTOR: GERRIT JACOBUS VISSER (BA LLB)

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Loretta Gillion

From: Karl Kielblock <karl.kielblock@gmail.com>
Sent: Monday, 22 September 2025 09:11
To: Loretta Gillion
Subject: Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Dear Municipal Manager,

I wish to object to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont.

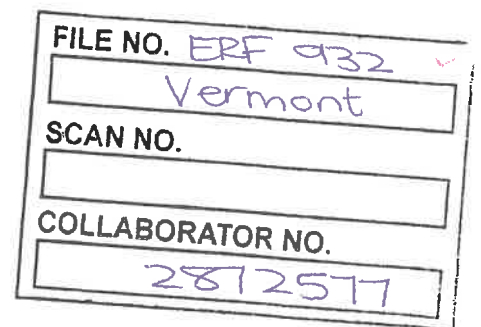
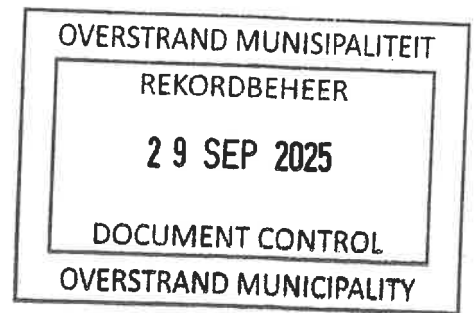
The Vermont seafront is a highly sensitive and unique coastal environment that has always been characterised by low-density development and a natural rural village feel. Subdividing a seafront property would negatively impact this character, diminish the scenic value of the area, and set a dangerous precedent for further subdivisions.

The Overstrand Spatial Development Framework (2020) is clear: Vermont must remain a low-density residential area and its rural and coastal character must be protected. Densification is to be directed to established urban nodes, not edge areas or coastal green belts such as Vermont. Approving this application would directly contradict this policy and undermine the planning vision adopted by Council.

For these reasons, I strongly object to the proposed subdivision and urge the Municipality to refuse the application in order to protect Vermont's unique identity and environment.

Yours faithfully,
Karl Kielblock

20 Marine Drive, Onrus



29/55

Outlook

Objection to Proposed Subdivision of Erf 932, Vermont

From CJ Barnard <cjbarnrd@iafrica.com>
Date Fri 26-Sep-25 9:49 PM
To Loretta Gillion <loretta@overstrand.gov.za>

The Municipal Manager Overstrand Municipality loretta@overstrand.gov.za
Date: 26 September 2025

Subject: Objection to Proposed Subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd)
Reference: Notice No. 140/2025

I, the undersigned, hereby formally object to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont, as advertised under Notice No. 140/2025.

I reside at Marine Drive 32, Vermont, the property adjacent to Erf 932, 30 Marine Drive. In addition to other valid concerns that may be raised regarding the subdivision, I am especially saddened by the following :

Vermont/Onrus is known and appreciated by the whole of South Africa for her historic community of artists, poets and writers. Erf 932, earmarked for possible subdivision and cluster accommodation, is situated right in the centre of the historical part of town. Right behind the plot is the house of Jan Rabie (renowned South African writer) and his wife Marjorie Wallace (internationally acclaimed artist). People who have regularly visited them in the house include names such as Ingrid Jonker, Breyten Breytenbach, Uys Krige and Andre P. Brink - each renowned in their own right. Their daily strolls past Erd 932 towards the Jan Rabie Tidal Pool to forage for seafood and an early morning swim is well described. All of the above persons are now deceased. They would have been abhorred by the current developments.

Katinka Heyns, one of South Africa's most famous film producers, and widow to Chris Barnard, an equally renowned writer, sold her property to the developers in good faith. She was shattered by the overnight demolition of her beloved house. Important, when the sale was done no indication was given of a possible subdivision and jeopardising this historic piece of town. For which Onrus/Vermont is admired and loved by visitors from far. We can not allow this private project to jeopardise our shared treasure.

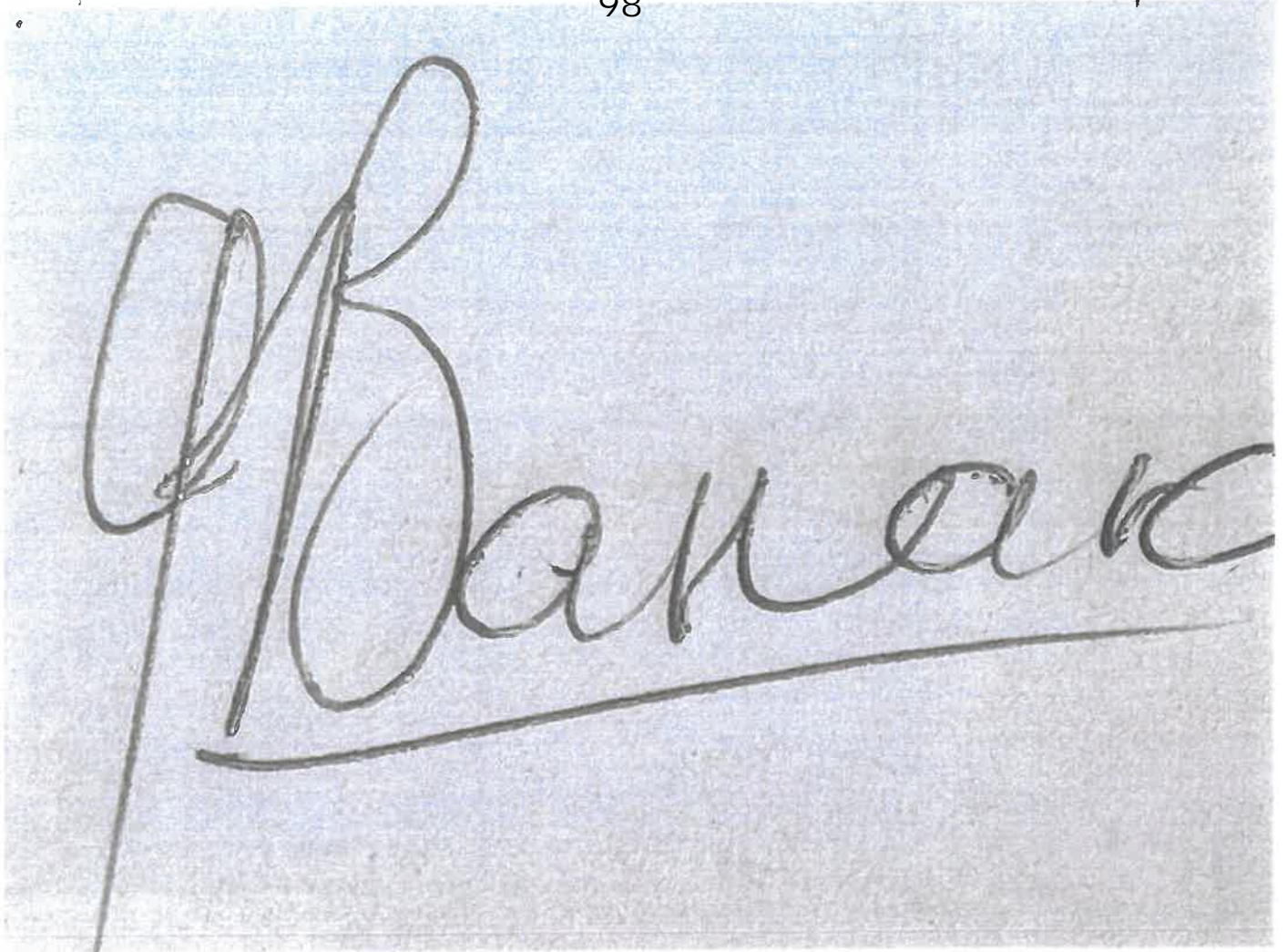
I thus respectfully request that the Municipality withhold approval of subdivision of Erf 932, Marine Drive, Vermont.

Kind regards

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. ERF 932
Vermont
SCAN NO.
COLLABORATOR NO. 2872391

TP

A photograph of a handwritten signature in cursive on lined paper. The signature reads "Dr Barnard". The paper has horizontal blue lines. The signature is written in dark ink. The "D" is large and loops around the "r". The "B" is also large and loops around the "a". The "n" and "a" are connected, and the "r" is connected to the "d". A horizontal line is drawn under the signature.

Dr CJ Barnard
Marine Drive 32, Vermont.
C: 0824644551

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

31/55
FILE NO. ERF 932
Vermont
SCAN NO.
COLLABORATOR NO.
2871428

To:
The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: [Insert Today's Date]

Dear Dr O'Neill,

I, the undersigned, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**.

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists;**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion; and**
- **Green corridors and natural linkages must be conserved.**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

- **Destroy natural fynbos and habitat**

P 14 0' 105

- Disrupt ecological linkages between remaining green areas
- Increase soil disturbance, runoff and invasive alien species intrusion
- Reduce biodiversity and scenic value of the neighbourhood

Once this habitat is lost, it cannot be restored — the ecological damage would be **irreversible**.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against "**piecemeal, ad hoc approvals**" that cumulatively undermine settlement character. This proposal is precisely such an example.

6. Conclusion

In light of the above, this proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality **refuse this application** in order to uphold the intent of the Overstrand SDF and protect the natural, social and economic integrity of Vermont.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

Andre Franken
17 Human Straat, Onrus
frankenaj@gmail.com
+27 82 772 6515



Loretta Gillion

From: André Franken <frankenaj@gmail.com>
Sent: Friday, 26 September 2025 06:52
To: Loretta Gillion
Subject: Objection erf 932, aansoek om onderverdeling
Attachments: Objection to subdivision Franken.docx; Objection to subdivision Franken.docx

Please find our written objection to the above.

Regards.

Andre J Franken
Phone: +27 82 772 6515
email: frankenaj@gmail.com
<https://bit.ly/selfdiscoveronline>



selfdiscover.online

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

35/55

FILE NO. ERF 932 Vermont
SCAN NO.
COLLABORATOR NO. 2871419

To:
The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: [Insert Today's Date]

Dear Dr O'Neill,

I, the undersigned, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**.

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists;**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion; and**
- **Green corridors and natural linkages must be conserved.**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

- **Destroy natural fynbos and habitat**

TP

- Disrupt ecological linkages between remaining green areas
- Increase soil disturbance, runoff and invasive alien species intrusion
- Reduce biodiversity and scenic value of the neighbourhood

Once this habitat is lost, it cannot be restored — the ecological damage would be irreversible.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against **"piecemeal, ad hoc approvals"** that cumulatively undermine settlement character. This proposal is precisely such an example.

6. Conclusion

In light of the above, this proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality refuse this application in order to uphold the intent of the Overstrand SDF and protect the natural, social and economic integrity of Vermont.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

[Full Name]

[Physical Address]

[Email Address]

[Telephone Number]

[Signature]



SEIGNETTE, MARJORIE VILJOEN

ALBATROS 6

VERMONT

Seignette.viljoen21@gmail.com



Loretta Gillion

From: seugnet viljoen <seugnetviljoen21@gmail.com>
Sent: Friday, 26 September 2025 14:43
To: Loretta Gillion
Subject: Fwd: objection letter
Attachments: IMG_20250926_0001.pdf; IMG_20250926_0002.pdf; IMG_20250926_0003 - Copy.pdf

----- Forwarded message -----

From: **seugnet viljoen** <seugnetviljoen21@gmail.com>
Date: Fri, 26 Sept 2025, 14:26
Subject: Fwd: objection letter
To: Annalie Wehmeyer <annalie@gvlaw.co.za>

----- Forwarded message -----

From: **seugnet viljoen** <seugnetviljoen21@gmail.com>
Date: Fri, Sep 26, 2025 at 2:22 PM
Subject: Fwd: objection letter
To: Annalie Wehmeyer <annalie@gvlaw.co.za>

----- Forwarded message -----

From: **seugnet viljoen** <seugnetviljoen21@gmail.com>
Date: Fri, Sep 26, 2025 at 2:18 PM
Subject: objection letter
To: seugnet viljoen <seugnetviljoen21@gmail.com>

107

OVERSTRAND MUNISIPALITEIT

REKORDBEHEER

29 SEP 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

39/55

FILE NO. ERF 932

Vermont

SCAN NO.

COLLABORATOR NO.

2871418

To:
 The Municipal Manager
 Overstrand Municipality
 16 Paterson Street
 Hermanus
 Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 25 September 2025

Dear Dr O'Neill,
 (Barnard)

I, KATINKA HEYNS, previous owner of 30 Marine Drive, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**. In addition, **critical questions about the identity, track record and intentions of the applicants remain unanswered.**

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion**
- **Green corridors and natural linkages must be conserved**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

TP

LP

- Destroy natural fynbos and habitat
- Disrupt ecological linkages between remaining green areas
- Increase soil disturbance, runoff and invasive alien species intrusion
- Reduce biodiversity and scenic value of the neighbourhood

Once this habitat is lost, it cannot be restored — the ecological damage would be **irreversible**.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against "**piecemeal, ad hoc approvals**" that cumulatively undermine settlement character. This proposal is precisely such an example.

Kb.

6. Lack of Transparency and Applicant Track Record

In addition to the planning concerns above, I note with concern that **very little is known publicly about the applicant companies**, namely University Campus Living (Pty) Ltd and Ophisol (Pty) Ltd. They appear to be active in private student accommodation developments in Potchefstroom, but no public record of similar work or experience in coastal or environmentally sensitive residential areas is available.

All known activities are concentrated in the dense urban student accommodation zone around North-West University in Potchefstroom as delineated in the table below. No public record exists of either company having completed any developments in environmentally sensitive coastal zones, low-density residential areas, or the Overstrand Municipality.

Known Projects Linked to University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd

Company	Known Development / Property	Address	Nature of Use	Source / Notes
University Campus Living (Pty) Ltd	The Bell	63 Molen Street, Potchefstroom (NWU precinct)	Accredited private student accommodation	Listed on North-West University's accredited student housing provider list
University Campus Living (Pty) Ltd	The Oaks	76 Steve Biko Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Sofia	71 Molen Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Rezoning Application	71 Molen Street, Potchefstroom	Rezoning from Residential 3 to Residential 4 to allow hotel, place of instruction, social hall, restaurant	Published in North West Provincial Gazette (2017), submitted via H&W Town Planners

This track record raises concerns about their suitability to undertake responsible development in a biodiverse, low-density, fynbos coastal corridor like Vermont, where inappropriate urban-style development could cause irreversible environmental and spatial damage.

7. Conclusion

In light of the above, this proposed subdivision is:

- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Lacking basic transparency and track record disclosure
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality **refuse this application** and require full disclosure from the applicants before any further steps are taken.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,



KATINKA(HEYNS) BARNARD.
9 STER ONRUS SUID
TEL 083 610 0525

Loretta Gillion

From: 3@1 Whale Coast <whalecoast@3at1.co.za>
Sent: Thursday, 25 September 2025 15:36
To: Loretta Gillion
Subject: Scan
Attachments: MX-4050N_20250925_160732.pdf

Please request receiver to check spam folder if email does not show in inbox

3@1 Whale Coast

Tell: 028 312 2715

Email: whalecoast@3at1.co.za

Website: www.3at1whalecoast.co.za

www.3at1.co.za

3@1 Whale Coast collects/process customers personal information for inter alia the purposes contemplated in Section 11 (1)(b)&(c) of POPIA, 4 of 2013 and endeavours to treat such information with reasonable care.



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The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

112

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
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44/55

FILE NO. ERF 932
Vermont
SCAN NO.
COLLABORATOR NO.
2871413

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 23rd September 2025

Dear Dr O'Neill,

I, the undersigned, hereby lodge my objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

1. Inconsistency with the Overstrand Spatial Development Framework (SDF)

The Overstrand SDF (adopted 2020) explicitly identifies Vermont as a **low-density residential area** intended to retain its **“rural village and natural coastal character.”** The SDF states that:

- **Densification should be directed toward existing urban nodes** where bulk infrastructure is in place and where mixed-use intensification can be supported;
- **Edge areas and coastal green belts, like Vermont, must be protected from incremental urban intrusion** and fragmentation.

Approving this subdivision would **contradict these policy directives** and could establish a **precedent for further subdivisions**, cumulatively eroding the very character the SDF seeks to protect.

2. Threat to the Natural Environment and Ecological Corridors

The SDF highlights the importance of **conserving biodiversity corridors and retaining green linkages between settlements**. Vermont lies within the Walker Bay coastal ecological corridor and includes patches of threatened Cape coastal fynbos. Subdivision and subsequent development will:

- Reduce the extent of intact natural vegetation
- Interrupt ecological linkages between remaining green spaces
- Increase invasive alien plant intrusion and stormwater runoff

This is directly at odds with the SDF's directive to **“conserve remaining natural open space and avoid fragmentation.”**

TP

3. Infrastructure and Service Capacity Constraints

The SDF cautions that **incremental densification in low-density suburbs without bulk upgrades will overburden infrastructure and erode quality of life.** Vermont's stormwater, sewerage and road systems were not designed for higher densities. Any new development will increase:

- Pressure on sewerage and water systems
- Stormwater runoff and erosion risks on sandy soils (increased paved areas)
- Local traffic and road wear

No evidence has been presented to demonstrate that services can accommodate additional loads without negative effects.

4. Cumulative Precedent and Property Value Risks

Granting this subdivision would set a **dangerous precedent** for further fragmentation of large erven. The SDF warns against **"piecemeal, ad hoc approvals"** that cumulatively undermine the spatial vision for settlements. Incremental erosion of erf sizes will:

- Damage Vermont's quiet, green residential appeal
 - Reduce the area's biodiversity and scenic quality
 - Diminish the property values of existing homes that depend on Vermont's low-density character
-

5. Incompatibility with the Established Character of Vermont

The proposed subdivision into two portions is inconsistent with the existing low-density, village character of Vermont. This area is renowned for its tranquil atmosphere, large erven, indigenous coastal vegetation, and harmonious integration with the natural environment. Increasing density will set a precedent for further fragmentation of erven, which threatens the visual and environmental integrity of the neighbourhood.

Integral to the established character of Vermont has been the numerous well known artists (painters, poets and authors such as Gregoire Boonzaier, Cecil Higgs, Marjorie Wallace and Jan Rabie) who were drawn to the unique atmosphere that this special environment exudes and which should be retained.

6. Conclusion

In terms of the Overstrand Municipal Land Use Planning By-Law (2020) and in alignment with the Overstrand SDF, this proposal is **spatially inappropriate and environmentally unsustainable**. It is incompatible with the established character of Vermont, places pressure on infrastructure, and threatens sensitive biodiversity.

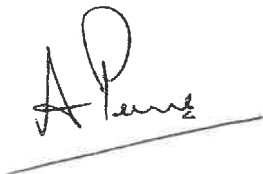
I therefore respectfully request that the Municipality **refuse this subdivision application** in order to uphold the principles and policies set out in the Overstrand SDF.

I reserve the right to make further submissions or provide supporting evidence should this application proceed to further consideration.

Kind regards,

Mr Anthony Penver
18 Marine Drive
Onrus River
7201

tony.penver@gmail.com
082 802 8228

A handwritten signature in black ink, appearing to read 'A Penver', is written over a horizontal line.

Loretta Gillion

From: Tony Penver <tony.penver@gmail.com>
Sent: Tuesday, 23 September 2025 12:40
To: Loretta Gillion
Subject: Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)
Attachments: Objection to subdivision Vermont.docx

Please see the attached document for my objection which is contained therein.
Kind regards

Tony Penver
13 Rheezicht
PINELANDS
7405
1obile: 082 802 8228

116

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
29 SEP 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

48/55

FILE NO. ERF 932
Vermont
SCAN NO.
COLLABORATOR NO.
2871410

To:
The Municipal Manager
Overstrand Municipality
16 Paterson Street
Hermanus
Email: loretta@overstrand.gov.za

Subject: OBJECTION TO APPLICATION FOR SUBDIVISION OF ERF 932, 30 MARINE DRIVE, VERMONT (NOTICE NO. 140/2025)

Date: 25 September 2025

Dear Dr O'Neill,

I, the undersigned, hereby lodge my strong objection to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont (Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd), as advertised in Notice No. 140/2025.

This proposal raises serious concerns in relation to the **Overstrand Spatial Development Framework (SDF, 2020)**, the **Municipal Land Use Planning By-Law (2020)**, and the **environmental integrity and character of Vermont**. In addition, **critical questions about the identity, track record and intentions of the applicants remain unanswered.**

1. Contradiction of the Overstrand SDF

The Overstrand SDF designates Vermont as a **low-density coastal village area** whose unique charm lies in its **natural vegetation, generous erf sizes, and tranquil character**. The SDF explicitly states that:

- **Densification must be directed to existing urban nodes where bulk infrastructure exists**
- **Edge settlements like Vermont should not be subjected to incremental urban intrusion**
- **Green corridors and natural linkages must be conserved**

Approving this subdivision would **undermine these SDF directives**, set a **dangerous precedent** for further ad hoc fragmentation, and contribute to the gradual erosion of Vermont's spatial character — directly contrary to the SDF's stated intent.

2. Threat to Environmental Integrity and Biodiversity Corridors

Vermont lies within a **sensitive coastal ecological corridor** and contains remnants of **endangered Cape coastal fynbos**. The SDF emphasises the need to **"conserve remaining natural open space and avoid fragmentation."** Subdividing and developing the property will:

TP

- Destroy natural fynbos and habitat
- Disrupt ecological linkages between remaining green areas
- Increase soil disturbance, runoff and invasive alien species intrusion
- Reduce biodiversity and scenic value of the neighbourhood

Once this habitat is lost, it cannot be restored — the ecological damage would be irreversible.

3. Incompatibility with the Established Character of Vermont

Vermont's identity and property values are rooted in its **low-density layout, generous erf sizes, quiet atmosphere and strong integration with the natural environment**. This subdivision would be **out of scale and character** with its surroundings and would set a precedent for further fragmentation, fundamentally changing the settlement pattern in ways that cannot be undone.

4. Infrastructure and Service Capacity Constraints

The SDF warns against allowing densification where **infrastructure has not been upgraded to accommodate it**. Vermont's water, sewerage, stormwater and road systems were designed for low-density development and are already under pressure. Subdivision and future development will increase:

- Sewage and water demand
- Stormwater runoff on fragile sandy soils, raising flood risk
- Traffic loads and road surface wear

No evidence has been presented that the municipal systems can safely and sustainably absorb additional pressure without harming the existing community.

5. Negative Precedent and Property Value Risks

Granting this application would encourage similar subdivisions, triggering **creeping densification** that would:

- Erode Vermont's peaceful and natural character
- Diminish its aesthetic appeal and biodiversity value
- Undermine the property values of existing homes, which depend on the current low-density character

The SDF warns explicitly against **"piecemeal, ad hoc approvals"** that cumulatively undermine settlement character. This proposal is precisely such an example.

6. Lack of Transparency and Applicant Track Record

In addition to the planning concerns above, I note with concern that **very little is known publicly about the applicant companies**, namely University Campus Living (Pty) Ltd and Ophisol (Pty) Ltd. They appear to be active in private student accommodation developments in Potchefstroom, but no public record of similar work or experience in coastal or environmentally sensitive residential areas is available.

All known activities are concentrated in the dense urban student accommodation zone around North-West University in Potchefstroom as delineated in the table below. No public record exists of either company having completed any developments in environmentally sensitive coastal zones, low-density residential areas, or the Overstrand Municipality.

Known Projects Linked to University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd

Company	Known Development / Property	Address	Nature of Use	Source / Notes
University Campus Living (Pty) Ltd	The Bell	63 Molen Street, Potchefstroom (NWU precinct)	Accredited private student accommodation	Listed on North-West University's accredited student housing provider list
University Campus Living (Pty) Ltd	The Oaks	76 Steve Biko Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Sofia	71 Molen Street, Potchefstroom	Accredited private student accommodation	Listed on NWU accredited housing list
Ophisol (Pty) Ltd	Rezoning Application	71 Molen Street, Potchefstroom	Rezoning from Residential 3 to Residential 4 to allow hotel, place of instruction, social hall, restaurant	Published in North West Provincial Gazette (2017), submitted via H&W Town Planners

This track record raises concerns about their suitability to undertake responsible development in a biodiverse, low-density, fynbos coastal corridor like Vermont, where inappropriate urban-style development could cause irreversible environmental and spatial damage.

7. Conclusion

In light of the above, this proposed subdivision is:


- Inconsistent with the Overstrand SDF's spatial planning policies
- Environmentally damaging and unsustainable
- Incompatible with the established character and infrastructure capacity of Vermont
- Lacking basic transparency and track record disclosure
- Contrary to the principles of orderly and sustainable development in terms of the Municipal Land Use Planning By-Law

I therefore respectfully request that the Municipality **refuse this application** and require full disclosure from the applicants before any further steps are taken.

I reserve the right to submit further information or make oral representations should this application proceed to further consideration.

Kind regards,

K.F Pretorius
3 Albatros Street Vermont (directly adjacent to property in question)
unamit@iafrica.com
076 4126600



K.F PRETORIUS

Loretta Gillion

From: unamit <unamit@iafrica.com>
Sent: Thursday, 25 September 2025 15:38
To: Loretta Gillion
Subject: Objection to subdivision of Erf 932 - 30 Marine Drive Vermont (notice 140/2025)
Attachments: Objection to application for subdivision erf 932 Vermont.pdf

Dear Lorette

Please see attached document.

Thank you

KF Pretorius

Loretta Gillion

[late objection]

53|55

From: Annalie Wehmeyer <annalie@gvlaw.co.za>
Sent: Monday, 29 September 2025 10:06
To: Loretta Gillion
Subject: Objection Erf 932 vermont
Attachments: 20250929_095917.jpg; 20250929_095945.jpg

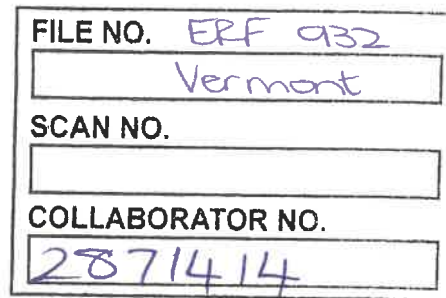
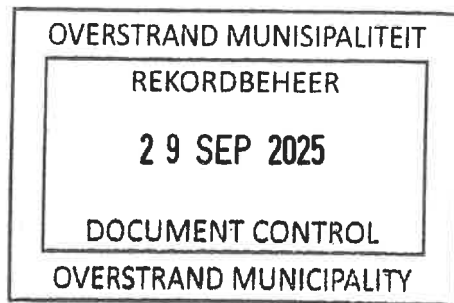
Dear Loretta

This objection was wrongly sent to you mail as loretta... [co.za](mailto:loretta@gvlaw.co.za) on Friday 26 Sept. Please accept the objection. Proof of undelivered/wrong address can be sebt to you if required.

Thank you

Annalie Visser

On behalf of Mandi Barnard



TP 29 SEP 2025

The Municipal Manager
Overstrand Municipality
loretta@overstrand.gov.za

Date: 26 September 2025

Subject: Objection to Proposed Subdivision of Erf 932, 30 Marine Drive, Vermont
(Application by Kroep & Rossouw Inc. on behalf of University Campus Living (Pty) Ltd &
Ophisol (Pty) Ltd)

Reference: Notice No. 140/2025

I, the undersigned, hereby formally object to the proposed subdivision of Erf 932, 30 Marine Drive, Vermont, as advertised under Notice No. 140/2025.

The proposed subdivision is **incompatible with the established low-density, seafront character of Vermont** and will adversely affect the environment, infrastructure, and property values in the area.

1. Impact on Property Values and Character


Marine Drive's appeal lies in its **open, uncluttered streetscape, generous erven, and unobstructed seafront views**. Subdividing Erf 932 would disrupt this open character, diminish surrounding property values, and set a **precedent for further fragmentation**, undermining the long-term attractiveness and integrity of the seafront neighbourhood.

2. Strain on Municipal Infrastructure

Vermont's municipal infrastructure—roads, stormwater, sewerage, and water supply was designed for **low-density residential use**. Additional density will place undue strain on these systems, potentially causing:

- Sewerage network overload
- Increased stormwater runoff and flood risks
- Accelerated deterioration of road surfaces

This will have a negative impact on current residents.



3. Comparison of Erf Sizes in Application

The application cites Erf 561 (713 m²) as being "in line" with the proposed subdivided erven. This is **misleading**,

- Erf 561 itself is among the smallest on Marine Drive, whereas adjacent seafront erven are significantly larger. In fact, the adjacent erven on Marine Drive (Nos. 22-35) and Albatros 5 and 6 has an average 962 m² size per plot, showing that the proposed erven would be **substantially smaller than the prevailing local pattern**.
- Other list of smaller erven cited in the application are only mentioned by erf no's and are not in the immediate vicinity, making them inappropriate for comparison.

Marine Drive is a **unique seafront strip**, and relevant comparisons must be drawn from **directly adjacent Marine Drive erven**, not inland plots.

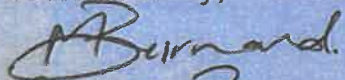
Conclusion

For these reasons, I respectfully request that the Municipality **refuse the subdivision application**, as it:

- **Contravenes the established seafront character of Vermont**
- **Risks overloading municipal infrastructure**
- **Sets a precedent for further densification**
- **Threatens the environmental and economic integrity of the neighbourhood**

I reserve the right to submit further evidence or representations should this matter proceed to further consideration.

Yours faithfully,


Mandi Barnard.

082 573 4477.

24 Marine Drive

Onrus

7201

Johan Du Plessis

PROKUREUR • ATTORNEY

land law specialist

24 November 2025

FOR ATTENTION: LORETTA GILLION

The Municipal Manager
Overstrand Municipality

loretta@overstrand.gov.za

Dear Loretta

**COMMENT ON OBJECTIONS LODGED AGAINST PROPOSED SUBDIVISION OF ERF 932 VERMONT, 30
MARINE DRIVE: YOUR REFERENCE 932 HVM**

1. We act on behalf of University Campus Living (Pty) Ltd and Ophisol (Pty) Ltd (the "Applicants").
2. Your email of 10 October 2025 which requested a reply to the objections lodged against the proposed subdivision, was handed to us for a reply.
3. Thank you for your email of 29 October 2025 in which you extended the time for submission of a response for an additional period of 60 days. It is much appreciated.

The objections

4. Rationality acts as the "baseline" standard which all public power must meet. In order to be rational, the decision must be "based on accurate findings of fact and a correct application of the law". [1]
5. The objections are generally based on extremely vague and unsubstantiated allegations, not supported by any facts, have no merit and are at best, highly speculative.

¹ Kotzé v Minister of Health & Another 1996 (3) BCLR 417 (T) at 425F.

SOLE PROPRIETOR: JP du Plessis B Juris. LLB (UNISA). BPhil & MPhil Sustainability (US)

25 Laurensford Road, Somerset West. 7130 • PO Box 1044, Somerset Mall, 7137
Tel: 021 851 0359 • Email: jp@jpprojects.co.za

6. I submit that insufficient factual information is before the Municipality as would enable it to independently make a rational decision that the impact of the proposed subdivision is of such a nature that it lacks desirability.

Attachments

7. I attach a written "Response to Objections" prepared by Dr. J E Drewes (Pr. Plan – A/817/1995) of *Erioloba Consulting* in which he deals with the objections of every individual objection, and to which is attached three annexures that respectively deals with "erf sizes", "services" and "local strategic plans/ strategies".
8. Attached also find a copy of a letter dated 19 November 2025 from your Mr Ricardo Andrew, Principal Technologist: Development Control, confirming the adequacy of bulk municipal services to serve the subdivision.
9. I respectfully make the following supplementary comments in response to the objections received to the application under discussion.

The application

10. According to a neighbouring objector, the remainder of Erf 932 located at 30 Marine Drive, Vermont (the "Property") is "earmarked for possible subdivision and cluster accommodation". At the outset it is necessary to point out that the objectors generally have misunderstood the purpose of the application and incorrectly assumed that it is for approval of a proposed "development", which it is not.
- 10.1. For the avoidance of any doubt, I confirm that the application was made in terms of section 16(2)(d) of the Overstrand By-Law on Municipal Land Use Planning for approval to subdivide the Remainder of Erf 932 located at 30 Marine Drive, Vermont (the "Property") into two portions, respectively 567 m² and 509 m² in extent. Nothing more.
- 10.2. In terms of the Overstrand Land Use Scheme (the "Scheme") the current zoning of the Property is "Residential Zone 1: Single Residential (SR1)".
- 10.3. The following primary use restrictions apply to property in this zone, namely "crèche, dwelling house, guest rooms, home occupation, second dwelling unit, self-catering".
- 10.3.1. This form of densification (allowing as primary use right two residential units per single erf) counteracts urban sprawl and is in line with the sustainability development principles *inter alia* requiring the promotion of more compact towns and residential densification.

- 10.3.2. It also contributes to the optimisation of existing services infrastructure without the need for additional municipal expenditure.
- 10.4. According to the Scheme "*primary use*" in relation to land or buildings, means any use specified in the land use scheme as a primary use, "*being a use that is permitted without the need to first obtain the municipality's consent*".
- 10.5. What this boils down to is that the Applicants may now use the Property for the construction of a dwelling house and a second dwelling unit, without requiring approval of an application for subdivision.
- 10.6. The purpose of the application therefore is not to obtain approval for a second dwelling unit on the Property. As a primary use right, the Applicants may now erect a dwelling house and a second dwelling unit on the Property.
- 10.7. The purpose of the application is merely to enable separate ownership of two portions of the same Property with one dwelling on each. (It is accepted that the Municipality will, when approving the current application, impose as a condition of approval that only one dwelling may be erected on each newly created erf).
- 10.8. Approval of the subdivision application will not result in increased development rights. The relevant land use parameters relating to coverage, height restrictions and so forth will remain the same. In other words, approval of the application for subdivision will not enable the applicants to construct larger or more dwellings than they are currently empowered to do as a primary use right.

Impact of subdivision

11. The remarks of Justice Davis in the *Silvermine* judgment, are noteworthy. [2] The Court acknowledged that the registration of a subdivision *per se* has no effect on the environment.
- 11.1. The environment is only potentially affected by what is physically done on the land.
- 11.2. The subdivision application under discussion does not seek any authorisation for any particular land usage. Therefore, it will obviously not have any negative environmental or biodiversity impacts, nor create demand for additional infrastructure/ services capacity and so forth.

² *Silvermine Valley Coalition v Sybrand van Der Spuy Boerderve and Others* 2002 (1) SA 478 (C) at 490.

12. As pointed out by Dr Drewes, the proposal compares well with the existing grain and texture of the surrounding area.
- 12.1. The proposed subdivision respects the existing character and scale of the development within the area and falls well within the established erf size range of the Heritage Protection Overlay Zone.
- 12.2. It does not undermine the environmental integrity, scenic value, or coastal character of Vermont. On the contrary, the proposal reflects a context-sensitive approach that maintains the low-density coastal village atmosphere while making efficient use of existing serviced land.
13. Factual evidence provided by Dr Drewes shows that the subdivision will not set a precedent for uncontrolled fragmentation. As he points out, each erf in the coastal zone is unique and subject to its own spatial, heritage and environmental constraints.
14. The proposed use of the Property therefore represents a balanced and responsible form of infill development that is consistent with municipal planning objectives, promotes sustainable land use, and supports orderly development of the coastal settlement.

Impact on existing rights

15. The closest that the objectors get to motivating something that may potentially have an unreasonable impact on their existing rights (and which, therefore, may potentially serve to indicate lack of "desirability"), is the allegation concerning derogation of value of their properties.
- 15.1. When considering the question of derogation of value, the question is whether any disadvantage will result from what is proposed to a neighbouring property which would not be known to or reasonably expected by informed parties in the purchase and sale of their own properties.
- 15.2. It is not unusual that property be exploited to the limits of its potential, and the neighbours would have known or could reasonably have expected that this would also happen with the Property.
- 15.3. "Market Value" is the price that an informed willing buyer would pay to an informed willing seller for a property, having regard to all its potential at the time of sale, both realised and unrealised.
- 15.4. One important modifier of such potential, in the present context, derives from the existing controls on the property laid down in the Scheme, the title deed conditions and so forth.

- 15.5. Informed parties would acquaint themselves with the zoning and the permissible limits of height, coverage, etc., all of which influence the utility of a particular property being valued *and properties in the surrounding area* and therefore, its inherent value.
- 15.6. Market conditions may also influence the likelihood that a property or properties in the surrounding area will or will not be exploited to the limits of their potential. From all this it is obvious that the hypothetical informed buyer and seller will always be aware of inherent advantages and disadvantages flowing from the lawful exercise of rights and will build them into market price according to how they assess the likelihood that it will occur.
- 15.7. Aesthetics, intrusion, overshadowing and invasion of privacy are all examples of disadvantages which flow to a greater or lesser extent from the lawful development of a property to a potential which exceeds its existing use. But derogation from market value only commences when the influence of such aspects exceeds the contemplation of the hypothetical informed parties.
- 15.8. The Overstrand Scheme specifically provides as a primary use right that a property zoned SR1 may be used for a dwelling house and a second dwelling unit. The objectors should have been aware of inherent disadvantages flowing from the lawful exercise by the Applicants of their primary use rights.
16. The objectors failed to provide any factual substantiation for an allegation that subdivision of the Property will probably or in fact lead to derogation of the value of any of their properties.

Applicant's track record

17. Some objectors chose to question the suitability of the Applicants to undertake such an "important development".
- 17.1. The legal requirement is that the decision-maker should consider all matters relevant to his decision (i.e. all those factors which the legislator envisaged as properly bearing on the decision of the local authority).
- 17.2. The obverse of the duty to consider relevant factors is the duty not to consider factors which are irrelevant to the exercise of the power concerned. The Applicants' track record, although excellent, is not a relevant consideration.

General

18. I respectfully submit that all the objections to the proposed subdivision are without merit, that it should therefore be dismissed.

19. I request that the application be approved and look forward to receiving confirmation of the decision in respect thereof.
20. Please acknowledge receipt.

Kind regards,



J P DU PLESSIS

Johan Du Plessis
PROKUREUR • ATTORNEY
landlaw specialist

SOLE PROPRIETOR: JP du Plessis B Juris, LLB (UNISA), BPhil & MPhil Sustainability (US)

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**RESPONSE TO OBJECTIONS: APPLICATION FOR SUBDIVISION OF
ERF 932; 30 MARINE DRIVE, VERMONT**

APPLICANT:

UNIVERSITY CAMPUS LIVING (PTY) LTD

OPHISOL (PTY) LTD

OBJECTORS:

1. Petition List: GV Attorneys (Ms A Visser)

2. K Kielblock

3. Dr CJ Barnard

4. AJ Franken

5. SM Viljoen

6. K (Heyns) Barnard

7. A Penver

8. KF Pretorius

9. A Visser obo M Barnard – **Late objection**

1:**GV Attorneys – Ms A Visser (Petition)**

Annalie Visser submitted several objections via email, seemingly as part of a petition opposing the proposed subdivision of Erf 932, Vermont.

First, it must be noted, that a *petition* as contemplated in Section 51 of the Overstrand Municipality By-Law on Municipal Land Use Planning (2015) refers to a single document containing the *objection and reasons for the objection* (Section 51(1)(c)), accompanied by the full names and physical addresses of all signatories who agree to the *same* objection and reasons (see Section 51(1)(b)), and identifying a single representative.

Accordingly, all signatories to a valid petition must endorse the *same* objection and supporting reasons. The submitted document does not conform to the prescribed format, as it comprises multiple individual letters with separate objections and motivations. The latter was also communicated to said Annalie Visser, who did not respond to this requirement.

Nevertheless, the applicant will address the concerns raised in these individual submissions, as they are substantially similar in content and closely correspond to other objections received. The **validity** of these submissions must be determined by the Overstrand Municipality or their delegated authority.

1.**1.1 Inconsistent with the Overstrand SDF**

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk*

apartment-type intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont's village character but allows "limited infill and consolidation within the existing urban footprint", provided environmental and character guidelines are met.

1.2 Environmental threats

Natural fynbos - It can be noted that allowing infill rather than urban sprawl of undeveloped greenfield is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of a natural fynbos ecosystem.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not "fragment" any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not refer to a designated conservation area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, and alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point, and that stormwater runoff will not affect other properties. There is a stormwater catch pit right at the street corner where Erf 932 is situated. Also, no increase in stormwater is expected for the development due to the subdivision.

Reduce biodiversity and the neighbourhood's scenic value - *The site has been substantially altered by* historical residential use and garden maintenance, and therefore no longer represents an intact natural habitat. The proposed subdivision will not meaningfully affect regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the scale, building typology and development pattern of the surrounding area.

1.3 Incompatible with the Established Character of Vermont

Please refer to Annexure A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

1.4 Infrastructure and Service Capacity Constraints

See Annexure B.

1.5 Negative Precedent and Property Value Risks

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

1.6 Lack of transparency and Applicant Track Record

The applicant's personal background or previous project portfolio is not a planning consideration under the Municipal Planning By-law or the Spatial Planning and Land Use Management Act (SPLUMA, 2013). Each land use application must be assessed on its own merits, in relation to applicable spatial policy, zoning rights, and site-specific context; not on the applicant's prior experience or reputation.

That said, the applicant is committed to ensuring that any future development of the site complies fully with all municipal, environmental, and coastal management regulations, and that qualified professionals and registered contractors will undertake it.

The quality and appropriateness of the development will therefore be governed by the Overstrand Municipality's approval conditions and building control processes, ensuring that the project aligns with the environmental sensitivity and aesthetic character of Vermont, irrespective of the applicant's past portfolio.

1.7 Inadequate Notification to Neighbours

The procedures for public notice under Sections 46 and 47 have been complied with. The Overstrand Municipality oversees and verifies the completeness of the public notification process before the application is formally accepted and advertised. The notices issued and the advertising period were therefore conducted under municipal supervision and approval.

The Notice board was established on site on 22 August 2025. It was maintained and removed on 1 October 2025 with photographic evidence provided to the Municipality. The municipality also placed advertisements in the media as early as 22 August 2025 (See THE VILLAGE NEWS of 22 August 2025), with the objections closing on 26 September.

1.8 Comparison of Erf Sizes

The concern regarding the relative size of the proposed erven compared to existing seafront properties along Marine Drive is acknowledged. However, variation in erf sizes already exists within Marine Drive itself, reflecting the area's organic development pattern rather than a uniform subdivision structure.

While it is correct that some erven along the immediate seafront exceed 900 m², the Spatial Development Framework (SDF) does not prescribe minimum erf sizes for individual streets; instead, it promotes contextually appropriate infill that maintains the overall residential character and scale of the area and Overlay Zone. The proposed subdivision results in erven of approximately 509m² & 567 m², which remain fully compliant with the **requirements** of the Residential Zone 1 (Single Residential) zoning applicable to Vermont.

Furthermore, the proposed erven sizes are comparable to numerous residential properties that form part of the same Overlay Zone, urban fabric and visual catchment of Marine Drive. The subdivision, therefore, represents a modest refinement of the existing zoning rights, rather than a departure from the spatial intent of the SDF or the Overstrand Zoning Scheme.

Importantly, the design and placement of future dwellings will ensure that the open streetscape character and seafront views are preserved, with building lines, height restrictions, and landscape treatment remaining consistent with the municipal standards applicable to the area.

Accordingly, the subdivision does not disrupt the local development pattern or diminish the unique qualities of Marine Drive but instead aligns with orderly urban development within the existing residential edge.

See Annexure 1 for a more detailed comparison of Erf sizes.

2.

K Kielblock

2.1 Environmental concerns

We acknowledge the sensitivity of the area situated in the Coastal Protection Zone and Vermont's coastal character and low-density feel. The EMOZ layers intend to *guide* development in harmony with the environment, not necessarily to prohibit any change.

2.2 Residential character

The application was not done for a higher-density use. The zoning will remain "Residential 1". The allowable building coverage will not increase; in fact, the newly created subdivision line will have building lines associated with it, further limiting the seafront stance due to its orientation. The new building lines will preserve open space and be visually coherent with the village form.

"Low density" is the prevailing context, but the planning framework does not prohibit subdivision or infill — it requires that any development respects the sensitive coastal environment. Responsible infill or subdivision can be supported, primarily where infrastructure is present and where it relieves pressure on greenfield coastal expansion.

The argument that it can set a dangerous precedent has been addressed in our **Annexure A**, where Erf sizes are compared. See also **Annexure C**.

3.**Dr CJ Barnard**

The Applicant fully acknowledges and appreciates the longstanding cultural association of Vermont and Onrus with the artistic and literary community that has historically enriched the Overstrand area. That heritage forms an integral part of the town's identity and is respected in the proposed development.

While the historical association of the area with prominent cultural figures is appreciated, Erf 932 is not located within a formally declared Heritage Area nor identified on the Overstrand Heritage Register. The property is zoned for residential use and falls within the urban edge. The proposed subdivision, therefore, complies with the applicable statutory framework (see **Annexure C**, Section 2.3).

4.

AJ Franken

4.1 Contradiction to the Overstrand SDF

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk apartment-type* intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont’s village character but allows “limited infill and consolidation within the existing urban footprint”, provided environmental and character guidelines are met.

4.2 Threat to Environmental Integrity and Biodiversity Corridor

Natural fynbos - It can be noted that allowing infill rather than urban sprawl of undeveloped greenfield is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of a natural fynbos ecosystem.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not “fragment” any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not abut a designated conservation

area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, and alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point, and that stormwater runoff will not affect other properties. There is a stormwater catch pit right at the street corner where Erf 932 is situated. Also, no increase in stormwater is expected for the development due to the subdivision.

Reduce biodiversity and the scenic value of the neighbourhood - *The site has been substantially altered by historical residential use and garden maintenance, and therefore no longer represents an intact natural habitat.* The proposed subdivision will not meaningfully affect regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the scale, building typology and development pattern of the surrounding area.

4.3 Incompatible with Established Character of Vermont

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

4.4 Infrastructure and Service Capacity Constraints

See Annexure B.

4.5 Negative Precedent and Property Value Risks

Please refer to Annexure A, which demonstrates through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

5.

SM Viljoen

5.1 Contradiction to the Overstrand SDF

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk apartment-type* intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont’s village character but allows “limited infill and consolidation within the existing urban footprint”, provided environmental and character guidelines are met.

5.2 Threat to Environmental Integrity and Biodiversity Corridor

Natural fynbos - It can be noted that by allowing infill rather than urban sprawl of undeveloped greenfield is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of a natural fynbos ecosystem.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not “fragment” any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not abut a designated conservation

area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, and alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point and that stormwater runoff will not affect other properties. There is a stormwater catch pit right at the street corner where Erf 932 is situated. Also, no increase in stormwater is expected for the development due to the subdivision.

Reduce biodiversity and scenic value of the neighbourhood - The site has been substantially altered through historical residential use and garden maintenance, and therefore no longer represents an intact natural habitat. The proposed subdivision will not meaningfully affect regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the scale, building typology and development pattern of the surrounding area.

5.3 Incompatible with Established Character of Vermont

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

5.4 Infrastructure and Service Capacity Constraints

See Annexure B.

5.5 Negative Precedent and Property Value Risks

Please refer to Annexure A, which demonstrates through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

6.

KH Barnard

6.1 Contradiction to the Overstrand SDF

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk apartment-type* intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont’s village character but allows “limited infill and consolidation within the existing urban footprint”, provided environmental and character guidelines are met.

6.2 Threat to Environmental Integrity and Biodiversity Corridor

Natural fynbos - It can be noted that allowing infill rather than urban sprawl of undeveloped greenfield is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of a natural fynbos ecosystem.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not “fragment” any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not abut a designated conservation

area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, and alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point and that stormwater runoff will not affect other properties. There is a stormwater catch pit right at the street corner where Erf 932 is situated. Also, no increase in stormwater is expected for the development due to the subdivision.

Reduce biodiversity and scenic value of the neighbourhood - The site has been substantially altered through historical residential use and garden maintenance, and therefore no longer represents an intact natural habitat. The proposed subdivision will not meaningfully affect regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the scale, building typology and development pattern of the surrounding area.

6.3 Incompatible with Established Character of Vermont

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

6.4 Infrastructure and Service Capacity Constraints

See Annexure B.

6.5 Negative Precedent and Property Value Risks

Please refer to Annexure A, which demonstrates through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

6.6 Lack of transparency and Applicant Track Record

The applicant's personal background or previous project portfolio is not a planning consideration under the Municipal Planning By-law or the Spatial Planning and Land Use Management Act (SPLUMA, 2013). Each land use application must be assessed on its own merits, in relation to applicable spatial policy, zoning rights, and site-specific context — not on the applicant's prior experience or reputation.

That said, the applicant is committed to ensuring that any future development of the site complies fully with all municipal, environmental, and coastal management regulations, and that qualified professionals and registered contractors will undertake it.

The quality and appropriateness of the development will therefore be governed by the Overstrand Municipality's approval conditions and building control processes, ensuring

that the project aligns with the environmental sensitivity and aesthetic character of Vermont, irrespective of the applicant's past portfolio.

7.

A Penver

7.1 Contradiction to the Overstrand SDF

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk apartment-type* intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont’s village character but allows “limited infill and consolidation within the existing urban footprint”, provided environmental and character guidelines are met.

7.2 Threat to Natural Environment and Ecological Corridors

Reduce the extent of intact natural vegetation - It can be noted that allowing infill rather than urban sprawl of “undeveloped greenfield” is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of natural vegetation.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not “fragment” any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not abut a designated conservation

area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, and alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point, and that stormwater runoff will not affect other properties. There is a stormwater catch pit right at the street corner where Erf 932 is situated. Also, no increase in stormwater is expected for the development due to the subdivision.

7.3 Infrastructure and Service Capacity Constraints

See Annexure B.

7.4 Cumulative Precedent and Property Value Risks

Please refer to Annexure A, which demonstrates through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

7.5 Incompatible with Established Character of Vermont

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

8.

KF Pretorius

8.1 Contradiction to the Overstrand SDF

The Applicant acknowledges that the Overstrand SDF (2020) emphasises the protection of the coastal environment and seeks to maintain the low-density, village character of Vermont and Onrus, while directing major densification toward identified urban nodes.

Regarding the SDF, the “edge settlements” warning applies primarily to rural hamlets beyond the urban edge (such as Fisherhaven or Pearly Beach periphery). Vermont is within the urban edge; the proposal does not represent “incremental urban intrusion” beyond the urban edge. It is rather a managed infill within the existing town footprint.

The SDF (Hermanus West) requires that “development is confined within urban edges and growth is managed based on sustainable densification principles”. In addition, it states that housing provision for different *lifestyle choices, income groups, life stages, and household sizes, including adequate provision of affordable housing options and opportunities for the ageing*, must be provided.

The SDF’s “low-density coastal village” classification sets the prevailing character, not a numeric prohibition. It allows *context-appropriate infill* where erf sizes remain consistent with the surrounding pattern, and it seeks to prevent *mass housing, multistorey, or bulk apartment-type* intrusions, not individual subdivisions that retain detached dwellings and natural vegetation buffers.

It is also confirmed that no public green corridor or coastal access servitude crosses the property. The Overstrand SDF (Part D: Spatial Proposals, Hermanus Functional Area, subsections) notes Vermont’s village character but allows “limited infill and consolidation within the existing urban footprint”, provided environmental and character guidelines are met.

8.2 Threat to Environmental Integrity and Biodiversity Corridor

Natural fynbos - It can be noted that by allowing infill rather than urban sprawl of undeveloped greenfield is a better conservation principle. The property is largely disturbed and transformed by prior residential occupation, garden landscaping, and historical clearing. The site does not represent an intact example of a natural fynbos ecosystem.

Ecological Corridors and Fragmentation - The property lies between existing developed erven and street, and its subdivision will therefore not “fragment” any continuous green corridor or disrupt ecological linkages. The Overstrand EMF identifies ecological corridors primarily along the coastal dune system and wetland networks, not within already fully serviced residential blocks. Erf 932 does not abut a designated conservation

area or critical biodiversity area (CBA) under the Overstrand or Western Cape Biodiversity Spatial Plan.

Soil disturbance, runoff, alien species intrusion – Indigenous vegetation will be established in building setbacks. It can be noted that Erf 932 is a low point and that storm water runoff will not affect other properties. There is a storm water catch pit right at the street corner where Erf 932 is situated. Also there is not an increase in storm water expected for the development due to the subdivision.

Reduce biodiversity and scenic value of the neighbourhood - The site has been substantially altered through historical residential use and garden maintenance, and therefore no longer represents intact natural habitat. The proposed subdivision will not meaningfully affect regional biodiversity or ecological connectivity. In terms of scenic character, the proposal respects the scale, building typology and development pattern of the surrounding area.

8.3 Incompatible with Established Character of Vermont

Please refer to Annexures A and C, which demonstrate through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

8.4 Infrastructure and Service Capacity Constraints

See Annexure B.

8.5 Negative Precedent and Property Value Risks

Please refer to Annexure A, which demonstrates through factual comparisons that the proposed subdivision is consistent with the established scale and character of the area and does not create a precedent for similar subdivisions.

8.6 Lack of transparency and Applicant Track Record

The applicant's personal background or previous project portfolio is not a planning consideration under the Municipal Planning By-law or the Spatial Planning and Land Use Management Act (SPLUMA, 2013). Each land use application must be assessed on its own merits, in relation to applicable spatial policy, zoning rights, and site-specific context — not on the applicant's prior experience or reputation.

That said, the applicant is committed to ensuring that any future development of the site complies fully with all municipal, environmental, and coastal management regulations, and that qualified professionals and registered contractors will undertake it.

The quality and appropriateness of the development will therefore be governed by the Overstrand Municipality's approval conditions and building control processes, ensuring

that the project aligns with the environmental sensitivity and aesthetic character of Vermont, irrespective of the applicant's past portfolio.

9.

A Visser on behalf of M Barnard

Late objection, received on 29 September 2025; objections closed on 26 September 2025.

9.1 Impact on Property Values and Character

No empirical evidence has been provided to substantiate claims that the subdivision of Erf 932 would negatively affect surrounding property values. In practice, property values are influenced by a wide range of factors, including overall market trends, location desirability, and the quality of development, not by the mere act of subdivision. Well-planned and sensitively designed development often enhances local amenity and market confidence through investment.

With respect to neighbourhood character, Erf 932 is situated within an established single-residential environment along Marine Drive, where erven sizes, house designs, and landscaping already display a degree of variation. The proposed subdivision will remain consistent with the (predominant zoning) and will respect the scale, height, and building line parameters applicable to surrounding properties.

The subdivision does not intrude upon any public open space or coastal setback zone and will not obstruct seafront views, as future development will be subject to the same **building line and height restrictions** as the current and adjacent erven. The proposal thus maintains the open, low-profile character of Marine Drive and the visual integrity of the Vermont seafront.

In summary, the subdivision is compatible with the existing development pattern and will not diminish property values or the area's scenic character; rather, it represents an appropriate and orderly refinement of the urban fabric within the defined residential edge.

9.2 Strain on Municipal Infrastructure

See Annexure B.

9.3 Comparison of Erf Sizes in Application

The concern regarding the relative size of the proposed erven compared to existing seafront properties along Marine Drive is acknowledged. However, variation in erf sizes already exists within Marine Drive itself, reflecting the area's organic development pattern rather than a uniform subdivision structure.

While it is correct that some erven along the immediate seafront exceed 900 m², the Spatial Development Framework (SDF) does not prescribe minimum erf sizes for individual streets; instead, it promotes contextually appropriate infill that maintains the

overall residential character and scale of the area and Overlay Zone. The proposed subdivision results in erven of approximately 509m² & 567 m², which remain fully compliant with the requirements of the Single Residential Zone 1 (SR1) zoning applicable to Vermont.

Furthermore, the proposed erven sizes are comparable to numerous residential properties that form part of the same Overlay Zone, urban fabric and visual catchment of Marine Drive. The subdivision, therefore, represents a modest refinement of the existing zoning rights rather than a departure from the spatial intent of the SDF or the Overstrand Zoning Scheme.

Importantly, the design and placement of future dwellings will ensure that the open streetscape character and seafront views are preserved, with building lines, height restrictions, and landscape treatment remaining consistent with the municipal standards applicable to the area.

Accordingly, the subdivision does not disrupt the local development pattern or diminish the unique qualities of Marine Drive but instead aligns with orderly urban development within the existing residential edge.

Please also see Annexure A for a more detailed comparison of Erf sizes.

ANNEXURE A

REIGNING STAND SIZE IN SURROUNDING AREA

A.1 Erf size comparison and local context:

Erf 932 measures 1 076 m² in extent. The proposed subdivision will create two portions of approximately 509 m² and 567 m², respectively.

Within the **Hermanus West Precinct, Planning Unit 1, Coastal Interface Zone A3**, several erven of comparable or smaller size already exist, demonstrating that the proposed subdivision is consistent with the established development pattern. These include, but are not limited to, Erven 2349, 2350, 2351, 2352, 2353, 2354, 2357, 2359, 2362, 2363, 2794, 2795, 2799, 2801, 2803, 2806, 2807, 2810, 2811, 2812, 2822, 2826, 2907, 2908, 2911, 2913, 2914, 2917, 2918, 2978, 3003, 3005, 3006, 3008, 3009, 3315, and 3386 — many of which are smaller than 500 m².

In the immediate context, Erf 932 is bordered by Erf 562 (±714 m²) to the west and Erf 1163 (±614 m²) to the north. Erf 561, located at 34 Marine Drive, approximately two properties west of Erf 932, measures ±684 m². These neighbouring erf sizes closely match the proposed new erven of 509 m² and 567 m², confirming that the subdivision will remain in harmony with the prevailing scale and grain of development along local and broader Vermont contexts.

Factual comparison of Erven of Vermont and Onrus situated in the Heritage Protection Overlay Zone

Table 1.1 Erven in the Heritage Protection Overlay Zone

Erven of Vermont and Onrus in the Heritage Protection Overlay Zone				
Nr	Street	Erf nr	Erf Size (m²)	Area
18	Periwinkle	1342	609	Vermont
7	Periwinkle	1341	600	Vermont
5	Periwinkle	1340	600	Vermont
3	Periwinkle	1339	602	Vermont
1	Periwinkle	1338	724	Vermont
2	Barnacle Close	1321	698	Vermont
4	Barnacle Close	1320	650	Vermont
6	Barnacle Close	1319	685	Vermont
8	Barnacle Close	1318	740	Vermont
10	Barnacle Close	1317	758	Vermont
10	Perlemoen Close	1316	719	Vermont

12	Perlemoen Close	1315	674	Vermont
14	Perlemoen Close	1314	825	Vermont
13	Perlemoen Close	1313	655	Vermont
11	Perlemoen Close	1312	644	Vermont
9	Perlemoen Close	1311	613	Vermont
23	Bietou Street	1095	715	Vermont
21	Bietou Street	1096	701	Vermont
19	Bietou Street	1097	660	Vermont
17	Bietou Street	1098	668	Vermont
15	Bietou Street	1099	680	Vermont
13	Bietou Street	1100	660	Vermont
11	Bietou Street	1101	660	Vermont
9	Bietou Street	1102	660	Vermont
7	Bietou Street	1103	662	Vermont
5	Bietou Street	1104	799	Vermont
3	Bietou Street	1105	807	Vermont
1	Bietou Street	1157	1133	Vermont
39	Duiker Street	584	595	Vermont
37	Duiker Street	583	595	Vermont
35	Duiker Street	1168	538	Vermont
33	Duiker Street	1169	538	Vermont
31	Duiker Street	581	917	Vermont
29	Duiker Street	580	625	Vermont
27	Duiker Street	579	624	Vermont
25	Duiker Street	704	625	Vermont
23	Duiker Street	577	625	Vermont
21	Duiker Street	576	625	Vermont
19	Duiker Street	2303	625	Vermont
17	Duiker Street	1186	625	Vermont
15	Duiker Street	573	759	Vermont
13	Duiker Street	572	828	Vermont
52	Marine Drive	571	940	Vermont
50	Marine Drive	1167	703	Vermont
48	Marine Drive	929	684	Vermont
46	Marine Drive	568	714	Vermont
44	Marine Drive	567	714	Vermont
42	Marine Drive	566	960	Vermont
40	Marine Drive	1480	744	Vermont
38	Marine Drive	563	752	Vermont
36	Marine Drive	1123	892	Vermont
34	Marine Drive	561	684	Vermont
32	Marine Drive	562	714	Vermont
30	Marine Drive	932	1076	Vermont
28	Marine Drive	559	986	Vermont
26	Marine Drive	558	812	Vermont

24	Marine Drive	557	952	Vermont
2	Guthrie Street/Marine Drive	3050	762	Onrus
20	Marine Drive	3051	833	Onrus
18	Marine Drive	3052	833	Onrus
16	Marine Drive	3056	881	Onrus
12	Marine Drive	3047	822	Onrus
10	Marine Drive	3046	732	Onrus
8	Marine Drive	3044	1038	Onrus
6	Marine Drive	3043	867	Onrus
4	Marine Drive	3042	696	Onrus
2	Marine Drive	3041	862	Onrus
2	Human Street	3040	672	Onrus
4	Krige Street	5420	495	Onrus
10	Krige Street	3620	980	Onrus
5	McFairlane Street	2385	760	Onrus
3	McFairlane Street	2389	991	Onrus
1	McFairlane Street	2391	798	Onrus
35	De Villiers Street	2394	913	Onrus
32	De Villiers Street	2460	495	Onrus
30	De Villiers Street	4997	496	Onrus
28	De Villiers Street	3063	496	Onrus
26	De Villiers Street	2464	991	Onrus
24	De Villiers Street	2467	496	Onrus
22	De Villiers Street	2472	496	Onrus
20	De Villiers Street	2468	496	Onrus
18	De Villiers Street	2474	496	Onrus
16	De Villiers Street	2494	991	Onrus
12	De Villiers Street	2480	497	Onrus
10	De Villiers Street	2482	496	Onrus
8	De Villiers Street	2485	793	Onrus
6	De Villiers Street	5160	1405	Onrus
2	De Villiers Street	4176	1802	Onrus
3	Atlantic Drive	2792	481	Onrus
5	Atlantic Drive	2794	496	Onrus
7	Atlantic Drive	2795	495	Onrus
9	Atlantic Drive	2798	496	Onrus
11	Atlantic Drive	2799	496	Onrus
13	Atlantic Drive	2801	496	Onrus
15	Atlantic Drive	2803	496	Onrus
17	Atlantic Drive	2806	496	Onrus
19	Atlantic Drive	2807	496	Onrus
21	Atlantic Drive	2810	563	Onrus
23	Atlantic Drive	2811	496	Onrus
25	Atlantic Drive	2812	496	Onrus
27	Atlantic Drive	2814	991	Onrus

29	Atlantic Drive	3197	569	Onrus
31	Atlantic Drive	2818	495	Onrus
33	Atlantic Drive	2822	496	Onrus
35	Atlantic Drive	2820	497	Onrus
37	Atlantic Drive	3315	495	Onrus
39	Atlantic Drive	2826	495	Onrus
41	Atlantic Drive	3386	496	Onrus
43	Atlantic Drive	3388	586	Onrus
43A	Atlantic Drive	3348	631	Onrus
45	Atlantic Drive	2828	653	Onrus
47	Atlantic Drive	4444	495	Onrus
49	Atlantic Drive	2907	496	Onrus
51	Atlantic Drive	2908	495	Onrus
53	Atlantic Drive	2911	496	Onrus
55	Atlantic Drive	2913	495	Onrus
57	Atlantic Drive	2914	496	Onrus
59	Atlantic Drive	2917	495	Onrus
61	Atlantic Drive	2918	496	Onrus
63	Atlantic Drive	4449	991	Onrus
67	Atlantic Drive	3021	979	Onrus
71	Atlantic Drive	2995	496	Onrus
73	Atlantic Drive	2998	496	Onrus
75	Atlantic Drive	3001	496	Onrus
77	Atlantic Drive	2999	535	Onrus
79	Atlantic Drive	3180	652	Onrus
81	Atlantic Drive	3003	496	Onrus
83	Atlantic Drive	3005	496	Onrus
85	Atlantic Drive	3006	496	Onrus
87	Atlantic Drive	3007	496	Onrus
89	Atlantic Drive	3008	496	Onrus
91	Atlantic Drive	3009	495	Onrus
93	Atlantic Drive	3010	495	Onrus
2	Arum Street	4240	475	Onrus
4	Arum Street	5448	530	Onrus
6	Arum Street	3283	496	Onrus
8	Arum Street	3517	496	Onrus
10	Arum Street	2796	496	Onrus
12	Arum Street	2797	496	Onrus
14	Arum Street	2800	495	Onrus
16	Arum Street	4250	495	Onrus
18	Arum Street	2804	496	Onrus
20	Arum Street	2805	496	Onrus
3	Marlin Street	3481	495	Onrus
1	Arum Street	3898	692	Onrus
3	Arum Street	5596	544	Onrus

7	Arum Street	3290	992	Onrus
9	Arum Street	2858	496	Onrus
11	Arum Street	2851	496	Onrus
13	Arum Street	2850	496	Onrus
15	Arum Street	2847	496	Onrus
17	Arum Street	2846	496	Onrus
19	Arum Street	2844	496	Onrus
24	Arum Street	2809	787	Onrus
26	Arum Street	3507	496	Onrus
30	Arum Street	2816	421	Onrus
32	Arum Street	3354	496	Onrus
34	Arum Street	2821	496	Onrus
36	Arum Street	5290	495	Onrus
38	Arum Street	3282	496	Onrus
40	Arum Street	3576	496	Onrus
42	Arum Street	3387	496	Onrus
21	Arum Street	2841	467	Onrus
23	Arum Street	4257	686	Onrus
25	Arum Street	4861	740	Onrus
29	Arum Street	5600	1229	Onrus
12	Erica Street	2860	762	Onrus
14	Erica Street	2856	496	Onrus
16	Erica Street	2854	496	Onrus
18	Erica Street	4168	495	Onrus
20	Erica Street	4167	495	Onrus
24	Erica Street	2848	991	Onrus
26	Erica Street	2845	496	Onrus
28	Erica Street	2843	496	Onrus
13	Erica Street	2874	568	Onrus
15	Erica Street	2875	991	Onrus
19	Erica Street	2879	495	Onrus
21	Erica Street	2880	495	Onrus
23	Erica Street	2883	496	Onrus
25	Erica Street	2884	496	Onrus
30	Erica Street	2840	516	Onrus
32	Erica Street	2839	826	Onrus
34	Erica Street	3416	528	Onrus
36	Erica Street	2833	596	Onrus
27	Erica Street	3067	496	Onrus
29	Erica Street	3069	496	Onrus
31	Erica Street	2887	496	Onrus
33	Erica Street	2893	495	Onrus
35	Erica Street	2896	991	Onrus
39	Erica Street	2903	496	Onrus
2	Tuna Street	2902	1139	Onrus

4	Tuna Street	4446	992	Onrus
6	Tuna Street	2936	744	Onrus
8	Tuna Street	2912	496	Onrus
10	Tuna Street	2915	495	Onrus
12	Tuna Street	2916	496	Onrus
14	Tuna Street	2919	495	Onrus
16	Tuna Street	2989	480	Onrus
18	Tuna Street	2988	492	Onrus
20	Tuna Street	2987	970	Onrus
24	Tuna Street	3280	495	Onrus
26	Tuna Street	2996	496	Onrus
28	Tuna Street	3000	499	Onrus
12	Green Street	2877	713	Onrus
14	Green Street	3902	661	Onrus
18	Green Street	3903	826	Onrus
20	Green Street	2885	496	Onrus
13	Green Street	3411	602	Onrus
15A	Green Street	4946	526	Onrus
15	Green Street	3413	495	Onrus
22	Green Street	3132	496	Onrus
22A	Green Street	5157	496	Onrus
24	Green Street	2900	496	Onrus
26	Green Street	2984	496	Onrus
28	Green Street	2895	496	Onrus
30	Green Street	2898	496	Onrus
32	Green Street	2899	496	Onrus
17	Green Street	2932	495	Onrus
19	Green Street	2931	495	Onrus
21	Green Street	2928	495	Onrus
23	Green Street	2927	495	Onrus
27	Green Street	2922	495	Onrus
29	Green Street	2921	496	Onrus
12	Beach Road	3415	511	Onrus
18	Protea Street	3414	495	Onrus
20	Protea Street	5228	496	Onrus
22	Protea Street	5226	496	Onrus
24	Protea Street	2929	496	Onrus
26	Protea Street	2926	496	Onrus
28	Protea Street	5556	991	Onrus
30	Protea Street	2924	496	Onrus
32	Protea Street	2920	496	Onrus
21	Protea Street	2972	496	Onrus
23	Protea Street	2975	495	Onrus
25	Protea Street	2977	495	Onrus
27	Protea Street	2979	495	Onrus

29	Protea Street	2980	496	Onrus
31	Protea Street	2983	496	Onrus
33	Protea Street	2984	496	Onrus
20	Disa Street	2973	496	Onrus
22	Disa Street	2974	496	Onrus
24	Disa Street	2976	496	Onrus
26	Disa Street	2978	496	Onrus
28	Disa Street	2981	495	Onrus
30	Disa Street	2982	496	Onrus
32	Disa Street	2985	496	Onrus
23	Disa Street	3015	2099	Onrus
27	Disa Street	3014	961	Onrus
		Total	156638	
Average			632	
Standard Deviation			214	

The average erf size within the Heritage Protection Overlay Zone is approximately **632 m²**, with a standard deviation of **214 m²**, indicating the typical variation from the mean. This means that around 50% of the erven fall between **418 m²** and **846 m²**. Consequently, the proposed subdivision of Erf 932 into portions of **509 m²** and **567 m²** falls well within the prevailing range and can be considered consistent with the established character of the Heritage Protection Overlay Zone.

A.2 Potential precedent for future subdivisional applications

Table 1.2 Erven in Onrus and Vermont within the Heritage Protection Overlay Zone Larger than 1000 m² (from Municipal Geographic information System)

Nr	Street	Erf nr	Erf Size (m ²)	Area
1	Bietou Street	1157	1133	Vermont
30	Marine Drive	932	1076	Vermont
8	Marine Drive	3044	1038	Onrus
6	De Villiers Street	5160	1405	Onrus
2	De Villiers Street	4176	1802	Onrus
29	Arum Street	5600	1229	Onrus

2	Tuna Street	2902	1139	Onrus
---	-------------	------	------	-------

Erf 1157 – The seafront building line significantly restricts the potential for further development.

Erf 5600 – Incorrectly reflected on the Overstrand GIS; the correct erf area should be verified.

Erf 5160 – Designated as a heritage property and therefore not eligible for subdivision.

Erf 2902 – The configuration/layout of the erf limits its suitability for subdivision.

This leaves only three erven—**Erf 932**, Erf 3044, and Erf 4176—with realistic potential for subdivision.

Given this very limited number, the proposed subdivision of Erf 932 cannot reasonably be regarded as setting a precedent for widespread future development.

A.3 Conclusion

Having carefully considered all objections and concerns raised in response to the proposed subdivision of Erf 932, Vermont, it is evident that the proposal aligns with the intent and principles of the Overstrand Municipal Spatial Development Framework (SDF), as well as the applicable provisions of the Municipal Land Use Planning By-Law.

The proposed subdivision respects the existing character and scale of development within the area and falls well within the established erf size range of the Heritage Protection Overlay Zone. It does not undermine the environmental integrity, scenic value, or coastal character of Vermont. On the contrary, the proposal reflects a context-sensitive approach that maintains the low-density coastal village atmosphere while making efficient use of existing serviced land.

Furthermore, factual evidence shows that the subdivision will not set a precedent for uncontrolled fragmentation. Each erf in the coastal zone is unique and subject to its own spatial, heritage, and environmental constraints. The proposed development of Erf 932, therefore, represents a balanced and responsible form of infill development that is consistent with municipal planning objectives, promotes sustainable land use, and supports the orderly development of the coastal settlement.

**ANNEXURE B
RESPONSE TO ENGINEERING SERVICES**

The Application for the subdivision of one (1) stand is made according to Section 16 of the Overstrand Municipality Amendment By-Law on Municipal land use Planning. It has to be noted that the subdivision for this stand is for only one (1) new stand in Marine Drive and will not have a significant impact on Vermont's current development density.

According to the Overstrand Municipality Development Contribution Policy of 2016, the Municipal planning by-law supplements the Overstrand Zoning Scheme Regulations. The Draft National Policy Framework for Municipal Development Charges proposes that every Municipality have both a Development Charges policy and By-law. The sections of the proposed municipal planning by-law dealing with Development Charges satisfy the national requirement for a Development Charges By-law.

The Municipality may, in line with the current wording of Section 48 of the Western Cape's Land Use Planning Bill, impose a condition on the approval of a land development application relating to: "the provision of municipal engineering services [or] the cession of land or payment of money, in compensation for past, present or future public expenditure of community needs, including engineering services which arise directly as a result of the approval in question."

In terms of Section 49 of SPLUMA:

- (1) An applicant is responsible for the provision and installation of internal engineering services
- (2) A municipality is responsible for the provision of external engineering services.
- (3) Where a municipality is not the provider of an engineering service, the applicant must satisfy the municipality that adequate arrangements have been made with the relevant service provider for the provision of that service
- (4) An applicant may, in agreement with the municipality or service provider, install any external engineering service instead of payment of the applicable development charges, and the fair and reasonable cost of such external services may be set off against Development Charges payable.
- (5) If external engineering services are installed by an applicant instead of payment of development charges, the provision of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), pertaining to procurement and the appointment of contractors on behalf of the municipality does not apply.

With the above kept in mind, external engineering services include the bulk – and link engineering services. The current Overstrand Development Charge component is in place to calculate all relevant engineering bulk – and link fees for the development of subdivision of one (1) additional stand in Vermont.

The developers are required to pay a development charge consisting of both of these components below:

- A pro rate share of the cost of bulk engineering services to the development; and
- The cost of any link engineering services required for the development.

Excluded from these Development Charges is the provision and installation of internal engineering services, which is the responsibility of the developer as well as the installation of link engineering services.

It should also be noted that the following applications does not apply for Development Charges and are not part of this subdivision for only one (1) stand in Vermont:

- Rezoning Application
 - o Rezoning to sub divisional area applications which enable rezoning together with subdivision of the land
 - o Rezoning of land from one zone to another in order to change the allowable land uses
 - o Rezoning from on subzone to another in order to increase allowable floor space
- Subdivision application that causes the increase of floor space of GLA
- Departure applications:
 - o Applications to increase the allowable Floor Space, GLA, number of occupants or rooms
 - o Application to increase allowable Coverage
 - o Application to depart from parking requirements
- Consent use applications where the change in land use is deemed by the Municipality to result in additional use of infrastructure.
- Any application for the revision of conditions of a previous approval where the condition restricted the land use, Floor Space, GLA or Coverage.

It is also noted that this subdivision is only for one (1) additional stand. The developer have to contribute a fixed cost of **R 68 142.00** that will be charged by the Overstrand Municipality for the bulk development contribution charge to the developer.

Engineering Services

Vermont's bulk services fall under the Greater Hermanus management area within the Overstrand Municipality. The information presented has been compiled using the latest **Water Services Development Plan (WSDP) – IDP Water Sector Input Report** for the **2024/2025 financial year**, prepared for the Overstrand Municipality. The Greater Hermanus area is supplied with bulk surface water from De Bos Dam and bulk ground water from Gateway-, Camphill and Volmoed Well Fields. The surface and groundwater are treated at the Preekstoel WTW before it is distributed to the various consumers in the Greater Hermanus area. A portion of the final effluent from the Hermantus WWTW is used for irrigation purposes. Raw surface water from the Mossel River and Fisherhaven Dams is also used for irrigation purposes.

Water Demand

According to the **Overstrand Municipality Water Services Development Plan (WSDP) for the 2024/2025 financial year**, the total existing reservoir and water tower storage capacity for the Greater Hermanus area is **38.446 ML**. Based on the calculations, the addition of one (1) new stand, with a peak total demand of **0.0038 ML** (less than **0.009%** of the total storage capacity), will have **no significant impact** on the existing bulk water supply system.

It is noted that the addition of one (1) new stand on erf 932 will have **no significant impact** on the existing Vermont reservoir network system, including the Preekstoel Water Treatment Plant (WTP) and the

Vermont reservoirs, and that sufficient capacity exists to accommodate the proposed development of one (1) new stand in Vermont.

Sewer Demand

According to the *Overstrand Municipality Water Services Development Plan* for FY 2024/25, the current total hydraulic sewer capacity for the Greater Hermanus area is **12 ML/day**. The proposed additional stand will generate a **peak design flow of approximately 0.0023 ML/day**, which represents **less than 0.02%** of the existing wastewater treatment capacity. Therefore, this additional demand will have **no significant impact** on the capacity of the existing Wastewater Treatment Works (WWTW)

The existing Onrus Main PS drainage area in Vermont has **sufficient capacity** to accommodate the proposed development of one (1) additional stand within the existing sewer system. The minimum items required to accommodate the proposed development in the existing sewer system are link services to connect the development of the additional one (1) stand to the existing main sewer line in Marine Drive.

New small bore tank systems for both stands will be constructed. The small-bore sewer system is designed to convey only the liquid fraction of domestic sewage to the off-site WWTW. Solids are retained and separated within the septic tanks, thereby reducing the load on the downstream conveyance and treatment infrastructure. This system provides an efficient and cost-effective means of wastewater management, particularly in low-density areas as Vermont.

Stormwater

The topography of the site has a natural fall towards the South-Eastern side. The existing storm water collected on the properties is accommodated on the surface. It can be noted that Erf 932 is a **low point** and that storm water runoff will **not affect** other properties. There is a storm water catchpit adjacent to the boundary of where Erf 932 is situated. No increase in stormwater is expected for the development of one (1) new additional stand due to the subdivision of an existing stand in the **existing build up** area and thus **no flood** risks due to the subdivision is expected.

Proposed mitigating solution will be to connect the rainwater gutter system to additional tanks for rain water harvesting. This will mitigate the attenuation of storm water and will be used for grey water in the garden areas.

Roads

The proposed subdivision, consisting of one (1) additional stand, will have direct access to the existing road, **Marine Drive**. Marine Drive is classified as a **local municipal road**. According to the *Overstrand Transport Plan*, roads are classified in accordance with the **RCAM (Road Classification and Access Management)** document. Based on this classification system, Marine Drive can be identified as a **Class 4b road**, which is described as an *Access Collector / Inter-urban Road*.

In terms of the **TRH 26: South African Road Classification and Access Management Manual**, a Class 4b road — also referred to as a *Residential Collector Street* — is typically located within residential areas and primarily serves residential traffic and public transport. According to the TRH 26 guidelines, residential collector streets should not carry more than approximately **10,000 vehicles per day (vpd)** or **1,000 vehicles during peak hours**. These volumes represent the maximum traffic that can be safely accommodated on roads of this classification.

The number of properties currently serviced by **Marine Drive** is significantly lower than the road's designed vehicle capacity. As prescribed in the *TMH 17: South African Trip Data Manual* (Table 3.1), a **single dwelling unit** typically generates approximately **4 daily trips**, with a **peak hour factor of 0.225**. The proposed subdivision, which consists of one (1) additional stand, will therefore generate a negligible increase in traffic — estimated at approximately **0.4%** of the total daily trip generation if Marine Drive were operating at its maximum design capacity. Furthermore, all intersections in the vicinity of the proposed development currently operate **well below their maximum capacity**. Based on this assessment, the addition of one residential stand will **not have a significant impact** on the operational capacity or performance of Marine Drive or the surrounding road network.

Conclusion

There is **sufficient capacity** in the existing water reticulation system to accommodate the proposed development of one (1) additional stand in Vermont.

There is **sufficient hydraulic spare capacity** in the existing sewer reticulation system downstream of the development to accommodate the proposed development of one (1) additional stand in Vermont.

The minimum requirements to accommodate the proposed development within the existing sewer system are in place. However, the connection (link) services to the existing sewer reticulation system will be at the developer's cost.

No increase in Stormwater is expected for the subdivision of and existing stand in the existing build up area. The applicant in the application did not apply for departure from current Res 1 property rights therefore the allowable coverage area will not increase.

Sufficient capacity exists in the street segment and the adjacent intersections to accommodate the new estimate traffic for the one (1) additional stand in Vermont.

The developer of Erf 932 in Vermont may be liable for payment of Development Contribution for the **one (1) additional stand** (as calculated by the Overstrand Municipality) for bulk infrastructure as per Council Policy with a fixed cost of **R 68 142.00**.

Payment of the Development Charge will be subject to the Overstrand Development Contribution Policy Section 7.3 of 2016.

Signed:


Pr. Eng.

MOTIVATING MEMORANDUM

**Erf 932, 30 Marine Drive
Vermont
Overstand Municipality**

2025

Submitted to:

**UNIVERSITY CAMPUS LIVING (PTY) LTD &
OPHISOL (PTY) LTD
REF No. EC-219/2025**



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25 April 2025

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ANNEXURE A: DEMOLITION PERMIT

PROFESSIONAL INTEGRITY

The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are this consultancy's personal, impartial, unbiased professional analyses, opinions and conclusions. Erioloba Consulting has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved. This company has taken every care to approach this report objectively.

DISCLAIMER

All data provided in this document is provided for information purposes. Although every reasonable effort is made to present current and accurate information, Erioloba Consulting uses various resources and cannot take responsibility for the accuracy of the content of secondary reports of other consultants. This document has been prepared in good faith based on information available at the publication date without any independent verification. The Client is responsible for assessing the relevance of the content of this publication. Erioloba Consulting will not be liable for any loss, damage, cost or expense incurred or arising because of any person using or relying on information in this publication.

ACKNOWLEDGEMENTS**ERIOLOBA CONSULTING**

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25 April 2025

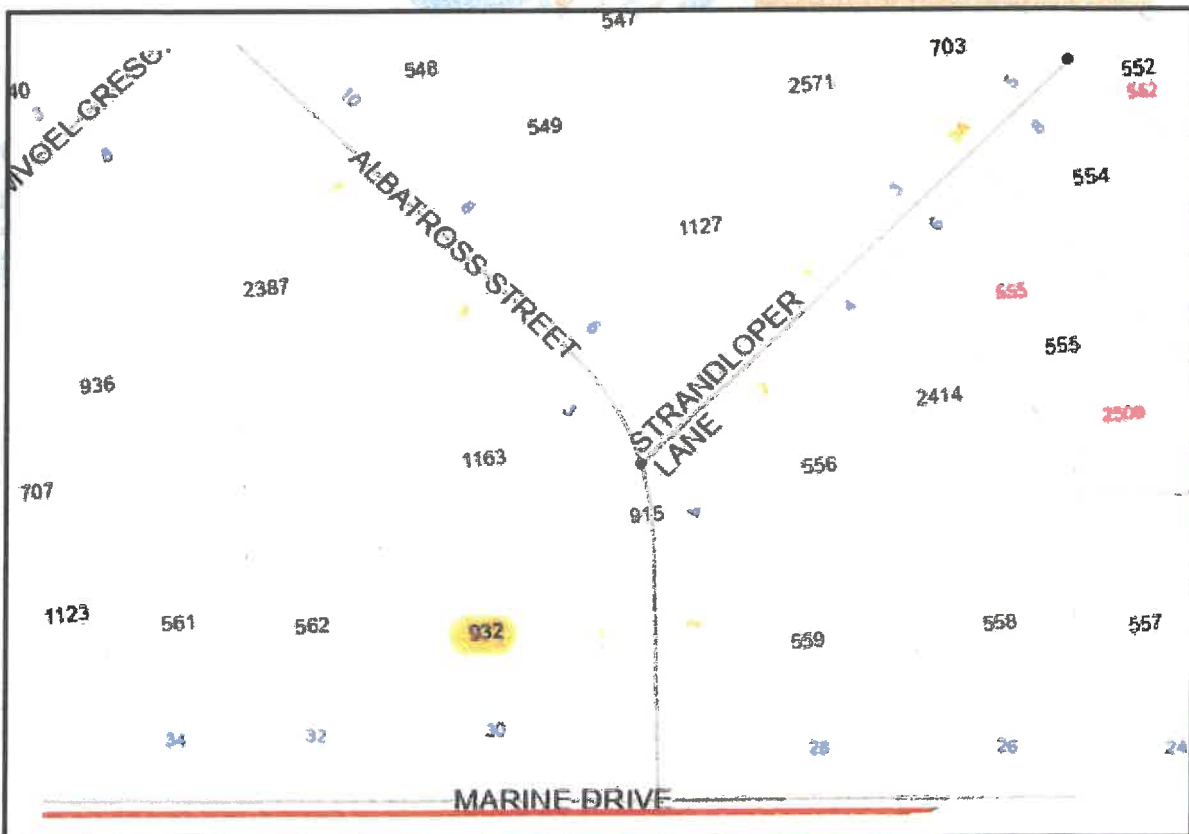


1. PROPOSED PROJECT: ERF 932, 30 MARINE DRIVE

The application site is situated in the southernmost area of Hermanus West, at the corner of Albatross Street and Marine Drive. The Owner intends to subdivide the property, and the latter application was submitted to the Overstrand Municipality on 31 March 2025 (Ref. 4946/2025).

On 8 April 2025, the Overstrand Municipality requested additional information or support for the proposed subdivision, specifically regarding the relevant Environmental Management Overlay Zone (EMOZ) and the Heritage Protection Overlay Zone (HPOZ).

Figure 2: Application Site (Hermanus-West)



Source: Overstrand Public Viewer -GIS (Date of use: 22 April 2025).

2. OVERLAY ZONES

2.1 BACKGROUND

The Overstrand Municipality's Land Use Scheme (2020) and Land Use Planning By-law (2020) have been promulgated in terms of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014). The By-law makes provision for an Environmental Management Overlay Zone (EMOZ) and the Heritage Protection Overlay Zone (HPOZ).

The Municipality has prepared several Overlay Schemes, and the relevant schemes have been formalised in terms of Section 18 of the Overstrand Land Use Planning By-law (2020) and Chapter 15 of the Overstrand Land Use Scheme (2020). Accordingly, the Municipality may prepare, approve, amend or repeal overlay zones for specific areas in order to:

- a) give expression to the local needs and values of the communities concerned in a planning context;
- b) promote sustainable development and respond to current urban or conservation realities in a particular area; and
- c) respond to particular types of development, urban form, landscape character or environmental features, provided that the Municipality is satisfied that the above-mentioned objectives are appropriate for the area concerned and that the fulfilment of these objectives does not detract from the Municipality's ability to serve the needs of the municipal area as a whole.

The Application for Subdivision relevant to Erf 932 Vermont requires an interpretation regarding the impact of the Environmental Management Overlay Zone (EMOZ) and the Heritage Protection Overlay Zone (HPOZ).

2.2 ENVIRONMENTAL MANAGEMENT OVERLAY ZONE (EMOZ)

Chapter 2 of the Overstrand Municipality By-law on Municipal Land Use Planning: Regulations, makes provision for five overlay zones within the above Scheme, namely:

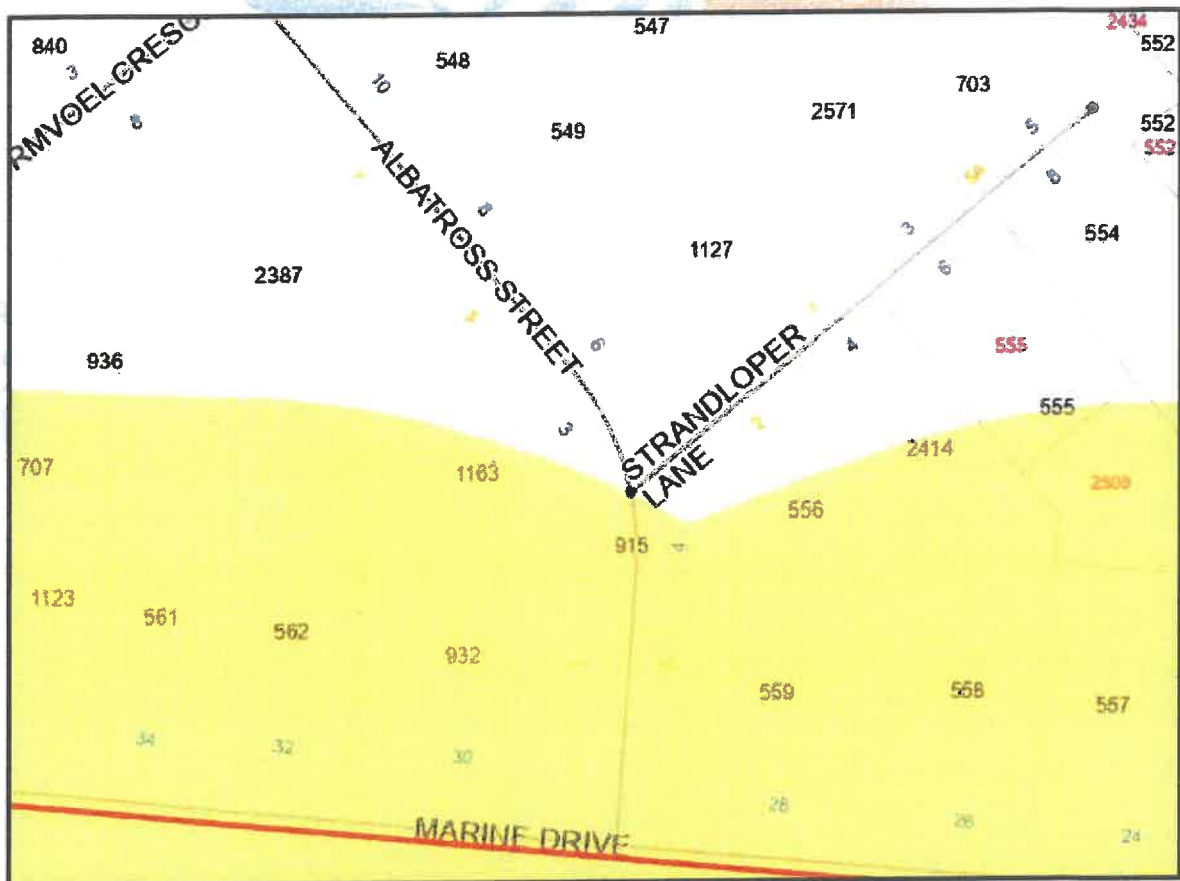
- Coastal Protection EMOZ;
- Mountain Catchment EMOZ;
- Protected Area Buffer EMOZ;
- Riverine EMOZ; and
- Urban Conservation EMOZ.

According to the municipality's Public Viewer GIS-system and Plan 1 of EMOZ, the Application Site is located in the Coastal Protection Zone (see Figure 2). Section 4 of the relevant Regulations specifies numerous limitations and management instruments available to the municipality to ensure environmental sustainability of the designated zone. No development restrictions are, however, relevant to this site. In addition, the subdivision of said property will also not trigger any restrictions based on the EMOZ Overlay.

Schedules A, B and C of the Regulations are noted and will be adhered to, but imply no restrictions on the proposed subdivision of the Application Site.

The Application Site is also relatively close to the Urban Low Risk Zone in terms of the Urban Conservation Overlay. However, formally, it is not affected by the latter classification.

Figure 2: Coastal Protection EMOZ



Source: Overstrand Public Viewer -GIS (Date of use: 22 April 2025).

Lastly, the potential impact of EMOZ was also clarified with a designated officer (Me. P Aplon) from Overstrand Municipality, who confirmed that the subdivision process does not trigger any implications. It is noted that the construction process that may ensue, if approved, will also be subject to all restrictions noted in the Regulations and Schedules of said By-law.

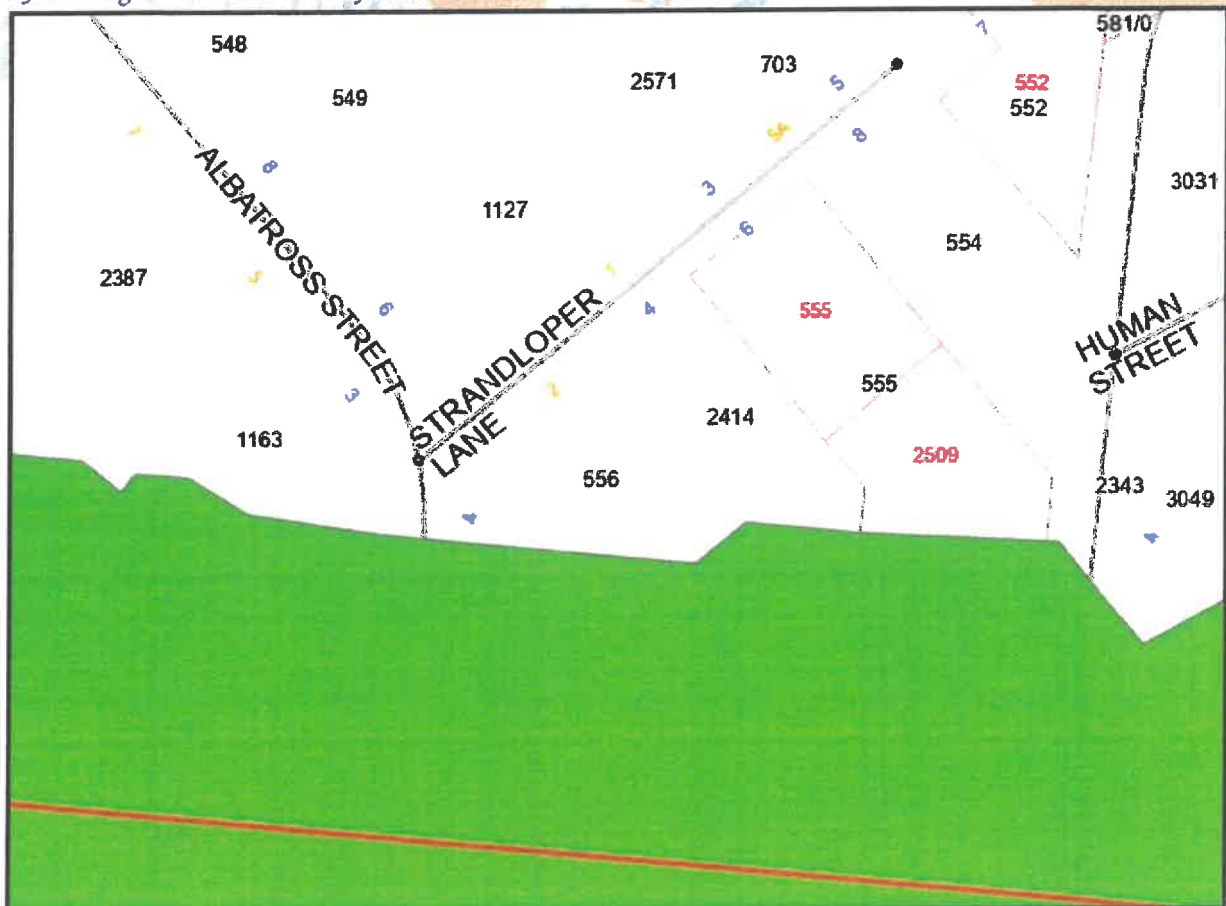
2.3 HERITAGE PROTECTION OVERLAY ZONE (HPOZ)

Chapter 2 of the Heritage Protection Overlay Zone Regulations, part of the Overstrand Municipality By-law on Municipal Land Use Planning, provides numerous precinct-specific overlay zones.

According to the municipality's Public Viewer GIS system, Plan A (Overstrand Wide) and Plan 9 (Hermanus-West) of HMOZ, the Application Site is located in the Coastal Strip Heritage Protection Zone (see Figure 3). Section 9 of the HMOZ Regulations (2020), defines the purpose of this zone, i.e. to ensure that land use applications comply with the existing character and contextual significance of the surrounding area.

As the Application Site is located in the transition zone between urban development and natural coast, the importance of this Overlay Zone is evident. According to Section 9, these designated zones should "... protect and enhance the nature of the transition zone between the built fabric along the coastal strip, including the first line of erven facing the coast, the coastal walkway and the coastline". Erf 932 has not been earmarked as a Local Heritage Site, as it is located within the Coastal Zone. However, a number of sites close hereto have been identified as such (see Figure 4).

Figure 3: Heritage Protection Overlay Zone



Source: Overstrand Public Viewer -GIS (Date of use: 22 April 2025).

A Demolition Permit was obtained and submitted together with the Land Development Application to the Municipality (see Annexure A). If the subdivision application succeeds, it will result in two stands of 567m² and 509m², respectively. This compares well with the existing **grain and texture** of the surrounding area of erven of approximately 500m². The following erven are all smaller than said 500m², i.e. Erven 2349, 2350, 2352, 2353, 2354, 2359, 2357, 2362, 2363, 2351, 2794, 2795, 2978, 2799, 2801, 2803, 2806, 2807, 2810, 2811, 2812, 2822, 3315, 2826, 3386, 2907, 2908, 2911, 2913, 2914, 1917, 2918, 3003, 3005, 3005, 3006, 3008, and 3009. The proposed subdivision will, accordingly, support the HMOZ objective of “... retaining the relatively fine-grain form of development characteristic of the Overstrand holiday home vernacular evident along the coastal strip” (see Section 9.2.4 of the Regulations).

When examining the newly established boundary along with the specified building lines, as proposed in the land development application, less space will be available for construction. The actual built-up area will be smaller than if it were a single property. As per the By-law, the proposed building plans will be submitted and subject to the scrutiny of the relevant **Heritage and Aesthetics** Committees. If the subdivision application is approved, the specific requirements from Overstrand Municipality (HMOZ) regarding the **building heights, roof treatment, architectural style, etc.**, will be dealt with.

3. IMPACT OF PROPOSED DEVELOPMENT

Any new development within an existing precinct, like Hermanus-West, potentially impacts the adjacent environment and the surrounding community. The impact of the proposed development in Marine Drive will also be discussed shortly in terms of the Planning Principles stipulated by the Spatial Planning and Land Use Management Act (2013) and the local Spatial Development Framework (2020).

3.1 SPLUMA PRINCIPLES

The Spatial Planning and Land Use Management Act (Act 16 of 2013), provides for the normative evaluation of spatial planning applications. Some of these principles have been referred to in the subdivision application. However, the following principles find specific application:

- **The principle of spatial sustainability**

The proposed subdivision application supports the surrounding area's development patterns, as the existing stand is relatively large (1076m²). It has been illustrated that most of the surrounding properties are closer to 500m². In addition, the proposed subdivision does not trigger environmental concerns from the EMOZ as described in the sections above. Similarly, the proposed subdivision will enhance the objectives of the HMOZ, as new structures will also be subject to the relevant Heritage and Aesthetics Committees.

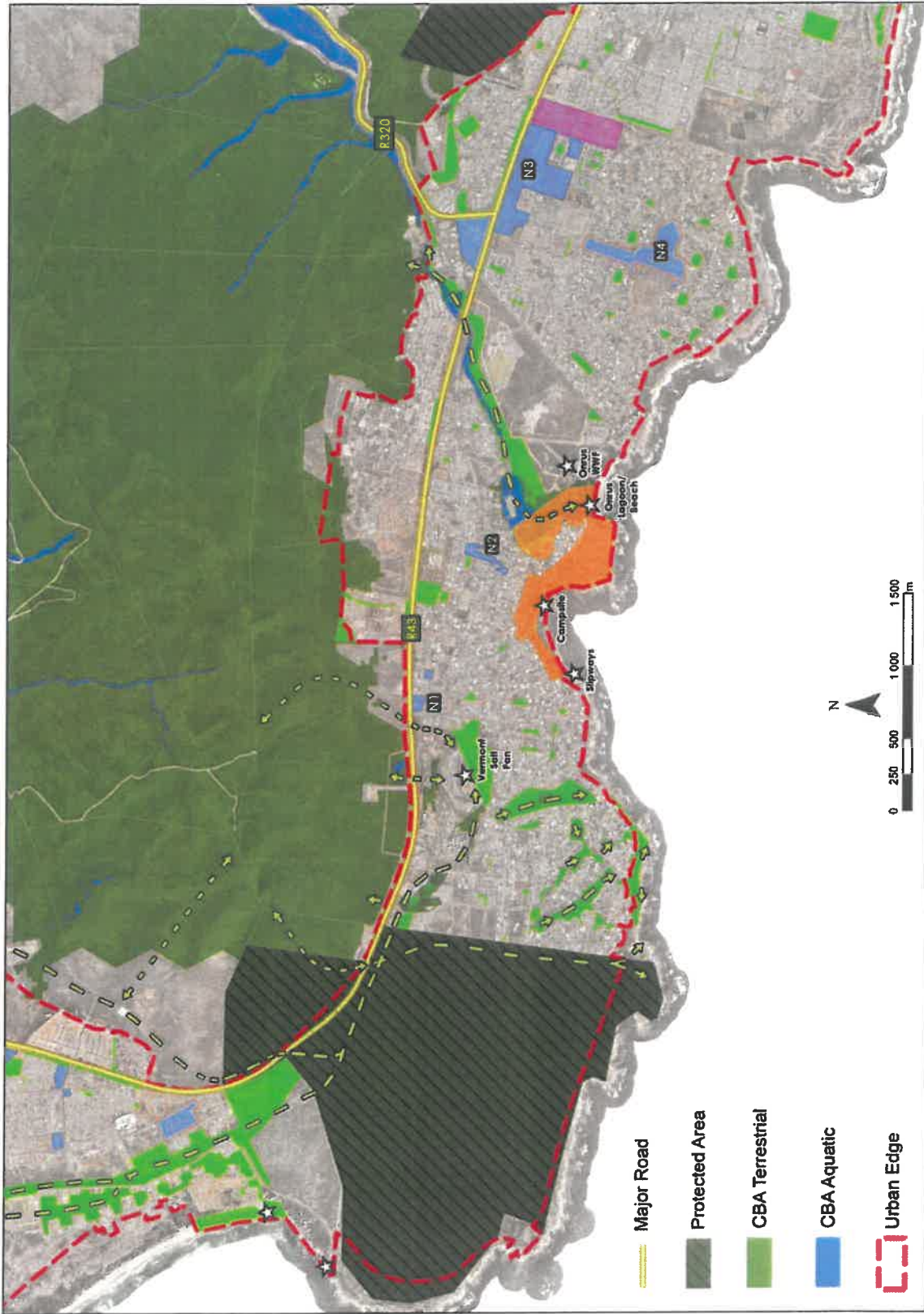
- **The principle of efficiency**

Land area is at a premium in coastal towns, especially in Hermanus West. Densification trends are evident in the surrounding area, especially the Coastal Strip (HMOS). The area is characterised by medium-density residential units, which reflect optimal usage of engineering services, open space and community services.

3.2 IMPACT OF THE OVERSTRAND LM SDF ON THE PROPOSED DEVELOPMENT

The **Overstrand Spatial Development Framework (2020)** illustrates various spatial factors that influence the application indirectly. It is evident that Erf 932 is located within the Urban Edge, and numerous Critical Biodiversity and Protected Areas encompass the area. It identifies the Ecological Process Corridors nearby and the various Urban Conservation Zones. None of these physical and spatial features impact the Application Site, but serve to illustrate the merits of appropriate densification and improved access to this unique suburb of Overstrand.

Figure 5: Extract from Overstrand SDF – Hermanus West Proposals (2020)



4. DISCLAIMER

The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are this consultancy's personal, impartial, unbiased professional analyses, opinions and conclusions. Erioloba Consulting has no present or prospective interest in the property that is the subject of this report, and has no personal interest with respect to the parties involved. The Owners approached this consultancy for an objective reflection on the merits of the subdivision application – we have taken every care to approach this report from an objective stance.

Please do not hesitate to contact the undersigned in case of any queries or questions.

Compiled by



Dr Ernst Drewes Pr. Pln (A/817/1995)

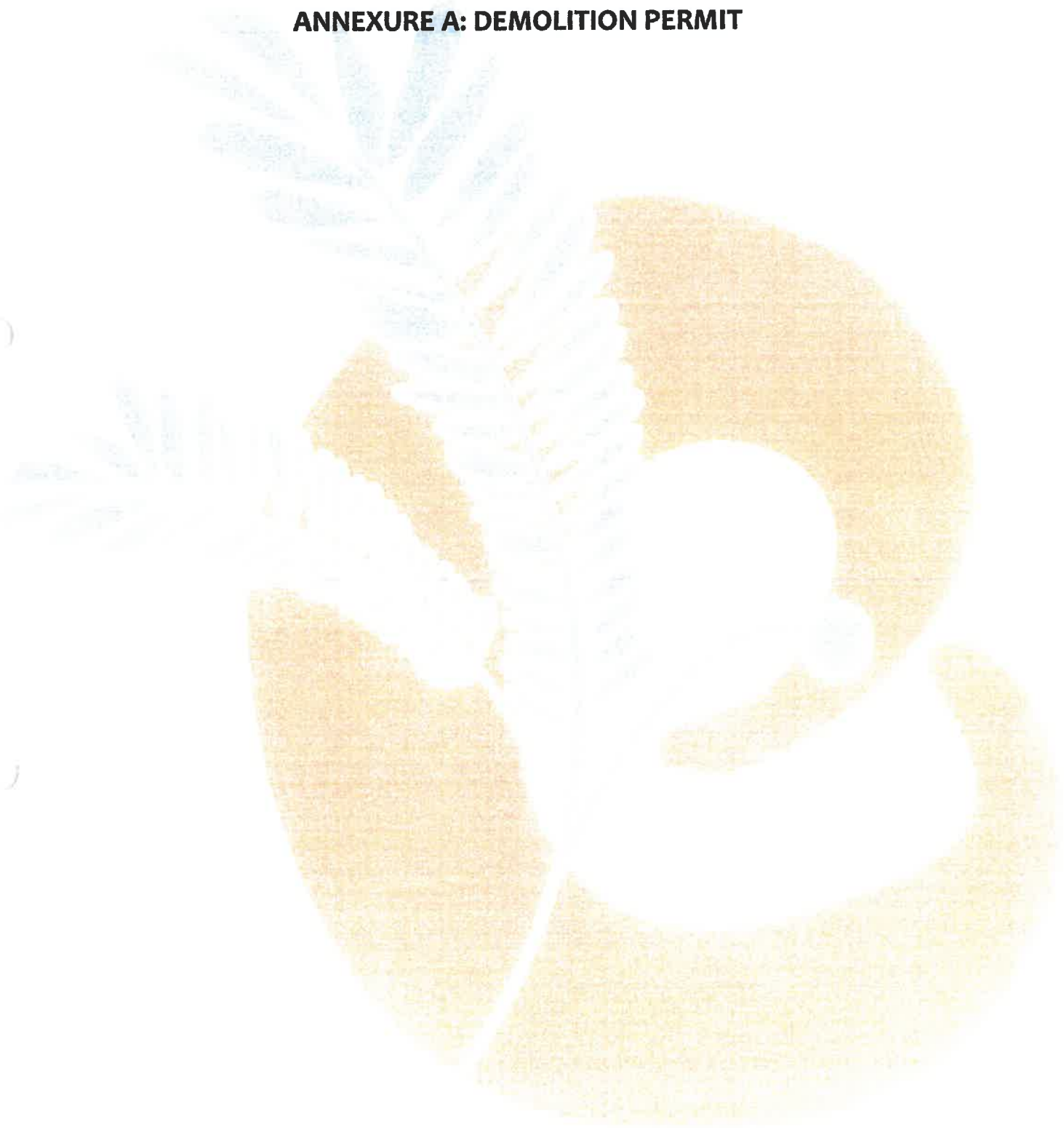
Director: Erioloba Consulting



Dr Mariske van Aswegen Pr. Pln (A/118/2009)

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ANNEXURE A: DEMOLITION PERMIT



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Navrae:
 Imibuzo:
 Enquiries: **L. Lubbe**

VERW/REF: PLAN NO 49962

Datum:
 Date: 19/3/2025

Owner/Eienaar: **University Campus Living (Pty) Ltd & Ophisol (Pty) Ltd**
 Postal Address/Posadres: **76 Steve Biko
 Potchefstroom
 2531**

**DEMOLITION PERMIT /
 SLOPINGSPERMIT**

Erf No. 932, Vermont
Erf Nr.

Hereby permission is granted to Part E1 of SANS 10400 that buildings as per plan no. 49962
Hiermee word toestemming verleen i.t.v Deel E1 van SANS 10400 dat geboue soos per plan nr.

situated at 30 Marine Drive, Vermont
geleë te

can be demolished.
gesloop mag word.

CONDITION in terms of SANS 10400 Part F1(5) and Part E1(2):

- the owner of this demolition application must inform the neighbouring and/or affected property owners of the proposed demolition at least 5 working days prior to demolition.

CONDITION in terms of SANS 10400 Part F1(5) and Part E1(2) and Part E1(3):

- No person shall at any time during the course or after the demolition of a building leave it in a condition dangerous to the public or any adjoining property.

CONDITION in terms of SANS 10400 Part F6(1):

- The owner of any land on which excavation work is in progress or on which any building is being erected or demolished shall take precautions in the working area and on surrounding roads and footways to limit to a reasonable level the amount of dust arising from the work or surroundings thereof. The method of limiting of dust may include netting or watering of sand but is not limited to these methods.

ELECTRICITY & WATER METERS:

Kindly inform council before demolition proceeds to enable them to remove all municipal equipment.

This permit is valid for a period of 12 (TWELVE) months from date hereof.



MANAGER: BUILDING CONTROL / BESTUURDER: BOUBEHEER

NAVRAE : R Andrew
ENQUIRIES

LEËRVERWYSING : Erf 932, Vermont
FILE REFERENCE

DATUM : 19/11/2025
DATE



DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

University Campus Living Pty (Ltd)
& Ophisol Pty (Ltd)
76 Steve Biko Street
Potchefstroom
2531

To whom this may concern

SUBDIVISION OF ERF 932, VERMONT - CONFIRMATION OF BULK SERVICES

Your request regarding the availability of bulk services for the proposed subdivision of Erf 932 Vermont refers.

WATER

Water for the proposed subdivided erven can be supplied from the existing municipal sources. Municipal water infrastructure is available in the vicinity of the proposed erven.

SANITATION

Enough capacity is available at the existing Hermanus Wastewater Treatment Works (WWTW) to serve the proposed erven. A municipal sewer service pipeline is available in the vicinity of the proposed erven.

WASTE REMOVAL

The municipal waste disposal site in Karwyderskraal has enough capacity to receive the waste from the proposed erven. A Municipal waste removal / collection service is available.

STORMWATER

Stormwater run-off within the proposed erven must be accommodated in line with the National Building Regulations, the Overstrand Municipal Stormwater Bylaw and common law principles.

ROADS

Municipal road infrastructure is available in the vicinity of Mother Erf 932, Vermont. Access can be obtained from existing, surfaced municipal streets.

Please contact me if you require any additional information.

Yours sincerely,

Ricardo Andrew
Principal Technologist: Development Control

24 NOV 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Loretta Gillion

From: Johan Du Plessis | JP Projects <jp@jpprojects.co.za>
Sent: Monday, 24 November 2025 09:59
To: Loretta Gillion
Cc: Louis Schlebusch
Subject: COMMENT ON OBJECTIONS: PROPOSED SUBDIVISION: ERF 932 VERMONT
Attachments: Erf sizes.docx; Services annexure.docx; Motivating Memorandum.pdf; Response Dr Drewes.docx; Services confirmation.pdf; JP Comments on objections.pdf

Good morning Loretta

I trust that you are well.

Attached please find the following:

1. My letter of today's date commenting on the objections received to the proposed subdivision of Erf 932 Vermont.
2. A written "Response to Objections" prepared by Dr. J E Drewes of Erioloba Consulting, with three annexures attached, respectively dealing with "erf sizes", "services" and "local strategic plans/strategies".
3. A letter dated 19 November 2025 from the Municipality's Directorate: Infrastructure Services, the contents of which is self-explanatory.

Please acknowledge receipt.

Johan Du Plessis
 PROKUREUR • ATTORNEY
 land law specialist

FILE NO. Erf 932- HVM
SCAN NO.
COLLABORATOR NO.
2914060

SOLE PROPRIETOR: JP du Plessis B Juris, LLB (UNISA), BPhil & MPhil Sustainability (US)

25 Lourensford Road, Somerset West, 7130 • PO BOX 1044, Somerset Mall, 7137
 Tel: (021) 851 0359

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24 NOV 2025

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR SUBDIVISION: ERF 932, VERMONT (4946/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Eskom Area
Water	:	Refer to conditions
Sewer	:	Refer to conditions
Roads and traffic	:	Refer to conditions

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

1.1. Developments containing Sectional Title Units/ Commercial Buildings (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

1.2. Developments with free standing properties (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2025/2026) is as follows:

Freehold erven:

Water	R 27 598.00 x 1	=	R 27 598.00
Sewerage	R 19 725.00 x 1	=	R 19 725.00
Roads	R 8 845.00 x 1	=	R 8 845.00
Stormwater	R 10 205.00 x 1	=	R 10 205.00
Solid Waste	R 1 769.00 x 1	=	<u>R 1 769.00</u>
TOTAL (inclusive of VAT)		=	R 68 142.00

Please note that the above figures:

- a) are estimates
- b) do not include investigation and connection fees
- c) are subject to annual tariff adjustments

2. that the existing water connection to Erf 932 shall be used to service the proposed Portion A or the Remainder of Erf 932;

3. that any part of the existing water and sewer services on Erf 932 that crosses the common boundary of Portion A and the Remainder of Erf 932 shall be disconnected and sealed off;
4. that both the Remainder and Portion A must be serviced with individual and separate water connections which must comply with the standards of the Division: Civil Engineering Services;
5. that the proposed Portion A and Remainder of Erf 932 must each be serviced with individual and separate sewer conservancy tanks, which must comply with the standards of the Division: Civil Engineering Services, and to which the sewer services of the individual erven must connect to;
6. that the developer must investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
7. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Division: Civil Engineering Services;
8. that any additional and / or extended vehicle entrances will be for the owner's account;
9. that no reservation of on-street parking be allowed;
10. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
11. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL

26/08/2025
DATE



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 OVERSTRAND MUNISIPALITEIT
 REKORDBEHEER
 28 AUG 2025
 DOCUMENT CONTROL
 OVERSTRAND MUNICIPALITY

Annexure G 1/3

TP - A Theart
(H Olivier)

15 Bosmansdam Road
Milnerton
Cape Town
7441

Sanet Botha
Tel: 081 4093918
Email: WayleavesSR@Telkom.co.za

Our Ref.: WONR 2459 25
Your Ref:

27 August 2025

OVERSTRAND MUNICIPALITY

Dear Sir / Madam

OPTIC FIBRE/COPPER PLANT AFFECTED

WAYLEAVE: 30 MARINE DRIVE, VERMONT.

With reference to your application dated 21 August 2025.

FILE NO. Erf 932- HM

SCAN NO.

COLLABORATOR NO.
2854545

As important OPTIC FIBRE cables are affected, please contact our representative Melt van As telephone number 081 3637873 at least 48 hours prior of commencement on construction work.

As per sketch attached, Openserve infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

I hereby inform you that Openserve approves the proposed work indicated on your drawing in principle. This approval is valid for **6 months only**, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

TP 28 AUG 2025

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Openserve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully



Sanet Botha

Wayleave Management: Western Region & Southern Region



Legend							
							Scale: 1:1517
							Date: 27/06/2025
							Created By: boths