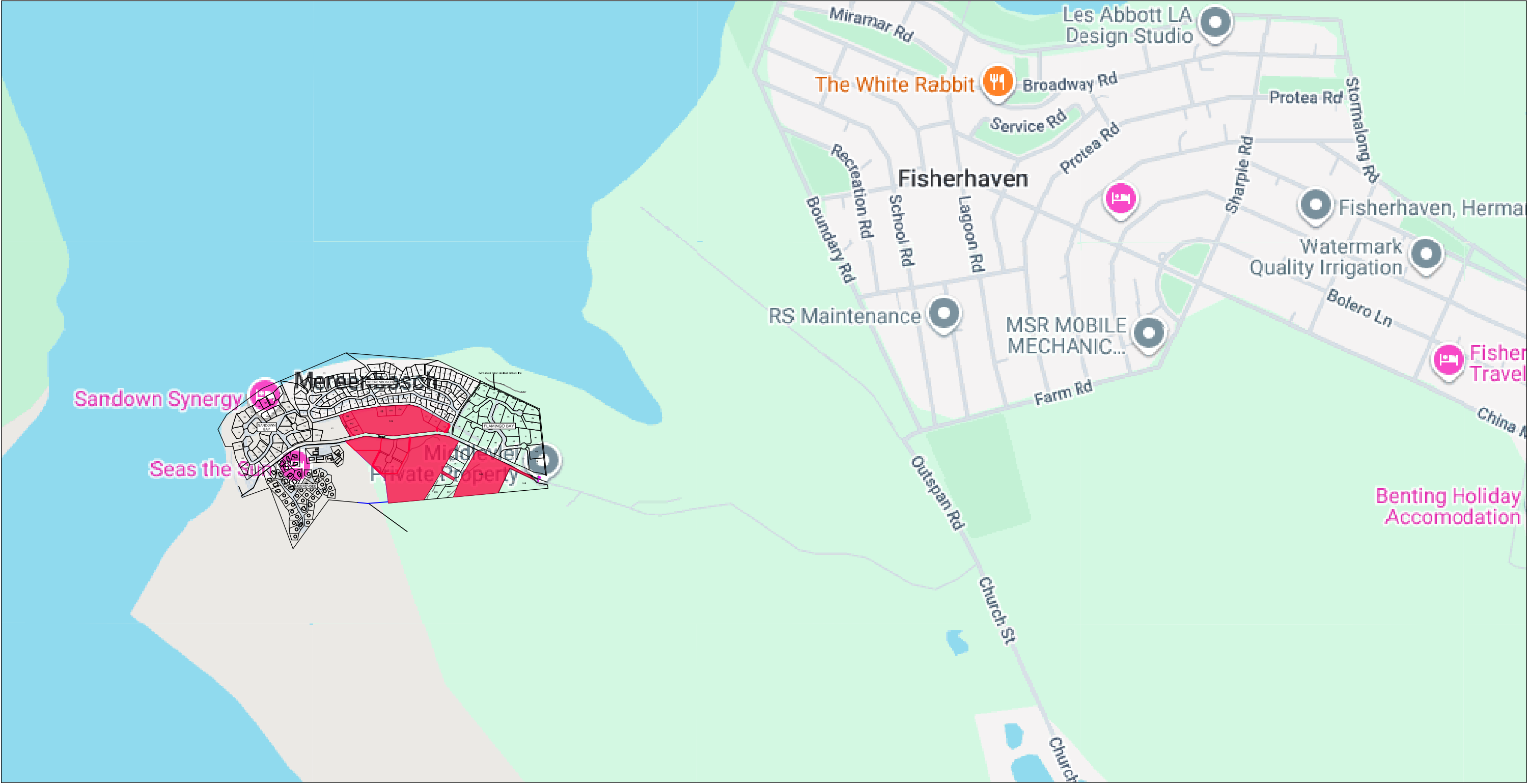




OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
ERF 243, MEERENBOSCH (AND UNREGISTERED ERVEN 146 – 155, 189 & 249): APPLICATION FOR AMENDMENT OF CONDITIONS IN RESPECT OF EXISTING APPROVALS, SUBDIVISION, REZONING AND CONSOLIDATION: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MEERENSEE RESORT (PTY) LTD Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), of the following applications applicable to the abovementioned properties, namely: Amendment of conditions in respect of existing approvals Application in terms of Section 16(2)(h) of the By-Law, to amend the following: - Condition 1.(h) of approval letter 2 October 2012 to accommodate the proposed transfers of Unregistered Erf 149 (the Remainder) and Unregistered Erf 249, Meerenbosch to Middelvlei Master Homeowners Association, Erven 178 and 187, Meerenbosch to the Flamingo Bay Homeowners Association and Erf 189, Meerenbosch (portion of road) be transferred to the Meerenbosch Homeowners Association. - Condition 1.(i) of approval letter 2 October 2012 to accommodate that all future members become members of the Flamingo Bay Homeowners Association and Middelvlei Master Homeowners Association, with the exclusion of unregistered Erven 146–148 and 150–155 Meerenbosch, which will resort under the Meerenbosch Homeowners Association (already a member of the Middelvlei Master HOA). - Condition 3.(b) of approval letter 22 April 2024 to accommodate compliance with the amended conditions of approval. Subdivision Application in terms of Section 16(2)(d) of the By-Law for the subdivision of Erf 243 Meerenbosch into a Portion A (±2727m²), a Portion B (±6520m²) and a Remainder (± 26403m²). Rezoning Application in terms of Section 16(2)(a) of the By-Law for the rezoning of the newly created Portion A (a portion of Erf 243, Meerenbosch) from Open Space Zone 3: Private Open Space (OS3) to Transport Zone 2: Road and Parking (TR2A) to accommodate a private parking area. Rezoning Application in terms of Section 16(2)(a) of the By-Law for the rezoning of the newly created Portion B (a portion of Erf 243, Meerenbosch) from Open Space Zone 3: Private Open Space (OS3) to a Subdivisional Area to create the following: 5 Residential Zone 1: Single Residential (SR1) erven, and 1 Transport Zone 2: Road and Parking (TR2A) erf. Subdivision Application in terms of Section 16(2)(d) of the By-Law for the subdivision of Unregistered Erf 149, Meerenbosch into a Portion C (±77m²) and a Remainder (±11332m²). Rezoning Application in terms of Section 16(2)(a) of the By-Law for the rezoning of the newly created Portion C (a portion of Unregistered Erf 149, Meerenbosch) from Open Space Zone 3: Private Open Space (OS3) to Residential Zone 1: Single Residential (SR1). Consolidation Application in terms of Section 16(2)(e) of the By-Law to consolidate the newly rezoned Portion C (a portion of Unregistered Erf 149 Meerenbosch) with Unregistered Erf 155, Meerenbosch to create a consolidated property of ±754m² in extent. Subdivision Application in terms of Section 16(2)(d) of the By-Law for the subdivision of Unregistered Erf 155 Meerenbosch into a Portion D (±77m²) and a Remainder (±677m²). Rezoning Application in terms of Section 16(2)(a) of the By-Law for the rezoning of the newly created Portion D (a portion of Unregistered Erf 155, Meerenbosch) from Residential Zone 1: Single Residential (SR1) to Transport Zone 2: Road and Parking (TR2A). Consolidation Application in terms of Section 16(2)(e) of the By-Law to consolidate the newly rezoned Portion D (a portion of Unregistered Erf 155, Meerenbosch) with the existing unregistered private road. Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town and Spatial Planning, 16 Paterson Street, Hermanus and on the municipal webpage at the following link https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) on or before 25 September 2026, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the Town Planner, Mr. H. Olivier at 028-3138900. The Municipality may refuse to accept comments after the closing date. Any person who cannot read or write can visit the Town and Spatial Planning Department where they will be assisted by a municipal official in formulating their comments. <i>Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed / used in the (application) process.</i>	ERF 243, MEERENBOSCH (EN ONGEREGETREERDE ERWE 146 – 155, 189 & 249): AANSOEK OM WYSIGING VAN VOORWAARDES TEN OPSIGTE VAN BESTAANDE GOEDKEURINGS, ONDERVERDELING, HERSONERING EN KONSOLIDASIE: PLAN ACTIVE STADS- EN STREEKSBEPLANNERS NAMENS MEERENSEE RESORT (PTY) LTD Kennis geskied hiermee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), van die volgende aansoeke wat op bogenoemde eiendomme van toepassing is, naamlik: Wysiging van voorwaardes ten opsigte van bestaande goedkeurings Aansoek ingevolge Artikel 16(2)(h) van die Verordening om die volgende te wysig: - Voorwaarde 1(h) van goedkeuringsbrief 2 Oktober 2012, om voorsiening te maak vir die voorgestelde oordragte van Ongeregistreerde Erf 149 (die Restant) en Ongeregistreerde Erf 249, Meerenbosch, aan die Middelvlei Meester Huiseienaarsvereniging; Erwe 178 en 187, Meerenbosch, aan die Flamingo Bay Huiseienaarsvereniging; en Erf 189, Meerenbosch (gedeelte pad), aan die Meerenbosch Huiseienaarsvereniging. - Voorwaarde 1.(i) van goedkeuringsbrief 2 Oktober 2012, om voorsiening te maak dat alle toekomstige lede, ook lede word van die Flamingo Bay Huiseienaarsvereniging en die Middelvlei Meester Huiseienaarsvereniging, met die uitsondering van Ongeregistreerde Erwe 146–148 en 150–155 Meerenbosch, wat onder die Meerenbosch Huiseienaarsvereniging sal ressorteer (alreeds 'n lid van die Middelvlei Meester HEV). - Voorwaarde 3.(b) van goedkeuringsbrief 22 April 2024, om voorsiening te maak dat die gewysigde goedkeuringsvoorwaardes nagekom word. Onderverdeling Aansoek ingevolge Artikel 16(2)(d) van die Verordening vir die onderverdeling van Erf 243 Meerenbosch in 'n Gedeelte A (±2727 m²), 'n Gedeelte B (±6520 m²) en 'n Restant (±26 403 m²). Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van die nuut geskepte Gedeelte A ('n gedeelte van Erf 243, Meerenbosch) vanaf Oopruimtesone 3: Privaat Oopruimte (OS3) na Vervoersone 2: Pad en Parkering (TR2A) om 'n privaats parkeerarea te akkommodeer. Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van die nuut geskepte Gedeelte B ('n gedeelte van Erf 243, Meerenbosch) vanaf Oopruimtesone 3: Privaat Oopruimte (OS3) na 'n Onderverdelingsgebied om die volgende te skep: 5 Residensiële Sone 1: Enkelresidensieel (SR1) erwe, en 1 Vervoersone 2: Pad en Parkering (TR2A) erf. Onderverdeling Aansoek ingevolge Artikel 16(2)(d) van die Verordening vir die onderverdeling van Ongeregistreerde Erf 149, Meerenbosch in 'n Gedeelte C (±77m²) en 'n Restant (±11 332m²). Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van die nuut geskepte Gedeelte C ('n gedeelte van Ongeregistreerde Erf 149, Meerenbosch) vanaf Oopruimtesone 3: Privaat Oopruimte (OS3) na Residensiële Sone 1: Enkelresidensieel (SR1). Konsolidasie Aansoek ingevolge Artikel 16(2)(e) van die Verordening om die nuut hersoneerde Gedeelte C ('n gedeelte van Ongeregistreerde Erf 149, Meerenbosch) met Ongeregistreerde Erf 155, Meerenbosch te konsolideer, om 'n gekonsolideerde eiendom van ±754m² in grootte te skep. Onderverdeling Aansoek ingevolge Artikel 16(2)(d) van die Verordening vir die onderverdeling van Ongeregistreerde Erf 155, Meerenbosch in 'n Gedeelte D (±77m²) en 'n Restant (±677m²). Hersonering Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die hersonering van die nuut geskepte Gedeelte D ('n gedeelte van Ongeregistreerde Erf 155, Meerenbosch) vanaf Residensiële Sone 1: Enkelresidensieel (SR1) na Vervoersone 2: Pad en Parkering (TR2A). Konsolidasie Aansoek ingevolge Artikel 16(2)(e) van die Verordening om die nuut hersoneerde Gedeelte D ('n gedeelte van Ongeregistreerde Erf 155, Meerenbosch) met die bestaande ongeregistreerde privaatpad te konsolideer. Besonderhede aangaande die voorstel lê ter insae gedurende weeksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning te Patersonstraat 16, Hermanus en op die munisipale webtuiste by die volgende skakel https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (e) landuse@overstrand.gov.za) voor of op 25 September 2026, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Stadsbeplanner, Mnr. H. Olivier by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Afdeling: Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer. <i>U aandag word gevestig op die Bepalings van die “POPI” Wet, en aangesien u opmerking deel sal uitmaak van ’n openbare deelname proses, u derhalwe toestem dat u naam, van en kontakbesonderhede openbaar gemaak mag word.</i>	ISIZA ESINGU-ERF 243, MEERENBOSCH (AND UNREGISTERED ERVEN 146 – 155, 189 & 249): ISICELO SOKWENZA IZIHLOMELO KWIIMEKO EZIMAYELA NEMIBA ESEYILKHONA YOKUVUMELA NOKUPHUMEZA.UKWAHLULA KWAKHONA, UKUCANDA KWAKHONA NOKUYONDELELANISA: NGABAKWAPLAN ACTIVE TOWN NABACWANGCISI BENGINGQI EGAMENI LE- MEERENSEE RESORT (PTY) LTD Kukhutshwe isaziso esimayela nemiba yeSolotya lama-47 nelama-48 loMthethwana Osisihlomelo SoMthethwana kaMasipala waseOverstrand OngeziCwazngciso Zokusetyenziswa koMhlaba kaMasipala ke2020 (Umthethwana), omayela nezi zicelo zilandelayo nezisebenza kwezi zindlu/ lemihlaba ichazwe ngentla, eyaziwa ngoku kulandelayo: Izihlomelo ezikhoyo ezingokuvumela nokuphumeza Izicelo ngokwemiba yeSolotya le16(2)(h) loMthethwana, ukuhlomela le miba ilandelayo: - Imeko Yokuqala 1.(h) yeleta ephunyeziweyo 2 Okthobha 2012 ukulungiselela ukhuphelo oluphakanyiswayo lweSiza Esingabhaliswanga lisa u- Erf 149 (Intsalela) neSiza esingabhaliswanga uErf 249, Meerenbosch ibe yiMiddelvlei Master Homeowners Association, liziza ezingu-Erven 178 no 187, Meerenbosch zibeyiFlamingo Bay Homeowners Association neSiza u-Erf 189, Meerenbosch (isohlulo sendlela) zikhutshelwe kwiMeerenbosch Homeowners Association. - Imeko 1.(i) ileta ephumezayo nevumelayo 2 Okthobha 2012 ukulungiselela onke amalungu angomso ukuba abe ngamalungu eFlamingo Bay Homeowners Association neMiddelvlei Master Homeowners Association, ngapahndle kweziza ezingabhaliswanga liziza ezinguErven 146–148 ne 150–155 Meerenbosch, eziza xhwarha phantsi kweMeerenbosch Homeowners Association (esle lillungu leMiddelvlei Master HOA). - Imeko 3.(b) ileta evumela nephumeza 22 Epreli 2024 ukulungiselela ukuhambelana neemeko ezizihlomo zokuphumeza. Ukwahlula-hlula Isicelo esimayela nemiba yeSolotya le16(2)(d) loMthethwana ongokwahlula-hlula lIsiza esingu-Erf 243 Meerenbosch ibe SiSohlulo A (±2727m²), Isohlulo B (±6520m²) neNtsalela (± 26403m²). Ukucanda Kwakhona Isicelo esimayela nemiba yeSolotya le16(2)(a) loMthethwana wokucanda kwakhona KwiShlulo A (isohlulo seSiza 243, Meerenbosch) esidaliweyo ukuska kwiBala Elivulekile iZowuni 3: Ibala Labucala Elivulekileyo (OS3) ibeyiZowuni yezoThutho 2: Indlela neNdawo Yokupaka (TR2A) ukulungiselela indawo yabucala yokupaka. Ukucanda Kwakhona Isicelo esingemiba yeSolotya le16(2)(a) loMthethwana ongokucanda kwakhona ukudala isohlulo esitsha Isohlulo B (isohlulo seSiza uErf243, Meerenbosch) ukusuka KwiBala Elivulekileyo uZowuni 3: Ibala Elivulekileyo Labucala (OS3) ibe nguMmandla Owahlula-hlulweyo ukudala okulandelayo: 5 Indawo Yokuhlala iZowuni 1: Indawo Enye Yokuhlala (SR1) iziza, ne 1 Nendawo YezoThutho iZowuni 2: Indlela neNdawo YokuPaka (TR2A) esisiza. Ukwahlula kwakhona Isicelo esingemiba yeSolotya le16(2)(d) loMthethwana ongokwahlulahlula lIsiza Esingabhaliswanga lIsiza uErf 149, Meerenbosch ibe siSohlulo C (±77m²) neNtsalela (±11332m²). Ukucanda Kwakhona Isicelon esingemiba yeSolotya le16(2)(a) loMthethwana ongokucanda kwakhona isiza esitsha Isohlulo C (isohlulo seSiza Esingabhaliswanga lisa esingu-Erf 149, Meerenbosch) ukusuka kwiNdawo EliBa Elivulekileyo iZowuni 3: Ibala Labucala Elivulekileyo (OS3) libe YiNdawo Enye Yokuhlala Abantu iZowuni 1: INdawo Enyel (SR1). Uyondelelaniso Isicelo esingeiba eyala neSolotya le16(2)(e) loMthethwana ongokuyondelelanisa isohlulo esicandwe ngokutsha Isohlulo C (isohlulo seSiza Esingabhaliswanga uErf 149 Meerenbosch) neSiza esingabhaliswanga lIsiza uErf 155, Meerenbosch ukudala umhlaba/lIsiza esiyondelelaniswe sasinye sibe zizikwemitha ezili- ±754m² ubungakanani. Ukwahlula kwakhona Isicelo esingemiba yeSolotya le16(2)(d) loMthethwana ongokwahlulahlula lIsiza Esingabhaliswanga lIsiza esingu-Erf 155 Meerenbosch ibe SiSohlulo D (±77m²) neNtsalela (±677m²). Ukucanda kwakhona IIsicelo esimayelao neSolotya le16(2)(a) loMthethwana ongokucanda kwakhona isohlulo esitsha Isohlulo D (isohlulo Esingabhaliswanga seSiza uErf 155, Meerenbosch) ukusuka KwiNdawo Yokuhlala Abantu iZowuni 1: Indawo Enye Yokuhlala Abantu (SR1) ibe YiNdawo YeZothutho iZowuni 2: Indlela neNdawo YokuPaka (TR2A). Uyondelelanisao Isicelo esingemiba yeSolotya le16(2)(e) loMthethwana ongokuyondelelanisa isohlulo esitsha IsoHlulo D (isohlulo seSiza Esingabhaliswanga uErf 155, Meerenbosch) nendlela yabucala engabhaliswanga. linkcukacha ezipheleleyo mayela nezi ziphakamiso zingentla ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye 16:30 kwiCandelo: Icandelo LeziCwanciso zeDolophu, u16 Paterson Street, Hermanus, nakwiqhakamshela lewebhphejiyi kamasipala https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/ Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSolotya lama-51 nelama-52 loMthethwana kaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) landuse@overstrand.gov.za) ngomhla okanye ngaphambi komhla 25 kuSeptemba 2026, uchaze igama lakho, idilesi neenkcukacha ofumaneka kuzo, umdla wakho sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMcwangcisi weDolophu, uMnu. H. Olivier kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabanina ongakwazi ukufunda nokubhala angahambela kwiCandelo LeziCwanciso zeDolophu apho igosa likamasipala liza kunceda ukwakha izimvo ukuho ukuze ahlomle ngokusemthethweni. <i>Nceda uqaphele ukuba ngokwemiba yoMthethi Wokhuseleko KweNgxelo Yomntu (POPIA), uza kube ungena kwinkqubo yoluntu ngoko ke uvumelala uvumela ukuba iagama lakho, ifani, iinkcukacha ofumaneka kuzo noluvo(nezimvo) zakho zingadizwa / zingasetyenziswa (kwisicelo)kwinkqubo yesicelo.</i>
Dr DGI O’Neill Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200 <i>Notice No / Kennisgewing nr / Inombolo yesaziso: 166/2026</i>		





**PROPOSED SUBDIVISION,
REZONING, CONSOLIDATION AND
THE AMENDMENT OF CONDITIONS
OF APPROVAL:**

**ERF 189, UNREGISTERED EVEN 146
TO 155, UNREGISTERED ERF 249
AND THE REMAINDER OF ERF 243
MEERENBOSCH**

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

We have been appointed by Meerensee Resort (Pty) Ltd to facilitate an application for the establishment of a parking area, a subdivisional area, a portion of road, and the realignment of various land units to resort under different Homeowners Associations (HOAs). These land units include private open spaces, a private road, and single residential erven. The proposal entails transferring the private open spaces and private road between and to different HOAs, in a manner that deviates from the conditions of the original approval.

The proposed amendments will bring finality to the broader Middelvlei development, which includes Meerensee, Meerenbosch, Sandown Bay, and Flamingo Bay. Reallocating erven among the respective HOAs will streamline the management of shared and internal services by clearly defining each HOA's responsibilities for maintenance and operational functions. This restructuring will enhance administrative efficiency, improve service management, and provide clarity regarding the obligations of each HOA.



The Meerenbosch Homeowners Association (MBHOA), the Middelvlei Master HOA (MHOA), and the Flamingo Bay HOA undertook a transparent and comprehensive member-participation process to obtain the necessary approval for the reallocation of private open spaces, private roads, the introduction of splays, and the creation of new parking and residential portions within the Middelvlei development.

This process was initiated after the developer, Meerensee Resort, indicated to the Overstrand Municipality (OSM) that certain erven and common areas needed to be transferred between HOAs to correct historic service linkages and align governance structures with actual infrastructure connections on the ground. OSM required that all affected HOAs formally consult their members before the municipality considered amendments to the conditions of prior approvals.

On 18 August 2025, the MBHOA distributed a detailed notice to all 115 Meerenbosch members, outlining the proposed transfer of the Gaza erven and the “tennis court road,” accompanied by maps, explanatory notes, and a summary of the implications for levies, services, and estate governance.

Members were granted a 21-day period, ending 8 September 2025, to submit queries or objections, and the notice made it clear that the absence of a submission would be deemed as support for the proposal. Weekly reminders were issued on 25 August and 2 September 2025 to ensure every member had an opportunity to participate.

A similar consultation was undertaken by the Middelvlei Master HOA. On 25 August 2025, a notice was emailed to all 250 Middelvlei members informing them of the proposed transfer of three large common properties from the developer to the Master HOA. As with MBHOA, members were afforded a 21-day comment period, and non-response was again taken as support. Reminder emails sent on 2 September and 9 September 2025 reinforced the deadline and encouraged participation.

Throughout the comment periods, members from both HOAs submitted questions addressing subjects such as governance accountability, environmental concerns, financial implications, building guideline compatibility, infrastructure integration, and responsibilities tied to common-area maintenance. Each submission received a detailed written response from the respective trustees, supported where necessary by explanatory memoranda prepared by Mr. Fanie Botha. These responses clarified OSM’s principles for allocating common areas, the developer’s role as a current

landowner, the legal requirements for transferring jointly owned land, and the factual background associated with the Gaza erven and Flamingo Bay common areas.

By the close of the participation period, the MBHOA had received five submissions, all of which were requests for clarification rather than objections. As a result, the association recorded full membership support, either explicitly or by deemed consent. The trustees submitted a formal report to OSM on 19 September 2025, summarising the process and confirming the outcome.

The MHOA received eight submissions, including five formal objections. These objections were addressed through direct engagement, including written responses, virtual meetings, telephone discussions, and personal meetings. Each objection was subsequently resolved, resulting in all affected members confirming their support for the transfer. A consolidated summary of the process and outcomes was submitted to OSM on 29 September 2025, demonstrating that the consultation was fair, transparent, and procedurally sound.

Together, these processes ensured that the proposed reallocation of erven, private roads, open spaces, the creation of safety splays (Portion D), and the establishment of Portions A and B were all supported by the HOA memberships. They further demonstrated to OSM that the restructuring of land governance within the Middelvlei development was undertaken with appropriate member involvement and full procedural compliance.

2. APPLICATION DETAILS

This application is submitted in terms of the relevant provisions of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020, and relates to the following:

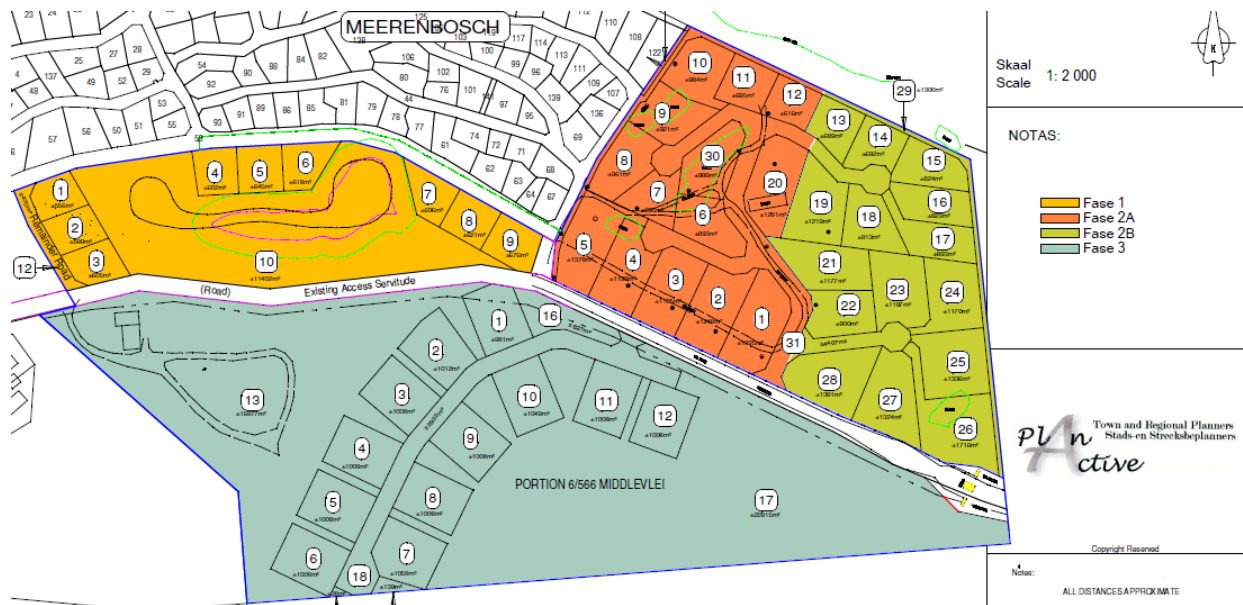
- Amendment of conditions of approval (Section 16(2)(h)) to permit the transfer of Erf 189 Meerenbosch (portion of road) to the Meerenbosch Homeowners Association.
- Amendment of conditions of approval (Section 16(2)(h)) to allow unregistered Erven 146–148 and 150–155 to resort under the Meerenbosch Homeowners Association. (Please note that these erven have not been transferred to individual landowners but resort under a Certificate of Registered Title)

- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of a portion of unregistered Erf 149 Meerenbosch, to be consolidated (Section 16(2)(e)) with unregistered Erf 155 Meerenbosch. (Please note that these erven have not been transferred to individual landowners but resort under a Certificate of Registered Title)
- Amendment of conditions of approval (Section 16(2)(h)) to allow the transfer of the remainder of Erf 149 Meerenbosch to the Middelvlei Master Homeowners Association.
- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of a portion of unregistered Erf 155 Meerenbosch to create a private road, to be transferred to the Meerenbosch Homeowners Association. (Please note that this erf has not been transferred to an individual landowner but resort under a Certificate of Registered Title)
- Amendment of conditions of approval (Section 16(2)(h)) to permit the transfer of unregistered Erf 249 Meerenbosch to the Middelvlei Master Homeowners Association.
- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of the unregistered Remainder of Erf 243 Meerenbosch to create 2 portions:
 - for the establishment of a parking area; and
 - an outer figure of remaining rights to be developed into 5 erven that will be rezoned to subdivisional area.
- The remaining extent of unregistered Erf 243 will be rezoned to Private Open Space and transferred to the Middelvlei Master Homeowners Association.

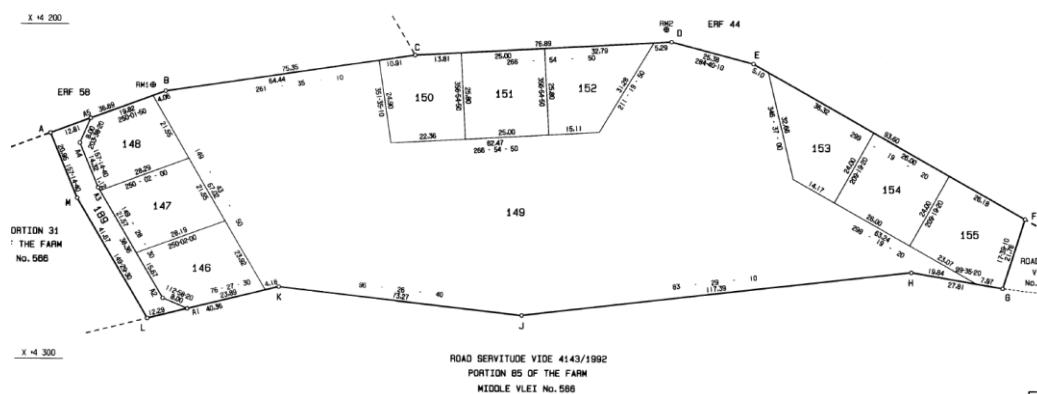
3. NEED AND DESIRABILITY

3.1 PROPERTY DESCRIPTION

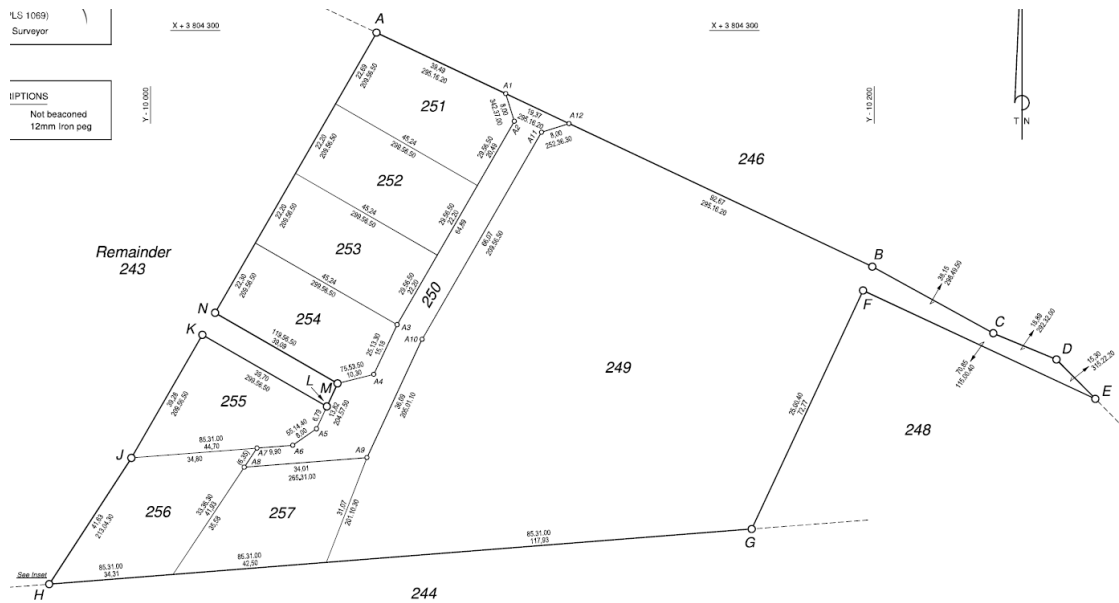
The most practical way to describe the registered and unregistered erven is to refer to them collectively as Phase 1 and a portion of Phase 3 of the Flamingo Bay residential development. For ease of reference, please refer to the previously approved Phase Plan below.



Phase 1 consists of registered Erf 189 Meerendbosch (Private Road) and unregistered Erven 146 to 155 Meerendbosch. Unregistered Erf 149 Meerendbosch is designated as Private Open Space. (Please note that these erven have not been transferred to individual landowners but resort under a Certificate of Registered Title) For ease of reference, please refer to the approved S.G. Diagram below.



Phase 3 originally comprised 12 approved single residential erven, but the subdivision was subsequently amended to provide for 7 single residential erven instead. These seven erven (Erven 251 to 257 Meerendbosch) have since been transferred to private owners, while Erf 249 and the Remainder of Erf 243 Meerendbosch remain under the ownership of Meerensee Resort (Pty) Ltd. For ease of reference, please refer to the approved S.G. Diagram below.



A locality map has also been enclosed for ease of reference, illustrating the position of the relevant erven within the broader Middelvlei development.

3.2 ZONING

The zoning of the subject erven can be tabled as follow:

Meerenbosch Erf Number	Zoning
189	Transport Zone 2 (TR2A)
146	Residential Zone 1
147	Residential Zone 1
148	Residential Zone 1
149	Open Space Zone 3
150	Residential Zone 1
151	Residential Zone 1
152	Residential Zone 1

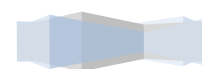
153	Residential Zone 1
154	Residential Zone 1
155	Residential Zone 1
243	Open Space Zone 3
249	Open Space Zone 3

3.3 LAND USE

The majority of the erven listed above are vacant, with the exception of Erf 147 Meerenbosch, on which an existing dwelling has been established, and the Remainder of Erf 243 Meerenbosch, which contains a shed. The shed is utilised for the storage of equipment, including a tractor used for maintenance purposes. Please refer to the aerial photograph below, which illustrates these structures.



Erf 189 Meerenbosch comprises a portion of King Fisher Road, a private road providing access to various erven within the Meerenbosch development. Erven 149 and 243 Meerenbosch are designated as private open spaces.



3.4 PROPOSAL

The following land use applications are proposed in terms of the relevant provisions of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020:

- Amendment of conditions of approval (Section 16(2)(h)) to permit the transfer of Erf 189 Meerenbosch (portion of road) to the Meerenbosch Homeowners Association.
- Amendment of conditions of approval (Section 16(2)(h)) to allow unregistered Erven 146–148 and 150–155 to resort under the Meerenbosch Homeowners Association. (Please note that these erven have not been transferred to individual landowners but resort under a Certificate of Registered Title)
- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of a portion of unregistered Erf 149 Meerenbosch, to be consolidated (Section 16(2)(e)) with unregistered Erf 155 Meerenbosch. (Please note that these erven have not been transferred to individual landowners but resort under a Certificate of Registered Title)
- Amendment of conditions of approval (Section 16(2)(h)) to allow the transfer of the remainder of Erf 149 Meerenbosch to the Middelvlei Master Homeowners Association.
- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of a portion of unregistered Erf 155 Meerenbosch to create a private road, to be transferred to the Meerenbosch Homeowners Association. (Please note that this erf has not been transferred to an individual landowner but resort under a Certificate of Registered Title)
- Amendment of conditions of approval (Section 16(2)(h)) to permit the transfer of unregistered Erf 249 Meerenbosch to the Middelvlei Master Homeowners Association.
- Subdivision (Section 16(2)(d)) and rezoning (Section 16(2)(a)) of the unregistered Remainder of Erf 243 Meerenbosch to create 2 portions:
 - for the establishment of a parking area; and
 - an outer figure of remaining rights to be developed into 5 erven that will be rezoned to subdivisional area.

- The remaining extent of unregistered Erf 243 will be rezoned to Private Open Space and transferred to the Middelvlei Master Homeowners Association.

For ease of reference, the proposed applications outlined above will be addressed by first dealing with the proposed subdivisions, rezonings, and consolidations.

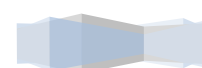
3.4.1 Proposed subdivision, rezoning and consolidation of erven 149, 155 and Remainder Erf 243 Meerenbosch

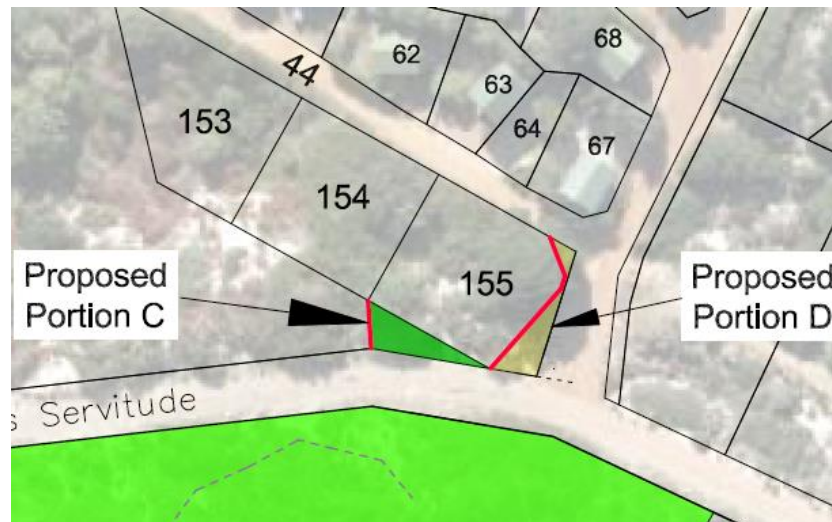
Following the placement of erf beacons for Erven 146 to 155 Meerenbosch, the exact boundaries could be physically verified. It was established that the north-eastern corner beacon of Erf 155 Meerenbosch encroached into the actual road surface of Kingfisher Road. In addition, a wall constructed on Erf 155 Meerenbosch—intended to demarcate the entrance to Meerenbosch—further constrained the available space.

To regularise the situation and ensure safe vehicular movement, it was decided that splays be created at both the north-eastern and south-eastern corners of Erf 155 Meerenbosch. To compensate for the area lost through the creation of these splays, a portion of comparable size from the adjacent Private Open Space (Erf 149 Meerenbosch) is to be incorporated into Erf 155 Meerenbosch.

Two linked splays have been designed, with a combined extent of 77 m², identified as Portion D on the proposed subdivision and rezoning plan. Portion D will be rezoned from Residential Zone 1 to Transport Zone 2 (TR2A) – Private Road, and the proposed linked splays will be transferred to the Meerenbosch Homeowners Association to ensure appropriate management and maintenance.

Please refer to the abstract from the proposed subdivision, rezoning, and consolidation plan below.

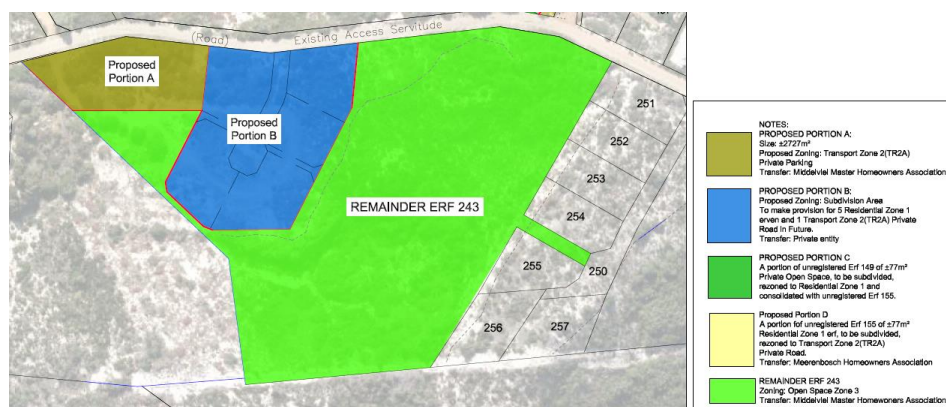




To compensate for the area required for the proposed splays, it is proposed that a portion of Erf 149 Meerenbosch, identified as Portion C and measuring 77 m² in extent, be subdivided, rezoned, and consolidated with Erf 155 Meerenbosch. Portion C will be rezoned from Open Space Zone 3 to Residential Zone 1 prior to its consolidation with Erf 155 Meerenbosch.

With reference to the Master Plan for the development of Middelvlei—which now comprises Sandown Bay, Meerensee, Meerenbosch, and Flamingo Bay—it is necessary, in order to achieve finality in terms of the Master Plan, to create 3 portions namely Portion A, Portion B and a Remainder Erf 243 Meerenbosch to establish a parking area (Proposed Portion A) and to create an area to accommodate the remaining five residential opportunities (Proposed Portion B).

Please refer to the abstract from the proposed subdivision, rezoning, and consolidation plan below.



Proposed Portion A, as illustrated on the subdivision, rezoning and consolidation plan, is located along the existing access road on the western side of the Remainder of Erf 243 Meerenbosch. This portion measures approximately 2 727 m² and is proposed to be rezoned to Transport Zone 2 (TR2A) to accommodate a private parking area.

The establishment of Portion A is necessary to finalise the Middelvlei Master Plan by formalising parking facilities that will support the existing clubhouse and recreational facilities, which are situated directly north-west of Portion A, on the opposite side of the access road. The location of Portion A therefore allows for safe and convenient pedestrian and vehicular connectivity to these facilities while minimising impacts on adjacent erven.

Upon subdivision and rezoning, Proposed Portion A will be transferred to the Middelvlei Master Homeowners Association, who will assume long-term responsibility for its management and maintenance.

Proposed Portion B, depicted in blue on the subdivision, rezoning and consolidation plan, is situated directly east of Portion A and represents the primary developable area within the northern section of the Remainder of Erf 243 Meerenbosch. The portion measures approximately 6 520 m² and is proposed to be rezoned to a Subdivisional Area, enabling the creation of five future single residential erven together with the necessary internal access layout. **This application creates only the outside figure of Portion B to be transferred to a private entity that will resort under the Flamingo Bay Homeowners Association.**

The design of Portion B includes:

- Five future residential erven, aligned with the existing spatial pattern of the Flamingo Bay development; and
- A future short internal private road, to be rezoned to Transport Zone 2 (TR2A) and transferred to the appropriate managing entity in due course.



Following subdivision and rezoning, Proposed Portion B as stated earlier will be transferred to a private entity that will resort under the Flamingo Bay Homeowners Association, ensuring its governance aligns with the established residential structure.

The remaining extent of the Remainder Erf 243, Private Open Space, will be transferred to the Middelvlei Master HOA.

3.4.2 Proposed Amendment of conditions of approval to reallocate erven to resort under different Homeowners Associations

It is proposed that the following conditions of approval be amended in terms of Section 16(2)(h) of the Overstrand Municipality Amended By-law on Municipal Land Use Planning, 2020.

Please note:

The original letter of approval refers to the Flamingo Bay Homeowners Association as “Middelbosch”. This naming discrepancy has since been rectified with the transfer of erven within Phases 2A and 2B.

A. Letter of Approval dated 2 October 2012 (Reference No. Ptn 5/566(1536)) — Attached as Annexure A

Amendment of Paragraph 1(h)

Original text: “that all newly created Private Open Spaces and Private Roads, excluding Private Open Space 13 and the private road created over the existing servitude road, be transferred into the name of the new Homeowners Association (Middelbosch).”

Motivation for Amendment:

Portion 10 (Erf 149 Meerenbosch) and Portion 17 (Erf 249 Meerenbosch) are Private Open Spaces that function as shared open space accessible to all members of the Middelvlei Master HOA (Sandown Bay, Meerensee, Meerenbosch, and Flamingo

Bay). These erven therefore appropriately belong under the Middelvlei Master Homeowners Association.

Erf 189 Meerenbosch is a private road providing access to Erven 146–148 and 150–155 Meerenbosch. These erven connect directly to the Meerenbosch infrastructure network. Given the shared access arrangements and operational efficiencies, it is appropriate for Erf 189 Meerenbosch to be transferred to the Meerenbosch Homeowners Association, rather than the Flamingo Bay HOA.

Proposed amended wording for Paragraph 1(h):

Paragraph 1(h):

“that Private Open Spaces Erven 149 and 249 Meerenbosch be transferred to the Middelvlei Master Homeowners Association.

That Private Open Space 30 (Erf 178 Meerenbosch) and Private Road 30 (Erf 187 Meerenbosch), located in Phase 2A, be transferred to the Flamingo Bay Homeowners Association.

That Private Road Erf 189 Meerenbosch be transferred to the Meerenbosch Homeowners Association.

The private road created over the existing servitude road shall be transferred into the name of the Middelvlei Homeowners Association.”

Amendment of Paragraph 1(i)

Original text: “that it is compulsory that all future members of the new Homeowners Association (Middelbosch now Flamingo Bay) become members of the Middelvlei Master HOA.”

Motivation for Amendment:

It is proposed that Erven 146–148 and 150–155 Meerenbosch resort under the Meerenbosch HOA rather than the Flamingo Bay HOA.

These erven are functionally connected to the Meerenbosch infrastructure network. Reallocation to the Meerenbosch HOA will ensure improved levy management, better coordination of service maintenance, and alignment of responsibilities. The Meerenbosch HOA is already a member of the Middelvlei Master HOA; thus, the overall master governance structure remains intact.

Proposed amended wording for Paragraph 1(i):**Paragraph 1(i):**

“that it is compulsory that all future members of the new Homeowners Association (Middelbosch, now Flamingo Bay) become members of the Middelvlei Master Homeowners Association, with the exclusion of Erven 146–148 and 150–155 Meerenbosch, which will resort under the Meerenbosch Homeowners Association, already a member of the Middelvlei Master HOA.”

B. Letter of Approval dated 22 April 2024 (Reference No. 24HMB) — Attached as Annexure B**Amendment of Paragraph 3(b)**

Original text: “that all the conditions in the original approval dated 2 October 2012, be complied with.”

Motivation for Amendment:

The current application seeks to amend specific conditions contained in the approval letter dated 2 October 2012. As such, this clause must be updated to reference the new, amended conditions of approval, rather than the outdated original conditions.

Proposed amendment to Paragraph 3(b):**Paragraph 3(b):**

“that all conditions contained in the amended approval (as proposed under this application) be complied with.”

AMENDMENTS TO HOMEOWNERS ASSOCIATION CONSTITUTIONS:

Due to the proposed transfer of various private roads and private open spaces between the Middelvlei Master Homeowners Association, the Meerenbosch HOA, and the Flamingo Bay HOA, it will be necessary to amend the constitutions of the affected HOAs to reflect the revised ownership, management responsibilities, and maintenance

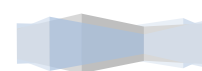
obligations associated with these erven. Each HOA constitution currently defines its jurisdiction, common property, levy responsibilities, and governance structures based on the original development phasing and land allocations. With the transfer of Erven 149 and 249 Meerenbosch to the Middelvlei Master HOA, and Erf 189 Meerenbosch to the Meerenbosch HOA, the constitutions must be updated where and if necessary to formally recognise these erven as part of the respective HOAs' common property holdings and to ensure that responsibilities for upkeep, infrastructure maintenance, and operational management are clearly assigned.

Similarly, the transfer of Erven 146–148 and 150–155 Meerenbosch from the Flamingo Bay HOA to resort under the Meerenbosch HOA requires constitutional amendments within both associations where necessary. For Flamingo Bay, these erven will need to be removed from its list of governed properties and excluded from levy allocation tables, governance oversight, and common service obligations. For the Meerenbosch HOA, the constitution must be amended where necessary to include these erven within its jurisdiction and to regulate their integration into levy structures, service responsibilities, and estate management arrangements. As previously noted, these erven will retain their architectural guidelines applicable under Architectural Guidelines of Flamingo Bay, and this continuity must be expressly incorporated into the updated Meerenbosch Architectural Guidelines as an Addendum to ensure sustained architectural coherence.

Following the approval of this application, the revised constitutions will be submitted to the Overstrand Municipality for their consideration and approval, ensuring that the updated governance frameworks are formally recognised and compliant with municipal requirements. These amendments are essential to maintain the legal accuracy, operational clarity, and long-term sustainability of the respective HOAs within the broader Middelvlei estate.

3.5 TRAFFIC IMPACT, PARKING AND ACCESS

The proposed subdivision, reallocation of erven, creation of splays, and establishment of a formal parking area are not expected to generate any significant increase in traffic volumes within the Middelvlei development, as the proposals primarily relate to internal



land regularisation rather than the introduction of new high-intensity land uses. The creation of Portion A as a dedicated parking area will enhance traffic management by providing safe, orderly and clearly demarcated parking to support the existing clubhouse and recreational facilities located immediately north-west of the site.

The proposed splays at Erf 155 (Portion D) will improve vehicular movement at the entrance to Meerenbosch by correcting boundary alignments and increasing sight distances along Kingfisher Road, thereby improving operational safety. Access to the newly created residential erven within Portion B will be gained from the existing internal main access road, which has adequate capacity to accommodate the limited additional traffic generated by five single residential erven. The proposed road transfers to the relevant HOAs will further ensure cohesive long-term maintenance, uniform access management standards, and improved clarity regarding responsibility for private road upkeep, thereby contributing to a more efficient and safer internal traffic environment.

3.6 TITLE DEEDS

The properties in question are held under Certificate of Registered Title No. T43372/2016 and Title Deed T88250/97. There is no bond registered against the property.

3.7 THE POTENTIAL OF THE PROPERTY

The subject property holds strong development potential due to its strategic location within the established Middelvlei framework and its direct integration with the surrounding residential, recreational, and natural environments. The proposed subdivision and reallocation of erven enable the land to be utilised in a manner that aligns with the original development vision, while the creation of five additional residential opportunities provides for sensitive, low-impact growth within an already serviced and coordinated estate structure. The introduction of formalised parking and improved access arrangements further enhances the functionality and long-term value of the area, ensuring that the property continues to contribute positively to the broader

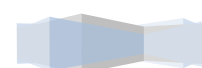
Middelvlei development.

3.8 ECONOMIC IMPACT

The proposed amendments will have a positive economic impact on the broader Middelvlei development by improving the efficiency, functionality, and marketability of the erven involved. The creation of five additional residential opportunities will generate future investment through construction activity, increased property values, and additional municipal revenue streams such as rates and service charges. The formalisation of the parking area and improved access arrangements will also enhance the operational capacity of the clubhouse and recreational facilities, supporting tourism, hospitality, and on-site spending within the estate. Furthermore, clearer allocation of infrastructure responsibilities between the HOAs ensures more effective levy management, reduces duplication of services, and strengthens the long-term financial sustainability of the involved associations. Overall, the proposals contribute to a more coherent and economically resilient development structure.

3.9 SOCIAL IMPACT

The proposed land reallocations and associated improvements are anticipated to generate a positive social impact within the Middelvlei community. By formalising access arrangements, improving road safety through the introduction of splays, and providing a dedicated parking area to support the clubhouse and recreational facilities, the proposals enhance convenience, accessibility, and the overall experience for both residents and visitors. The creation of five additional residential erven will facilitate measured and appropriate growth, reinforcing the social fabric of the estate without imposing pressure on existing infrastructure, while also enabling the developer to realise the full extent of the development rights originally envisaged. Furthermore, the reallocation of erven to the most suitable Homeowners Associations strengthens governance structures, promotes fairness and transparency, and supports more effective community management. Collectively, these measures foster a safer, more integrated, and well-functioning environment that improves the quality of life for all Middelvlei residents.



3.10 COMPATIBILITY WITH SURROUNDING LAND USES

The proposed subdivision, rezoning, and reallocation of erven are fully compatible with the surrounding land uses within the Middelvlei development, which comprises a coordinated mix of residential areas, recreational facilities, private open spaces, and internal access roads. The addition of five new single residential erven aligns with the existing low-density residential character of Flamingo Bay and Meerenbosch, ensuring a seamless continuation of the established spatial pattern. The formalisation of a parking area adjacent to the clubhouse complements the recreational function of this node and supports its continued use without altering the nature or intensity of neighbouring properties.

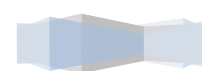
The creation of splays and the transfer of private roads to the appropriate HOAs reinforce and improve the existing internal circulation system, enhancing operational clarity and safety. Similarly, the consolidation and transfer of private open space erven into the Middelvlei Master HOA are consistent with the framework of shared natural areas and green buffers within the estate.

Importantly, although Erven 146–148 and 150–155 Meerenbosch are proposed to be transferred from the Flamingo Bay HOA to the Meerenbosch HOA, the same architectural guidelines currently applicable to these erven within Flamingo Bay will continue to apply after the transfer. This ensures architectural continuity, visual coherence, and compatibility with both the existing built environment and the broader aesthetic of Middelvlei.

In all respects, the proposed amendments strengthen the functional, visual, and architectural integration of the area and remain fully compatible with the established land use pattern.

3.11 IMPACT ON EXTERNAL ENGINEERING SERVICES

The proposed subdivision, rezoning, and reallocation of erven will have minimal impact on external engineering services, as the affected properties are already situated within a fully serviced and established development framework. All essential bulk services—



water supply, sewerage, electricity, and stormwater infrastructure—are in place and have sufficient capacity to accommodate the limited additional demand generated by the creation of five new residential erven. Importantly, the nine Gaza erven and associated infrastructure are already physically connected to the Meerenbosch service network, and the proposed adjustments merely formalise these existing operational arrangements. The creation of the splays and the formalised parking area does not introduce new service loads but instead improves safety, circulation, and functional efficiency.

Furthermore, the reallocation of private roads and private open spaces to the appropriate HOAs ensures clearer responsibility for long-term maintenance, reducing the likelihood of service overlaps or duplication. No upgrades to external municipal engineering systems are required as part of this application, and the proposals remain fully compatible with the capacity and design of the existing external service infrastructure.

3.12 IMPACT ON HERITAGE

The proposed subdivision, rezoning, and reallocation of erven will have no adverse impact on heritage resources. The subject properties form part of an established, modern residential and resort-style development within Middelvlei, and there are no known heritage buildings, structures, cultural landscapes, archaeological sites, or artefacts located within the affected area. The proposed interventions—namely the creation of splays, a parking area, and limited additional residential opportunities—are small in scale, take place entirely within previously disturbed land, and do not alter any historically significant features.

Furthermore, the proposal does not affect any heritage protection overlays or conservation zones, and it does not encroach upon any sensitive heritage areas as identified in municipal planning records. As such, the development is fully compliant with the requirements of the National Heritage Resources Act, and no heritage-related approvals or mitigation measures are required.



3.13 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed subdivision, rezoning, and reallocation of erven are not expected to result in any significant impact on the biophysical environment. All affected portions of land are located within an already transformed and actively managed area of the Middelvlei development, characterised by existing residential properties, private roads, open spaces, and recreational facilities. The creation of the splays, parking area, and five additional residential erven occurs on land that has long been disturbed through prior development activities, with no intact natural vegetation or sensitive ecological features present.

No wetlands, rivers, drainage lines, or mapped critical biodiversity areas intersect with the proposed development footprint. The interventions will not alter natural hydrological patterns or impact any protected plant species. Routine estate-level environmental management practices—such as vegetation control, stormwater management, and upkeep of private open spaces—will continue under the responsible HOAs.

Given the limited scale and location of the proposed adjustments, the development is considered environmentally low-impact and consistent with the managed, semi-urban character of the broader Middelvlei estate.

3.14 FORWARD PLANNING

The Overstrand Spatial Development Framework (SDF) and Growth Management Strategy are not directly applicable to this application, as the proposed adjustments occur entirely within an already approved, established, and fully serviced private development framework. The minor internal subdivisions, rezonings, and land reallocations do not alter broader spatial planning directives, nor do they introduce new development outside of areas already designated for residential and recreational use. Importantly, the proposed subdivisional area that will make provision for five future single residential erven is fully aligned with the Middelvlei Master Plan, which has long identified these erven as part of the estate's remaining development potential. The

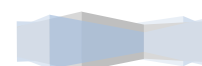
proposal therefore supports the orderly completion of the planned Middelvlei layout and is consistent with the forward-planning intentions for the area.

3.15 PLANNING PRINCIPLES

In terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) – SPLUMA, and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) – LUPA, the proposed land use application must be assessed against the principles, development norms, and decision-making criteria established in these Acts. These principles include spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration. The proposal satisfies these requirements as it constitutes the orderly and efficient optimisation of already developed and serviced land within the Middelvlei estate. The reallocation of erven between HOAs promotes clearer governance, enhances maintenance efficiency, and supports equitable access and use of shared infrastructure. The creation of a formal parking area and internal splays improves functional safety and service delivery without expanding the development footprint or impacting natural systems. The introduction of five additional single residential erven on land already earmarked for this purpose in the Middelvlei Master Plan reflects sustainable densification at an appropriate scale. The overall application therefore aligns with SPLUMA and LUPA's intent by promoting well-managed, efficient, and environmentally responsible land use within an established spatial framework.

The proposal demonstrates alignment with the following key SPLUMA and LUPA planning principles:

Spatial Justice: The proposal supports spatial justice by formalising land allocations and governance structures within an existing development, ensuring that all residents benefit from clear, equitable access to privately managed roads, open spaces, and shared facilities. By transferring erven to the most appropriate HOAs and aligning the governance of common areas with their actual use and service connections, the application promotes fairness in the distribution of responsibilities and benefits. The internal parking area and improved access arrangements also enhance inclusivity by providing safer and more convenient movement for all estate users, regardless of property location.

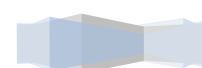


Spatial Sustainability: Spatial sustainability is achieved by accommodating additional residential opportunities within an already serviced, developed, and environmentally transformed area, thereby avoiding outward expansion or unnecessary encroachment into natural habitats. The proposed five erven are located on land long earmarked for this purpose in the Middelvlei Master Plan, ensuring that development occurs in a manner consistent with established spatial logic. The creation of splays and formalised parking improves functional sustainability by enhancing road safety and supporting existing recreational facilities, while the transfer of open spaces to the Middelvlei Master HOA strengthens long-term stewardship of shared environmental resources.

Efficiency: The proposal demonstrates efficiency by optimising existing infrastructure, services, and development rights rather than requiring new bulk capacity or external upgrades. The reallocation of erven to the appropriate HOAs ensures more coherent management of roads, open spaces, and services, reducing duplication and improving maintenance coordination. The establishment of a parking area adjacent to existing facilities enhances operational efficiency within the recreational node, while the subdivision of Portion B enables the realisation of development potential already embedded in the Master Plan. Overall, the application makes better use of available land, services, and governance structures to support a functional and cost-effective development pattern.

Good Administration: Our firm is committed to the principle of good administration and will continue to cooperate fully with the Overstrand Municipality to ensure a time-efficient and transparent land use application process. This application will follow all due procedures as stipulated in the municipality's planning by-law, as well as relevant provincial and national land use legislation.

All required documentation has been compiled and submitted in line with statutory obligations, and every effort will be made to ensure a streamlined process within the prescribed timeframes of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.



4. RECOMMENDATION

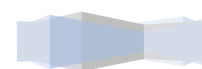
It is recommended that the application be approved, for the reasons outlined below, and subject to the following conditions:

- Approval of the proposed subdivisions, rezonings, and consolidations relating to Portions A, B, C, and D, as these actions regularise erf boundaries, improve access safety, and support the orderly completion of the Middelvlei development.
- Approval of the amendment of conditions of approval in terms of Section 16(2)(h) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, to allow the reallocation of erven to the most appropriate Homeowners Associations (HOAs), ensuring accurate governance and long-term management of shared infrastructure.
- Approval of the transfer of Private Open Spaces (Erven 149 and 249 Meerenbosch) to the Middelvlei Master Homeowners Association, as these erven function as shared environmental assets benefitting all Middelvlei residents.
- Approval of the transfer of Private Road Erf 189 Meerenbosch to the Meerenbosch HOA, as this road exclusively serves erven connected to the Meerenbosch internal service network and is most efficiently managed by the HOA directly dependent on it.
- Approval for Erven 146–148 and 150–155 Meerenbosch to resort under the Meerenbosch HOA, while retaining the existing Flamingo Bay architectural guidelines applicable to these erven, thereby ensuring compatibility, visual continuity, and proper management of service connections.
- Approval of the creation of the roadway splays (Portion D) to improve sight distances and road safety at the Meerenbosch entrance, addressing an identified conflict between erf boundaries and the existing road surface.
- Approval of Portion A ($\pm 2\,727\text{ m}^2$) as a formalised parking area supporting the clubhouse and recreational facilities, and for its transfer to the Middelvlei Master HOA, thereby improving operational efficiency and visitor access.

- Approval of Portion B ($\pm 6\,520\text{ m}^2$) as a subdivisional area for the creation of five future single residential erven, consistent with the Middelvlei Master Plan and representing the final development component envisaged for this part of the estate.
- Confirmation that the proposal aligns with SPLUMA and LUPA planning principles, including spatial sustainability, efficiency, and good governance, and represents the optimal use of already serviced land.
- Confirmation that the application will have no negative impacts on heritage resources, engineering services, the biophysical environment, or surrounding land uses.
- Acknowledgment that a fair, transparent, and well-documented public participation process was followed by the Meerenbosch HOA, during which no objections were received, demonstrating full membership support.

Reasons for Approval

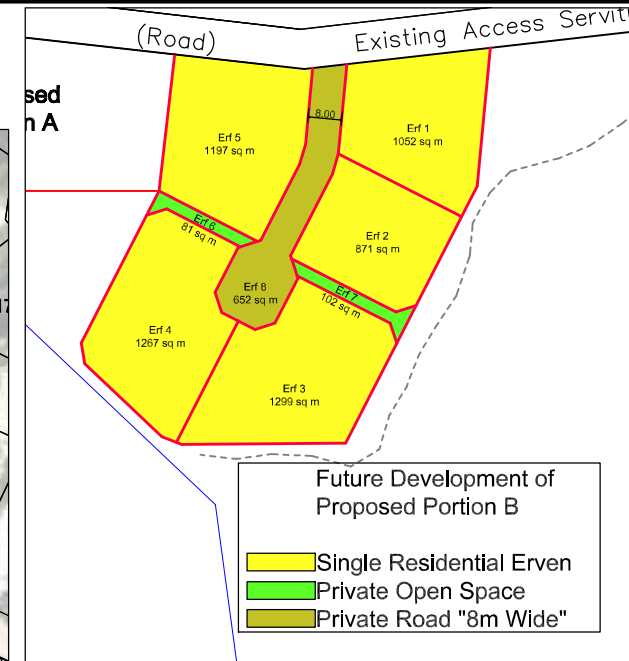
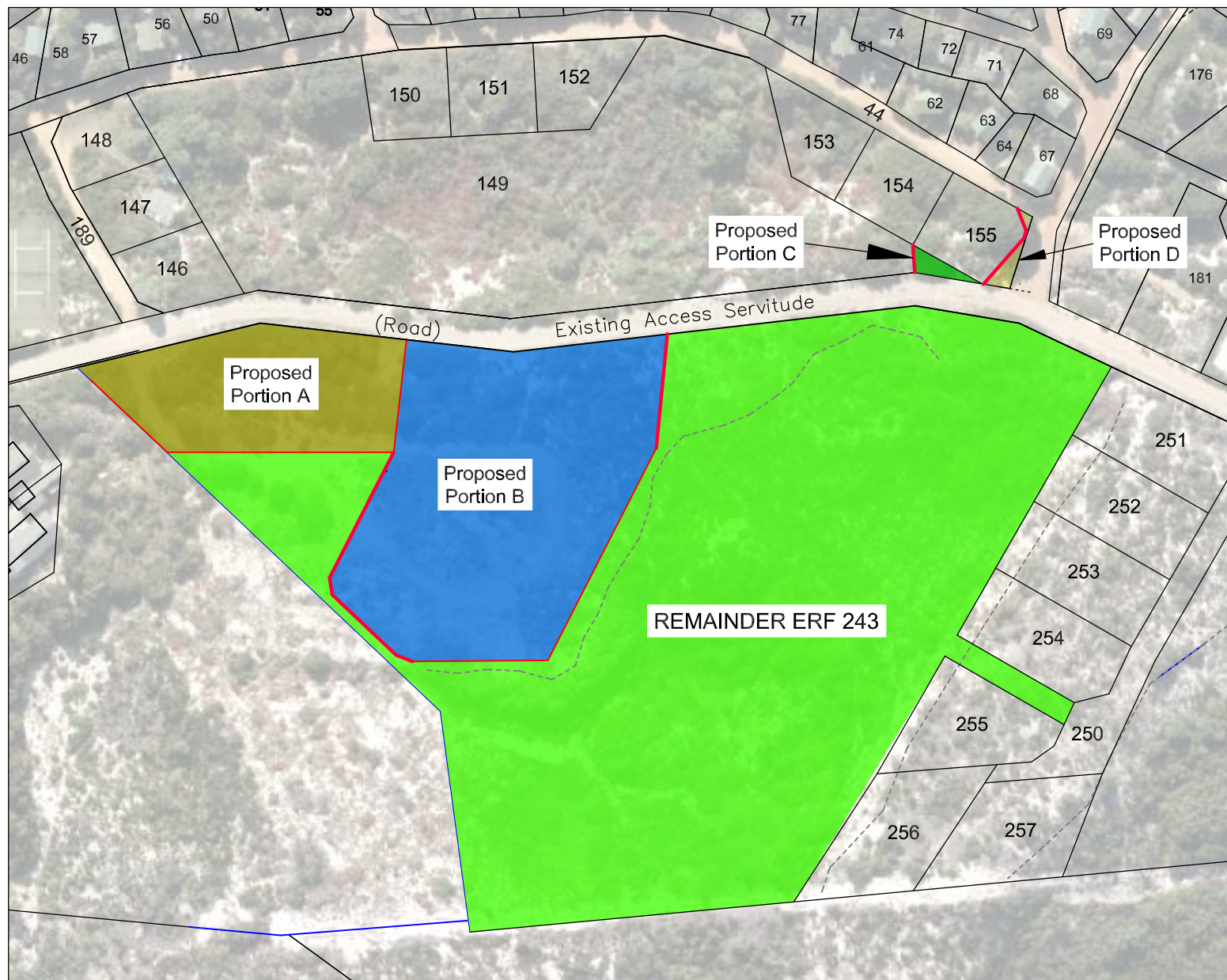
- The proposal regularises and finalises the Middelvlei development layout, giving effect to the long-standing Middelvlei Master Plan.
- The reallocation of erven to the correct HOAs improves governance clarity, reduces service duplication, and enhances maintenance efficiency.
- All affected properties fall within an already developed and serviced area, meaning the application does not require new municipal bulk services or external infrastructure upgrades.
- The proposal supports spatial sustainability by accommodating limited residential growth within a transformed, appropriate location.
- Road splays and the formalised parking area enhance traffic safety and support existing community facilities.
- The land uses introduced are compatible with the surrounding residential and recreational character.
- The development has no significant environmental, social, or economic negative impacts, and in several respects enhances estate functionality and value.



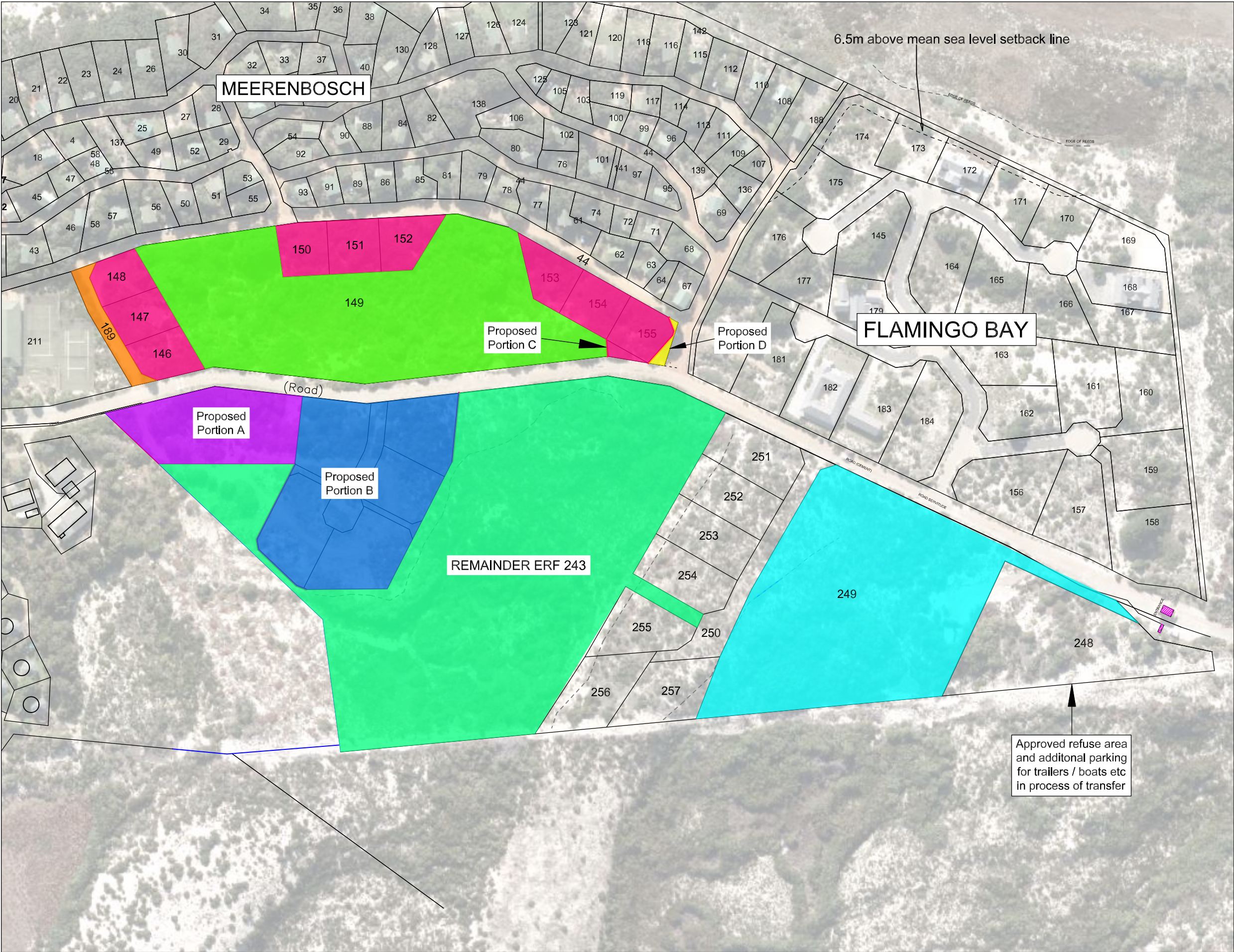
- The HOA consultation process demonstrates strong transparency and uncontested member support, adding legitimacy to the proposed changes.

Overall, the application is desirable, appropriate, technically sound, and aligned with statutory planning principles, and therefore warrants full approval.





- NOTES:**
- PROPOSED PORTION A:**
Size: $\pm 2727\text{m}^2$
Proposed Zoning: Transport Zone 2(TR2A)
Private Parking
Transfer: Middelvlei Master Homeowners Association
 - PROPOSED PORTION B:**
Proposed Zoning: Subdivision Area
To make provision for 5 Residential Zone 1 erven and 1 Transport Zone 2(TR2A) Private Road in Future.
Transfer: Private entity
 - PROPOSED PORTION C**
A portion of unregistered Erf 149 of $\pm 77\text{m}^2$
Private Open Space, to be subdivided, rezoned to Residential Zone 1 and consolidated with unregistered Erf 155.
 - Proposed Portion D**
A portion of unregistered Erf 155 of $\pm 77\text{m}^2$
Residential Zone 1 erf, to be subdivided, rezoned to Transport Zone 2(TR2A)
Private Road.
Transfer: Meerenbosch Homeowners Association
 - REMAINDER ERF 243**
Zoning: Open Space Zone 3
Transfer: Middelvlei Master Homeowners Association



NOTES:

PROPOSED ALLOCATION OF LAND TO THE VARIOUS HOA'S:

REGISTERED ERF 189 (Private Road):

It is proposed that the conditions of approval be amended to move Erf 189 from Flamingo Bay HOA to resort under the Meerensbosch HOA. This erf will also be transferred from the developer to the Meerensbosch HOA.

UNREGISTERED ERVEN 146 TO 148 AND 150 TO 155:

It is proposed that the condition of approval be amended in order for these erven to moved from Flamingo Bay HOA to resort under the Meerensbosch HOA. Please note that Portion C will be rezoned and consolidated with unregistered Erf 155. These erven will be transferred to individual land owners.

UNREGISTERED ERF 149 (Private Open Space):

It is proposed that the condition of approval be amended in order for this erf to move from the Flamingo Bay HOA to the Middelvlei Master HOA and also to be transferred to the said HOA.

UNREGISTERED ERF 249 (Private Open Space)

It is proposed that the condition of approval be amended in order for this erf to move from the Flamingo Bay HOA to the Middelvlei Master HOA and also to be transferred to the said HOA.

PROPOSED PORTION A (Private Parking)

It is proposed that this portion resort under the Middelvlei Master HOA and that the portion also be transferred to the said HOA

PROPOSED PORTION B (Subdivisional Area)

It is proposed that this portion resorts under the Flamingo Bay HOA. This portion will be transferred to a private entity.

PROPOSED PORTION D (Private Road)

It is proposed that this portion resorts under the Meerensbosch HOA

PROPOSED REMAINDER ERF 243 (Private Open Space)

It is proposed that this proposed erf resorts under the Middelvlei Master HOA and also transferred to the said HOA.