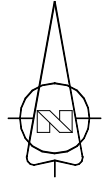


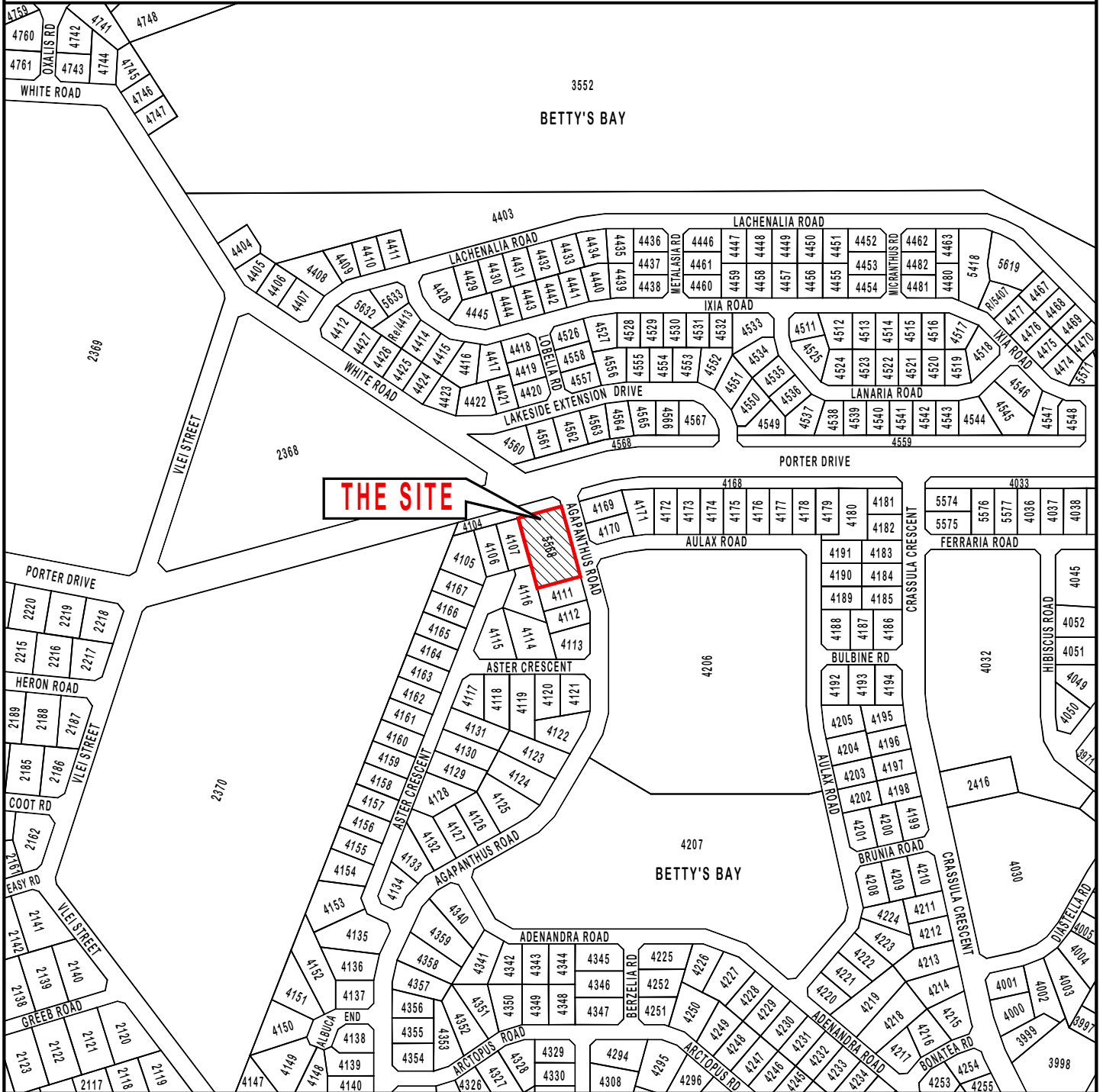
OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p><b><u>ERF 5568, 4 AGAPANTHUS ROAD, BETTY'S BAY: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, SUBDIVISION AND DEPARTURE: PLATINUM TOWN &amp; REGIONAL PLANNERS CC ON BEHALF OF DA &amp; DP CLARKE</u></b></p> <p>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 Erf 5568, Betty's Bay (the property), namely:</p> <p><b><u>Removal of Restrictive Title Deed Conditions</u></b> Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions B.7 and C.7 as contained in Title Deed T30376/2006 of the property.</p> <p><b><u>Subdivision</u></b> Application in terms of Section 16(2)(d) of the By-Law to subdivide Erf 5568, Betty's Bay into three (3) portions, namely Portion 1 (±757m<sup>2</sup>), Portion 2 (±723m<sup>2</sup>) and a Remainder (±970m<sup>2</sup>).</p> <p><b><u>Departure</u></b> Application in terms of Section 16(2)(b) of the By-Law to relax the rear building lines of Portion 1, Portion 2 and the Remainder from 2m to 1m respectively.</p> <p>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 at the Betty's Bay Library, Clarence Drive, Betty's Bay.</p> <p>Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a>) on or before <b>4 April 2025</b>, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the <b>Senior Town Planner, Mrs. H. van der Stoep</b> 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.</p>	<p><b><u>ERF 5568, AGAPANTHUSWEG 4, BETTYSBAAI: AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDES, ONDERVERDELING EN AFWYKING: PLATINUM STADS- EN STREEKSBEPLANNERS BK NAMENS DA &amp; DP CLARKE</u></b></p> <p>Kragtens Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die onderstaande aansoeke van toepassing op Erf 5568, Bettysbaai (die eiendom), naamlik:</p> <p><b><u>Opheffing van Beperkende Titelaktevoorwaardes</u></b> Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaktevoorwaardes B.7 en C.7 soos vervat in Titelakte T30376/2006 van die eiendom.</p> <p><b><u>Onderverdeling</u></b> Aansoek ingevolge Artikel 16(2)(d) van die Verordening om Erf 5568, Bettysbaai in drie (3) gedeeltes te onderverdeel, naamlik Gedeelte 1 (±757m<sup>2</sup>), Gedeelte 2 (±723m<sup>2</sup>) en 'n Restant (±970m<sup>2</sup>).</p> <p><b><u>Afwyking</u></b> Aansoek ingevolge Artikel 16(2)(b) van die Verordening om die agterboulyne van Gedeelte 1, Gedeelte 2 en die Restant van onderskeidelik 2m tot 1m te verslap.</p> <p>Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stads- en Streekbeplanning te Patersonstraat 16, Hermanus en by die Bettysbaai Biblioteek, Clarencerylaan, Bettysbaai.</p> <p>Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a>) voor of op <b>4 April 2025</b>, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die <b>Senior Stadsbeplanner, Me. H. van der Stoep</b> 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 Departement Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.</p>	<p><b><u>ISIZA 5568, 4 AGAPANTHUS ROAD, E-BETTY'S BAY: ISICELO SOKUSUSWA KWEZITHINTELO KWISIVUMELWANO SOBUNINIMHLABA, ULWAHLULO, KUNYE NOPHAMBUKO: PLATINUM TOWN &amp; REGIONAL PLANNERS CC EGAMENI LE-DA &amp; DP CLARKE</u></b></p> <p>Isaziso siyanikezelwa ngokweCandelo lama-47 nelama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), kwezi zicelo zilandelayo zisebenza kwiSiza 5568, eBetty's Bay (kwiipropati), ezizezi:</p> <p><b><u>Ukususwa kweMiqathango yeSivumelwano soBunini esiThintelweyo</u></b> Isicelo ngokungqinelana neCandelo 16(2)(f) loMthetho kaMasipala sokushenxisa imiqathango yesithintelo setayitile yobunini B.7 kunye C.7 njengoko iqulethwe kwiSivumelwano soBunini T30376/2006 sale proprati.</p> <p><b><u>Ukwahlulwa hlulwa</u></b> Isicelo ngokwemiqathango yeCandelo 16(2)(d) loMthetho kaMasipala sokokuba kwahlulwe hlulwe iSiza 5568, eBetty's Bay ibezi zixa ezi ntathu (3) ezizezi, Isixa 1 (±757m<sup>2</sup>), Isixa 2 (±723m<sup>2</sup>) kunye nentsalela (±970m<sup>2</sup>).</p> <p><b><u>Uphambuko</u></b> Isicelo ngokwemiGaqo yeCandelo le-16(2)(b) loMthetho kaMasipala soku -Nyenisa umda wesakhiwo ngasemva kwisixa 1, isixa 2 kunye nentsalela ukusuka ku 2 mitha ukuya ku 1 mitha ngokulandelelanayo.</p> <p>Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30kwiSebe: Lezicwangciso Zedolophu neNdawo, 16 Paterson Street, Hermanus nakwiiThala leeNcwadi lase-Betty's Bay, Clarence Drive, e-Betty's Bay.</p> <p>Naziphi na izimvo ezibhaliweyo mazifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) <a href="mailto:loretta@overstrand.gov.za">loretta@overstrand.gov.za</a>) ngomhla okanye ngaphambi komhla wama-4 Tshazimpuzi 2025, zibe negama lakho idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa ku<b>Mcwangcisi Omkhulu weDolophu, Nkskz. H. van der Stoep</b> ku-028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu neNdawo apho baza kuncedwa ligosa likamasipala ukwakha uluvo nokubhala izimvo zakhe.</p>
<p>Dr DGI O'Neill  <b>Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala</b>            PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200</p> <p style="text-align: right;"><i>Inothisi yeNomb/ Kennisgewing nr: 36/2025</i></p>		

# LOCALITY MAP

## ERF 5568, BETTY'S BAY



SCALE: 1 : 5 000



### REFERENCE



THE APPLICATION

Overstrand Office:  
52 Seaview Drive,  
BETTY'S BAY  
Cell : 072 184 9621  
Email : amund@vodamail.co.za



Pretoria Office:  
61 Woodlands Avenue,  
PECANWOOD  
Cell : 083 226 1316  
Email : dehaas@telkomsa.net



**PIETER DE HAAS (PR. PLN (A/283/1985))**  
BA. Honnoreus (Economics)  
B. Art. et Scien. (Planning)

Mobile: 083 226 1316  
Email: [dehaas@telkomsa.net](mailto:dehaas@telkomsa.net)

Postnet Suite #51  
Private Bag X15  
Somerset West  
7129

**AMUND BENEKE (PR. PLN (A/680/1992))**  
M.Com (Business Management)  
B. Art. et Scien. (Planning)

Mobile: 072 184 9621  
Email: [amund@vodamail.co.za](mailto:amund@vodamail.co.za)

**The Municipal Manager  
Overstrand Local Municipality  
PO Box 20  
Hermanus  
7200**

Dear Sir/Madam;

**ERF 5568 BETTY'S BAY**

Please find herewith the following simultaneous Applications:

- **Application 1:** Application for the amendment, suspension or deletion of Conditions B.7 and C.7 in Title Deed T30376/2006 in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020);
- **Application 2:** Application for the departure from the provisions of the Land-use Scheme in terms of Sections 16(2)(b) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) regarding "building lines"; and
- **Application 3:** Application for the subdivision of Erf 5568 Betty's Bay in terms of Sections 16(2)(d) and 18 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Please advise on the way forward.

Thanks

Amund  
30 / 01 / 2025



**PIETER DE HAAS (PR. PLN (A/283/1985))**  
BA. Honnoreus (Economics)  
B. Art. et Scien. (Planning)

Mobile: 083 226 1316  
Email: [dehaas@teikomsa.net](mailto:dehaas@teikomsa.net)

Postnet Suite #51  
Private Bag X15  
Somerset West  
7129

**AMUND BENEKE (PR. PLN (A/680/1992))**  
M. Com (Business Management)  
B. Art. et Scien. (Planning)

Mobile: 072 184 9621  
Email: [amund@vodamail.co.za](mailto:amund@vodamail.co.za)

## MEMORANDUM

### ERF 5568 BETTY'S BAY

#### **A. PROPERTY DESCRIPTION**

The property is known as Erf 5568 Betty's Bay. The Erf is approximately 2451m<sup>2</sup> in extent.

#### **B. OWNERSHIP**

Erf 5568 Betty's Bay is owned by "*Desmond Alfred Clarke (ID: 550603 5059 006) and Denise Pauline Clarke (ID: 561107 0091 086)*". Title Deed T30376/2006 is attached as **Annexure A**.

The "*Power of Attorney*" is attached as **Annexure B**.

There is no bond registered against Erf 5568 Betty's Bay.

#### **C. LOCATION**

Erf 5568 Bay is located at 5568 Agapanthus Road (c/o Agapanthus and Porter Drive), Betty's Bay. The Locality Map is attached as **Annexure C**.

#### **D. ZONING**

Erf 5568 Betty's Bay is zoned "*Residential Zone 1: Single Residential (SR1)*".

#### **E. APPLICATIONS**

##### **E.1 History**

Erf 5568 Betty's Bay was originally three (3) erven, each approximately 817m<sup>2</sup> in extent.

Two (2) of the three (3) were then consolidated to form Erf 5442 Betty's Bay. Erf 5442 and Erf 4110 Betty's Bay were then consolidated to form Erf 5568 Betty's Bay (**Annexure D**).

There are residential / outbuildings on Erf 5568 Betty's Bay.

## E.2 Applications

**E.2.2 Application 1:** Application is hereby made for the amendment, suspension or deletion of Conditions B.7 and C.7 in Title Deed T30376/2006 in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020).

Conditions B.7 and C.7 in Title Deed T30376/2006, read as follows:

*"No building or structure or any portion thereof except boundary walls fences, shall except with the consent of the Administrator be erected nearer than 5m to the street line which forms a boundary of this erf, nor within 3m of the rear or 3m of the lateral boundary common to any adjoining erf, provided ....."*

It is the intention of the Landowners to subdivide Erf 5568 Betty's Bay into three new erven (refer to **Annexure E**):

- Proposed Remainder of Erf 5568 Betty's Bay, approximately 970m<sup>2</sup> in extent;
- Proposed Portion 1 of Erf 5568 Betty's Bay, approximately 757m<sup>2</sup> in extent;
- Proposed Portion 2 of Erf 5568 Betty's Bay, approximately 723m<sup>2</sup> in extent;

However, the "building line conditions" stipulated in the Title Deed restrict existing buildings / new buildings on the requested subdivisions. It, therefore, needs to be amended, suspended or deleted:

- Outer boundary of the existing Erf 5568 Betty's Bay:
  - On the northern boundary (Line "A-B" on **Annexure E**), the building line restriction is 3m as it is adjacent to Erf 4104 Betty's Bay. No building transgression is occurring;
  - On the eastern boundary (Line "B-b-c-C" on **Annexure E**), the building line restriction is 5m (street front). No building transgression is occurring;
  - On the southern boundary (Line "C-D" on **Annexure E**), the building restriction is 3m as it is adjacent to Erf 4111 Betty's Bay.
  - On the western boundary (Line "A-a-d-D" on **Annexure E**), the building restriction is 3m as it is adjacent to Erven 4107 and 4116 Betty's Bay. However:
    - the Building marked "Garage" (refer to **Annexure E**) seemingly transgresses the 3m building line restriction (Line "A-a-d" on **Annexure E**). However, the Building Plan (**Annexure F**), approved in 2000, acknowledges this "transgression". It is currently also being used as a "garage / outbuilding".

- In view of the approved Building Plan (**Annexure F**), an Administrative Penalty Application, in terms of Sections 90 of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020), is not required.
- Building line Proposal:
  - Western boundary of Erf 5568 Betty's Bay: it is suggested that the building line restriction on the western boundary (Line "A-a-d-D" on **Annexure E**) of the proposed Remainder, Portion 1 and Portion 2 of Erf 5568 Betty's Bay be relaxed to 1.0m.
  - Proposed Remainder of Erf 5568 and Portion 1 Erf 5568: it is suggested that the building line restriction between the Remainder and proposed Portion 1 be 2m (Line "a-b" on **Annexure E**); and
  - Proposed Portion 1 Erf 5568 and Portion 2 Erf 5568: it is suggested that the building line restriction between Portion 1 and Portion 2 be 2m (Line "d-c" on **Annexure E**).

The following principles in the Western Cape Land-use Planning Act (2014), Section 39 (5), are relevant:

- The financial or other value of the rights: It is the intention of the Landowner to subdivide Erf 5568 Betty's Bay into three (3) new erven. Financially the subdivision of the said Erf into three (3) new erven will benefit the Landowners as they will have the opportunity to sell them in the open market. However, the removal, suspension or amendment of Conditions B.7 and C.7 in Title Deed T30376/2006 will have no financial benefit for any person or entity.
- The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal: Taking cognizance of the intention, the removal, suspension or amendment of Conditions B.7 and C.7 in Title Deed T30376/2006 will have no personal benefit for any person or entity.
- The social benefit of the restrictive condition remaining in place, and/or being removed / amended: Taking cognizance of the intention, the removal, suspension or amendment of Conditions B.7 and C.7 in Title Deed T30376/2006 will have no social impact on society.
- Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights: The removal, suspension or amendment of Conditions B.7 and C.7 in Title Deed T30376/2006 will only remove some of the conditions in the applicable Title Deed.

**E.2.3 Application 2:** Application is hereby made for the departure from the provisions of the Land-use Scheme in terms of Sections 16(2)(b) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) regarding "building lines":

- It is suggested that the building line restriction on the western boundary (Line "A-a-d-D" on **Annexure E**) of the proposed Remainder, Portion 1 and Portion 2 of Erf 5568 Betty's Bay be relaxed to 1.0m.

- Proposed Remainder of Erf 5568 and Portion 1 Erf 5568: it is suggested that the building line restriction between the Remainder and proposed Portion 1 be 2m (Line "a-b" on Annexure E); and
- Proposed Portion 1 Erf 5568 and Portion 2 Erf 5568: it is suggested that the building line restriction between Portion 1 and Portion 2 be 2m (Line "d-c" on Annexure E).

**E.2.4 Application 3:** A Subdivision Application is submitted in terms of Sections 16(2)(d) and 18 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Erf 5568 Betty's Bay was originally three (3) erven, each approximately 817m<sup>2</sup> in extent.

Two (2) of the three (3) were then consolidated to form Erf 5442 Betty's Bay. Erf 5442 and Erf 4110 Betty's Bay were then later consolidated to form Erf 5568 Betty's Bay (Annexure D).

It is proposed that Erf 5568 Betty's Bay be subdivided as follows (please refer to Annexure E):

- Proposed Remainder of Erf 5568 Betty's Bay, approximately 970m<sup>2</sup> in extent;
- Proposed Portion 1 of Erf 5568 Betty's Bay, approximately 757m<sup>2</sup> in extent;
- Proposed Portion 2 of Erf 5568 Betty's Bay, approximately 723m<sup>2</sup> in extent;

Access to the new proposed erven will be from Agapanthus Road.

Each new proposed erf will have its own water connection, electricity connection and septic tank.

## **F. NEED AND DESIRABILITY**

### **F.1 PROPERTY**

The property is known as Erf 5568 Bettys Bay.

### **F.2 APPLICABLE LEGISLATION**

The following legislation is applicable:

- The Spatial Planning and Land-use Management Act, 2013 (Act 16 of 2013)(SPLUMA);
- The Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- The Overstrand Municipality Land-use Scheme, 2020.

### F.3 APPLICABLE PLANNING POLICIES / DOCUMENTS

#### F.3.1 SPATIAL PLANNING AND LAND-USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)(SPLUMA)

The following principles for development in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), are discussed:

- **Section 7(a) The principle of spatial justice**
- **Section 7(b) the principle of spatial sustainability**
- **Section 7(c) the principle of efficiency**
- **Section 7(d) the principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks**

Erf 5568 Betty's Bay was originally three (3) erven, each approximately 817m<sup>2</sup> in extent. Two (2) of the three (3) were then consolidated to form Erf 5442 Betty's Bay. Erf 5442 and Erf 4110 Betty's Bay were then later consolidated to form Erf 5568 Betty's Bay. It is proposed that Erf 5568 Betty's Bay be subdivided into three (3) new erven.

It is the intention of the Landowners to sell these three (3) erven in the open market.

- **Section 7(e) the principle of good administration**

The required public participation process, in accordance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, will be sufficiently dealt with via the advertising of the Applications. Their respective rights and all those affected will be adequately addressed during this process. The "*audi alterem partum- rule*", therefore, will have been complied with. The intrinsic knowledge of the process and the distribution of the Applications to internal and external parties (where applicable) will also lead indisputably to the adherence of this requirement.

- **Section 42(c) take into account –**

- (i) **the public interest**
- (ii) **the facts and circumstances relevant to the application**
- (iii) **the respective rights and obligations of all those affected**

The required public participation process, in accordance with the Overstrand Municipality Amendment By-Law on Municipal Land Use

Planning, 2020, will be sufficiently dealt with via the advertising of the Applications. Their respective rights and all those affected will be adequately addressed during this process. The "*audi alterum partum- rule*", therefore, will have been complied with. The intrinsic knowledge of the process and the distribution of the Applications to internal and external parties (where applicable) will also lead indisputably to the adherence of this requirement.

**(iv) *the state and impact of engineering services, social infrastructure and open space requirements***

There is no need for any additional engineering services (electricity, roads, storm water drainage, sewer and water), which are readily available.

Within the broader development, ample open space will be provided.

### **F.3.2 The National Development Plan (NDP)**

The NDP is the supreme and overarching plan for South Africa that sets out the most crucial objectives and actions that need to be taken in the Republic of South Africa. The focus is to eliminate poverty and reduce inequality by 2030. The following sets out some of the key interventions that the NDP seeks to achieve:

- Significantly reduce unemployment and increase the size of the economy through a range of actions.
- Invest in economic infrastructures, such as electricity, water, public transport, and broadband networks.
- Enhance environmental sustainability and resilience.
- Develop an inclusive rural economy through agri-processing and agriculture, tenure security, land reform.
- Increase trade within Southern Africa.
- Transform our human settlements, by co-locating places of work and human settlements, densifying our settlements, and improving public transport.
- Improve education, training, and innovation at all levels of the education system.
- Improve the health outcomes of the country.
- Enhance and ensure social protection and build safer communities.
- Build a capable state.
- Fight corruption.
- Promote nation-building.

While the NDP is an extensive plan with a significant amount of detail, more detailed Spatial Development Frameworks (SDF's) are needed at provincial level, district level and municipal level. These SDF's should be local tools through which the NDP is implemented.

### **F.3.3 Western Cape Provincial Spatial Development Framework (PSDF)**

This PSDF aims to put in place a coherent framework for the Province's urban and rural areas that:

- gives spatial expression to the national and provincial development agendas;
- serves as basis for co-ordinating, integrating and aligning "*on the ground*" delivery of national and provincial departmental programmes;
- supports municipalities to fulfil their municipal planning mandate in line with the national and provincial agendas; and
- communicates government's spatial development intentions to the private sector and civil society.

In taking this forward the PSDF applies the following spatial principles:

- **Spatial Justice:** A socially just society based on the principles of equality, solidarity, and inclusion. Past spatial and other development imbalances should be redressed through improved access to and use of land.
- **Sustainability and Resilience:** Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems. The focus must be on creating complex, diverse and resilient spatial systems that are sustainable in all contexts.
- **Spatial Efficiency:** Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement, and prioritisation of public transport over private car use.
- **Accessibility:** Improving access to services, facilities, employment, training and recreation, and safe and efficient transport modes is essential to achieving the stated settlement transitions of the NDP and One Cape 2040. Accessibility is also defined by convenient and dignified access to private and public spaces for people with impaired mobility.
- **Quality and Liveability:** The quality of an environment directly contributes to its liveability. Legible built environments are characterized by the existence of landmarks such as notable buildings and landscaping, well- defined public spaces, as well as navigable street networks.

To deliver on the Western Cape Growth Strategic Objectives, the PSDF focuses on growing the economy, building greater environmental resilience and much better inclusion. It is summarised as follows:

- Growing the Western Cape economy in partnership with the private sector, non-governmental and community-based organisations
- Using infrastructure investment as primary lever to bring about the required urban and rural spatial transitions; and
- Improving oversight of the sustainable use of the Western Cape's spatial assets.

These focus points are the pillars for the more detailed Spatial Development Frameworks (SDF's) at district level (Overberg DC) and municipal (Overstrand LM) level.

#### **F.3.4 Overberg District Spatial Development Framework (ODSDF)**

The purpose of ODSDF is to:

- Prepare a spatial perspective of the current developmental status quo within the Overberg District Municipality (ODM) to inform a basis for discussion on key spatial issues and linkages to other sector plans and opportunities to inform the Districts' future spatial development;
- Review and update the spatial vision and strategic direction of the municipality, to inform the drafting/amendment of the Integrated Development Plan (IDP) of the ODM; and
- Review and update the Spatial Development Framework proposals to guide local municipalities in the District regarding future spatial planning, strategic decision-making, and regional integration. The Overberg District SDF will focus on the following:
  - Identifying the structure and role of settlement, transportation, and regional services infrastructure across and between the local municipalities within the district area.
  - Classifying areas that require protection and conservation (i.e., protected areas), which include threatened ecosystems, critical biodiversity areas, valuable agricultural land, water catchment areas, and other resources of value within the District.
  - Identifying growth nodes, priority investment areas, and areas of rural decay within the District.
  - Classifying areas that require protection and conservation (i.e., protected areas), which include threatened ecosystems, critical biodiversity areas, valuable agricultural land, water catchment areas, and other resources of value within the District.
  - Resolving contradictions between the planning visions of the District's local municipalities.

- Describing the general urban design principles to be applied in all settlements located in the District. Critically, the District SDF must guide local municipalities in the development of their own SDF's, without impeding on local-level planning detail. The District sets the framework and context for local municipalities to work within. It is also critical that the District aligns to the Provincial and National planning and policy context. It is therefore clear that the District must operate within a well-defined (at the conceptual level) policy and planning context and therefore is constrained to these insofar as proposals that can be made.

#### **F.3.5 Overstrand Integrated Development Planning (IDP)**

The Integrated Development Plan (IDP) is a municipality's principal strategic plan that deals with the most critical development needs of the municipal area (external focus) as well as the most critical governance needs of the organization (internal focus). It aims to co-ordinate the work of local and other spheres of government in a coherent plan to improve the quality of life for all the people living in an area. It should consider the existing conditions and problems and resources available for development. The projects within the IDP are linked to the municipality's budget.

#### **F.3.6 Overstrand Municipality Spatial Development Framework (SDF)**

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable, and habitable regions, cities, towns and residential areas.

Within the SDF a hierarchal classification of nodes is based on the nature of the function of the nodes, considering factors such as population size, influence sphere, interconnectivity, service delivery as well as informants from the Growth Potential of Towns Study, 2014 (GPTS).

### **G. ENGINEERING SERVICES**

Erf 5568 Betty's Bay was originally three (3) erven. Initially provision, therefore, was made for "engineering services" for the three (3) individual erven, nonetheless the fact that the three (3) erven have been consolidated over a number of years into one (1) erf.

Each new proposed erf will have its own water connection, electricity connection and septic tank.

Access to the new proposed erven will be from Agapanthus Road.



## H. ENVIRONMENTAL ISSUE

Erf 5568 Bettys Bay is located within an existing Township. No environmental authorization is needed.

## I. CONCLUSION

In view of the above mentioned it is recommended that Overstrand Local Municipality approves:

- I.1 **Application 1:** The Application for the amendment, suspension or deletion of Conditions B.7 and C.7 in Title Deed T30376/2006 in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020);
- I.2 **Application 2:** The Application for the departure from the provisions of the Land-use Scheme in terms of Sections 16(2)(b) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) regarding “*building lines*”:
  - the building line restriction on the western boundary (Line “A-a-d-D” on **Annexure E**) of the proposed Remainder, Portion 1 and Portion 2 of Erf 5568 Betty’s Bay be relaxed to 1.0m.
  - the building line restriction between the Remainder and proposed Portion 1 be 2m (Line “a-b” on **Annexure E**) be relaxed to 2m; and
  - the building line restriction between Portion 1 and Portion 2 be 2m (Line “d-c” on **Annexure E**) be relaxed to 2m.
- I.3 **Application 3:** The Subdivision Application in terms of Sections 16(2)(d) and 18 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, to subdivide Erf 5568 Betty’s Bay as follows:
  - Proposed Remainder of Erf 5568 Betty’s Bay, approximately 970m<sup>2</sup> in extent;
  - Proposed Portion 1 of Erf 5568 Betty’s Bay, approximately 757m<sup>2</sup> in extent;
  - Proposed Portion 2 of Erf 5568 Betty’s Bay, approximately 723m<sup>2</sup> in extent;

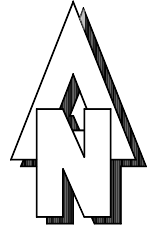
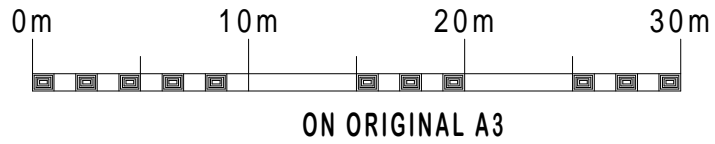
---0---

**SKETCH PLAN:  
PROPOSED SUBDIVISION AND  
REZONING OF**

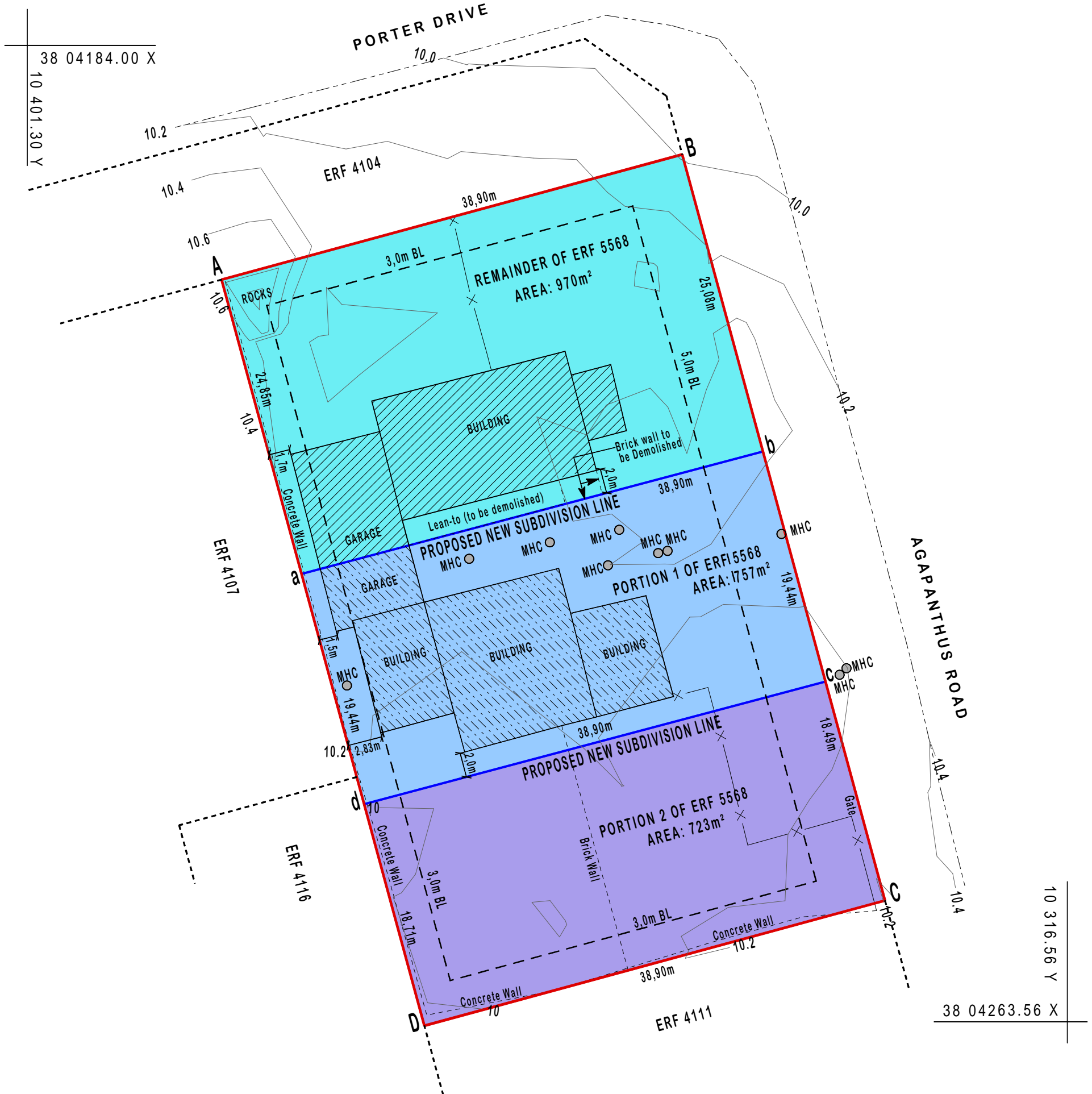
ERF 5568,

BETTY'S BAY

LOCAL AUTHORITY: OVERSTRAND MUNICIPALITY.



SCALE: 1 : 350



**NOTE FOR ZONING:**  
PORTION 1, 2 AND REMAINDER:  
RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL

**GENERAL NOTES:**

- ALL DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
- GEODETTIC DATUM PLANE : WGS 84° (LO 19°)
- CONTOURS : Gerhard Swart (Land Surveyor)
- CONTOUR INTERVAL : 0,20m
- PROPERTY AREA : 2 450m<sup>2</sup>
- OWNER : D.A. CLARKE
- DEED OF TRANSFER : T30376/2006
- : DENOTES THE PROPOSED SUBDIVISION LINES.

**PROPOSED SUBDIVISION AREAS:**

Proposed Portion 1 (Fig: a-b-c-d-a)	757m <sup>2</sup>
Proposed Portion 2 (Fig: d-c-C-D-d)	723m <sup>2</sup>
Proposed Remainder B (Fig: A-B-b-a-A)	970m <sup>2</sup>
<b>TOTAL AREA OF ERF 4888</b>	<b>2 450m<sup>2</sup></b>

PLAN NUMBER: /01		Applicant
REF: BETTY'S BAY 5568/01		Signature _____
DATE	AMENDMENTS	
JAN 2025	SUBMISSION	

**Overstrand Office:**  
52 Seaview Drive,  
BETTY'S BAY  
Cell : 072 184 9621  
Email : amund@vodamail.co.za

**Pretoria Office:**  
61 Woodlands Avenue,  
PECANWOOD  
Cell : 083 226 1316  
Email : dehaas@telkomsa.net

