

ERF 1201, 6 LINARIA ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL AND AMENDMENT OF THE APPROVED SUBDIVISION PLAN: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF G WILSON

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for the following:

- **Amendment of conditions in respect of an existing approval** in terms of Section 16(2)(h) of the By-Law for the amendment of paragraph 1. in the approval letter dated 06 March 2023 to accommodate the proposed revised subdivision configuration, namely Portion A ±850m² in extent and Portion B ±927m² in extent.
- **Amendment of the existing approved subdivision plan** in terms of Section 16(2)(k) of the By-Law to accommodate the amendment of the approved subdivision plan.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) landuse@overstrand.gov.za on or before **Friday 14 August 2026**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Town Planner, Mr. P Roux** at 028 313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

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.

ERF 1201, LINARIAWEG 6, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM WYSIGING VAN GOEDKEURINGSVOORWAARDES: PLAN ACTIVE STADS- EN STREEKBEPANNERS NAMENS G WILSON

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek vir die volgende ontvang is:

- **Wysiging van voorwaardes ten opsigte van 'n bestaande goedkeuring** ingevolge Artikel 16(2)(h) van die Verordening vir die wysiging van paragraaf 1. in goedkeuringsbrief gedateer 06 Maart 2023 om die voorgestelde hersiene onderverdelingskonfigurasie te akkommodeer.
- **Wysiging van die bestaande goedgekeurde onderverdelingsplan** ingevolge Artikel 16(2)(k) van die Verordening om die wysiging van die goedgekeurde onverdelingsplan te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) landuse@overstrand.gov.za voor of op **Vrydag, 14 Augustus 2026**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Stadsbeplanner, Mnr. P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

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.

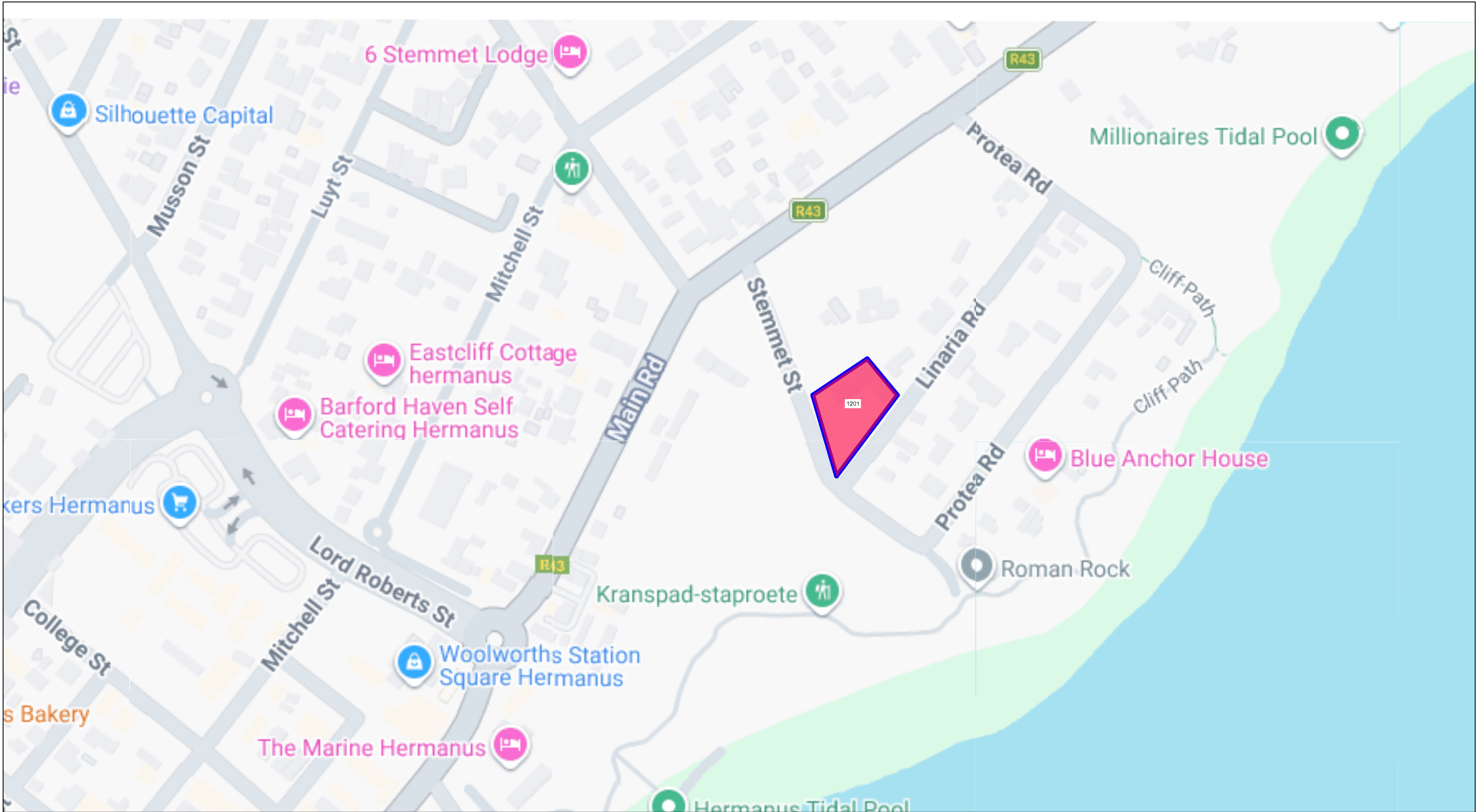
ISIZA ESINGU-ERF 1201, 6 LINARIA ROAD, EASTCLIFF, HERMANUS, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKUHLOMELA IIMEKO ZOKUPHUMEZA NOKUHLOMELA ISICWANGCISO SOLWAHLULO OLUVUNYELWEYO: NGABALWAPLAN ACTIVE NABACWANGCISI BENGINGQI EGAMENI LIKA G WILSON

Kukhutshwe isaziso esingemiba yeSoloty lama-48 loMthethwana kaMasipala OsisiHlomelo SoMthetho OngeZicwangciso ZokuSetyeziswa koMhlaba kaMasipala ku2020 (Umthethwana), esi saziso sithi kufunyenwe isicelo engale miba ilandelayo:

- **Isihlomelo seemeko ngokwemiba ehambelana nemiba esele ikhona nevumela** imiba yeSoloty le16(2)(h) loMthethwana osisihlomelo somhlathi 1. Okwileta esisivumelo nesisiphumezo ebhalwe ngomhla we-06 Matshi 2023 ukulungiselela isiphakamiso sokuhlaziya ukwahlula kwakhona iinguqulo, ezibizwa Inxalenye A ±850m² ubungakanani neNxalenye B ±927m² ubungakanani.
- **Isihlomeleo sesicwangciso sokwahlula kwakhona esele siphunyeziwe** ngokwemiba yeSoloty le16(2)(k) loMthethwana ukulungiselela isihlomelo sesicwangciso sokwahlula kwakhona esele sikhona.

Iinkcukacha ezipheleleyo mayel anesi siphakamiso ziyafumaneka ukuze zihlowe kwiintsuku zaphakahti evekini ukusukela kwiintsimbi ye-08:00 neye16:30 kwiSebe: Lezicwangciso ZeDolophu, Paterson Street, Hermanus. Naziphi na izimvo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala ochazwe ngasentla (16 Paterson Street, Hermanus / (f) 0283132093 / (e) landuse@overstrand.gov.za ngomhla okanye ngaphambi koLwesihlanu **14 Agasti 2026**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathuyelwa ku**Mcwangcisi weDolophu, uMnu. P Roux** kwa-028 313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda okanye ukubhala angahambela kwiCandelo LeziCwangciso zeDolophu apho igosa likamasipala liza kumceda afake izimvo zakhe ahlomle ngokusemthethweni.

Nceda uqaphele ukuba ngokwemiba yoMthetho Wokhuselo Lwengxelo Yomntu (POPIA), uza kube ungena kwinkqubo yoluntu ngoko ke uyavuma ukwawumelana nokusetyenziswa kwegama lakho, ifani, iinkcukacha zakho nolu(nezimvo) zingadizwa /zingasetyenziswa kwinkqubo(yesicelo) yokwenza isicelo



MOTIVATION REPORT

AMENDMENT OF EXISTING APPROVAL & AMENDMENT OF PLAN OF SUBDIVISION

ERF 1201 | HERMANUS | DIVISION: CALEDON | OVERSTRAND MUNICIPALITY

| | |
|--------------------------|---|
| Owner | G. Wilson |
| Property | Erf 1201 Hermanus |
| Title Deed | T37809/2020 |
| Extent | 1 785 m ² |
| Location | 6 Linaria Road, Eastcliff, Hermanus |
| Zoning | Residential Zone 1 |
| Application Type | Amendment of Existing Approval (Section 16(2)(h)) & Amendment of Plan of Subdivision (Section 16(2)(k)) |
| Previous Approval | App. No. 4251/2022 , Approved 15 February 2023 |
| Applicant | Plan Active Town & Regional Planners |
| Division | Caledon |
| Municipality | Overstrand Municipality |

1. BACKGROUND

Mr G. Wilson, the registered owner of Erf 1201 Hermanus, situated at 6 Linaria Road, Eastcliff, Hermanus, has instructed Plan Active Town and Regional Planners to submit applications in terms of Sections 16(2)(h) and 16(2)(k) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the amendment of an existing subdivision approval and the amendment of the approved plan of subdivision in respect of the subject property.

Erf 1201 Hermanus is 1 785 m² in extent and is held under Title Deed Number T37809/2020. A conveyancer's search of the title conditions confirms that the Title Deed does not contain any restrictive conditions that would prevent the proposed applications from being approved. There is no bond registered against the property.

1.1 Previous Approval

Overstrand Municipality previously granted approval for the subdivision of Erf 1201 Hermanus under Application No. 4251/2022. The application was resolved by the Authorised Official on 15 February 2023, and the formal Decision Letter was issued on 6 March 2023 by S Müller, Director: Infrastructure and Planning. The approval was granted subject to conditions relating to building plan submissions, compliance with the Services Report (Annexure D to the decision), payment of Bulk Infrastructure Contribution Levies

(BICL), and compliance with all applicable development parameters of the Overstrand Municipality's Zoning Scheme.

The approved subdivision created Portion A of approximately 864 m² and Portion B of approximately 922 m². The reasons recorded by the municipality for granting the approval included that the application had followed due process, that no relevant departments had objected, that the proposal made efficient use of brownfield land within the urban edge, that no existing or vested rights of adjoining owners were negatively affected, and that the application was desirable and in keeping with the character of the surrounding area. Under the previously approved application, the retention of the existing double-storey dwelling on the property was the primary design constraint. The positioning of the subdivision line was directly influenced by the need to contain the existing dwelling within Portion A and to ensure that the building fabric did not straddle the proposed common boundary. This constraint dictated the geometry of the subdivision and significantly limited the owner's flexibility in optimising the layout of the two resulting erven.

1.2 Proposed Demolition of Existing Dwelling

The owner has since resolved to demolish the existing double-storey dwelling and associated garage on Erf 1201 Hermanus. This decision represents a fundamental change in the planning context of the approved subdivision. With the dwelling no longer required to be retained, the constraint that governed the positioning of the subdivision line under the original approval is entirely removed. The owner is accordingly in a position to pursue a revised subdivision configuration that better responds to the natural attributes of the site, in particular its coastal setting and sea view potential over Walker Bay.

The demolition of the dwelling is also consistent with the owner's broader intention to redevelop both Portion A and Portion B with new, purpose-designed residential dwellings that are sympathetic to the Coastal Strip Heritage Protection Overlay Zone requirements applicable to the area.

The following demolition applications have accordingly been lodged:

- A demolition application was submitted to the Building Control Department of the Overstrand Municipality on 31 March 2026. The application was supported as per the Overstrand Heritage & Aesthetics Committee minutes of the meeting held on 14 May 2026.
- A demolition application was submitted to Heritage Western Cape on 3 June 2026, in compliance with the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). The HWC application is pending finalisation.

The present application under Sections 16(2)(h) and 16(2)(k) is submitted concurrently to allow for the efficient and coordinated processing of all related applications. The approval of this application is not dependent on the demolition having been completed or approved prior to the granting of the subdivision amendment, but the owner confirms his intention to demolish the existing dwelling prior to, or concurrent with, the commencement of development on either portion.

The demolition of the existing dwelling removes the primary constraint that governed the positioning of the subdivision line in the previously approved application. The revised subdivision line configuration is a direct consequence of this decision and unlocks a superior layout for both portions, most notably by maximising the sea view potential of Portion B.

2. APPLICATION DETAILS

Application is made in terms of:

- Section 16(2)(h) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the amendment, deletion or addition of conditions in respect of the existing approval granted under Application No. 4251/2022; and
- Section 16(2)(k) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a General Plan or diagram, being the amendment of the approved Subdivision Plan for Erf 1201 Hermanus to reflect the revised subdivision line configuration.

3. DESIRABILITY

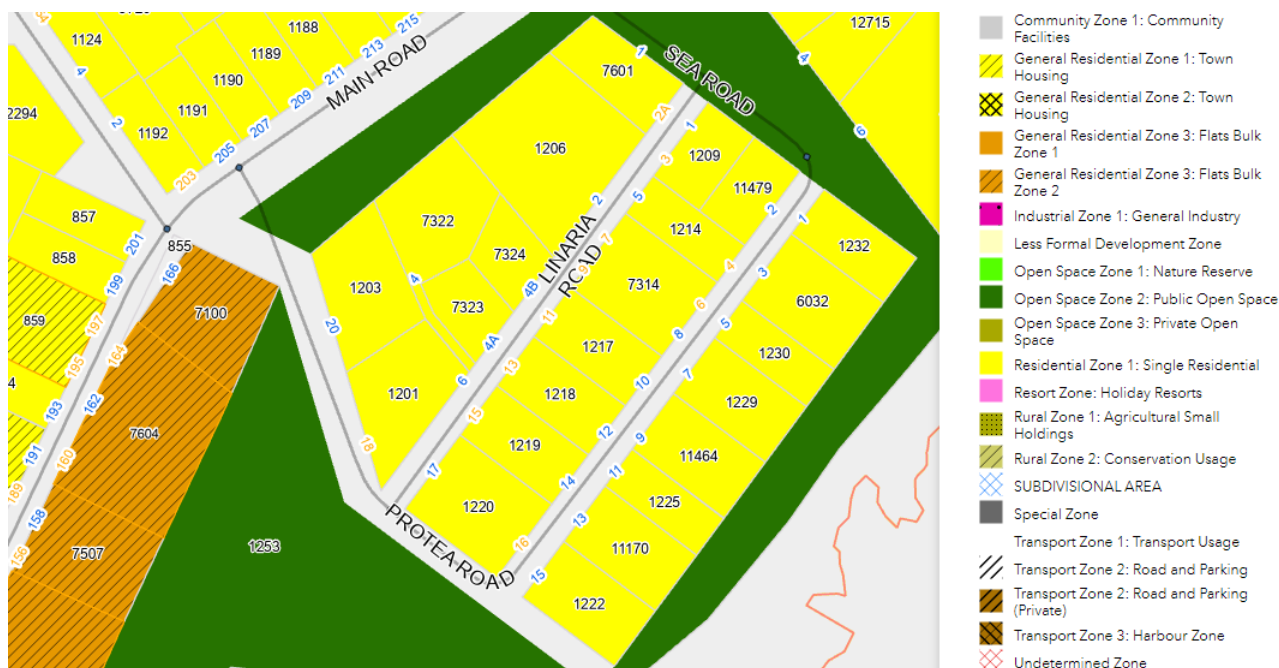
3.1 Property Location

Erf 1201 Hermanus is situated on the corner of Protea Road and Linaria Road, Eastcliff, Hermanus, and is 1 785 m² in extent. The property is held under Title Deed No. T37809/2020 in the name of G. Wilson. It falls within the Division of Caledon, Western Cape Province, within the jurisdiction of the Overstrand Municipality.

Eastcliff is a well-established, high-income coastal residential suburb situated on the eastern side of the Hermanus central business district. The suburb is characterised by predominantly single residential erven of varying sizes, many of which enjoy elevated positions with direct sea views over Walker Bay. The area is in close proximity to the Hermanus CBD, Main Road, the coastal cliff path, and associated public amenities, making it one of the most sought-after residential areas within the Overstrand municipal area. Please refer to the locality plan and the aerial photograph contained in the enclosed subdivision drawing.

3.2 Zoning

Erf 1201 Hermanus is zoned Residential Zone 1 (Single Residential) in terms of the Overstrand Municipality's Land Use Scheme, 2020, and is utilised accordingly. Residential Zone 1 permits a single dwelling house as the primary use, together with associated outbuildings and domestic activities, subject to the applicable development parameters of the Land Use Scheme.



The surrounding properties are similarly zoned for single residential purposes (Residential Zone 1), with public roads and public open space abutting the site along Protea Road and Linaria Road. The zoning of both Portion A and Portion B will remain Residential Zone 1 after the amendment of the plan of subdivision has been concluded. No rezoning is required as part of this application.

3.3 Existing Land Use

Erf 1201 Hermanus is currently utilised for single residential purposes. A double-storey dwelling and a double garage are established on the subject property. The property has been utilised for residential purposes consistent with its Residential Zone 1 zoning.

As noted in Section 1.2 of this report, the owner intends to demolish the existing dwelling and garage. Demolition applications have been submitted to the Overstrand Municipality's Building Control Department and to Heritage Western Cape, and the latter is currently pending finalisation. Following demolition, both Portion A and Portion B will be cleared sites available for new residential development.

The surrounding land uses are consistent with the residential character of the Eastcliff neighbourhood. Properties abutting and in the immediate vicinity of Erf 1201 Hermanus are developed with single residential dwellings, with public roads (Protea Road and Linaria Road) forming the street boundaries of the subject property, and public open space in the broader coastal strip. No commercial, industrial, or incompatible land uses are present in the immediate vicinity.

4. NATURE OF APPLICATIONS

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

- Section 16(2)(h) of the Amended By-law , amendment of the conditions of the existing approval (Application No. 4251/2022) to reflect the revised subdivision configuration of Erf 1201 Hermanus, resulting in Portion A of approximately 850 m² and Portion B of approximately 927 m²; and
- Section 16(2)(k) of the Amended By-law , amendment of the approved plan of subdivision for Erf 1201 Hermanus to reflect the revised subdivision line configuration as indicated on the attached Subdivision Drawing (Drawing No. 1201Hermanus), dated 7 May 2025).

4.1 Amendment of Approval , Section 16(2)(h)

Application is made in terms of Section 16(2)(h) of the Amended By-law for the amendment of the conditions of the existing approval granted under Application No. 4251/2022. Specifically, the amendment sought is the revision of the approved subdivision configuration to reflect the repositioned subdivision line, which results in Portion A of approximately 850 m² and Portion B of approximately 927 m², as opposed to the previously approved ±864 m² (Portion A) and ±922 m² (Portion B). The number of portions created (two) and the overall extent of Erf 1201 Hermanus (1 785 m²) remain unchanged.

The applicant respectfully submits that the amendment contemplated in terms of Section 16(2)(h) is minor in nature and does not alter the fundamental purpose or scope of the original approval. The original approval was granted for the creation of two residential erven from the subject property, and this remains the intent of the revised application. The amendment is necessitated solely by the change in circumstances arising from the decision to demolish the existing dwelling, which removes the constraint that governed the positioning of the subdivision line under the original approval.

It is further submitted that all the grounds upon which the original approval was granted , including the desirability of the application, its compatibility with surrounding land uses and erf sizes, its compliance with applicable planning policy, and the adequacy of services , remain fully applicable to the amended configuration. No new or additional grounds of objection are anticipated to arise from the amendment.

The revised subdivision creates Portion A of approximately 850 m² and Portion B of approximately 927 m², as indicated on the attached Subdivision Drawing (Drawing No. 1201Hermanus8), dated 7 May 2025).

4.2 Amendment of Plan of Subdivision , Section 16(2)(k)

Application is made in terms of Section 16(2)(k) for the amendment of the approved plan of subdivision for Erf 1201 Hermanus to reflect the revised subdivision line configuration. Erf 1201 Hermanus is 1 785 m² in extent. The subject property is one of the larger erven within this specific area of Eastcliff, Hermanus. The erven situated in Linaria Road vary in size, as tabled below:

| Erf Number | 7323 | 7324 | 1206 | 1218 | 1219 |
|--------------------------|------|------|-------|-------|-------|
| Extent (m ²) | 857 | 857 | 3 350 | 1 190 | 1 190 |

The proposed amended subdivision details are set out in the table below:

| Portion | Extent (m ²) | Zoning | Land Use |
|-----------|--------------------------|--------------------|---|
| Portion A | ±850 | Residential Zone 1 | Vacant (for development , existing dwelling to be demolished) |
| Portion B | ±927 | Residential Zone 1 | Vacant (for development existing dwelling to be demolished) |

The proposed amended subdivision of Erf 1201 Hermanus is consistent with the erf size pattern and residential configuration of the surrounding block in Eastcliff, Hermanus. After the amendment of the subdivision, Portion A will be approximately 850 m² in extent and Portion B will be approximately 927 m² in extent. Following demolition of the existing dwelling, both portions will be vacant and available for new residential development.

The key distinction of the revised subdivision configuration is the repositioning of the subdivision line. With the constraint of the existing dwelling removed, the subdivision line has been repositioned so that Portion B is situated on the seaward side of the property, configured to maximise its coastal outlook and sea views over Walker Bay. This layout significantly enhances the development potential and market value of Portion B and is considered a materially superior arrangement to the previously approved configuration.

As the existing dwelling is to be demolished, there are no structural or physical constraints on the revised subdivision line position. No departures from any land use restriction or development parameter are required in respect of either Portion A or Portion B. The revised line configuration is indicated on the attached Subdivision Drawing (Drawing No. 1201Hermanus8 dated 7 May 2025), prepared by Plan Active Town and Regional Planners.

Both Portion A (±850 m²) and Portion B (±927 m²) are of a size commensurate with the residential erven in the surrounding block. The erven in Linaria Road range from 857 m² to 3 350 m² in extent, confirming that both proposed portions fall within the typical erf size range of the established neighbourhood. The amendment of the plan of subdivision does not result in the creation of erven that are undersized, irregular in form, or inconsistent with the residential character of Eastcliff.

The proposed amendment will continue to generate positive economic outcomes for the area and for the municipality. The additional rateable property created by the original approval is retained, and both Portion A and Portion B will ultimately contribute to the municipality’s rates base and bulk service levy income. The development of two new purpose-designed residential dwellings on the respective portions will generate temporary employment during the construction phase and, once occupied, will contribute to the local economy of Hermanus. The revised configuration, by optimising the site layout in response to the natural setting, is furthermore likely to result in higher-value residential development on both portions than would have been achievable under the original approved configuration.

5. ACCESS

Erf 1201 Hermanus is situated on the corner of Protea Road and Linaria Road. Pedestrian access to the property is currently from Protea Road and vehicular access is from Linaria Road. Following the demolition of the existing dwelling and garage, the existing access and driveway arrangements will fall away and new access points for both Portion A and Portion B will be established as part of the respective building plan submissions.

Portion A fronts onto Protea Road and Linaria Road (corner erf) and Portion B fronts onto Linaria Road. Vehicular access to both portions will accordingly be from Linaria Road, in accordance with the standard requirements of the Overstrand Municipality's Engineering Services Department. Pedestrian access may additionally be established from Protea Road in respect of Portion A, subject to the relevant building plan submissions and approval.

No new or additional public road access points are required as part of this application. The access arrangements for each portion will be formally confirmed, designed, and approved at building plan stage and will comply in all respects with the requirements of the Engineering Services Department, including on-site parking provision in accordance with the Planning Schedule of the Land Use Scheme.

6. MUNICIPAL SERVICES

Erf 1201 Hermanus is situated within a fully developed, well-serviced residential area. All municipal bulk infrastructure services, including stormwater drainage, electricity supply, water reticulation, sewage reticulation, and road infrastructure, are present and operational in the immediate vicinity of the subject property.

In the context of the original subdivision approval (Application No. 4251/2022), the Engineering Services Department of the Overstrand Municipality formally confirmed that stormwater, electricity, water, sewer, and roads are all in order for this area. That confirmation was accompanied by a schedule of standard conditions applicable to the newly created erf, including requirements relating to the payment of Bulk Infrastructure Contribution Levies (BICL), individual and separate water and sewer connections for each portion, on-site parking facilities, and the management of stormwater. These conditions remain applicable to the revised application and will be complied with in full.

The amendment of the plan of subdivision does not change the nature or extent of the servicing obligations applicable to the two portions. Both Portion A and Portion B will be separately serviced with individual water and sewer connections in compliance with the standards of the Engineering Services Department. Any water or sewer services crossing the common boundary between portions will be disconnected and sealed off as required. All additional services and connections will be installed in accordance with the specifications and standards of the Overstrand Municipality at the owner's cost, prior to or concurrent with development.

7. TITLE DEED

The subject property is held under Title Deed No. T37809/2020, registered in the name of Graeme Wilson on 16 November 2020 at the Office of the Registrar of Deeds, Cape Town. A thorough review of the title conditions in Title Deed No. T37809/2020 confirms that there are no restrictive conditions applicable to Erf 1201 Hermanus that would prevent or impede the approval of the proposed amendment of the existing approval or the amendment of the plan of subdivision.

The property is held subject to the conditions referred to in the original Deed of Transfer No. T1781/1910, but these conditions do not impose any restriction that is relevant to or affected by the proposed applications. No application for the removal, suspension, or amendment of any title deed condition is therefore required.

There is no bond registered against Erf 1201 Hermanus, and no bondholder's consent is accordingly required.

The property was transferred to Graeme Wilson (Identity Number 691021 5250 089), married out of community of property, on 16 November 2020, for a purchase price of R12 000 000,00. The property is subject to the conditions referred to in the original Deed of Transfer No. T1781/1910, which do not constitute a restriction on the proposed applications.

8. FORWARD PLANNING

8.1 Overstrand Municipal Wide Spatial Development Framework (2020)

In terms of the Overstrand Municipality's Municipal Wide Spatial Development Framework (2020), the subject property falls within the designated urban area and is earmarked for urban residential development. The SDF supports the subdivision of residential development within the urban edge and encourages the optimal utilisation of well-located and well-serviced land, particularly through infill and densification initiatives within existing neighbourhoods.

The proposed amendment is fully consistent with the spatial development vision of the SDF. The residential zoning (Residential Zone 1) of both Portion A and Portion B will be retained in its entirety following the amendment of the plan of subdivision. The application does not introduce any new or incompatible land uses and does not require any deviation from the SDF's spatial guidelines. Both portions will remain within the urban edge and will contribute to the municipality's residential land supply in a manner consistent with the SDF's goals.

8.2 Overstrand Growth Management Strategy (2010)

The Overstrand Growth Management Strategy (2010) provides a framework for managing residential growth and densification across the municipal area. In terms of the Growth Management Strategy, the subject property falls within Planning Unit 14, which is located on the eastern side of the Hermanus CBD and encompasses the Eastcliff high-income residential area.

The Growth Management Strategy specifically identifies Planning Unit 14 as an area where incremental densification through subdivision is appropriate and encouraged, with incremental development through subdivision to allow for second and third dwelling units proposed for approximately 20% of the area and dwellings within this planning unit. This incremental approach is projected to contribute up to 128 additional dwelling units to the area, increasing the gross density from 4.9 to 6.4 dwelling units per hectare. The proposed amendment of the plan of subdivision for Erf 1201 Hermanus directly supports and advances this objective.

The proposed amendment of the existing approval and plan of subdivision is in line with the Overstrand Growth Management Strategy (2010) and is therefore supported by applicable municipal forward planning policy.

9. OVERLAY ZONES

In terms of the Overstrand Municipality's Land Use Scheme, two categories of overlay zone are applicable to properties within the municipal area: the Environmental Management Overlay Zone (EMOZ) and the Heritage Protection Overlay Zone (HPOZ). The applicability of each to Erf 1201 Hermanus is addressed below.

9.1 Environmental Management Overlay Zone (EMOZ)

The Overstrand Municipality Environmental Management Overlay Zone Regulations, 2020 (Annexure C: EMOZ) establish five specific overlay zones: the Coastal Protection EMOZ, the Mountain Catchment EMOZ, the Protected Area Buffer EMOZ, the Riverine EMOZ, and the Urban Conservation EMOZ.

A review of the Overstrand Municipal GIS mapping confirms that Erf 1201 Hermanus does not fall within any of the five designated Environmental Management Overlay Zones. None of the EMOZ regulations are therefore applicable to this application, and no EMOZ-related constraints or consent use requirements arise from this application.

Erf 1201 Hermanus does not fall within any Environmental Management Overlay Zone. No EMOZ provisions are applicable to this application.

9.2 Heritage Protection Overlay Zone (HPOZ)

The Overstrand Municipality Heritage Protection Overlay Zone Regulations, 2020 (Annexure C: HPOZ) establish a number of specific overlay zones across the municipal area. A review of the Overstrand Municipal GIS mapping confirms that Erf 1201 Hermanus falls within the Coastal Strip Heritage Protection Overlay Zone ("Coastal Strip HPOZ").

9.2.1 Purpose of the Coastal Strip HPOZ

The purpose of the Coastal Strip HPOZ is to ensure that any land use application resulting in additional rights complies with the existing character and contextual significance of the area. Specifically, the Coastal Strip HPOZ aims to:

- Protect and enhance the nature of the transition zone between the built fabric along the coastal strip, including the first line of erven facing the coast, the coastal walkway, and the coastline;
- Protect the natural, environmental, and scenic qualities along the coastal strip;
- Protect lateral views between the mountain and coastline by ensuring the continuation of existing view lines and by controlling the massing and form of buildings adjacent to the coastal strip;
- Ensure the retention of the relatively fine-grain form of development characteristic of the Overstrand holiday home vernacular evident along the coastal strip; and
- Ensure the retention of existing structures identified as having intrinsic and contextual significance.

9.2.2 Applicable HPOZ Regulations and Compliance

The following specific regulations of the Coastal Strip HPOZ are noted and will be complied with in respect of any future development of Portion A and Portion B:

- Land use or building plan applications must be submitted to the Overstrand Heritage and Aesthetics Committee for comment (Clause 9.2.6.1);
- Building heights are restricted to 8,0 m as measured from base level to the top of the structure (Clause 9.2.9.1);
- The grain and texture of the existing built form must be adhered to, characterised by relatively low building-to-plot ratios, limited building footprints, the predominance of single-storey structures, and fragmented rather than monolithic building forms (Clause 9.2.7.1);
- A positive interface between the private site and the public realm must be established; visually impermeable boundary walls higher than 2,1 m will not be permitted; no prefabricated materials will be permitted facing onto the coastline (Clauses 9.2.10.1–9.2.10.3);
- Buildings must be fragmented and disaggregated in form; apertures must have a vertical emphasis; large glazed surfaces must be set back at least 0,5 m behind the front façade (Clause 9.2.12);
- Architectural styles at variance with the local indigenous Overstrand vernacular will not be permitted; buildings must be predominantly orthogonal in form and placed parallel to the street edge (Clause 9.2.13);
- The felling of mature trees that contribute to area character, including Norfolk pines and flowering gums in Northcliff and Eastcliff, will not be permitted without the written consent of the Municipality; local indigenous plant material must be used along the interface between private dwellings and the public realm (Clause 9.2.14).

It is important to note that the present application is for the amendment of the existing approval and the amendment of the plan of subdivision only. The application does not in itself result in any additional development rights or built form on the property. The Coastal Strip HPOZ regulations pertaining to building design, massing, materials, heights, and aesthetics are therefore not directly triggered by this application, but will be complied with at the building plan stage when Portion A and Portion B are developed.

Erf 1201 Hermanus falls within the Coastal Strip Heritage Protection Overlay Zone. The present application does not trigger any Coastal Strip HPOZ regulations. Compliance with the applicable HPOZ design regulations, including referral to the Overstrand Heritage and Aesthetics Committee, will be effected at building plan application stage for each portion.

10. OTHER RELEVANT LEGISLATION

10.1 Heritage Value

In terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) and the Overstrand Municipality's Heritage Protection Overlay Zone Regulations, 2020, the heritage significance of the subject property has been assessed. Erf 1201 Hermanus is not situated within a Heritage Overlay Zone as designated by the Overstrand Municipality Growth Management Strategy (2010) and is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property has no association with important historical persons, groups, or significant events and activities in the history of the Hermanus area or the broader Overstrand municipal area. The property has no association with the history of slavery and is not used for living heritage purposes. The existing double-storey dwelling on the property, which is the subject of the concurrent demolition applications, has not been identified as a structure of intrinsic heritage or contextual significance in any heritage survey or register applicable to the area.

The proposed amendment of the existing approval and plan of subdivision will not have a negative impact on the heritage value of the subject property, the Eastcliff neighbourhood, or the broader Hermanus area. The property is situated within an area classified as the coastal strip in terms of the Overstrand Municipal GIS System and falls within the Coastal Strip Heritage Protection Overlay Zone, but the present application, being an amendment of an existing approval and plan of subdivision, does not trigger any heritage assessment or impact obligations under the NHRC Act or the HPOZ Regulations. As confirmed in Section 9.2 of this report, full HPOZ compliance will be demonstrated at building plan stage.

10.1.1 Demolition and Heritage Western Cape

As detailed in Section 1.2 of this report, the owner has submitted a demolition application to Heritage Western Cape on 3 June 2026, in compliance with the National Heritage Resources Act, 1999 (Act No. 25 of 1999), which is awaiting finalization. Support for the demolition was obtained from Overstrand Heritage & Aesthetics Committee as per the minutes of the meeting dated 14 May 2026.

Approval of the Heritage Western Cape demolition application will be obtained prior to the commencement of any demolition works. The proposed amendment applications will not have a negative heritage impact on the subject property or the broader Eastcliff, Hermanus area.

10.2 Impact on the Biophysical Environment

The proposed amendment of the existing approval and plan of subdivision does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998). No environmental authorisation is required.

11. PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency, and spatial resilience, as required by the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), are addressed as follows:

11.1 Spatial Justice

The principle of spatial justice requires that spatial planning and land use management address the inequitable spatial patterns inherited from the past and promote the inclusion of all people in the benefits of spatial planning decisions. In the context of the present application, the proposed amendment of the plan of subdivision is consistent with the existing erf size pattern and land use tendencies in the Eastcliff, Hermanus area. The creation and optimal configuration of two residential erven from the subject property promotes equitable access to well-located residential land within a fully serviced urban area, in a manner that is directly responsive to the market demand for coastal residential sites in Hermanus.

11.2 Spatial Sustainability

The principle of spatial sustainability requires that land use decisions promote long-term environmental, social, and economic sustainability. The proposed amendment of the plan of subdivision is in keeping with the established residential character of the Eastcliff area and will not introduce any land use or development form that is incompatible with, or detrimental to, the surrounding neighbourhood. The application will have no impact on any conservation-worthy areas, ecological corridors, or heritage resources in the vicinity of Hermanus.

Both Portion A ($\pm 850 \text{ m}^2$) and Portion B ($\pm 927 \text{ m}^2$) will retain Residential Zone 1 zoning and will be developed in accordance with the design guidelines of the Coastal Strip HPOZ, ensuring that new development on both portions is sympathetic to the existing coastal character of Eastcliff and contributes positively to the sense of place and aesthetic quality of the area.

11.3 Efficiency

The principle of efficiency requires that the spatial economy be structured in a manner that facilitates the use of existing infrastructure and reduces unnecessary public and private expenditure on infrastructure development. The proposed amendment promotes the optimal utilisation of a well-located, fully serviced urban erf within the established residential neighbourhood of Eastcliff, Hermanus.

The subject property is situated in close proximity to Main Road, Hermanus, and enjoys excellent accessibility to the Hermanus CBD, retail facilities, educational institutions, health services, and the coastal amenities of the town. All bulk infrastructure services required for the development of both Portion A and Portion B are available and in place, and the amendment of the plan of subdivision does not require any material new bulk infrastructure investment by the municipality. The application therefore represents an efficient and responsible use of existing public investment in the area.

11.4 Spatial Resilience

The principle of spatial resilience, as contemplated in SPLUMA, refers to the need to promote sustainable livelihoods, particularly for communities most vulnerable to economic and environmental shocks, and to ensure flexibility in spatial plans, policies, and land use management systems that enables communities to resist and recover from such shocks. While this principle is primarily directed at ensuring the needs of economically marginalised communities are addressed, the present application nonetheless contributes to spatial resilience by adding to the supply of well-located residential land in the Hermanus area, supporting economic activity through construction and property development, and making efficient use of existing urban infrastructure in a manner that reduces long-term service delivery pressures on the municipality.

11.5 Good Administration

Plan Active Town and Regional Planners is committed to the principle of good administration and will cooperate fully with the Overstrand Municipality to ensure a transparent, time-efficient, and procedurally correct land use planning process. The applications have been prepared and submitted in accordance with the requirements of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, and all related provincial legislation, including the Land Use Planning Act, 2014 (Western Cape Act No. 3 of 2014), and national legislation, including the Spatial Planning and Land Use Management Act, 2013.

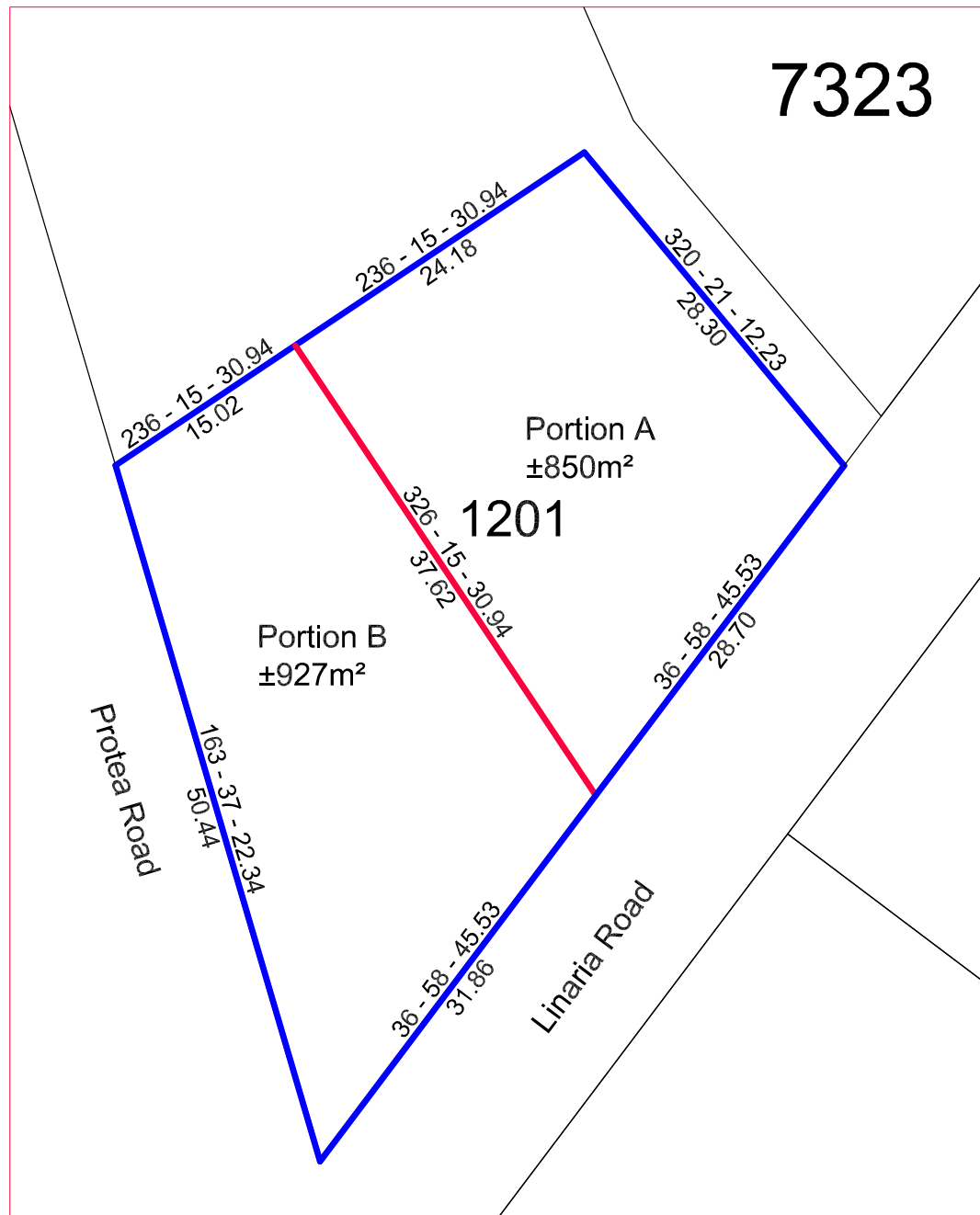
All required supporting documentation, including the motivation report, title deed, subdivision drawing, power of attorney, and relevant annexures, has been compiled and submitted in accordance with the requirements of the By-law and the Municipality's application guidelines. The applicant will actively engage with and respond to any requests for additional information from the municipality's Town Planning officials and will ensure that the public participation process, where applicable, is conducted in full compliance with the procedural requirements of the By-law.

12. RECOMMENDATION

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

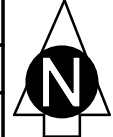
- The proposed amendment of the existing approval and plan of subdivision for Erf 1201 Hermanus falls within the existing land use tendencies and erf size pattern of the Eastcliff, Hermanus area;
- The revised subdivision line configuration is made possible by the owner's decision to demolish the existing dwelling, which was the primary constraint governing the positioning of the subdivision line in the previously approved application;
- The demolition application submitted to the Building Control Department of the Overstrand Municipality was supported as per the Overstrand Heritage & Aesthetics Committee minutes of the meeting held on 14 May 2026 and the demolition application submitted to Heritage Western Cape in compliance with the requirements of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is pending finalisation.
- The revised configuration maximises the coastal outlook and sea view potential of Portion B, thereby significantly enhancing the development value and desirability of the newly created erf;
- Following demolition, both Portion A and Portion B will be vacant erven available for new residential development;
- The subject property is situated within an already fully serviced area, and both portions can readily connect to existing municipal services;
- The proposed amendment will not have a negative impact on the current character or land values of the surrounding properties;
- The proposed applications are in line with the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA);
- The application is consistent with the Overstrand Municipal Wide Spatial Development Framework (2020) and the Overstrand Growth Management Strategy (2010).

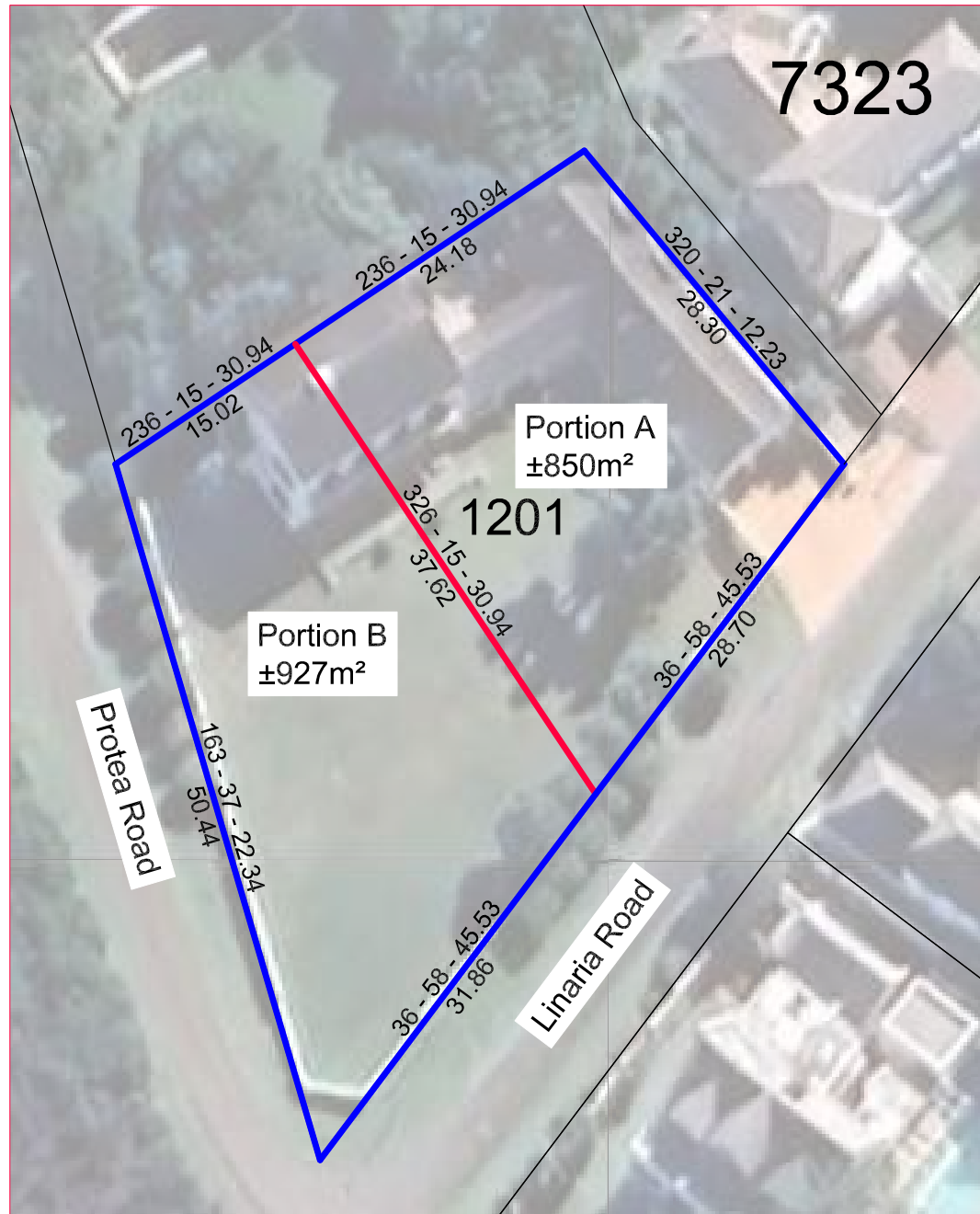
In light of the above, and noting that the municipality has previously approved the subdivision of Erf 1201 Hermanus under Application No. 4251/2022, it is respectfully requested that the Overstrand Municipality consider these applications favourably and grant approval in terms of Sections 16(2)(h) and 16(2)(k) of the Amended By-law on Municipal Land Use Planning, 2020.



Notes:

- Existing Erf Boundaries
- Proposed Subdivision Line





Notes:

- Existing Erf Boundaries
- Proposed Subdivision Line