



OVERSTRAND MUNISIPALITEIT

ERF 4164, BUTTERFLYWEG, CHANTECLAIR, ONRUSRIVIER: AANSOEK OM HERSONERING, ONDERVERDELING, AFWYKING EN TOESTEMMING INGEVOLGE DIE GOEDKEURINGSVOORWAARDES: INTERACTIVE STADS- EN STREEKBEPLANNING NAMENS DIE TRUSTEES VIR TYD EN WYL VAN FRIEDERICH SONKE MOOLMAN FAMILIETRUST

Kragtens Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die onderstaande aansoek van toepassing op Erf 4164, Onrusrivier (die eiendom), vir die:

1. **herosnering** ingevolge Artikel 16(2)(a) van die Verordening vanaf Algemene Residensiële Sone 1: Dorpsbehuising (GR1) na Onderverdelingsgebied (SA).
2. **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening in die volgende:
 - elf (11) Algemene Residensiële Sone 1: Dorpsbehuising (GR1) erwe, waarvan Gedeelte 3 vir 'n Sorgsentrum / Klubhuisdoeleindes gebruik sal word,
 - vier (4) Oopruimte Sone 2: Privaat Oopruimte (OS3) erwe, en
 - een (1) Vervoersone 2: Pad en Parkering subsonering A - Privaat (TR2A) erf.
3. **afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die interne straatboulyn te verslap vanaf 1m na 0,6m wat van toepassing is op onderverdeelde Gedeelte 3 ten einde die oorskredings van die voorgestelde Sorgsentrum / Klubhuis te akkommodeer.
4. **toestemming ingevolge die goedkeuringsvoorwaardes** ingevolge Artikel 16(2)(l) van die Verordening om 'n huiseienaarsvereniging, met gepaardgaande grondwet te stig, en om argitektoniese riglyne goed te keur.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op 8 Desember 2023, 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 Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

DGI O'Neill, Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, HERMANUS, 7200

Munisipale Kennisgewing Nr. 168/2023

OVERSTRAND MUNICIPALITY

ERF 4164, BUTTERFLY ROAD, CHANTECLAIR, ONRUS RIVER: APPLICATION FOR SUBDIVISION, REZONING, DEPARTURE AND PERMISSION REQUIRED IN TERMS OF CONDITIONS OF APPROVAL: INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF THE TRUSTEES FOR THE TIME BEING OF FRIEDERICH SONKE MOOLMAN FAMILY TRUST

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 4164, Onrus River (the property) for the:

1. **rezoning** in terms of Section 16(2)(a) of the By-Law from General Residential Zone 1: Town Housing (GR1) to Subdivisional Area (SA).
2. **subdivision** in terms of Section 16(2)(d) of the By-Law into the following:
 - eleven (11) General Residential Zone 1: Town Housing (GR1) erven, of which Portion 3 will be utilized for Care Centre / Clubhouse purposes,
 - four (4) Open Space Zone 2: Private Open Space (OS3) erven, and
 - one (1) Transport Zone 2: Road and Parking, subzoning A - Private (TR2A) erf.
3. **Departure** in terms of Section 16(2)(b) of the By-Law to relax the internal street building line from 1m to 0,6m applicable to subdivided Portion 3 to accommodate the encroachments of the proposed Care Centre / Clubhouse.
4. **Permission required in terms of conditions of approval** in terms of Section 16(2)(l) of the By-Law to establish a homeowners' association, with associated constitution, and to approve architectural guidelines.

Full details regarding the proposals above are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus.

Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before 8 December 2023, 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 Planning Department where they will be assisted by a municipal official in formulating their comments.

DGI O'Neill, Municipal Manager, Overstrand Municipality, P.O. Box 20, HERMANUS, 7200

Municipal Notice No. 168/2023

UMASIPALA WASE-OVERSTRAND

ISIZA 4164, BUTTERFLY ROAD, CHANTECLAIR, ONRUS RIVER: ISICELO SOKWAHLULA, UKUCANDA NGOKUTSHA, UKUNYENYISWA KUNYE NEMVUME EFUNEKAYO KWIMIQATHANGO YEMVUME: ABAKWA-INTERACTIVE TOWN & REGIONAL PLANNING EGAMEN LEE-TRUSTEE EZISEBENZA NGOKU KWI-FRIEDERICH SONKE MOOLMAN FAMILY TRUST

Kukhutshwa isaziso ngokumayela neCandelo 47 neCandelo 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa Nokucetywa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), sokuba kufunyenwe ezi sicelo zilandelayo esimayela neSiza 4164, Onrus River (ipropathi) ukuze:

1. **kucandwe ngokutsha** ngokweCandelo 16(2)(a) loMthetho kaMasipala ukusuka kwiNgingqi Yokuhlala 1: Izindlu Zokuhlala (GR1) kwenziwe Indawo Eyahlulahlulweyo (SA).
2. **ukucandwa ngokutsha** ngokweCandelo 16(2)(d) loMthetho kaMasipala ukuze kwenziwe oku kulandelayo:
 - Indawo Eyingingqi Yokuhlala Enezindlu 1 ezilishumi elinanye (11): Isiza Sezindlu Zokuhlala (GR1), apho Inxalenye 3 iza kusetyenziselwa iinjongo Zeziko Lonakelero/Indawo Yembutho,
 - Ummandla Ovulekileyo 2 oneendawo ezine (4): Isiza Seendawo Zabucala Ezivulekileyo (OS3), kunye
 - Nendawo Yothutho 2 enye (1): Ukucanda isiza okubhekele phaya Indlela Nendawo yokumisa iimoto A - Eyabucala (TR2).
3. **Ukunyenyisiwa** ngokumayela neCandelo 16(2)(b) loMthetho kaMasipala ukuze kunyenyiswe umgca wesitrato ngaphakathi ukusuka ku-1m ukuya ku-0,6m osebenza kwiNxalenye 3 eyahluliweyo ukuze kuvunyelwe ukusondela kweZiko Lonakelero/Indawo Yembutho ecetywayo.
4. **Imvume efunekayo ngokwemiqathango yemvume** ngokweCandelo 16(2)(l) loMthetho kaMasipala ukuze kusekwe umbutho wabanini khaya onomgaqo-siseko ohambelana nawo kunye nokugunyazisa izikhokelo zoyilo lwezindlu.

Iinkcukacha ezipheleleyo mayela noku kucetywayo ziyafumaneka ukuze zihlolwe phakathi evelini phakathi ko 08:00 no 16:30 kwiSebe: LokuCeba Idolophu, 16 Paterson Street, Hermanus.

Nawaphi na amagqabaza okuhlomla mawabhalwe aze athunyelwe kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngaphambi okanye ingadlulanga 8 uDisemba 2023, ubhale igama lakho, idilesi, iinkcukacha zoqhagamshelwano, umdla kwisicelo nesizathu sokuhlomla. Imibuzo ngefowuni ingabhekiswa kuTown Planner, Mnu. H. Olivier ku-028-3138900. UMasipala angangavumi ukwamkela amagqabaza okuhlomla afunyenwe emva komhla wokuvula. Nabani na ongakwazi kufunda okanye ukubhala angatyelela iSebe lokuCeba iDolophu apho igosa lakwamasipala liya kumnceda afake amagqabaza akhe okuhlomla.

DGI O'Neill, uMphathi kaMasipala, uMasipala wase-Overstrand P.O. Box 20, HERMANUS, 7200

Isaziso sikaMasipala No. 168/2023



ERF 4164 ONRUSRIVIER, HERMANUS

Rezoning, subdivision and related application



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Cell phone: 082 466 0490
E-mail: info@iatrp.co.za

September 2023

1. Introduction

a. Brief

Refer to **Annexure A** for the Power of Attorney.

Interactive Town and Regional Planning was appointed by the owner of the property, Little West Coast Property Pty Ltd to prepare and submit a rezoning, subdivision and related portion of Erf 4146 Onrusrivier in terms of the relevant legislation to create individual single title erven.

b. Background

In 2020 an application for the following was approved:

- the rezoning of Erf 4164, Onrusrivier from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1: Town Housing (GR1).
- a consent use for a retirement village on Erf 4164, Onrusrivier.
- a departure to relax the perimeter street building lines from 5m to 3m to allow for the proposed dwelling units and care facility.
- a departure to relax the northern perimeter street building line from 5m to 0m to allow for the proposed gatehouse.
- a departure to relax the western perimeter side building line from 3m to 2m to allow for the proposed dwelling units.

The resolution of the application is shown in the following illustrated sketch:

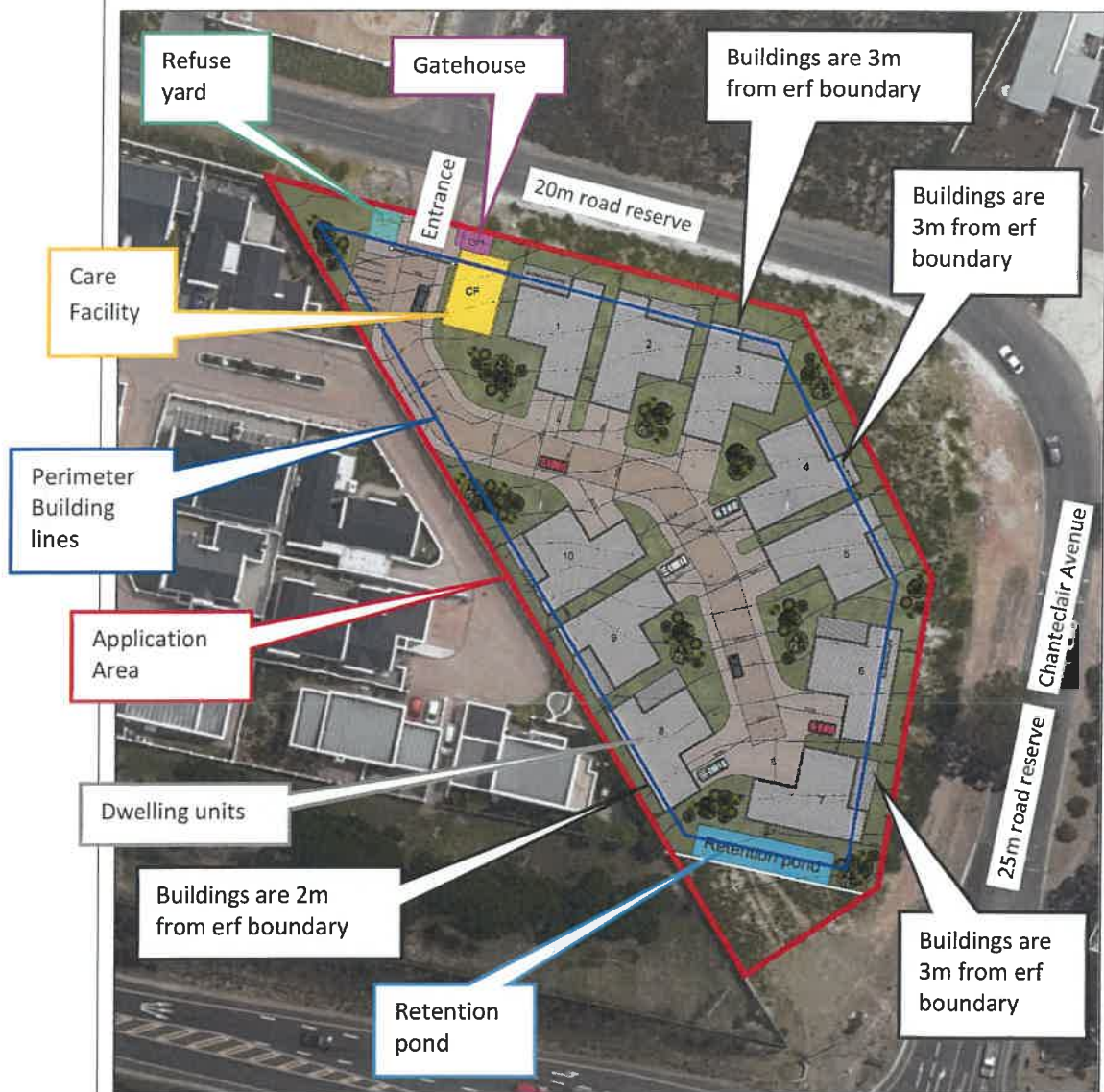
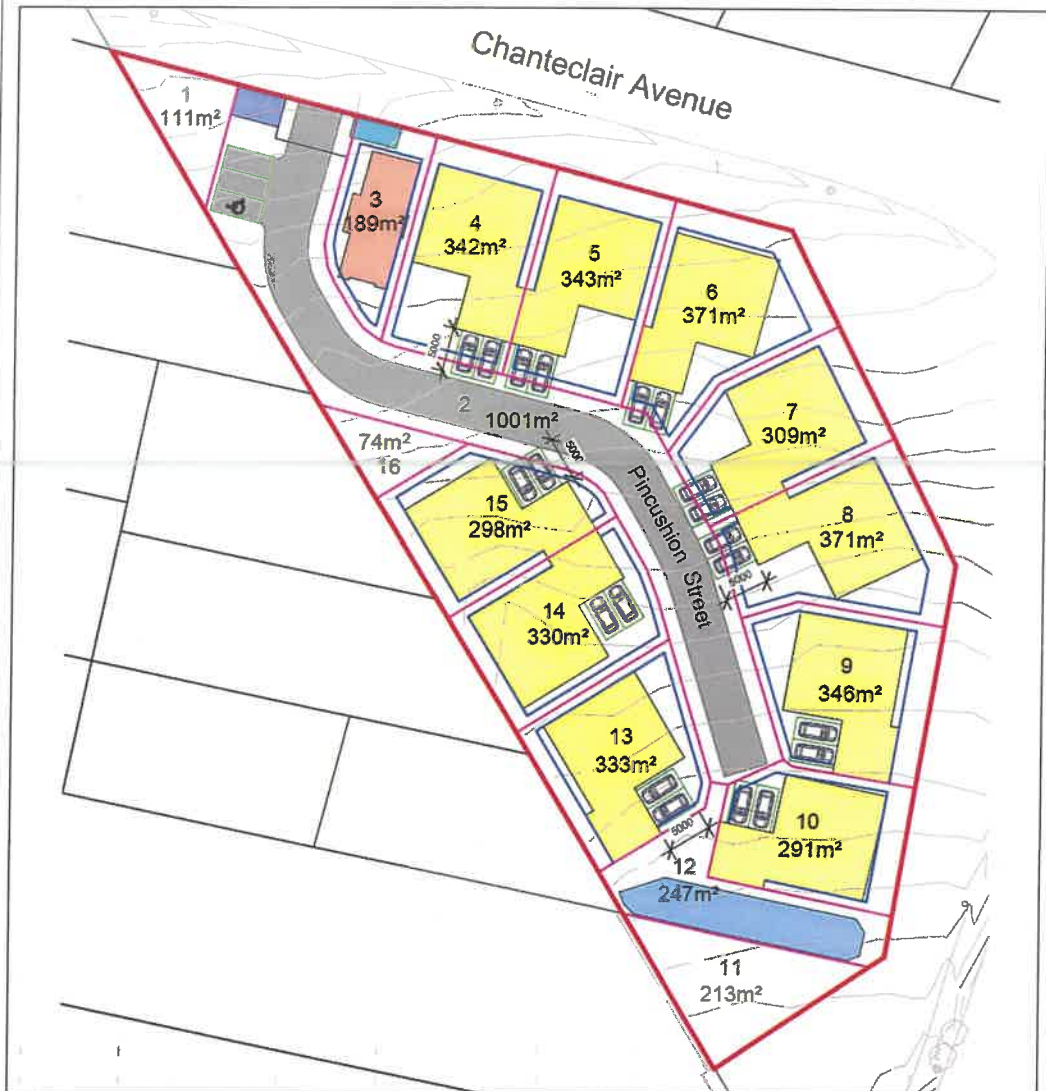


Figure 1: Approved proposal

c. Development Objective

The development objective is to retain the approved development proposal, but to subdivide the application area to allow individual single title erven.



Portion	Area	Land Use
Portion 1	111m ²	Private Open Space
Portion 2	1001m ²	Road, parking & refuse
Portion 3	189m ²	Clubhouse, Private Open Space
Portion 4	342m ²	Dwelling
Portion 5	343m ²	Dwelling
Portion 6	371m ²	Dwelling
Portion 7	309m ²	Dwelling
Portion 8	371m ²	Dwelling
Portion 9	346m ²	Dwelling
Portion 10	291m ²	Dwelling
Portion 11	213m ²	Private Open Space / road Reserve
Portion 12	247m ²	Private Open Space
Portion 13	333m ²	Dwelling
Portion 14	330m ²	Dwelling
Portion 15	298m ²	Dwelling
Portion 16	74m ²	Private Open Space



Figure 2: Development Proposal

<p>d. Application Proposal</p>	<p>Application is made for the following:</p> <ul style="list-style-type: none"> • Rezoning of Erf 4164 Onrus from General Residential Zone 1: Town Housing to Subdivisional Area. • Subdivision of Erf 4164 Onrus into 16 portions. • Rezoning of subdivided Portions 3-10 & 13-15 from Subdivisional Area to General Residential Zone 1: Town Housing. • Rezoning of subdivided Portion 2 from Subdivisional Area to Transport Zone 2: Road and Parking, Subzoning A – Private. • Rezoning of subdivided Portions 1, 11, 12 & 16 from Subdivisional Area to Open Space Zone 3: Private Open Space. • Departure to relax the internal street building line of Subdivided Portion 3 from 1m to 0.6m to allow for the corner of the clubhouse and care facility. • Establishment of a Home Owners Association and associated constitution.
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2. The Application

a. Analysis: Title Deed Refer to Annexure D for the Conveyancer Certificate.	The Conveyancer Monica Korf issued a certificate confirming that no restrictive title deed conditions exist against the proposal on Erf 4164 Onrusrivier.
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b. Analysis: Development Criteria:

The development parameters for Erf 4164 Onrusrivier, Hermanus as per the Overstrand Municipality Land use Scheme, 2020 are summarised as follows:

Portions 3-10 & 13 - 15

Parameters		Existing Zoning:	Development Proposal	Comments
Zoning		General Residential Zone 1: Town Housing (GR1)	General Residential Zone 1: Town Housing (GR1)	Consistent
Primary Use		Dwelling house, town housing, private, road, private open space;	Dwelling house, private road, private open space. Portion 3 is to be used for a care / clubhouse facility.	Consistent
Consent Uses		Crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation	Retirement Village	Consent Use already approved
Density		35du/ha	19.3du/ha	Consistent
Coverage		50%	50%	Consistent
Height		8m	Single storey not exceeding 8m	Consistent
Building lines	Street	5m	3m on perimeter, 1m on internal roads & garages 5m from road kerb	Application includes a departure
	Side	3m	2m on perimeter, 1m internal & 0m internal for garages	Departure already approved
	Rear	3m	n.a.	Consistent
Parking		2 bays per dwelling unit	2 bays per dwelling unit	Consistent

Portion 2

Parameters	Existing Zoning:	Proposed Zoning	Comments
Zoning	General Residential Zone 1: Town Housing (GR1)	Transport Zone 2: Road and Parking, Subzoning A – Private	Consistent
Primary Use	Dwelling house, town housing, private, road, private open space;	Private parking and private road.	Consistent
Consent Uses	Crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation	Informal trading, transmission apparatus or any other uses determined by the Municipality	Consistent - No consent uses are proposed

Portions 1, 11, 12 & 16

Parameters	Existing Zoning:	Proposed Zoning	Comments
Zoning	General Residential Zone 1: Town Housing (GR1)	Open Space Zone 3: Private Open Space	Consistent
Primary Use	Dwelling house, town housing, private, road, private open space;	Private open space	Consistent
Consent Uses	Crèche, day care centre, flats, green house, home occupation, residential building, retirement village, tourist accommodation	Cemetery, environmental facilities, recreational facilities, tourist accommodation, tourist facilities, transmission apparatus, urban agriculture, utility services and any other related uses permitted by the Municipality	Consistent - No consent uses are proposed

<p>c. Application:</p> <p>The application form is attached as Annexure D.</p>	<p>Application is subsequently made in terms of Chapter IV, Sections 16(2)(a),(b),(d)&(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020, for:</p> <ul style="list-style-type: none"> • Rezoning of Erf 4164 from General Residential Zone 1: Town Housing to Subdivisional Area. • the subdivision of Erf 4164 Onrus into 16 portions as follows. <ul style="list-style-type: none"> ○ Portion 1: 111m² ○ Portion 2: 1001m² ○ Portion 3: 189m² ○ Portion 4: 342m² ○ Portion 5: 343m² ○ Portion 6: 371m² ○ Portion 7: 309m² ○ Portion 8: 371m² ○ Portion 9: 346m² ○ Portion 10 :291m² ○ Portion 11: 213m² ○ Portion 12: 247m² ○ Portion 13: 333m² ○ Portion 14: 330m² ○ Portion 15: 298m² ○ Portion 16: 74m² • Rezoning of subdivided Portions 3-10 & 13-15 from Subdivisional Area to General Residential Zone 1: Town Housing • Rezoning of subdivided Portion 2 from Subdivisional Area to Transport Zone 2: Road and Parking, Subzoning A – Private. • Rezoning of subdivided Portions 1, 11, 12 & 16 from Subdivisional Area to Open Space Zone 3: Private Open Space. • Departure to relax the internal street building line of Subdivided Portion 3 from 1m to 0.6m to allow for the corner of the clubhouse and care facility. • Establishment of a Home Owners Association and associated constitution.
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3. Contextual Site Information

a. Property Description

Refer to Annexure E for the SG Diagrams, Annexure B for the Title Deed of Erf 4164 Onrusrivier And Annexure M for the title deeds and list of owners of Milkwood Estate.

Property	Extent	Title Deed	Registered Owner
4164 Onrusrivier	5174m ²	T17321/2020	Little West Coast Property Pty Ltd

The following Surveyor General Plans reflect the application site:

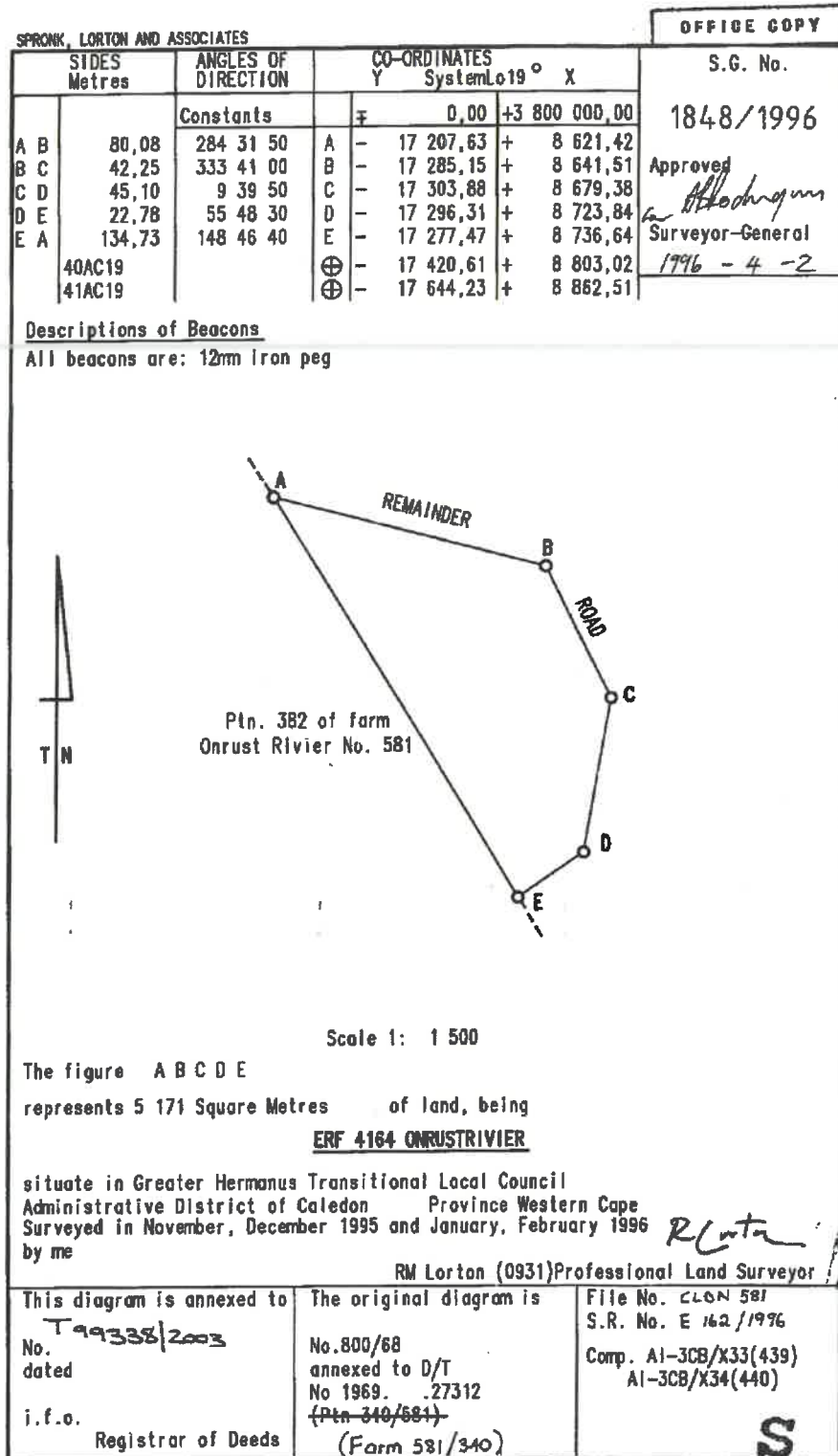


Figure 3: Extracts of the Surveyor General Plans of the application site

b. Location:

For the Locality Plans refer to **Annexure F**.

Regional Context:

Within the regional context, the application area is located north of the Onrusrivier residential suburb and forms part of the Chanteclair residential development. The application area is located approximately 5km west of the Hermanus CBD.



Figure 4: Locality Plan – Regional Context

Local Context:

Within the local context the application area is located on the north-western quadrant of the R43 Provincial Road and the Chanteclair intersection and between the existing Milkwood Estate and Kidbrooke Place Retirement Village.



Figure 5: Locality Plan – Local Context



Figure 6: Photograph showing the Application Area

c. Land Use:

Refer to the Land Use Plan attached as **Annexure H**.

Erf 4164 Onrusrivier is vacant. The surrounding land-uses consist predominantly of general residential and single residential properties. These general residential developments to the east, west and south of the application site, flanking the R43 Provincial road consist mostly of existing retirement villages.

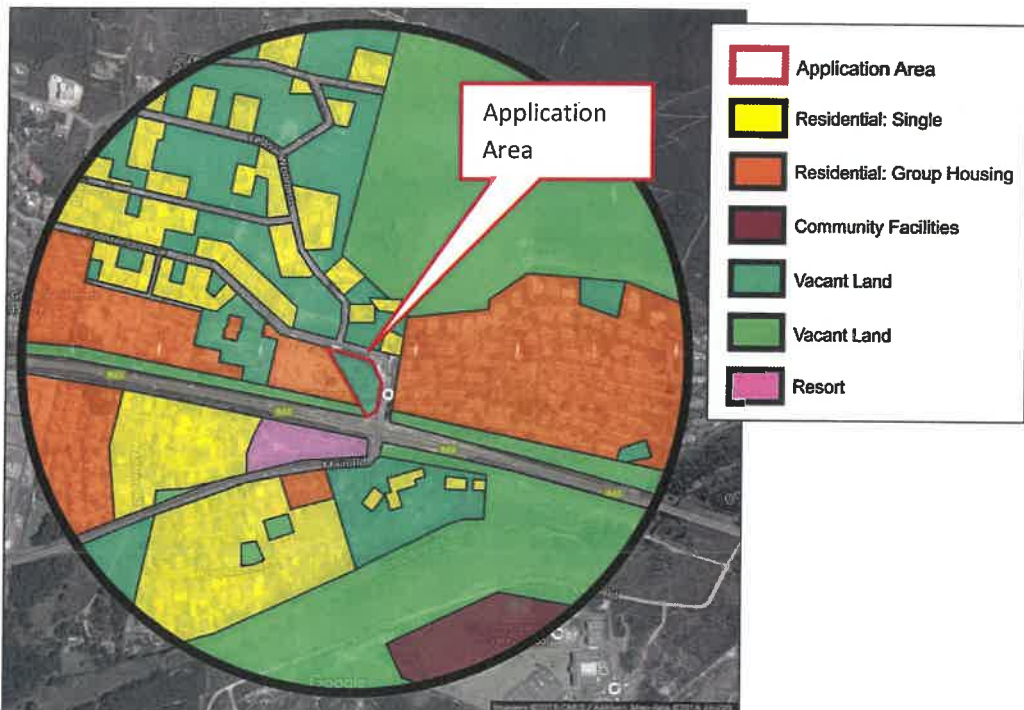


Figure 7: Google Image illustrating the residential land-use activities of the application area and surrounding properties

d. Zoning:

The application area, Erf 4164, Onrusrivier is zoned General Residential Zone 1: Town Housing. The surrounding properties are zoned General Residential Zone 1, Residential Zone 1, Open Space Zone3, and Agricultural Zone 1. The application includes the rezoning of subdivided Portion 2 from General Residential Zone 1: Town Housing to Transport Zone 2: Road and Parking, Subzoning A – Private and the rezoning of subdivided Portions 1, 11, 12 & 16 from General Residential Zone 1: Town Housing to Open Space Zone 3: Private Open Space. The rezoning will not impact on the approved land uses of the subdivided portions to be rezoned.

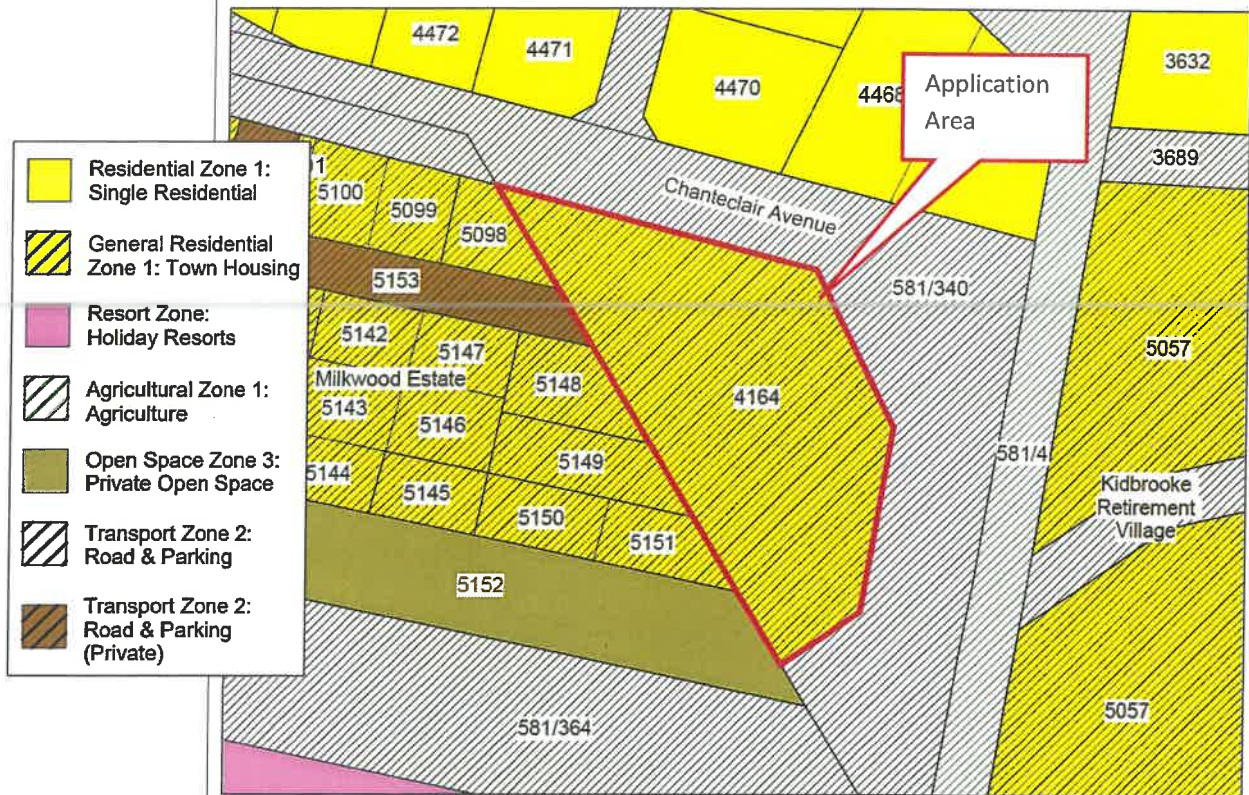


Figure 8: Zoning map extract

e. Spatial Planning Policy

The application area is subject to inter alia the following planning policies:

i. Overstrand Municipality Spatial Growth Management Strategy – 2010 (OMSGMS)



In terms of the Overstrand Growth Management Strategy, the application area falls within a “no densification area/ status quo area” as illustrated in the extract from the OMSGMS:

No densification is proposed.

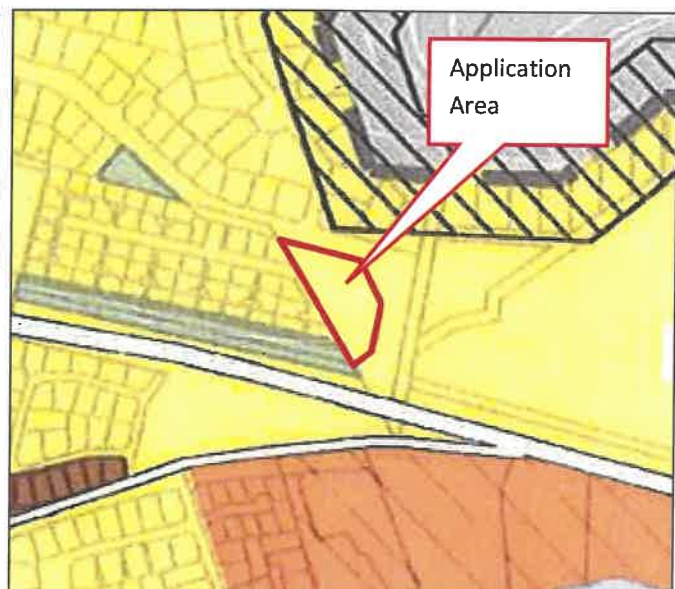


Figure 9: Growth Management Strategy 2010 extract

II. Overstrand Municipal Spatial Development Framework, 2020

The application is located in an urban development area and adjacent to a major road.

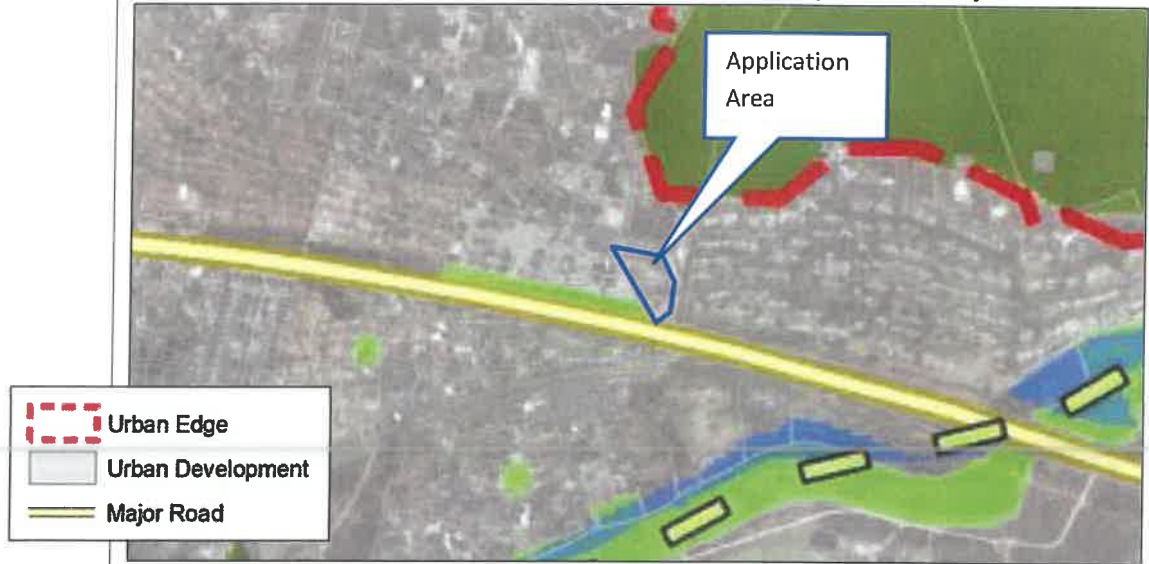


Figure 10: Overstrand Municipal Spatial Development Framework, 2020 extract

Conclusion:

Subsequently the proposed development is considered fully consistent with the requirements of the spatial development policies of the Overstrand Municipality.

4. Motivation

Motivation for the application:

Refer to **Annexure I** for the Site Plan.

I. Introduction:

The application area is located within Onrus North.

In 2020 an application on Erf 4164 Onrusrivier was approved for the following:

- the rezoning of Erf 4164, Onrusrivier from Agriculture Zone 1: Agriculture (AGR1) to General Residential Zone 1: Town Housing (GR1).
- a consent use for a retirement village on Erf 4164, Onrusrivier.
- a departure to relax the perimeter street building lines from 5m to 3m to allow for the proposed dwelling units and care facility.
- a departure to relax the northern perimeter street building line from 5m to 0m to allow for the proposed gatehouse.
- a departure to relax the western perimeter side building line from 3m to 2m to allow for the proposed dwelling units.

II. Proposal

The application proposal is to subdivide the application area into 16 portions to create single title erven as illustrated in the following plans and renders which is predominantly similar as the original proposal approved in 2020:

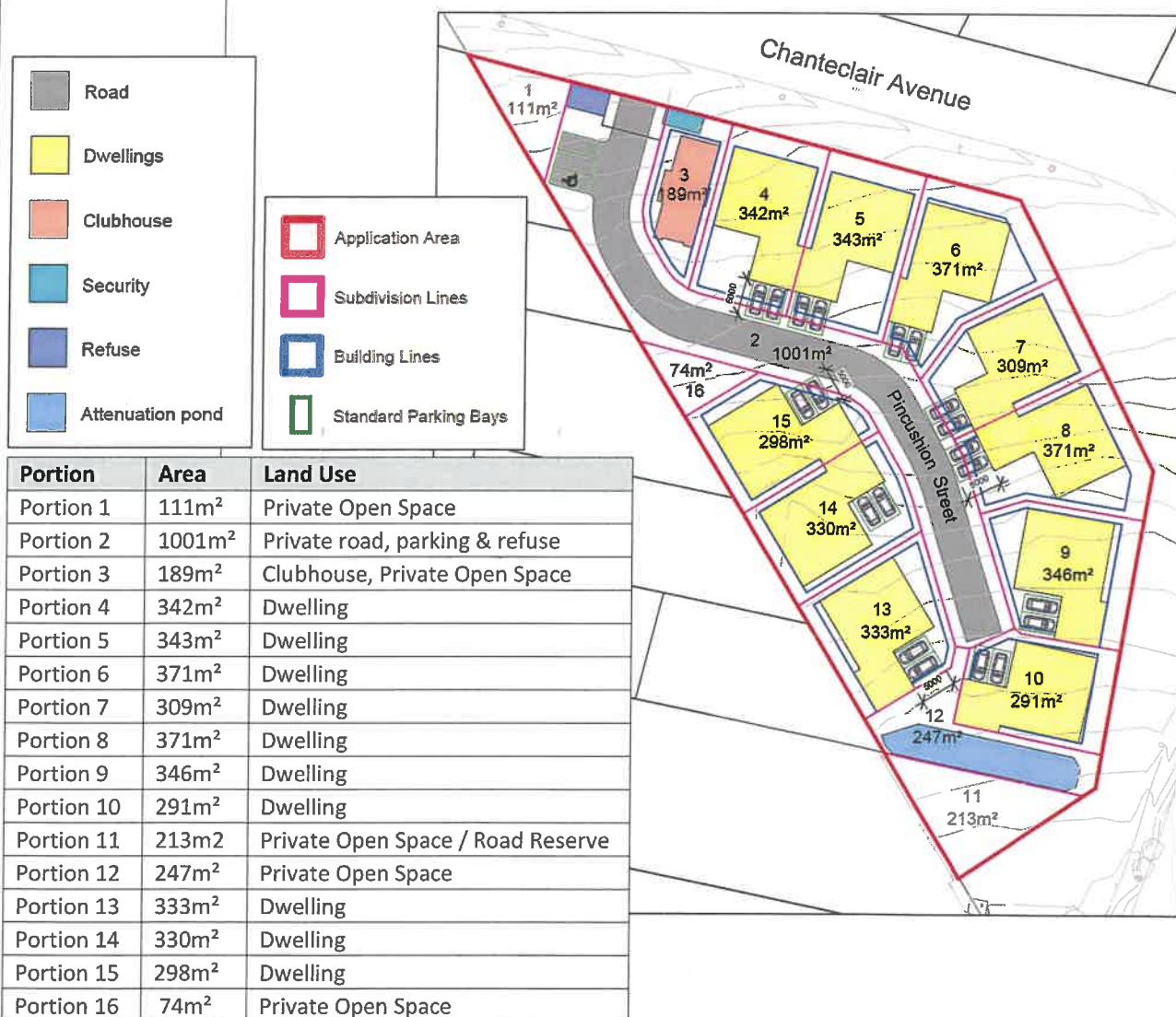


Figure 11: Development Proposal



Figure 12: Three dimensional renderings

The overall development proposal remains the same with practical amendments, The amendments consists of building/structure dimensions, internal dwelling unit layouts and a minor alignments of the driveways providing access to the dwellings. Subsequently the number of units, the location of the dwelling units, communal building, gatehouse, refuse, road and retention pond remains the same. The previously approved building lines also remains as approved. Application includes a building line departure to allow for the existing clubhouse.

In the following sketches a comparison between the existing and proposed Site Development Plans and the typologies are shown:

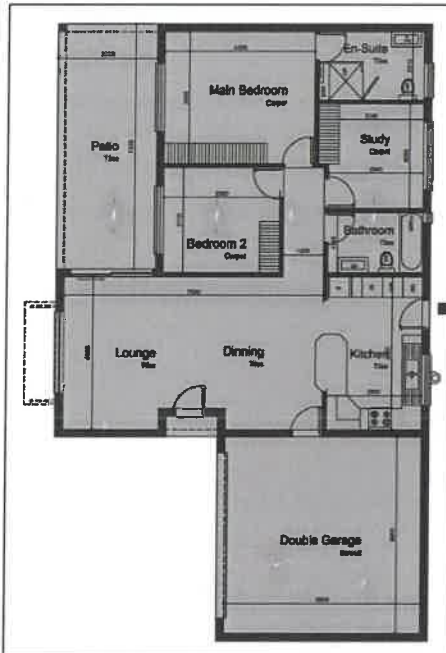
Existing approved Site Development Plan



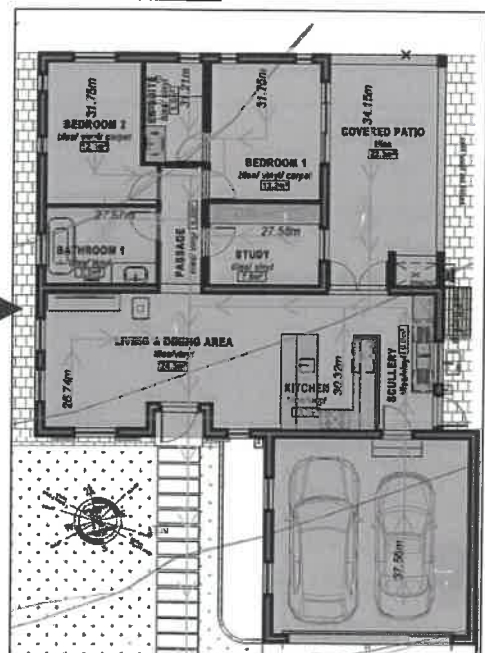
Proposed Site Development Plan



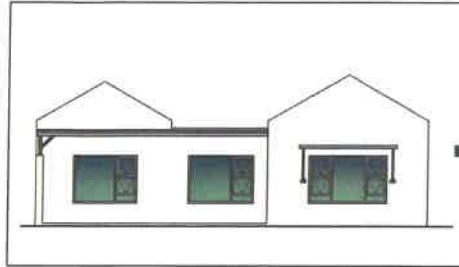
Existing approved typology



Proposed typology



Existing approved typology elevation



Proposed typologies renderings



The architectural guidelines for the development have been approved. The general “look and feel” of the originally approved and newly approved buildings are similar. In the new proposal, the proposed dwellings have the addition of shutters and a chimney and the roof ridges are in two directions instead of one creating more variation.

The architectural guidelines limits the dwellings to single storey. The highest dwelling will have a floor area approximately 3m below the adjacent street level and a roof ridge only approximately 2m above street level. The properties to the north of Chanteclair Drive are located on a higher slope. The development proposal will therefore not impact on views or privacy of adjacent properties. The building colours are proposed in terms of the architectural guidelines to white and charcoal. The architectural guidelines also reflect the approved building lines.

The proposed dwellings typologies are shown in the above renderings.

The approved architectural guidelines are attached as Annexure L.

Subdivision into 16 Portions

In terms of the previous approval, a rental model was intended. The current proposal makes provision for a single title deed model where each individual owner will individually own his own property. The development is a gated enclosed development with private roads and open space.

A Street name was already allocated, namely Pincushion Close.

No significant changes to the site layout are proposed. The subdivision does not materially affect the proposed development and is only for purposes of ownership.

Rezoning

The application includes the rezoning of the application area from General Residential Zone 1 into Subdivisional Area and the subdivided Portions 3-10 & 13-15 from Subdivisional Area to General Residential Zone 1, subdivided Portion 2 from General Residential Zone 1: Town Housing to Transport Zone 2: Road and Parking, Subzoning A – Private and the rezoning of subdivided Portions 1, 11, 12 & 16 from General Residential Zone 1: Town Housing to Open Space Zone 3: Private Open Space.

The rezonings do not impact on the approved land uses as private road and private open space are primary uses under the existing zoning as well. The rezonings are to provide more specialised zonings as a result of the subdivisions.

The clubhouse and care facility on Portion 3 will be accommodated in terms of the General Residential Zone 1: Town Housing with a consent use for a Retirement Village which allows for “rest or recreation”, “and includes associated buildings” as well as “a range of care and other facilities”. The clubhouse and care facility building is a multipurpose facility which allows inter alia for medical care facilities and communal social gatherings.

Building line departure

Application includes a departure to relax the internal street building line of Subdivided Portion 3 from 1m to 0.6m to allow for the corner of the clubhouse and care facility.

The clubhouse / care facility is in process of being constructed as per the previous approval. Due to engineering reasons, the road has been constructed 0.4m closer to the clubhouse / care facility. The proposed subdivision line is closer to the building due to the sidewalk being closer to the building which has services running underneath. As a result a building line departure will be required to allow for a subdivision with the existing road and structures.

The clubhouse / care facility remains exactly the same and on the same location as previously approved and will therefore not impact on the character of the area. The area exceeding the building line will be 0.16m² as it is only a corner of the clubhouse / care facility, thus not being notable in scale.

The internal road and clubhouse / care facility even will not be divided by a wall or fence, thus not creating a solid visual boundary and not restricting access to the clubhouse / care facility from the internal road.

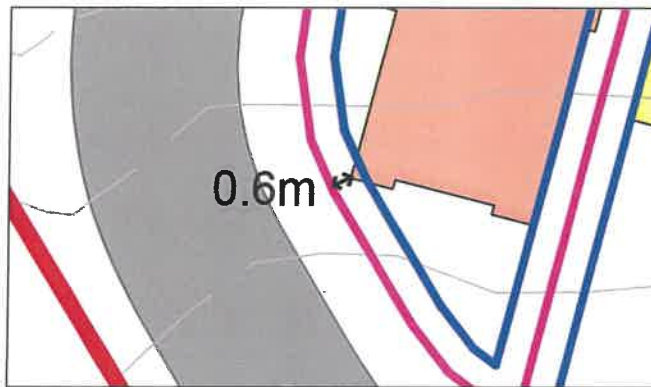


Figure 13: Illustration of the building line departure

Establishment of a Home Owners Association and associated constitution

The proposal is for a complex with multiple properties with different owners. As a result, this application includes the establishment of a Home Owners Association for the proposed development. The proposed Home Owners Association Constitution is attached as Annexure K.

III. Desirability

- The proposed subdivision will not impact on the application area layout.
- The proposed Site Development Plan and typologies are similar to what was approved. Minor amendments in building/structure dimensions, internal layouts and alignments of driveways are proposed, thus not being significant amendments.
- The application will allow for the individual dwellings to be sold which is required for the viability of the development.
- The application proposal will not impact services.
- The proposal will not impact the quantity of open space.
- No change in zoning is proposed.
- No additional land uses are proposed.

IV. Planning Principles

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles has been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

	<p>Possible results of the development The development proposal will have no effect on spatial justice since it is only for the subdivision of an approved general residential development.</p> <p>The proposal is consistent with the principle of spatial justice.</p> <p>2) Spatial Sustainability which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.</p> <p>Possible results of the development The subdivision of the approved general residential development will have no impact on environmentally sensitive and biodiverse rich areas.</p> <p>The proposal is consistent with the principle of spatial sustainability.</p> <p>3) Spatial Efficiency which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.</p>
	<p>Possible results of the development The proposal for the subdivision of an approved general residential development will not impact on the design or functioning of the town and its efficiency.</p> <p>The proposal is consistent with the principle of spatial efficiency.</p> <p>4) Spatial Resilience which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.</p> <p>Possible results of the development The development proposal will have no effect on spatial resilience since it is only for the subdivision of an approved general residential development.</p> <p>The proposal is consistent with the principle of spatial resilience.</p> <p>5) Good Administration which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.</p> <p>Possible results of the development Consultative practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the relevant government tiers and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with the principle of good administration.</p>

5. Conclusion

The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community land-use activities. It is therefore recommended that this rezoning application in terms of Chapter IV, Sections 16(2)(a),(b),(d)&(l) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020 be approved:

- Rezoning of Erf 4164 from General Residential Zone 1: Town Housing to Subdivisional Area.
- the subdivision of Erf 4164 Onrus into 16 portions as follows.
 - Portion 1: 111m²
 - Portion 2: 1001m²
 - Portion 3: 189m²
 - Portion 4: 342m²
 - Portion 5: 343m²
 - Portion 6: 371m²
 - Portion 7: 309m²
 - Portion 8: 371m²
 - Portion 9: 346m²
 - Portion 10: 291m²
 - Portion 11: 213m²
 - Portion 12: 247m²
 - Portion 13: 333m²
 - Portion 14: 330m²
 - Portion 15: 298m²
 - Portion 16: 74m²

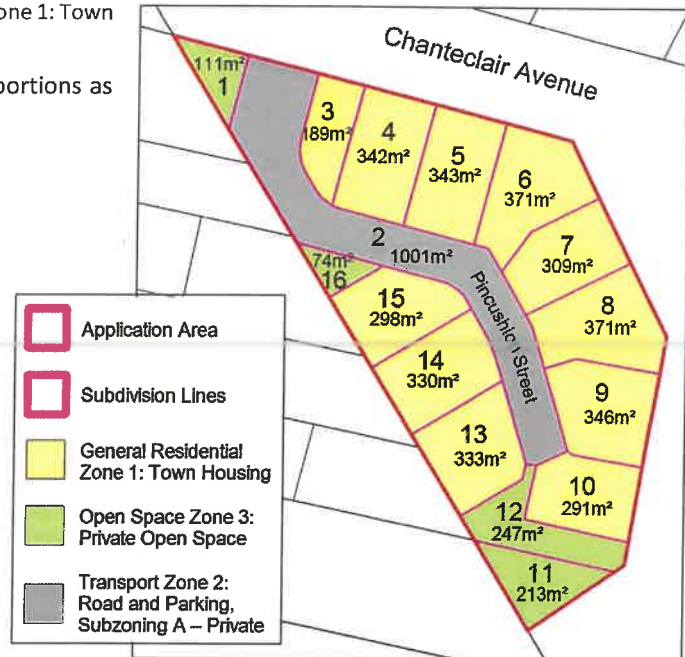


Figure 14: Subdivision Plan extract

- Rezoning of subdivided Portions 3-10 & 13-15 from Subdivisional Area to General Residential Zone 1: Town Housing.
- Rezoning of subdivided Portion 2 from Subdivisional Area to Transport Zone 2: Road and Parking, Subzoning A – Private.
- Rezoning of subdivided Portions 1, 11, 12 & 16 from Subdivisional Area to Open Space Zone 3: Private Open Space.
- Departure to relax the internal street building line of Subdivided Portion 3 from 1m to 0.6m to allow for the corner of the clubhouse and care facility.
- Establishment of a Home Owners Association and associated constitution.

Erf 4164 Chanteclair

Locality Plan

Local Context

Application Area



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Life: 3000

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A4 Scale 1 : 1000

PROJECT

Erf 4164 Chanteclair

TITLE

Subdivision &
Rezoning Plan



Application Area



Subdivision Lines



General Residential
Zone 1: Town Housing



Open Space Zone 3:
Private Open Space



Transport Zone 2:
Road and Parking,
Subzoning A - Private



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CLIENT

DRAWN BY

JAL

CHECKED BY

AW

DATE

2020/05/28

SCALE (B1/A4)

A4/1000

PROJECT NUMBER

001

DRAWING NUMBER

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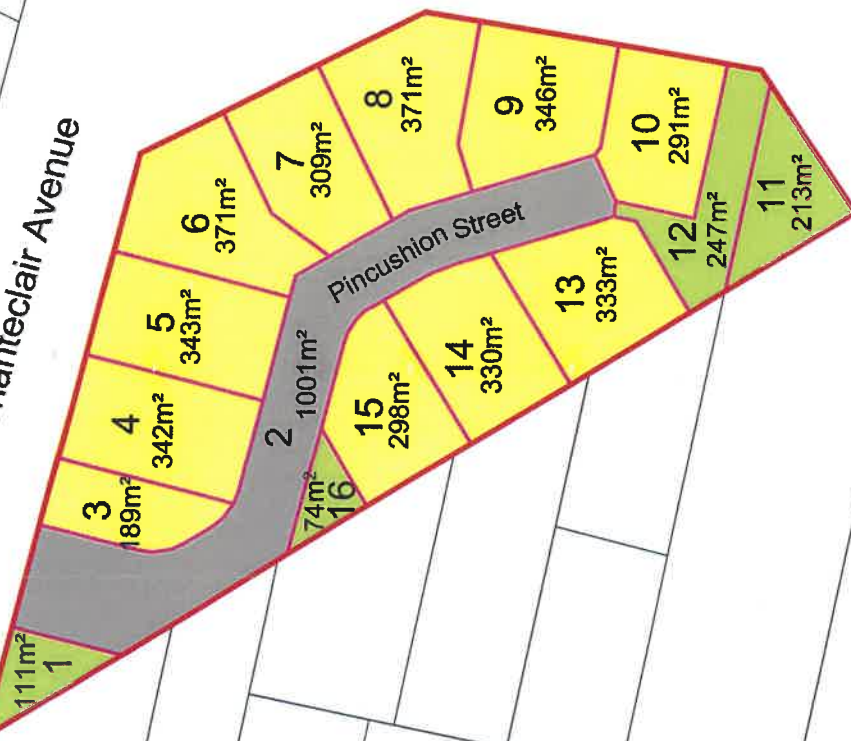


Chanteclair Avenue

Kidbrooke
Retirement
Village

Milkwood Estate

Pincushion Street



Subdivision & Rezoning
A4 Scale 1 : 1000