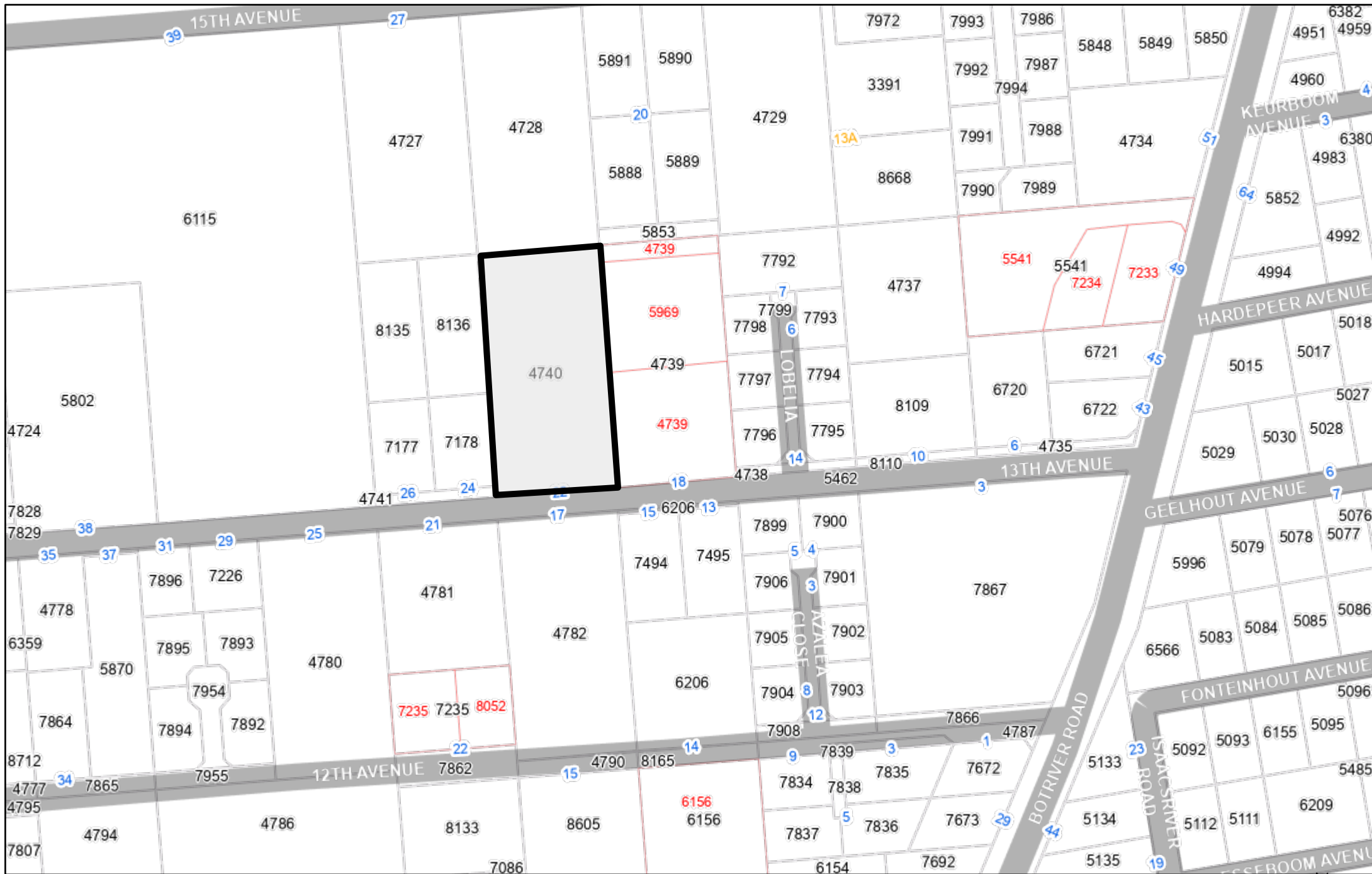


OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p><b><u>ERF 4740, 22 THIRTEENTH AVENUE, KLEINMOND: APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURE: FUTURE PLAN TOWN AND REGIONAL PLANNERS ON BEHALF OF OVERBERG BUILDERS (PTY) LTD</u></b></p> <p>Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), of the following application applicable to Erf 4740, Kleinmond (the property), namely:</p> <p><b><u>Subdivision</u></b> Application in terms of Section 16(2)(d) of the By-Law to subdivide Erf 4740, Kleinmond into a subdivisional area to create six (6) portions, namely Portion 1 (±2492,579m<sup>2</sup>), Portions 2 &amp; 3 (±387,34m<sup>2</sup> each), Portions 4 &amp; 5 (±408,17m<sup>2</sup> each), and Portion 6 (±377,401m<sup>2</sup>).</p> <p><b><u>Rezoning</u></b> Application in terms of Section 16(2)(a) of the By-Law to rezone Erf 4740, Kleinmond from Residential Zone 1: Single Residential (SR1) to Subdivisional Area (SA) to create the following rezoned portions:</p> <ul style="list-style-type: none"> <li>📍 Portion 1: Residential Zone 1: Single Residential (SR1);</li> <li>📍 Portions 2 to 5: General Residential Zone 1: Town Housing (GR1), and</li> <li>📍 Portion 6: Transport Zone 2: Road and Parking (TR2A).</li> </ul> <p><b><u>Departure</u></b> Application in terms of Section 16(2)(b) of the By-Law to relax the northern lateral building lines applicable to Portions 2 &amp; 3 from 3m to 2m respectively to accommodate the proposed new townhouses.</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 Kleinmond Library, Fifth Avenue, Kleinmond.</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>14 March 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 4740, DERTIENDELAAN 22, KLEINMOND: AANSOEK OM ONDERVERDELING, HERSONERING EN AFWYKING: FUTURE PLAN STADS- EN STREEKBEPLANNERS NAMENS OVERBERG BUILDERS (PTY) LTD</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 4740, Kleinmond (die eiendom), naamlik:</p> <p><b><u>Onderverdeling</u></b> Aansoek ingevolge Artikel 16(2)(d) van die Verordening om Erf 4740, Kleinmond in 'n onderverdelingsgebied te onderverdeel om ses (6) gedeeltes te skep, naamlik Gedeelte 1 (±2492,579m<sup>2</sup>), Gedeeltes 2 &amp; 3 (±387,34m<sup>2</sup> elk), Gedeeltes 4 &amp; 5 (±408,17m<sup>2</sup> elk), en Gedeelte 6 (±377,401m<sup>2</sup>).</p> <p><b><u>Hersonering</u></b> Aansoek ingevolge Artikel 16(2)(a) van die Verordening om Erf 4740, Kleinmond vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Onderverdelingsgebied (SA) te hersoneer om die volgende hersoneerde gedeeltes te skep:</p> <ul style="list-style-type: none"> <li>📍 Gedeelte 1: Residensiële Sone 1: Enkelwoonsone (SR1);</li> <li>📍 Gedeeltes 2 tot 5: Algemene Woonsone 1: Dorpsuiskema (GR1), en</li> <li>📍 Gedeelte 6: Vervoersone 2: Pad en Parkering (TR2A)</li> </ul> <p><b><u>Afwyking</u></b> Aansoek ingevolge Artikel 16(2)(b) van die Verordening om die noordelike syboulne wat van toepassing is op Gedeeltes 2 en 3 onderskeidelik vanaf 3m na 2m te verslap om sodoende die voorgestelde nuwe meenthuise te akkommodeer.</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 Kleinmond Biblioteek, Vyfdelaan, Kleinmond.</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>14 Maart 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 4740, 22 THIRTEENTH AVENUE KLEINMOND: ISICELO SOKWAHLULWA HLULWA, NOKUMISELWA KWAKHONA KUNYE NOPHAMBUKO: FUTURE PLAN TOWN AND REGIONAL PLANNERS EGAMENI LE OVERBERG BUILDERS (PTY) LTD</u></b></p> <p>Isaziso sinikezelwe ngokwemiqathango yamaCandelo 47 kunye nelama-48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), sesicelo esilandelayo esisebenza kwiSiza 4740 eKleinmond (ipropati), ezizezi:</p> <p><b><u>Ukwahlulwa hlulwa</u></b> Isicelo ngokwemiqathango yeCandelo 16(2)(d) loMthetho kaMasipala sokokuba kwahlulwe hlulwe iSiza 4740, eKleinmond ibeyindawo eyahlulwe hlulweyo ukwenza izixa esiyi ntandathu (6) ezizezi, Isixa 1 (±2492,579m<sup>2</sup>), Izixa 2 &amp; 3 (±387,34m<sup>2</sup> sisinye), Izixa 4 &amp; 5 (±408,17m<sup>2</sup> sisinye), kunye nesixa 6 (±377,401m<sup>2</sup>).</p> <p><b><u>Ukumiselwa kwakhona</u></b> Isicelo ngokwemiqathango yeCandelo 16(2)(a) yoMthetho kaMasipala ukumiselwa iSiza 4740, Kleinmond ukusuka kwindawo yokuhlala engu zowuni 1: Indawo yokuhlala eligumbi elinye ibeyindawo eyahlulwe hlulweyo(SA) ukwenza ezi ngxenye zilandelayo ngokutsha.</p> <ul style="list-style-type: none"> <li>📍 Ingxenye 1: indawo yokuhlala 1: indawo yokuhlala eligumbi elinye(SR1)</li> <li>📍 Ingxenye 2 ukuya 5: Indawo yokuhlala jikelele engu Zowuni 1: izindlu zedolophu(GR1), kunye</li> <li>📍 Ingxenye 6: izowuni yezithuthi 2: Ezendlela kunye nokupaka(TR2A).</li> </ul> <p><b><u>Unduluko</u></b> Isicelo ngokwemiqathango yeCandelo 16(2)(b) yoMthetho kaMasipala, ukunyenisiswa wesakhiwo kwicala elingentla kwimida esebenza kwingxenye engu 2 kunye no 3 ukusuka ku3 mitha ukuya ku2 mitha ngokulandelelanayo ukulungiselela isiphakamiso sezindlu zedolophu ezintsha.</p> <p>linkcukacha 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 kunye nakwiThala leencwadi eKleinmond, Fifth Avenue, eKleinmond.</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 <b>wama14 uMatshi 2025</b> zibe negama lakho idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlala 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 wokuhlala. Nabani ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu neNdawo apho baza kuncedwa ligosa likamasipala ukwakha uluvo nokubhala izimvo zakhe.</p>

Dr DGI O'Neill

**Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala**  
PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200

Notice No / Kennisgewing nr / Inombolo yesaziso: **18/2025**





# ERF 4740, KLEINMOND

## APPLICATION IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING OF 2020 FOR:

- *Section 16 (2) (a) - Rezoning of Land*
  - *Rezoning from Single Residential Zone 1 (SR1) to Subdivisional Area*
  - *Rezoning from Subdivisional Area to General Residential Zone 1 (GR1)*
  - *Rezoning from Subdivisional Area to Transport Zone 2 (TR2)*
- *Section 16 (2) (b) - Permanent departure from the provisions of the Land Use Scheme*
  - *Departure from the 3m boundary line to 2m between Portion 1 and Portions 2, 3*
- *Section 16 (2) (d) - Subdivision of land, including the registration of a new servitude or lease agreement that is not exempted in terms of Section 26*
  - *Subdivision of Land into 6 portions*
  - *Registration of a 5.5m wide right-of-way servitude*

### Application prepared for:

Overberg Builders & Overstrand Municipality

### Application prepared by:

Future Plan Town and Regional Planners

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### Submitted:

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### Revision 1:

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## 1. SUMMARY & APPLICATION PARTICULARS

### 1.1. Application Summary

Herewith, a land use planning application is made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning of 2020 (OMLUS) for:

- *Section 16 (2) (a) - Rezoning of Land*
  - *Rezoning from Single Residential Zone 1 (SR1) to Subdivisional Area*
  - *Rezoning from Subdivisional Area to General Residential Zone 1 (GR1)*
  - *Rezoning from Subdivisional Area to Transport Zone 2 (TR2)*
- *Section 16 (2) (b) - Permanent departure from the provisions of the Land Use Scheme*
  - *Departure from the 3m boundary line to 2m between Portion 1 and Portions 2, 3*
- *Section 16 (2) (d) - Subdivision of land, including the registration of a new servitude or lease agreement that is not exempted in terms of Section 26*
  - *Subdivision of Land into 6 portions*
  - *Registration of a 5.5m wide right-of-way servitude*

### 1.2. The Application

#### • Subdivision of Land

The application consists of the subdivision of Erf 4740 into six (6) portions to allow for the property to be utilised as a town housing scheme and a residential property, respectively. As it currently stands, Erf 4740 is a large residential property. The owner intends to retain a portion of it for Single Residential 1 purposes, while the remainder is to be further subdivided (and subsequently rezoned) as follows:

Portion Number	Extent (m <sup>2</sup> )	Land Use	Zoning
1	2492.579	Dwelling House	SR1
2	387.34	Town House	GR1
3	387.34	Town House	GR1
4	408.17	Town House	GR1
5	408.17	Town House	GR1
6	377.401	Private Road	TR2

#### • Rezoning of Land

As stated above, Portion 1 will be used for a dwelling house. Currently, the entirety of the application site is zoned for Single Residential 1 purposes.



The remaining five (5) portions will be rezoned from Single Residential 1 to Subdivisional Area to permit a “town housing scheme” and a “private road” as defined in the OMLUS. This would include the rezoning of the road portion to Transport Zone 2 (A) within the scheme.

The town housing scheme will comprise four (4) detached dwelling units (Portion 2 - 5) that are harmoniously designed. The typical unit will comprise approximately 161m<sup>2</sup> floor area. Additionally, a right-of-way servitude of 5.5m wide will be registered to access ALL portions (including the original dwelling house) from 13<sup>th</sup> Avenue.

Please note that a yet-to-be-established Homeowners' Association will govern the private road and the town housing scheme. Additionally, the owner of the main dwelling (Portion 1) will contribute (financially) to the Home Owners Association regarding the right of way access. Therefore, Portion 1 will not be regarded as part of the Home Owners Association. The details of the contribution will be concluded in the final draft of the Constitution. It is envisaged that the Owner of Portion 1 will contribute equally to the maintenance of the private road as the members of the Home Owners Association will contribute individually.

- **Permanent Departure**

Lastly, the application entails the relaxation of the boundary building line from 3m (north of Portions 2 and 3) to 2m to permit the two respective townhouses. The Developer (and the owner is the same person) will occupy Portion 1 during and after the construction phase and therefore gives consent to erect the dwellings of Portions 2 and 3 closer to the boundary of Portion 1. The proposed departure will not impede negatively on the privacy of Portion 1 as there is a substantial distance between the dwelling houses (existing and proposed).

Please note that the building lines as depicted on the Site Development Plan were agreed upon during a consultation meeting between Pierre Jenkins (Developer and Owner, also representative of Overberg Homes) and Hanneen van der Stoep (Official at Overstrand Municipality).

### **1.3. Desirability**

For an informed decision by the Authorised Official, it is crucial to address the need and desirability of an application. Desirability is measured in terms of Section 66 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning of 2020 and Section 49 of the Western Cape Land Use Planning Act of 2014. Herewith are the measures of the desirability of the application:

- The proposal will not be out of character for the surrounding area as similar developments exist in the surrounding area (Lobelia and Mountain View developments, both situated on 13<sup>th</sup> Avenue).





- It is deemed that the proposal will not negatively impact the flow of traffic due to the mitigation of carriageways, and only a single carriageway will be proposed.
- Densification is a crucial aspect of this proposal as the current erf is not utilised to its full extent in terms of density and mitigating the potential of urban sprawl.
- Kleinmond is known for its natural beauty and ecological diversity. Densification should minimise environmental impact, preserve green spaces, and protect sensitive habitats. The application site does not contain any sensitive habitats and will not negatively impact the natural environment.
- Adequate infrastructure (roads and access to water, sewerage system, and electricity) is readily available.
- Market demand is a major considering factor. Kleinmond has limited capacity regarding residential erven and vacant land within the urban edge. It is also the opinion of this office that the likelihood of extending the current urban edge is not a viable option at this stage, and alternatives such as this proposal would be the preferred option at this stage.
- The proposal is aligned with all other relevant spatial planning within the area from a local and provincial perspective. See the arguments regarding these later in the report.

Thus, this office believes that the proposal can be deemed desirable.

#### 1.4. Importance of Densification

In Kleinmond, densification needs to be carefully planned and managed to balance the benefits of increased density with preserving the town's unique character and natural environment. This may include investigating mixed-use development, infill development, and redevelopment of underutilized sites, all aimed at achieving a more sustainable and liveable community. To amplify the importance of densification, one would have to consider all factors of the application site and external factors, which include the following:

- **Efficient Land Use:**

Densification allows for the more efficient use of land by increasing the number of people or structures within a given area. In a town like Kleinmond, where available land may be limited or environmentally sensitive, densification ensures that existing infrastructure and resources are utilised effectively.

The application site is relatively large compared to the surrounding residential erven. Erf 4740 currently contains only one dwelling unit.

- **Infrastructure Optimization:**





Concentrating development in denser areas can lead to more efficient provision of infrastructure such as roads, water supply, sewage systems, and public transportation. This optimisation reduces per capita infrastructure costs and can lead to more sustainable infrastructure development. The aforementioned infrastructure is already in place, which benefits the application and proposed dwelling units. Therefore, the developer would not need to establish additional services for the proposed development.

- **Environmental Sustainability:**

Densification promotes more sustainable patterns of development by reducing urban sprawl. Compact development reduces the need for long commutes, encourages walking and cycling, and helps preserve natural habitats and open spaces on the outskirts of the town.

The application site does not contain any environmentally sensitive aspects as it is already in a developed area. Due to the location of Kleinmond (situated in the Kogelberg Biosphere), cognisance should be given to the environment and land outside the urban edge. Currently, no plans have been brought forward for the revision of the urban edge. However, based on recent trends in the property market, it is evident that vacant land is becoming a scarce commodity. Implementing the proposed subdivision and rezoning could alleviate the pressure on the local authority to revise the current urban edge.

- **Social Connectivity:**

Higher-density areas often foster greater social interaction and community cohesion. Shared spaces such as parks, plazas, and community centres become more viable when a critical mass of people is nearby.

The conglomeration of people leads to various positive aspects relating to social cohesion and support of local businesses, which is a major driving force for smaller towns in the region.

- **Affordable Housing:**

Densification can increase the housing supply in areas with high demand, potentially helping to address housing affordability issues. By allowing for more units on a given parcel of land, densification can create opportunities for a mix of housing types, including affordable and workforce housing.

The proposal aims to create affordable housing in a market that has become purely economic. Recent property trends have seen property prices skyrocket in coastal towns of the Western Cape, mainly due to the migration of people from the Gauteng and KwaZulu Natal regions. The proposed housing type is envisaged to be financially viable for the average middle-income earner/household.





## 2. CHARACTER OF ENVIRONMENT

### 2.1. Zoning, Land Use, Location, and Surrounding Area

**Zoning:** Single Residential Zone 1 (SR1). This application does not constitute a change in zoning.

**Land Use:** Dwelling House and Outbuilding

**Location:** 13<sup>th</sup> Avenue, Kleinmond, Western Cape

**Surrounding Area:** Residential. Predominately Single Residential 1 except for two similar types of developments, namely Lobelia and Mountain View.

### 2.2. Ownership:

A perusal of the title deed revealed that no restrictive conditions could prohibit the approval of this land use planning application. Below are the details of the subject title deed.

<b>Property Description</b>	Erf 4740, Kleinmond
<b>Ownership</b>	Overberg Builders (Pty) Ltd (Registration Number: 2020/727803/07)
<b>Extent</b>	4461m <sup>2</sup>
<b>Title Deed Number</b>	T

Please note that the property is currently in transfer from the previous owner to the new owner.

### 2.3. Municipal Services and Access

The proposed development would make use of existing infrastructure and services. Herewith a summary of the use of each service:

<b>Water:</b>	Each proposed dwelling will have to be connected to the water provision service of Overstrand Municipality.
<b>Sewerage:</b>	The proposed dwellings will connect to this service, which is owned and managed by Overstrand Municipality for all sewerage purposes.



<b>Refuse Removal:</b>	Refuse will be collected in black bags/bins, removed for the respective dwellings weekly, and conducted by the Municipality of Overstrand.
<b>Electricity:</b>	Connection to the existing Eskom substation will be inevitable. It is further envisaged that each dwelling will have solar panels for additional electrical provision, but this is yet to be established.
<b>Stormwater:</b>	All stormwater and run-off will be channelled into the existing stormwater reticulation system of Overstrand Municipality.
<b>Access</b>	The proposed Site Development Plan features the registration of a right-of-way servitude off 13 <sup>th</sup> Avenue, which will provide entry and egress to all dwellings (proposed and existing). The servitude is proposed to be 8m wide, which is deemed sufficient for two-way traffic. Each dwelling will have a separate entry to its respective property. This is deemed to ease traffic flow on the surrounding streets due to the singular entry/egress instead of creating twelve separate carriageways.

It is further requested that the developer be liable for a reduced amount in terms of the Bulk Contribution Fee payable to the Overstrand Municipality. The reason for requesting this is the fact that a substantial section of the property is allocated for road widening purposes without compensation. The section “lost” is estimated at approximately 168m<sup>2</sup>. Current market-related estimates calculate this at a value of approximately R275,000.00.

We thus request that the aforementioned be considered when calculating the final cost of the Bulk Contribution Costs.





### 3. LEGISLATION

- Overstrand Municipality Spatial Development Framework (May 2020)

The Overstrand Municipality's Spatial Development Framework (SDF) of May 2020 outlines a plan for the development of Kleinmond, emphasising densification as a key strategy. Densification involves increasing the number of people living or working in a given area, typically through constructing multi-story buildings or subdivisions of existing properties to accommodate more units.

In Kleinmond, densification promotes sustainable urban growth by using existing infrastructure and services more efficiently, reducing urban sprawl, and preserving natural areas. The SDF identifies specific areas within Kleinmond where densification is appropriate, considering factors such as existing land use, transportation networks, environmental considerations, and community needs.

The plan includes measures to encourage mixed-use development, such as combining residential and commercial spaces to create vibrant, walkable neighbourhoods. It may also address concerns related to infrastructure capacity, such as the need for additional roads, utilities, and public amenities to support a denser population.

The proposed subdivision of Erf 4740 is not likely to impede the SDF's goals regarding the optimal use of land. Therefore, the proposal is deemed to be aligned with the SDF's goals.

- Overstrand Integrated Development Plan (May 2020)

The Overstrand Integrated Development Plan (IDP) of May 2020 likely strategies for densification in Kleinmond as part of its broader vision for sustainable development in the municipality. Densification in Kleinmond is seen as a means to promote efficient land use, enhance urban vitality, and accommodate population growth while minimising sprawl and preserving natural areas.

Key aspects of the IDP's approach to densification in Kleinmond are identifying suitable areas for increased residential and commercial development, encouraging mixed-use development to create vibrant and walkable neighbourhoods, and integrating densification efforts with infrastructure improvements to ensure adequate services and amenities for residents.

The IDP also prioritises community engagement and participation in the densification process, ensuring that development initiatives align with residents' needs and preferences. Additionally, the plan emphasises the



importance of environmental sustainability, incorporating green building practices, and preserving open spaces and natural habitats as part of densification efforts.

From the above, it is evident that the proposal does not contradict the IDP's aforementioned strategies and should be seen as a promotion of the IDP's goals. The proposal is, therefore, in line with the IDP's goals and can be deemed desirable.

- Overstrand Municipal Growth Management Strategy (2010)

According to the Overstrand Municipal Growth Management strategy, the application site is within Planning Unit 9, the largest of the Planning Units. This area is earmarked for general densification purposes. However, considering the extent of the application site, it is evident that adequate land is available for subdivision to allow for various types of incremental housing.

The proposed subdivision is within the confines of the Strategy and is deemed to be in line with the subsequent goals to create an area with a mixture of densities and land uses. It should also be noted that the application site is outside of any conservation-worthy areas and would thus not impede Kleinmond's natural characteristics.

It is noteworthy that similar examples (similar to the proposal) are within the same street as the application site. Thus, they would not create a precedent but merely enhance existing activities.

- Overstrand Municipality Amended By-Law on Municipal Land Use Planning (2020)

It is essential to consider Section 66 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning in terms of the "General criteria for consideration of applications":

The proposal is not considered a deviation from the requirements. It aims to sustainably use land that offers a viable alternative to the current land use in terms of densification and deterrence of urban sprawl.

- Planning Principles

The proposed development supports the principles of Chapter VI (Article 59) of the Land Use Planning Act (LUPA), Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, as follows:





Spatial Justice

*Refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services, and land.*

Land and affordable accommodation will provide ample opportunity and access to all. The proposal does not exclude any person seeking to acquire property in a fair market.

Spatial Sustainability

*A spatially sustainable settlement will have an equitable land market while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity-rich areas, scenic and cultural landscapes, and ultimately limiting urban sprawl.*

The proposal is not deemed to impact valuable agricultural land negatively, nor will it harm any biodiversity-rich areas as it is situated inside the current urban edge. The application site is in a well-established and diverse region of Kleinmond.

Efficiency

*Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land.*

The proposed development will optimally harness the subject property's sustainable potential through subdivision and densification without detracting from the current land use and surrounding area.

Spatial Resilience

*Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems that should enable the communities to be able to resist, absorb and accommodate economic and environmental shocks and to recover from these shocks in a timely and efficient manner.*

The proposed development is well aligned with the spatial plans and policies, enabling the subject property to resist, absorb, and accommodate environmental and economic shocks and recover from shocks in a timely and efficient manner.

Good Administration

*Good administration 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 a joint planning approach is pursued.*





The proposed development will promote consultative planning. The Municipality will advertise the proposal to the public to allow the public's comments to be considered. In addition, Future Plan Town and Regional Planners will also respond to the public's comments and consider them in the project's planning.

This section outlines how the proposed development aligns with the core planning principles outlined in SPLUMA and LUPA. The proposal can, therefore, encompass and promote all planning principles.



#### 4. CONCLUSION & RECOMMENDATION

To reiterate, the application consists of:

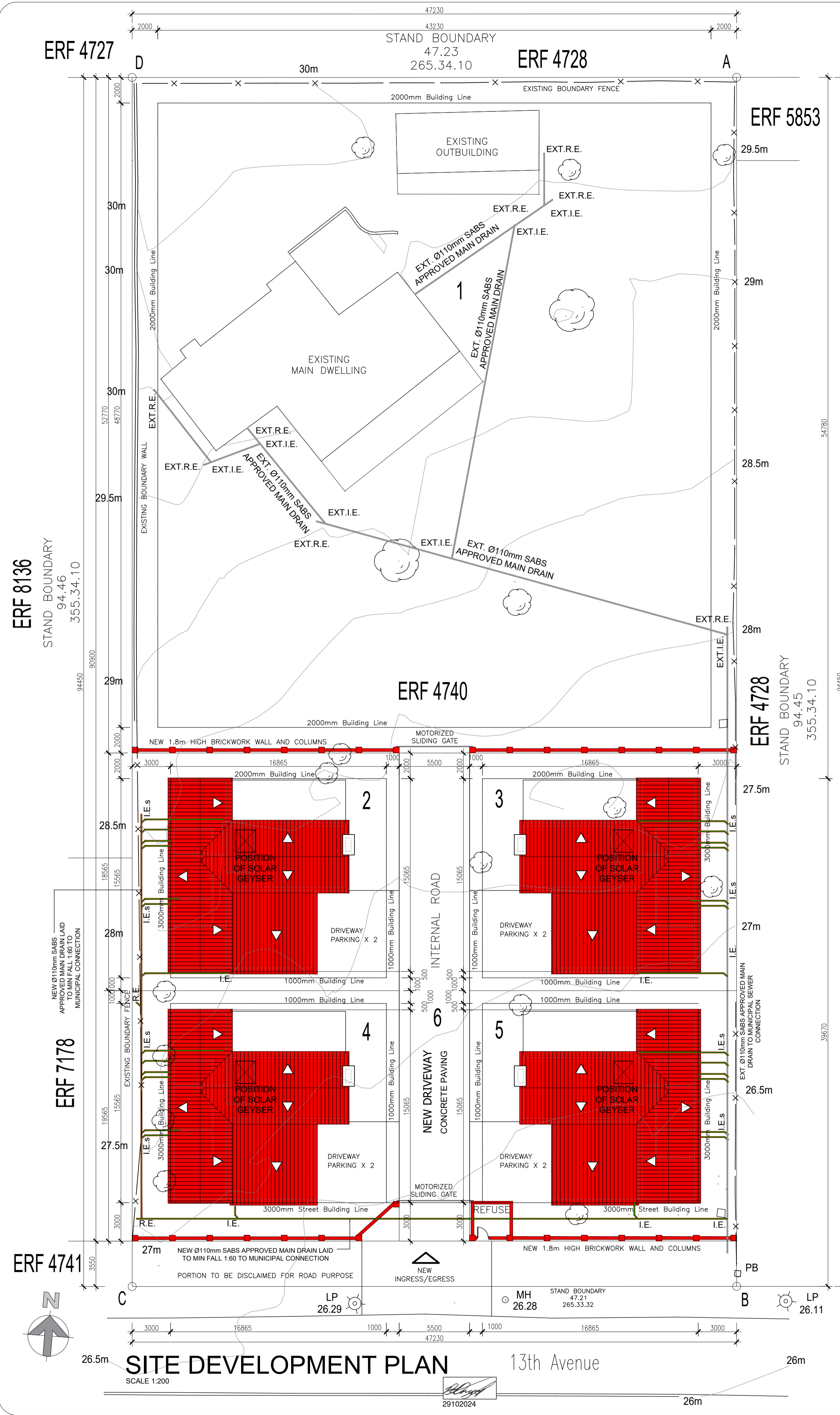
- *Section 16 (2) (a) - Rezoning of Land*
  - *Rezoning from Single Residential Zone 1 (SR1) to Subdivisional Area*
  - *Rezoning from Subdivisional Area to General Residential Zone 1 (GR1)*
  - *Rezoning from Subdivisional Area to Transport Zone 2 (TR2)*
- *Section 16 (2) (b) - Permanent departure from the provisions of the Land Use Scheme*
  - *Departure from the 3m boundary line to 2m between Portion 1 and Portions 2, 3*
- *Section 16 (2) (d) - Subdivision of land, including the registration of a new servitude or lease agreement that is not exempted in terms of Section 26*
  - *Subdivision of Land into 6 portions*
  - *Registration of a 5.5m wide right-of-way servitude*

#### Reasons for Approval:

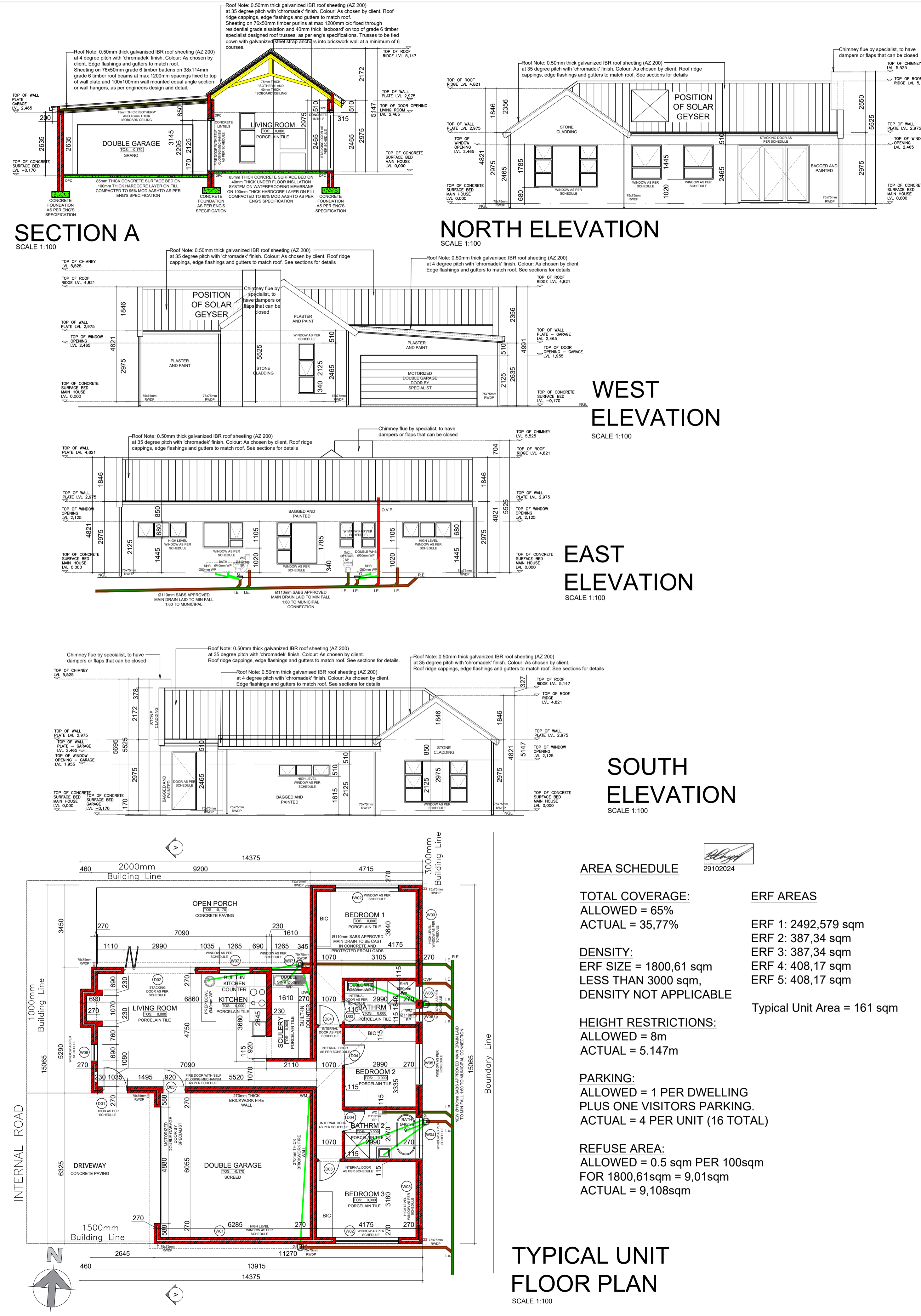
- The proposal will not be out of character for the surrounding area as similar developments exist in the surrounding area (Lobelia and Mountain View developments, both situated on 13<sup>th</sup> Avenue).
- It is deemed that the proposal will not negatively impact traffic flow due to the mitigation of carriageways, and only a single carriageway will be proposed.
- Densification is a crucial aspect of this proposal as the current erf is not utilised to its full extent in terms of density and mitigating the potential of urban sprawl.
- Kleinmond is known for its natural beauty and ecological diversity. Densification should minimise environmental impact, preserve green spaces, and protect sensitive habitats. The application site does not contain any sensitive habitats and will not negatively impact the natural environment.
- Adequate infrastructure (roads and access to water, sewerage system, and electricity) is readily available.
- Market demand is a major considering factor. Kleinmond has limited capacity regarding residential erven and vacant land within the urban edge. It is also the opinion of this office that the likelihood of extending the current urban edge is not a viable option at this stage, and alternatives such as this proposal would be the preferred option at this stage.

This office believes the application should be approved, in terms of Section 16 of the OMLUS, for the reasons provided above.





**SITE DEVELOPMENT PLAN**  
SCALE 1:200

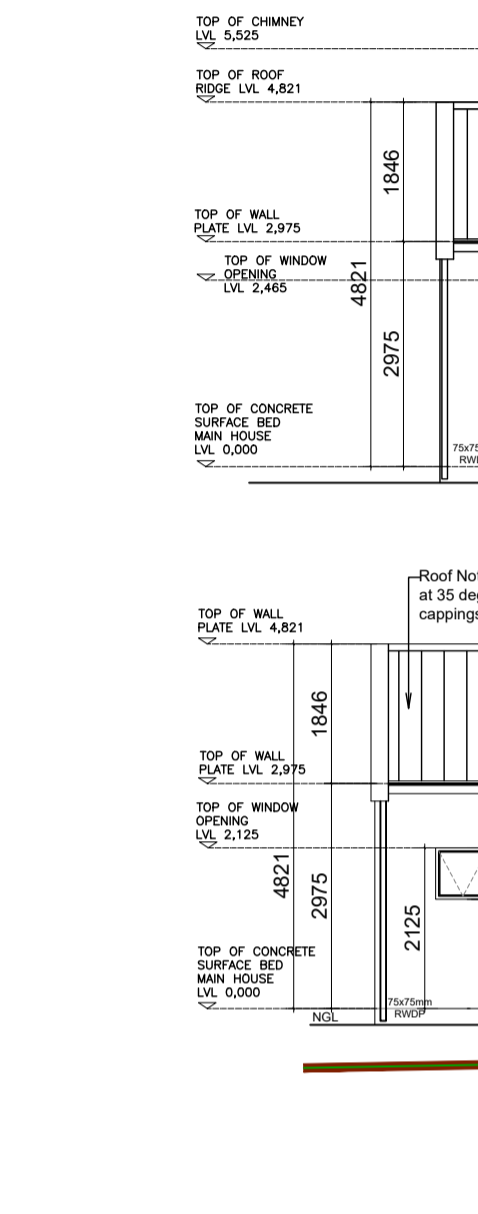


**TYPICAL UNIT FLOOR PLAN**  
SCALE 1:100

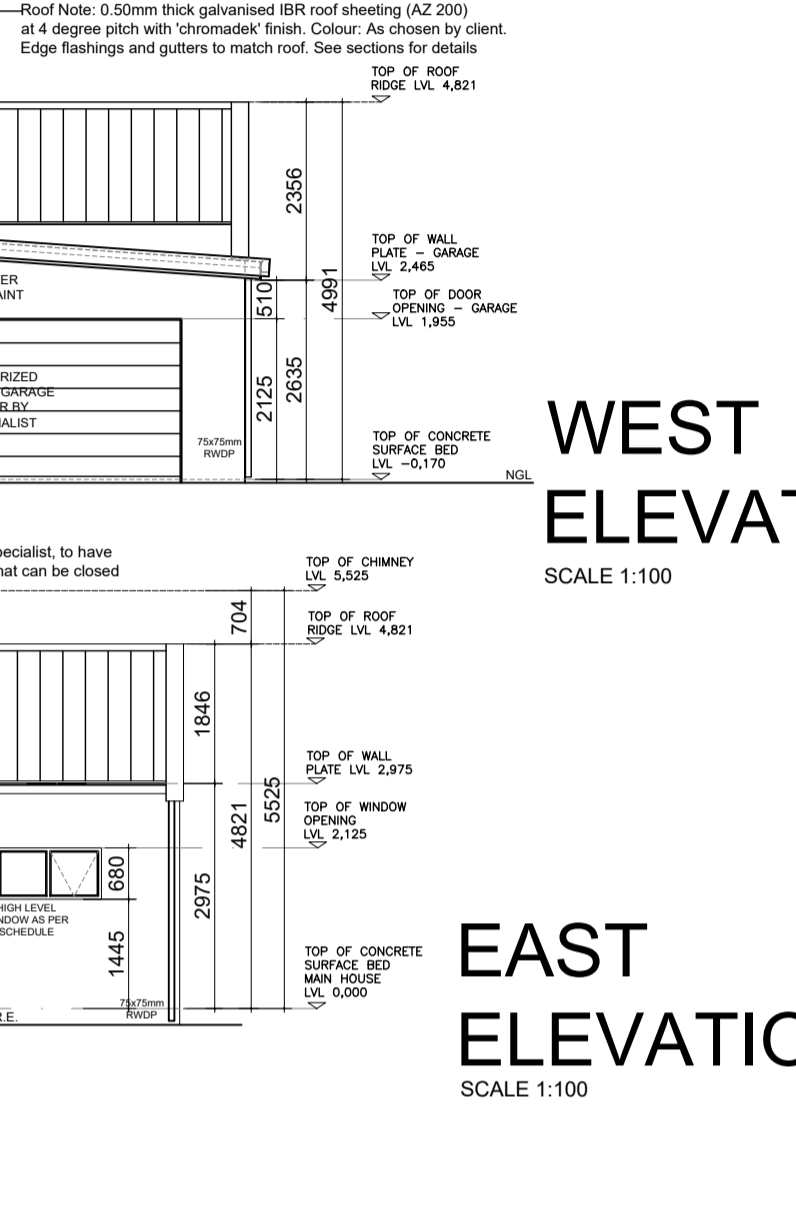
**AREA SCHEDULE**

<b>TOTAL COVERAGE:</b> ALLOWED = 65% ACTUAL = 35,77%	<b>ERF AREAS</b> ERF 1: 2492,579 sqm ERF 2: 387,34 sqm ERF 3: 387,34 sqm ERF 4: 408,17 sqm ERF 5: 408,17 sqm Typical Unit Area = 161 sqm
<b>DENSITY:</b> ERF SIZE = 1800,61 sqm LESS THAN 3000 sqm, DENSITY NOT APPLICABLE	
<b>HEIGHT RESTRICTIONS:</b> ALLOWED = 8m ACTUAL = 5.147m	
<b>PARKING:</b> ALLOWED = 1 PER DWELLING PLUS ONE VISITORS PARKING. ACTUAL = 4 PER UNIT (16 TOTAL)	
<b>REFUSE AREA:</b> ALLOWED = 0.5 sqm PER 100sqm FOR 1800,61sqm = 9,01sqm ACTUAL = 9,108sqm	

**SECTION A**  
SCALE 1:100



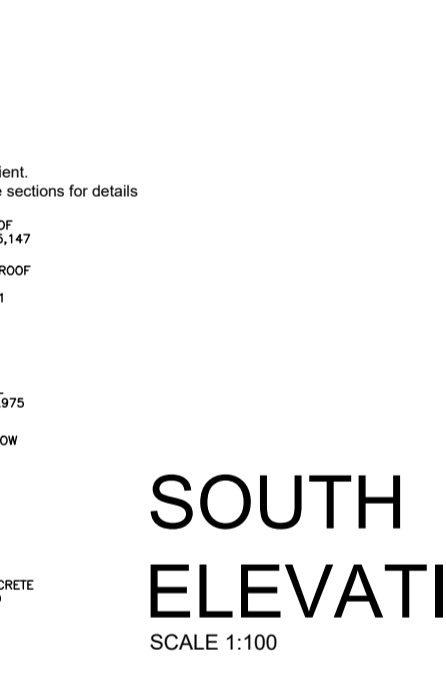
**NORTH ELEVATION**  
SCALE 1:100



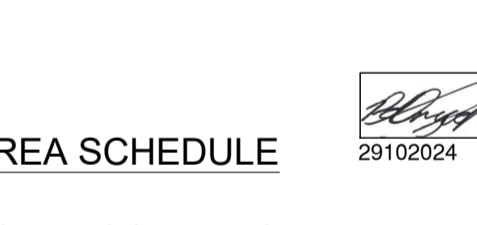
**WEST ELEVATION**  
SCALE 1:100



**EAST ELEVATION**  
SCALE 1:100



**SOUTH ELEVATION**  
SCALE 1:100



**GENERAL NOTES**

ALL CONSTRUCTION WORK TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND RELEVANT LOCAL AUTHORITIES BY-LAWS.

QUALITY OF ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH S.A.B.S SPECS.

CONTRACTOR IS RESPONSIBLE FOR CORRECT SETTING OUT OF THE BUILDINGS, ALL EXTERNAL AND INTERNAL WALLS WITH PARTICULAR REFERENCE TO BOUNDARIES AND BUILDING LINES.

CONTRACTOR TO VERIFY ALL LEVELS, HEIGHTS AND DIMENSIONS ON SITE AND DRAWINGS BEFORE STARTING THE WORKS. ANY ERRORS, DISCREPANCIES OR OMISSIONS TO BE REPORTED IMMEDIATELY.

THIS DRAWING IS NOT TO BE SCALED UNLESS FIGURED DIMENSIONS ARE TO BE USED AT ALL TIMES.

IF IN ANY DOUBT, ASK IMMEDIATELY. DIMENSIONS ARE TO BE USED AT ALL TIMES.

CARE TO BE TAKEN WHEN EXCAVATING FOR NEW WORK AND/OR WHEN WORKING ON EXISTING STRUCTURES. ANY EXISTING PIPES, SERVICES OR CABLES ETC. THAT MAY BE EXPOSED ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY.

CHECK ALL LEVELS, DIMENSIONS AND NO. OF STEPS REQUIRED ON SITE BEFORE COMMENCING WORK.

PROVIDE DPC UNDER ALL EXTERNAL WALLS AND OPENINGS. VERTICAL DPC TO BE PROVIDED AT ALL CHANGES IN FLOOR LEVEL.

ALL STRUCTURAL DESIGN COMPONENTS TO COMPLY WITH THE RELEVANT SANS 10400 BUILDING REGULATIONS AND TO BE READ IN CONJUNCTION WITH ARCHITECTURAL DRAWINGS.

ALL CONCRETE FOOTINGS, CONCRETE SLABS AND ALL OTHER STRUCTURAL ITEMS TO BE AS PER STRUCTURAL ENGS DESIGN, DETAIL AND SPECIFICATION.

**DRAINAGE NOTES**

ALL PLUMBING AND DRAINAGE WORK TO COMPLY WITH THE RELEVANT LOCAL AUTHORITY BY-LAWS AND REGULATIONS AND PART P OF SANS 10400 NBR.

Ø110mm SABS APPROVED PVC OVP TO CONNECT TO MAIN DRAIN AT ONE FROM HEAD OF MAIN DRAIN HIGHEST POSITION.

ROOFING EYES PROVIDED AT THE START OF DRAIN, DISTANCES MORE THAN 25m. WHERE MAIN DRAIN PASSES UNDER BUILDING, SUB BRANCHES MORE THAN 3m IN LENGTH.

INSPECTION EYES TO ALL BENDS AND JUNCTIONS WITH SUITABLE MARKERS AT GROUND LEVEL AND TO BE FULLY ACCESSIBLE AT ALL TIMES.

MAIN DRAIN TO BE Ø110mm SABS APPROVED PVC UNLESS OTHERWISE SPECIFIED WITH MINIMUM 1:60 FALL TO ALL DRAIN PIPES.

RESEAL TRAPS TO ALL WASTE FITTINGS, A.E. TO FOOT OF ALL SOIL STACKS.

ALL SOIL PIPES UNDER BUILDINGS TO BE ENCASED IN CONC. OF MINIMUM 100mm THICKNESS ALL ROUND THE PIPE.

**WINDOW NOTES**

ALL GLAZING TO COMPLY WITH PART N OF SANS 10400 NBR. WINDOWS TO HABITABLE ROOMS TO PROVIDE 10% FLOOR AREA NATURAL LIGHT WITH 50% OPENINGS. GLASS THICKNESSES -

- 0-75sqm = 3mm thick
- 0.75-1.5sqm = 4mm thick
- 1.5sqm-2.1sqm = 5mm thick
- 2.1sqm-3.2sqm = 6mm and 8sqm+ = safety glass

ANY WINDOW LESS THAN 1000mm ABOVE FFL TO BE SAFETY GLASS. ANY THROUGHFARE TO BE SAFETY GLASS. LIGHTING AND VENTILATION TO COMPLY WITH PART G OF THE NBR.

**OCCUPANCY CLASSIFICATION**  
H4

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**RdDESIGN ARCHITECTS**  
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SACAP REGISTRATION NUMBER: PAR3910224  
MEMBER OF GIFA  
ruandendriver@gmail.com 0724556069

**REVISIONS**

SUFFIX	DATE	REVISION DETAIL
A	14102024	BOUNDARY WALL SECTION, BOUNDARY WALL AND BUILDING MOVED
B	29102024	SECOND DWELLING OMITTED, 4 UNITS, NOT A STREET BOUNDARY MOVED UP

**FOR SUBMISSION**

**PROPOSED NEW DEVELOPMENT ON ERF 4740 KLEINMOND**

Architects Signature and Date: \_\_\_\_\_

Owners Signature and Date: \_\_\_\_\_

Engineers Signature and Date: \_\_\_\_\_

**SITE DEVELOPMENT PLAN**

PROJECT NUMBER 2023-HPJ-05	CAD FILE
DRAWING NUMBER HPJ-Y24-01	DATE 2024.09.01
SCALE AS SHOWN	CHECKED RDD
	REV. B