



**OVERSTRAND MUNISIPALITEIT**  
**ERF 6186, VEERTIENDE STRAAT 4,**  
**KLEINMOND: AANSOEK OM**  
**HERSONERING: PLAN ACTIVE NAMENS**  
**LAEBEX UTILITIES CC**

Kennis word hiermee gegee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) van 'n aansoek ontvang vir 'n **hersonering** ingevolge Artikel 16(2)(a) van die Verordening vanaf Spesiale Sone na Nywerheidsone 1: Algemene Nywerheid (IND1).

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

Enige kommentaar moet skriftelik wees en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) voor of op **10 November 2023**, met u naam, adres, kontak besonderhede, belang in die aansoek en die redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me. H. Van der Stoep** 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. **146/2023**

**OVERSTRAND MUNICIPALITY**  
**ERF 6186, 4 FOURTEENTH STREET,**  
**KLEINMOND: APPLICATION FOR**  
**REZONING: PLAN ACTIVE ON BEHALF**  
**OF LAEBEX UTILITIES CC**

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 an application received for a **rezoning** in terms of Section 16(2)(a) of the By-Law from Special Zone to Industrial Zone 1: General Industrial (IND1).

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 and at the Kleinmond Library, Fifth Avenue, Kleinmond.

Any comments must be in writing and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **10 November 2023**, with your name, address, contact details, interest in the application and the reasons for comment. Telephonic inquiries can be made to the **Senior Town Planner, Mrs. H. van der Stoep** 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. **146/2023**

**UMASIPALA WASE-OVERSTRAND**  
**ISIZA ESINGU-ERF 6186, 4 FOURTEENTH**  
**STREET, KLEINMOND: ISICELO**  
**SOKUCANDA KWAKHONA:**  
**NGABAKWAPLAN ACTIVE EGAMENI LE**  
**LAEBEX UTILITIES CC**

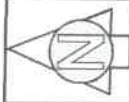
Kukhutshwe isaziso esimayela nemiba yeSoloty lama47 nama48 loMthethwana kaMasipala waseOverstrand oSisihlomelo soMthetho Wezicwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) esi sicelo sifunyenweyo simayela nokucandwa kwakhona ngokwemiba yeSoloty le16(2)(a) loMthethwana Okhethekileyo ngokuCanda Indawo Yoshishino ibe yiNdawo Yoshishino enguZowuni 1: General Industrial (IND1). (Ushishino gabalala)

linkcukacha ezipheleleyo mayela nesi siphakamiso siphheleleyo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi yesi08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, 16 Paterson Street, Hermanus naseKleinmond Library, Fifth Avenue, Kleinmond.

Naziphi na izimvo mazibhalwe zithunyelwe, zifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama**10 uNovemba 2023**, uchaze igama lakho, idilesi, neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mcwangcisi Omkhulu weDolophu, Nkskz. H. van der Stoep** kwa028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala makahambe kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda ukuhlomla ngokusemthethweni.

DGI O'Neill, Umlawuli kaMasipala,  
UMasipala waseOverstrand, P.O. Box 20,  
**HERMANUS, 7200**

Inothi yeNomb. kaMasipala. **146/2023**



Scale: NTS  
 Drawing Nr: erf 6186kleinmond.dwg  
 Date: AUGUST 2023

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERF 6186  
 KLEINMOND**

All distances approximate  
 and subject to survey.  
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**PLA<sup>n</sup>Active**  
 Stads- en Streeksbeplanners  
 Town & Regional Planners

**PROPOSED REZONING**

**ERF 6168 KLEINMOND**

**DIVISION: CALEDON**

**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**

**1. BACKGROUND**

Mr. H.J.W. Rijkenberg, on behalf of Laebex Utilities CC, the owner of Erf 6186 Kleinmond, has instructed the company Plan Active to apply for the rezoning of Erf 6186 Kleinmond.

The subject property is currently vacant. The owner intends to rezone the subject property from **Special Zone to Industrial Zone 1**. The subject property was zoned for industrial purposes previously but was rezoned to Special Zone in support of tourism related land uses in this specific area of Kleinmond. Since the current zoning came into effect, approximately 15 years ago, no interest has been shown in the development of the subject property.

Erf 6186 Kleinmond is 2 268m<sup>2</sup> in extent and is held by Title Deed Number T48687/1992.

**2. APPLICATION DETAILS**

Application is made in terms of:

- Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the rezoning of Erf 6186 Kleinmond from Special Zone to Industrial Zone I.

### **3. DESIRABILITY**

#### **3.1 PROPERTY DESCRIPTION**

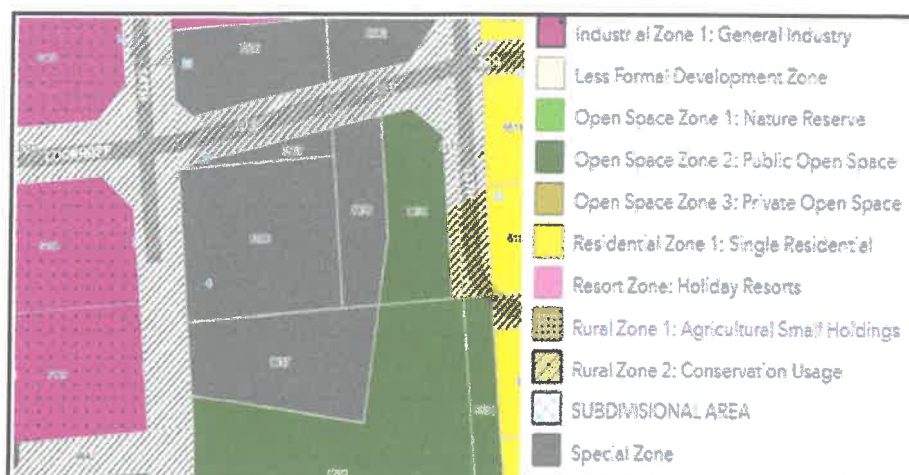
Erf 6186 Kleinmond is situated on the corner of Luckhoff and 14<sup>th</sup> Street, Kleinmond. Please refer to the aerial photograph below and the enclosed locality plan. Erf 6186 Kleinmond is 2 268m<sup>2</sup> in extent and is held by Title Deed Number T48687/1992.



#### **3.2 ZONING**

Erf 6186 Kleinmond is zoned Special Zone and is currently vacant.

Surrounding properties are zoned as Industrial zones, Special zones and public open space purposes.



### 3.3 LAND USE

Erf 6186 Kleinmond is currently vacant.

Land uses that surround Erf 6186 Kleinmond are light industrial, including storage facilities, single residential, public roads, and public open spaces.

It is therefore evident that the subject property is situated within a mixed-use area.

### 3.4 PROPOSAL

The following is proposed:

- The rezoning of Erf 6186 Kleinmond from **Special Zone** to **Industrial Zone 1** in terms of Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

The detail of the proposed application is as follows:

#### 3.4.1. Proposed Rezoning

The subject property is currently zoned Special Zone and is vacant. It is the intention of the owner of Erf 6186 Kleinmond to rezone the subject property from **Special Zone** to **Industrial Zone 1: General Industrial**. The intention is to limit the primary land uses applicable to **Industrial Zone 1: General Industrial**, to the following land uses:

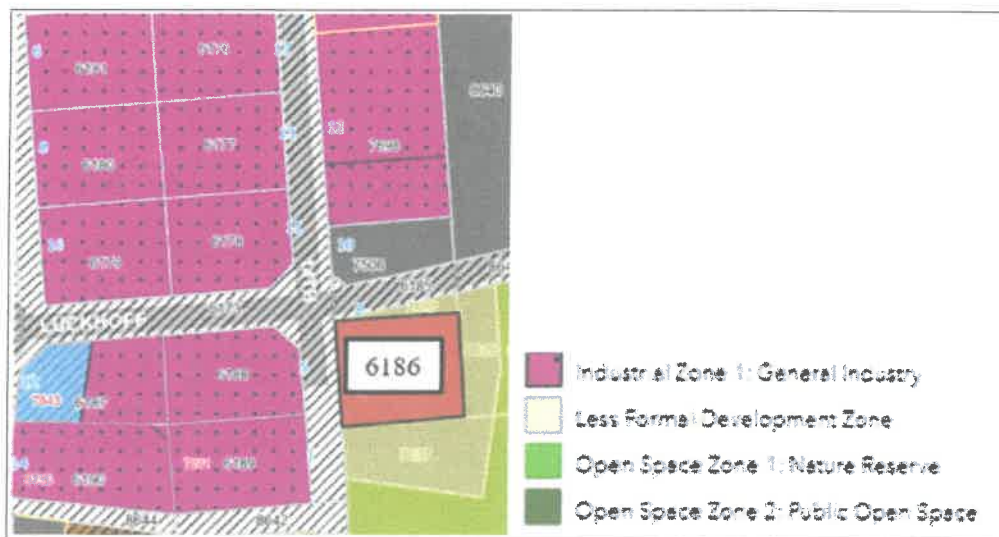
*Industry, caretaker's accommodation, factory shop, funeral parlour, industrial café (subject to the provisions of Chapter 16.10), transmission apparatus (subject to the provisions of Chapter 16.10), and warehouse.*

The land uses that resort under **industry** is also proposed to be limited to:

*“means a property which, in the Municipality’s opinion, is used as and includes self-storage, offices, caretaker’s quarters, warehouses and breweries, distilleries and or other uses which are subservient and ancillary to the use of the property as a factory but does not include noxious trade or risk activities”;*

The proposed rezoning and the future land uses proposed, will be beneficial for the local economy of Kleinmond as it will create temporarily employment opportunities during the construction phase of the future development of the subject property and after the development phase, more permanent job opportunities can also be created with the future proposed land uses for the subject property.

The proposed rezoning will be in line with the current character and area of Kleinmond. The subject property was previously zoned for industrial purposes and was rezoned to Special Zone to promote tourism and related land uses in the specific area of Kleinmond, but since the current zoning came into effect, approximately 15 years ago, no interest was shown by property developers in the development of the subject property under the current zoning. As seen in the abstract below, the subject property is within the vicinity of an industrial hub and is the proposal in line with the character of the surrounding area of Kleinmond.



It is our opinion that the proposed rezoning will have minimal impact on the area as the future possible land uses will also be limited in order not to cause a nuisance in this specific mixed land use area of Kleinmond. We are therefore of the opinion that the proposed application for the rezoning of Erf 6186 Kleinmond from Special Zone to Industrial Zone 1 can be supported.

### **3.5 ACCESS AND PARKING**

The subject property is situated on the corner of Luckhoff and 14<sup>th</sup> Street. An access point will be confirmed when the owner intends to develop the subject property and when building plans are submitted for approval for the subject property.

No development is proposed at this stage with the proposed application. Potential buyers are showing interest in the subject erf for light industrial uses that will comply with the limited uses proposed. The site will comply with the land use restrictions under Industrial Zone 1 and will also be compliant with Chapter 17 of the Overstrand Municipality Land Use Scheme, 2020, that deals with the provision of parking requirements.

### **3.6 SERVICES**

Erf 6186 Kleinmond is situated in an already developed area where all services exist. The proposed rezoning from Special Zone to Industrial Zone 1 will have a minor impact on the existing services and does not differ from the intended land use when these erven were established. Any additional services required to the subject property will be done according to the specifications of the Overstrand Municipality.

### **3.7 TITLE DEED**

There are no restrictive Title Deed conditions in Title Deed Number T48687/1992 that will have to be addressed in order for the proposed application to be approved.

There is no bond registered against Erf 6186 Kleinmond.

### **3.8 FORWARD PLANNING**

#### **Overstrand Municipal Spatial Development Framework (2020)**

In terms of the Overstrand Municipal Wide Spatial Development Framework the subject property is earmarked for urban development purposes. The proposal is for an industrial zoned property. No specific land use is proposed with the proposed application.

#### **Overstrand Growth Management Strategy**

With reference to the Overstrand Growth Management Strategy the subject property falls within Planning Unit 20 that is located off the R43 Provincial Road (Main Road) on the south-western side of Kleinmond. The area has ample opportunities for further economic development and employment opportunities.

With reference to the above mentioned is it our opinion that the proposed application is in line with the Growth Management Strategy as the proposal creates opportunity for economic development and employment opportunities.

It is therefore our opinion that the proposed rezoning can be supported, as it is in line with forward planning strategies and also the current land use trends for the area.

### **3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION**

#### **3.9.1 HERITAGE VALUE**

Erf 6186 Kleinmond is situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is vacant and not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

According to the Overstrand Municipal GIS System the area where the subject property is situated is earmarked as part of the Coastal Strip, as seen below. The proposed rezoning will have no impact on the coastal strip area.



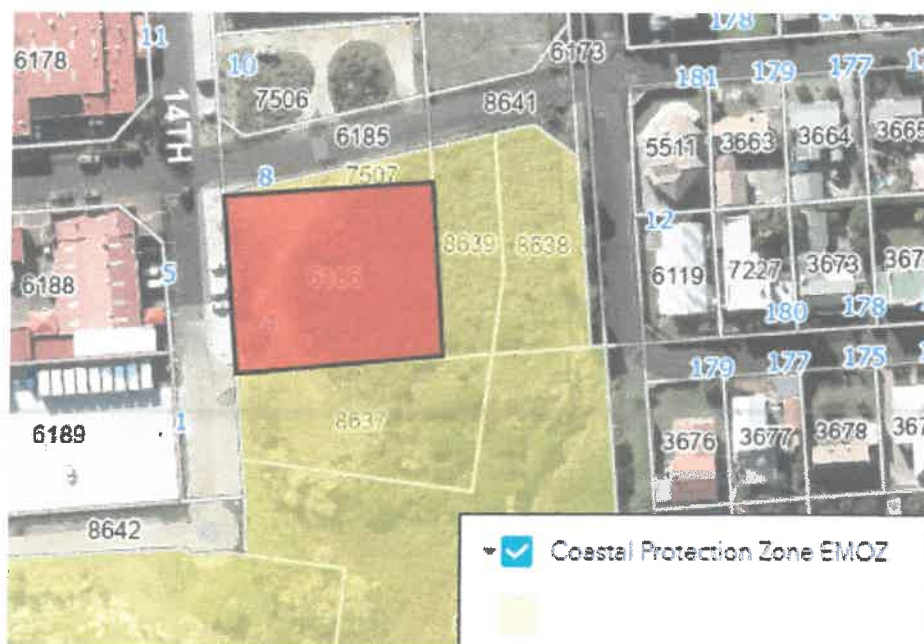
In light of the above mentioned it is evident that the proposed rezoning application will not have a negative impact on the heritage value of the subject property or the greater area of Kleinmond.

### **3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT**

The proposed rezoning does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

According to the Overstrand Municipal GIS System the area where the subject property is situated is earmarked as part of the Coastal Protection Zone (EMOZ), as seen

below. The proposed rezoning will have no impact on the Coastal Protection Zone (EMOZ).



### 3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: After the proposed rezoning of the subject property an opportunity will be created for the local economic development on a vacant erf. Since the current zoning came into effect, approximately 15 years ago, no interest was shown in the development of the subject property under the current zoning. The proposed rezoning will be in line with the surrounding character of this specific area of Kleinmond. There are no restrictive Title Deed conditions that prohibit the rezoning of the subject property. No departure applications are proposed.

Spatial sustainability: The proposed rezoning is in line with the current character of the established mixed-use area. The proposed application will have no impact on the conservation worthy areas of Kleinmond. Spatially the proposed land use will be in line with the existing land use tendencies for the specific area of Kleinmond.

**Efficiency:** The proposed application for the rezoning of Erf 6186 Kleinmond will promote the optimisation of the use of space within a developed mixed-use area. As mentioned earlier, little interest was shown in the development of the subject property since it was rezoned to Special Zone. The subject property is also very accessible and is situated in close proximity of the Industrial hub.

**Spatial Resilience** in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e., communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). Spatial resilience is not applicable to this application.

**Good administration:** Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

#### 4. **RECOMMENDATION**

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

- The proposed rezoning falls within the existing land use tendencies in the area;
- The impact on services will be minimal and additional services, if required, will be installed according to the specifications of the Overstrand Municipality;
- The subject property was previously zoned for industrial purposes;



- The proposal will create an opportunity for more permanent employment for the local community in the future;
- The proposed rezoning will not have a negative impact on the current character and land values of the surrounding erven;
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the rezoning of Erf 6186 Kleinmond.



**NOTES**

SUBJECT PROPERTY  
 PROPOSED REZONING  
 FROM SPECIAL ZONE  
 TO INDUSTRIAL ZONE 1

	Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey.  COPY RIGHT RESERVED	Property Description: <b>ERF 6186          KLEINMOND</b>	Plan Description: <b>PROPOSED          REZONING</b>	Scale: <b>1:750</b> Drawing Nr: erf 6186 zoning kleinmond.dwg Date: AUGUST 2023	
	<p style="text-align: center;"> <b>SUBJECT PROPERTY</b>  <b>PROPOSED REZONING</b>  <b>FROM SPECIAL ZONE</b>  <b>TO INDUSTRIAL ZONE 1</b> </p>					