

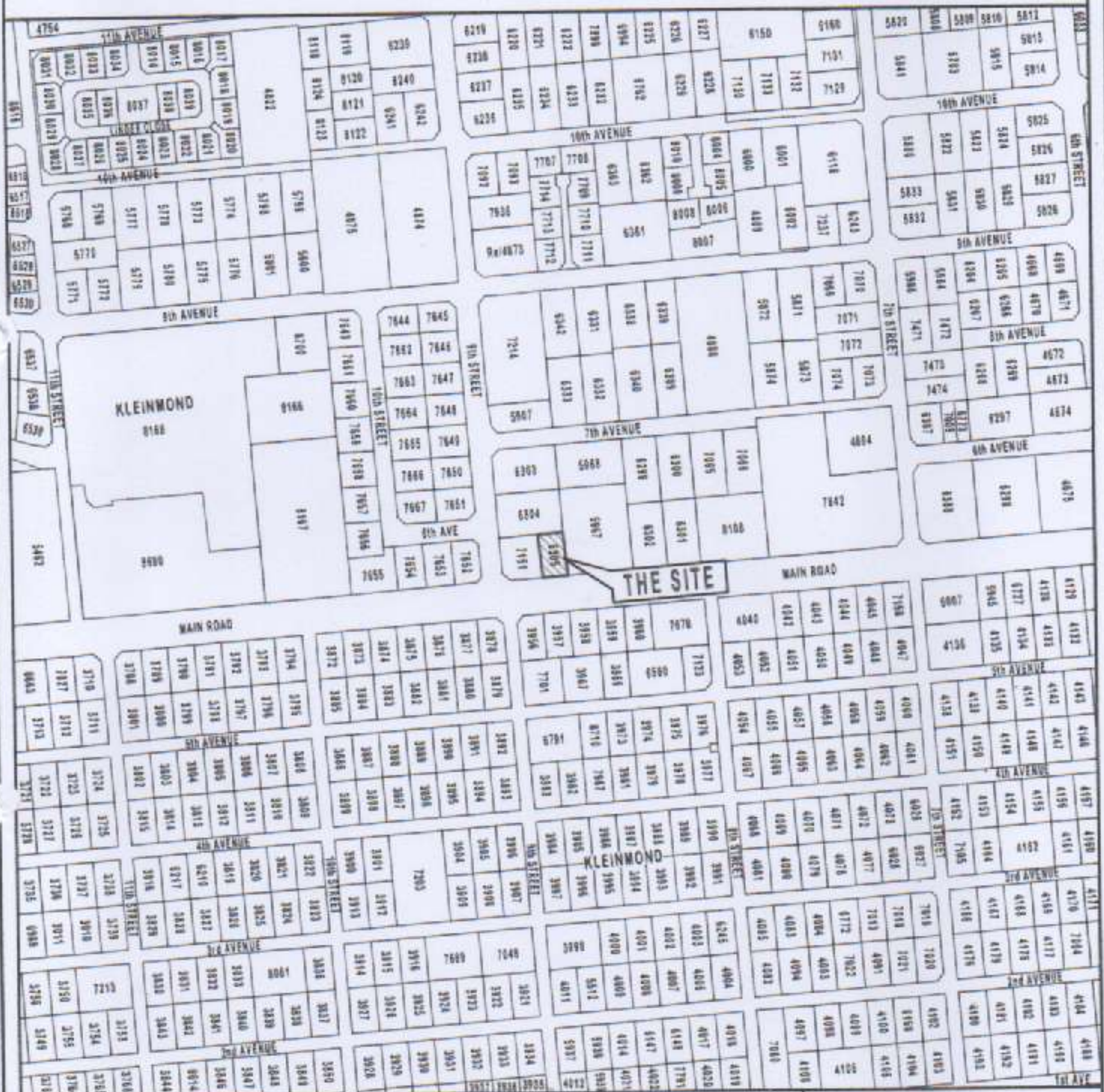
OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p><u>ERF 6305, 90 MAIN ROAD, KLEINMOND: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION AND REZONING: PLATINUM TOWN & REGIONAL PLANNERS CC ON BEHALF OF PLUMBING SUPPLY STORE PROPRIETARY LIMITED</u></p> <p>Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), of the following applications applicable to Erf 6305, Kleinmond (the property), namely:</p> <p><u>Removal of Restrictive Title Deed Condition</u> Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition C.(2) as contained in Title Deed T57538/2024 of the property to enable the owner to operate a business on the premises.</p> <p><u>Rezoning</u> Application in terms of Section 16(2)(a) of the By-Law to rezone Erf 6305, Kleinmond from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3).</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) loretta@overstrand.gov.za) on or before 4 April 2025, 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 and Spatial Planning Department where they will be assisted by a municipal official in formulating their comments.</p>	<p><u>ERF 6305, HOOFWEG 90, KLEINMOND: AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDE EN HERSONERING: PLATINUM STADS- EN STREEKSBEPLANNERS BK NAMENS PLUMBING SUPPLY STORE PROPRIETARY LIMITED</u></p> <p>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 6305, Kleinmond (die eiendom), naamlik:</p> <p><u>Opheffing van Beperkende Titelaktevoorwaarde</u> Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaktevoorwaarde C.(2) soos vervat in Titelakte T57538/2024 van die eindom om die eienaar in staat te stel om 'n besigheid op die perseel te bedryf.</p> <p><u>Hersonering</u> Aansoek ingevolge Artikel 16(2)(a) van die Verordening om Erf 6305, Kleinmond vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Sakesone 3: Plaaslike Sake (B3) te hersoneer.</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) loretta@overstrand.gov.za) voor of op 4 April 2025, 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 Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.</p>	<p><u>ISIZA 6305, 90 MAIN ROAD, E-KLEINMOND: ISICELO SOKUSUSWA KWEZITHINTELO KWISIVUMELWANO SOBUNINIMHLABA KUNYE NOKUCANDWA KWAKHONA: PLATINUM TOWN & REGIONAL PLANNERS CC EGAMENI LE- PLUMBING SUPPLY STORE PROPRIETARY LIMITED</u></p> <p>Isaziso siyanikezelwa ngokweCandelo lama-47 nelama-48 loMthetho kaMasipala woLungiso loMthetho kaMasipala kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala), kwezi zicelo zilandelayo zisebenza kwiSiza 6305, eKleinmond (kwipropati), ezizezi:</p> <p><u>Ukususwa kweMiqathango yeSivumelwano soBunini esiThintelweyo</u> Isicelo ngokungqinelana neCandelo 16(2)(f) loMthetho kaMasipala sokushenxisa imiqathango yesithintelo setayitile yobunini C.(2) njengoko iqulethwe kwiSivumelwano soBunini T57538/2024 sale proprati ukwenzela umnini enze ishishini kulendawo.</p> <p><u>Ukucandwa Kwakhona</u> Isicelo ngokwemiGaqo yeCandelo le-16(2)(a) loMthetho kaMasipala sokucanda isiza 6305 eKleinmond ukusuka kwindawo yokuhlala engu 1:Indawo enye yokuhlala (SR1) ukuya kwindawo yoshishino 3: Ishishini lasekhaya (B3).</p> <p>Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30kwiSebe: Lezicwangciso Zedolophu neNdawo, 16 Paterson Street, Hermanus kunye nakwiiThala leeNcwadi lase-Kleinmond, Fifth Avenue, e-Kleinmond.</p> <p>Naziphi na izimvo ezibhaliweyo mazifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-4 Tshazimpuzi 2025, zibe negama lakho idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa kuMcwangcisi Omkhulu weDolophu, Nkskz. H. van der Stoep ku-028-3138900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvula. Nabani ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu neNdawo apho baza kuncedwa ligosa likamasipala ukwakha uluvo nokubhala izimvo zakhe.</p>
<p>Dr DGI O'Neill Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200</p> <p style="text-align: right;"><i>Notice no. / Kennisgewing nr. / Inothi si yeNomb: 39/2025</i></p>		

LOCALITY MAP

ERF 6305, KLEINMOND



SCALE: 1 : 4 000



REFERENCE

 THE APPLICATION

Overstrand Office:
62 Seaview Drive,
BETTY'S BAY
Cell : 072 184 8621
Email : amund@vodamail.co.za



Pretoria Office:
61 Woodlands Avenue,
PECANWOOD
Cell : 083 236 1216
Email : dehaan@telhomsa.net



PIETER DE HAAS (PR. PLN (A/283/1985))

BA. Honnoreus (Economics)
B. Art. et Scien. (Planning)

Mobile: 083 226 1316
Email: dehaas@telkomsa.net

Postnet Suite #51
Private Bag X15
Somerset West
7129

AMUND BENEKE (PR. PLN (A/680/1992))

M.Com (Business Management)
B. Art. et Scien. (Planning)

Mobile: 072 184 9621
Email: amund@vodamail.co.za

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

Dear Hanneen;

ERF 6305 KLEINMOND

Referring to the Letter 6305 KKM, dated 16 January 2025 (attached), please find herewith the amended simultaneous Applications:

- **Application 1:** The amendment, suspension or deletion of restrictive conditions in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) of Conditions C.(2) in Title Deed T57538/2024; and
- **Application 2:** the rezoning of Erf 6305 Kleinmond in terms of Sections 16(2) and 18 of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) from "*Residential Zone 1: Single Residential (SR1)*" to "*Business Zone 3: Local Business (B3)*".

Please note that the Preliminary Site Plan (Annexure H) has been referred to the Western Cape Roads Department for comment / input, as Main Road is a provincial road.

Please advise on the way forward.

Thanks

Amund
22 / 01 / 2025



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

Mobile: 083 226 1316
Email: dehaas@telkomsa.net

Postnet Suite #51
Private Bag X15
Somerset West
7129

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

Mobile: 072 184 9621
Email: amund@vodamail.co.za

MEMORANDUM

ERF 6305 KLEINMOND

SIMILTANEOUS APPLICATIONS

A. PROPERTY DESCRIPTION

The property is known as Erf 6305 Kleinmond. The Locality Map is attached as **Annexure A**.

Erf 6305 Kleinmond is approximately 685m² in extent.

B. OWNERSHIP

The property is registered in the name of “*Plumbing Supply Store Proprietary Limited (Registration Number: 2022/467545/07)*”. Title Deed T57538/2024 is attached as **Annexure B**.

The “*Company Resolution*”, “*Power of Attorney*” and “*Company Documents*” are attached as **Annexure C**.

There is a bond registered against the said property. The consent of the Bondholder is attached as **Annexure D**.

C. LOCATION

Erf 6305 Kleinmond is located at 90 Main Road, Kleinmond (**Annexure A**).

D. ZONING

Erf 6305 Kleinmond is zoned “*Residential Zone 1: Single Residential (SR1)*”. (**Annexure E**)

The current surrounding land-uses are illustrated on **Annexure F**.

The zoning of the surrounding Erven is illustrated on **Annexure G**.



E. APPLICATIONS

The following simultaneous Applications are submitted:

- **Application 1:**

It is the intention of the Landowner to move their current Business “PSS Plumbing Supply Store” (located at 68 Main Road, Kleinmond) to Erf 6305 Kleinmond. The main business of the “Plumbing Supply Store” is to store / supply plumbing products to the general public. However, Condition C.(2) in Title Deed T57538/2024 prohibits this as the business is regarded as a “shop or business”.

Condition C.(2) reads as follow:

“The Company reserves to itself and its successors in title the sole right to all Hotels and Licenses and no purchasers of erven or their successors in title shall erect any Hotel or hold any Liquor License or General Dealer’s License without the written consent of the Directors of the Company, or its successors in title, first had and obtained, and no shop or business shall be erected or opened on any stands herein sold without the written permission of the Company by its Directors or its successors in title first had and obtained thereto.”

As the said Title Condition prohibits the use of Erf 6305 for shop / business purposes, the condition needs to be removed, amended, or suspended in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020).

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

- The financial or other value of the rights: It is the intention of the Landowner to move the current Business “PSS Plumbing Supply Store” (located at 68 Main Road, Kleinmond) to Erf 6305 Kleinmond. The removal, suspension or amendment of Condition C.(2) in Title Deed T57538/2024 will have no financial benefit for any person or entity, other than the Landowner himself.
- The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal: Taking cognizance of the intention, the removal, suspension, or amendment of Condition C.(2) in Title Deed T57538/2024 will have no personal benefit for any person or entity, other than the Landowner himself.
- The social benefit of the restrictive condition remaining in place, and/or being removed / amended: Taking cognizance of the intention, the removal, suspension, or amendment of Condition C.(2) in Title Deed T57538/2024 will have no social impact on society.
- Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some of those rights: the removal, suspension, or amendment of Condition C.(2) in Title Deed T57538/2024 will only remove some of the conditions in the applicable Title Deed.



- **Application 2:** The rezoning of Erf 6305 Kleinmond, in terms of Sections 16(2) and 18 of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020), from “Residential Zone 1: Single Residential (SR1)” to “Business Zone 3: Local Business (B3)”.

For purposes of this Application is “**Business Zone 3: Local Business (B3)**” defined as:

- **Primary uses:** shops, dwelling unit (above ground floor) in accordance with 6.3.2, flats (above ground floor), offices, restaurant, caretaker’s accommodation, and self-catering.
- “**Shops**” means a property or part of a property used for the retail sale of goods, items and services to the public, including a retail concern where goods which are sold are manufactured and repaired, provided that the floor space relating to such manufacture or repair shall not exceed 50% of the floor space of the shop; it excludes an industry, service trade, motor repair garage, service station, adult entertainment business or sale of alcoholic beverages, and if such uses are included on the property, they shall be regarded as separate uses subject to such separate development parameters as may be determined by the Municipality.

It is the intention of the Landowner to move the current Business “PSS Plumbing Supply Store” (located at 68 Main Road, Kleinmond) to Erf 6305 Kleinmond.

F. NEED AND DESIRABILITY

F.1 PROPERTY

The property is known as Erf 6305 Kleinmond.

F.2 APPLICABLE LEGISLATION

The following legislation is applicable:

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

F.3 APPLICABLE PLANNING POLICIES / DOCUMENTS

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

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

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

The R44 from (i.e.) Gordonsbaai to Kleinmond can be regarded as a Development Corridor. In general terms can a development corridor be defined as a *geographical area identified as a priority for investment to catalyze economic growth and development*. Along this R44-Corridor is coastal towns such as Rooi Els, Pringle Bay, Betty's Bay and Kleinmond located. The R44-Corridor links with the R43-Development Corridor (Hermanus / Stanford / Gansbaai) further on.

In Kleinmond is development along the R44-Corridor (in Kleinmond known as Main Road) characterized by business development adjacent to it, with residential development to the south and the north of the Corridor. Further business development should be encouraged along this axis in Kleinmond.

Erf 6305 Kleinmond is in Main Road. Several erven along the R44-Corridor (Main Road) have already been developed for business purposes.

The proposed rezoning of Erf 6305 Kleinmond is, therefore, in line with this.

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

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

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

- (i) **the public interest**
- (iv) **the respective rights and obligations of all those affected**

The required public participation process, in accordance with the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020,

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

(ii) *the constitutional transformation imperatives and the related duties of the State*

The proposed amendment to Title Conditions / Rezoning Application process forms part of and supplement the development character of the broader R44-Corridor (known as Main Road in Kleinmond) from a legal point to enhance the development of the broader area within a concise space. The amendment to Title Conditions / Rezoning Application, therefore, adheres to the constitutional and transformation imperatives and the related duties of the State in the sense that, prior the exercising of the land-use rights, the correct legal procedure and route are followed to assist the State, and in this case the Overstrand Local Municipality, to exercise its mandate to comply with the Constitution.

(iii) *the facts and circumstances relevant to the application*

Development along the R44-Corridor (in Kleinmond Main Road) should be encouraged. Erf 6305 Kleinmond is located to the north of the R44-Corridor in Kleinmond. Several erven along Main Road have already been developed for business purposes.

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

Engineering services (electricity, roads, storm water drainage, sewer and water) are readily available.

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

F.3.2 The National Development Plan (NDP)

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

- Significantly reduce unemployment and increase the size of the economy through a range of actions.

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

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

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

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

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

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

- **Spatial Justice:** A socially just society based on the principles of equality, solidarity, and inclusion. Past spatial and other development imbalances should be redressed through improved access to and use of land.
- **Sustainability and Resilience:** Land development should be spatially compact, resource-frugal, compatible with cultural and scenic landscapes, and should not involve the conversion of high potential agricultural land or compromise ecosystems. The focus must be on creating complex, diverse and resilient spatial systems that are sustainable in all contexts.

- **Spatial Efficiency:** Efficiency relates to the form of settlements and use of resources - compaction as opposed to sprawl; mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement, and prioritisation of public transport over private car use.
- **Accessibility:** Improving access to services, facilities, employment, training and recreation, and safe and efficient transport modes is essential to achieving the stated settlement transitions of the NDP and One Cape 2040. Accessibility is also defined by convenient and dignified access to private and public spaces for people with impaired mobility.
- **Quality and Liveability:** The quality of an environment directly contributes to its liveability. Legible built environments are characterized by the existence of landmarks such as notable buildings and landscaping, well- defined public spaces, as well as navigable street networks.

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

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

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

F.3.4 Overberg District Spatial Development Framework (ODSDF)

The purpose of ODSDF is to:

- Prepare a spatial perspective of the current developmental status quo within the Overberg District Municipality (ODM) to inform a basis for discussion on key spatial issues and linkages to other sector plans and opportunities to inform the Districts' future spatial development;
- Review and update the spatial vision and strategic direction of the municipality, to inform the drafting/amendment of the Integrated Development Plan (IDP) of the ODM; and
- Review and update the Spatial Development Framework proposals to guide local municipalities in the District regarding future spatial planning, strategic decision-making, and regional integration. The Overberg District SDF will focus on the following:
 - Identifying the structure and role of settlement,



- transportation, and regional services infrastructure across and between the local municipalities within the district area.
- Classifying areas that require protection and conservation (i.e., protected areas), which include threatened ecosystems, critical biodiversity areas, valuable agricultural land, water catchment areas, and other resources of value within the District.
- Identifying growth nodes, priority investment areas, and areas of rural decay within the District.
- Classifying areas that require protection and conservation (i.e., protected areas), which include threatened ecosystems, critical biodiversity areas, valuable agricultural land, water catchment areas, and other resources of value within the District.
- Resolving contradictions between the planning visions of the District's local municipalities.
- Describing the general urban design principles to be applied in all settlements located in the District. Critically, the District SDF must guide local municipalities in the development of their own SDF's, without impeding on local-level planning detail. The District sets the framework and context for local municipalities to work within. It is also critical that the District aligns to the Provincial and National planning and policy context. It is therefore clear that the District must operate within a well-defined (at the conceptual level) policy and planning context and therefore is constrained to these insofar as proposals that can be made.

F.3.5 Overstrand Integrated Development Planning (IDP)

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

F.3.6 Overstrand Municipality Spatial Development Framework (SDF)

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

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



Kleinmond is classified as Sub-Regional Node. The following key strategic land-use proposals for Kleinmond is proposed:

- Conservation of the natural environment, particularly its combination of riverine estuarine conditions and sandy beaches;
- Spatial integration and accessibility of the different land-use components through (i.e.) pedestrian linkages;
- Promotion of Kleinmond as a retirement and tourism town.

Erf 6305 Kleinmond falls within the area earmarked as “*urban development*”.

F.3.7 Motivation for Rezoning

It is proposed that Erf 6305 be rezoned in terms of Sections 16(2) and 18 of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020) from “*Residential Zone 1: Single Residential (SR1)*” to “*Business Zone 3: Local Business (B3)*”.

The R44 from (i.e.) Gordonsbaai to Kleinmond can be regarded as a Development Corridor. In general terms can a development corridor be defined as a *geographical area identified as a priority for investment to catalyze economic growth and development*. Along this R44-Corridor is coastal towns such as Rooi Els, Pringle Bay, Betty’s Bay and Kleinmond located. The R44-Corridor then links with the R43-Development Corridor (Hermanus/Stanford/Gansbaai) further on.

In Kleinmond is development along the R44-Corridor (in Kleinmond Main Road) characterized by business development adjacent to it, with residential development to the south and the north of the Corridor. Further business development should be encouraged along this axis in Kleinmond.

Erf 6305 Kleinmond is located to the north of the R44-Corridor. Several erven along the R44-Corridor in Kleinmond have already been developed for business purposes.



Within the Overstrand SDF is Kleinmond also classified as a Sub-Regional Node. The following key strategic land-use proposals for Kleinmond is proposed:

- Conservation of the natural environment, particularly its combination of riverine estuarine conditions and sandy beaches;
- Spatial integration and accessibility of the different land-use components through (i.e.) pedestrian linkages;
- Promotion of Kleinmond as a retirement and tourism town.

The area surrounding Erf 6305 Kleinmond is mainly characterized by business (R44 Corridor/Main Road) and residential (low, medium and high density) development.

Erf 6305 Kleinmond, therefore, is ideally located to enhance the “*business character*” of Main Road in Kleinmond.

Preliminary Site Plan (Annexure H):

The proposed development parameters are:

- Access will be from Main Road.
- The build-up area is as follow:
 - Main building: ±200m²
 - Garage / Outbuilding: ±60m²
 - Total area for “shops”: ±200m², of which
 - ±50m² will be used as “*office space*”
 - ±15m² will be used as the “*sales area*”
 - The remainder will be used for the storage / shelving of products / stock.

In accordance with the Overstrand Municipality Land-Use Scheme (2020), the number of parking bays to be provided is 8 (200m²: 4 parking bays / 100m² leasable area). The number of parking bays provided is 10 (including a parking bay for disabled people).

(Please note that the Preliminary Site Plan has been referred to the Western Cape Roads Department for comment / input, as Main Road is a provincial road.)



G. ENGINEERING SERVICES

Engineering services infrastructure (i.e. electricity, water, sewer and storm water drainage) are available.

H. ENVIRONMENTAL ISSUES

Erf 6305 Kleinmond is located within an existing Township. The proposed Rezoning Application will have no negative effect on the environment. No environmental authorization is needed.

I. CONCLUSION

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

- The amendment, suspension or deletion of Condition C.(2) in Title Deed T57538/2024 in terms of Sections 16(2)(f) of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020).
- The rezoning of Erf 6305 Kleinmond, in terms of Sections 16(2) and 18 of the Overstrand Municipality Amendment By-law on Municipal Land-use Planning (2020), from "*Residential Zone 1: Single Residential (SR1)*" to "*Business Zone 3: Local Business (B3)*".

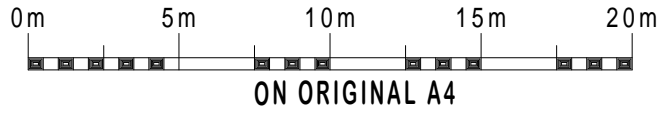
-----0-----

**SKETCH PLAN:
SITE LAYOUT
REZONING OF**

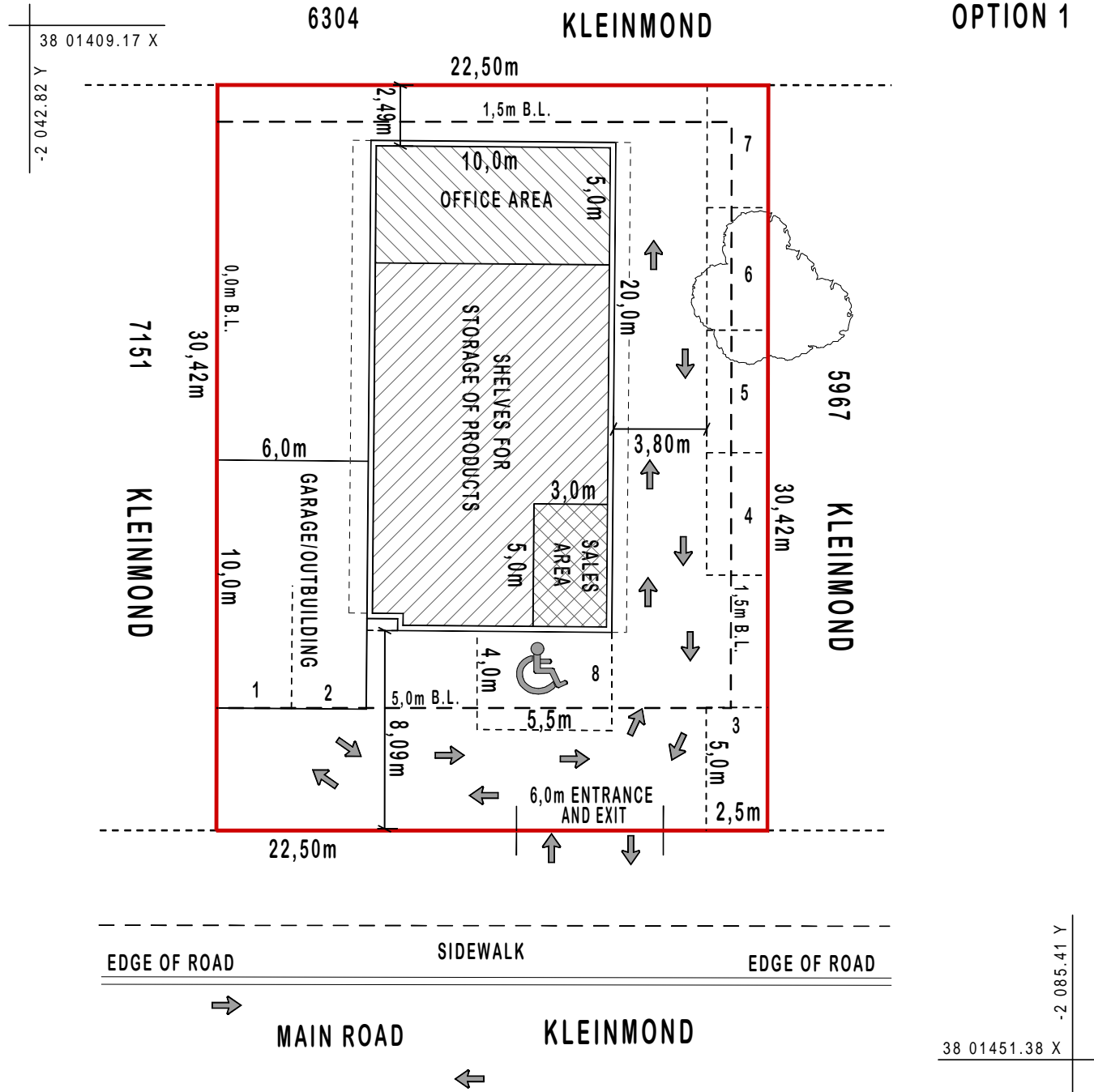
ERF 6305,

KLEINMOND

LOCAL AUTHORITY: OVERSTRAND MUNICIPALITY.



SCALE: 1 : 250



AREA SCHEDULE:

1. MAIN BUILDING: Office space	±50m ²
Sale area	±15m ²
Storage of products/stock	±135m ²
TOTAL	±200m²
2. GARAGE/OUTBUILDING:	±60m ²
TOTAL AREA OF ALL BUILDINGS	±260m²

NOTE FOR ZONING:
ERF 6305
RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL
TO BE REZONED TO:
BUSINESS ZONE 3: GENERAL BUSINESS

PARKING SCHEDULE:

1. Required: (4/100m ²)	8 Parking Spaces
2. Provided:	8 Parking Spaces (7 plus 1 for disabled)

- GENERAL NOTES:**
- ALL DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
 - GEODETIC DATUM PLANE : WG 19°.
 - PROPERTY AREA : 685m².
 - OWNER : PLUMBING SUPPLY STORE
 - DEED OF TRANSFER : T57538/24.

PLAN NUMBER: /01		Applicant
REF: KLEINMOND 6305/01		Signature _____
DATE	AMENDMENTS	
NOV 2024	SUBMISSION	

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

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