

OVERSTRAND MUNICIPALITY	OVERSTRAND MUNISIPALITEIT	UMASIPALA WASE-OVERSTRAND
<p><b><u>ERF 6987, 21 SIXTH AVENUE, KLEINMOND: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND REZONING: FUTURE PLAN TOWN AND REGIONAL PLANNERS ON BEHALF OF WADEFIELDS ELECTRICAL WESTERN CAPE (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 applications applicable to Erf 6987, Kleinmond (the property), namely:</p> <p><b><u>Removal of Restrictive Title Deed Conditions</u></b> Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed conditions C.2 and C.3 as contained in Title Deed T9026/23 of the property.</p> <p><b><u>Rezoning</u></b> Application in terms of Section 16(2)(a) of the By-Law to rezone Erf 6987, Kleinmond from Residential Zone 1 (SR1) to Business Zone 3: Local Business (B3) to establish a business premises with flats above ground.</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 6987, SESDELAAN 21, KLEINMOND: AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDES EN HERSONERING: FUTURE PLAN STADS- EN STREEKBEPLANNERS NAMENS WADEFIELDS ELECTRICAL WESTERN CAPE (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 6987, Kleinmond (die eiendom), naamlik:</p> <p><b><u>Opheffing van Beperkende Titelaktevooarades</u></b> Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaktevooarades C.2 en C.3 soos vervat in Titelakte T9026/23 van die eindom.</p> <p><b><u>Hersonering</u></b> Aansoek ingevolge Artikel 16(2)(a) van die Verordening om Erf 6987, Kleinmond vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Sakesone 3: Plaaslike Sake (B3) te hersoneer om 'n besigheidsperseel met woonstelle bo gronds te vestig.</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 6987, 21 SIXTH AVENUE, E-KLEINMOND: ISICELO SOKUSUSWA KWEZITHINTELO KWISIVUMELWANO SOBUNINI KUNYE NOKUMISELWA KWAKHONA: FUTURE PLAN TOWN AND REGIONAL PLANNERS EGAMENI LE WADEFIELDS ELECTRICAL WESTERN CAPE (PTY) LTD</u></b></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 6987, eKleinmond (kwipropati), ezizezi:</p> <p><b><u>Ukususwa kweMiqathango yeSivumelwano soBunini esiThintelweyo</u></b> Isicelo ngokungqinelana neCandelo 16(2)(f) loMthetho kaMasipala sokushenxisa imiqathango yesithintelo setayitile yobunini C.2 kunye C.3 njengoko iqulethwe kwiSivumelwano soBunini T9026/23 sale proprati.</p> <p><b><u>Ukumiselwa kwakhona</u></b> Isicelo ngokwemiGaqo yeCandelo le-16(2)(a) loMthetho kaMasipala sokumiliselwa kwakhona isiza 6987, eKleinmond ukusuka kwindawo yokuhlala engu(SR1) ukuya kwishishini elingu Zone 3: Ishishini lasekuhlaleni(B3) ukuqala indawo yezoshishino enamagumbi aziflethi ngaphezulu.</p> <p>Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Lezicwangciso Zedolophu neNdawo, 16 Paterson Street, Hermanus nakwiiThala leeNcwadi lase-Kleinmond, 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 wama-<b>14 uMatshi 2025</b>, zibe negama lakho idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla 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 wokuvala. 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 <b>Municipal Manager / Munisipale Bestuurder / Umphathi Kamasipala</b> PO Box / Posbus / Ibhokisi yePosi 20 HERMANUS 7200</p> <p style="text-align: right;"><i>Notice No / Kennisgewing nr / Inombolo yesaziso: 19/2025</i></p>		





# ERF 6987, 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 Local Business: Business Zone 3 (B3).*
- *Section 16 (2) (f) – Amendment, suspension, or deletion of restrictive condition in respect of a land unit*
  - *Removal of restrictive title deed Conditions C. 2 and C. 3.*

### Application prepared for:

Wadefields Electrical & Overstrand Municipality

### Application prepared by:

Future Plan Town and Regional Planners

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### Principal Planner:

Jan Visagie (A/1080/1999)

### Submitted:

September 2024

### Revision 1:

29 November 2024





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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 Local Business: Business Zone 3 (B3).*
- *Section 16 (2) (f) – Amendment, suspension, or deletion of restrictive condition in respect of a land unit*
  - *Removal of restrictive title deed Conditions C. 2 and C. 3.*

### 1.2. The Application

#### • Rezoning of Land

The purpose of this application is to rezone the application site from Single Residential Zone 1 to Local Business: Business Zone 3 to permit business premises and flats above ground. The business premise, a showroom consisting of 195m<sup>2</sup> floor space, will be utilised to showcase products and equipment while also allowing for walk-in clients and subsequent sale of the showcased products.

The integration of flats above the ground floor is in addition to the business premises. It is proposed that a total of six (6) flats be constructed. Two units will be constructed above the business premise, while the remaining four (4) units will be constructed separately from those above but also above the ground level. The ground floor will be utilised for undercover parking (garages) to provide occupants with secure parking.

Schedule of Areas	
<b>Ground Floor</b>	
Garages	143m <sup>2</sup>
Store	10m <sup>2</sup>
Showroom	163m <sup>2</sup>
Refuse Area	6m <sup>2</sup>
Stairs	12m <sup>2</sup>
<b>First Floor</b>	
Living Units	285m <sup>2</sup>
Walkways & Stairs	64m <sup>2</sup>
Balconies	57m <sup>2</sup>
<b>Coverage</b>	39%
<b>Floor Factor</b>	0.67



**Entrance and Parking Requirements**

Entry will be obtained from either Main Road or Sixth Avenue, depending on the purpose of the visit. Entry from Main Road is allocated for the business premises, while entry from Sixth Avenue is allocated for the flats. It is deemed that adequate on-site parking is provided. Please refer to the table below:

Parking Requirements		
Land Use	Required	Provided
Shop	7	8
Single Bedroom Units: 1.5 bays per unit	6	6
Double Bedroom Units: 2 bays per unit	4	4
<b>Total</b>	<b>17</b>	<b>18</b>

This office believes that the parking provided is adequate in terms of Overstrand Municipality's requirements.

**• Removal of Restrictive Title Deed Conditions**

In terms of Section 35 of the Amendment By-Law on Municipal Land Use Planning, 2020, the Municipality must take into consideration a few aspects upon approving or refusing the removal, suspension, or amendment of a restrictive condition. The subject title deed contains two restrictive conditions that will have to be removed. The conditions are as follows:

- Condition C. 2: *“The company reserves to himself and its successors in title the sole right to all Hotels and all Liquor Licences and no purchasers of erven or their successors in title shall erect any Hotel or hold any Liquor Licence or General Dealer's Licence without the written consent of the Directors of the Company, or its successors in title, first had and obtained; and no shop store 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.”*
- Condition C. 3: *“Every purchaser of any erf, the successor in title of such purchaser, who shall have built thereon a dwelling-house or other equivalent building to the satisfaction of the Directors, shall, whilst actually in occupation of such building, have the right of grazing upon such portion of the company's property as may for the time being or from time to time be set apart by the Directors for that purpose, such large stock, cows, horses, oxen or mules, not exceeding four in number, as he shall keep in connection with such erf, such right being also granted to the occupier of such premises, other than the owner, it being understood, however, that the owner and occupier shall not both be permitted to exercise this right at one and the same time, and that not more than four head of cattle shall be allowed to graze by virtue of any one erf provided that the Directors may at any time*



*after one month's notice in writing to such erfholder or publishing in the Gazette withdraw the whole or any part of such portion of the property to set apart for the purpose of selling or otherwise disposing of the same and thereupon the said right of grazing shall cease and determine in respect of the property so withdrawn."*

As stated, the property owner wishes to rezone the application site from a residential erf to a business erf that will permit them to conduct Their business and to provide additional housing opportunities within Kleinmond. The conditions above restrict the proposed development as it does not permit a shop, store, flats or business in its current state. Additionally, the title deed conditions restrict it to one dwelling unit. The property owner intends to construct flats above ground, as is permitted under the proposed zoning.

The Municipality must have regard to the following for the application to be considered:

*The financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vested in the person as the owner of a dominant tenement.*

No person or entity will be affected financially should the quoted restrictive condition be removed.

*The personal benefits which accrue to the holder of rights in terms of the restrictive condition.*

The conditions are only negatively impacting the property owner in terms of development.

*The personal benefits which will accrue to the person seeking the removal of the restrictive condition if it is removed.*

The owners will benefit from the removal of the restrictive conditions as it will enable the subject erf to conform to the surrounding area and also enable the property owner to utilize the application site to its full potential.

*The social benefit of the restrictive condition remaining in place in its existing form.*

These restrictive conditions do not provide any social benefits.

*The social benefit of the removal or amendment of the restrictive condition.*

The subject restrictive condition holds no social benefits to the property owner, not the surrounding community.

*Whether the removal, suspension, or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.*

No specific beneficiary is identified by the conditions, and therefore no person or entity will be affected if these conditions are removed.



As per the above, the removal of Condition C. 8 of the subject Title Deed is not deemed to impact negatively on the surrounding community or the abutting properties. This office requests the favourable consideration of this application.

**1.3. Compliance with Development Parameters**

Development Parameter	Requirement / Maximum	Proposed
<b>Coverage</b>	75%	39%
<b>Floor Factor</b>	1.5	0.67
<b>Height</b>	8.5m (maximum of two storeys)	6.5m
<b>Building Lines: Street</b> <b>Building Lines: Side</b> <b>Building Lines: Rear</b>	Street: 0m Side: 0m (3m when adjacent to another zoning) Rear: 0m (3m when adjacent to another zoning)	The proposed buildings comply with the building lines of the proposed zoning. (See Architectural plans attached)
<b>Parking Requirements</b>	Shops: 4 bays per 100m <sup>2</sup> GLA <i>(163m<sup>2</sup> ÷ 100 x 4 = 6.52 bays)</i> Flats (1 bedroom): 1.5 bays per unit <i>(4 units x 1.5 bays = 6 bays)</i> Flats (2 bedrooms): 2 bays per unit <i>(2 units x 2 bays = 4 bays)</i> Total Required: 16.52 Bays	18 parking bays provided on-site

From the table above it is evident that the proposal is in line with the development parameters of the Business Zone 3 zoning.

**1.4. 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:

- Densification and affordable accommodation are the application's core principles, as they will promote cohesion and integration between economic and residential activities. Also, the application site is currently



vacant and serves no purpose in its current state. The proposal will, therefore, add value to the application site and the surrounding area.

- 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.
- Emphasis is placed on infill development instead of utilising land on the periphery of the urban edge.
- 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 contains no 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.

### 1.5. 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.

#### Infrastructure Optimisation:

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)  
 Land Use: Vacant  
 Location: Main Road, Kleinmond, Western Cape  
 Surrounding Area: The surrounding area consists of a mixture of land uses ranging from economic activities to residential land uses.

### 2.2. Ownership:

Below are the details of the subject title deed.

<b>Property Description</b>	Erf 6987, in the Overstrand Municipality, Division Caledon, Western Cape
<b>Ownership</b>	Wadefields Electrical Western Cape (Pty) Ltd (Registration Number: 2016/337168/07)
<b>Extent</b>	1035m <sup>2</sup>
<b>Title Deed Number</b>	T9026/23

### 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 unit will have to be connected to the water provision service of Overstrand Municipality.
<b>Sewerage</b>	The proposed unit will connect to this service, which Overstrand Municipality owns and manages for all sewerage purposes.
<b>Refuse Removal</b>	Refuse will be collected in black bags/bins, stored in the allocated refuse area, and subsequently removed from the application site by the Municipality of Overstrand.
<b>Electricity</b>	An electrical connection is available; however, it is deemed to be upgraded to support the proposal.
<b>Stormwater</b>	All stormwater and run-off will be channelled into the existing stormwater reticulation system of Overstrand Municipality.
<b>Access</b>	Access will be from Main Road and Sixth Avenue, respectively, through adequately scaled carriageways conforming to the standards of Overstrand Municipality.



### 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 strategies, as mentioned earlier, 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 18. The Growth Management Strategy states the following: *“high, density site development is proposed for 2 storey gallery access type of housing”*. This suggests that the area is earmarked for developments such as the proposal. The Strategy further states the following: *“The assumed developable area for densification is approximately 20%. This proposal will contribute to a density increase from 4.7 to 15.9 dwelling units per hectare, which represents potentially approximately 200 additional dwelling units”*.

We have calculated the existing density which is deemed to be around 12.08 dwelling units per hectare. Should the proposal be approved it is deemed that the density will then be at approximately 12.53 dwelling units per hectare. This is still less than the anticipated 15.9 dwelling units per hectare as proposed by the Growth Management Strategy. Please refer to the attached Appendix 1.

The proposal is deemed to be 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.

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:

<b>Planning Principle</b>	<b>Applicability to the Application</b>
<b>Spatial Justice</b>	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.
<b>Spatial Sustainability</b>	The proposal is not deemed to negatively impact valuable agricultural land or harm 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.
<b>Efficiency</b>	The proposed development will optimally harness the subject property's sustainable potential through the proposed rezoning and densification without detracting from the surrounding area.
<b>Spatial Resilience</b>	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.
<b>Good Administration</b>	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:

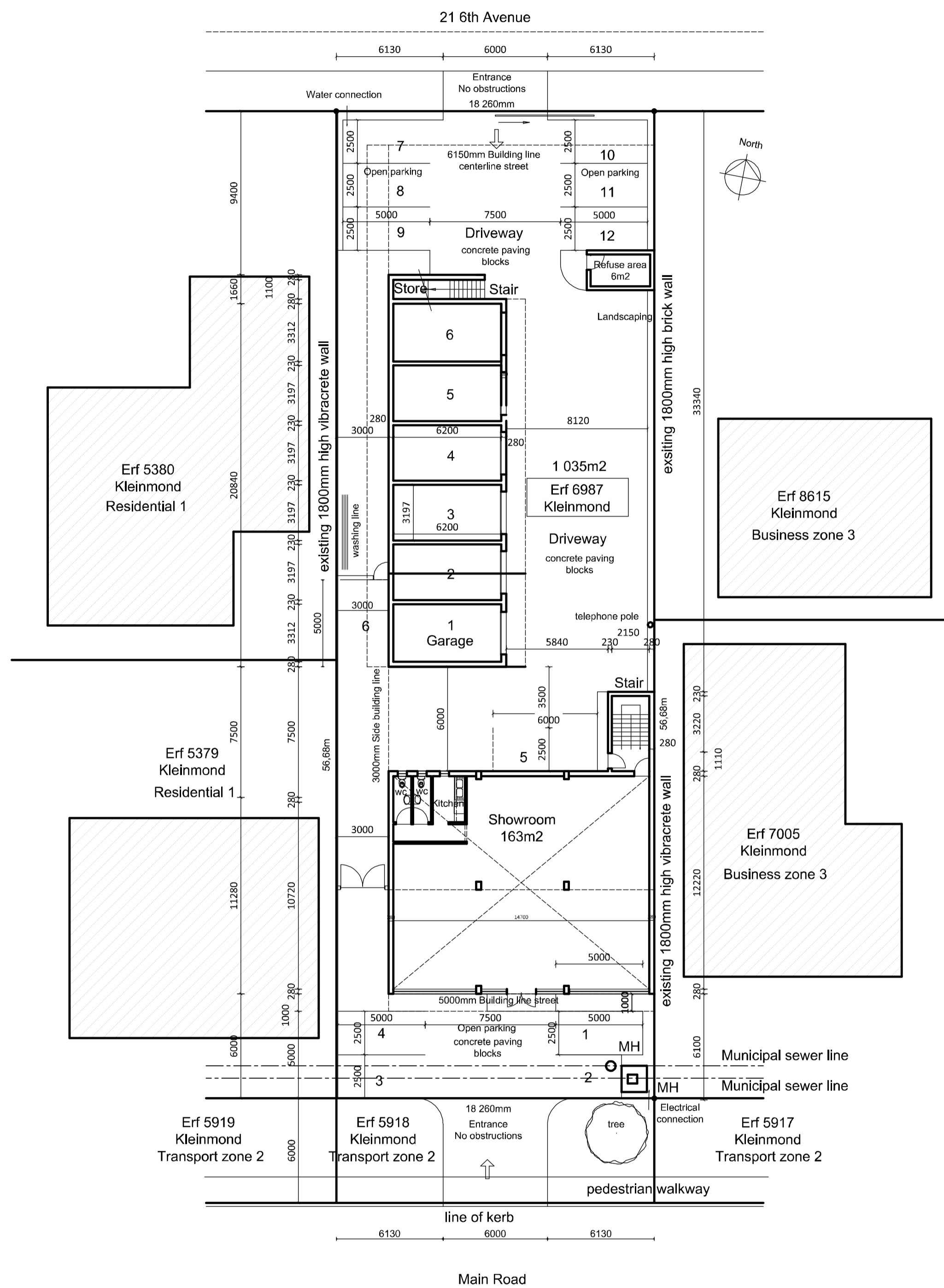
- *Section 16 (2) (a) – Rezoning of Land*
  - *Rezoning from Single Residential Zone 1 (SR1) to Local Business: Business Zone 3 (B3).*
- *Section 16 (2) (f) – Amendment, suspension, or deletion of restrictive condition in respect of a land unit*
  - *Removal of restrictive title deed Conditions C. 2 and C. 3.*

##### **Reasons for Approval:**

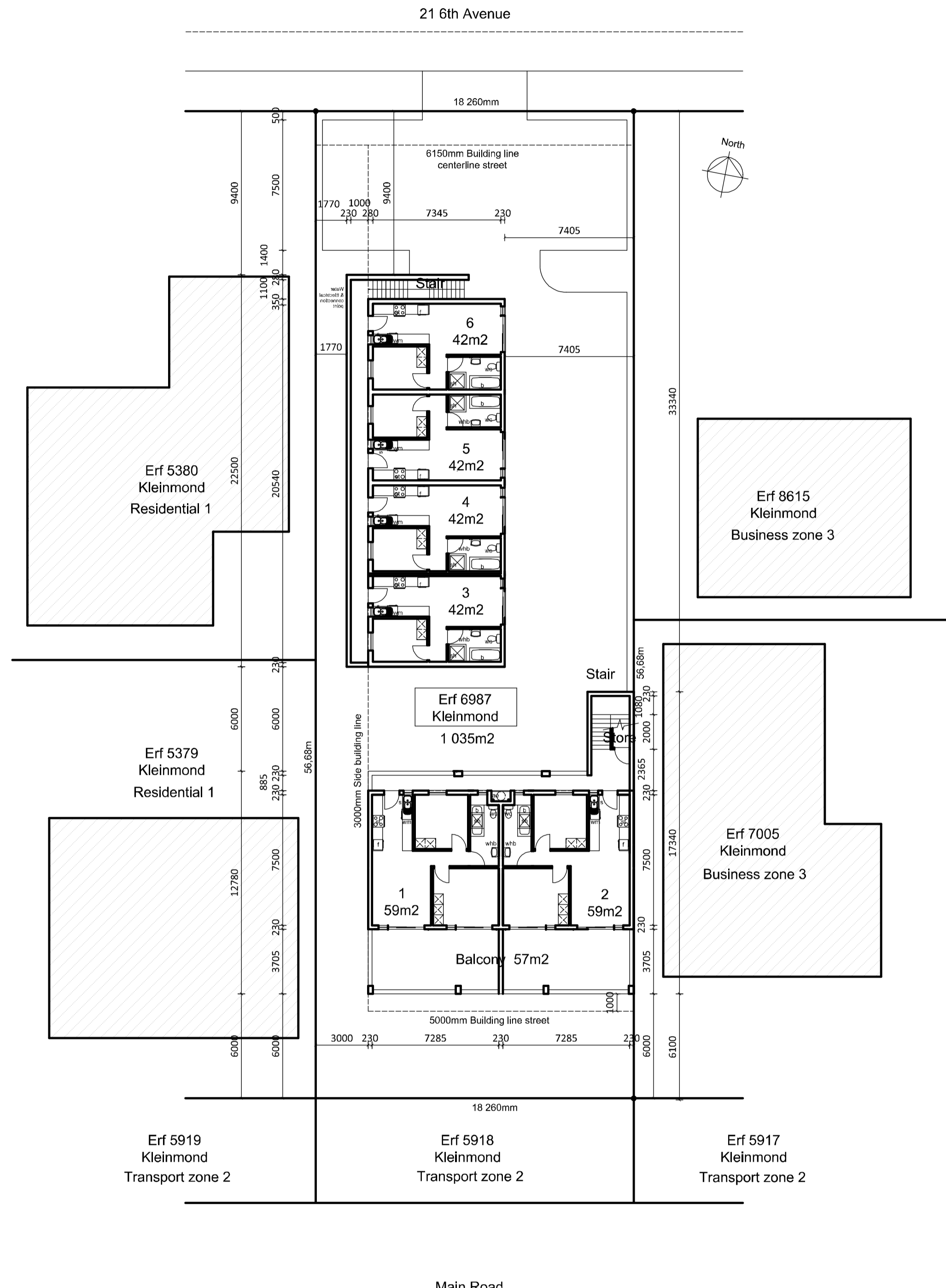
- Densification and affordable accommodation are the application's core principles, as they will promote cohesion and integration between economic and residential activities. Also, the application site is currently vacant and serves no purpose in its current state. The proposal will, therefore, add value to the application site and the surrounding area.
- 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.
- Emphasis is placed on infill development instead of utilising land on the periphery of the urban edge.
- 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 contains no 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.
- The proposal is not deemed to impact negatively on the surrounding area's character as it is within a mixed land use area, consisting of both business and residential land uses.

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





Erf 6987 Kleinmond  
Ground floor 1:200



Erf 6987 Kleinmond  
First floor 1:200

ERF 6987 Kleinmond

Schedule of areas

Ground floor  
 Showroom 195m<sup>2</sup>  
 Garages 143m<sup>2</sup>  
 Store 10m<sup>2</sup>  
 Stairs 12m<sup>2</sup>

First floor  
 Living units 285m<sup>2</sup>  
 Walkways and stairs 64m<sup>2</sup>  
 Balcony 57m<sup>2</sup>

Coverage  
 406m<sup>2</sup> / 1 035m<sup>2</sup> = 39%

Floor space  
 Showroom 163m<sup>2</sup>  
 Garages 143m<sup>2</sup>  
 Units 332m<sup>2</sup>  
 Balcony 57m<sup>2</sup>  
 Total 697m<sup>2</sup>

Floor factor 697m<sup>2</sup> / 1035m<sup>2</sup> = 0.67

Parking

Shops 4 / 100m<sup>2</sup>  
 163m<sup>2</sup> / 100 X 4 = 7 parkings  
 8 parkings supplied

Units  
 Single bedrooms 1,5 per unit  
 4 x 1,5 = 6 parkings  
 Double bedrooms 2 per unit  
 2 X 2 = 4 parkings

Total required  
 10 parkings  
 Supplied  
 10 parkings  
 6 covered and 4 open parkings

Grand total required 17  
 Grant total supplied 18

Building height required 8m  
 Actual building height 6,5m

*[Signature]*  
 FOR CONSTRUCTION

G. SCHOORRAAD SACAP 5846

AMENDMENTS WYSIGINGS

NO.	DESCRIPTION	ISSUING	REVISIONS	DATE



SCHOORRAAD ARCHITECTS  
 12 23rd Avenue Kleinmond 7129  
 Tel 028 512 3618 Fax 028 512 3612  
 g@saarch.co.za  
 Copyright reserved on content, topography and style

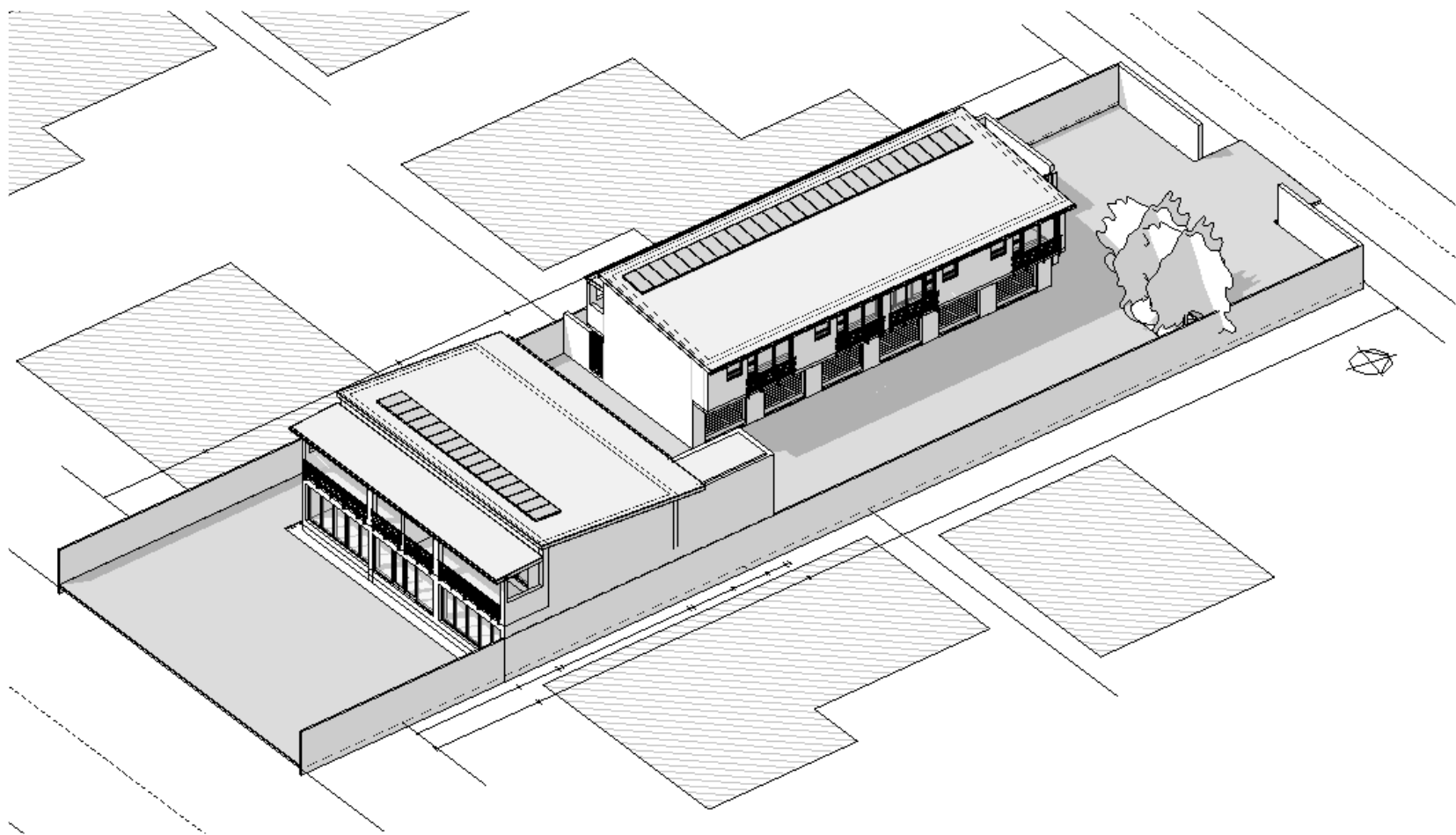
CURTILDER  
 Wadfield Electrical  
 Western Cape (PTY) Ltd

PROJECT/NOSE

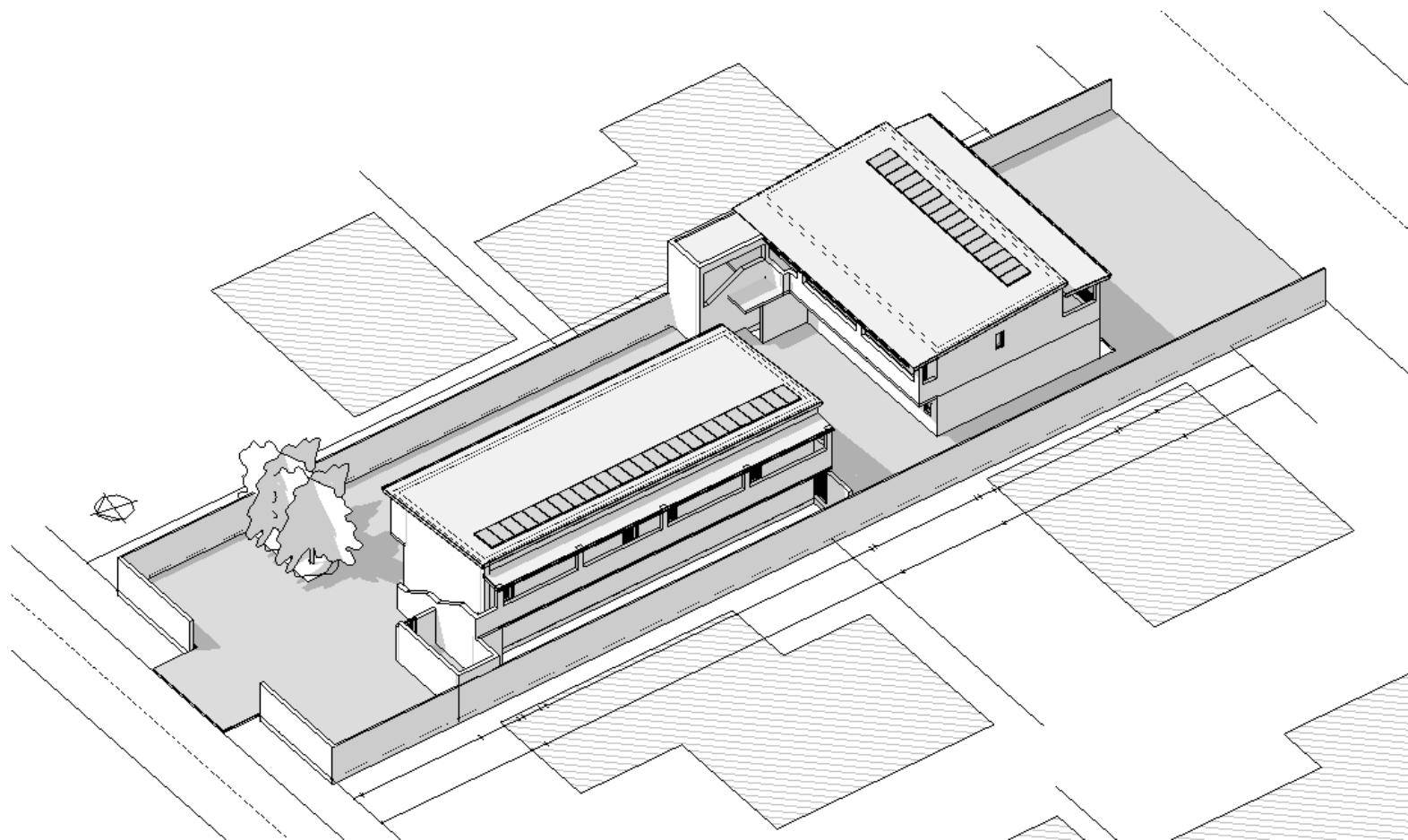
New flats and business premises  
 on Erf 6987 Kleinmond

DRAWING			
DATE	DRAWN	SCALE	ISSUED
6 Nov 2024	G.S.	AS SHOWN	06/11/2024
PROJECT NO.	DRAWING NO.		
2024-280	SD100.01		

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Erf 6987 Kleinmond



Erf 6987 Kleinmond



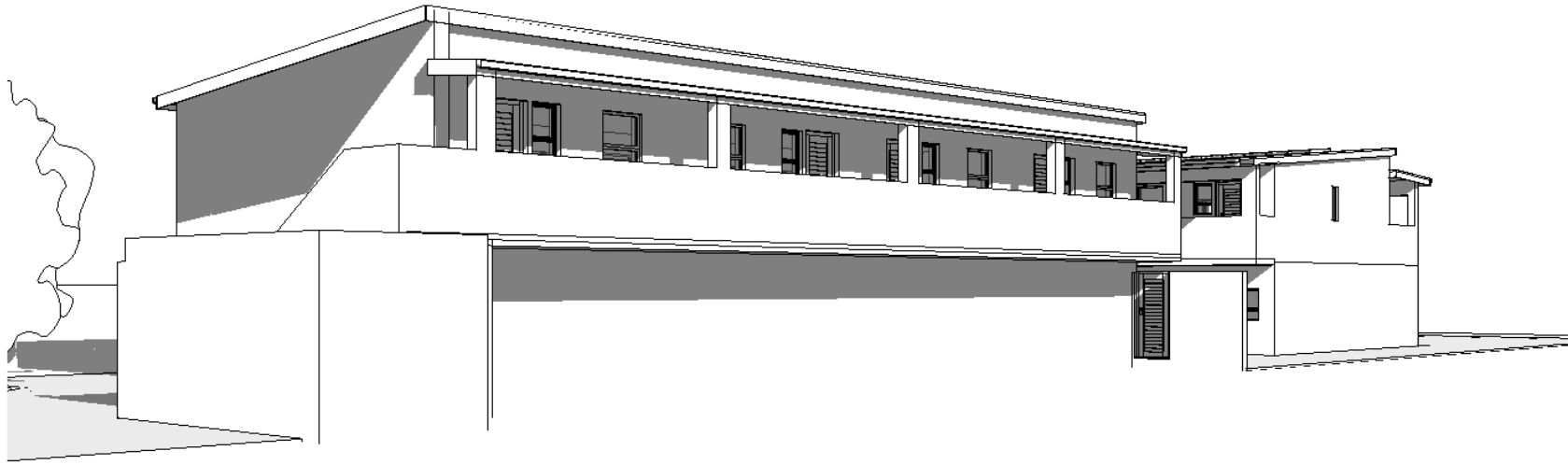
Northeast view

Erf 6987 Kleinmond



Southwest view

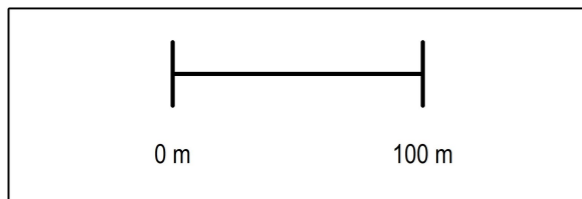
Erf 6987 Kleinmond



Northwest View

Erf 6987 Kleinmond

KLEINMOND PLANNING AREA 18  
 DENSITY CALCULATIONS FOR ERF 6987 PROPOSAL



Density Calculations	
Planning Area 18:	13,1645312ha
Number of Erven:	122
Number of Current Housing Units:	159
Number of Housing Units included:	165
Current Density:	12.08u/ha
Proposed Density:	12.53u/ha

