



**OVERSTRAND MUNISIPALITEIT
ERWE 4634, 4636, 5464 EN 5467,
KLEINMOND: AANSOEK OM BEPALING
VAN SONERING EN
VERGUNNINGSGEBRUIK:
OVERSTRAND MUNISIPALITEIT**

**OVERSTRAND MUNICIPALITY
ERVEN 4634, 4636, 5464 AND 5467,
KLEINMOND: APPLICATION FOR
DETERMINATION OF ZONING AND
CONSENT USE: OVERSTRAND
MUNICIPALITY**

**UMASIPALA WASE-OVERSTRAND
IZIZA 4634, 4636, 5464
KUNYE NESIZA 5467, I-KLEINMOND:
ISICELO SOKUMISELWA KOMDA
NOKUSETYENZISWA NGEMVUME:
UMASIPALA WASE-OVERSTRAND**

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 word hiermee kennis gegee van die onderstaande aansoeke van toepassing op Erwe 4634, 4636, 5464 en 5467, Kleinmond naamlik:

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of the application mentioned below applicable to Erven 4634, 4636, 5464 and 5467, Kleinmond namely:

Kukhutshwe isaziso esimayela nemiba yeSolotyama-47 nelama-48 sikaMasipala WaseOverstrand esingokuHlonyelwa koMthethwana kaMasipala Ngezcwangciso Zokusetyenziswa koMhlaba ku2020 kwesicelo sikhankanywe apha ngezantsi esisebenza kwiZiza 4634, 4636, 5464 and 5467, e-Kleinmond oko kukuthi:

Bepaling van Sonering

Aansoek ingevolge Artikel 16(2)(m) van die Verordening om die sonering van Erwe 4634, 4636, 5464 en 5467, Kleinmond te bepaal van Spesiale Sone na Openbare Oopruimte.

Determination of Zoning

Application in terms of Section 16(2)(m) of the By-Law for the determination of zoning on Erven 4634, 4636, 5464 and 5467, Kleinmond from Special Zone to Public Open Space.

Umiselo lokucanda ngokutsha

Isicelo esimayela nemiba yeSolotyale16(2)(m) loMthethwana ukumiselwa kocando lweZiza 4634, 4636, 5464 kunye no-5467, eKleinmond ukusuka kuMmandla oKhethekileyo ukuya kwiNdawo eVulekileyo yoLuntu.

Vergunningsgebruik

Aansoek ingevolge Artikel 16(2)(o) van die Verordening vir 'n Vergunningsgebruik om 'n informele mark te akkommodeer.

Consent Use

Application in terms of Section 16(2)(o) of the By-Law for a consent use to accommodate an informal market.

Imvume yokusebenzisa

Isicelo ngokwemigaqo yeCandelo 16(2)(o) loMthetho kaMasipala yesicelo semvume yokwakha imarke engekho mthethweni.

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

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus and the Kleinmond Library, Fifth Avenue, Kleinmond.

linkcukacha ngesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi ye-08:00 neye-16:30 kwiSebe: Zicwangiso ngeDolophu kwa-16 Paterson Street, Hermanus kunye neThala leeNcwadi laseKleinmond, eFifth Avenue, eKleinmond.

Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening aan die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **28 Januarie 2022**, stipuleer u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Ms. 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.

Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **28 January 2022**, quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Senior Town Planner, Ms. H. van der Stoep** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSolotyama-51 nelama-52 Omthethwana ochazwe ngentla kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi **komhla wama 28 January ka2022**, uchaze igama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mcwangcisi Omkhulu weDolophu, Ms. H. van der Stoep** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezcwangciso apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 169/2021

Municipal Notice No. 169/2021

UMphathi kaMasipala, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Inothi kaMasipala Nomb. 169/2021

MOTIVATIONAL MEMORANDUM

Introduction:

An application is made in terms of Section 16(m) of the Amended By-Law on Municipal land Use Planning, 2020 for the determination of zoning on Erven 5467, 5464, 4634 and 4636, Kleinmond.

The consent use for an informal market will contribute to the area's functionality and community-based activities.

Locality:

Erven 5467 and 5464 is located adjacent the Main Road, also known as the R44 in Kleinmond. Erven 4634 and 4636 is located south of erf 5467 and west of Lagune Street.

Zoning:

All the above erven are zoned "Special" with erf 5464 that has a split zoning of 'Open Space Zone 2" and "Special".

Land Uses:

Erf 5467: The tennis courts and Juskei courts are located on the erf. The Municipal Offices of Traffic and Law Enforcement and public ablution facilities are located south of the R44 on the erf.

Erf 5464: The activities on the property is a day camp, residential units, and gym equipment. The residential units are a non-conforming use established in 1985, residents leasing the units from the Municipality.

Erven 4634 and 4636: The erven are used as public parking to access the lagoon area.

Services:

The erven make use of municipal services.

Title Deed Restrictions:

There are no restrictive conditions to the determination of the zoning and the proposed consent use.

Planning Principles:

Spatial Justice: The principles will be addressed by the opening up of the erven for community use.

Spatial Sustainability: The two of the erven is per title deed conditions to use for the public and will not impede on any natural resources since it is protected by the Land Use Scheme and Overlays.

Efficiency: Municipal Services are available in the erven and or in close proximity.

Spatial Resilience: The built from complies and are subject to the National Building Regulations, which take into account climate change.

Good Administration: The administrative process with regard to public participation will be followed as determined by the Municipality and applicable legislation.

Desirability:

Erf 5464, a portion of 5467 (south of the R44) and erven 4634 and 4636 are zoned Special, which is not consistent with the Overstrand land Use Scheme.

A Special Zone is allocated to an erf if there is no other zoning that can cater for the use on a specific erf. It is also mandatory that a Special Zone is accompanied by a site plan and development parameters. In the case of the erven, this aspect has not been addressed.

The proposed Open Space Zone 2: Public Open Space does make provision for the uses presently on the erven. Public Open Space is defined as: "means land, which is in public ownership, used primarily for outdoor sports, play, rest areas a park area or nature area, and associated buildings and infrastructure."

In the case of the erven, the land uses on the properties falls within the definition and complies with the Title Deed conditions applicable.

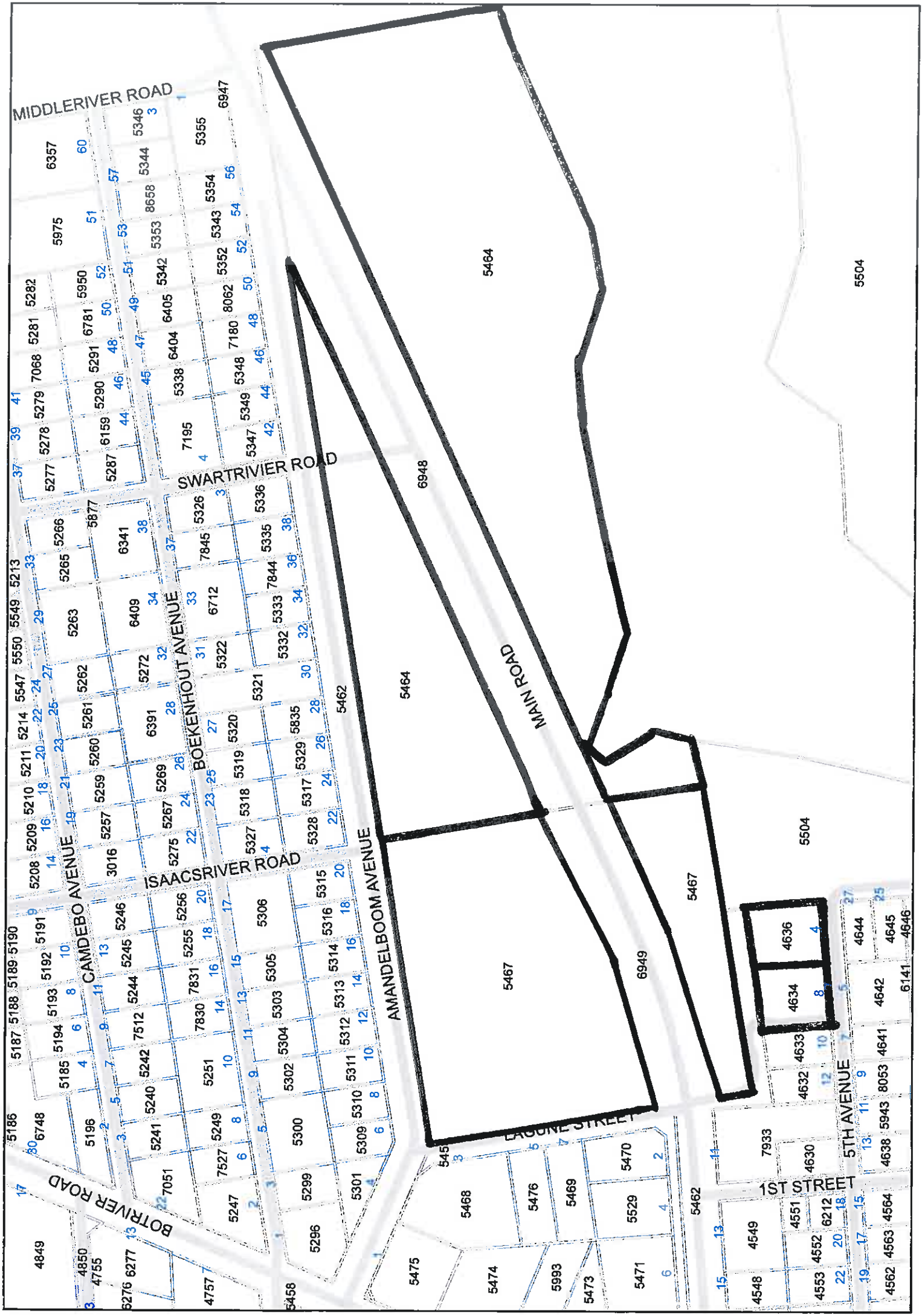
The existing residential component is being dealt with as a non-conforming use that has been established since 1985 and to ensure the use being used in future for associated facilities such as tourist accommodation. This will limit a subdivision, rezoning and removal of restrictive condition and or split zoning with a wider spectrum of development parameters. The non-conforming use will be better coincided with the present activities and link with the caravan park and day camp on the erf.

The application for a consent use on erf 4567, south of the R44 at the day camp for an informal market will further strengthen the property as a community asset.

The erven are one of the focal points in the Kleinmond CBD framework plan being drafted at present and this determination will ensure alignment with the Framework.

Conclusion:

The determination of the above erven to Open Space Zone 2: Public Open Space to create a uniform zoning for the natural assets of the area surrounding the Lagoon.



MIDDLERIVER ROAD

SWARTRIVIER ROAD

MAIN ROAD

ISAACSRIVIER ROAD

AMANDELBOOM AVENUE

BOTRIVER ROAD

LAGOON STREET

1ST STREET

5TH AVENUE

5186 5187 5188 5189 5190

5208 5209 5210 5211 5214 5547 5550 5549 5213

5185 5194 5193 5192 5191

5196 5240 5242 7512 5244 5245 5246

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