



ERF 4315, 62th AVENUE, KLEINMOND: APPLICATION FOR SUBDIVISION: FUTURE PLAN TOWN & REGIONAL PLANNERS ON BEHALF OF JF MARAIS

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for a **subdivision** in terms of Section 16(2)(d) of the By-Law of Erf 4315, Kleinmond into two (2) portions namely, a Portion A of approximately 595m² in extent and a Remainder of approximately 595m² in extent.

Full detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Division: Town and Spatial Planning at 16 Paterson Street, Hermanus, at the Kleinmond Library, 5th Avenue, Kleinmond and on the municipal webpage at the following link <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) on or before **11 September 2026**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mrs. H. van der Stoep** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Division: Town and Spatial Planning where a municipal official will assist them in order to formalize their comment.

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed / used in the (application) process.

ERF 4315, 4^{de} Laan 62, KLEINMOND: AANSOEK OM ONDERVERDELING: FUTURE PLAN STADS- EN STREEK BEPLANNERS NAMENS JF MARAIS

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is vir 'n **onderverdeling** ingevolge Artikel 16(2)(d) van die Verordening van Erf 4315, Kleinmond in twee (2) gedeeltes, naamlik 'n Gedeelte A van ongeveer 595m² in grootte en 'n Restant van ongeveer 595m² in grootte.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Afdeling: Stads- en Streekbeplanning, Hermanus, by die Kleinmond Biblioteek, 5^{de} Laan, Kleinmond en op die munisipale webtuiste by die volgende skakel <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (e) landuse@overstrand.gov.za) voor of op **11 September 2026**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Me. H. van der Stoep** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Afdeling: Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

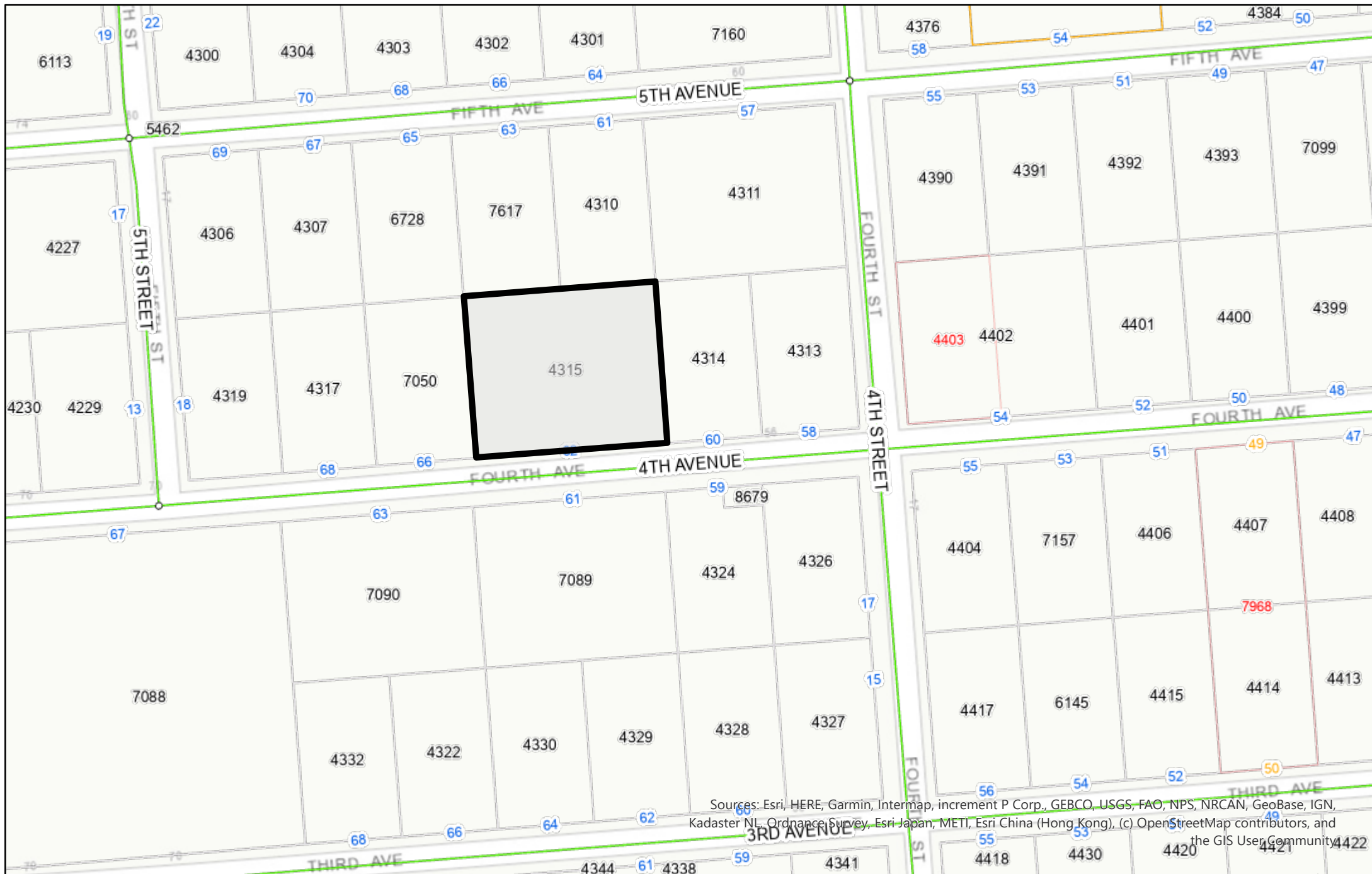
U aandag word gevestig op die Bepalinge van die "POPI" Wet, en aangesien u opmerking deel sal uitmaak van 'n openbare deelname proses, u derhalwe toestem dat u naam, van en kontakbesonderhede openbaar gemaak mag word.

I-ERF 4315, 62 4th I-AVENUE , KLEINMOND: ISICELO SOKUHLANGANYELA: ABACWANGCISI BEZICWANGCISO ZEXESHA ELIZAYO NABACWANGCISI BESITHILI EGAMENI LIKA-JF MARAIS

Isaziso sinikezelwa ngokweCandelo 48 loMthetho woLungiso lweDolophu kaMasipala wase-Overstrand malunga noCwangciso loSetyenziso loMhlaba kaMasipala, ka-2020 sokuba isicelo sokwahlulwahlulwa komhlaba **sifunyenwe** ngokweCandelo 16(2)(d) loMthetho kaMasipala weSiza 4315, iKleinmond yahlulwe yaba ngamacandelo amabini (2) aquka, iCandelo A elimalunga ne-595m² ubukhulu kunye neCandelo Intsalela yobukhulu obumalunga ne-595m².

Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evelini ukusukela phakathi kwentsimbi ye-08:00 neye-16:30 kwiCandelo: LeziCwangciso zeDolophu NoBume, 16 Paterson Street, Hermanus, eKleinmond Library, Fifth Avenue, Kleinmond nakwiwebhpheyiji kamasipala kweli qhakamshela lilandelayo <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Naziphi na izimvo ngesindululo mazingeniswe ngokubhaliweyo ngokwemigaqo yeCandelo lama-51 kunye nelama-52 loMthetho kaMasipala omiselweyo kuMasipala (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngaphambi okanye **wama-11 kweyoMsintsi ka-2026**, ebonisa igama, idilesi neenkcukacha zoqhagamshelwano, umdla kwisicelo kwakunye nezizathu zezimvo. Imibuzo ngomnxeba ingabhekiswa **uNksk. H. van der Stoep** kule nombolo 028-313 8900. UMasipala unokwala ukwamkela izimvo emva komhla wokuvala. Nawuphi na umntu ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe: loCwangciso lweDolophu noMmandla apho aya kuthi ancediswe ligosa likamasipala ukuze anike izimvo zakhe ngokusesikweni.

Nceda uqaphele ukuba le miba imayela NoMthetho Okhusela Ingxalo Ngomntu(POPIA), uza kungena kwinkqubo yokawonkwonke ngolo hlobo ke uvumelana nokunika igama lakho nemvume yokusebenzisa igama lakho, ifani, iinkcukacha ofumaneka kuzo nokuhlomla izimvo eziza kudizwa/eziza kusetyenziswa kwinkqubo (yokufaka isicelo).



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



ERF 4315, KLEINMOND

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

- *Section 16 (2) (d) – Subdivision of land*

Application prepared for:

J F Marais & Overstrand Municipality

Application prepared by:

Future Plan Town and Regional Planners

PO Box 20, Postlink, 21 Third Street

Kleinmond, 7195

Cell: 082 576 0901 | 071 331 9337

E-mail: jan@futureplan.co.za | jaco@futureplan.co.za

Author:

Jaco van Schalkwyk (C/8702/2018)

Principal Planner:

Jan Visagie (A/1080/1999)

Submitted:

5 June 2026

Revision 1:

9 June 2026





CONTENTS

1. THE APPLICATION.....	3
1.1. Background Information	3
1.2. Application Summary.....	3
1.3. Application Site Particulars.....	3
2.1. Ownership Details	3
1.4. Application Particulars	3
1.5. Municipal Services.....	4
1.6. Desirability	4
3. LEGISLATION	6
3.1. Spatial Planning Land Use Management Act (SPLUMA)	6
3.2. Land Use Planning Act (SPLUMA, 2014)	6
3.3. Overstrand Municipality Spatial Development Framework (May 2020)	6
3.4. Overstrand Integrated Development Plan (May 2020)	6
3.5. Overstrand Municipal Growth Management Strategy (2010).....	7
3.6. Overstrand Municipality Amended By-Law on Municipal Land Use Planning (2020)	7
3.7. Environmental Management Overlay Zone (EMOZ)	7
3.8. Heritage Protection Overlay Zone (HPOZ)	7
4. CONCLUSION & RECOMMENDATION.....	8

LIST OF PLANS & ANNEXURES

Plan 1:	Locality Plan
Plan 2:	Subdivision Plan
Plan 3:	Surveyor General Diagram
Annexure A:	Application Form
Annexure B:	Power of Attorney
Annexure C:	Title Deed
Annexure D:	Proof of Payment



1. THE APPLICATION

1.1. Background Information

Future Plan Town and Regional Planners (hereafter referred to as *this office*) was approached by the property owners to assist with the applicable land use management application, as deemed necessary by this office. After consultation between the property owner, which included a preliminary desktop study and procedures to follow, and us, we decided to proceed with the necessary land use application and the subsequent appointment of this office.

1.2. Application Summary

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

- *Section 16 (2) (d) – Subdivision of land*
 - *Subdivision of Erf 4315 into two (2) portions*

1.3. Application Site Particulars

Location	62 Fourth, Kleinmond, 7195 34.341415°S 19.029219°E
Zoning	Single Residential Zone 1
Utilisation	Vacant
Surrounding Area	Residential

2.1. Ownership Details

Property Description	Erf 4315, Kleinmond, Overstrand Municipality, Division Caledon, Western Cape
Ownership	Jacques Francois Marais
Extent	1190m ²
Title Deed Number	T63148/2014

1.4. Application Particulars

Application is hereby made for the subdivision of land into two (2) portions of land. This section is to be read in conjunction with the attached subdivision plan, attached hereto as Plan 2 – Subdivision Plan, for ease of reference:



1.4.1. Subdivision of Land (Section 16 (2) (b))

The proposal entails the subdivision of the application site into two (2) equally sized portions, as follows:

Portion Name	Extent (m ²)
Portion A	±595m ²
Remainder of Erf 4315	±595m ²

The surrounding area consists of Single Residential Zone 1 (SR1) erven with similar extents of this subdivision proposal.

1.5. Municipal Services

Water	The proposed subdivided erf (Portion A) will connect to the municipal water supply network.
Electricity	The proposed erf must be connected to the existing electrical network in the surrounding area.
Sewerage	Both erven (Remainder and Portion A) will require septic tanks. The position of each will be indicated upon submission of the building plans, subject to the approval of this land use application.
Refuse	Refuse is to be collected and disposed of by the Overstrand Municipality.
Stormwater	All stormwater will be accommodated on the application site and disposed of within the existing Overstrand Municipal stormwater network.
Roads / Access	Portion A - Access is to be from Fourth Avenue Remainder – Fourth Avenue Avenue as is currently the case

1.6. Desirability

To support an informed decision by the Authorised Official, it is crucial to address the application's need and desirability. Desirability is assessed 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. The measures of the desirability of the application are as follows:

- The layout has been done in a manner to optimise the maximum extent of the application site without a negative impact on the existing property layout.
- No change in zoning is proposed.
- The proposed subdivision conforms to the surrounding area in terms of land use and property extent



- The proposal is aligned with all other relevant spatial planning within the area from a local and provincial perspective.

1.6.1. Additional Desirability Considerations:

- **Economic Impact**

Increases in the property's market value broaden the municipal rates base and may stimulate minor construction activity, thereby supporting local contractors and suppliers. Such incremental densification strengthens the viability of existing infrastructure and services without requiring significant new public investment.

- **Social Impact**

By enabling an additional residential opportunity within the existing urban fabric, the proposal supports incremental densification, promotes more efficient use of serviced land, and contributes to improved housing choice and accessibility. This can assist in accommodating extended families or new residents without expanding into environmentally sensitive or peripheral areas

- **Infill Development/densification**

Kleinmond has limited developable land. The application site is deemed suitable for residential development and densification, such as this land use proposal. It is further argued that developing this application site is preferable to acquiring additional land for residential development outside Kleinmond's urban edge/developable areas.

- **Compatibility with Surrounding Land Uses**

As stated above, the proposal aligns with the area's residential character by conforming to the zoning and extent of the surrounding erven.



3. LEGISLATION

3.1. Spatial Planning Land Use Management Act (SPLUMA)

The proposed development aligns with the planning principles set out in (SPLUMA). The principles of spatial justice, spatial sustainability, efficiency, spatial resilience, and sound administration will not be adversely affected by the proposal, as the application site lies within the urban edge of Kleinmond.

3.2. Land Use Planning Act (SPLUMA, 2014)

The proposed subdivision will enable more efficient utilisation of well-located urban land within the existing development footprint of Kleinmond, support incremental densification in line with municipal spatial planning policies, and optimise existing engineering services without compromising the character or environmental integrity of the surrounding area. The proposal, therefore, represents orderly and sustainable development as envisaged in LUPA and aligns with the Act's objective of facilitating integrated and responsible land use management.

3.3. Overstrand Municipality Spatial Development Framework (May 2020)

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000), provides general direction to guide decision-making on an ongoing basis, to create integrated, sustainable, and habitable regions, cities, towns, and residential areas.

The proposal is not deemed to be in contravention of the Overstrand SDF, as it does not conflict with the SDF's statutory requirements. Additionally, the application site is located in an urban development area within the urban edge of Kleinmond. The proposal is therefore not in contravention of the SDF.

3.4. Overstrand Integrated Development Plan (May 2020)

The Overstrand Municipality Integrated Development Plan (IDP) aims to address our communities' development needs through clearly defined strategic objectives and performance indicators.

The IDP is crucial to consider in any planning-related application. This office believes that the proposal promotes social development and creates a safe and healthy environment, not only for the property owner but also for the surrounding residents of the area. The proposal is not deemed inconsistent with the above.

3.5. Overstrand Municipal Growth Management Strategy (2010)

According to the Overstrand Municipal Growth Management Strategy, the application site is within Planning Unit 19. The Strategy promotes incremental densification of residential erven. We believe that this proposal is suitable in terms of incremental densification and in line with the extent of erven within the immediate vicinity of the application site. The proposal is not deemed to contravene the principles and objectives of the Growth Management Strategy.

3.6. 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 a deviation from the requirements described above; however, it is substantially in line with the current state of affairs. The approval of the subject application site will not conflict with the OMLUS, nor will it create an undesirable precedent for the surrounding area.

3.7. Environmental Management Overlay Zone (EMOZ)

The application site is not within an EMOZ demarcated area and will thus not have any negative impact on any EMOZ regulations and their subcategories.

3.8. Heritage Protection Overlay Zone (HPOZ)

The application site is not within an HPOZ demarcated area and will thus not have any negative impact on any HPOZ regulations and their subcategories.

4. CONCLUSION & RECOMMENDATION

The motivation report provides a clear and comprehensive analysis of the land-use proposal. It has been shown that the application is desirable and will not adversely impact the existing landscape. The proposal has also been shown to be well aligned with the spatial planning initiatives.

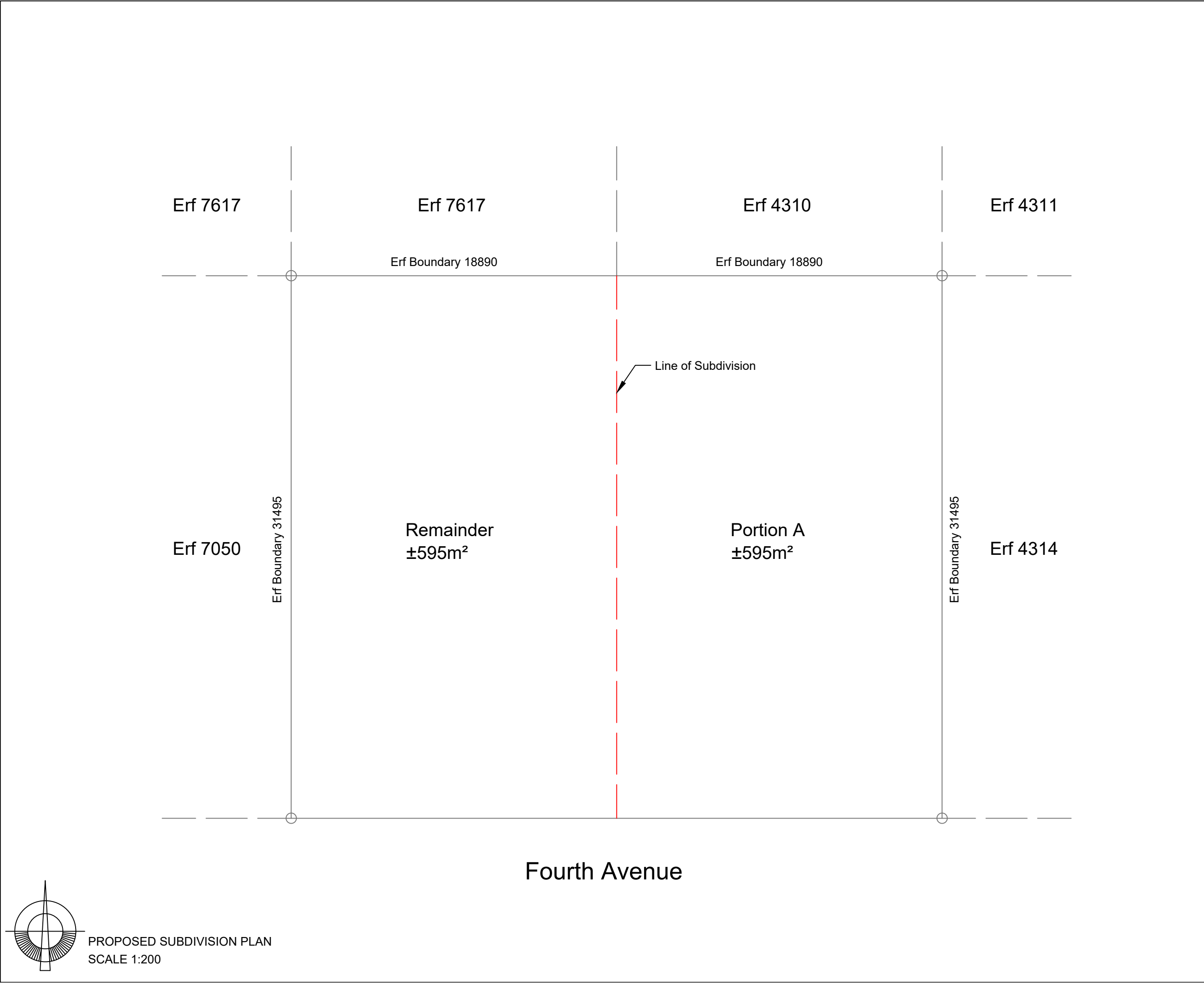
The following factors should also be taken into consideration when evaluating the feasibility of the proposed application:

- **Economic Impact**
Increases in the property's market value broaden the municipal rates base and may stimulate minor construction activity, thereby supporting local contractors and suppliers. Such incremental densification strengthens the viability of existing infrastructure and services without requiring significant new public investment.
- **Social Impact**
By enabling an additional residential opportunity within the existing urban fabric, the proposal supports incremental densification, promotes more efficient use of serviced land, and contributes to improved housing choice and accessibility. This can assist in accommodating extended families or new residents without expanding into environmentally sensitive or peripheral areas
- **Infill Development/densification**
Kleinmond has limited developable land. The application site is deemed suitable for residential development and densification, such as this land use proposal. It is further argued that developing this application site is preferable to acquiring additional land for residential development outside Kleinmond's urban edge/developable areas.
- **Compatibility with Surrounding Land Uses**
As stated above, the proposal aligns with the area's residential character by conforming to the zoning and extent of the surrounding erven.

Considering the above, it is hereby requested that the application for:

- *Section 16 (2) (d) – Subdivision of land*
 - *Subdivision of Erf 4315 into two (2) portions*

be approved under the OMLUS.



GENERAL NOTES			
ALL DIMENSIONS AND COORDINATES MUST BE CORRELATED BY A PROFESSIONAL AND REGISTERED LAND SURVEYOR.			
ANY DIFFERENCES MUST BE BROUGHT TO THE ATTENTION OF THE DRAUGHTSMAN IMMEDIATELY.			
COPYRIGHT IS RESERVED ON ALL DRAWINGS AND MAPS.			
 FUTURE PLAN TOWN AND REGIONAL PLANNING			
CLIENT			
J F MARAIS			
PROJECT			
ERF 4315, KLEINMOND			
DRAWING			
SUBDIVISION PLAN			
DATE	DRAWN BY	SCALE	ISSUED
09.06.2026	JVS	AS SHOWN	04.06.2026
PROJECT NO.		DRAWING NO.	
SUB 0003.2026		0003.04062026_REV 1	