

TP- A Theort
ANNEXURE D 115
C H vld Stoep

J J AND SC DE VRIES

P O BOX 23756

CLAREMONT

7735



CELL : J DE VRIES 083 2271 909

TEL : S DE VRIES OFFICE HOURS: 021 448 9181

2ND JUNE 2015

H van der Stoep

Overstrand Town Planning

Hermanus

C: kleinmond development erf 4740

Emailed:loretta@overstrand.gov.za

REF :4740kkm(2876)

Dear Sir/Madam

We refer to your registered letter dated 15th May which we received on 26th May 2015.

As the registered owners of erf 4728, we object to the high density of the proposed development. Similar size erf's in the vicinity have 7 dwellings which would be more acceptable but subject to consultation with ourselves as an immediate neighbour. In addition there is no mention of any dividing wall that would separate us from the development.

We would have welcomed some degree of consultation from the neighbours regarding the proposed development.

James Saker
Many thanks

James and Sally de Vries

FILE NO:	EL 4740kkm
SCAN NO:	24
COLLABORATOR NO:	788455

TP

- 2 JUN 2015

3 JUN 2015

⌘ BABETTE BARNARD ⌘

Psychometrist Independent PMT0042046
Life Coach

76 Joubert Road, Green Point, 8005
psytech@compueasy.net

Tel: 083-2996262
Fax: 086-6004130



Mrs H vd Stoep
Overstrand Municipality
Kleinmond

19 June 2015

TP- A Theart
(H vld Stoep)

To whom it may concern

OBJECTION: DEVELOPMENT PROPOSAL FOR ERF 4740, 22 THIRTEENTH AVE,
KLEINMOND

I am the owner of no 18 Thirteenth Avenue, Kleinmond; ERF 4739.

Please take this email as my objection to the proposed development at erf 4740, 22 Thirteenth Avenue, Kleinmond.

I have only today heard of it (I have not yet received the notice). I am concerned about the impact a 9 unit complex will have on the ambiance of the neighbourhood (environmental, infrastructure, traffic and noise). I have attached a letter that portrays and itemizes my concerns.

With thanks and kind regards,

Barnard.

Babette Barnard

FILE NO:	EL 4740-Km
SCAN NO:	26
COLLABORATOR NO:	792859

Die Munisipale bestuurder: Vir Aandag: me H. van der Stoep.

Munisipale Kantore

Overstrand Munisipaliteit

Hermanus.

7200

ERF 4740, DERTIENDE LAAN 22, KLEINMOND: OVERSTRAND MUNISIPALE AREA: VOORGESTELDE
HERSONERING NA ALGEMENE WOONSONE 1, ONDERVERDELING EN AFWYKING: DAVID HELLIG &
ABRAHAMSE (NAMENS JHS MANS)

Die ondergetekendes maak beswaar teen die beoogde ontwikkeling gegrond op die volgende argumente.

1. Karakter van die omgewing.

Die volgende sin kom voor in paragraaf 2.4 van die motivering van die aansoek: *"Since the subject property forms part of the existing urban fabric and built environment the utilisation of the property for smaller residential purposes will be in line with the existing character of the area and what is already present in the area."* Dit is wel waar dat daar reeds hoë digtheid komplekse in die omgewing is, maar die feit dat daar steeds groot relatief onontwikkelde erwe bestaan, skep 'n landelike karakter en maak die bestaan van die huidige hoë digtheid eenhede "draagliker". Die inwoners van hierdie area is gewoon aan relatief lae verkeer, heelwat ruimte op bestaande erwe, fynbos wat die gevoel van oopte gee en min mure wat 'n mens ingeperk laat voel. Die ontwikkeling van NOG 'n hoë digtheid kompleks gaan beslis die huidige karakter van die omgewing verbeter nie, die teendeel is eerder waar.

2. Ekonomiese uitvoerbaarheid.

Persone wat nie insae het in die uitvoerbaarheid studies wat ten opsigte van hierdie projek gedoen is nie, kan moeilik die ware ekonomiese lewensvatbaarheid van die projek beoordeel. Daar kan tog na huidige en vroeëre tendense gekyk en afleidings gemaak word. Die volgende aspekte word oorweeg wanneer hierdie aspek bespreek word:

2.1. Daar is tans 'n geweldige aanbod van huise wat te koop is in Kleinmond. Hoewel mense geneig is om te vergroot, word syfers van tot 600 huise genoem.

2.2. Daar is ook tans 4 soortgelyke ontwikkelings wat baie min aftrek kry. Een van hulle is net om die draai in 15e Laan. Die ander is tussen 11e Laan en 10e Laan, tussen 13e en 9e Strate, tussen 10e en 9e Lane, tussen 9e en 7e Strate en tussen 9e en 7e Lane ook tussen 9e en 7e Strate.

Nou wat is die probleem hiermee? Die betrokke erf word aanvanklik heeltemal skoon gemaak, dit beteken stofstorms as die Noordwes of die Suidoos winde begin waai. Wanneer ontwikkeling nie na wense vorder nie, begin indringer plante groei en dit is nie lank nie dan skep die bosse uitstekende wegkruipplekke vir allerlei ongewenste elemente (Hou in gedagte dat hierdie persele normaalweg onmiddellik met hoë mure toegebou word). Hierdie kommer is nie ongegrond nie. Kyk maar gerus

hoe lyk sommige van hierdie persele in ons dorp en omgewing. Die betrokke erf is ook toe gegroei, maar nie ommuur nie. Dit maak dit tans minder aantreklik vir kriminele elemente.

3. Strate.

13 Laan is een van die sogenaamde voederstrate in hierdie omgewings (Overstrand Municipality Kleinmond Road and Traffic Engineering Guidelines, Report no C1279-W-001, 3 Augustus 2011.) Dit beteken dat die straat voorsiening moet maak vir verkeer na Botrivierweg. Die betrokke gedeelte van die straat is onlangs reggemaak, maar slegs slaggate is herstel. Die vraag ontstaan hoe die bykomende verkeer en voertuie wat boumateriaal en toerusting moet aflaai verkeer in die straat gaan beïnvloed en die padoppervlakte kan beskadig. Ons is werklik bekommerd oor die impak wat dit op die kwaliteit van lewe van inwoners in hierdie omgewing kan hê. Selfs op die huidige aantal voertuie wat die straat gebruik, sal die toename waarneembaar wees.

4. Stormwater dreinerings.

Gedurende die swaar reëns wat daar al in die verlede geval het, het stormwater in heelwat van die erwe aan die onderkant (Suidekant) van 13e Laan in gestroom. Sou die volle ontwikkeling wel plaasvind, beteken dit dat 'n groot persentasie van wat nou hoog absorberende fynbos veld is nou gaan bestaan uit huise se dakke en geplaveide areas wat geen absorpsie vermoë het nie. Dit beteken baie meer stormwater in die betrokke gedeelte van 13e Laan. Geen ingenieurs verslag is volledig as daar nie ook na die impak van die ontwikkeling op stormwater dreinerings gekyk word nie. In hierdie voorlegging is daar geen verwysing na enige stormwater probleme nie. Ons glo dat daar rede tot kommer is ook in hierdie verband. Dit is ook verder ons mening dat die munisipaliteit nie sulke aansoeke kan goedkeur tensy die nodige dienste, soos voldoende stormwater dreinerings reeds in plek is nie.

5. Riolerings.

Volgens die ingenieursverslag is die bestaande rioolpype wat die area bedien voldoende. Daar is onlangs 'n byvoeging tot die stelsel gemaak. Of dit toeval is, is onduidelik, maar daar was al probleme met verstoppings in die betrokke lyn.

6. Water voorsiening.

Die volgende kommentaar in die ingenieursverslag maak ons bekommerd:

Accommodation of the development in the present system will consequently require upgrading of this pipeline in the near future, to comply with the flow velocity criteria as set out in the master plan.

Die vraag ontstaan welke bydrae die ontwikkelaar van die beoogde kompleks tot hierdie uitgawe gaan maak en hoe dit die lewering van water aan die inwoners in die omgewing gaan raak totdat hierdie bogenoemde opgradering afgehandel is.

Loretta Gillion - URGENT Objection: ERF 4740 development

From: "Psytech Cape" <psytech@compueasy.net>
To: <Loretta@overstrand.gov.za>
Date: 19/06/2015 03:09 PM
Subject: URGENT Objection: ERF 4740 development
Attachments: Letter of Objection ERF 4740 development proposal.pdf; Complex at 22 Thirteenth Avenue - Concerns.pdf

Dear Mrs van der Stoep

I am the owner of no 18 Thirteenth Avenue, Kleinmond (ERF 4239).

Please take this email as my objection to the proposed development at erf 4740, 22 Thirteenth Avenue, Kleinmond.

I have only today heard of it (I have not yet received the notice). I am concerned about the impact a 9 unit complex will have (environmental, infrastructure, traffic and noise). I have attached a letter that portrays and itemises my concerns.

I am contactable on 083-2996262. Please direct further correspondence regarding this matter to me either via email: psytech@compueasy.net or via my postal address: P.O. Box 30, Paarden Eiland, 7420.

With thanks and regards, Babette

BABETTE BARNARD

Psychometrist Independent (PMT0042064)
Life Coach

Psytech (Cape) SA (Pty) Ltd

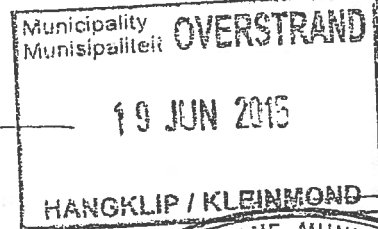
Assessment instruments, consulting and professional development

Consultations: 76 Joubert Road, Green Point, 8005, Cape Town

Tel: (083) 299-6262; fax: (086) 600-4130

psytech@compueasy.net www.psytech.co.za

TP- A Theart
(H Jd Stoep)



Datum: 6 Junie 2015

Die Munisipale bestuurder: Vlr Aandag: me H. van der Stoep.

Munisipale Kantore

Overstrand Munisipaliteit

Hermanus.

7200



ERF 4740, DERTIENDE LAAN 22, KLEINMOND: OVERSTRAND MUNISIPALE AREA: VOORGESTELDE
HERSONERING NA ALGEMENE WOONSONE 1, ONDERVERDELING EN AFWYKNG: DAVID HELLIG &
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FILE NO:	EL 4740-Km
SCAN NO:	
COLLABORATOR NO:	792933 792968

[Handwritten signature]

TP 22 JUN 2015

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Ons ondersteun die bostaande beswaar:

Naam: Paul Werner Bekkers



Adres: Erf 5889 - Veertiende laan Nr 18 Kleinmond

Naam:.....

Adres:.....

Naam:.....

Adres:.....

Naam:.....

Adres:.....

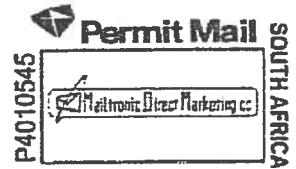
Naam:.....

Adres:.....



VAT / BTW : 4140106396

HERMANUS ADMIN 20, HERMANUS. 7200
 028 313 8000
 028 312 1894
 enquiries@overstrand.gov.za
 HANGKUIP / KLEINMOND ADMIN 028 271 8400
 STANFORD ADMIN 028 341 8500
 GANSBAAI ADMIN 028 384 8300



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PW BEHRENS
PO BOX 535
SAXONWOLD
2132

PW BEHRENS		18 FOURTEENTH AVENUE		KLEINMOND		KLEINMOND			
ACCOUNT NUMBER		MONTHLY ACCOUNT FOR:		TAX INVOICE:		RECEIPTS POSTED TO:		VALUATION:	
311588900010		MAY 2015		5023759		26/5/2015		R1269200	
CLR:	DEP. ELECT:	DEP. WATER:	DEP. OTHER:	ERF:	SUBURB:				
P APPELGREIN	-424	-750	-1423	5889	KKM				
WATER CONSUMPTION GRAPH									
SERVICE	METER No.	PERIOD	PREV READING	CURRENT	USAGE	DAY AVE.			
W	586117	08/04 - 07/05	8019	8019	0	0.000			
PREPAID	07082899720		0	0	0	0.000			
TRANSACTION DETAILS									
DESCRIPTION		CONSUM.	AMOUNT	VAT	AMOUNT (INCL VAT)				
BALANCE CARRIED FORWARD					967.09				
PAYMENTS - THANK YOU					-957.09				
BANK: ADPAY MONTHLY - 20.05.15 (C1) REF/VERW:0000004348					0.00				
SUBTOTAL					0.00				
RATES		1	336.53	0.00	336.53				
WATER	INFRASTR	1	15.45	2.16	17.61				
WATER	BASIC/BASIES	1	102.28	14.32	116.60				
ELECT/ELEK	INFRASTR	1	16.65	2.33	18.98				
ELECT/ELEK	BASIC/BASIES	1	204.56	28.64	233.20				
REFUSE/VULLIS	MONTH/MAAND	1	130.18	18.23	148.41				
SEWER/RIOOL	MONTH/MAAND	1	61.40	8.60	70.00				
SEWER/RIOOL	INFRASTR	1	9.60	1.34	10.94				
SUBTOTAL				75.62	952.27				
TOTAL					952.27				
* Payable by debit order *									
CREDIT	90 DAYS+	90 DAYS	60 DAYS	30 DAYS	CURRENT				
0.00	0.00	0.00	0.00	0.00	952.27				
PAYABLE ON OR BEFORE		20/6/2015		TOTAL AMOUNT DUE		952.27			
MESSAGE / BOODSKAP									
*PLEASE CONSIDER CHANGING THE MANNER IN WHICH YOU RECEIVE YOUR ACCOUNT TO EMAIL BY APPLYING FOR THIS SERVICE					*Newsletter is available on www.overstrand.gov.za				
*Please use your account number as reference and not the invoice number.					*Email address: enquiries@overstrand.gov.za				
BRANCH CODE: 334812 CHEQUE ACCOUNT: 4066578021 Ref: 311588900010		ALLOCATION 0656		ACCOUNT NUMBER 311588900010					
11337 3115 8890 0010		>>>>>>9151 9311 5889 0001 06							

Jan Willem van Staden

From: "Werner Behrens" <WernerB@regent.co.za>
Date: 17 June 2015 10:36 AM
To: "Jan Willem van Staden" <staden@kingsley.co.za>
Attach: Scanned from a Xerox Multifunction Device.eml
Subject: RE: BESWAAR: KOMPLEKS 13E LAAN: ERF 4740

Beste Jan Willem

Ingeslote die beswaardokument wat ek geteken het.

'n Verdere beswaar wat ek het is die hele kwessie van die bou van 14e laan. Wat vir my onrusbarend is, is dat volgens die kaarte wat ingesluit is in die aansoek, 14e laan nog slegs bestaan voor Erf 5888 en Erf 5889 (my erf). In onlangse korrespondensie het die Munisipaliteit dit onomwonde aan my gestel dat die Munisipaliteit verbied word om enige direkte verkope van munisipale eiendom te doen en dat dit slegs per 'n mededingende proses kan plaasvind.

Ek bevraagteken dus hoe die eienaar van Erf 4740 "helfte van 14e laan" bekom het (soos ook met die Lobelia ontwikkeling). Redelikerwys kan mens aflei dat 14e laan onregmatig aan die eienaars vervreem is of, alternatiewelik, was daar 'n serwituut ten gunste van die Munisipaliteit wat of nog bestaan, of moontelik onregmatig gekanselleer is. As 'n minimum moet die boulyn dan verskuif word.

Verder het ek beswaar as die Munisipaliteit hierdie aansoek ad hoc aanhoor sonder om finaal oor 14e laan te besluit en om te doen wat reg is teenoor die eienaars van Erwe 5888 en 5889. Volgens die munisipaliteit se rekords is my straatadres "14e Laan Nr 18". Gegewe die ontwikkeling wat oor 14e laan plaasgevind het, is die bou van 14e Laan nou seker 'n onmoontelikheid. Beide my en die eienaar van Erf 5888 se toegang moes uitendelik van 14e Laan kom. Dit sou ons ook in staat stel om aan die munisipale rioolering te koppel. Dit is my mening dat die munisipaliteit nie oor hierdie aansoek kan besluit nie sonder om dan ook finaal regverdigheid te laat geskied oor toegang en rioolering van genoemde eienaars.

Ek sal dit waardeer as hierdie e-pos ook in die beswaar ingesluit kan word.

Beste groete.

P. Werner Behrens
 GENERAL LEGAL COUNSEL

DIRECT +27 (0)11 879 0532 | T +27 (0)11 879 5000 | F +27 (0)11 579 3512 | M +27 (0)83 325 8338
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2015/06/19

Datum: 6 Junie 2015

Die Munisipale bestuurder: Vir Aandag: me H. van der Stoep.

Munisipale Kantore

Overstrand Munisipaliteit

Hermanus.

7200

ERF 4740, DERTIENDE LAAN 22, KLEINMOND: OVERSTRAND MUNISIPALE AREA: VOORGESTELDE
HERSONERING NA ALGEMENE WOONSONE 1, ONDERVERDELING EN AFWYKNG: DAVID HELLIG &
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TP- Nota: Tesame met Collab No. T92968
op 19/6/15 by Kleinmond Kantore
ontvange is

wegkruipplekke vir allerlei ongewenste elemente (Hou in gedagte dat hierdie persele normaalweg onmiddellik met hoë mure toegebou word). Hierdie kommer is nie ongegrond nie. Kyk maar gerus hoe lyk sommige van hierdie persele in ons dorp en omgewing. Die betrokke erf is ook toe gegroei, maar nie ommuur nie. Dit maak dit tans minder aantreklik vir kriminele elemente.

3. Strate.

13 Laan is een van die sogenaamde voederstrate in hierdie omgewings (Overstrand Municipality Kleinmond Road and Traffic Engineering Guidelines, Report no C1279-W-001, 3 Augustus 2011.) Dit beteken dat die straat voorsiening moet maak vir verkeer na Botrivierweg. Die betrokke gedeelte van die straat is onlangs reggemaak, maar slegs slaggate is herstel. Die vraag ontstaan hoe die bykomende verkeer en voertuie wat boumateriaal en toerusting moet aflaai, verkeer in die straat gaan beïnvloed en die padoppervlakte kan beskadig. Ons is werklik bekommerd oor die impak wat dit op die kwaliteit van lewe van inwoners in hierdie omgewing kan hê. Selfs op die huidige aantal voertuie wat die straat gebruik, sal die toename waarneembaar wees.

4. Stormwater dreinerings.

Gedurende die swaar reëns wat daar al in die verlede geval het, het stormwater in heelwat van die erwe aan die onderkant (Suidekant) van 13e Laan in gestroom. Sou die volle ontwikkeling wel plaasvind, beteken dit dat 'n groot persentasie van wat nou hoog absorberende fynbos veld is nou gaan bestaan uit huise se dakke en geplaveide areas wat geen absorpsie vermoë het nie. Dit beteken baie meer stormwater in die betrokke gedeelte van 13e Laan. Geen ingenieurs verslag is volledig as daar nie ook na die impak van die ontwikkeling op stormwater dreinerings gekyk word nie. In hierdie voorlegging is daar geen verwysing na enige stormwater probleme nie. Ons glo dat daar rede tot kommer is ook in hierdie verband. Dit is ook verder ons mening dat die munisipaliteit nie sulke aansoeke kan goedkeur tensy die nodige dienste, soos voldoende stormwater dreinerings reeds in plek is nie.

5. Riolerings.

Volgens die ingenieursverslag is die bestaande rioolpype wat die area bedien voldoende. Daar is onlangs 'n byvoeging tot die stelsel gemaak. Of dit toeval is, is onduidelik, maar daar was al probleme met verstoppings in die betrokke lyn.

6. Water voorsiening.

Die volgende kommentaar in die ingenieursverslag maak ons bekommerd:

Accommodation of the development in the present system will consequently require upgrading of this pipeline in the near future, to comply with the flow velocity criteria as set out in the master plan.

Die vraag ontstaan welke bydrae die ontwikkelaar van die beoogde kompleks tot hierdie uitgawe gaan maak en hoe dit die lewering van water aan die inwoners in die omgewing gaan raak totdat hierdie bogenoemde opgradering afgehandel is.

Ons ondersteun die bostaande beswaar: _____

Naam: C. Barnard

Adres: 15 de Waan 21

Naam: J.P. Duvenage

Adres: 27, 15th Ave.

Naam: TP Biml

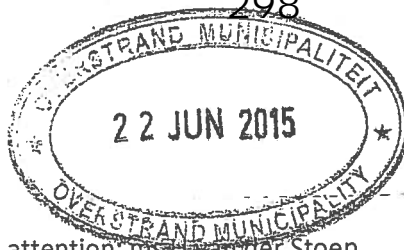
Adres: 29, 13th Ave.

Naam: M. Jones

Adres: 13^e ln 13

Naam: J.W. van Staden

Adres: Geelhoutln 2



TP- ANNEXORED 14/15
CH vld Stoep

Date: 21 June 2015

The Municipal Manager For attention: ms H van der Stoep

Overstrand Municipality

Hermanus 7200

FILE NO:	EL 4740km
SCAN NO:	
COLLABORATOR NO:	792909 792927

Erf 4740, 22 Thirteenth Ave, Kleinmond: Overstrand Municipal Area: Proposed rezoning to general residential Zone 1, Subdivision and Departure: David Hellig & Abrahamse (on behalf of JHS Mans)

I, Carl Lombard, owner of ERF 7178 24 Thirteenth Ave Kleinmond strongly object to the proposed rezoning on the following grounds:

- Character of the area. I bought my property about a year ago since the character of the area was the main attraction. Low density of houses, open areas, limited walls, natural vegetation, natural wild life such as snakes, birds, tortoises, golden moles are some of the enhancing characteristics. I specifically avoided the higher density setting of the town between the main road and the sea in Kleinmond. The tranquillity of the area is one of the main attractive features. Having 9 compact residential units right next to my property will eliminate all of these features.
- Mountain views. My current house was designed to have unhindered mountain views from the living area toward the north east and east. Both my stoeps were placed to enjoy these vistas. The only hindrance of the skyline is the current high density housing (Lobelvia) also mentioned and depicted in the application on page 13. Looking at the detailed plan the house on portion 2 will directly obscure my view of the Dragons Back whereas the house on Portion 1 will obscure the view of the Babilonstoren. As a member of the SA Mountain Club this was the one of the main attractions of the property – the views on the mountains toward the east and north east.
- Relaxing of the building limits from 3m to 2m. Apart from the overall objection this proposed change is totally unacceptable and we will not consent to this. Three meters is the standard that applies to the residential area in general and being crowded by buildings is the last thing you want. It is clear from the plan that a wall will be erected around the larger property. This is not depicted on the site development plan (street elevation looking east 1:200) is no indication of the height. Currently my property has a natural hedge as border between the properties. This will obviously be replaced by a wall.
- The wording of the application on page 8 section 3.1: "Apart from supplying the demand for smaller town housing units within the urban area of Kleinmond the proposed development will also strengthen the existing urban fabric of the area." is definitely not true. Firstly, there is no shortage of smaller town housing in the area. When looking for a property to buy we visited some units – some of them are still in the market. There are existing developments similar to the proposed one which has been abandoned because of lack of demand. Secondly, "contributing to the urbanisation of the area with high density housing" is not an improvement or "strengthening" the character of the area, but rather detracting from the

TP 22 JUN 2015

charm of the current character of the area as outlined in point 1. The current character/fabric is the main reason for residential properties in the vicinity being in high demand. Both the owner of ERF 4727 (Duvenhage) and I bought our properties in the last year for the specific charm of the spacious feel of the Klein Berlyn area.

5. Valuation of my property. The proposed development next to my property will certainly have a negative impact on the value of my property, as well as on the other neighbours' properties with the increased traffic, ambient noise and air pollution.

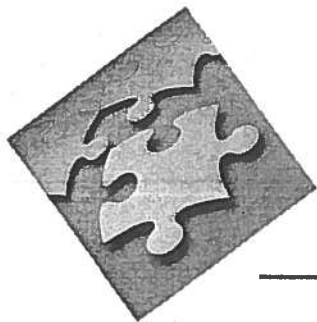
Sincerely

Carl Lombard

24 13th Avenue Kleinmond

Postscript

I want to state that I did not receive a registered letter on the rezoning application and was only alerted to this over the current weekend 20/21 June when by the Ward Representative JW van Staden who provided me with the documentation of the application. This allowed me to draft this objection. I receive my municipal account by e-mail every month. It is reasonable to expect to be informed of such an important matter in a similar manner due to the unreliable postal service.



P-J Le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

COMMENT ON THE OBJECTIONS RECEIVED AGAINST THE PROPOSED REZONING AND SUBDIVISION: ERF 4740 KLEINMOND

In respect to the application recently submitted for the rezoning and subdivision of Erf 4740 Kleinmond and the subsequent objections received against the development proposal, please allow me to comment on the contents of the objections as follows. Each of the objections will be dealt with separately but since common concerns were raised this entire document should be regarded as formal comment on the objections.

JJ & SC de Vries:

According to the objector 7 dwellings in stead of 9 as proposed will be more acceptable for them.

It is important to note that according to the approved spatial planning documentation for Kleinmond (Growth Management Strategy), the area in which the subject property is located has been earmarked for higher density developments comprising a density of 20 units/ha. According to the extent of the subject property a maximum of 9 dwelling units can be developed on the property to comply with the proposed density.

It shall also be noted that there are already similar higher density developments within the immediate area which have no significant impact on the existing character of the area, in fact the existing gated developments with smaller erven has established a specific residential character to the area.

B. Barnard / P W Behrens / Barnard / Duvenhage / Brink / Jones / Van Staden:

Since all these objectors used the same motivation for their objection, one comment on the concerns will be given. For easy reference the same numerical order will be followed.

1. Character of the area

Despite the fact that many of the existing erven in the immediate area are still vacant, the Overstrand Municipality has in their effort to ensure the optimum use of existing services and infrastructure within Kleinmond earmarked this specific area for future higher density developments within their spatial planning policies.

According to the Strategic Growth Management Interventions (May 2010) the densification will decrease towards the edge of the existing urban area with the low density residential developments located along the outer most edges of the urban area. The area in which the subject property is located is not situated on the outer edge of Kleinmond and forms therefore part of the future densification area. Despite the large erven in the area the density in this immediate area is limited to 20 units/ha which represents much smaller erven and is common to town house developments. Since the Overstrand Municipality has in terms of their spatial planning policies already approved similar gated residential developments with smaller erven within this area, we are of the opinion that the existing town house developments in the immediate area are not in conflict with the existing land uses but has established a unique residential character within this area. Despite the smaller erven, the land uses will remain residential and no other land uses are proposed by this application.

2. Economic viability

The comment raised under this heading is subjective and does not challenge the desirability of this proposed development.

Although there might be a over supply of erven in Kleinmond, the applicant has done a due diligence to ensure the economic viability of the proposed development. It is common knowledge and a clear tendency that more people seek smaller erven with visible security in comparison to normal conventional erven; hence the success of similar town house developments in Kleinmond and other coastal towns.

Apart from the security of the residents the proposed town house development will also optimize services and infrastructure thereby making it much more affordable for both the residents as well as for the municipality.

3. Roads

Although 13th Avenue might not yet been fully developed as yet, the Overstrand Municipality has made provision in their future planning for these roads to be upgraded to accommodate the densification proposed by the spatial policies. There is no reason to believe that the existing road network will not be able to accommodate the additional traffic generated by this proposed development. There is also a larger network of streets leading from this residential area towards the central business district of Kleinmond dispersing the traffic equally throughout the area.

4. Stormwater drainage

We totally agree that provision should to be made to accommodate the expected stormwater runoff in order to prevent any cumulative impact on the surrounding area. This however will be dealt with during the evaluation of the final Engineering Services Plans for the development by the Engineering Department of the Overstrand Municipality. Since there is an existing open stormwater channel along the southern side of 13th Avenue, there is no reason to believe that sufficient measures will not be found to handle the expected stormwater runoff from the

proposed development. This is also not sufficient reason for refusing the proposed development.

5. Sewerage

According to the engineering report which was discussed with the relevant officials as well as the GLS Report, there is sufficient sewerage capacity in the system to accommodate the proposed development.

6. Potable water

According to the engineering report and the GLS report, there is sufficient capacity in the existing water network to accommodate the proposed development

In respect to the contribution towards engineering services, it is the final decision of the Overstrand Municipality if any additional contributions other than the normal Bulk Services Levies are required for the proposed development. According to the GLS Report no additional contributions will be required.

The GLS Report makes it clear that the upgrading of the water pipeline is not a minimum requirement to accommodate the proposed development within the existing system.

C Lombard:

For easy reference the same numerical order will be followed for this objection.

1. Character of the area:

As indicated previously in this report, the area in which the subject property is located has been earmarked in the spatial planning documentation for future densification despite the larger erven. The properties located on the outer edge of the existing urban area however will remain large with a low density.

Despite the larger erven in the immediate area, the entire area including 13th Avenue has been earmarked for densification to optimize the existing infrastructure and services as well as to contain urban sprawl. A maximum density of 20 units/ha is proposed which is commonly used for town house developments.

There is no reason to believe that the proposed development will impact negatively on the surrounding areas. There are many examples where the existing gated developments abut erven with only one dwelling thereon without significant impact mainly because of the extent of the erven. Since the proposed town houses will all front onto a centrally located private road, the activities will all be along this road.

2. Mountain views

The proposed town houses will all be single storey dwellings and positioned on the property with clear vistas between the proposed dwellings. In comparison with the existing Lobelia development comprising of large double storey dwellings, this development proposal is much more sensitive to the surroundings.

We are of the opinion that with the large vistas through the development and the proximity of the subject property to the mountain, it is unlikely that the proposed single storey dwellings will totally obscure the mountain views of the objector.

3. Relaxing of the building limits

The intention is definitely to construct a wall along the perimeter of the property thereby securing the entire development. The relaxation of the building lines from 3m to 2m will not have any significant impact on the surrounding properties since the buildings will all be behind the perimeter wall and not be visible. According to the Site Development Plan submitted with the application to the Overstrand Municipality the portions of the dwellings which will encroach the building line will comprise a bedroom with one small window facing the perimeter wall. There is therefore no reason to believe that the relaxation of the building line will have any direct impact on the surrounding properties.

4. Wording of the application

According to the investigation conducted by the applicant it is evident that smaller erven inside a secure environment is still in demand and that the proposed development will fulfil in this demand. Since there are already gated developments similar to what is proposed by this application in the immediate surrounds, it is unlikely that the proposed development will change the existing character of the area. The fact that this area has been earmarked for densification confirms that any similar developments will strengthen the existing character of the area despite the fact that there are still larger erven located in the area. With the spatial planning policies in place it remains the prerogative of each property owner to submit an application for development.

The proposed higher density development proposed by the spatial planning policies will not only prevent urban sprawl but will optimize the existing infrastructure and services. The higher density developments will also provide alternative residential options within the existing urban structure of Kleinmond as recommended by the Provincial Spatial Policies.

5. Valuation of property

This statement that the proposed development will have a negative effect on the value of the objector's property is not only subjective but is not accompanied by any supporting documentation to substantiate this statement.

It has been proven in many instances that higher density developments in fact increase the land value of surrounding properties since it creates new development opportunities. Since this area has been earmarked for future densification with some town house developments already developed, it is unlikely to believe that the proposed development will suddenly change the value of the surrounding properties.

~~In light of the aforementioned we are of the opinion that the objections raised against the proposed development do not challenge the desirability of the application as defined in Section 36 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and that it should be dismissed and the application for rezoning, subdivision and departure of Erf 4740 Kleinmond be approved..~~

PIERRE-JEAN LE ROUX
Pr. Pln: A/803/1995

17 July 2015

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION & DEPARTURE: ERF 4740,
KLEINMOND (2876)**

Water	:	GLS report
Sewer	:	GLS report
Roads and traffic	:	In order
Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	According to master plan

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

1.1 Developments containing Sectional Title Units/ Commercial Buildings (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

1.2 Developments with free standing properties (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2015/2016) is as follows:

Freehold erven:

Water (W7A)	R 24 851.00 x 8	=	R 198.808.00
Sewerage (SEW5A)	R 19 945.00 x 8	=	R 159 560.00
Roads & SW (RDST1)	R 6 500.00 x 8	=	R 52 000.00
TOTAL (inclusive of VAT)			<u>R 410 368.00</u>

Note:

- 1.1 The above figures are estimates
- 1.2 That the Overstrand Electricity Department be contacted for the electricity bulk services levy amount
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
 - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
 - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
 - 4.3 the insurance to be to an amount which shall not be less than that required by the SAACE;
 - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and

- 4.5 whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
5. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 5.1 way-leaves must be obtained from the Operational Manager;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;

10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
12. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
13. that the above stormwater management plan include the following:
 - 13.1 pre-development run-off from the catchment area;
 - 13.2 post-development run-off from catchment area;
 - 13.3 existing stormwater reticulation system and the capacity thereof;
 - 13.4 connection of internal stormwater reticulation system;
 - 13.5 overland escape routes
14. that the connection to the existing stormwater reticulation system be provided according to the stormwater management plan, by the developer at his cost and approved by Department: Engineering Services;
15. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2004, of 12 months, and
16. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
17. that the developer furnish the Council with a bank guarantee equal to 2.5% of the value of the provided municipal civil and electrical services as certified by the independent professional engineer/technologist. The guarantee shall be to the satisfaction of the Director: Infrastructure

and Planning and valid for the 12 months maintenance period which commences from date of the Certificate of Completion;

18. that the Home Owners Association be responsible for the operational costs and maintenance of street lighting, electrical reticulation and metering and all internal services;
19. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
20. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
 - a. properly ventilated;
 - b. a cement floor;
 - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
 - d. is a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
21. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Director: Infrastructure and Planning;
22. that the electricity reticulation and supply be provided according to the master plan by the developer;
23. that the developer appoint a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network and the upgrades required(if any) in accordance with the Master Plan;
27. that the developer apply for a temporary water connection at Overstrand Municipality's Finance Department, before commencement of construction;
28. that the developer apply for a bulk water connection on the prescribed application form, at Overstrand Municipality's Finance Department and that the installation of the bulk water meter, by the developer, be done under the supervision of the Operational Manager, Kleinmond;
29. that the connection to the main water line only be done by the Operational Department, after payment of the connection fee, by the developer;

30. that stacking distance of 6m be provided, measured from the edge of the closest lane or shoulder/cycle lane to the front of an access gate;
31. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.



DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

3 September 2015

DATE