

ERF 3003, 21 PALMIET ROAD AND ERF 3051, 6 NEETHLING STREET, KLEINMOND: APPLICATION FOR CONSOLIDATION: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF M KIESSLING AND M & M KIESSLING

Notice is hereby given in terms of Section 48, read with Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for the consolidation of Erven 3003 & 3051, Kleinmond to create a consolidated erf of $\pm 1308\text{m}^2$ in extent

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus and at the Kleinmond Library, Fifth Avenue, Kleinmond. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **13 January 2023**, quoting your name, address and contact details, interest in the application, and reasons for comment. Telephonic enquiries can be made to **Ms. 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 Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 3003, PALMIETWEG 21 EN ERF 3051, NEETHLINGSTRAAT 6, KLEINMOND: AANSOEK OM KONSOLIDASIE: PLAN ACTIVE STADS- EN STREEKSBEPLANNERS NAMENS M KIESSLING AND M & M KIESSLING

Kennis word hiermee gegee ingevolge Artikel 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om konsolidasie van Erwe 3003 & 3051, Kleinmond om 'n gekonsolideerde erf van $\pm 1308\text{m}^2$ te skep.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond. Enige skriftelike kommentaar moet ingevolge die bepalinge van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **13 Januarie 2023** met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. 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 Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA ESINGUERF 3003, 21 PALMIET ROAD NOSIZA ESINGU-ERF 3051, 6 NEETHLING STREET, KLEINMOND: ISICELO SOYENDELALANISO NOKULUNGELELANISA: NGABAKWAPLAN ACTIVE TOWN AND REGIONAL PLANNERS EGAMENI LIKA-KIESSLING AND M & M KIESSLING

Kukhutshwe isaziso esimayela nemiba yeSolotyama-48, elifundeka ngokuhambelana neSolotyama16(2)(e) loMthethwana kaMasipala waseOverstrand osisiHlomelo soMthethwana kaMasipala ongeZicwangciso ngokSetyenziswa koMhlaba ku2020 esi saziso sithi kufunyenwe isicelo sokuyondelelanisa nokulungelelanisa iziza ezinguErven 3003 & 3051, Kleinmond ukudala nokuyila isiza isiza esinguerf esizimitha ezingu $\pm 1308\text{m}^2$ ubukhulu.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukususela ngensimbi yesi08:00 neye16:30 kwiSebe: izicwangciso ngeZindlu, Paterson Street, Hermanus naseleinmond Library, Fifth Avenue, Kleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe kwaMasipala ngokwezibonelelo zeSolotyama51 nelama52 loMthethwana ochazwe ngentla uze ufike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama**13 uJanuwari ka2023**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ingabuzwa ku**Nkszn H. van der Stoep** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda angenise izimvo zakhe ngokusemthethweni.



Scale: NTS
 Drawing Nr: erf 3003.dwg
 Date: OCTOBER 2022

Plan Description:
LOCALITY MAP

Property Description:
**ERVEN 3003 AND 3051
 KLEINMOND**

All distances approximate
 and subject to survey.
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Stads- en Streeksbeplanners
PIA n Active
 Town & Regional Planners



PROPOSED CONSOLIDATION

ERVEN 3003 AND 3051

KLEINMOND

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mr .M. Kiessling and Mrs. M. Kiessling the owners of Erven 3003 and 3051 Kleinmond, respectively, have instructed the company Plan Active Town and Regional Planners, to apply for the consolidation of the aforementioned erven.

The intention of the owners of the subject properties is to consolidate erven 3003 and 3051 Kleinmond to create a single property. The dwelling situated on Erf 3051 Kleinmond will be demolished to develop a garage that will function with the dwelling situated on Erf 3003 Kleinmond.

Erf 3003 Kleinmond is 654m² in extent and is held by Title Deed Number T17870/2014. Erf 3051 Kleinmond is 654m² in extent and is held by Title Deed Number T14985/2020.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the consolidation of Erven 3003 and 3051 Kleinmond.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erven 3003 and 3051 Kleinmond are situated at 21 Palmiet Road and 6 Neethling Street, Kleinmond, respectively. Please refer to the enclosed locality plan and the aerial photograph below.



3.2 ZONING

Erven 3003 and 3051 Kleinmond are zoned Residential Zone 1 and are used as such. The surrounding properties are also zoned for single residential purposes and public roads. Please refer to the zoning map abstract below:



3.3 LAND USE

Erven 3003 and 3051 Kleinmond are used for residential purposes. A single storey dwelling is situated on Erf 3051 Kleinmond and a single storey dwelling with a single garage is situated on Erf 3003 Kleinmond .

Land uses that surround Erven 3003 and 3051 Kleinmond are single dwellings and public roads. It is therefore evident that erven 3003 and 3051 Kleinmond are situated within a predominantly single residential area.

3.4 PROPOSAL

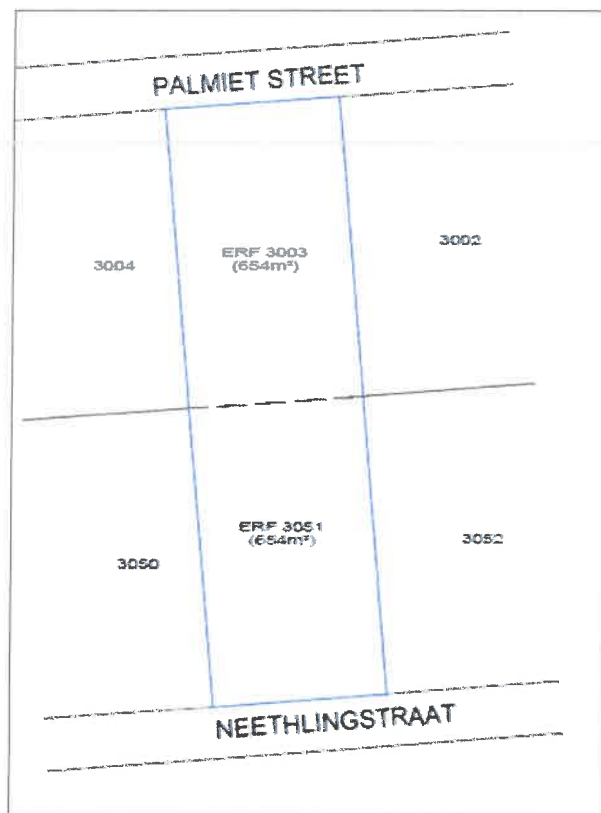
The following is proposed:

- The consolidation of Erven 3003 and 3051 Kleinmond in terms of Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

3.4.1. Proposed Consolidation

Erven 3003 and 3051 Kleinmond are both 654m² in extent each. The intention of the owners of the subject properties is to consolidate Erven 3003 and 3051 Kleinmond. The detail of the proposed consolidation is tabled below:

TOTAL EXTENT OF THE PROPOSED CONSOLIDATION	<u>±1308m²</u>
PROPOSED CONSOLIDATION ERVEN 3003 AND 3051 KLEINMOND	Erf 3003: 654m² Erf 3051: 654m²
Please refer to the enclosed consolidation plan and abstract below.	



The subject properties are both zoned Residential Zone 1: Single Residential. The subject erven can therefore be consolidated. The intention of the owners of the subject properties is to demolish the dwelling situated on Erf 3051 Kleinmond and to construct a garage on the aforementioned portion abutting Neethling Street.

The proposed consolidation of Erven 3003 and 3051 Kleinmond are not in contrast with the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application.

The proposal will not have a negative impact on the environment, traffic flow or character of the area. The proposed consolidation of erven 3003 and 3051 Kleinmond will not have any impact on the surrounding property values. The land use will remain unchanged. We therefore do not anticipate any problems with the proposed application.

3.5 ACCESS AND TRAFFIC

Pedestrian and vehicular access to the dwelling and garage situated on Erf 3003 Kleinmond are via Palmiet Street. Pedestrian and vehicular access to Erf 3051 Kleinmond is from Neethling Street. The intention of the owners is to demolish the dwelling established on Erf 3051 Kleinmond and to construct a garage on the portion of the proposed consolidated erf, abutting Neethling Street. The position of the vehicular access from Neethling Street will be identified with building plan submission once the owners intend to further develop the proposed consolidated erf.

The existing access points from Palmiet Street will remain unchanged. The proposed consolidated erf will still be used for single residential purposes and no additional erven are proposed, therefore the impact on the traffic flow in the area will marginally decrease.

3.6 SERVICES

All services on the subject properties already exist. The proposed consolidation of erven 3003 and 3051 Kleinmond will not require any additional services. If any services are required, it will be done according to the specifications of the Overstrand Municipality.

3.7 TITLE DEED

Title Deed T17870/2014 and T14985/2020 have no restrictions that need to be removed in order for this application for the proposed consolidation of Erven 3003 and

3051 Kleinmond to be approved. The ownership of the subject properties are tabled below for easy reference:

Title Deed No.	Erf	Owner
T17870/2014	Erf 3003	Mr. M. Kiessling
T14985/2020	Erf 3051	Mr. M. & Mrs. M. Kiessling

There are bonds registered against Erven 3003 and 3051 Kleinmond. The bondholders' consent forms will be submitted once they are received from the relevant bondholders.

3.8 FORWARD PLANNING

Overstrand Municipal Spatial Development Framework (2020).

The Overstrand Spatial Development Framework (2020) earmarks the area where Erven 3003 and 3051 Kleinmond are situated, for urban development purposes. Refer to the Spatial Development Framework Plan (2020) below.



The land use of the newly consolidated property will remain unchanged (Residential Zone I: Single Residential for single residential use). As a result, the impact of the proposed consolidation on the spatial integrity of the area will be minimal and is

therefore consistent with the **Overstrand Municipal Spatial Development Framework (2020)**.

Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy, Erven 3003 and 3051 Kleinmond are part of Planning Unit no. 21 that consists of the residential area established on the western side of Kleinmond.

Incremental development is proposed for this planning unit through subdividing the respective erven into two or three erven. The proposed densification is assumed to be achievable on approximately 20% of the planning unit area. this proposal will potentially contribute to an increase in density from 10.7 to 13.3 dwelling units per hectare.

This application does however not propose to create any additional portions, nor does it propose the construction of an additional dwelling unit on the subject property. The density will therefore decrease.

From the above it is evident that the proposed consolidation adheres to the spatial planning policies for the Kleinmond area and subsequently falls within the existing land use tendencies for the Kleinmond area.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Erven 3003 and 3051 Kleinmond are not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The properties are not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject properties are not associated with any important persons or groups or important events and activities. The subject properties have no association with the history of slavery and are not used for living heritage.

In light of the above mentioned it is evident that the proposed consolidation will not have a negative impact on the heritage value of the subject properties or the greater area of Kleinmond.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed consolidation does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed consolidation is in line with the current erf sizes and land use tendencies in the vicinity, within the specific area of Kleinmond.

Spatial sustainability: The proposed application will have no impact on the conservation worthy areas of Kleinmond. Spatially the land use and erf size of the consolidated property will be in line with the residential character of this specific area of Kleinmond.

Efficiency: The proposed application for the consolidation of Erven 3003 and 3051 Kleinmond will promote the optimisation of the use of space within a developed residential area. The proposed consolidated property will be very accessible.

Spatial Resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

Good administration: Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

When this application is evaluated, it is important to take note of the following:

- The proposed consolidation of Erven 3303 and 3051 Kleinmond falls within the existing land use tendencies of the area;
- The proposal is compatible with the existing erf sizes in the area;
- The proposed consolidation will not have a negative impact on the current character and land values of the surrounding erven;

Motivation report

- No additional services are required with the proposed application for consolidation;
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the consolidation of erven 3003 and 3051 Kleinmond.

PALMIET STREET

3002

ERF 3003
(654m²)

3004

3052

ERF 3051
(654m²)

3050

NEETHLINGSTRAAT

NOTES

NEWLY CONSOLIDATED PROPERTY 

EXISTING ERF BOUNDARIES 

PROPOSED CONSOLIDATION:

-ERF 3003 654m²

-ERF 3051 654m²

TO CREATE A NEWLY CONSOLIDATED
PROPERTY OF ±1308m²

ZONING: SR1



Stads- en Streeksbeplanners
Town & Regional Planners

All distances approximate
and subject to survey.

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Property Description:

ERVEN 3003 & 3051
KLEINMOND

Plan Description:

CONSOLIDATION
PLAN

Scale:

1:600

Drawing Nr:
erf 3003 kleinmonds.drw

Date:
OCTOBER 2022

