

ERF 7967, 122 FOURTH AVENUE, KLEINMOND: APPLICATION FOR SUBDIVISION: PLAN ACTIVE (obo JS VLOTMAN)

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 subdivision in terms of Section 16(2)(d) to subdivide Erf 7967, Kleinmond into a Portion A ($\pm 595\text{m}^2$) and a Remainder ($\pm 595\text{m}^2$).

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 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 / (f) 0283132093 / loretta@overstrand.gov.za) on or before **18 June 2021**, quoting your name, address and 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 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 7967, VIERDELAAN 122, KLEINMOND: AANSOEK OM ONDERVERDELING: PLAN ACTIVE (nms JS VLOTMAN)

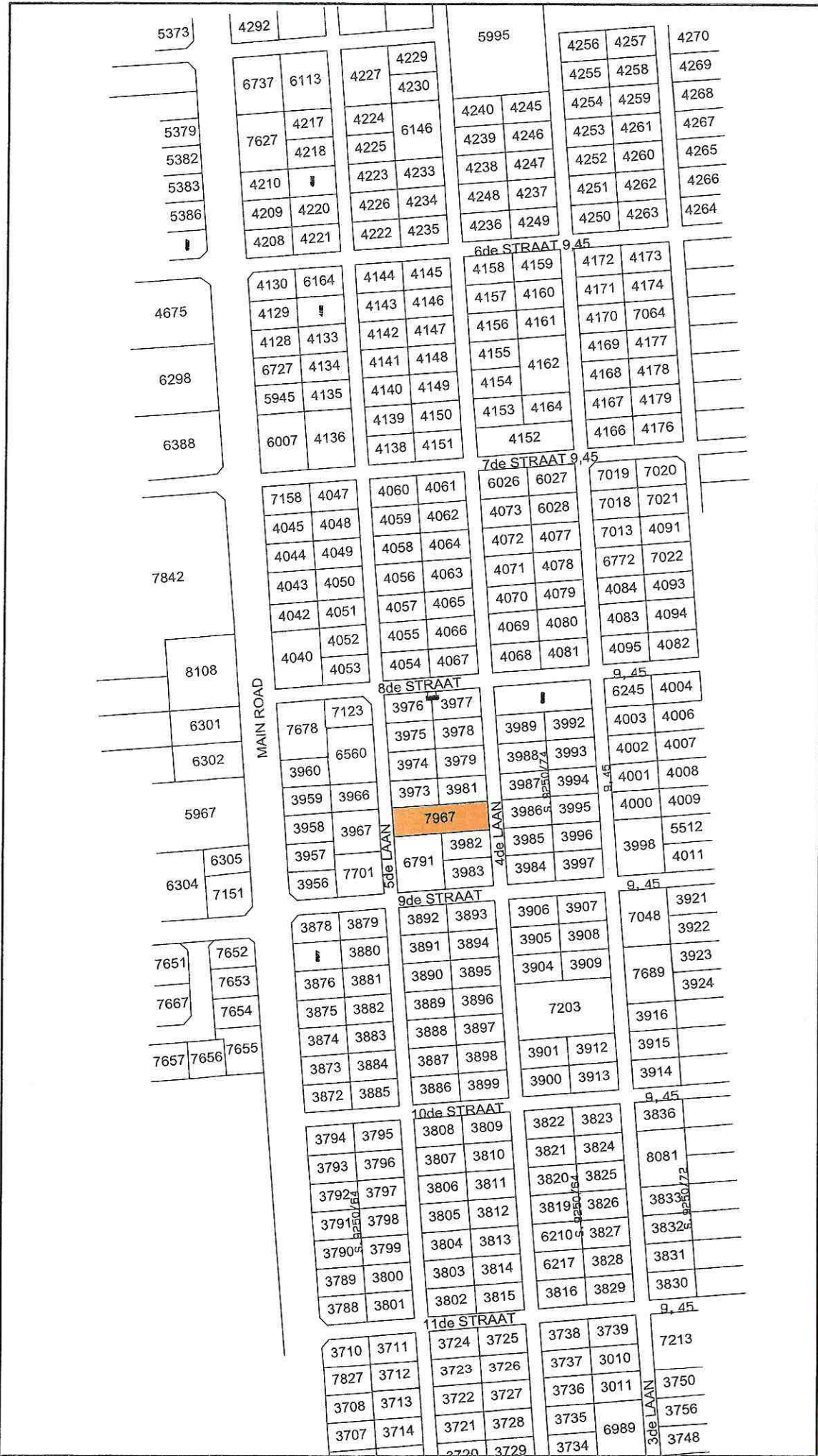
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om onderverdeling ontvang is ingevolge Artikel 16(2)(d) om Erf 7967, Kleinmond in 'n Gedeelte A ($\pm 595\text{m}^2$) en 'n Restant ($\pm 595\text{m}^2$), te onderverdeel.

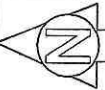
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) voor of op **18 Junie 2021**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, **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 ESINGU-ERF 7967, 122 FOURTH AVENUE, KLEINMOND: ISICELO SOKWAHLULUHLULA: NGABAKWAPLAN ACTIVE (egameni likaJS VLOTMAN)

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-48 nguMasipala waseOverstrand Ongokuhlomela UMthethwana oNgeziwangciso zoMthethwana Ngokusetyenziswa koMhlaba kaMasipala ku2020 esithi kufunyenwe isicelo ngokwahlulwahlulwa komhlaba ngokwesoloty le16(2)(d) ukwahlula kwakhona isiza esinguerf 7967, Kleinmond sibe yiNxalenye-PortiA ($\pm 595\text{m}^2$) neNtsalela-Remainder ($\pm 595\text{m}^2$).

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini Phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Leziwangciso NgeDolophu, Paterson Street, eHermanus naseKleinmond Library, Fifth Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo zingathunyelwa ngokwezibonelelo zeSoloty lama-51 nelama52 zoMthethwana kaMasipala ochaziweyo (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi **komhla wama18 Juni 2021**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwesi sicelo. Imibuzo ngefowuni ingabuzwa kuMchwangcisi Omkhulu weDolophu, **Nkszn. H van der Stoep** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifunyenwe emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela iSebe Leziwangciso ngeDolophu apho igosa likaMasipala lizakumnceda afake izimvo zakhe ngokusemthethweni.





Scale: **NTS**

Drawing Nr: **ERF 7967 KLEINMONDI.dwg**

Date: **APRIL 2021**

Plan Description:


LOCALITY MAP

Property Description:

ERF 7967 KLEINMOND

All distances approximate and subject to survey.

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Stads- en Streetsbeplanners
Town & Regional Planners

PROPOSED SUBDIVISION

ERF 7967 KLEINMOND

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. **BACKGROUND**

The owner of Erf 7967 Kleinmond, Mr. J.S. Vlotman, has instructed the company Plan Active Town Planners to apply for the subdivision of Erf 7967 Kleinmond.

The owner intends to subdivide Erf 7967 Kleinmond to create one additional erf and a remainder. The Title Deed applicable to Erf 7967 Kleinmond does not contain any restrictions that need to be addressed in order for the proposed application to be approved.

Erf 7967 Kleinmond is 1 190m² in extent and is held by Title Deed Number T65103/2006.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 7967 Kleinmond.

3. DESIRABILITY

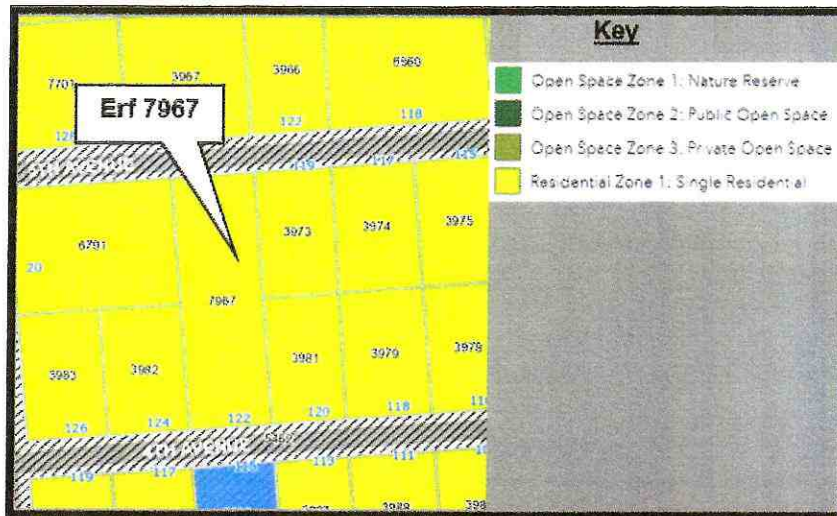
3.1 PROPERTY DESCRIPTION

Erf 7967 Kleinmond is located at 122, 4th Avenue, Kleinmond and is 1 190m² in extent. The subject property borders two Avenues, 4th and 5th Avenue, Kleinmond. Please refer to the enclosed locality plan.



3.2 ZONING

Erf 7967 Kleinmond is zoned Residential Zone 1 and it is utilized as such. The surrounding properties are zoned for single residential purposes, public roads, and public open space.



3.3 LAND USE

Erf 7967 Kleinmond is used for residential purposes. A dwelling, garage and an outbuilding are established on the subject property. Access to Erf 7967 Kleinmond is currently obtained from 4th and 5th Avenue.

Land uses that surround Erf 7967 Kleinmond are single dwellings, public roads, and public open spaces. It is therefore evident that Erf 7967 Kleinmond is situated within a predominantly single residential area.

3.4 PROPOSAL

The following is proposed in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 7967 Kleinmond.

Erf 7967 Kleinmond is 1 190m² in extent. The intention of the owner of the subject property is to subdivide Erf 7967 into two portions, Portion A, and the remainder. The subject property was previously two erven, namely Erf 3972 and remainder Erf 3980 Kleinmond, that were consolidated in 2005 and registered in 2006. The intention is to re-create the two erven which will be similar in size.

3.4.1. Proposed Subdivision

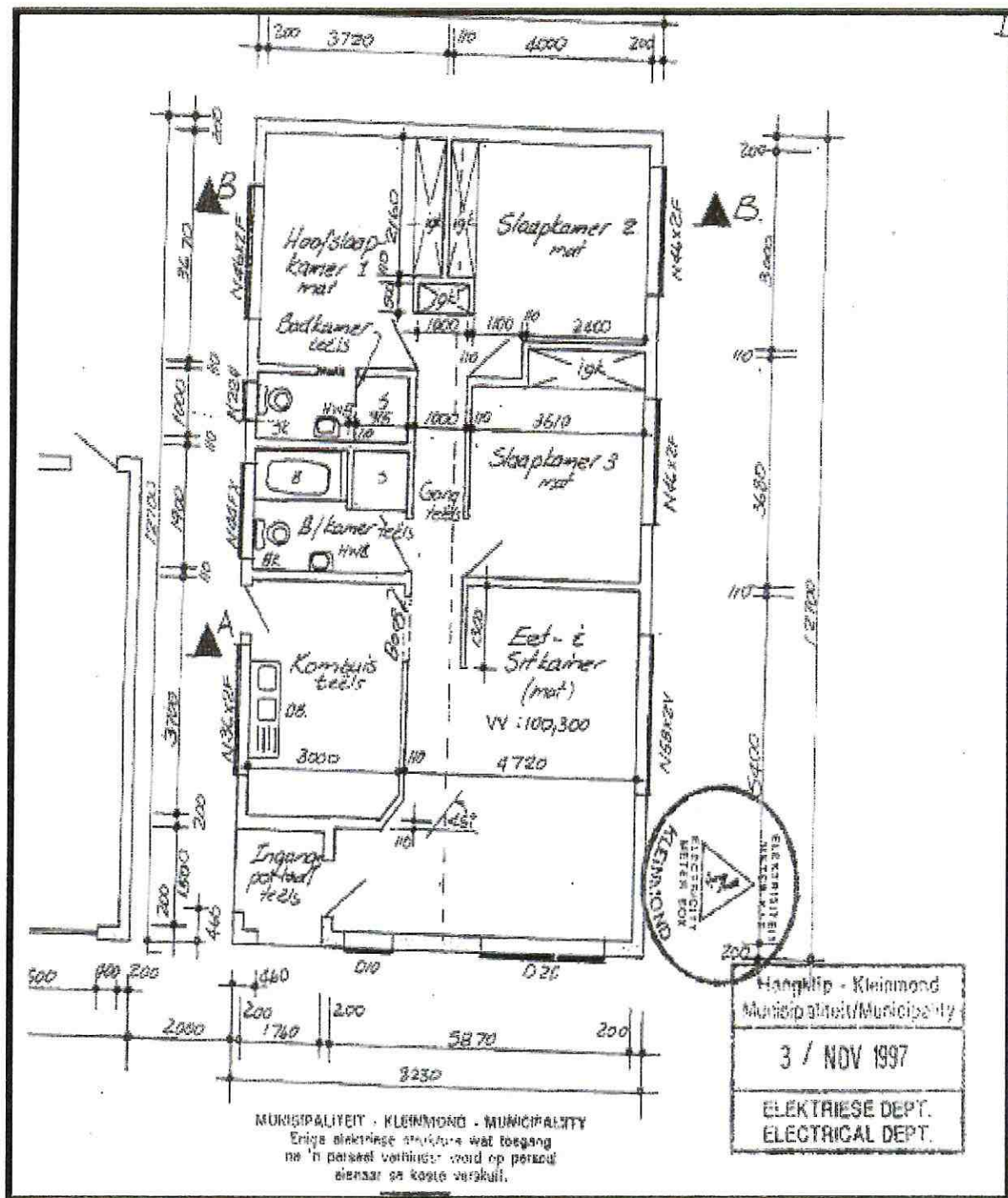
The detail of the subdivision can be described as follows:

Subdivision of Erf 7967 Kleinmond			
Proposed Portions	Size	Land use	Zoning
Remainder Erf 7967	±595m ²	Dwelling with outbuilding	Residential Zone 1
Portion A	±595m ²	Garage	Residential Zone 1

The proposed subdivision of Erf 7967 Kleinmond follows the same configuration as the residential erven in the same residential block and would also be of a similar size. Portion A and the remainder portion are ±595m² in extent, respectively.

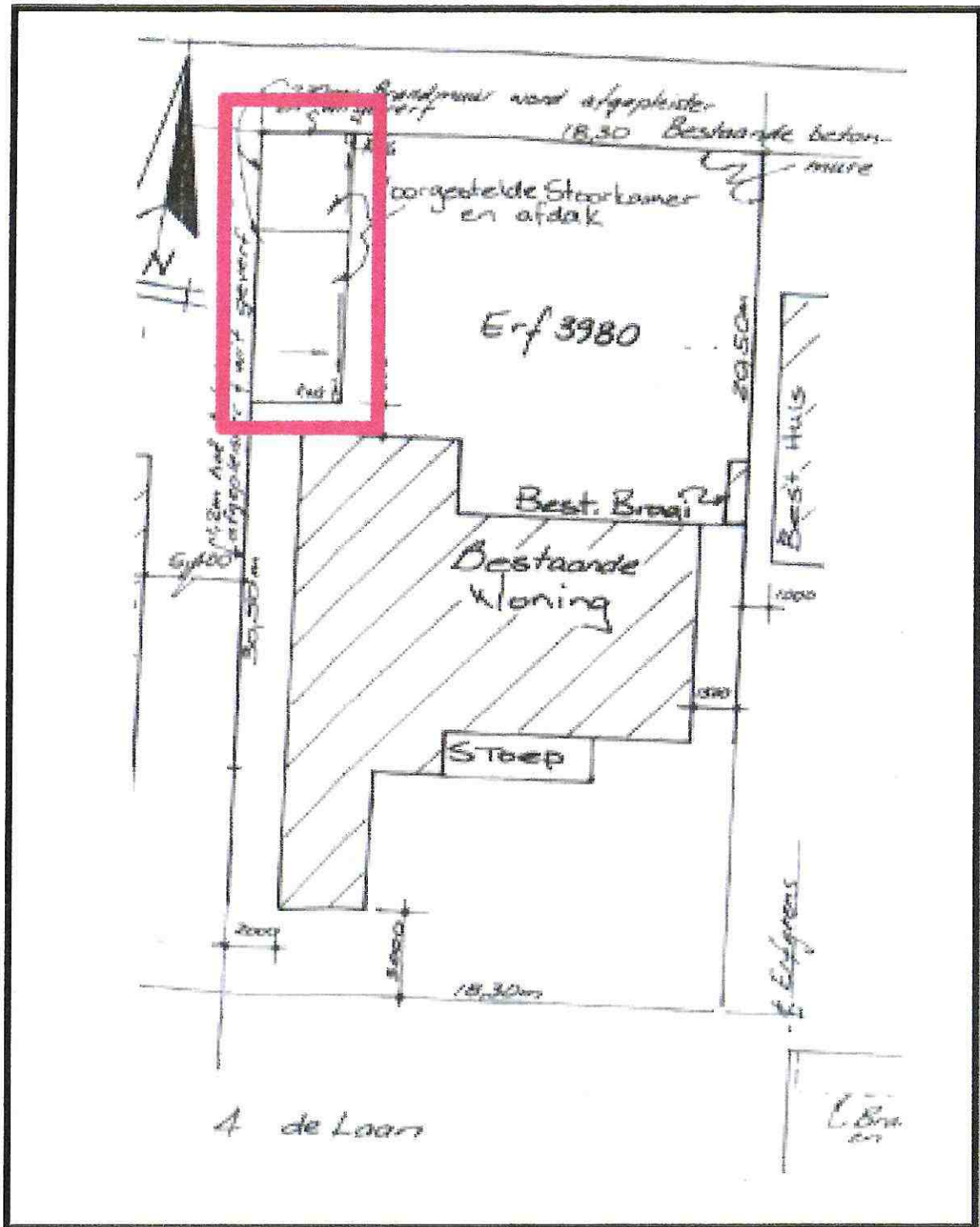
The proposed subdivision will have a positive impact on the economy of the area. By allowing the subdivision, one additional residential property will be created from which the municipality can attain bulk services levies as well as monthly rates and taxes. Future plans to develop a dwelling on Portion A will create temporary employment during the construction phase thereof.

The existing structure located on Portion A consisting of a garage will be incorporated within proposed building plans for a new dwelling after subdivision has taken place. It should be noted that an approved building plan does exist for a dwelling and garage



The proposed subdivision line was determined by the position of the outbuilding on the common boundary, which was approved at the current position, before the consolidation of erven 3972 and 3980 Kleinmond took place. The approval was for a

storeroom (as seen blow) and will still be utilised as such after the proposed subdivision application has been concluded.



It should be noted that Erf 7967 Kleinmond is larger in extent than the existing erven in the same residential block due to the fact that it consists of 2 erven that were

consolidated. The proposed subdivision will be in line with the existing properties in the area of Kleinmond. The proposed subdivision will not have any impact on the current residential character of the specific area of Kleinmond.

3.5 ACCESS

Vehicular and pedestrian access to Remainder Erf 7967 Kleinmond and the existing dwelling are gained from 4th Avenue, Kleinmond. Vehicular and pedestrian access to Portion A, a portion of Erf 7967 Kleinmond will be gained from 5th Avenue, Kleinmond. The access to the Remainder Erf 7967 Kleinmond will be retained.

The exact position of the access point to Portion A, a portion of Erf 7967 Kleinmond will be confirmed with a building plan submission, when the intention is to erect a dwelling on Portion A, a portion of Erf 7967 Kleinmond.

3.6 SERVICES

Erf 7967 Kleinmond is situated in an already developed residential area, municipal services already exist to which the newly created erf could connect to. All required services will be installed according to the specifications of the Overstrand Municipality.

3.7 TITLE DEED

There are no restrictive Title Deed conditions in Title Deed No. T65103/2006 that need to be addressed in order to accommodate the proposed subdivision.

There is no bond registered against Erf 7967 Kleinmond.








3.8 FORWARD PLANNING

Overstrand Municipal Wide Spatial Development Framework (2006).

In terms of the Overstrand Wide Spatial Development Framework the subject property is earmarked for urban development purposes. The residential zoning of

the subject property and Portion A will be retained after the subdivision has been concluded.



 Urban Edge	Business & Industrial	
 Urban Development		
 Major Road		
 Informal Structures		
		Developed Vacant
	Business Zone	 
	Industrial Zone	 

Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy the subject erf falls within Planning Unit 19 that consists of the older residential sections of Kleinmond and is located along the rocky coastal edge of town.

Incremental densification is proposed for approximately 20% of this area by subdividing the respective erven into two or three erven.

Each subdivision application should be dealt with on its own merit. Erf 7967 Kleinmond is one of the larger erven in this residential block and twice the size of an average residential erf in the area. The newly created erf and the remainder will still be compatible with the areas of the residential erven in the vicinity, and the subdivision can therefore be supported.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Erf 7967 Kleinmond is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

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

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

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed subdivision 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 subdivision is in line with the current erf sizes and land use tendencies in the vicinity within the Kleinmond area. The proposed subdivision will create an opportunity for future landowners to obtain land.

Spatial sustainability: The proposed subdivision is in line with the current character of the established residential area. The proposed application will have no impact on the conservation worthy areas of Kleinmond. Spatially the land use and erf size of the created portion and remainder will be in line with the residential character of the Kleinmond area.

Efficiency: The proposed application for the subdivision of Erf 7967 Kleinmond will promote the optimisation of the use of space within a developed residential area. The subject property is also situated close to the CBD of Kleinmond.

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

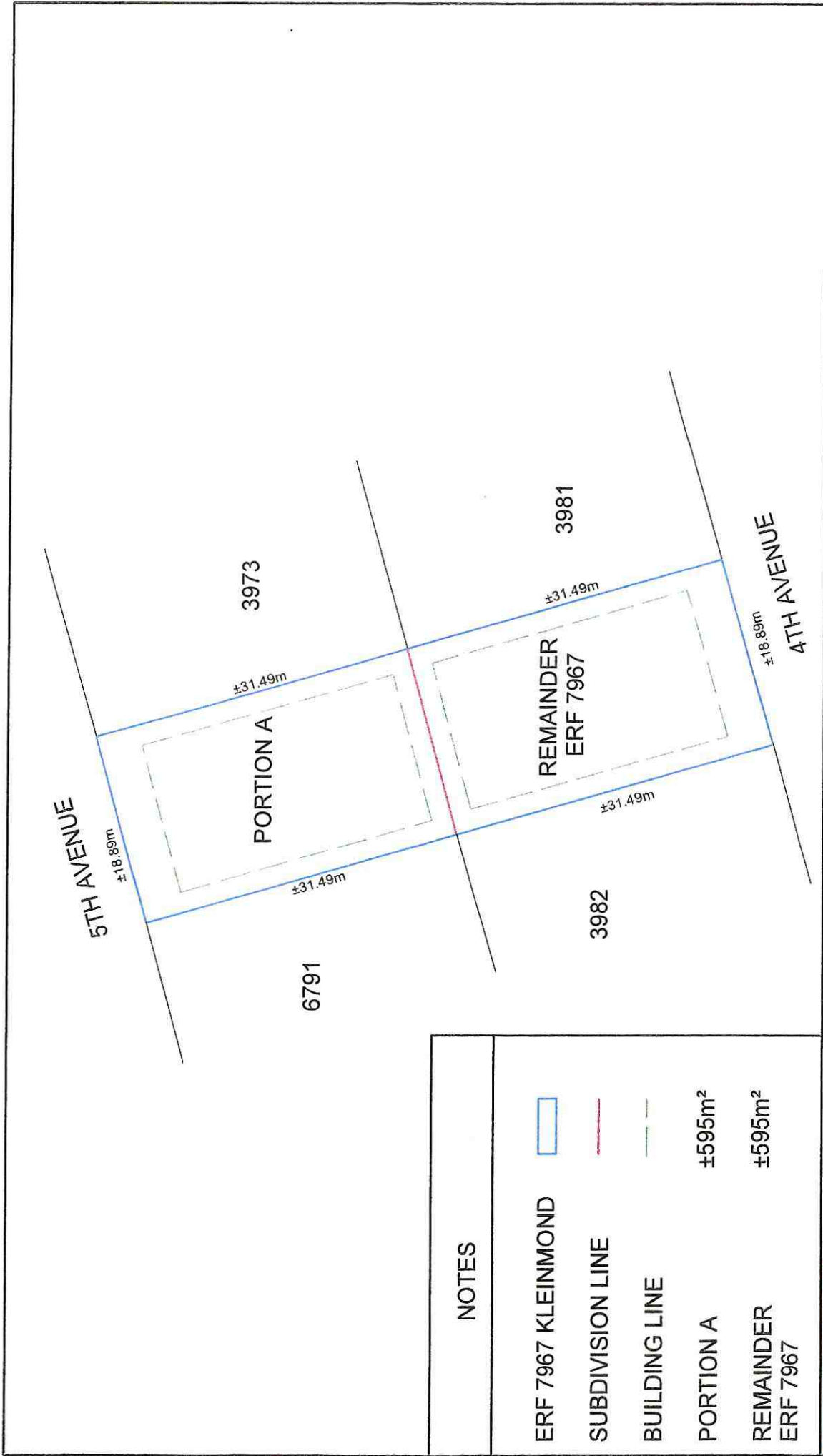
efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

4. RECOMMENDATION

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

- The proposed subdivision of Erf 7967 Kleinmond falls within the existing land use tendencies in the area;
- Erf 7967 Kleinmond consists of 2 erven that were consolidated in 2005. It is now proposed that the subject erf be subdivided alongside the same former boundaries.
- The proposal is compatible with the existing erf sizes in the area;
- The proposed subdivision will not have a negative impact on the current character and land values of the surrounding erven;
- 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 subdivision of Erf 7967 Kleinmond.






Scale: 1:500
 Drawing Nr: erf.7967 kleinmond.drw
 Date: APRIL 2021

Plan Description:
SUBDIVISION PLAN

Property Description:
ERF 7967 KLEINMOND

All distances approximate and subject to survey.
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NOTES	
ERF 7967 KLEINMOND	 ±595m ²
SUBDIVISION LINE	 ±595m ²
BUILDING LINE	
PORTION A	±595m ²
REMAINDER ERF 7967	±595m ²