



**OVERSTRAND MUNISIPALITEIT
ERF 3624, HOOFWEG,
KLEINMOND: AANSOEK OM
HERSONERING: PLAN ACTIVE
(nms M NADEEM)**

**OVERSTRAND MUNICIPALITY
ERF 3624, MAIN ROAD,
KLEINMOND: APPLICATION FOR
REZONING: PLAN ACTIVE (obo M
NADEEM)**

**U-MASIPALA WASOVERSTRAND
ISIZA ESINGU-ERF 3624, MAIN ROAD,
KLEINMOND: ISICELO SOKUCANDA
KWAKHONA: NGABAKWAPLAN
ACTIVE (egameni lika-M NADEEM)**

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 word hiermee kennis gegee van die onderstaande aansoeke van toepassing op Erf 3624, Kleinmond naamlik:

Hersonering

Aansoek ingevolge Artikel 16(2)(a) van die Verordening om bogenoemde eiendom te hersoneer vanaf Residensiële Sone 1: Enkelwoonsone (SR1) na Sakesone 3: Plaaslike Sake (B3), om 'n gemengde gebruik ontwikkeling met winkels op grondvloer en woonstelle op eerstevloer te akkommodeer.

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

Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening aan die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) voor of op **10 September 2021**, stipuleer u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Me. H. van der Stoep** by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

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

Munisipale Kennisgewing Nr.
105/2021

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of the application mentioned below applicable to Erf 3624, Kleinmond namely:

Rezoning

Application in terms of Section 16(2)(a) of the By-Law to rezoning the abovementioned property from Residential Zone 1: Single Residential (SR1) to Business Zone 3: Local Business (B3) to accommodate a mixed-use development with shops on ground floor and flats on first floor.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town Planning at 16 Paterson Street, Hermanus and 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 to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) on or before **10 September 2021**, quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Senior Town Planner, Ms. H. van der Stoep** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

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

Municipal Notice No. 105/2021

Kukhutshwe isaziso esimayela nemiba yeSolotyama-47 nelama-48 sikaMasipala WaseOverstrand esingokuHlonyelwa koMthethwana kaMasipala Ngezicwangciso Zokusetyenziswa koMhlaba ku2020 ngokwesicelo esichazwe banzi ngezantsi nesisebenza kwisiza esinguErf 3624, eKleinmond esaziwa:

Ukucanda kwakhona

Isicelo esimayela nemiba yeSolotyale16(2)(a) loMthethwana ongokucanda kwakhona komhlaba ukusuka kwiZoni yokuhlala enguResidential Zone 1: Yokuhlala usapho olunye nebizwa iSingle Residential (SR1) ibe yiZoni yoShishino enguBusiness Zone 3: Yoshishino lwasekuhlaleni Local Business (B3) ukulungiselela uphuhliso-oluxube neevenkile kumgangatho osezantsi neeflethi ezikumgangatho wokuqala.

linkcukacha ezimayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye8:00 neye16:30 kwiSebe: Lezicwangciso ngeDolophu kwa16 Paterson Street, eHermanus naseKleinmond Library, Fifth Avenue, Kleinmond.

Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSolotyama-51 nelama-52 Omthethwana ochazwe ngentla kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama**10 uSeptemba ka2021**, uchaze igama lakho, idilesi, iinkcukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mcwangcisi Omkhulu weDolophu, Nkszn. H. van der Stoep** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni.

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

Inothisi kaMasipala Nomb. 105/2021





Stads- en Sireeksbeplanners
Town & Regional Planners

Property Description:
ERF 3624
KLEINMOND

Plan Description:
LOCALITY MAP

Scale: NTS

Drawing Nr:
ert 3624kleinmondL.drw

Date:
MARCH 2021

All distances approximate and subject to survey.

COPY RIGHT RESERVED

PROPOSED REZONING

ERF 3624 KLEINMOND

DIVISION: CALEDON

OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Mrs. M. Nadeem, the owner of Erf 3624 Kleinmond, has instructed the company Plan Active to apply for the rezoning of Erf 3624 Kleinmond.

The subject property is currently vacant. The owner intends to rezone the subject property from **Residential Zone 1** to **Business Zone 3, Local Business Zone**, in order to develop a mixed-use development, with offices/restaurants on the ground floor and flats on the first floor. The proposed rezoning of the subject property will establish the land use rights for the proposed development.

Erf 3624 Kleinmond is 595m² in extent and is held by Title Deed Number T13952/2020.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the rezoning of Erf 3624 Kleinmond from Single Residential Zone 1 to Business Zone 3;

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 3624 Kleinmond is situated at 169 Main Road, Kleinmond and **not** at 173 Main Road, Kleinmond as indicated by the Overstrand Municipality Public Viewer. Please refer to the enclosed locality plan and Noting Sheet. The owners of Erven 3622 and 3624 Kleinmond have both confirmed that the properties are not correctly displayed on the Public Viewer and it has already been brought to the attention of Mrs. Lee-Ann Rauch at the GIS department of the Overstrand Municipality.

Erf 3624 Kleinmond is 595m² in extent and is held by Title Deed Number T13952/2020.

3.2 ZONING

Erf 3624 Kleinmond is zoned Single Residential Zone 1 and is currently vacant.

Surrounding properties are zoned for business, residential and public open spaces. It is therefore evident that Erf 3624 Kleinmond is situated within a mixed-use area.

3.3 LAND USE

Erf 3624 Kleinmond is currently vacant.

Land uses that surround Erf 3624 Kleinmond are single dwellings, business premises, public roads, and public open spaces. The subject property is located in close proximity to the Seemeeu Shopping Centre that is established on Erf 7482 Kleinmond and

adjacent to Vic's Trading Co established on Erf 3621 Kleinmond. Please refer to the photographs below:



It is therefore evident that the subject property is situated within a mixed-use area.

3.4 PROPOSAL

The following is proposed:

- The rezoning of Erf 3624 Kleinmond from Single Residential Zone 1 to Business Zone 3 in terms of Chapter 4, Section 16(2)(a) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

It is the intention of the owner of Erf 3624 Kleinmond to rezone the subject property from Single Residential Zone 1 to Business Zone 3: Local Business. The intention is to establish offices/restaurants on the ground floor and flats on the first floor.

The detail of the application can be described as follows:

3.4.1. Proposed Rezoning

The subject property is currently zoned Single Residential Zone 1 and is currently vacant. With the rezoning of the subject property to Business Zone 3, an opportunity will be created to establish offices/restaurants and flats on the subject property.

The following land use rights are applicable to Business Zone 3 properties:

BUSINESS ZONE 3: LOCAL BUSINESS (B3)

The following use restrictions apply to a property in this zone:

Primary uses are: shops, dwelling unit (above ground floor) in accordance with 6.3.2, flats (above ground floor), offices, restaurant, caretaker's accommodation, and self-catering.

Consent uses are: bottle store, business premises, clinic, conference facility, dwelling unit (on ground floor) in accordance with 6.3.2, flats (on ground floor), town housing in accordance with 6.3.2, tourist accommodation, hotel, institution, place of assembly, place of entertainment, place of instruction, place of worship, recreational facilities, residential building, sale of alcoholic beverages, service station, service trade and transmission apparatus (subject to the provisions of Chapter 16.10).

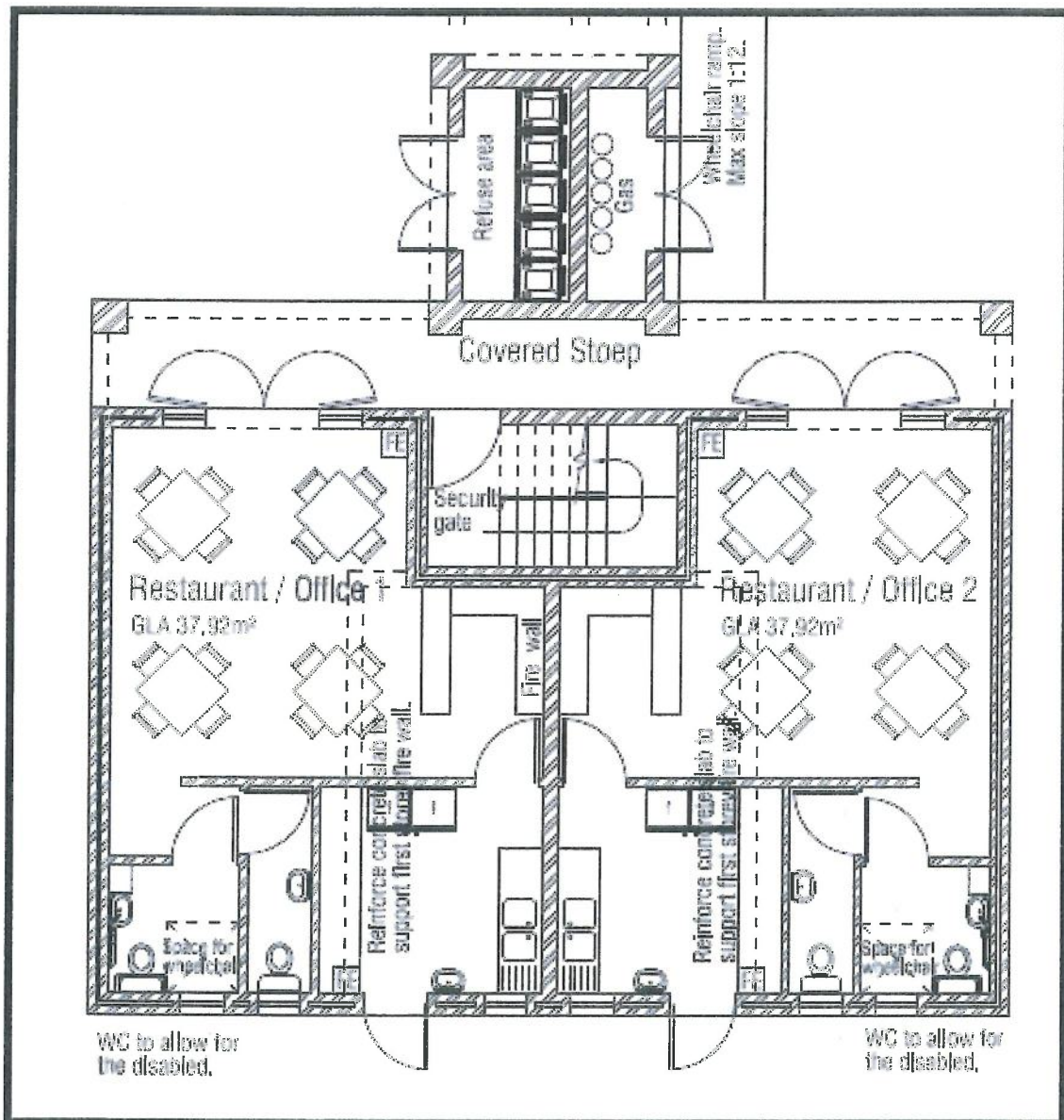
A double storey building is proposed that will consist of two offices/restaurants with a total gross leasable area of $\pm 75.84\text{m}^2$ in extent on the ground floor, and three single bedroom flats on the first floor. Erf 3624 has an excellent location to be used for business and residential purposes and enough parking can be provided on site. The proposed offices/restaurants will have great exposure to the street front facing Main Road, Kleinmond. Please refer to the enclosed site development plan and parking layout designed by Sandra Schutte Architect.

The detail of the proposed mixed use can be described as follows:

- Total offices/restaurants - GLA of $\pm 75.84\text{m}^2$ (2 offices/restaurants).
- 3 flats;

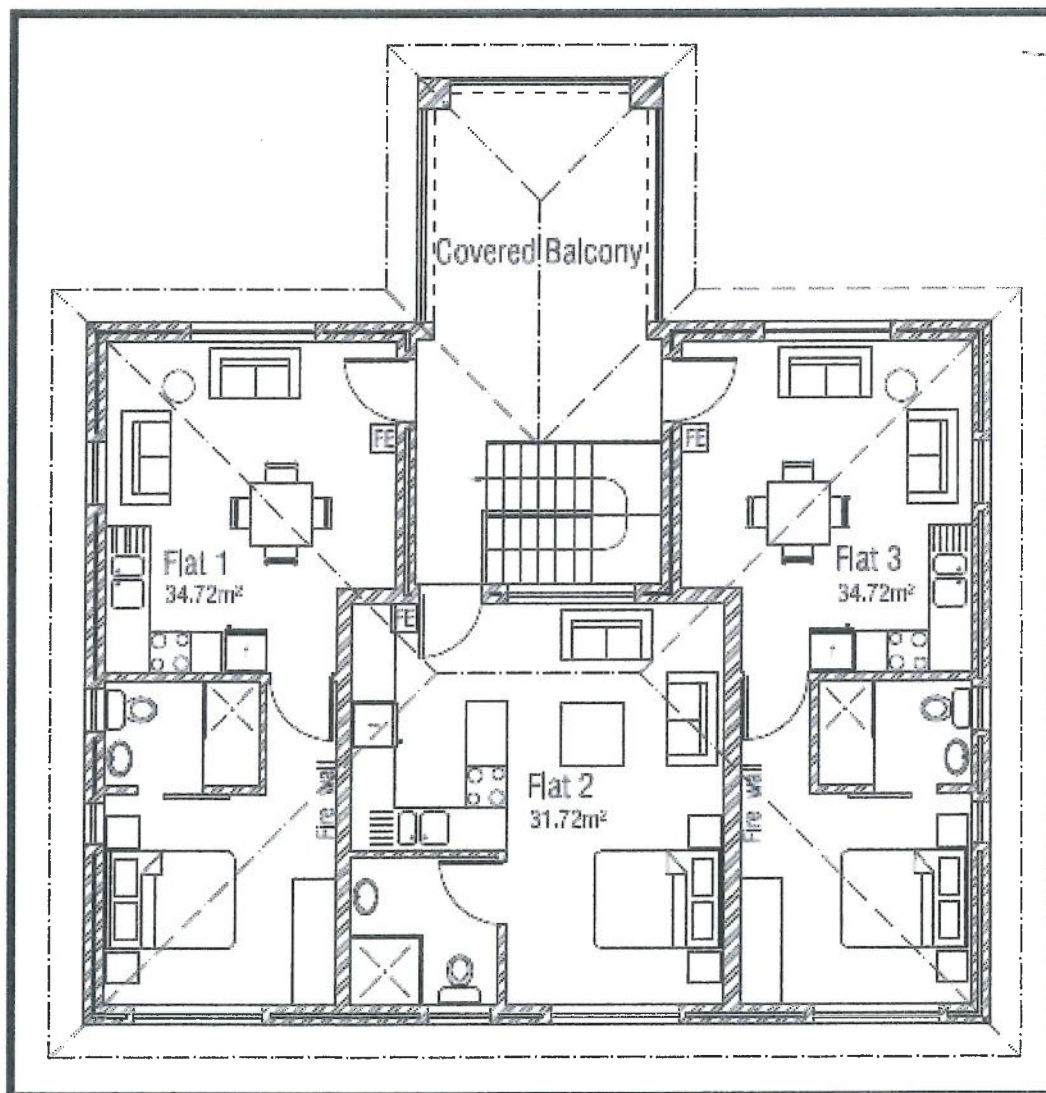
Ground floor detail

- 2 offices/restaurants with 37.92m^2 GLA each;
- Each office/restaurant compromising with its own bathroom facilities with manoeuvre space for disabled people within the bathroom.



First Floor detail

- 2 x one-bedroom (34.72m²) flats with an open plan living room and kitchen;
- 1 x one-bedroom (31.72m²) bachelor flat with an open plan kitchen, living room and bedroom;
- En-suite bathrooms;
- All three flats have separate accesses by means of a staircase and a covered balcony.



The proposed rezoning will be beneficial for the local economy of Kleinmond as it will create temporarily employment opportunities during the construction phase of the proposed development and after the development phase. More permanent job opportunities will also be created to manage the restaurants and to occupy office space on the subject property.

The proposed rezoning will be in line with the current character and area of Kleinmond. The subject property is situated in the Main Road of Kleinmond, in a mixed-use area and could easily connect to the CBD of Kleinmond.

It is our opinion that the proposed rezoning will be beneficial for the owner as well as the local community as it will create opportunities for people to enhance better lifestyles through job creation in an area where it is much needed. The residential component will also ensure that local people will reside close to business opportunities.

3.5 ACCESS AND PARKING

Access to the business site is proposed from Main Road, Kleinmond.

The parking schedule for the proposal can be tabled as follows:

Land use	Total Number	Parking ratio	Parking Bays Required	Parking Bays provided
Residential	3x 1 bedroom flats	1.5 bays per 1 bedroom dwelling unit	4.5 bays	5 bays
Offices / Restaurant	±75.84m ² GLA	Four bays per 100m ² GLA	3.03 bays	4 bays
Total			9 bays	10 bays

In terms of the Zoning Scheme 1 parking bay for every 25 Parking bays provided must be a dedicated parking bay for the handicapped. 1 Parking bay has been reserved for the handicapped, parking bay number 9.

All the proposed parking bays adhere to the design requirements of 5.5m x 2,5m with 7m manoeuvre space behind each parking bay. The handicapped parking bay adheres to the design requirements of 5.5m x 4m. 10 parking bays are proposed on the premises.

From the above it is evident that sufficient parking bays can be provided on site. The impact on the traffic of the area will be kept to a minimum.

3.6 SERVICES

Erf 3624 Kleinmond is situated in an already developed area where all services exist. The proposed rezoning from Single Residential Zone 1 to Business Zone 3 will have a minor impact on the existing services. Any additional services required to the subject property will be done according to the specifications of the Overstrand Municipality.

3.7 TITLE DEED

There are no restrictive Title Deed conditions in Title Deed Number T13952/2020 that will have to be addressed in order for the proposed application to be approved.

There is no bond registered against Erf 3624 Kleinmond.

3.8 FORWARD PLANNING

Overstrand Municipal Spatial Development Framework (2020)

In terms of the Overstrand Municipal Wide Spatial Development Framework the subject property is earmarked for urban development purposes. The proposal is for a mixed-use development which will consist of residential and business uses. The subject property is located alongside Kleinmond' s main activity spine namely Main Road (R43 Provincial Road).



Overstrand Growth Management Strategy

With reference to the Overstrand Growth Management Strategy the subject property falls within Planning Unit 7 that is located on both sides of the R43 Provincial Road (Main Road) which consists of a variety of low intensity of mixed-use developments . No densification is proposed for this planning unit.

With reference to the above mentioned is it our opinion that the proposed application is in line with the Growth Management Strategy as the proposal consist of a mixed-use development with a mixed land use area.

It is therefore our opinion that the proposed rezoning can be supported, and it is in line with forward planning strategies and also the current land use trends for the area.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Erf 3624 is situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is vacant and 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 rezoning application 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 rezoning 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: After the proposed rezoning of the subject property the opportunity will be created to establish residential and business uses on a currently vacant property. The proposal will be in line with the surrounding character of this specific area of Kleinmond. There are no restrictive Title Deed conditions that prohibit the rezoning of the subject property. The land use restrictions in terms of the Overstrand Municipal Zoning Scheme under a zoning of Business Zone 3 will apply, and no departures are required.

Spatial sustainability: The proposed rezoning is in line with the current character of the established mixed-use area. The proposed application will have no impact on the conservation worthy areas of Kleinmond. Spatially the proposed land use will be in line with the existing land use tendencies for the specific area of Kleinmond.

Efficiency: The proposed application for the rezoning of Erf 3624 Kleinmond will promote the optimisation of the use of space within a developed mixed-use area. The subject property is also situated alongside the Main Road of Kleinmond and after the approval of the proposed application the subject property will fit in with the main activity spine of Kleinmond namely Main Road (R43 Provincial Road).

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). 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.

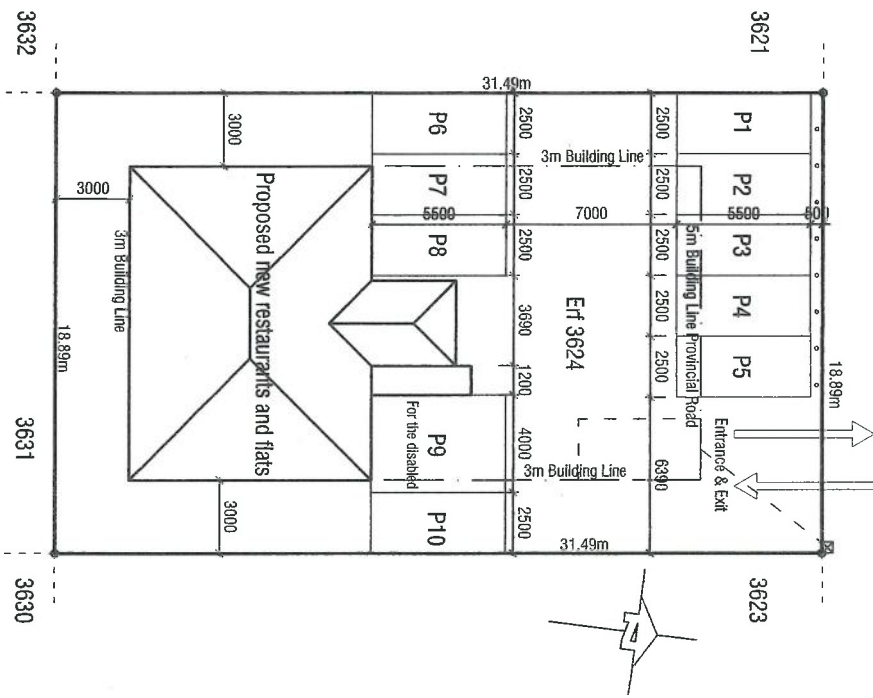
4. **RECOMMENDATION**

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

- The proposed rezoning falls within the existing land use tendencies in the area;
- The impact on services will be minimal and additional services will be installed according to the specifications of the Overstrand Municipality, if required;
- Sufficient parking bays can be provided on the subject property;
- The proposal will create an opportunity for more permanent employment for the local community;
- The proposed rezoning 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 rezoning of Erf 3624 Kleinmond.

Main Road



Site Plan
Scale 1:200

All deviations from plan, however minor, must be reported to and approved by the Architect in writing. Failure to do so will absolve the Architect of ANY further responsibility relating directly or indirectly to the deviations.

Owner's Signature

Architect's Signature

Engineer's Signature

Areas:	GLA	GLA
Office/Restaurant 1	37.92m ²	37.92m ²
Office/Restaurant 2	37.92m ²	37.92m ²
Flat 1	34.72m ²	34.72m ²
Flat 2	31.72m ²	31.72m ²
Flat 3	34.72m ²	34.72m ²
Total ground storey	140.88m ²	140.88m ²
Total first storey	140.88m ²	140.88m ²
Total building	281.76m ²	281.76m ²
Footprint	140.88m ²	140.88m ²
Eft	595m ²	595m ²
Coverage	23.6%	23.6%
Class of occupancy of building	G1/A1 & H3	
Occupancy	Office/Entertainment and Public Assembly & Domestic Residence	

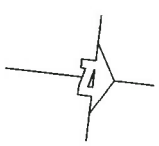
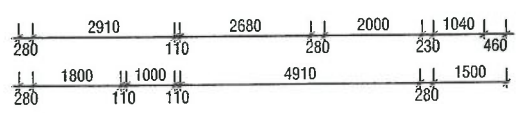
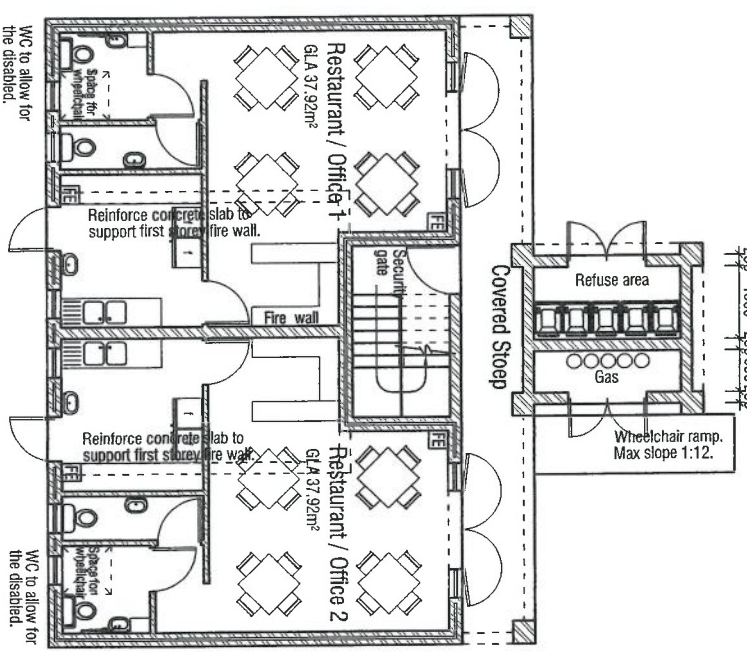
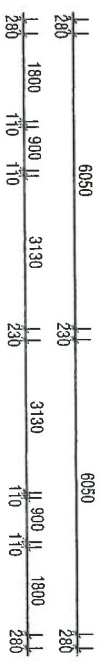
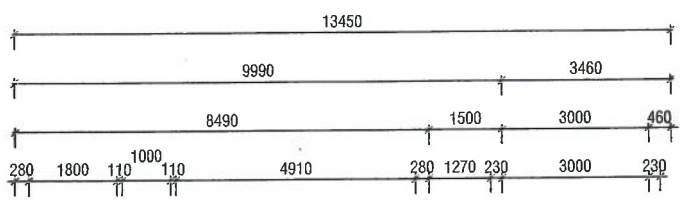
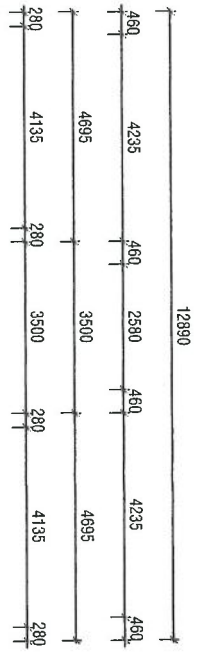

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Scaled dimensions invalid. All measurements have to be checked on site before work can commence. Copyright reserved. Any discrepancies or errors must be reported to the Architect.

Client: **Nadeern**
 SACAP Reg No: Pr Acth 21077
 1896

Project: **Town Planning Application
 Proposed development of
 Eft 3624
 Main Road
 Kleinmond**

Drawn	LS	Checked	SS
Project No	Revision	Date	2021/06/03
E-121.K	1	Sheet No	1 of 5



Ground Storey Plan
Scale 1:100

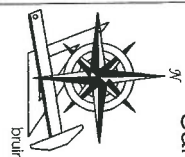
All deviations from plan, however minor, must be reported to and approved by the Architect in writing. Failure to do so will absolve the Architect of ANY further responsibility relating directly or indirectly to the deviations.

Owner's Signature

Architect's Signature

Engineer's Signature

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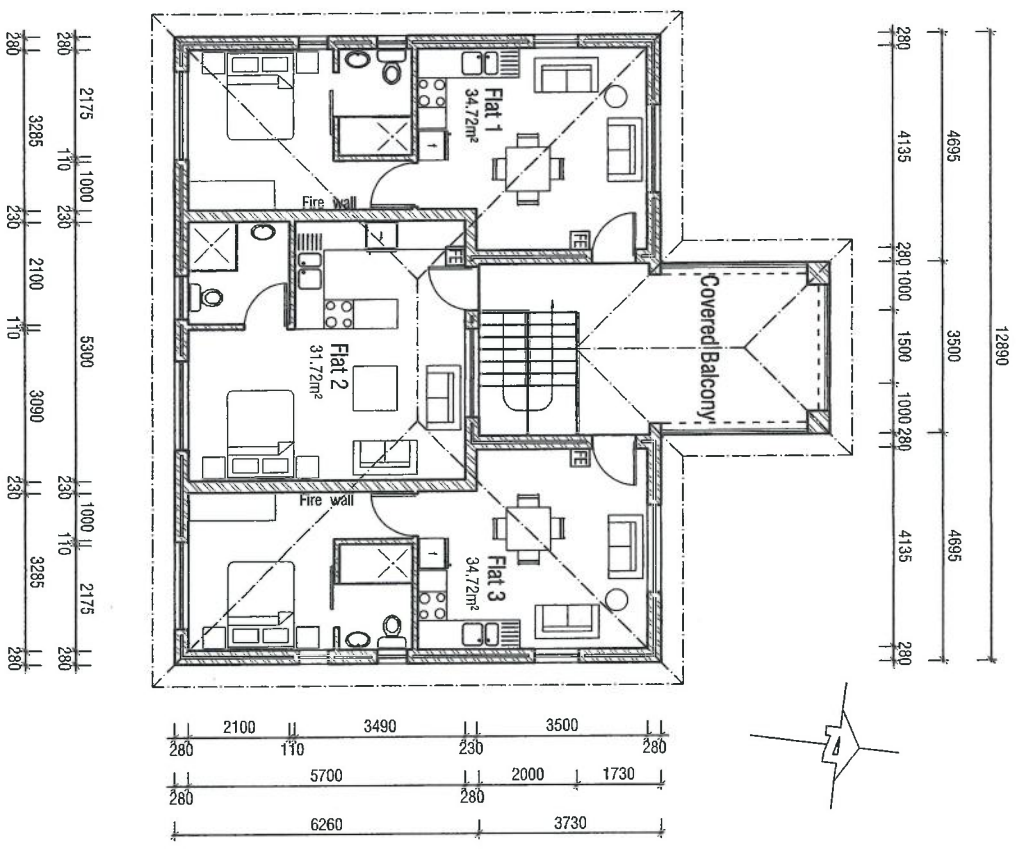
Project: **Town Planning Application Proposed development of Erf 3624 Main Road Kleinmond**

Drawing: **Ground Storey Plan**

Scale: 1:100

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Project No	Revision	Date	2021/06/03
E.121.K	1	Sheet No	2 of 5

First Storey Plan
Scale 1:100



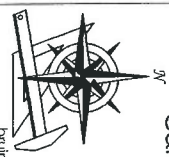
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Owners Signature

Architect's Signature

Engineers Signature

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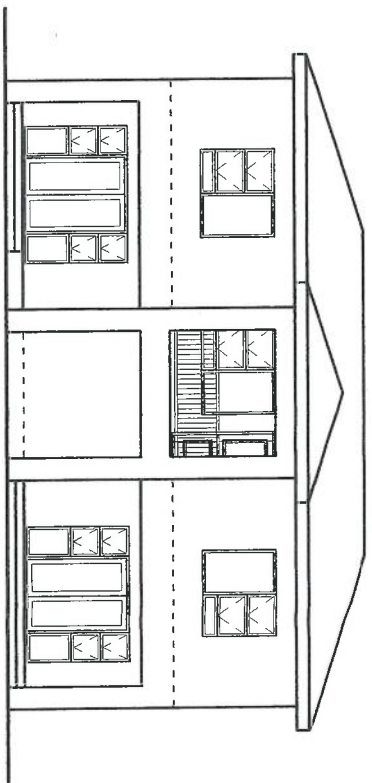
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Project
**Town Planning Application
Proposed development of
Erf 3624
Main Road
Kleinmond**

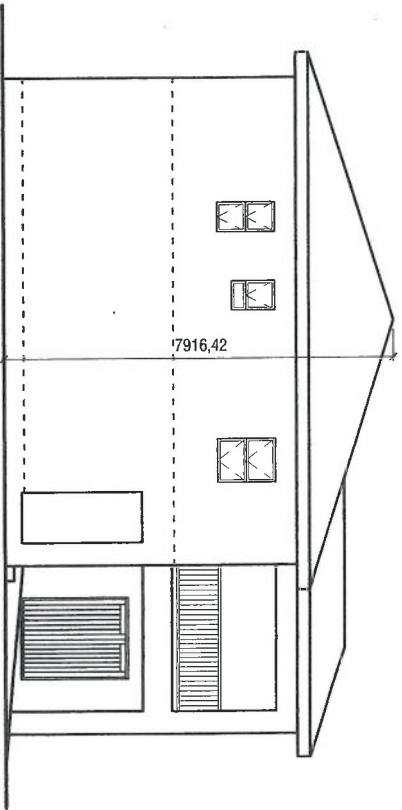
Drawing
First Storey Plan

Scale 1:100

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Project No	Revision	Date	2021/06/03
E:121 K	1	Sheet No	3 of 5



North Elevation



East Elevation

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3Y
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 Client **Nadeem** 1896

Project
**Town Planning Application
 Proposed development of
 Erf 3624
 Main Road
 Kleinmond**

Drawing
Elevations
 Scale 1:100

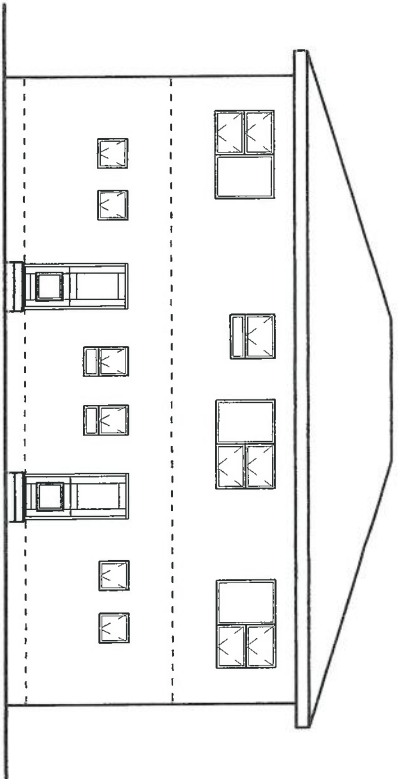
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Project No	Revision	Date	2021/06/03
E.121.K	1	Sheet No	4 of 5

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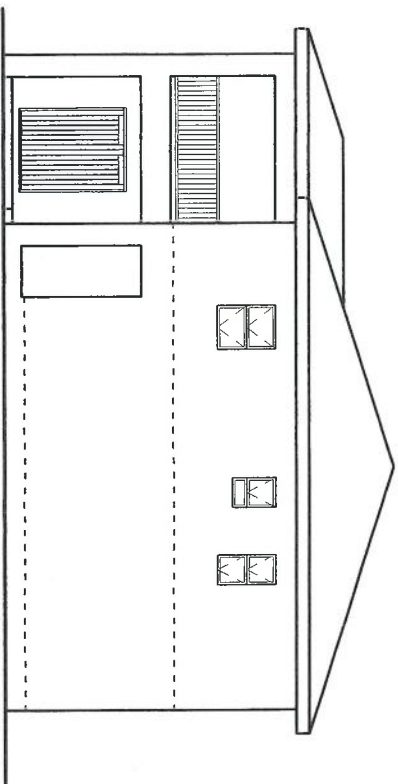
Owner's Signature

Architect's Signature

Engineer's Signature



South Elevation



West Elevation

Scaled dimensions invalid. All measurements have to be checked on site before work can commence. Copyright reserved. Any discrepancies or errors must be reported to the Architect.



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SACAP Reg No: Pr Arch 21077

Client **Nadeem**

1896

Project
**Town Planning Application
Proposed development of
Erf 3624
Main Road
Kleinmond**

Drawing
Elevations

Scale **1:100**

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Project No	Revision	Date	
E.121.K	1	2021/06/03	
	Sheet No		5 of 5

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Owner's Signature

Architect's Signature

Engineer's Signature