

LAND USE PLANNING ASSESSMENT REPORT

(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

AANSOEK: SLUITING VAN OPENBARE PLEK OOR GEDEELTE VAN ERF 2445 EN WYSIGING VAN GOEDGEKEURDE ONDERVERDELINGSPLAN TEN OPSIGTE VAN ERWE 2445 EN 2981, ROBERTSON

Reference number	15/4/9/9/1	Application submission date	15-12-2021	Date report finalised	21/4/2022
PART A: AUTHOR DETAILS					
First name(s) & Surname	Jack van Zyl				
Job title	Assistent Bestuurder: Stadsbeplanning				
SACPLAN registration number	A/1170/2000				
PART B: PROPERTY DETAILS					
Property description (in accordance with Title Deed)	Erwe 2445 en 2981				
Physical address	Noordoos van Orley- en Roosstrate	Town	Robertson		
Current zoning	Erf 2445 = Oopruimtesone I Erf 2981 = Nutsgebruiksone Oorlegsonering: Onderverdelingsgebied	Extent (m2 /ha)	4.9ha	Are there existing buildings on the property?	Y N
Applicable zoning scheme	LIZS, 2018				
Current land use	Ou stortingsterrein op gedeelte van erf 2981; Informeel woonstrukture op beide erwe.			Title Deed number & date	
Any restrictive title conditions applicable	Y ☒ N	If Yes, list condition number(s)			
Any third party conditions applicable?	Y ☒ N	If Yes, specify			
Any unauthorised land use/building work	Y ☒ N	If Yes, explain			

PART C: APPLICATION DESCRIPTION

Aansoek ingevolge Artikel 15(2) van die Munisipaliteit Langeberg: Verordening op Grondgebruikbeplanning, 2015 vir die sluiting van 'n gedeelte van die Openbare Plek oor Erf 2445, sowel as die wysiging van die goedgekeurde onderverdelingsplan ten opsigte van erwe 2445 en 2981, Robertson.

PART D: BACKGROUND & SUMMARY OF APPLICANTS MOTIVATION

Die volledige agtergrond en motivering word uiteengesit in die motiveringsverslag gedateer 15 Desember 2021 deur Urban Dynamics (aangeheg in Bylae 2).

Die hersonering en onderverdeling van erwe 2445 en 2981 is op 6 Junie 2014 goedgekeur en die goedkeuring is op 22 Julie 2019 met 5 jaar verleng, m.a.w. tot 6 Junie 2024. Met die verlenging is die onderverdelingsplan ook aangepas om voorsiening te maak vir die korrekte sonerings volgens die Langeberg Geïntegreerde soneringskema, 2018 wat intussen in werking getree het (plan aangeheg in Bylae 1).

Die doel van die oorspronklike en huidige aansoek is om gesubsidieerde behuisingsprojek te ontwikkel.

Die goedkeuring het voorsiening gemaak vir die onderverdeling van beide erwe 2981 en 2445 in twee dele elk, waarvan 'n deel van elk dan met mekaar konsolideer word en hersoneer word na onderverdelingsgebied om 188 woonerwe, 'n sakeperseel, publieke oopruimtes, 'n plaaslike owerheidperseel en strate te skep.

Die huidige aansoek is soortgelyk aan die oorspronklike, maar stel 23 meer residensiële erwe voor in dieselfde area (totaal van 205 Enkel residensiële sone I erwe) en stel ook die sakesone erf voor vir 'n gemeenskapsfasiliteit met sonering van Gemeenskapsone II (primêre gebruiksreg: Plek van aanbidding). Verder word aansoek gedoen om die gedeelte van erf 2445 wat vir die ontwikkeling gebruik gaan word, as Openbare Plek te sluit. Die voorgestelde plan word ook aangeheg in Bylae 2)

PART E: SUMMARY OF PUBLIC PARTICIPATION

Public participation required in terms of Sections 45- 49 of the By-law?

Y

N

Where participation is required, state method of advertising

Press

Notices

Ward Councillor

Other

PART F: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

Geen beswaar is ontvang.

PART G: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS (if applicable)

Siviele Ingenieursdienste

Geen bykomende kommentaar. Die departement het per skrywe van 6 Desember 2019 aangedui dat daar voldoende grootmaatsdienste beskikbaar is vir die ontwikkeling van 189 enkel residensiële erwe en 1 sake-erf, mits die grootmaat watervoorsiening opgradeer word met die aanbring van 'n 505m lange 315mm deursnee hooflyn tussen die reservoir en die bestaande waternetwerk.

Die aansoeker het ook 'n diensteverslag van iX engineers voorgelê, gedateer Desember 2021 waarin bevestig word dat die ontwikkeling by die bestaande netwerke kan aansluit, met inagneming van die verlangde opgradering. Die Langeberg Munisipaliteit is in die proses om laasgenoemde te doen.

Die wegdoening van stormwater vanaf 'n deel van die ontwikkeling en vanaf 'n afsnysloot bokant die ontwikkeling is nog nie finaal uitsorteer nie, maar die raadgewende ingenieurs is besig om daaraan aandag te gee in samewerking met die munisipaliteit se Siviele Ingenieursdepartement.

Elektriese Ingenieursdienste

Geen bykomende kommentaar is ontvang.

Die kommentaar in 2014 was:

"Die Elektriese toevoer vir die ontwikkeling is beskikbaar in Japonikastraat vanwaar die 11kV kabel na die ontwikkeling aangelê moet word.

Grootmaatsdienste is beskikbaar, maar kapasiteit sal slegs beskikbaar wees nadat Eskom se Klipdrif Substasie en 66kV lyn na Robertson voltooi is. Die verwagte datum is September 2014".

Kommentaar : Boubehoerbeampte

Geen kommentaar ontvang

Kommentaar : Verkeersdienste

Geen kommentaar ontvang.

Die aansoeker het 'n Verkeersimpakevaluering gedateer April 2020 deur Deca Consulting Engineers voorgelê, wat aanbeveel dat die ontwikkeling goedgekeur word onderhewig aan sekere voorwaardes, ondermeer:

- Die Paul Krugerstraat / Paddystraat&Johan de Jongrylaan kruising, sowel as die Paddystraat / Nerinastraat kruising moet verander word vanaf stoptekens in alle rigtings na stoptekens in Paul Kruger en Nerinastrate alleen, sodat verkeer in Paddystraat en Johan de Jongrylaan vry kan vloei.
- Die bg twee kruisings kan verhoog word indien spoedbeheer 'n probleem in Paddystraat en Johan de Jongrylaan blyk te wees.
- Die gemeenskapsone erf moet met 'n "drop and go" sone met twee laaiplekke bedien word en 'n sypaadjie moet gebou word langs die toegangspad tussen Roosstraat en die gemeenskapsoneperseel.

Kommentaar : Brandweerdienste

Geen kommentaar ontvang.

Kommentaar : Wyksraadslid

Geen kommentaar is ontvang.

Kommentaar : Senior Omgewingsgesondheidspraktisyn – Kaapse Wynland Distriksmunisipaliteit

Geen

PART H: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

Die aansoeker se motivering spreek alle tersaaklike oorwegings aan en word ondersteun.

PART I: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS (REFER TO ROR GUIDELINE)

NVT

PART J: RECOMMENDATION

Dat die volgende goedgekeur word ingevolge Artikel 60 van die Munisipaliteit Langeberg: Verordening op Grondgebruikbeplanning, 2015:

- A. Sluiting van Openbare Plek oor 'n gedeelte van erf 2445, Robertson soos uitgebeeld as "Proposed Closure" op plan van Urban Dynamics getiteld "Figure 5: Closure plan" en gemerk ROB2445-LBM-PP.
- B. Wysiging van die goedgekeurde onderverdelingsplan vir die onderverdeling van gedeeltes van erwe 2445 en 2981, Robertson, soos uitgebeeld op plan nr 2 van Urban Dynamics gedateer 12 Oktober 2021 en gemerk ROB2981&2445-LBM-OP2, wat voorsiening maak vir 205 Enkel residensiële sone I erwe, 1 Gemeenskapsone II erf, 1 Nutssone erf, 2 Oopruimtesone I erwe en 'n Vervoersone II erf.

Die goedkeuring is onderhewig aan die volgende voorwaardes ingevolge Artikel 66 van die gemelde verordening:

Ten opsigte van A. hierbo:

1. Die sluiting van die openbare plek oor gedeelte A moet formeel afgehandel word ooreenkomstig Artikel 26(7) van bogenoemde verordening voordat die onderverdeling van erf 2445 en die konsolidasie en verdere onderverdeling daarvan gedoen mag word.

Ten opsigte van B. hierbo:

2. Alle siviele en elektriese ingenieursdienste vir die ontwikkeling moet volgens die vereistes en tot bevrediging van die betrokke munisipale departemente ontwerp en installeer word.
3. Straatname moet toegeken word volgens die Raad se beleid en straatnommers moet toegeken word deur die Departement Stadsbeplanning.
4. Ter uitvoering van Artikel 20(5)(c) van die gemelde verordening moet die aansoeker die konsep Algemene Plan vir endossering as die goedgekeurde onderverdelingsplan by die Langeberg Munisipaliteit Stadsbeplanningsafdeling indien.
5. Vir die toepassing van Artikel 21(2) van die gemelde verordening geld die sonerings soos aangedui op plan gemerk ROB2981&2445-LBM-OP2.

6. Ingevolge Artikel 23(4) van die gemelde verordening is die goedkeuring vir die gewysigde plan geldig vir die res van die oorspronklike geldigheidsperiode, soos verleng met 5 jaar op 6 Junie 2019. Die onderverdelingsgoedkeuring sal dus verval op 6 Junie 2024 indien dit nie bevestig is soos bedoel in Artikel 21 van dieselfde verordening nie.
7. Voorwaardes 1, 2, 3 en 4 moet nagekom word voordat 'n sertifikaat ingevolge Artikels 20(6) en 28 van die gemelde verordening uitgereik word.

PART K: ANNEXURES

Bylae 1: Planne, ingesluit oorspronklike goedgekeurde plan en voorgestelde gewysigde plan.

Bylae 2: Motiveringsverslag en aanhangsels

PART L: AUTHOR SIGNATURE:

.....
J L E R VAN ZYL
ASSISTANT MANAGER: TOWN PLANNING
REGISTERED PROFESSIONAL PLANNER – NO. A/1170/2000

.....
DATE

Bylae 1

Planne, ingesluit oorspronklike goedgekeurde plan en voorgestelde gewysigde plan

LIGGINGSPLAN - STREEK

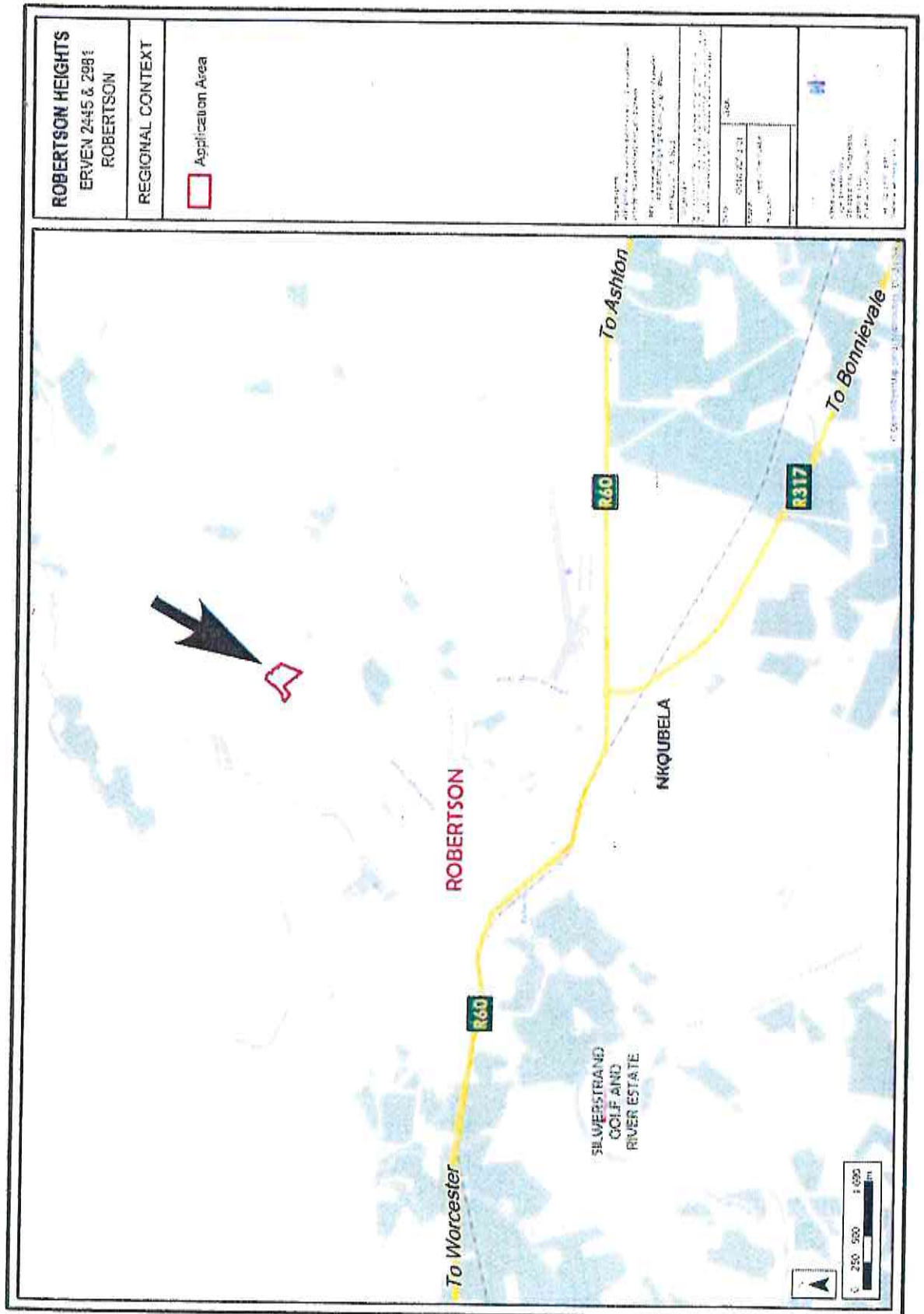


Figure 2: Regional Context Plan

LIGGINGSPLAN - RAASLIK.

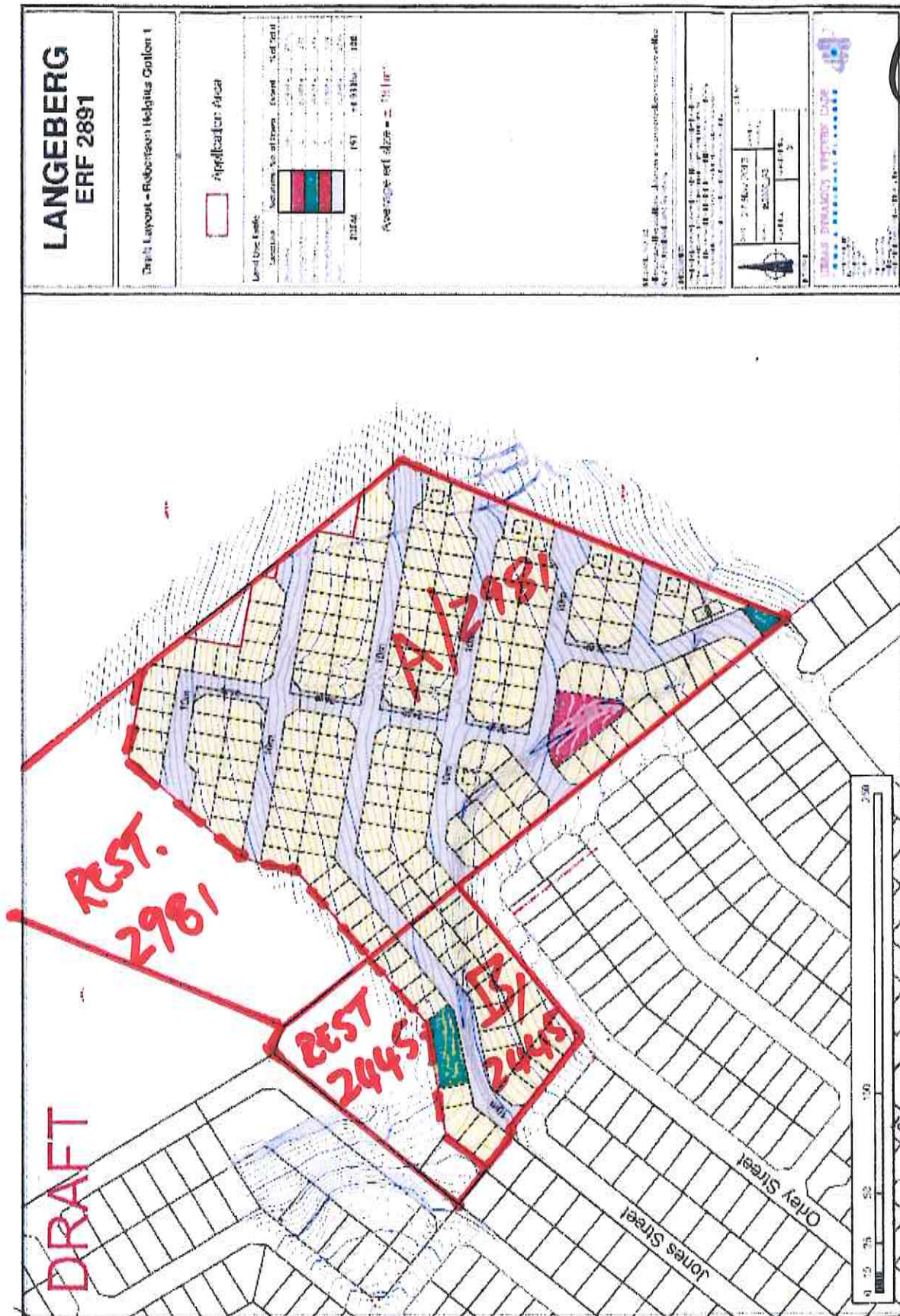


5



GOEDGEKEURDE ONDERVERDELINGSPLAN

(2014)



ROBERTSON HEIGHTS ERVEN 2445 & 2981 ROBERTSON

SUBDIVISION & REZONING PLAN

- Application Area
- Cadastral Boundaries
- Proposed Layout
- Contour Lines (0.5m intervals)

* Minimum Street Frontage = 9.00m

AVERAGE CRF SIZE = 167m²

PLEASE NOTE

All boundary line positions, distances and property sizes need to be verified by a Professional Land Surveyor.

IDENTITY

THIS PLAN IS THE PROPERTY OF THE CLIENT AND IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE CLIENT. THE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE CLIENT.



DATE	12 October 2021
SCALE	See Linescale
PLAN NO.	2
VERSION NO.	4

FILE NAME



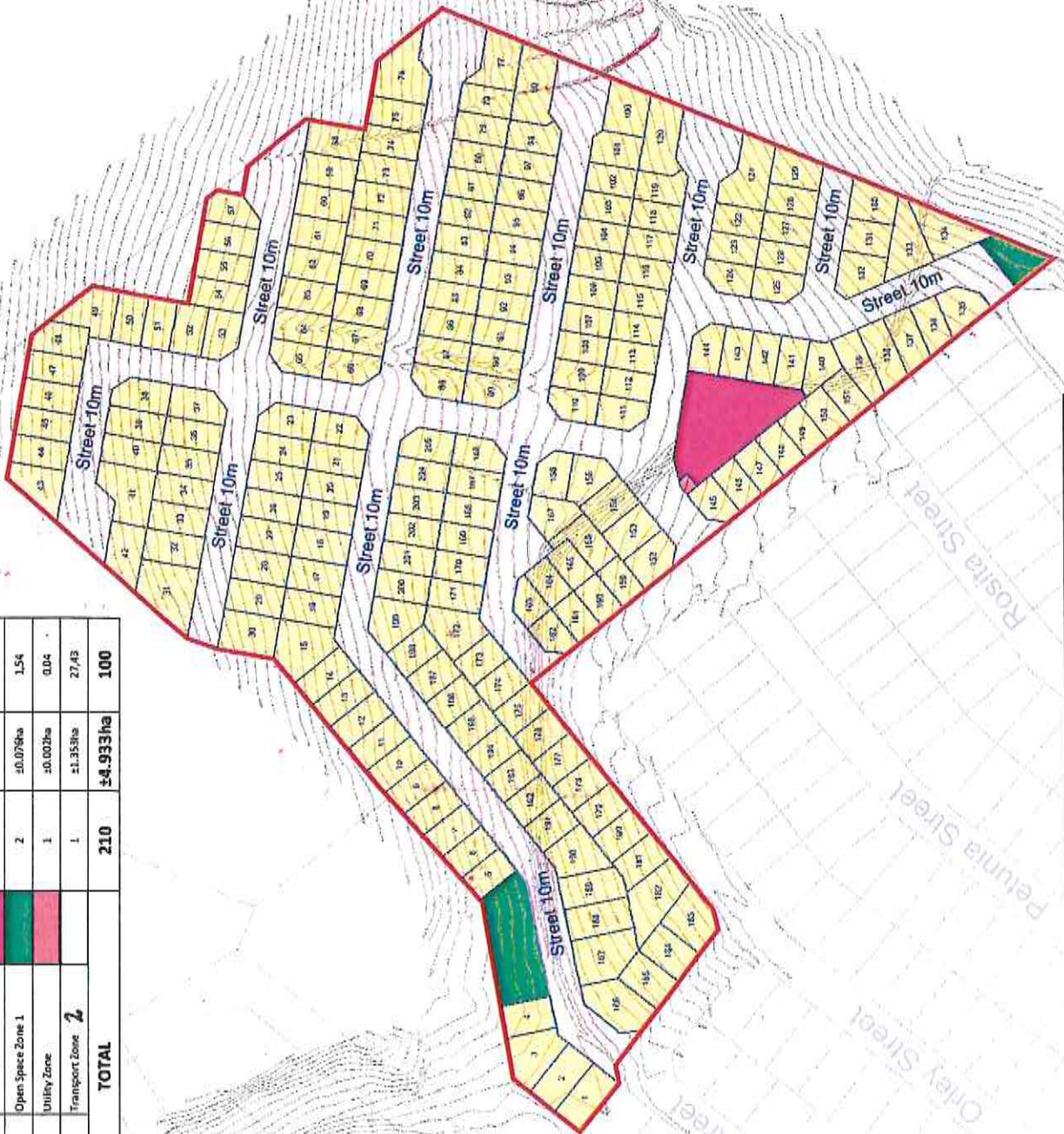
URBAN DYNAMICS WESTERN CAPE
TOWN & REGIONAL PLANNERS

224 VORSTERWEG
BELLVILLE
7530
TEL: 021 939 1000
WWW.URBANDYNAMICS.CO.za

ROB 2981 & 2445 - LBM - OP 2

Land Use Table

Land Use	Zoning	Notation	No. of Erven	Extent	% of Total
Residential	Single Residential Zone 1		205	±3.416ha	69.25
Community Facility	Community Zone 2		1	±0.086ha	1.74
Open Space	Open Space Zone 1		2	±0.078ha	1.54
Electrical Substation	Utility Zone		1	±0.002ha	0.04
Road	Transport Zone 2		1	±1.353ha	27.43
TOTAL			210	±4.933ha	100



Bylae 2

Motiveringsverslag en aanhangsels



15 December 2021

Langeberg Municipality
28 Main Road
Ashton
6715

Attention: Mr. Kobus Brand

E-mail: kbrand@langeberg.gov.za

ROBERTSON HOUSING
ERVEN 2445 & 2981 ROBERTSON: REZONING, AMENDMENT OF A
PREVIOUSLY APPROVED SUBDIVISION PLAN AND CLOSURE OF A PUBLIC
PLACE

1. Background

An application for the rezoning, subdivision, consolidation and departures, related to Erven 2445 and 2981 Robertson, was approved on 6 June 2014 (refer attached approval letter dated 6 June 2014).

The above-mentioned application was submitted and approved, to allow for the following land uses / zonings:

- i) 188 Single Residential Zone erven;
- ii) 2 Public Open Spaces;
- iii) 1 General Business Zone erf;
- iv) 1 Local Authority Zone; and
- v) Public Roads.

In June 2019, Urban Dynamics submitted an application for the extension of the above-mentioned development rights for a further five years, as no General Plan has been submitted

Office Suite 208, Tyger Lake Building, 2 Niagara Way, Tyger Falls, Bellville, 7530
PO Box 2445, Bellville 7535

Tel: +27(0)21 948-1545 • Email: erika@udwc.co.za
Company Reg No: 1997/006197/07

Directors: PL Olden (A/1162/2000) (Managing)* GP Swart (A/1126/1999)* PJ Lerm (A/163/2009)*
*Registered Professional Planners

by a Land Surveyor to the Surveyor General's Office, for the subsequent registration of the erven. The application for extension of the development rights was approved on 22 July 2019 (refer attached approval letter dated 22 July 2019). The approved layout is shown by Figure 1 below.

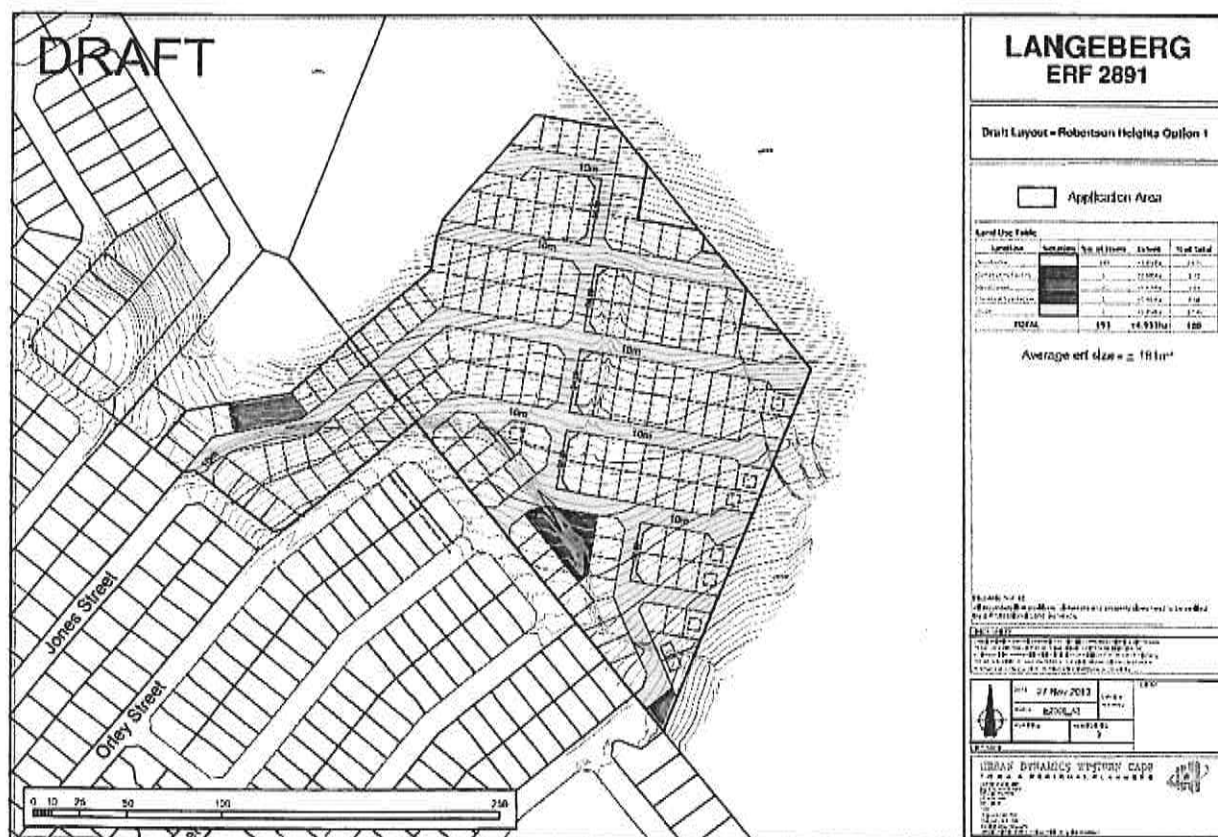


Figure 1: Approved layout (December 2013)

Following the above-mentioned approvals, it is now the intention of the implementing agent, Asla Devco (Pty) Ltd, to submit an application for the amendment of the previously approved layout / subdivision plan, to create 17 additional residential erven on the application area. It should be noted that a General Plan has not yet been submitted to the Surveyor General's Office for approval, to date (the zoning rights have therefore not vested yet).

Following further investigations, it was confirmed that:

- Erf 2445 Robertson, is designated as a public open space / public place, in terms of the Surveyor General's records (refer attached status report). In this regard, an application will also be submitted for the closure of a portion of Erf 2445 Robertson; and
- On 11 December 2013, the Langeberg Municipality issued a zoning certificate (refer attached) erroneously confirming that Erf 2445 Robertson, is zoned as Private Open Space (the correct zoning is Open Space Zone 1, as explained in the point above). An application was submitted (on the basis of the zoning certificate) and approved in 2014 (refer above) for the rezoning of Erf 2445 Robertson, from Private Open Space to

Subdivisional Area. It is our considered opinion that the application should have been reworded to: application for rezoning of a portion of Erf 2445 Robertson, from Open Space Zone 1 (public open space) to Subdivisional Area. Although the rezoning application was approved and the fact that the existing zoning is Subdivisional Area, an application will now be submitted, to rezone a portion of Erf 2445 Robertson from Open Space Zone 1 to Subdivisional Area.

2. Brief

Urban Dynamics South Cape (Pty) Ltd., has been appointed by Asla Devco (Pty) Ltd. (the implementing agent), to prepare and submit an application for rezoning, the amendment of the previously approved layout / subdivision plan for Erven 2445 & 2981 Robertson, and the closure of a public place.

3. Locality

Within Robertson, the application area is located on the north eastern edge of the town. The application site gains direct access via the extension of the existing road network (Jones & Sonneblom streets). The local distributor roads namely Paul Kruger- and Paddy Street, connect the application area with the central business district (CBD) of Robertson. Erven 2981 and 2445 Robertson, abut an existing residential development on the southern edge. The proposed development is therefore regarded as a natural / logical extension of the urban footprint.

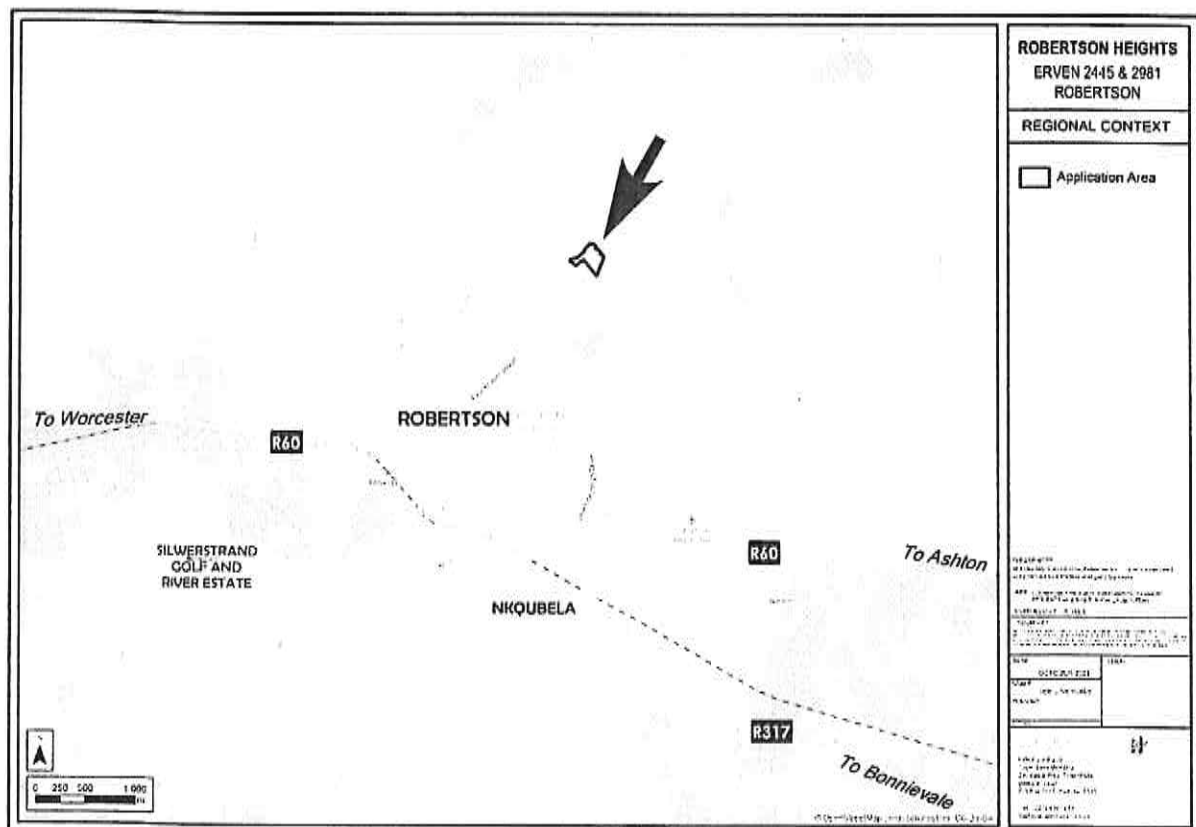


Figure 2: Regional Context Plan

4. The application

- i) The Rezoning of a portion (± 0.70 ha) of Erf 2445 Robertson, in terms of Section 15(2)(a) of the Langeberg Municipal Land Use Planning By-law (2015), from Open Space Zone 1 to Subdivisional Area.
- ii) Amendment of a previously approved subdivision plan dated 27 November 2013, in terms of Section 15(2)(k) of the Langeberg Municipal Land Use Planning By-law (2015), to allow for the following zonings, in accordance with the regulations of the Langeberg Integrated Zoning Scheme By-law (2018) (refer **Figure 4**):

- 4

- iii) Closure of a public place (a portion of Erf 2445 Robertson), in terms of Section 15(2)(n) of the Langeberg Municipal Land Use Planning By-law (2015), as indicated by Figure 5.

The application form is attached herewith.

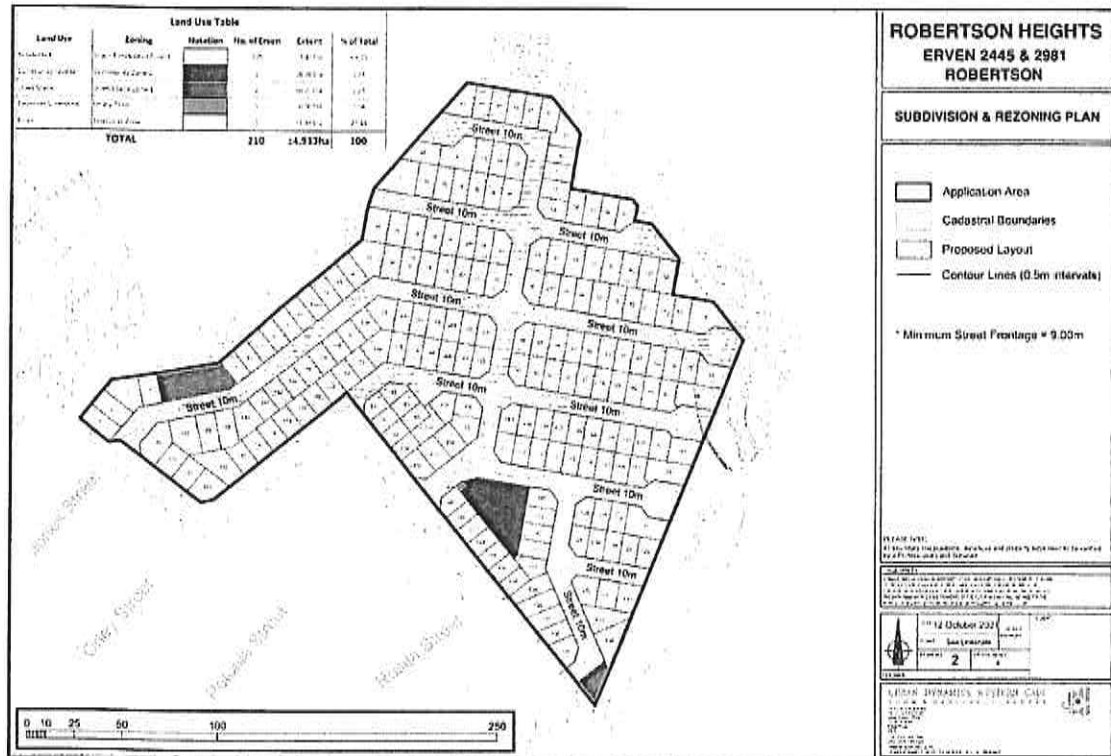


Figure 4: Proposed layout

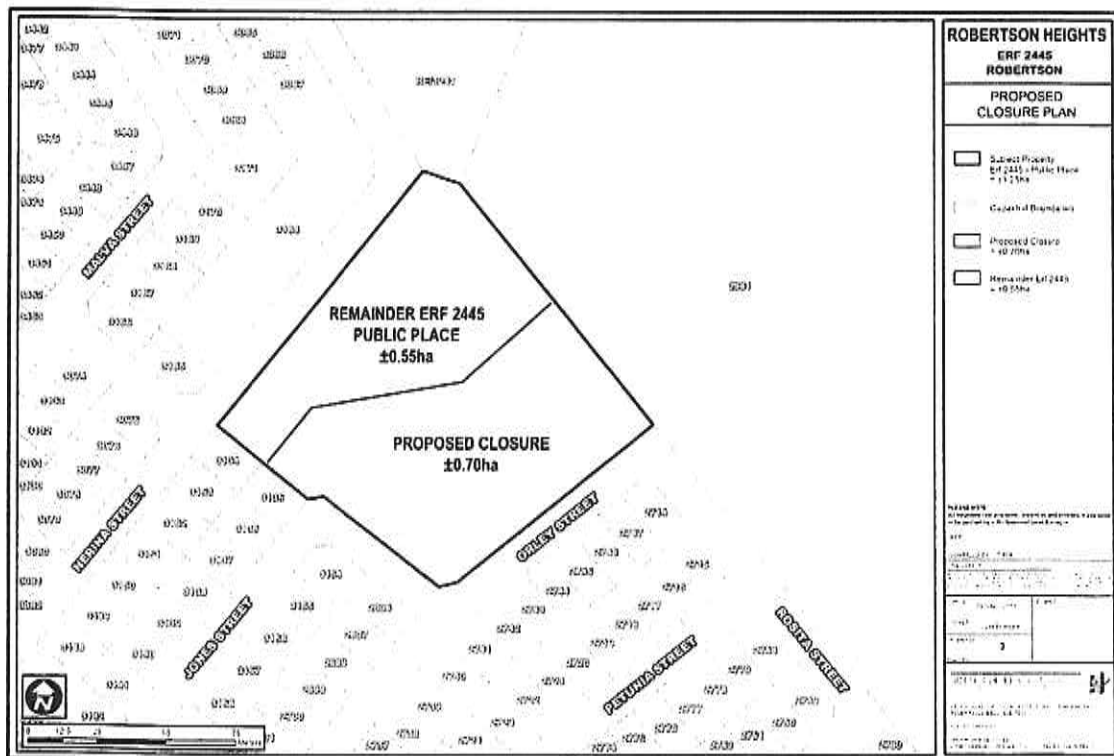


Figure 5: Closure plan

5. Civil Engineering Services

Engineering services availability was confirmed during the previous application processes in 2014/19. Bulk sewer and water availability was confirmed by the Langeberg Municipality (refer attached civil services report).

6. Layout

As stated in **Section 1** above, this application is submitted for the amendment of a previously approved layout / subdivision plan, to create 17 additional residential erven. The higher density of human settlement developments, can contribute to the reduction of the housing backlog within Robertson. The average erf size is $\pm 135\text{m}^2$ to $\pm 150\text{m}^2$. Minimum street frontages of erven is 9m.

The following broad planning principles have been applied as part of the original and amended layout planning processes:

- The implementation of a cost-effective design, to optimise the use of available land and resources.
- A safe environment with a strong sense of community.
- Facilitate pedestrian-orientated movement.
- A system of continuous routes to promote accessibility to community and economic opportunities / facilities.
- Optimise the use of existing resources and infrastructure with the view to achieve sustainability.

7. Closure of public place & Rezoning

Erf 2445 Robertson, is designated as a public place in terms of the Surveyor General's records (refer attached status report). An application is therefore submitted for the closure of a portion ($\pm 0.70\text{ha}$) of the public place (refer **Figure 5**) and the rezoning thereof (from Open Space Zone 1 to Subdivisional Area). The closure and rezoning of the portion of public open space, is motivated as follows:

- The site is currently underutilised vacant land, having no contribution to the surrounding public.
- The amended layout and immediate surrounds make provision for sufficient public open space (refer **Figure 6**). The closure will not impact the current over-supply of public open space in the neighbourhood.

- Only a portion of ($\pm 0.70\text{ha}$) the open space will be closed. The remainder ($\pm 0.55\text{ha}$) of the site will remain open space.
- The rezoning and closure of the public place (a portion of Erf 2445 Robertson) will have no material / detrimental impact on the immediate surrounds, as the general character of the surrounds is lower density and rural in nature.

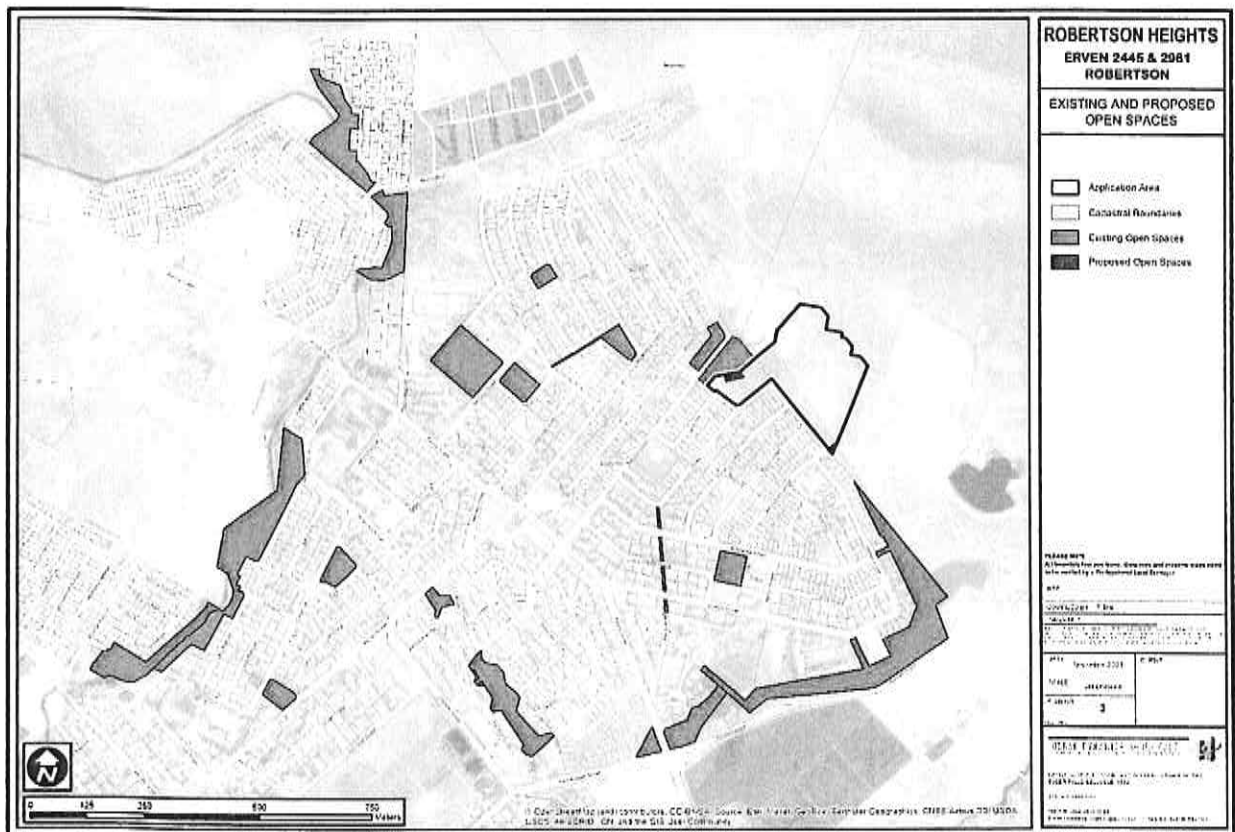


Figure 6: Open Space Plan

8. Desirability Criteria

The following desirability criteria have been applied to the existing development on the site:

- Consistent with **Spatial Policy** directives;
- Consistent with **surrounding character**;

✓

✓

- No negative impact on **environmental or heritage resources**; ✓
- No negative impact on **existing rights of surrounding properties**; ✓
- No negative impact on the **safety and welfare** of the surrounding communities; ✓
- The development is well-located with **excellent accessibility relative to amenities and community facilities**, while also contributing positively to **pedestrian movement**; and ✓
- No negative impact on **services infrastructure**. ✓

9. Exemption of Advertising Requirements

As stated in **Section 1** above, this application is to allow for 17 additional residential erven. The approval of this application will therefore not have a material impact whatsoever, relative to the previous approved rights. On this basis, **it is requested that the application for the amendment of the previously approved layout / subdivision plan and closure of a public place, be exempted from the need for advertising.**

10. Conclusion

This application is merely to allow for 17 additional residential erven on the site and the closure / rezoning of unutilised public open space. By approving this application will not have a material impact on the surrounding property rights and on engineering services, whatsoever.

11. Recommendation

It is recommended that the application be approved, as follows:

- i) The Rezoning of a portion (± 0.70 ha) of Erf 2445 Robertson, in terms of Section 15(2)(a) of the Langeberg Municipal Land Use Planning By-law (2015), from Open Space Zone 1 to Subdivisional Area.
- ii) Amendment of a previously approved subdivision plan dated 27 November 2013, in terms of Section 15(2)(k) of the Langeberg Municipal Land Use Planning By-law (2015), to allow for the following zonings, in accordance with the regulations of the Langeberg Integrated Zoning Scheme By-law (2018) (refer **Figure 4**):
 - Single Residential Zone 1 - 205 erven
 - Community Zone 2 - 1 erf

- Open Space Zone 1 - 2 erven
- Utility Zone - 1 erf
- Transport Zone - 1 erf

- iii) Closure of a public place (a portion of Erf 2445 Robertson), in terms of Section 15(2)(n) of the Langeberg Municipal Land Use Planning By-law (2015), as indicated by **Figure 5**.
