



ERF 4854, 20 NINTH AVENUE, KLEINMOND: APPLICATION FOR SUBDIVISION: N OMAR ON BEHALF OF A & L VAN DER BERG

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 a Subdivision in terms of Section 16(2)(d) of the By-Law of Erf 4854, Kleinmond into 2 portions, namely Portion A ($\pm 1016\text{m}^2$) and a Remainder ($\pm 1016\text{m}^2$).

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, 5th 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 **19 July 2024**, 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 4854, NEGENDELAAN, KLEINMOND: AANSOEK OM ONDERVERDELING: N OMAR NAMENS A & L VAN DER BERG

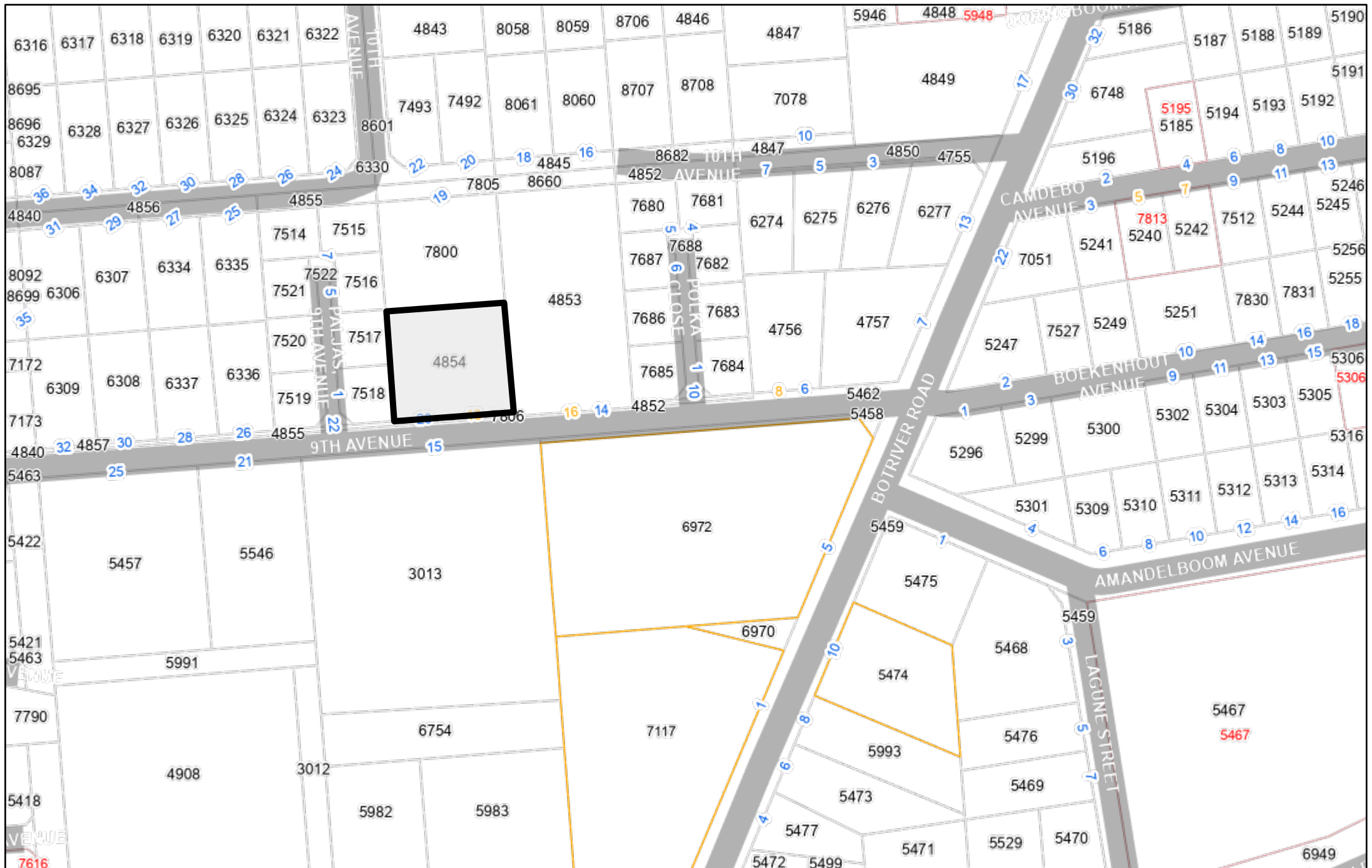
Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is vir 'n Onderverdeling ingevolge Artikel 16(2)(d) van die Verordening om Erf 4854, Kleinmond in 2 gedeeltes te onderverdeel, naamlik Gedeelte A ($\pm 1016\text{m}^2$) en 'n Restant ($\pm 1016\text{m}^2$).

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, 5de Laan, 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 **19 Julie 2024**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die 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 4854, 20 NINTH AVENUE, KLEINMOND: ISICELO SOKWAHLULWAHLULWA: N OMAR EGAMENI LIKA-A & L VAN DER BERG

Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokuba isicelo sifunyenwe sokwahlulwahlulwa ngokwemiqathango yeCandelo 16(2)(d) loMthetho kaMasipala kweSiza 4854, Kleinmond sibe zizahlulo ezi-2, ezizezi iSahlulo A ($\pm 1016\text{m}^2$) kunye neNtsalela ($\pm 1016\text{m}^2$).

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ukuze zihlolwe ngeentsuku zokusebenza ngamaxesha okusebenza phakathi kwentsimbi yesi-08:00 neye-16:30 kwiSebe: UCwangciso lweDolophu, Paterson Street, eHermanus kunye neThala leeNcwadi laseKleinmond, 5th Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokuhambelana nezibonelelo zeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**19 Julayi 2024**, uchaze igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo ngomnxeba ingenziwa kuMwangcisi weDolophu, **UNKsk. H van der Stoep** kule nombolo yomnxeba 028-313 8900. UMasipala unokwala ukwamkela izimvo ezifunyenwe emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala angandwendwela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kuthi limncedise ukuze abhale ngokusesikweni izimvo zakhe.



**APPLICATION for
SUBDIVISION of REMAINDER
of ERF 4854 KLEINMOND**

MOTIVATING MEMORANDUM

**NAUSHAD OMAR LAND SURVEYOR
PLS1166**

**4 FINN ROAD
ZEEKOEVLEI
7941**

Tel No.: 0721838954

Email: naushad101@yahoo.com

Website: <https://www.surveyor.capetown/index.html>

MAY 2024

Enquiries: N. Omar

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1. INTRODUCTION

REMAINDER of Erf 4854 Kleinmond is 2036 square metres in extent and the owner wishes to subdivide this into 2 equal portions.

2. APPLICATION

2.1 **APPLICATION** is thus made for **SUBDIVISION REMAINDER of ERF 4854 KLEINMOND** in terms of **SECTION 16(2)(d)** of the **OVERSTRAND AMENDED MUNICIPAL PLANNING BY-LAW OF 2020,**

3. GENERAL INFORMATION

PROPERTY DESCRIPTION	REMAINDER of ERF 4854 KLEINMOND
PROPERTY SIZE	2032 sq metres
OWNERSHIP	Andre Van Der Berg (1/2); Lameesh Van Der Berg (1/2) D/T: T38016/2022 dated: 11/08/2022
TITLE DEED RESTRICTIONS	None.
LOCATION	20 Ninth Avenue, Kleinmond
ZONING	Residential Zone 1 (RZ1)
CURRENT LAND USE	Large dwelling
PROPOSED LAND USE	Residential

4. AVAILABILITY OF MUNICIPAL SERVICES

An additional plot is to be added thus there is not much additional pressure on existing services such as road, water, storm water and electrical. No problems are foreseen with the supply of these services.

5. LEGAL STATUS

REMAINDER of ERF 4854 KLEINMOND is owned in undivided share by Andre Van Der Berg (1/2); Lameesh Van Der Berg (1/2) by means of D/T: T38016/2022 dated: 11/08/2022 and there are no title deed restrictions.

6. HERITAGE

There is no impact on any heritage resource.

7. IMPACT ON SURROUNDING PROPERTIES

The impact on the surrounding properties is zero since the proposal is a minor subdivision.

8. OVERSTRAND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

The overall objective of the OVERSTRAND Municipal Spatial Development Framework is to guide and manage urban growth, and to balance competing land use demands by putting in place a long-term, logical development path that will shape the spatial form and structure of the Overstrand region. The policy indicates that there should be maximum access to the various town's opportunities, resources and amenities and the creation of safe, high-quality environments to accommodate a range of living environments and lifestyles and offer a vibrant mix of land uses. One of the key strategies of the OVERSTRAND Municipal Spatial Development Framework is that development, rezoning, subdivision, consolidation, etc, promotes a greater mix of land uses, peoples, and densities. **The aim of this application is to subdivide and thus increase the density of Kleinmond which is one of the goals of the OVERSTRAND Municipal Spatial Development Framework** for that town.

9. LUPA and SPLUMA

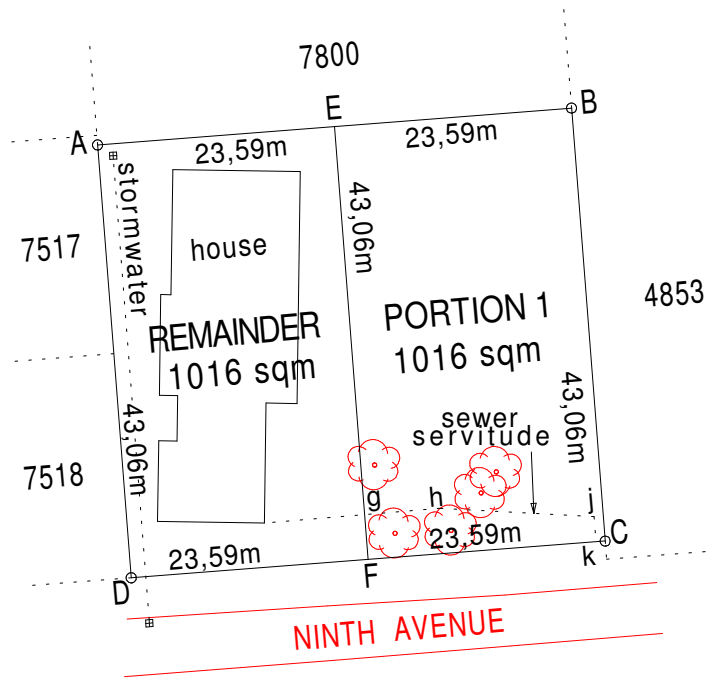
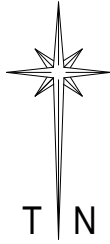
1. The application for **subdivision** is not affected by the broad principles of the **Spatial Planning and Land Use Management Act SPLUMA (Act No 16 of 2013) and the Land Use Planning Act LUPA (Act 3 of 2014)**.
2. **Spatial Justice:** The principle of spatial justice requires that past spatial and other development imbalances must be redressed through improved access to and use of land. The owners are white and thus the spatial justice principle is not affected in this case.
3. **Spatial Sustainability:** The proposed subdivision impacts the principle of spatial sustainability by increasing development within the urban edge thereby limiting the need for urban sprawl and encouraging the optimal use of existing urban land and services.

4. **Spatial Efficiency:** The proposed subdivision allows for the efficient use of existing resources and engineering infrastructure where decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.

5. **Spatial Resilience and Good Administration:** The public will be consulted, and procedures will be adhered to. This application also adheres to legislation and policies.

10. **CONCLUSION**

The proposed application is consistent with national, provincial, and local legislation, policies, frameworks, and plans. In all these policies, frameworks, strategies and plans, the central theme is densification within the urban edge, the promotion of mixed-use developments, the prevention of urban sprawl, the protection of agricultural land, the provision of housing and the provision of work opportunities. This application impacts on some of the above goals.



NOTES:

1. The figure ABCD is Remainder of Erf 4854 KLEINMOND and is 2032 sqm in extent
2. The figure AEFD is the REMAINDER and is 1016 sqm in extent.
3. The figure EBCF is PORTION 1 and is 1016 sqm in extent.
4. Line ghjk is a the centre line of a sewer servitude 2 metre wide.
5. The site is currently zoned and used for single residential purposes.
6. Address: 20 Ninth Avenue, Kleinmond.

DATE: MARCH 2024

SCALE: 1/750

DRAWN BY: N.O.

SUBDIVISION OF:
REMAINDER of ERF 4854 KLEINMOND

REGISTERED OWNERS:
ANDRE VAN DER BERG (1/2)
LAMEESH VAN DER BERG (1/2)
T38016/2022 DATED 11/08/2022

SUBMITTED BY:
N. OMAR LAND SURVEYOR PLS1166
4 Finn Road, Zeekoevlei, 7941
CELL: 072 183 8954

All data approximate and in metres

SG.No. A3909/1928

S.G.SHT Nos. 416/422