PLETTENBERG BAY Erf 2786
APPLICATION FOR

PLETTENBERG BAY ZONING SCHEME
DEPARTURES

CLIENT: VV Sviel BK CC
PREPARED BY: MARIKE VREKEN URBAN AND ENVIRONMENTAL PLANNERS

MARCH 2012
## CONTENTS

<table>
<thead>
<tr>
<th>SECTION A: BACKGROUND</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. THE APPLICATION ......................................................................................</td>
<td>1</td>
</tr>
<tr>
<td>2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP .............................................</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION B: CONTEXTUAL INFORMANTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3. LOCALITY .................................................................</td>
<td>2</td>
</tr>
<tr>
<td>4. CURRENT LAND USE &amp; ZONING ...................................................................</td>
<td>2</td>
</tr>
<tr>
<td>4.1 Land Use ...............................................................</td>
<td>2</td>
</tr>
<tr>
<td>4.2 Zoning ........................................................................</td>
<td>2</td>
</tr>
<tr>
<td>5. SURROUNDING LAND USE AND CHARACTER OF THE AREA ................................</td>
<td>2</td>
</tr>
<tr>
<td>6. SITE CHARACTERISTICS .........................................................................</td>
<td>4</td>
</tr>
<tr>
<td>7. EXISTING SERVICES INFRASTRUCTURE ....................................................</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION C: DEVELOPMENT PROPOSAL</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8. PROPOSAL .................................................................</td>
<td>5</td>
</tr>
<tr>
<td>8.1 Rezoning ...............................................................</td>
<td>5</td>
</tr>
<tr>
<td>8.2 Departure for minimum Erf size ........................................</td>
<td>5</td>
</tr>
<tr>
<td>8.3 Departures for Building Line Relaxations .......................................</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION D MOTIVATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9. MOTIVATION .................................................................</td>
<td>6</td>
</tr>
<tr>
<td>9.1 Consistency with Spatial Policy Directives .........................................</td>
<td>6</td>
</tr>
<tr>
<td>9.1.1 Western Cape Provincial Spatial development Framework April 2009</td>
<td>6</td>
</tr>
</tbody>
</table>
9.1.2 Draft Bitou Spatial Development Framework ............................................ 7
9.2 Consistency of the Development with the Character of the Surrounding Area.... 7
9.3 Densification .................................................................................................. 8
9.4 Parking and Access ........................................................................................ 8
9.5 Building Line Relaxations ............................................................................. 8
  9.5.1 No Change to Existing Structures ........................................................... 8
  9.5.2 Aim of Building Lines ............................................................................. 9
9.6 No Impact on Existing Rights ....................................................................... 9

10. CONCLUSION .................................................................................................. 9

(ii) ANNEXURES

ANNEXURE A: Company Resolution & Power of Attorney
ANNEXURE B: Application Forms
ANNEXURE C: S G Diagram
ANNEXURE D: Title Deed

(iii) LIST OF PLANS

PLAN 1: Locality Plan
PLAN 2: Land Use
PLAN 3: Site Development Plan

(iii) LIST OF FIGURES

FIGURE 1: High Income Single Residential Dwelling House on Erf 2788
FIGURE 2: High Income Single Residential Dwelling House on Erf 2797
FIGURE 3: Marine View Apartments on Erven 3335-7 and 2323
FIGURE 4: House on Erf 2807 with evidence of Multiple Dwellings
FIGURE 5: Building on Erf 2804 with second Dwelling
FIGURE 6: Building on Erf 2786 as seen from Cutty Sark Avenue
FIGURE 7: Large Imposing Structure off Red Jacket Place
1. THE APPLICATION

Marike Vreken Town Planners CC has been appointed by VV Siviel BK CC (refer Annexure A: Power of Attorney & Company Resolution) to prepare and submit the required application documentation for rezoning and departures on Plettenberg Bay Erf 2786, in order to obtain permission to change an existing pottery studio into a second dwelling and the obtain permission to alienate the second dwelling via a sectional title scheme.

Application is hereby made on behalf of VV Siviel BK CC for the following:

(i) The rezoning of Plettenberg Bay Erf 2786 from “Single Residential” zone to “General Residential” zone to allow a second dwelling and to be able to alienate the second dwelling on a sectional title basis, in terms of Section 17(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

(ii) The following departures from the Plettenberg Bay Zoning Scheme regulations, in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):

   (a) a departure from the minimum allowed size for a General Residential zoned property from 1000m$^2$ to 925m$^2$;
   (b) the relaxation from the northern lateral building line from 4,5m to 1,5m to allow the existing building in the new zoning category,
   (c) the relaxation from the rear building line from 4,5m to 3,0 m to allow the existing building in the new zoning category,
   (d) the relaxation from the southern lateral building line from 4,5m to 3,0m to allow the existing building in the new zoning category,

A copy of the completed application form is attached as Annexure B to this report.

2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the approved S.G. Diagram for Erf 2786 Plettenberg Bay is attached as Annexure C to this report. A Copy of the Title Deed for Erf 2786, containing the details outlined below is contained in Annexure D.

Title Deed Description: Erf 2786 Plettenberg Bay, in the Bitou Municipality, Division of Knysna, Western Cape Province.

Title Deed Number: T22825/97

Title Deed Restrictions: There are no Title Deed conditions that prevent the proposed rezoning and departures
Bonds: There are no bonds registered on the property.

Property Size: 925m² (NINE HUNDRED AND TWENTY FIVE SQUARE METERS)

Property Owner: VV SIVIEL BK Reg Nr. CK/90/16243/23

Servitudes: No servitudes are registered on the property that could affect the application.

### SECTION B CONTEXTUAL INFORMANTS

3. **LOCALITY** (refer Plan 1)

The application area is located at Cutty Sark Avenue, west of Marine Drive. Erf 2786 is located roughly 940 meters from the Marine Drive intersection and 1.6km from the N2 and Marine Drive intersection.

4. **CURRENT LAND USE AND ZONING**

4.1. **Land Use**

The application area is currently used for residential purposes by two families. The property consists to a main dwelling and a pottery studio.

4.2. **Zoning**

The subject property is currently zoned as “Single Residential” zone in terms of the Plettenberg Bay Zoning Scheme Regulations.

5. **SURROUNDING LAND USE AND CHARACTER OF THE AREA** (refer to plan 2)

The application area is located within an area that is characterised by high income, single residential uses and tourist accommodation uses.

The area constitutes an established low density development with large erven averaging between 800m² and 900m². However there has been considerable proliferation of second dwellings in the area which constitutes a densification of the residential character of the area.
To the south of the application area the Marine View development is a clear example of densification and the proliferation of multiple occupancy in the immediate area. As can be seen in Plan 2 many of the surrounding residential properties include a secondary dwelling, this is clear evidence of the pressure for densification in the area.
In light of the above, it can be seen that the rezoning of the property to General Residential zone to allow the alienation of a second dwelling on the application area will be in keeping with the existing character of the area. As no new building will take place, the appearance of the property will remain unchanged and the application will not have any impact on the established character of the surrounding area.

6. **SITE CHARACTERISTICS**

The topography of the application area is such that it slopes from a height of over 135m in the western portion of the Erf to under 130m in the east. This moderately sloping character of the site means that the ground slopes away from the access at Cutty Sark Avenue, decreasing the visibility of any improvements to the site, as can be seen in Figure 6.

The improvements on the site consist of a conjoined main dwelling house and a pottery studio that will be changed into a separate dwelling, as can be seen below. The total coverage on the Erf is currently 312m$^2$, a footprint that is considerably smaller than many of the other single dwellings in the area.

![Building on Erf 2786 as seen from Cutty Sark Avenue](image)

The application area consists of two double garages with two separate entrances from Cutty Sark Avenue. The status quo with regard to access to Erf 2786 will remain.

7. **EXISTING SERVICES INFRASTRUCTURE**

Given the fact that the application area is located within the existing urban fabric, no additions to the existing structures will take place and no change of land use is proposed, there will be no impact on the existing civil or electrical services infrastructure.

It is therefore the considered opinion that the proposal will therefore have no negative impact on municipal services in the area.
8. PROPOSAL (Refer to Plan 3: Site Development Plan)

The proposal on Erf 2786 entails the following:

8.1. Rezoning

The aim of the application is to allow the owners of Erf 2786 legalise the current land use on the property. Since there are two dwelling units built on the property; the structure does not currently constitute a single residential use. The owners would like to be able to alienate the second dwelling unit, but unfortunately, unlike some other zoning scheme regulations, the current Plettenberg Bay zoning scheme regulations do not allow for the alienation of a second dwelling unit on a single residential zoned property, hence the only way to obtain rights to alienate a second dwelling unit is to rezone the property to an appropriate zoning that allows for alienation of a second dwelling unit.

The Bitou Zoning Scheme Regulations allow a block of flats as a primary right in a ‘General Residential’ zone and a block of flats is defined as “...a building containing two or more dwelling units...”; hence the existing two dwellings on the property qualify as a “block of flats”. Rezoning the property to General Residential Zone, therefore, will legalise the current use on the property.

It is noteworthy that all the current structures on the site have approved building plans and that this application, therefore, is to legalise the current land use on the site rather than structures on the property.

8.2. Departure for minimum Erf Size

According to the Plettenberg Bay Zoning scheme regulations, a General Residential zoned property that will be used for a ‘block of flats’ must be at least 1000m$^2$ in extent. If Erf 2786 is to be rezoned to General Residential zone this requirement must be departed from as the property is 925m$^2$ in extent.

8.3. Departures for Building Line Relaxations

If Erf 2786 is to be rezoned to General Residential zone; the minimal building lines are more restrictive than those currently in place, therefore the building lines applicable to General Residential zone must be relaxed to accommodate the existing structure. The following building line relaxations are proposed:

(a) the relaxation from the northern lateral building line from 4,5m to 1,5m,
(b) the relaxation from the rear building line from 4,5m to 3,0 m,
(c) the relaxation from the southern lateral building line from 4,5m to 3, ,
SECTION D: MOTIVATION

9. MOTIVATION

The Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) states in Section 36 that the reasons for refusing an application may only be considered on the basis of the “lack of desirability” of the proposal.

The following points must be taken into account when the desirability of this application is evaluated:

9.1. Consistency with Spatial Policy Directives

9.1.1. Western Cape Provincial Spatial Development Framework, April 2009

The Provincial Government of the Western Cape has recently approved the Western Cape Spatial Development Framework as a statutory structure plan in terms of the Land Use Planning Ordinance. The WCPSDF in general lays down broad policy, except on matters of provincial or regional interest which may be addressed in more detail.

One of the main principles upon which the policy proposals contained within the WCPSDF is founded is densification. The principle of densification permeates the Framework and provides the basis for the sustainable development of most aspects of planning including: conservation of the natural environment though the decrease of urban sprawl, improvement in transport facilities and public transport provision, improvement in social equity through the comprehensive availability of neighbourhood facilities, improvement in local economies though the strengthening of local markets.

The WCPSDF proposes that the Average Gross Residential Density in urban settlements experiencing urban growth must be encouraged to increase to 25 dwellings per hectare before further extensions to the Urban Edge are considered. Densification should occur in strategic parts of urban settlements such as along major routes, around open spaces, on well located land or in underdeveloped areas with good location that warrant increased development. It is proposed that the density target should be achieved using a range of urban development tools including:

- Demolition and redevelopment
- Infill of surplus vacant land including brownfield sites
- Greenfield locations within the urban edge as long as they have not been identified as biodiversity priority, priority open space, productive agricultural or recreational sites, and
- Subdivision, second dwelling and sectional title development as appropriate

The application area is located within the urban edge of Plettenberg Bay and within a desirable high income residential area. This means that the area is a prime site for controlled densification. Therefore the application could be considered consistent with the WCPSDF.
9.1.2. Draft Bitou Spatial Development Framework

The draft Bitou SDF was adopted by the Bitou Municipality during December 2005. It is critical to understand that the Bitou SDF is not a comprehensive, blueprint plan; rather it is in line with a new, more flexible conception of spatial planning and its interrelationship with other (spatial and non-spatial) development processes prevailing in South Africa, the Bitou SDF is indicative of a 20-year Spatial Vision and is not, in the final instance, prescriptive.

Like the Provincial Spatial Development Framework, the draft Bitou SDF strongly supports sustainable development, and the densification of areas within the Urban Edge to at least 25 dwelling units per hectare. The draft SDF includes densification as a key concept thus supporting Provincial policy. The Bitou SDF goes on to state that “Settlements are to be restructured so as to break down the apartheid spatial patterns and increase urban functional efficiencies. Achieving an average gross density of 25 dwelling units or 100 people per hectare inside the Urban Edge will enable both these issues to be addressed”. The SDF highlights the need for strategic densification in viable areas. The application area is located in an area that is indicated as a “Density Zone 1”. This density zone makes provision for residential densities up to 25 units per ha. The Bitou SDF puts forward the policy that residential densities should reach 25 dwelling units per hectare within 10 years.

It can be seen from the above that the proposal to rezone Erf 2786 is in line with the policies put forward in the draft Bitou SDF, and therefore can be seen as consistent with the spatial planning policies in the area.

9.2. Consistency of the Development with the Character of the Surrounding Area

The proposed rezoning entails no change to the existing built fabric and no change to the existing appearance of the property; therefore there will be no detrimental impact on the character of the surrounding area.

The proposal is in keeping with other buildings in the area. The surrounding area is characterised by large, modern, high income dwelling houses, which dominate the erven on which they are situated. The building on the application area is no exception to this character. Many of the properties in the area include second dwellings, therefore the fact that the subject property incorporates two dwellings it in no way out of the character of the area.

It is our considered opinion that there is no easily discernable deviation from the general character of the area evident in the addition of a second legal alienable dwelling unit on Erf 2786.
51 Erven within 150m of the application area are used for residential purposes, of these 13 were observed to have strong evidence indicating the presence of an existing second dwelling. This means that over 25% of the single residential dwellings in the vicinity of the application area already have more than one dwelling on the property. The proximity of the existing ‘Marine View’ general residential development highlights the propensity of the area to densify.

Therefore there is strong evidence that the application is consistent with the existing character of the area.

9.3.  Densification

The prime objective of the owners of the application area is to obtain rights to alienate the second dwelling unit. The possibility to apply for subdivision was investigated, but proved not to be a desirable way of densification for this neighbourhood. No previous subdivisions were approved in this area and the subdivision of this property could have resulted in a potential of four units in future – an undesirable form of densification for this neighbourhood. The proposed rezoning will not change the character of the area, nor the appearance of the existing building.

9.4.  Parking and Access

Vehicular access and egress to the application area is obtained via Cutty Sark Avenue. Both dwellings have sufficient existing access and are provided with a double garage and additional guest parking. No alterations to the existing access and parking provision are proposed on the site.

9.5.  Building Line Relaxations

9.5.1.  No Change to Existing Structures

The relaxation of the building lines is needed only to satisfy the conditions of the new General Residential zoning of the property. There will be no additions to the existing structures, the building is within the building line for its current zoning, and the building will retain its residential usage; therefore the relaxation of the building lines will impact
neither on the amenity of the neighbours, the character of the area nor the rights of the surrounding property owners.

9.5.2. Aim of Building Lines

The reasoning behind the application of building lines is in order to maintain access through and behind properties, to ensure the penetration of light and air between properties and to maintain the privacy and general amenity of the surrounding properties. In general, therefore, building lines become more restrictive the higher buildings are built.

The Plettenberg Bay Zoning Scheme regulations allow that a structure on a General Residential zoned property may be up to 10,3m in height, meaning that three storeys are allowable. Since the existing structures on Erf 2786 are less than 8,5m in height it is the considered opinion that the restrictive building lines appropriate for a three storey building are not necessary.

9.6. No impact on existing rights

The application will not have any negative impacts on any neighbouring property. The structures on the property will be maintained. There are examples of other similar land uses in the area and other examples of properties that are very likely within the same zoning category exist within 150m of the application area, therefore no precedent will be set by the application.

10. CONCLUSION

In light of this motivation, it is clear from the foregoing report that the application for rezoning and departures in order:

(i) to rezone the property from Single Residential to General Residential Zone;
(ii) to allow a departure from the minimum size of a General Residential zoned property from 1000m$^2$ to 925m$^2$;
(iii) to relax the northern lateral building line from 4,5m to 1,5m,
(iv) to relax the rear building line from 4,5m to 3,0 m,
(v) to relax the southern lateral building line from 4,5m to 3,2m

is desirable and it is therefore recommended that the application be supported by the relevant departments and expeditiously approved by Council.

MARIKE VREKEN URBAN AND ENVIRONMENTAL PLANNERS
MARCH 2012
ANNEXURE A:
Power of Attorney & Company Resolution
We, ..............................................................................................
the undersigned,

do hereby nominate, constitute and appoint
MARIKE VREKEN - TOWN AND REGIONAL PLANNERS

with power of Substitution to be *my/our lawful representatives in *my/our application for:

REZONING TO GENERAL RESIDENTIAL

on

PLETTENBERG BAY ERF 2786

In addition to apply for such amendments of any zoning schemes / structure plans as may
be deemed necessary and to make other necessary application and further to represent
*me/us at any inquiry in relation to the abovementioned matters and generally do

whatever may be necessary or desirable to procure the approval of the application, by
virtue of those present and whatever our said representative have to date done herein.

Signed at . . . . . . . . . . . . . . . . . . . . .. .on this . . . . . . . . . . . . . day of . . . . . . . . . . . . . .2012

SIGNED: ........................................

SIGNED: ........................................

SIGNED: ........................................

In the presence of the undersigned witnesses:

AS WITNESSES:
1. ........................................

2. ........................................
ANNEXURE B: Application Forms
## BITOU MUNICIPALITY

APPLICATION FOR:

- REZONING
- DEPARTURE
- REZONING & SUBDIVISION
- SUBDIVISION

ERF / FARM NO:

Plettenberg Bay Erf 2786

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### SECTION A

#### PARTICULARS OF APPLICANT

1. **FULL NAMES**
   
   Gemma Pogodin

2. **COMPANY /FIRM** (where applicable, eg. ABC CONSULTANTS)
   
   Marike Vreken Town Planners CC

3. **POSTAL ADDRESS**
   
   PO Box 2180
   Knysna
   6570

4. **TELEPHONE NO.**
   
   044-382-0420

5. **FAX NO:**
   
   044-382-0438

6. **BOND DETAILS**

   6.1 **Is the property encumbered by a bond?**
   
   
   **YES**  **NO**

   6.2 **Is the Bondholder’s consent attached?**
   
   
   **YES**  **NO**  **N/A**

A Bond is registered on the property. The bond holder’s written permission will be provided in due course.

**NOTE:**

*If the property is encumbered by a bond, the consent of the bondholder to make this application must be attached.*
SECTION B

PARTICULARS OF REGISTERED OWNER

NOTE: Where more than one property is involved in the application, this section should be completed separately for each property.

1. FULL NAME/S OF REGISTERED OWNER/S:
   VV SIVIEL BK Reg Nr. CK/90/16243/23

2. IS THE APPLICANT THE [ONLY] REGISTERED OWNER OF THE PROPERTY CONCERNED?

3. POWER OF ATTORNEY OF REGISTERED OWNERS ATTACHED?

   [YES] [NO]

NOTE: [i] If the application is not made and signed by the registered owner, the power of attorney of the owner must be attached to this application.

   [ii] This is also applicable if the person who is applying is still in the process of obtaining the land unit.

4. IS THE REGISTERED OWNER A COMPANY OR SIMILAR BODY?

5. CERTIFIED COPY OF EMPOWERING RESOLUTION ATTACHED?

   [YES] [NO]

6. A COPY OF THE MOST RECENT TITLE DEED IN RESPECT OF THE PROPERTY CONCERNED, OR

   A CONVEYANCER'S CERTIFICATE CONFIRMING THAT THERE ARE NO RESTRICTIVE TITLE CONDITIONS WHICH MAY AFFECT THE PROPOSAL IS ATTACHED

   [YES] [NO]

NOTE: A copy of either one or the other of the above must be attached.

SECTION C

DETAILS OF LAND UNIT

NOTE: Where more than one property is involved in the application, this section should be completed separately for each such property.

1. ERF NO. 2786

2. EXTENT OF PROPERTY 950m²

3. STREET NAME: Cutty Sark Drive

4. TOWNSHIP (eg. Plettenberg Bay, New Horizons, etc.) Plettenberg Bay

5. ARE THERE ANY SERVITUDES REGISTERED ON THE PROPERTY WHICH MAY AFFECT THE APPLICATION?

   [YES] [NO]

6. IF THERE ARE ANY SUCH SERVITUDES, PROVIDE A BRIEF DESCRIPTION THEREOF:

   N/A

7. IS IT PROPOSED THAT ANY NEW SERVITUDES BE REGISTERED AS PART OF THE APPLICATION?

   [YES] [NO]

8. IF ANY SUCH SERVITUDES ARE PROPOSED, PROVIDE A BRIEF DESCRIPTION THEREOF:

   N/A
SECTION D

DETAILS OF APPLICATION

1. BRIEF AND ACCURATE SUMMARY [NOT MOTIVATION] OF PROPOSAL:

The rezoning of Plettenberg Bay Erf 2786 from "Single Residential" zone to "General Residential" zone to allow a second dwelling and to be able to alienate the second dwelling on a sectional title basis, in terms of Section 17(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

2. DOES THE APPLICATION ALSO INVOLVE A SIMULTANEOUS:

2.1 Consolidation [combination] of more than one property?

If “YES” briefly explain:

N/A

2.2 Application of a Departure [deviation] from the development restrictions [heights, building lines, coverage, etc.] which would normally be applicable to the property/ies concerned:

If “YES” briefly explain:

The following departures from the Plettenberg Bay Zoning Scheme regulations, in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):
(a) a departure from the minimum allowed size for a General Residential zoned property from 1000m² to 925m²;
(b) the relaxation from the northern lateral building line from 4.5m to 1.5m to allow the existing building in the new zoning category,
(c) the relaxation from the rear building line from 4.5m to 3.0m to allow the existing building in the new zoning category,
(d) the relaxation from the southern lateral building line from 4.5m to 3.0m to allow the existing building in the new zoning category.

2.3 Application for removal /amendment of restrictive conditions of title applicable to the property/ies?

If “YES” or “UNCERTAIN” briefly explain:

N/A

2.3.1 Has, in the case of a simultaneous application in accordance with 2.3 above, the application form prescribed by the Provincial Administration: Western Cape for removal/amendment of restrictive conditions of title been completed and forwarded to both the Provincial authorities as well as the Plettenberg Bay Municipality?

YES NO

2.4 Application for subdivision of the property/ies concerned?

YES NO

2.5 Does the proposed rezoning involve any of the following activities?

1. The construction or upgrading of:
   (e) a marina, harbour, or structure below the high water mark
   (i) diversion of normal flow of water in a river or stream
   (j) dams, levees or weirs affecting the flow of a river or stream
   (k) reservoir for water supply
   (m) public or private resort and associated infrastructure
   (n) sewerage treatment plants and associated infrastructure
2. The change in the use of land from:
   (c) agriculture or undermined to any other land use
   (d) use for grazing to any other form of agricultural use
   (e) use for nature conservation or zoned open space to any other land use.

If “YES” stipulate the activity(s) (i.e 1 (e) 2 (b), etc.) N/A

NOTE: The abovementioned activities are subject to regulations promulgated in terms of the Environment Conservation Act, 1989 (Act 73 of 1989)

2.6 If the answer to 2.5 above is “YES” has an application for authorisation in terms of Act 73 of 1989 been submitted to the Provincial Department of Environment Affairs and Culture?

YES NO

If “YES” indicate the date of submission, as well as the specified office (and responsible person) to which/whom it has been submitted: N/A
3. **MOTIVATION FOR PROPOSAL:**

   (1) **NOTE:** Even if a full report is submitted separately, an executive summary should still be provided here: The potential effect of the proposed new land use on the general environment and nearby properties and/or residents should be specifically addressed.

   (2) Rezoning from undermined or agriculture to any other use requires an Environmental Impact Assessment (EIA) in terms of Section 21 of the Environmental Conservation Act 73 of 1989. Where this is applicable an EIA must be done – including scoping procedures and authorisation from Department of Environmental Affairs must first be obtained prior to Council considering this application.

   See Attached Motivation Report

---

**SECTION E**

1. **WERE ANY PROFESSIONAL CONSULTANTS INVOLVED IN THE PREPARATION OF THIS APPLICATION?**

Note: Where applicable this section should be completed separately for each consultant:

2. **FULL NAME OF CONSULTANT**

   Gemma Pogodin

3. **NAME OF COMPANY/FIRM (Where applicable eg. ABC Consultants)**

   Marike Vreken Town Planners CC

   **CURRENT POSITION IN COMPANY / FIRM:**

   Town Planner

   **QUALIFICATIONS / RELEVANT FIELDS OF EXPERIENCE/ PROFESSIONAL AFFILIATIONS, ETC.**

   MSc TRP
   MSAPI

   **CONTRIBUTION OF THE STUDY:**

   Motivation Report
4. LOCALITY PLAN ATTACHED  

**NOTE:** A locality plan, a zoning plan and a land use plan **must** be attached to this application, and should clearly identify the properties in respect of which the application is being made as well as the cadastral boundaries and Erf numbers of all other registered properties in the general area concerned.

5. ZONING PLAN ATTACHED?  

**NOTE:** The zoning plan should clearly reflect the current zonings of all properties in the general area concerned.

6. LAND USE PLAN ATTACHED?  

**NOTE:** The land use plan should clearly reflect the actual land use all properties in the general area concerned.

7. PROPOSED SITE DEVELOPMENT PLAN ATTACHED?  

**NOTE:** A site development plan, clearly indicating all existing and proposed structures on the property/ies under consideration, proposed parking, landscaping, elevational treatment of buildings, etc. will facilitate consideration of the application, and may in certain cases, depending on the scale and nature of the proposed rezoning even be a compulsory requirement.

8. ARE THERE ANY EXISTING MUNICIPAL SERVICES (WATER, STORMWATER OR SEWERAGE, ELECTRICITY CABLES, ETC.) WHICH ARE NOT CURRENTLY PROTECTED BY SERVITUDES ON THE PROPERTY/IES CONCERNED?  

If “YES” briefly explain:

9. ARE THERE ANY PORTIONS OF THE PROPERTY/IES INVOLVED, STEEPER THAN A GRADIENT OF 25% (1:4)?  

**NOTE:** If any portion is steeper than 25% a contour analysis, clearly indicating those areas steeper than 1:4 **must** be attached to this application.

10. HAS A CONTOUR PLAN BEEN SUBMITTED?  

**NOTE:** If any portion is steeper than 25% a contour analysis, clearly indicating those areas steeper than 1:4 **must** be attached to this application.

11. ARE ANY PORTIONS OF THE PROPERTY/IES INVOLVED  

- SITUATED BELOW THE 1/50 YEAR FLOOD LINES?  

- SUBJECT TO FLOODING?  

- SITUATED IN A NATURAL DRAINAGE COURSE?  

- SITUATED IN WETLAND AREA?  

12. IF THE ANSWER TO ANY OF THE QUESTIONS IN 11 ABOVE IS “YES” PROVIDE BRIEF DETAILS ON THIS REGARD, AND AN ENGINEER’S REPORT ON 1/50 AND 1/100 YEAR FLOOD LINES WHICH MUST BE INDICATED ON THE PLANS (WATER ACT REQUIREMENT)  

13. ARE THERE ANY PROTECTED TREE SPECIES ON THE PROPERTY/IES CONCERNED?  

**NOTE:** If there are, the location of these trees **must** be clearly indicated on the site development plan.

14. WILL DEVELOPMENT, INCLUDING INSTALLATION OF SERVICES OR CONSTRUCTION WORK, AS A RESULT OF THE PROPOSED REZONING REQUIRE SUBSTANTIAL EARTHWORKS AND/OR REMOVAL/DISTURBANCE OF INDIGENOUS VEGETATION?  

If “YES” briefly explain and include mitigating measures to be implemented, if any:
15. IS/ARE THE PROPERTY/IES SITUATED ALONG A MAIN ROAD OR ANY OTHER PROCLAIMED ROADS?  

| YES | NO |

If “YES” indicate clearly on relevant plan/s.

16. IS/ARE THE PROPERTY/IES CONCERNED SITUATED IN A SENSITIVE NATURAL ENVIRONMENT (OCCURRENCE OF INDIGENOUS FAUNA AND/OR FLORA, VISUAL SENSITIVITY, ETC)? HAS A LETTER OF COMMENT OR AUTHORISATION BEEN OBTAINED FROM DEPARTMENT OF ENVIRONMENTAL AFFAIRS?  

| YES | NO |

If “YES” explain briefly:

N/A

17. IS/ARE THE PROPERTY/IES CONCERNED, OR ANY STRUCTURE/S SITUATED ON IT/THEM?  

- DECLARED AS A NATIONAL MONUMENT, OR LISTED IN TERMS OF THE NATIONAL HERITAGE RESOURCES ACT?  

| YES | NO |

- DECLARED AS A NATURAL HERITAGE SITE?  

| YES | NO |

OR

IS/ARE ANY STRUCTURE’S OR PORTION/S THEREOF ON THE PROPERTY/IES CONCERNED IN EXCESS OF 60 YEARS OF AGE?  

| YES | NO |

18. IF THE ANSWER TO ANY OF THE QUESTIONS IN 17 ABOVE IS “YES” PROVIDE BRIEF DETAILS IN THIS REGARD, AND INDICATE ON THE SITE DEVELOPMENT PLAN, WHERE APPROPRIATE.

N/A

19. FURNISH A BRIEF DESCRIPTION OF THE MANNER IN WHICH THE FOLLOWING MUNICIPAL SERVICES WILL BE PROVIDED  

NOTE: Even if a full engineering report is submitted separately, an executive summary should still be provided here.

20.1 WATER  
Municipal - Existing

20.2 SEWERAGE:  
Municipal - Existing

20.3 ELECTRICITY  
Municipal - Existing

20.4 STORMWATER  
Municipal - Existing

20.5 REFUSE REMOVAL  
Municipal - Existing
SECTION F

DETAILS OF CONSULTATION AND/OR SCOPING PROCESS

1. HAS THIS APPLICATION BEEN DISCUSSED WITH ANY REPRESENTATIVE OR RESPONSIBLE OFFICIAL OF THE PLETTEMBERG BAY MUNICIPALITY OR ANY OTHER AUTHORITY PRIOR TO SUBMISSION THEROF?

[ ] YES  [ ] NO

2. IF IT HAS BEEN DISCUSSED PROVIDE A SEPARATE SCHEDULE BRIEF DETAILS IN THIS REGARD UNDER THE FOLLOWING HEADINGS:

Name of Official: _________________________
Rank/position: __________________________________
Authority/Organisation: ___________________________
Manner of discussion: (telephonic/meeting/correspondence etc.)
Issues raised and discussed: Support as long as there isn’t a constraint on services

3. HAS A COPY OF THIS APPLICATION BEEN MADE AVAILABLE TO ANY AUTHORITY OTHER THAN THE PLETTEMBERG BAY MUNICIPALITY?

[ ] YES  [ ] NO

If “YES” provide the name and address of such authority(ies) and the date of submission to it/them.

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<th>Name of Authority</th>
<th>Date Submitted</th>
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NOTE: Proof of submission to this Authority (Registered Postal notice or acknowledgement of receipt by the Authority), as well as a copy of the covering letter to this Authority, must be attached to this application.

4. WAS IT A STIPULATION OF ANY OTHER AUTHORITY THAT THE APPLICATION SHOULD BE ADVERTISED FOR COMMENT IN TERMS OF ANY OTHER LEGISLATION?

[ ] YES  [ ] NO

5. HAS THE PROPOSAL BEEN DISCUSSED WITH ANY INTERESTED/AFFECTED PROPERTY OWNERS/TENANTS OR INTERESTED/AFFECTED COMMUNITY ORGANISATIONS (eg. Ratepayers Organisations, Street Committees, Wildlife Society, etc.)

[ ] YES  [ ] NO

If “no” briefly explain why no?

Await advertising as per the statutory process

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<tr>
<th>Name of Authority</th>
<th>Date Submitted</th>
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If “YES” provide details (in separate schedule if necessary) of the persons, and/or organisations involved and summarise the outcome of the discussion (attach written comments of such person/organisations where possible):

N/A
SECTION G

DECLARATION

I, _______________________________*(FULL NAMES AND SURNAME OF APPLICANT)*

HEREBY CERTIFY AS FOLLOWS:

- THAT THE INFORMATION APPEARING IN THIS FORM IS CORRECT AND ACCURATE.
- THAT THE INFORMATION APPEARING IN THE ANNEXURES TO THIS FORM IS CORRECT AND ACCURATE.
- THAT I UNDERSTAND THE APPLICATION

SIGNATURE OF APPLICANT: _______________________________

DATE: _______________________________
ANNEXURE C:

S G Diagram
ANNEXURE D: Title Deed
EN die Kompaart q.q. het verklaar dat sy lasgewers op 31 OKTOBER 1996 werklik en wettig verkoop het en dat hy, die genoemde Kompaart in sy besluitheid voornem, hierdie in volle en vrye eenden seder en transporteer aan en ten gunste van

V V SVIEK
NR. CK 80/16243/23

die se opvolgers in titel of navolginneandes

ERF 2786 PLETTENBERGBAAI

in die gebied van die Groter Plettberbergbaai Plaaslike Oorgangsraad,
Afdeling KNYSNA, Provisie Wes-Kaap;

GROOT 925 [Rege Hoord Vyt en Twintig] vierkant meter;

AANVAANKLIK OORGEDRA kragtens Transportakte Nr. T31643/1978,
aangebou op Algemene Plan T.P. 9422 en gehou kragtens Transportakte

1. WAT BETRIEF die gedeelte gement o h e b op genoemde Algemene Plan
T.P. 9422 -

A. ONDERHEWIG aan die voorwaardes waarna verwys word in
Transportakte Nr. 20734/1955.

B. ONDERHEWIG VERDER aan die voorwaardes waarna verwys word in
die volgende antekenening gedateer 21 Junie 1955 op Verdelingstransportakte Nr.
233/1953, naamlik:

"Registration of Servitude No. 333/55 -
The within described land is subject to servitudes of Aqueduct & Right of Access in terms of an Order of the Water Court (Water Court District No. 4) dated 13-12-1954, as will more fully appear on reference to the copy of said Order annexed hereto."
C. **ONDERHEWIG VERDER** aan die Ministerregte waarna verwys word in aantekening gedateer 9 Maart 1965 op Transportakte Nr. 22451/1964 soos volg:

"Certificate of Mineral Rights No. 871585 issued in terms of Section 71 of Act 47 of 1937, in respect of the mineral rights therein set out over the aforesaid property."

II. **WAT BETREF** die gedeelde gemarkeerde jde op Algemene Plan T.P. 9422 -

A. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Transportakte Nr. 8124/1953.

B. **ONDERHEWIG VERDER** aan die servituut waarna verwys word in die volgende aantekening gedateer 21 Junie 1955 op Verdelingstransportakte Nr. 231/1953, naamlik:

"The within described land is subject to servitudes of Aqueduct & Right of Access in terms of an Order of the Water Court (Water Court District No. 4) dated 11-12-54, as well more fully appear on reference to the copy of said Order annexed hereto."

C. **ONDERHEWIG VERDER** aan die Ministereregte waarna verwys word in die aantekening gedateer 9 Maart 1965 op Transportakte Nr. 22451/1964, welke aantekening volledig uiteengezet is in paragraaf 1.C hierbo.

III. **WAT BETREF** die heis eiendom -

**ONDERHEWIG** aan die volgende voorwaardes genoem in Transportakte Nr. T31843/1978 opgedeur die Administrateur van die Provinsie Kaap die Goeie Hoop kragtens Artikel 18 van Ordonnansie 33 van 1934 met goedkeuring van Pietermaritzburg Dorp Uitbreiding Nr. 11, naamlik:

1. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or wires and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local or other statutory authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonably time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf, shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to differences between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

3. This erf shall be used only for such purposes as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.
WESHALWE die Komparant, q.q., afstand oor van al die regte en titel wat die bogenoemde

TRANSPORTGEMER

voorheen op bogenoemde eiendom gehad het en gevolglik ook erken dat hulle geheel en al van die byt daarvan onthou is en nie meer daarop geregtig is nie, en dat, kragtens hierdie Akte bogenoemde

TRANSPORTNEMER BESLOTE KORPORASIE

die se opvolgers in titel af regterwygender
tans en voorts: daarop geregtig is, onverskynstig plaaslike gebruik, behoudens die regte van die Staat; en tot slotte verklaar hy dat die koosom R190 000,00 is.

TEN BEWYSE waarop ek die genoemde Registrateur van Aktes, tesame met die Komparant, q.q., hierdie Akte onderteken en met die Ampseel bekrachtig het.

ALDUS DECOEN en geteken op die Kantoor van die Registrateur van Aktes in Kaapstad, Provincie Kaap die Goeie Hoop, op die 13 dag van die maand Januarie in die jaar van onse Heer Eenduusend Negahonderd Sewe-en-Naëntig (1997).

In my teenwoordigheid

Registrator van Aktes
PLAN 1: Locality Plan
PLAN 2: Land Use Plan
PLAN 3: Zoning Plan
PLAN 4: Site Development Plan