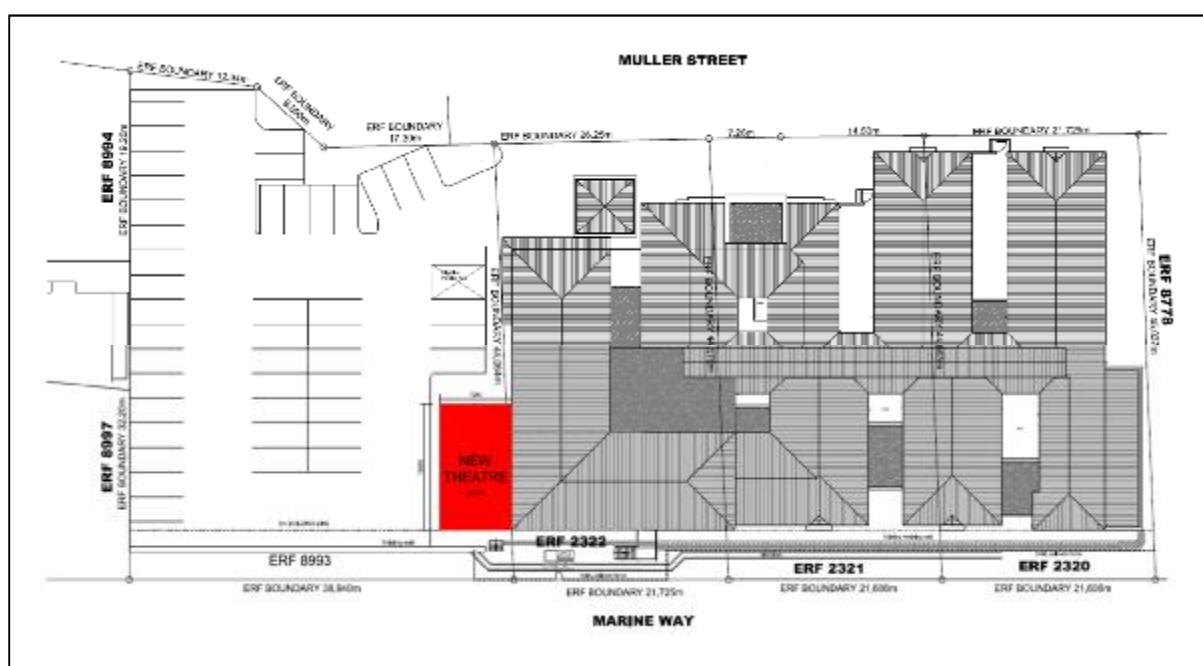


PLETTENBERG BAY ERVEN 2320; 2321; 2322 & 8993

APPLICATION FOR: CONSOLIDATION



CLIENT: **MEDI-CLINIC PROPERTIES (PROPRIETARY) LIMITED**
No.2006/003456/07

PREPARED BY: **MARIKE VREKEN URBAN AND ENVIRONMENTAL PLANNERS**



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SECTION A : BACKGROUND

1. BACKGROUND

Plettenberg Bay Erven 2320, 2321, 2322 & 8993 are located in Marine Way, Plettenberg Bay. Medi-Clinic Plettenberg Bay is situated on these above-mentioned erven. The application area is located to the west of Marine Way Animal Hospital and north-west of the Dutch Reformed Church Marine Way Plettenberg Bay. The Plettenberg Bay CBD area is situated east of the application area.

Medi-Clinic Plettenberg Bay is a private hospital, which is owned by Medi-Clinic Properties. Medi-Clinic Properties wishes to consolidate their four properties in order to construct a new theatre on Erf 8993 that will be attached to the existing structure on Erf 2322. The hospital is currently laid across four properties, the client wishes to consolidate the four erven into one, so that the hospital is on a single property. No further development, except for the new theatre is envisaged at this stage.

In order to have the existing hospital on one consolidated property, it is necessary to consolidate the four erven.

2. THE APPLICATION

Marika Vreken Urban & Environmental Planners have been appointed by **MEDI-CLINIC PROPERTIES (PROPRIETARY) LIMITED** to apply for:

- The consolidation of Plettenberg Bay Erven 2320, 2321, 2322 & 8993 to create a new property of 4673.3m² in extent, in terms of Section 15(2) (e) of the Bitou Municipality Land Use Planning By-Law.

3. PROPERTY DESCRIPTION SIZE AND OWNERSHIP

A copy of the Title Deeds that include all the information outlined below is contained in **ANNEXURE C**. An extract from the General Plan and Copies of the applicable S.G. Diagrams for the application area, are contained in **ANNEXURE D**.

	Erf 8993	Erf 2320
Title Deed Number:	T80318/2007	T80318/2007
Title Deed Description:	Erf 8993 Plettenberg Bay in the Bitou Municipality, Division Knysna, Province of the Western Cape	Erf 2320 Plettenberg Bay in the Bitou Municipality, Division Knysna, Province of the Western Cape

	Erf 8993	Erf 2320
Property Owner:	Medi-Clinic Properties (Proprietary) Limited No. 2006/003456/07	Medi-Clinic Properties (Proprietary) Limited No. 2006/003456/07
Title Deed Restrictions:	C (1) The land shall be <u>used</u> for residential and agricultural purposes only and no store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act No. 21 of 1940. It should be noted that the application for consolidation does not change the land use of the site – therefore this restriction does not prevent the consolidation. However, the applicable Roads Authority will be consulted for permission to expand the existing hospital.	No title deed restrictions
Bonds:	There is a bond registered over the property. (Please see ANNEXURE G for bondholder's consent).	There is a bond registered over the property. (Please see ANNEXURE G for bondholder's consent).
Property Size:	1784m ² (One Thousand Seven Hundred and Eighty-Four) Square Metres	973m ² (Nine Hundred and Seventy-Three) Square Metres
Servitudes:	The centre line of such general services servitude of 1m wide which is depicted by the broken line XY on General Plan No 4994/2001 vide I-1270/2016 LG	No servitudes are registered over the property.

	Erf 2321	Erf 2322
Title Deed Number:	T80318/2007	T80318/2007
Title Deed Description:	Erf 2321 Plettenberg Bay in the Bitou Municipality, Division Knysna, Province of the Western Cape	Erf 2322 Plettenberg Bay in the Bitou Municipality, Division Knysna, Province of the Western Cape

	Erf 2321	Erf 2322
Property Owner:	Medi-Clinic Properties (Proprietary) Limited No. 2006/003456/07	Medi-Clinic Properties (Proprietary) Limited No. 2006/003456/07
Title Deed Restrictions:	No title deed restrictions	No title deed restrictions
Bonds:	There is a bond registered over the property. (Please see ANNEXURE G for bondholder's consent).	There is a bond registered over the property. (Please see ANNEXURE G for bondholder's consent).
Property Size:	969m ² (Nine Hundred and Sixty-Nine) Square Metres	963m ² (Nine Hundred and Sixty-Three) Square Metres
Servitudes:	No servitudes are registered over the property.	No servitudes are registered over the property.

SECTION B : PROPOSAL

4. APPLICATION SPECIFICATIONS

(Refer to Plan 2: Site Development Plan)

The owners (Medi-Clinic Properties (Proprietary) Limited) of Plettenberg Bay Erven 2320, 2321, 2322 & 8993, wishes to consolidate the four properties in order to construct a new theatre to the existing hospital that stretches over the other properties.

The proposed site development plan for the proposed consolidated property is shown in **FIGURE 1** below.

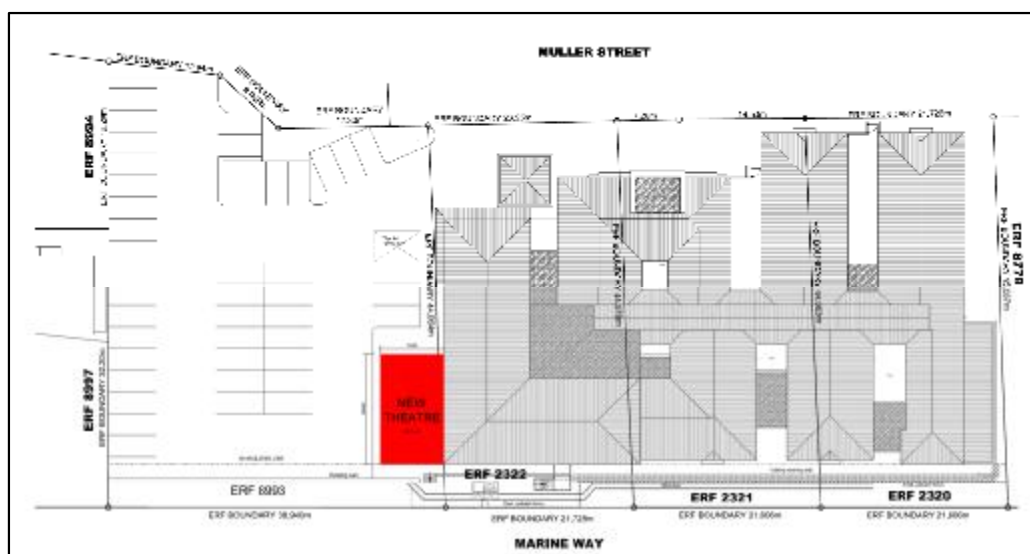


FIGURE 1: SITE DEVELOPMENT PLAN

The proposed consolidation will enable the Medi-Clinic Private Hospital to be located on a single erf, instead of four individual properties. No further development, except for the new theatre is envisaged on the consolidated property.

Plettenberg Bay Erven 2320, 2321, 2322 & 8993 are all zoned 'Minor Business Zone'. The proposed consolidation will comply with all the parameters set out in the Plettenberg Bay Zoning Scheme Regulations, applicable to properties zoned 'Minor Business Zone'. The **FIGURE 2** indicates the proposed development parameters:

Schedule of Rights	
SITE NUMBERS	2320,2321,2322 AND 8993
SITE AREA	$973.2 + 968.9 + 962.9 + 1768.6 = 4673.3$
HEIGHTS ZONE	2 STOREYS
PARKING RATIO	1 / 60m ² Gross Floor Area
BUILDING AREAS: EXISTING: NEW AREAS: TOTAL:	1979m ² (Ground Floor incl. Porte Cocheres) + 399m ² (First Floor) 92m ² 2378m ²
PARKING REQUIRED	40 (1 / 60m ² Gross Floor Area)
PARKING PROVIDED	45
COVERAGE PERMISSABLE	$80\% \times 4673.3 = 3738.6\text{m}^2$
COVERAGE PROVIDED	$2071\text{m}^2 = 44\% \text{ OF } 4673.3 \text{ SQ/m}$
BUILDING LINES	5m Along Marine Drive

FIGURE 2: PROPOSED DEVELOPMENT PARAMETERS

From the above schedule of rights it is clear that the proposed development will comply with all parameters set out in the applicable zoning.

4.1. Servitude

A services servitude is registered along the southern boundary of Erf 8993. **FIGURE 3** indicates the general service servitude of 1m wide which is depicted by the broken line XY. Since the proposed new theatre is subject to a 5m building line, the servitude will not be unimpeded.

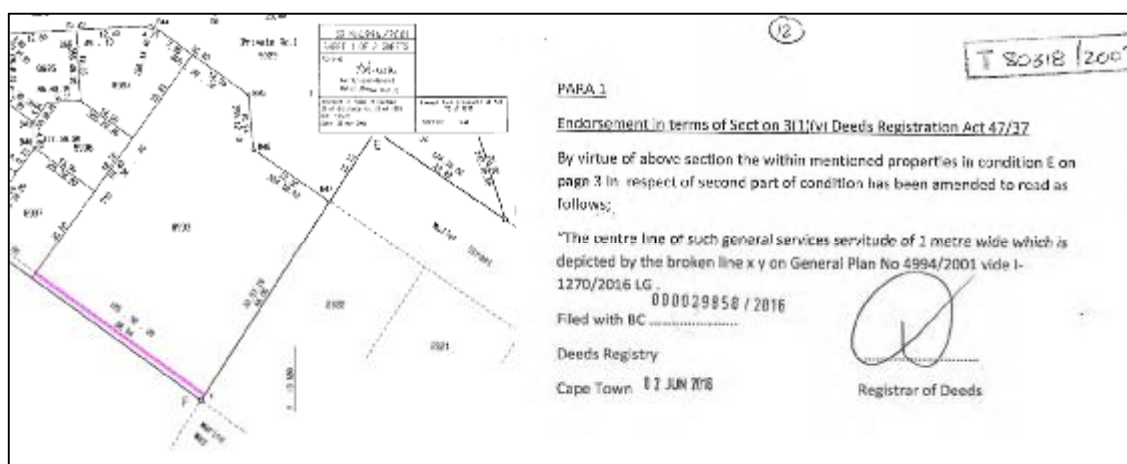


FIGURE 3: SERVITUDE ON SG No 4994/2001

5. CONSOLIDATION

The consolidation consists of four erven; Erf 8993, Erf 2320, Erf 2321 and Erf 2322. The figures below indicate the extent of the four erven:



FIGURE 4: ERF 8993



FIGURE 5: ERF 2320

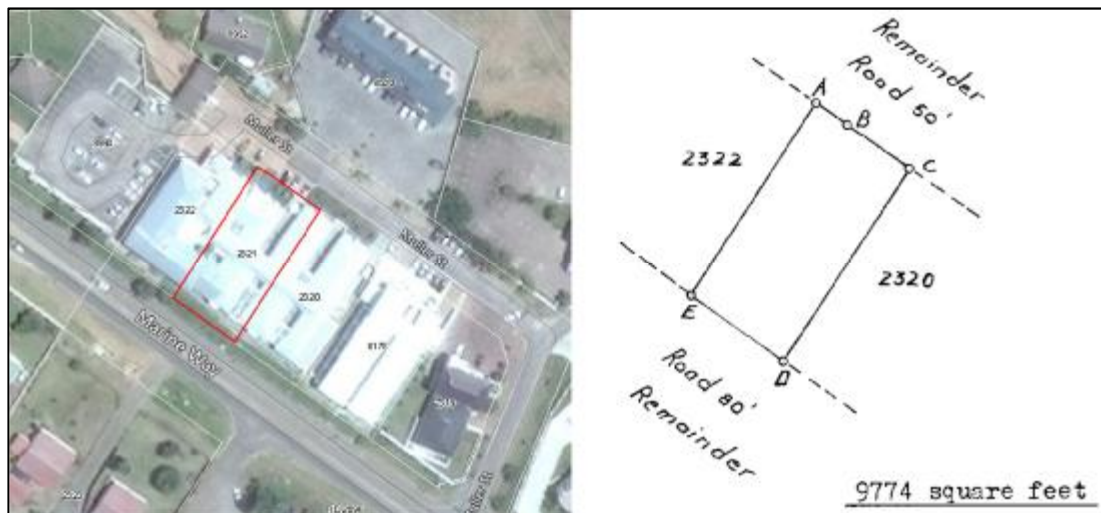


FIGURE 6: ERF 2321



FIGURE 7: ERF 2322

The new consolidated erf will be 4689m² in extent. **FIGURE 8** illustrates the proposed consolidated erf. The new Erf number that has been reserved by the Surveyor General for this consolidated property is Erf 10864. A copy of the draft new consolidation diagram is attached as **Plan 3**.

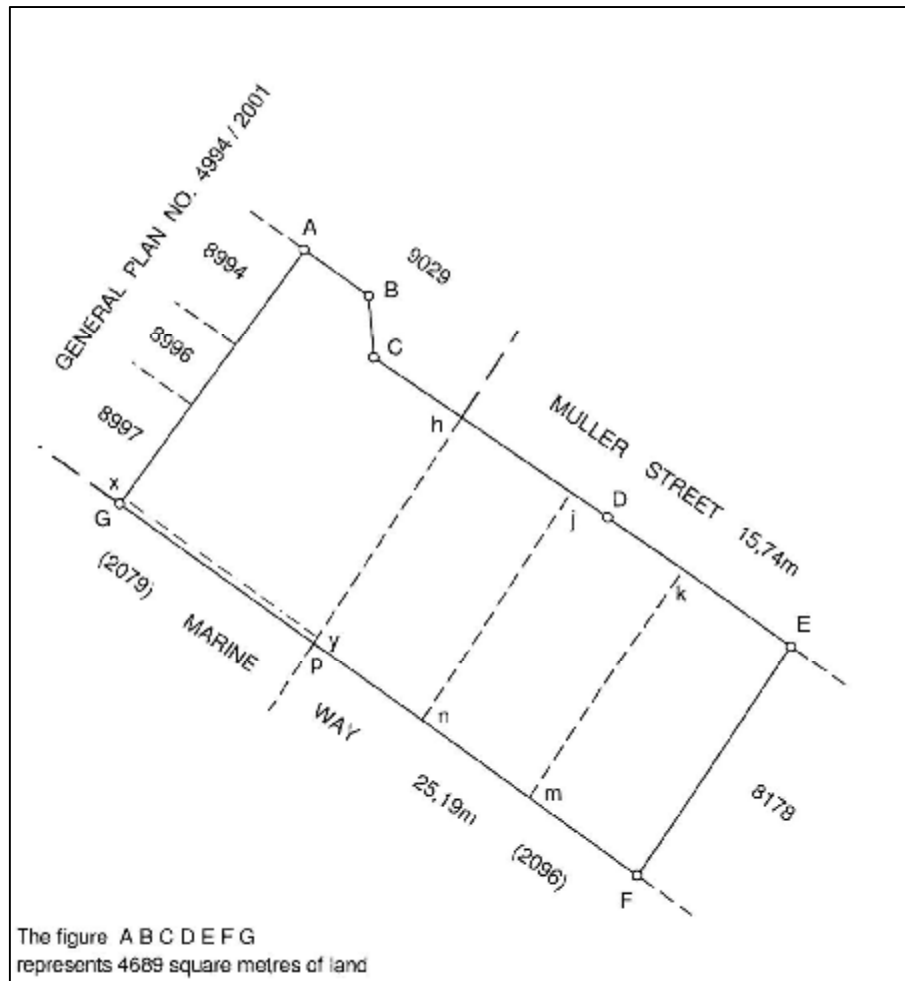


FIGURE 8: PROPOSED CONSOLIDATED ERF

SECTION C : CONTEXTUAL INFORMANTS

6. LOCALITY

(Plan 1: Locality Plan)

Plettenberg Bay Erven 2320, 2321, 2322 & 8993 are located north of Marine Way and south of Muller Street.

The application area is located to the east of Plettenberg Bay CBD, near Marine Way Animal Hospital, Methodist Church and the Dutch Reformed Church Marine Way Plettenberg Bay. The

locality of the application area is shown in FIGURE 9 below. The Erven 2320, 2321, 2322 & 8993 are also known as where the Medi-Clinic Plettenberg Bay is situated.

The application area is bordered by Marine Way along the southern boundary and Muller Street along the eastern and northern boundary. The centre of the application area is at 34° 3'11.17"S, 23°21'53.68"E.



FIGURE 9: LOCALITY

7. CURRENT LAND USE AND ZONING

7.1. Land Use

Erven 2320, 2321 & 2322 contain the Medi-Clinic Private Hospital. Erf 8993 is used for parking purposes for the Medi-Clinic Private Hospital.

The figures below show the existing land uses on the application area.



FIGURE 10: CURRENT LAND USES ON THE PROPERTIES



FIGURE 11: PARKING AREA ON Erf 8993

7.2. Zoning

(ANNEXURE E: Zoning Certificates)

Plettenberg Bay Erven 2320, 2321, 2322 & 8993 are zoned "Minor Business" zone in terms of the Plettenberg Bay Scheme Regulations.



FIGURE 12: ZONING OF APPLICATION AREA

8. SITE CHARACTERISTICS

8.1. Topography

The application area is very flat with a slight slope towards the south-eastern boundary of the properties. FIGURE 13 indicates that the application area has a flat topography, with a slope degree between 0-5.

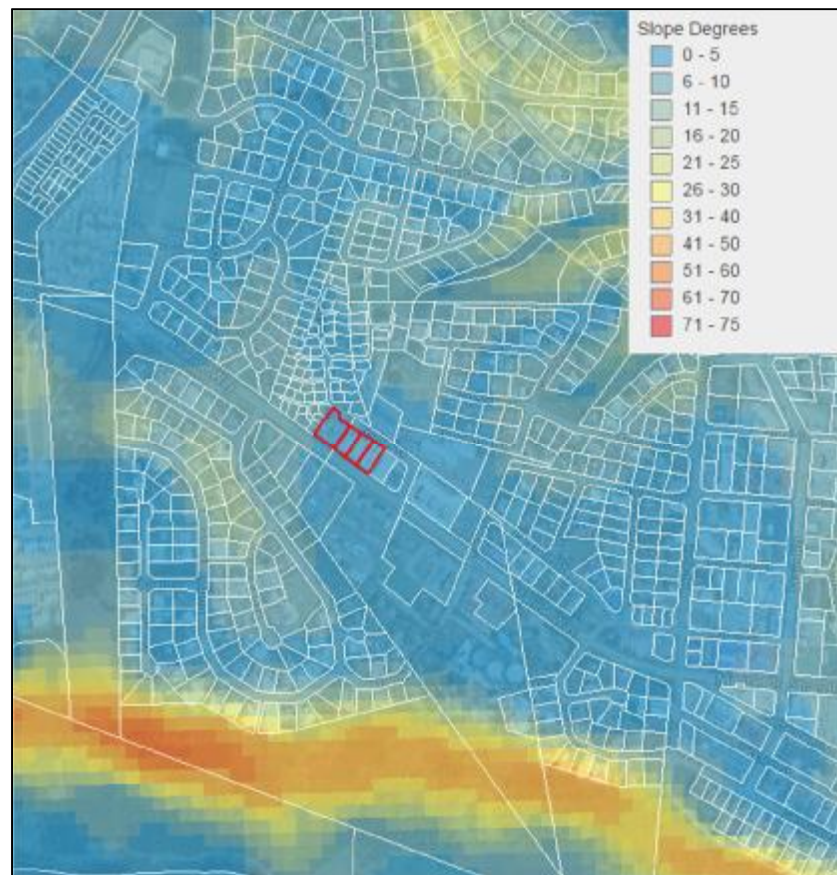


FIGURE 13: TOPOGRAPHY

8.2. Vegetation

The application area is completely disturbed and the proposed consolidation will not impact any further on any natural vegetation.

9. SURROUNDING LAND USE & CHARACTER OF THE AREA

The application is located west of the Plettenberg Bay CBD. The application area is surrounded by various land uses, resulting that the surrounding area is within a mixed-land use area that support the integration of various land uses. The area to the north of the application area is mostly characterised by residential dwellings, with a few guest houses. East and south-east there are two places of worship (NG Church Marine Way Plettenberg Bay and Methodist Church). Directly east is the Marine Way Animal Hospital. South of the application area is also characterised with residential dwellings with a few accommodation establishments. The consolidated property will not

have a detrimental impact. The land use will remain the same, the consolidation will by no means change the character of the area. The proposed consolidation to construct a new theatre will not have any visual impact whatsoever on the surrounding properties.

10. EXISTING POLICY FRAMEWORKS

10.1. Bitou SDF (2008)

The updated Bitou Spatial Development Framework (SDF) was approved by Bitou Municipal Council in May 2013. The SDF is therefore the primary spatial tool for guiding development within the municipal area.

The SDF echoes the principles laid down by the provincial SDF including densification, the importance of compact settlements and walkability and the promotion of a mixture of uses in close proximity to one another.

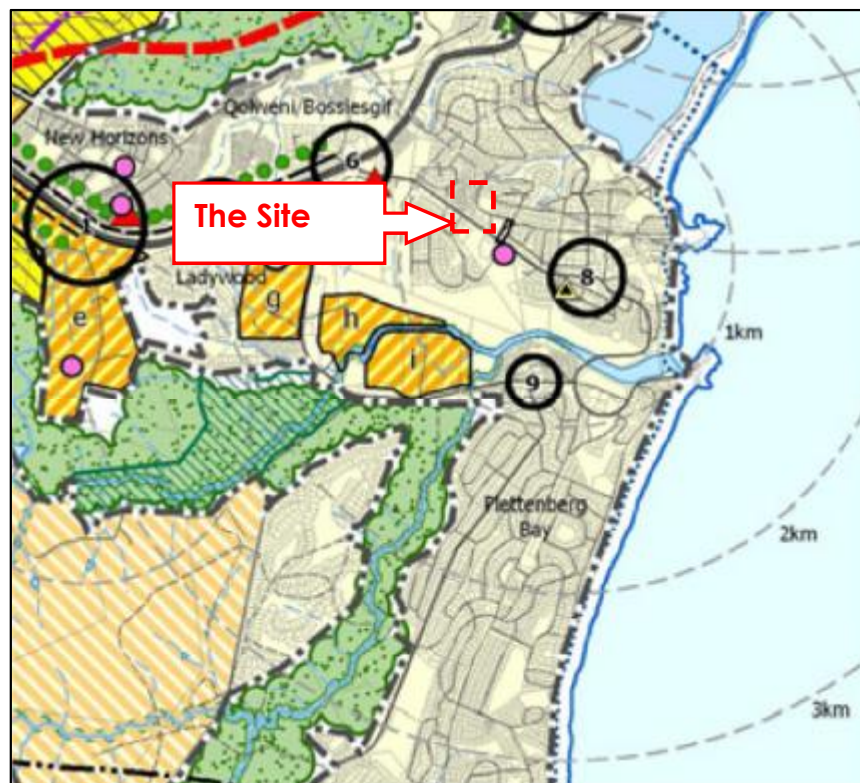


FIGURE 14: EXTRACT FROM THE BITOU SDF

The Bitou SDF locates Erven 2320, 2321, 2322 & 8993 within the urban edge for Plettenberg Bay, therefore the site has been identified as within the desired envelope of development for the settlement.

The following Smart Growth Principles in the Bitou SDF are applicable to the proposed development that should be used to help achieve integrated and efficient human settlements:

1. Provide for a mix of different kinds of land uses, e.g. residential, retail, business, and recreational opportunities.
2. Create well-designed compact neighbourhoods where the different activities are in close proximity to each other.
3. Encourage growth in existing communities this can be done through infrastructure upgrade, urban renewal, new amenities and deification.
4. Utilize smarter, and cheaper infrastructure and green buildings and promote renewable and sustainable technologies.
5. Foster a unique neighbourhood identity building on the unique and diverse characteristics of each community.

According to the Bitou Municipality Spatial Development Framework (SDF) the application area is located:

- *within the urban edge for Plettenberg Bay;*
- *in an area that aims to ensure that future development improves the current urban structure;*
- *in an area where development should be focused at the nodes to increase the economic opportunities for the local community.*

Therefore, the site has been identified as a suitable area for urban development.

Planning Implication

The proposed development is located inside the urban edge of Plettenberg Bay thus will contribute by the containment of urban sprawl. This development does promote the integration of land uses, it also promotes smart utilizing of land within the urban areas. Taking into consideration the character of the surrounding area, the proposal contributes to the mixed land-use character of the area. By utilising the land smarter it contributes to the aim of ensuring that future development improves the current urban structure. The current hospital is a node within the Plettenberg Urban Area, the proposal strengthens the aim to focus development at nodes.

Therefore, the proposed consolidation of the four erven is consistent with the spatial planning policies applicable to this area.

SECTION D : MOTIVATION

11. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

The Spatial Planning and Land Use Management Act (SPLUMA) came into effect in Mossel Bay on 1 December 2015. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and
- take into account—
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

SPLUMA sets out the following **5 main development principles** applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

The motivation in this Section will also indicate how the proposed development will be consistent with the SPLUMA principles.

11.1. Consistency with Spatial Policy Directives

As discussed in detail in Par 10 of this report, this development proposal is consistent with the approved statutory spatial policy framework for the area, such as the Bitou Municipality Spatial Development Framework (SDF).

11.2. Consistency with the Character of Surrounding Area

The proposed development will be consistent with the established land use character of the surrounding area. The application area is located west of the CBD area of Plettenberg Bay. The application is surrounded by various land uses, resulting that the surrounding area is within a mixed-land use area that support the integration of various land uses. By utilising the land smarter it contributes to the aim of ensuring that future development improves the current urban structure and contributing to the existing character of the area.

It is clear that the proposal will be consistent with the character of the area and that it will not impact negatively on the existing character.

11.3. Accessibility of the Area

The application area is bordered by Marine Way along the southern boundary and Muller Street along the eastern and northern boundary. The access and egress is obtained off Muller Street, via Marine Way, which is one of the main movement corridors within Plettenberg Bay. Safe and sufficient access is permitted to the application area.

11.4. No Impact on Existing Rights & Visual Impact

The development proposal entails a new theatre of only 92m², no further development is proposed on the property. This expansion of the hospital will only be for a 7,28m section parallel to Marine Drive, the parking area will remain unimpeded, hence there will be no impact on any view lines. The new theatre constitutes a horizontal development and not vertical development that will impact any views. Thus, no obstruction of views or visual impacts. The proposed new theatre is situated on Erf 8993 (current parking area), it will have no impact on the parking parameters, sufficient parking is still available to the hospital.

11.5. Services Infrastructure

The proposed consolidation will have no impact on the service infrastructure as the four properties will become one. The proposed expansion of the hospital to accommodate a new theatre is still within the allowed primary development rights, with no additional services requirements.

11.6. Consistency with SPLUMA Principles

As discussed in detail in Par 12 of this report, this development proposal is consistent with the approved statutory spatial policy framework for the area.

SPLUMA sets out the following **5 main development principles** applicable to spatial planning, land use management and land development.

The table below indicates how the proposed development will be consistent with the SPLUMA principles.

Principle	Motivation
Spatial Justice:	• The development aims to promote land development within the urban fabric of Plettenberg Bay. • The proposed development will contribute to the functional and integrated land use pattern in the surrounding area. • Proposed development will contribute towards a more integrated urban environment. • The proposed development will contribute to the character of the surrounding area.
Spatial Sustainability:	• The development proposal prevents further environmental impact. • Small infrastructure and services footprint. • Development complies with the Bitou Spatial Development Framework.
Spatial Efficiency:	• Development will make use of existing local resources. • The proposed development will contribute to the aesthetical appearance which will contribute to the character of the surrounding area.
Spatial Resilience:	• This principle deals with flexibility in spatial planning as well as in land use management systems. The proposal will comply with the principle of spatial resilience as the proposal is situated near an area that is marked to be a World Heritage Site, the smaller environmental impact contribute the conservation of the area.
Good Administration:	• This principle has no direct bearing on the application, however, the Bitou Bay municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

12. CONCLUSION

In light of this motivation, and the information contained within the foregoing report, it is clear that the application for:

- The consolidation of Plettenberg Bay Erven 2320, 2321, 2322 & 8993 to create a new property of 4673.3m² in extent, in terms of Section 15(2) (e) of the Bitou Municipality Land Use Planning By-Law;

Meets the criteria as set out in The Spatial planning and land use management act (SPLUMA) and the Bitou Land Use Planning Bylaw, is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Bitou Municipality.

Marika Vreken Urban and Environmental Planners
February 2017