



## TOWN PLANNING AND ENVIRONMENT DEPARTMENT

# ALTERATION, SUSPENSION, REMOVAL OF RESTRICTIONS

Application for Alteration, Removal or Suspension of Restrictions in terms of  
Removal of Restrictions Act (No. 84 of 1967)

ERF / ERVEN .....292 293 294 AND 311 .....

Please Indicate

KNYSNA

SEDGEFIELD

BUFFALO BAY

BELVIDERE

RHEENENDAL

PORTION ..... OF FARM .....

IF OTHER, PLEASE SPECIFY

.....

ALTERATION, SUSPENSION, REMOVAL OF RESTRICTIONS FOR THE  
PURPOSE OF

.....ALLOWING A MEDIUM DENSITY GROUPOUSING DEVELOPMENT.....

.....

DATE: ...30 APRIL 2014.....

**PROVINCIAL GOVERNMENT OF THE  
WESTERN CAPE**

**ALTERATION, SUSPENSION,  
REMOVAL OF RESTRICTIONS**

Application for Alteration, Removal or Suspension of  
Restrictions in terms of Removal of Restrictions Act  
(Act 84 of 1967)

**NOTE**

Part A is to be completed by the Applicant in triplicate,  
**two (2)** copies of which must be submitted to the Local  
Authority in whose area of jurisdiction the property is  
situated and **one (1)** copy to the  
**Director: Integrated Environmental Management  
(Region A1), Private Bag X 9086, Cape Town 8000**

**PART A**

- (1) Has one copy of the application form been  
submitted to the Director: Integrated  
Environmental Management (Region A1) in  
accordance with the above note?

.....**YES**.....

Please note that a copy is required by the Director:  
Integrated Environmental Management (Region A1) to  
enable him to advise the Council on what basis the  
application must be advertised. Failure to submit a copy  
of the application to the Director will cause considerable  
delay in finalizing the application.

- (2) Name of Local Authority in whose area the  
property is situated:

.....**KNYSNA MUNICIPALITY**.....

**Note:** If the proposal is to enable the property to be  
subdivided, the usual yellow minor subdivision application  
form must be submitted, together with a copy of the  
application to the Director: Integrated Environmental  
Management (Region A1). If the subdivision has,  
however, already been approved by the Townships Board  
and the Administrator in principle, then a reference to the  
letter of approval will suffice.

- (3) Applicant's full name and address:

.....**VPM PLANNING CC**.....

.....**PO BOX 173**.....

.....**KNYSNA**.....

.....**6570**.....

Telephone Number: .....**044 322300**..... Telefoonnommer

**Note:** If the applicant is a company or other legal person  
except a natural person, a properly certified copy of the  
empowering resolution must be attached.

**PROVINSIALE REGERING VAN DIE  
WES-KAAP**

**WYSIGING, OPSKORTING,  
OPHEFFING VAN BEPERKINGS**

Aansoek om die Wysiging , Opheffing of Opskorting  
van Beperkings ingevolge die Wet op Opheffing van  
Beperkings (Wet 84 van 1967)

**NOTA**

Deel A moet deur die aansoeker in drievoud ingevul word,  
waarvan **twee (2)** kopieë by die Plaaslike Owerheid in wie  
se regsgebied die eiendom geleë is en **een (1)** kopie by die  
**Direkteur: Integrated Environmental Management  
(Region A1), Privaatsak X 9086, Kaapstad 8000**  
ingedien moet word.

**DEEL A**

- (1) Is een kopie van die aansoekvorm by die  
Direkteur: Integrated Environmental  
Management (Region A1) ingedien in  
ooreenstemming met die nota hierbo?

Geliewe kennis te neem dat die Direkteur: Integrated  
Environmental Management (Region A1) 'n kopie benodig  
om hom in staat te stel om die Raad te verwittig op watter  
wyse die aansoek geadverteer moet word. Versuim om 'n  
kopie van die aansoek by die Direkteur in te dien, sal  
aansienlike vertraging by die afhandeling van die aansoek  
meebring.

- (2) Naam van Plaaslike Owerheid in wie se gebied  
die eiendom geleë is:

**Nota:** As daar voorgestel word om die eiendom te laat  
onderverdeel, moet die gebruiklike geel aansoekvorm ten  
opsigte van klein onderverdelings saam met die kopie van  
die aansoek by die Direkteur: Integrated Environmental  
Management (Region A1) ingedien word. As die  
onderverdeling egter deur die Dorpekommissie en die  
Administrateur in beginsel goedgekeur is, sal 'n verwysing  
na die goedkeuringsbrief voldoende wees.

- (3) Volle naam en adres van aansoeker:

**Nota:** Indien die aansoeker 'n maatskapy of enige ander  
regspersoon is, uitgesonderd 'n natuurlike persoon, moet 'n  
behoorlik gesertifiseerde kopie van die nagtigende besluit  
aangeheg word.

- (4) Name and address to which correspondence must be sent and reference number, if any: (4) Naam en adres waaraan korrespondensie gerig moet word en verwysingsnommer, indien daar is:

..... **VPM PLANNING CC** .....

..... **PO BOX 173** .....

..... **KNYSNA** .....

..... **6570** .....

Telephone Number: ..... **044 322300** ..... Telefoonnommer

- (5) Date of application: ..... **30 April 2014** ..... Datum van aansoek:

- (6) Full name and address of registered owner: (6) Volle name en adres van geregistreerde eienaar:

..... **Montagu Properties Investment (Pty) Ltd** .....

..... **C/O VPM PLANNING CC** .....

..... **PO BOX 173** .....

..... **KNYSNA** .....

..... **6570** .....

**Note:** If the application is made by some person on behalf of the registered owner, a power of attorney from such owner must be attached. This also applies where the person making the application is not yet the registered owner but is acquiring the property from such owner.

**Nota:** Indien die aansoek deur een of ander persoon namens die geregistreerde eienaar gedoen word, moet 'n volmag van sodanige eienaar aangeheg word. Dit is ook van toepassing waar die persoon wat aansoek doen, nog nie die geregistreerde eienaar is nie maar besig is om die eiendom van sodanige eienaar te verkry.

#### **See Annexure A**

- (7) Registered description of the property as shown in the present Title Deed: (7) Gerigestreerde beskrywing van die eiendom soos in die huidige Titelsbewys aangetoon:

**Erven 292, 293, 294 and 311 Sedgefield, in the Municipality and Division of Knysna, Western Cape**

- (8) If the property is situated in a township registered in terms of Section 20 of the Township Ordinance (No. 33 of 1934) the name of the township and its extension number must also be quoted as well as the reference number, if known. (8) Indien die eiendom geleë is in 'n dorp wat ingevolge Artikel 20 van die Ordinansie op Dorpe (No. 33 van 1934) geregistreer is, moet die naam van die dorp en die uitbreidingnommer daarvan ook aangegee word, asook die verwysingsnommer, indien bekend.

..... **Sedgefield Central** .....

- (9) If the Property is encumbered by a bond, the name of the bond-holder: (9) Indien die eiendom deur 'n verband beswaar is, die naam van die verbandhouer :

**T 123832/2004 is encumbered by a bond , Bond Holders Consent has been requested**

**Note:** The bondholder's consent to the application must be attached

**Nota:** Die verbandhouer se toestemming tot die aansoek moet aangeheg word.

(10) The condition(s) to be altered, removed or suspended is / are as follows (Quote in full with Title Deed Number and date, if necessary in a separate annexure):

(10) Die voorwaarde(s) soos wat gewysig, opgehef, of opgeskort moet word is soos volg (haal volledig aan met Titelbewysnommer en –datum, in 'n aparte aanhangsel indien nodig):

- **REMOVAL OF RESTRICTIVE CONDITION B.7, B.8, B.10, AND B12, FROM TITLE DEED NR T 57151/2007, IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT (ACT 84 OF 1967) ;**
- **REMOVAL OF RESTRICTIVE CONDITION B.7, B.8 AND, B12, FROM TITLE DEED NR 123832/2004, IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT (ACT 84 OF 1967);**

.....**see motivation report for full details**.....

**Note 1:** If the conditions to be removed do not appear in the present Title deed, they should be quoted verbatim. Alternatively, a copy of the prior deed should be submitted.

**Nota 1:** Indien die voorwaardes wat opgehef moet word, nie in die huidige Titelbewys voorkom nie, moet dit woord vir woord aangehaal word. Anders moet 'n kopie van die vorige bewys neergelê word.

**Note 2:** If the purpose of the application is the establishment of a township, a Conveyancer's Certificate and the comments of the subcommittee of the Township Board thereon should be submitted.

**Nota 2:** As die doel van die aansoek die stigting van 'n dorp is, moet 'n Aktebesorgersertifikaat en die kommentaar van die subkomitee van die Dorpe kommissie daarvoor ingedien word.

(11) The purpose for which the property will be used if the application is successful:

(11) Die doel waarvoor die eiendom gebruik sal word indien hierdie aansoek slaag:

.....**Residential (Group Housing )** .....

(12) Is there a Town Planning Scheme in force in the area where the property is situated?

(12) Is daar 'n Dorpsaanlegskema van krag in die gebied waarin die eiendom geleë is?

.....**Yes Sedgfield Zoning Scheme** .....

(13) Is the proposed use permitted under the Town Planning Scheme? If not, application must be made simultaneously to the Local Authority for a suitable amendment to the Scheme.

(13) Is die voorgestelde gebruik kragtens die Dorpsaanlegskema toelaatbaar? Indien nie, moet aansoek gelyktydig by die Plaaslike Owerheid, gedoen word om 'n toepaslike wysiging van die Skema.

.....**No , simultaneous applications for Rezoning m, Departures and Subdivision have been submitted to the Knysna Municipality** .....

**Note:** If the property is zoned for a specific purpose, a certificate signed by the Local Authority must be submitted.

**Nota:** Indien die eiendom vir 'n spesifieke doel gesoneer is, moet 'n sertifikaat, geteken deur die Plaaslike Owerheid, ingedien word.

(14) The reasons for the application are as follows:

(14) Die redes vir die aansoek is as volg:

.....  
.....**See motivation Report Attached hereto**.....  
.....  
.....  
.....

**Note 1:** A full statement of reason, if necessary in a separate annexure is required.

**Note 2:** If the proposal is to establish a new township, state the proposed name.

**Nota 1:** 'n Volle motivering, in 'n aparte aanhangsel indien nodig, word verlang.

**Nota 2:** Indien dit 'n voorstel is om 'n nuwe dorp te stig, meld die voorgestelde naam.

**Ensure that the following are attached:**

- (a) The **title deeds to the land** (original and copy for Director: Integrated Environmental Management (Region A1) and a copy for the local authority).
- (b) **Twelve (12) copies of a locality plan** (10 for the Director: Integrated Environmental Management (Region A1) and 2 for the local authority) showing:-
  - (i) The property involved in relation to the surrounding erven and streets, with the erf numbers;
  - (ii) The nature of the existing development surrounding the property.
- (c) **Twelve copies (12) of a sketch plan** (10 for the Director: Integrated Environmental Management (Region A1) and 2 for the local authority) showing the proposed subdivision if application is being made to subdivide the property
- (d) **Zoning Certificate** for the Director: Integrated Environmental Management (Region A1).

**Die volgende word aangeheg:**

- (a) Die **titlebewyse van die grond** (oorspronklike en kopie vir Direkteur: Integrated Environmental Management (Region A1) en kopie vir plaaslike owerheid).
- (b) **Twaalf afdrukke (12) van liggingsplan** (10 vir die Direkteur: Integrated Environmental Management (Region A1) en 2 vir plaaslike owerheid) waarop aangedui word: -
  - (i) die betrokke eiendom in verhouding tot die omliggende erwe en strate, tesame met die erf nommers;
  - (ii) die aard van die bestaande ontwikkeling om die eiendom.
- (c) **Twaalf afdrukke (12) van sketsplan** (10 vir die Direkteur: Integrated Environmental Management (Region A1) en 2 vir plaaslike owerheid) wat die voorgestelde onderverdeling aantoon indien aansoek gedoen word vir die onderverdeling van die eiendom
- (d) **Sonering Sertifikaat** vir die Direkteur: Integrated Environmental Management (Region A1).

Signature of Applicant ..........Handtekening van Aansoeker

Name in block letters .....**LIZEMARIE BOTHA ON BEHALF OF VPM PLANNING**..... Naam in blokletters

Date .....**30 April 2014**..... Datum

**NOTE**

On receipt of the application by the Director: Integrated Environmental Management (Region A1), the local authority will be advised of the properties in the vicinity on whose owners notice of this application must be served and the form of notice which it will be required to give to such owners. The local authority will attend to any notice to be published in the press and Provincial Gazette and shall claim the cost in respect thereof from the applicant.

**NOTA**

By ontvangs van die aansoek deur die Direkteur: Integrated Environmental Management (Region A1) sal die plaaslike owerheid in kennis gestel word van die eiendomme in die omgewing aan die eienaars waarvan kennis van hierdie aansoek beteken moet word en die vorm van die kennisgewing wat hy aan sodanige eienaars sal moet beteken. Die plaaslike owerheid sal enige kennisgewing wat in die pers en die Provinsiale Koerante gepubliseer word, behartig en sal die kostes daarvan van die aplikant kan vorder.

**PART B**

**MUST BE COMPLETED BY LOCAL AUTHORITY**

(1) Have all the necessary supporting documentation been submitted with this application?

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(2) Is the information furnished by the applicant correct?

.....

(3) Have the following been submitted by the applicant?

(a) Copy of notice served on the surrounding owners.

.....

(b) List of Erf numbers and names of the registered owners on whom notice has been served.

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(c) Copies of registered postal receipts.

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(4) Council's full comments on the application.

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(5) Council's recommendation and details of any conditions which it desire to be imposed:

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**DEEL B**

**MOET DEUR DIE PLAASLIKE OWERHEID  
VOLTOOI WORD**

(1) Is die nodige stawende dokumente met hierdie aansoek ingedien?

.....

(2) Is die inligting deur die aansoeker verstrek, korrek?

.....

(3) Is die volgende deur die aansoeker ingedien?

(a) 'n Afrkrif van die kennisgewing wat aan die omliggende eienaars beteken is?

.....

(b) 'n Lys van erfnummers en die name van die geregistreerde eienaars aan wie kennis beteken is.

.....

(c) Afskrifte van die geregistreerde poskwitansies.

.....

(4) Raad se volledige kommentaar oor die aansoek.

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(5) Raad se aanbeveling en besonderhede van enige voorwaarde wat hy wil laat stel:

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**THE FOLLOWING FURTHER  
INFORMATION IS REQUIRED FROM  
THE COUNCIL IF IT HAS A TOWN  
PLANNING SCHEME**

**DIE VOLGENDE NADERE INLIGTING  
WORD VAN DIE RAAD VERWAG INDIEN  
HY 'N DORPSAANLEG-SKEMA HET.**

- (6) (a) The purpose for which the property is zoned under the scheme:

.....

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- (b) The different uses permitted under this zoning and the restrictions applying thereto:

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.....

- (c) The zoning of the surrounding properties (give full details, illustrated, if necessary on the applicant's plans):

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.....

- (d) The minimum plot size permitted under the scheme in this area:

.....

**In the case of a consent use under the Town Planning Scheme, the following information must be submitted: -**

- (a) A certificate to the effect that the provisions of the Town Planning Scheme in regard to the advertising of the proposed use have been complied with and that the local authority has approved the application in terms of the scheme.
- (b) Copies of any objections received.

**REMARKS**

- (i) If the Council recommends the application for approval and this will necessitate a rezoning of the property under the Town Planning Scheme, the application for rezoning should accompany this application for the amendment of the Title Conditions.
- (ii) If the application involves a subdivision, kindly ensure that the minor subdivision application form submitted by the applicant is forwarded to the Director: Integrated Environmental Management (Region A1) direct with this application for amendments of conditions (i.e. the minor subdivision must not be sent to the Surveyor General).

- (6) (a) Die doel waarvoor die eiendom kragtens die skema gesoneer is.

.....

.....

- (b) Die verskillende gebruike toegelaat kragtens hierdie sonering en die beperkings daarop van toepassing:

.....

.....

- (c) Die sonering van die omliggende eiendomme (verstrek volledige besonderhede, geïllustreerd in die nodig op die aansoeker se planne).

.....

.....

- (d) Die minimum perseelgrootte wat kragtens die skema in hierdie gebied toegelaat word:

.....

**In die geval van 'n toestemmings gebruik kragtens die dorpsaanlegskema moet die volgende inligting verskaf word: -**

- (a) 'n Sertifikaat ten effekte dat die bepalings van die Dorpsbeplanningskema met betrekking tot die advertering van die voorgestelde gebruik nagekom is en dat die plaaslike owerheid die aansoek ingevolge die skema goedgekeur het.
- (b) Kopië van enige besware ontvang.

**OPMERKINGS**

- (i) Indien die Raad die aansoek om die goedkeuring aanbeveel en dit 'n hersonering van die eiendom kragtens die dorpsbeplanningskema noodsaaklik sal maak, moet die aansoek om hersonering hierdie aansoek om die wysiging van die Titelloosvoorraades vergesel.
- (ii) Indien die aansoek 'n onderverdeling behels, geliewe te verseker dat die aansoekvorm ten opsigte van die klein onderverdeling wat deur die aansoeker ingedien word, regstreeks aan die Direkteur: Integrated Environmental Management (Region A1) gestuur word tesame met hierdie aansoek om die wysiging van voorwaardes (d.w.s. die aansoek ten opsigte van 'n klein onderverdeling moet nie aan die Landmeter-Generaal gestuur moet word nie).



NAME OF COUNCIL .....NAAM VAN RAAD  
REFERENCE NUMBER .....VERWYSINGSNO.  
TELEPHONE NUMBER ..... TELEFOON NR.  
FAX NUMBER ..... FAKS NOMMER  
CHIEF TOWN PLANNER ..... HOOF STADSBEPLANNER  
  
SIGNATURE ..... HANDTEKENING  
DATE ..... DATUM