



TOWN PLANNING AND ENVIRONMENT DEPARTMENT

SUBDIVISION AND REZONING APPLICATION

IN TERMS OF SECTION 17 and 24 OF THE LAND USE PLANNING ORDINANCE (NO. 15 OF 1985)

ERF / ERVEN

Please Indicate

KNYSNA

SEDGEFIELD

BRENTON

BELVIDERE

RHEENENDAL

KARATARA

ERVEN 292 293 294 AND 311 SEDGEFIELD

IF OTHER, PLEASE SPECIFY

.....

**SUBDIVISION OF CONSOLIDATED ERVEN 292, 293 294 AND 311 INTO
14 Group Housing erven and a communal open space erf**

DATE:20 April 2014.....



KNYSNA MUNICIPALITY

The Chief Town Planner
Tel: (044) 302-6330
Fax: (044) 302-6338

P.O. Box 21
Knysna
6570

INSTRUCTIONS TO ASSIST IN COMPLETION OF APPLICATION FORM

- a) The Subdivision Application Form has been revised, in addition to the requirements in the Annexure. The whole application form must be accurately completed, in ink. (Subsections 2 to 7 of Section E may, however, be deleted if applicable - see Note [ii] of Section E).
- b) Where applicable, place an 'X' or similar mark in the relevant block only.
- c) Where additional information is attached as an Annexure, it must be clearly marked as to which Subsection of the application form it relates to.
- d) The application for subdivision, with all accompanying documentation, must be submitted to:

The Chief Town Planner
Knysna Municipality
11 Pitt Street
Knysna
6570

- e) **8 (eight) complete copies** of the application and all accompanying documentation must be submitted unless more are required. This includes 5 copies of the completed application form, as well as **8 (eight) copies** of all engineering reports, motivation reports, maps, diagrams, etc., which form annexures to the application form.
- f) Incorrect and / or incomplete application forms will be returned to the applicant forthwith, as processing of incomplete applications often result in delays in the system, which is unfair to those whose applications have been properly completed.
- g) In cases where the application has to be referred to State Departments or other statutory authorities prior to consideration thereof by the Knysna Town Council, the applicant may be required to submit additional copies of the completed application form together with all annexures, for forwarding to such Departments / authorities.

- h) Where the proposal is in conflict with the erf's title deed conditions, a simultaneous application in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967) must be made on the relevant application form. A copy of the completed Removal of Restrictions application form, with payment, should accompany this application, and the original and another copy is to be submitted to the Provincial department indicated on the Removal of Restrictions form. In this case, the proposal may not be advertised until instructions are received by the Municipality from the Provincial Administration of the Western Cape.
- i) Please ensure that the most up-to-date application fees are paid.
- j) Kindly note that receipt of an application will be acknowledged in writing. Once so acknowledged, applicants should accept that consideration of the proposal will occur as soon as is practically possible. Personal visits and telephonic enquiries regarding progress will not "speed up" the process, and are not encouraged.
- k) The person who makes application is to sign the declaration in Section H, but if this person is not the registered owner of the erf, then the permission / Power of Attorney of the owner must accompany the application. It is the responsibility of the applicant to ensure that correct, accurate and complete information is furnished with the application.
- l) Note that it is not the function of municipal officials to complete the application form. Some assistance to clarify "minor uncertainties" can be given, but it is strongly recommended that property owners appoint suitably qualified consultants to act on their behalf.

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SECTION A

PARTICULARS OF APPLICANT

1. **FULL NAMES:**Lizemarie Botha on behalf of VPM Planning.....

2. **COMPANY / FIRM:** (where applicable, e.g. ABC CONSULTANTS)

VPM Planning CC

3. **POSTAL ADDRESS:**

P O Box 173.....

Knysna.....

6570.....

.....

.....

NOTE: All correspondence will be directed to the above address

4. **TELEPHONE NO.:** 044 3022300.....

5. **CELL NO.:** 082 8551125.....

6. **FAX NO.:**

7. **EMAIL ADDRESS:** lizemarie@vpmsa.co.za.....

8. **BOND DETAILS**

8.1 **Is the property encumbered by a bond?**

YESx

NO x

8.2 **Is the Bondholder's consent attached?**

requested

YES

NO

N/A x

NOTE: If the property is encumbered by a bond, the consent of the bondholder to the application must be attached to this application.

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):

Montagu Properties Investment (Pty) Ltd

2. IS THE APPLICANT THE (ONLY) REGISTERED OWNER OF THE PROPERTY CONCERNED?

YES

NOx

3. POWER OF ATTORNEY OF REGISTERED OWNER(S) ATTACHED?

YES x

NO

N/A

NOTE: [i] If the application is not made 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?

YES x

NO

5. CERTIFIED COPY OF EMPOWERING RESOLUTION ATTACHED?

YES x

NO

N/A x

NOTE: If the registered owner is a company or similar body a properly certified resolution confirming consent to the application must be attached to this application.

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 x

NO

NOTE: A copy of either one or the other of the above (please indicate which), 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.** Erven 292, 293, 294 and 311 Sedgefield.
2. **EXTENT OF PROPERTY**
Erf 292 - 868 (Eight Hundred and Sixty Eight) m²
Erf 293 - 868 (Eight Hundred and Sixty Eight) m²
Erf 294 - 847 (Eight Hundred and Forty Seven) m²
Erf 311 - 847 (Eight Hundred and Forty Seven) m²
TOTAL - 3 430 (Three Thousand Four Hundred and Thirty) m²
3. **STREET NAME:** Crn of Swallow, Sysie and Parrot Street
4. **TOWNSHIP** SEDGEFIELD CENTRAL
5. **ARE THERE ANY SERVITUDES REGISTERED ON THE PROPERTY WHICH MAY AFFECT THE APPLICATION?**

YES	NO X
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6. **IF THERE ARE ANY SUCH SERVITUDES, PROVIDE A BRIEF DESCRIPTION THEREOF:**

.....)

.....

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

YES	NO
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8. **IF ANY SUCH SERVITUDES ARE PROPOSED, PROVIDE A BRIEF DESCRIPTION THEREOF:**

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SECTION D

DETAILS OF APPLICATION

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

1.1 **PRESENT ZONING:** Erven 292, 293 & 294 Sedgefield is currently zoned "Business Zone" and Erf 311 is zoned "Single Residential"

1.2 **EXISTING USE(S):** Vacant

1.3 **NUMBER OF SUBDIVISION UNITS PROPOSED:** 15

1.4 **SIZE (m²) OF EACH NEW ERF / PORTION / REMAINDER:**

ERF NUMBER	SQUARE METRES
1	168
2	168
3	168
4	168
5	233
6	234
7	128
8	128
9	128
10	128
11	128
12	128
13	128
14	210
Total Residential	2245
15 Open Space	1185
Total Erf Size	3430

1.5 **PROPOSED USAGE OF THE SUBDIVISION (e.g. Residential, Business, etc.)**

Group Housing.....

- 2.1 Does the owner possess any a joining land or land which is situated in the immediate vicinity?

YES	NO x
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If "Yes", submit a detailed description thereof and indicate on the plan the locality and size thereof.

- 2.2 Has a previous application for subdivision of the property been considered?

YES	NO x
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If "Yes", when and furnish details including all reference numbers of authorities.

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- 2.3 Are the provisions of the Knysna – Wilderness – Plettenberg Bay Regional Structure Plan, or any other structure plans, applicable to the subdivision?

YES	NO x
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If the application is deemed to comply with the relevant structure plan, written confirmation thereof must be attached.

- 2.4 Is the Subdivision of Agricultural Land Act (No. 70 of 1970) applicable to the subdivision?

The subdivision of any properties within the limits of the general plan would, by definition be exempt from the provisions of Act 70/1970 - see section 1(b) of Act 70/1970.

YES	NO x
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If the consent of the relevant body has been obtained, attach a copy thereof.

- 2.5 Where the local authority is the applicant and the proposed subdivision is to be developed by means of government funds and it does not form part of an already approved master plan or existing block in an approved town, has the relevant department been approached regarding the layout and planning thereof?

YES	NO x
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If "Yes", attach a copy of the relevant Department's final reply.

2.6 Does the property abut against any national, special, trunk, main or divisional road or such proposed road?

YES	NO x
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If 'YES', what is the status of the road and has full statutory width been provided?
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.....

2.7 Is the land or any portion thereof subject to flooding or tides?

YES	NO x
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If 'YES', indicate to what extent this affects the subdivision.
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2.8 ANY FURTHER COMMENTS:

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.....see motivation report attached.....
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3. DOES THE APPLICATION ALSO INVOLVE A SIMULTANEOUS:-

3.1 Consolidation [combination] of more than one property?

YES x	NO
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If 'YES', briefly explain:

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Portion B (Portion of Portion 53) = ±7302.5m – to be consolidated with Remainder of Portion 89

.....

3.2 Application for a Departure [deviation] from the development restrictions [height, building lines, coverage, etc] which would normally be applicable to the property(ies) concerned?

YES	NO
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If 'YES', briefly explain:

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3.3 Application for a Consent Use from the applicable Zoning Scheme which would normally be applicable to the property(ies) concerned?

YES	NO x
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If 'YES', briefly explain:

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3.4 Application for removal / amendment of restrictive conditions of title applicable to the property(ies)?

YES	NO	UNCERTAIN
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If 'YES' or 'UNCERTAIN' briefly explain:

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3.4.1 Has, in the case of a simultaneous application in accordance with 3.4 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 Knysna Municipality?

YES x	NO
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3.5 **Application for rezoning of the property(ies) concerned?**

YES x	NO
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If 'YES', briefly explain:

SEE MOTIVATION REPORT FOR MORE DETAIL.....

.....

.....

3.6 **Application for a permit in terms of the Regulations of Chapter 5 of the National Environmental Management Act (No. 107 of 1998) (as amended)?**

YES	NO X
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If 'YES', briefly explain:

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4. **MOTIVATION FOR PROPOSAL:**

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

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It is proposed that the 4 mentioned properties are consolidated and that the consolidated property be rezoned to "Group Housing". Application is made in terms of Section 24 of the Land Use Planning Ordinance to allow the subdivision of the consolidated Erf into 14 group housing erven and one communal open space erf.

See full motivation report attached hereto for detail

5. **LOCALITY PLAN ATTACHED?**

YES X	NO
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NOTE: A locality plan, a zoning plan and land use plan must be attached to this application, and should clearly identify the property/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.

6. **ZONING PLAN ATTACHED?**

YES X	NO
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NOTE: The zoning plan should clearly reflect the current zonings of all properties in the general area concerned.

7. **LAND USE PLAN ATTACHED?**

YES X	NO
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NOTE: The land use plan should clearly reflect the actual land use of all properties in the general area concerned.

8. **PROPOSED SUBDIVISION LAYOUT ATTACHED?**

YES X	NO
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NOTE: A subdivision diagram, clearly indicating all existing and proposed cadastral boundaries as well as all existing structures on the property/properties under consideration and on all abutting properties must be attached to this application.

9. **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?**

YES x	NO
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If 'YES', briefly explain:

There is a sewer pipeline that traverses a section of the property that is not currently protected by a servitude. The intention is to relocate this pipe along the building line

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10. **ARE ANY PORTIONS OF THE PROPERTY(IES) INVOLVED, INCLUDING THE PROPOSED NEWLY CREATED ERVEN AS WELL AS THE REMAINDERS OF EXISTING ERVEN, STEEPER THAN A GRADIENT OF 25% (1:4)?**

YES	NO X
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11. **HAS A CONTOUR PLAN BEEN SUBMITTED?**

YES	NO X
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NOTE: If any portion is steeper than 25%, a contour plan as well as a contour analysis, clearly indicating those areas steeper than 1:4, must be attached to this application.

12. ARE ANY PORTIONS OF THE PROPERTY(IES) INVOLVED:

-SITUATED BELOW THE 1 IN 100 YEAR FLOODLINE?

YES	NO X
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-SUBJECT TO FLOODING?

YES	NO X
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-SITUATED IN A NATURAL DRAINAGE COURSE?

YES	NO X
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-SITUATED IN A WETLAND AREA?

YES	NO X
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13. IF THE ANSWER TO ANY OF THE QUESTIONS IN 11. ABOVE IS "YES", PROVIDE BRIEF DETAILS IN THIS REGARD, INCLUDING MITIGATING MEASURES TO BE IMPLEMENTED, IF ANY:

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14. ARE THERE ANY PROTECTED TREE SPECIES IN TERMS OF THE NATIONAL FORESTS ACT, (No. 84 of 1998) (as amended), ON THE PROPERTY(IES) CONCERNED?

YES	NO X
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NOTE: If there are, the location of these trees must be clearly indicated on the proposed subdivision plan.

15. WILL DEVELOPMENT, INCLUDING INSTALLATION OF SERVICES OR CONSTRUCTION WORK, OF ANY NEWLY CREATED ERVEN REQUIRE SUBSTANTIAL EARTHWORKS AND / OR REMOVAL / DISTURBANCE OF INDIGENOUS VEGETATION?

YES	NO X
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If 'YES', briefly explain, and include mitigating measures to be implemented, if any:

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16. **IS / ARE THE PROPERTY(IES) SITUATED ALONG OR WITHIN 95m OF A PROVINCIAL OR NATIONAL ROAD OR IS ACCESS PROPOSED FROM ANY OF THESE ROADS?**

If 'YES', indicate clearly on relevant plan(s).

YES x	NO
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17. **IS / ARE THE PROPERTY(IES) CONCERNED SITUATED IN A SENSITIVE NATURAL ENVIRONMENT (CLOSE PROXIMITY TO AND / OR EFFECT ON THE KNYSNA ESTUARY, SWARTVLEI, GROENVLEI, ANY RIVER, OCCURRENCE OF INDIGENOUS FAUNA AND / OR FLORA, VISUAL SENSITIVITY, ETC.)?**

YES	NO x
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If 'YES', explain briefly:

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18. **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 (NO. 25 OF 1999)?**

YES	NO x
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- **DECLARED AS A NATURAL HERITAGE SITE?**

YES	NO x
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OR

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

YES	NO x
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19. **IF THE ANSWER TO ANY OF THE QUESTIONS IN 18 ABOVE IS "YES", PROVIDE BRIEF DETAILS IN THIS REGARD, AND INDICATE ON THE SITE DEVELOPMENT PLAN, WHERE APPROPRIATE:**

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20. **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:**

.....

.....Existing Municipal Network.....

20.2 **Sewerage:**

..... Existing Municipal Network.....

.....

.....

20.3 **Electricity:**

.....Existing Municipal Network.....

.....

.....

20.4 **Stormwater:**

.....On site retention

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.....

20.5 **Refuse Removal:**

..... Municipal pick up from a central collection point near the entrance

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SECTION E

PARTICULARS OF CONSULTANT

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

YES x

NO

NOTE: *Where applicable this section should be completed separately for each consultant;
If no consultants were used this fact must be indicated with a line through Section E.*

2. **FULL NAME OF CONSULTANT:**

.....**Lizemarie Botha**.....

3. **NAME OF COMPANY/FIRM:** *(Where applicable, e.g. ABC Consultants)*

.....**VPM Planning CC**.....

4. **CURRENT POSITION IN COMPANY / FIRM:**

.....**Town Planner and Co-owner**.....

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

B.T&RP (Town and Regional Planning) obtained in 1994.....

THE SOUTH AFRICAN
COUNCIL FOR TOWN AND
REGIONAL PLANNERS

Registered Member since June 2002
Membership nr 1234

SOUTH AFRICAN PLANNING
INSTITUTE

Registered Member since March 2011
Membership nr 11884

PROFESSIONAL EXPERIENCE

16 Years experience in Town and Regional
Planning of which 13 years is based in the
Western and Eastern Cape

6. **CONTRIBUTION TO THE STUDY:**

.....**Preparation of Motivation Report and related Maps**.....

Other Consultant : **CMAI Architects –
Sintec - Engineers**

7. CONTACT DETAILS OF CONSULTANT

POSTAL ADDRESS:

PO Box 173

KNYSNA

6570.

.....

NOTE: *Should any correspondence be required to the consultant it will be directed to the above address.*

TELEPHONE NO.: 044 302 2300.....

CELL NO.: 082 8551125

FAX NO.:

EMAIL ADDRESS: lizemarie@vpmsa.co.za.....

SECTION F

DETAILS OF CONSULTATION AND / OR SCOPING PROCESS

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

YES x

NO

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

- Name of Official / Representative: **Hennie Smit**
- Rank / Position: **Knysna Municipality: Manager Town Planning**
- Authority / Organisation **Knysna Municipality**
- Date of Discussion
- Manner of Discussion (telephonic / meeting / correspondence etc.)
- Issues raised and discussed

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

YES x

NO

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

Name of Authority	Date Submitted
Department of Environmental Affairs and Development Planning	5 May 2014

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 x

If 'YES', detail in this regard should be attached separately.

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

YES	NO x
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If 'NO', briefly explain why not:

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If 'YES', provide details (in a separate schedule if necessary) of the persons, and / or organisations involved and summarize the outcome of the discussions (attach written comments of such persons / organisations where possible):

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SECTION G

APPLICATION FEES

1. See current schedule of fees.
2. Please include proof of payment of the application fees with the application.

SECTION H

DECLARATION

I, ...**Lizemarie Botha**.....

(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:**30 April 2014**.....

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