

H U M A N S E T T L E M E N T S

**LAND DEVELOPMENT APPLICATION IN TERMS OF THE SPATIAL PLANNING LAND USE ACT, 2013
(ACT 16 OF 2013)**

PART A: TYPES OF APPLICATIONS *(Please Mark the Appropriate Box with "X")*

APPLICATION	X	FEES
REZONING TO SUBDIVISIONAL AREA		
REZONING	X	R11 970
SUBDIVISION	X	R2 394
SUBDIVISION AND CONSOLIDATION		
CONSOLIDATION		
COUNCIL'S SPECIAL CONSENT (Except for Second Dwellings)	X	R1 434
AMENDMENT/DELETION OF CONDITIONS OF APPROVAL		
REMOVAL OF RESTRICTIVE TITLE CONDITIONS	X	R1 434
DEPARTURE	X	R1 434
ADVERTISEMENT	X	R4 780
TOTAL		R23 446

PRE-CONSULTATION *(See Pre-consultation details under "GENERAL INFORMATION")*

Has the Application undergone Pre-consultation with the relevant department? If **"YES"** attach proof/record of such consultation.

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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If **"NO"** please state the reason(s) below.

[Refer to Annexure 1 : Pre-application Consultation Form](#)

SUBMISSION OF THE APPLICATION:

Four (4) copies of the application must be submitted together with all the required information to:

The Executive Director: Human Settlements
Records Section
Ground Floor Lillian Diedericks
Govan Mbeki Avenue
PORT ELIZABETH
6000

FOR OFFICE USE ONLY

Date Received:	Received by:
Receipt No.:	File Ref. No:

PART B: DETAILS OF APPLICANT		
Is the applicant the only registered owner of the property concerned?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If not, attach Power of Attorney/Company Resolution/ Trust Resolution from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit and if the land unit is owned by a company or more than one person.		
Full Name(s) or Company Name:	Urban Dynamics EC	
Contact Details:	041 374 3980	
Email Address:	info@udec.co.za	
Postal Address:	P O Box 27757, Greenacres, Port Elizabeth, 6057	

PART C: OWNERSHIP DETAILS	
Registered Owner: (If not the Applicant)	Michael Schultz Capital (Pty) Ltd
Address:	
Phone Details:	
Email Address:	laserdoc@mweb.co.za

PART D: PROPERTY DETAILS		
Erf / Farm No:	Portion 56 of Farm No. 25	Allotment Area: Port Elizabeth Division
Current Zoning:	Cluster Housing	Size: 8,8682ha
Property Location: (Physical Address)	The property is located between Old Seaview Road in the south and Chelsea Road in the north.	
Title Deed Number:	T15137/2017	
Are there any restrictive conditions i.e. Title Deed Conditions etc.?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If "YES", give details: A Conveyancer's Certificate confirmed that Conditions B (2) & (3), C(1) & (2) and E(2) of Title Deed T15137/2017 will be removed. Refer to Annexure 6.		
Is the property bonded? (if "YES" Bond Holder's Consent must be attached)		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Does the property fall under any NMBMM Spatial Policy Plan e.g. Local Spatial Development Framework (LSDF), Precinct Plan etc.?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Specify if the proposal is in line with policy plan or not and, or reasons for deviation. Rural Land Use Management Policy of NMBM (2009) Consistent with LSDF. Refer to Chapter 3, Paragraph 3.2		
Is the present Zoning(s) of the property being utilised?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
How is the land currently being utilised? Residential and associated outbuildings		

Which uses and/or buildings are adjoining the property and what is the condition of such buildings?

Rural residential small-holdings, Wedding & Conference venues, Sardinia Bay Wildlife Estate, Grassroof Restaurant, limited agriculture, poultry houses, Kragga Kamma Game Park, open space and access roads.

Are there any conservation – worthy buildings / grave / rock engravings / archaeological findings on the property (including those that have not been declared National Monuments)?

YES

~~NO~~

If so, furnish details:

Is there any structure(s) or building(s) on the property older than 60 years?

YES

~~NO~~

If “YES”, furnish details thereof and indicate their position on a site plan and also indicate if it is to be altered, destroyed, excavated or removed from its original position.

To be confirmed during SDP process

Are there any Physical Restrictions (such as steep slopes, unstable soil formations, swamps, etc.), which could affect the proposed development?

YES

~~NO~~

If so, furnish details and state how the problem can be solved:

Is the subject property situated within 1000m from the high-water mark of the sea or tidal river?

YES

~~NO~~

If so, furnish details:

Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 and, or 1 in 100 year flood-line or subject to any floods?

YES

~~NO~~

If “YES”, furnish details:

Is the subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), applicable to the application?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If "YES" furnish details and, or attach any necessary approvals obtained in terms of that Act.		
Does the proposed development invoke any provisions of the National Environmental Management Act, 1998 (Act 107 of 1998)?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If "YES" furnish details and, or attach any necessary approvals obtained in terms of that Act.		
Is the Land unit situated within the boundaries of a Nature/Conservation Area?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If so, furnish details:		
Does the land unit abut on the <u>area of jurisdiction of another local authority</u> or does any other local authority have an interest in this application?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
If so, state the name of the local authority and its interest in the application:		
Does the property abut on any National, Trunk, Main or Divisional Road or such proposed road?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Does the Land abut on, or is it affected by a railway line, station or an airport?		
If so, furnish details:		

PART E: APPLICATION DETAILS

Brief description of the proposed development: A detailed motivation **MUST** be attached, as set out in the motivation guideline under “**GENERAL INFORMATION**”.

This application is based on the stipulations of the Port Elizabeth Zoning Scheme Regulations and Section 33 (1) of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013), for :

- Subdivision of Portion 56 of the farm Chelsea No. 25 into four portions (Portions A – D).
- Portion A :
 - Rezoning to Residential Zone II
 - Consent Use for Dwelling house
- Portions B – D :
 - Rezoning of the subdivided Portions B - D to Residential Zone I.
 - Consent Use for additional dwelling units on subdivided Portions B – D.
 - Departure from the size of the additional dwelling units.
- Removal of restrictive conditions applicable to Portion 56 of the farm Chelsea No. 25 as registered in Title Deed T15137/2017.
- Development parameters applicable to the property :

Portion 56 of the farm Chelsea No. 25				
Subdivision	Portion A	Portion B	Portion C	Portion D
Area	2,9935ha	2,2377ha	1,8344ha	1,8016ha
Zoning	Residential Zone II	Residential Zone I		
Primary Use	Group house	Dwelling house		
Consent Use	Dwelling house	Additional dwelling units		
Departure	None	Total floor area of additional dwelling units more than 120m ²		
Density	2 du / 1,8ha			
Street Building lines	<ul style="list-style-type: none"> • 0 m along access road • 20 m along Old Seaview Road 	<ul style="list-style-type: none"> • 4 m • 20 m along Old Seaview Road 		
Side Building lines	0 m	2 m		

Does the proposal involve the entire land unit?

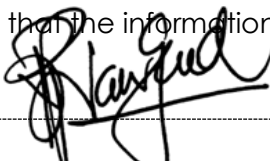
YES

NO

If not, indicate the size of that portion of the land unit which is not involved and what it is being used for?

Are there any developments (buildings, etc.) on the land unit?	YES	NO
If "YES", what is the nature and condition of these improvements?		
Single dwelling and associated outbuildings		
Will the proposed application give rise to more families or persons residing on the land unit than is presumably the case; if so, how many more?	YES	NO
Portion A : 3 dwelling units		
Portions B – D : 2 dwelling units per portion		
Total number of units : 9 single dwellings		

PART F: INFORMATION AND ATTACHMENTS INCLUDED <i>(Attachments are determined by the Application Type as indicated in the Checklist)</i>		
Detailed Motivation Report	YES	NO
Locality Map	YES	NO
Zoning Map	YES	NO
Power of Attorney (If applicant is not the registered owner)	YES	NO
Bondholders Consent	YES	NO
Company/Trust Resolution	YES	NO
Copy of Title Deed	YES	NO
Proof of payment of application fee	YES	NO
SG Diagram	YES	NO
Site Development Plan	YES	NO
Traffic Impact Assessment (TIA)	YES	NO
Record of Decision (RoD)	YES	NO
Proposed Subdivision / Consolidation Plan	YES	NO
Administration/Application Fees	YES	NO
Layout Plan and/ or Site Plan	YES	NO
Other (Specify)	YES	NO
IF ANY OF THE DOCUMENTS REQUIRED TO BE SUBMITTED IS NOT ATTACHED, THE APPLICATION WILL NOT BE PROCESSED. GIVE REASONS WHERE THE ANSWER IS "NO".		
Refer to the attached Motivation Report		

PART G: DECLARATION BY THE APPLICANT	
I hereby declare that the information submitted is correct.	
Signature: 	Date: August 2017

GENERAL INFORMATION

1. All applications **MUST** go through pre-consultation at the Land Use Management Division, 3rd Floor, Lillian Diedericks Building, Govan Mbeki, Port Elizabeth. Pre-consultation may be done through emails on the following address: lpadmin@mandelametro.gov.za
2. Unless the applicant requests otherwise, all correspondence regarding this application shall be in the language in which the Application Form has been designed.
3. An application will be deemed complete once all documents needed have been attached and the application accepted by the Municipality. However should there be additional documentation deemed necessary during the application process, the applicant/owner may be requested to respond within the timeframes given by the Municipality.
4. If at anytime during the Administration Phase the applicant fails to act or provide the necessary information within the time frames required by the Municipality, the application will be deemed to be refused by the Municipal Planning Tribunal or Authorised Official.
5. If an application requires approval in terms of various types of legislation and, two or more of the application have to be advertised, the applicant must inform the Director: Administration accordingly so that all applications may be advertised and submitted for approval simultaneously.
6. Applicants must note that until such time that an approval has been granted in writing, any correspondence or discussions pertaining to the application must not be regarded as an indication that it will in fact be approved/refused. Such discussions do not bind the Municipality in any way.
7. The Municipal Planning Tribunal (MPT) or Authorised Official reserves the right to have an approval declared null and void if it was based on incorrect information supplied by the applicant. Applicants must therefore ensure that all information about restricting factors that could influence the application is provided.
8. Motivation Report **MUST** address the following but not limited to:

a. Development Principles and Norms & Standards as contemplated in Chapter 2 of SPLUMA;	Spatial Planning and Land Use Management Act
b. consistency with the Spatial Development Framework Plan(s);	Existing Planning in the area
c. the public interest and the rights of all those affected;	Public interest and participation
d. constitutional transformation imperatives and the related duties of the state;	
e. the facts and circumstances relevant to the application;	Chapter 1 & 2
f. the respective rights and obligations of all affected;	Public interest and participation
g. the state and impact of engineering services, social infrastructure and open space requirements;	Engineering services, social infrastructure and open space
h. environmental impact (where applicable);	Environmental impact & Heritage
i. if the proposal is in accordance with the existing planning and the surrounding land uses of the area;	<ul style="list-style-type: none"> - Existing Planning in the area - Character of the area

j. the influence of the proposal on the surrounding area;	– Character of the area – Public interest and participation
k. the impact of the proposal in terms of heritage conservation;	Environmental impact & Heritage
l. the influence of the proposal on the traffic and/or parking of the area;	Engineering services, social infrastructure and open space
m. the influence of the proposal on surrounding facilities such as schools, open spaces and other community facilities if the application leads to an increase in the residents of the area;	– Engineering services, social infrastructure and open space – Character of the area
n. the influence of the proposal on the existing character of the area and the rights of residents with regards to privacy, view, etc. and	– Character of the area – Public interest and participation
o. the provision of services.	Engineering services, social infrastructure and open space

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Compliance with Assessment Checklist	YES	NO
Objections Received:	YES	NO
Comments from the Ward Councillor	YES	NO
Applicant's Response to Objections:	YES	NO
Application to be referred to Municipal Planning Tribunals (MPT):	YES	NO

DECISION

In terms of Section 43 of SPLUMA the above application is hereby:

REFUSED	APPROVED
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Summary of the reasons for the decision:

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Authorised Official in terms of section 35 (2) of SPLUMA:

Name: Signature:

Date: