KNYSNA LOCAL MUNICIPALITY

Notice is hereby given of a
SPECIAL PLANNING AND DEVELOPMENT
COMMITTEE MEETING

which will be held on

Friday, 26 October 2018
at

08:30

in the Council Chamber
to consider the following items.

Chairperson: Cllr P Myers
Members: Cllr I Uys
          Cllr SI Kwinana
          Cllr MD Skosana

MUNICIPAL OFFICES
KNYSNA

JB DOUGALS
ACTING MUNICIPAL MANAGER

AGENDA
# TABLE OF CONTENTS

1. **OPENING AND WELCOME**  
   2. **PRAYER**  
   3. **ATTENDANCE OF MEMBERS**  
      3.1 **MEMBERS: PRESENT**  
      3.2 **MEMBERS: ABSENT WITH LEAVE**  
      3.3 **MEMBERS ABSENT WITHOUT LEAVE**  
      3.4 **OTHER COUNCILLORS PRESENT**  
      3.5 **OFFICIALS PRESENT**  
      3.6 **MEMBERS OF THE AUDIT COMMITTEE PRESENT**  
      3.7 **MEMBERS OF THE PUBLIC PRESENT**  
   4. **NOTING OF THE PROVISIONS OF CODE OF CONDUCT FOR COUNCILLORS**  
   5. **DISCLOSURE OF INTEREST**  
   6. **MATTER SUBMITTED BY THE ACTING MUNICIPAL MANAGER**  
      6.1 **REMITTANCE OF APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE ON ERF 5084, EASTFORD, KNYSNA (COLLAB. APPLICATION NUMBER 1302)**  
   7. **CLOSURE**
AGENDA

1. Opening and Welcome

2. Prayer

3. Attendance (as per attendance register)
   - 3.1 Members: Present
   - 3.2 Members: Absent with Leave
   - 3.3 Members: Absent Without Leave
   - 3.4 Other Councillors Present
   - 3.5 Officials Present
   - 3.6 Members of the Audit Committee Present
   - 3.7 Members of the Public Present

4. Noting of the Provisions of Code of Conduct for Councillors and Declaration of Interest

5. Disclosure of Interest
6. MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER

6.1 REMITTANCE OF APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE ON ERF 5084, EASTFORD, KNYSNA (COLLAB. APPLICATION NUMBER 1302)

REPORT FROM THE MANAGER TOWN PLANNING AND BUILDING CONTROL

PURPOSE OF THE REPORT

As a result of an Order from the High Court, the purpose of this report is to remit an application from Marike Vreken Town and Regional Planners on behalf of Trackstar Trading 7 (Pty) Ltd, the property owner, for consideration for the following proposals:

1. Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Knysna Erf 5084 from “Agriculture Zone I” to “Subdivisional Area” for the purposes of residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.

2. Application in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the subdivision of Knysna Erf 5084 into 19 single residential erven, 75 Group Housing erven; 6 General residential erven; 1 Local Business erf, 1 Resort erf and 4 private open space erven and private roads;

3. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme to allow single residential stands that are smaller than 4000 m² in the Eastford area and to allow group housing sites larger than 2 ha;

4. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme Regulations to allow a group housing site of larger than 2 ha.

5. The application is recommended for approval.

BACKGROUND

The subject property is located in the Eastford area, approximately 2,5km north of the Knysna Central Business District (CBD) and is surrounded by residential development. The expropriated N2 Bypass route abuts the southern boundary of the application area. The subject property is located directly south of the existing Green Pastures Residential development and north of the Knysna Heights Township. A locality map is attached as Annexure A.

Vehicular access to the property is currently obtained from either Rio Street in Knysna Heights or directly off Grey Street. The application area is currently zoned “Agriculture” in terms of the Knysna Zoning Scheme Regulations and is currently vacant. The property measures 39,1100 ha which also consists of a 36m wide pipeline and powerline servitude. This servitude traverses the site in an east-west direction. The original application, which served before Council on 23 September 2009, was submitted on 11 September 2008. A Council resolution taken at that meeting is attached as Annexure B. That application, as was expected, was circulated to all internal and external departments and other organs of
state and also underwent an extensive public participation process prior to the decision that was taken on 23 September 2009. Subsequent to the public participation process, the applicant responded to all comments and objections prior to the application serving before Council (in a letter dated 20 February 2009 – Annexure C),

With regard to the application for the amendment of the Guide Plan, Council granted its full support. However with regard to the rezoning, departures and subdivision aspects, Council took these notable resolutions:

a. That the infrastructure of Knysna Municipality cannot at the time support a development of the specific nature and that the applicant be informed that no application for rezoning or subdivision will be entertained until the Director: Technical Services and the Town Electrotechnical Engineer have certified that the infrastructure can support the development,
b. That should the amendment (of the Guide Plan) be approved by province, the rezoning, departures and subdivision must be resubmitted to Council for reconsideration.

As per a notice in the provincial gazette of 20 August 2010, the provincial authority approved the amendment of the Guide Plan in order to accommodate the proposed mixed use development. On the same day the gazette also published a notice confirming the decision of the provincial authority for the removal of a restrictive conditions which prohibited the development of certain aspects of the proposal under consideration. However it is noted the deeds office later noted that the conditions in question did not have to be removed citing that they did not place restrictions on the subject Erf in relation to the uses being proposed.

PUBLIC PARTICIPATION

The application first appeared in the Action Ads and the Provincial Gazette on 20 November 2008 and 21 November 2008 whilst notices were simultaneously served to interested and affected parties including all relevant internal and external departments and state bodies. All proof of public participation is attached as Annexure D.

As is clear from the Council resolution, the project could not continue as no guarantee could be granted by the Directorate: Technical Services that there was sufficient service capacity to accommodate the proposed development. As a result the proposal went dormant until during 2015 when the applicant requested the application to be resubmitted to Council.

Due to the substantial amount of time which had elapsed subsequent to the submission of the first application, it was deemed necessary for the application to undergo a second round of public participation. As a result, on 15 October 2015, the application appeared, again, in the Action Ads with the closing date being 16 November. Registered notices were simultaneously sent to all potential interested and affected parties, internal and external departments and other organs of state. Documents detailing the extent of public participation, comments received and the applicant’s response are all attached as Annexure E.

RESPONSE TO PUBLIC PARTICIPATION

The following public comments were received from various interested and affected parties:

2009

1. Uschi Schultz – 13 January 2009: general comment with queries and suggestions,
2. P. E. Morkel – 19 December 2009: objection,
3. The South Cape Trust – 10 December 2008: General comment and no objection,
4. Glynn William Van Straten – undated: objection,
5. Alastair M Davidson – 19 January 2009 – objection,
Copies of the objection submitted in 2009 are attached as Annexure F.

2015
1. Warren Stott – 16 November 2015: objection,
2. G J Ott – 23 November 2016,
3. Vanessa van der Merwe – 16 November 2015: Objection,
4. David Wright c/o Rodfair Investors – 16 November 2015: Objection
5. Gopichand Family Trust – 14 November 2015: objection,
7. Anita Batistic 16 November 2015: objection,
8. Andre Roodt – 16 November 2015: objection,
9. Andre van Rooyen – 15 November 2015: objection,
10. W P & C Stott – 16 November 2015: objection,
14. Schalk Meyer – 16 November 2015: objection,
15. Brian Eksteen – 16 November 2015: objection,
16. Ursula & Du Toit Maree – 16 November 2015: objection,
17. Eugene Julyan / Hein Stander – 16 November 2015: objection,
18. Vincot Trust – 16 November 2015: objection,
20. P O de Kock – 16 November 2015: objection,
22. Eastford Glen Homeowners Association – 16 November 2015: objection,
23. Green Pastures Homeowners’ Association - November 2015: objection,
24. Copies of the objections submitted in 2015 are attached as Annexure G. With the exception of the objection from Mr B J Henderson and the one from Green Pastures HOA, all other objections are the same as Johan and Petro Kruger’s. As a result only one copy has been attached under Annexure G.

The original application, dated September 2008, has been active since then to date and is attached as Annexure H.

The application were subsequently been refused by Council and followed by judicial review application by the applicant to the High Court in terms of the Promotion of Administrative Justice Act (Act No. 3 of 2000). The Court Order has set the decision of Council aside and
ordered that the application be remitted to Council for a decision (see attached copy of the High Court Order attached as Annexure I).

**DISCUSSION**

**THE APPLICATION**

According to the applicant, the objective of the application is to develop the property in the following manner:

“To create a living environment with a sense of place, that will cater for a wide range of inhabitants as far as age groups and income levels are concerned, that takes cognisance of the great beauty of the surrounding natural environment and provide more than just living space, to fulfil in the needs and aspirations of the modern urbanite, whilst preserving the natural heritage and providing tourist facilities.”

The applicant further suggests that, in order to put this philosophy in practice, the following range of housing stock must be introduced:

**SINGLE RESIDENTIAL DEVELOPMENT**

The proposed development is to consist of the range of housing stock. This includes the following:

a) A total of 19 single residential stands are proposed. These erven will be more upmarket housing opportunities.

b) The average size of the erven are between 700m² – 900m².

c) These stands abuts the 1:100 year flood line and maximise open space and privacy;

**Group Housing Units.**

The following is applicable:

a) A total of 75 smaller group housing units are proposed.

b) These erven vary between 300m² to 500m². It is envisaged that these erven would be a “plot and plan” development, with ample private open space provided on every open erf. It is foreseen that these units would be linked group housing units.

**General Residential erven.**

The following is applicable:

a) Six general residential stands are proposed. It is foreseen that a total of 78 units will be provided on the 6 general residential erven.

b) Site Development Plans for the proposed general residential properties are attached as Plan 12 to this report.

c) These six stands abut the expropriated bypass route south of the application area.

d) It is foreseen that these stands will provide housing in the much needed middle income housing market.

e) Simultaneously, these apartments will serve as a buffer between the N2 bypass and the development. These units will be carefully designed to minimise any potential visual impacts.
f) By incorporating higher densities this development caters for a wider range of inhabitants and therefore ensuring not just a development for the privileged few.

g) Despite the introduction of group housing and general residential uses, the overall density is still very low where less than 20% of the application area will be utilized for residential erven and the gross density of all dwellings are less than 4 units per hectare.

Tourist facilities.

The following is applicable:

a) The new Knysna SDF emphasises the importance of the tourist economy for the Knysna Municipal area. The portion of indigenous forest is one of the last portions of forest that are so close to the Knysna CBD (a mere 3 km). It is the intention of the developer to provide a resort containing 15 log cabins, tucked away in the forest. These log cabins will be rented out on a short term basis. An example of similar tree top chalets exists in the Diepwalle area. However, due to the results of the environmental impact assessment, these resort units will not be possible in the short term.

b) A ‘heritage villagell to replicate the ‘Old Knysnall and the timber and former gold mining culture of old Knysna, is proposed in the disturbed open space between the forest patches. The developer envisages creating a historical village containing restaurants and arts & craft shops, with residential units on top. This village will be typical example of the historical Knysna, thereby contributing to the Unique sense of place of the Knysna forests. This proposed local business site is 3591m² in extent.

c) No vehicular traffic is to be allowed in the forest area. A central parking area is proposed to the west of the Salt River. Motor vehicles are to be be parked at this point and visitors are to be transported with golf carts or with a similar, low impact tourist shuttle service. A derelict existing, narrow track, will provide access to the proposed village. This track will be upgraded to accommodate golf carts. As indicated earlier, this aspect of the proposal has been rendered impossible according the to Environmental Authorisation.

d) Currently, the application area is privately owned, with no access to the general public.

Open Space and Connectivity with surrounding Environment

The following is applicable:

a) The majority of the residential erven are buffered from surrounding properties by open space. The entire site is connected with open space corridors to allow for storm water and species movement. The ecological corridors on the site are designed to connect with the corridors on neighbouring properties.

b) More than 60% of the site is to be zoned for —Private Open Space. The Private Open Space is to be rehabilitated, cleared of aliens and possibly included in a conservancy.

Proposed Land Uses and Appropriate Zonings

The following is applicable:

a) The application area has been carefully assessed in order to maximize the development potential of the site whilst retaining the existing land use activities. Emphasis has been placed on the creation of a development that is sensitive towards any ecological sensitive attributes.
Objections, applicant’s response and departmental comment

A document in the above regard is attached as Annexure J.

Planning Assessment

There are no prohibitive title deed conditions that have a bearing on the application under consideration.

REZONING, SUBDIVISION AND DEPARTURES

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 proposed land use.

The following points have been taken into account when evaluating the desirability of this application:

Consistency with Spatial Policy Directives

The proposed development is deemed consistent with current spatial planning guidelines applicable to the area, such as the Knysna SDF and the Provincial Spatial Development Framework. It is also important to point out that the proposed development is included in the urban edge for Knysna Municipality.

It should be noted that the new Provincial Spatial Development Framework promotes mixed used settlements where economic and employment opportunities are situated within walking distance from the residential areas. Therefore, the proposed establishment of economic opportunities (tourism opportunities) within the proposed development could be regarded as being desirable for this area.

It should also be noted that the site is in close proximity to the area of major employment for Knysna, namely the Knysna CBD.

Consistency of the Development with the Character of the Surrounding Area

The surrounding area is characterised by predominantly medium to low density single residential and resort type land uses. The proposed development could be regarded as —infill— development as this is the application area is located between the existing low income areas of Knysna to the east (Wit Lokasie) and the higher income areas to the west of the application area (Knysna Heights). Higher income residential developments such as Green Pastures, Eastford Vale and Glen and the Simola Country Estate is located north of the application area. It is therefore the considered opinion that the proposed development is consistent with the character of the surrounding area.

Locality and accessibility of the area

The application area is located between the lower income and higher income areas of Knysna. Currently the site receives access from Grey Street that is also the main linkage and public transport route between the lower income areas and the Knysna CBD.
A new safer access is proposed off Rio Street. Rio Street connects the Knysna Heights neighbourhood with Grey Street and the Knysna CBD. The proposed new access has been approved by the Knysna Municipality as well as SANRAL. Therefore, it can be concluded that sufficient access can be provided.

Potential of the property

A large extent of the application area has been proven to have no agricultural potential and is also predominantly covered with invasive alien vegetation. The environmental integrity of the portion of indigenous forest to the north east of the application area is also potentially under threat. The property has a unique opportunity to provide a range of housing stock that should result in a typical integrated development. It is therefore the considered opinion that the proposed development will optimise the potential of the property whilst maintaining the environmental integrity of the sensitive eco-systems.

Layout Design in relation to the Physical Characteristics of the Site

The proposed layout has taken into account sensitive natural areas, riverine areas; steep slopes and the continuity of open space corridors. Wide buffer areas are proposed on both sides of the water course, and no development is proposed below the 1:100 year flood line. The design of the proposed development has therefore strategically used the on-site informants to ensure that the unique character of the site is retained.

Impacts on existing land use rights

The proposed development is surrounded with medium; low and high density residential development and given the perceived consistency of the proposed development with the existing residential development, and given the ample provision of functional open space, it is the considered opinion that the proposed development will not impact on any existing land use rights. The proposal strives to conserve the natural environment and therefore ensure that the proposed development will have no impact on any existing land use rights in the area.

Safety and welfare of the community

There are currently no improvements on the property and it is covered mostly by exotic species. The property is currently not properly fenced and the site has various snares which have been found in the indigenous forest areas believed to be set up by locals hunting the few remaining bushbuck and also on the portion to the south of the Salt River where the existing residential dwelling has been stripped of its roof; windows; doors etc.

The proposed development should potentially add value to the surrounding area, providing a high quality, aesthetically controlled development. The proposed development will also secure the common boundaries with surrounding properties. During the Public Participation process conducted as part of the Environmental Impact Assessment, Interested & Affected Parties expressed concerns relating to, amongst other, increased crime, squatters and tourism opportunities.

Increased Crime and squatters

Residents of Knysna Heights have expressed their concern about rising level of crime that is experienced on the neighbourhood. Vagrants can easily hide on large portions of vacant land. The proposed development should serve as a buffer between the lower income areas of Wit Lokasie and the higher income areas of Knysna Heights.
Tourism Opportunities

Knysna is known for its timber history. The proposed heritage village within the development will ensure the conservation of the unique Knysna Heritage whilst simultaneously creating employment opportunities. However, this proposal is not going to be part of this development.

Conservation of the environment

An Environmental Authorisation has been granted and is attached as Annexure K.

Limited visual impact

Although the property is located on a northern facing slope, the property is not located on any ridgeline of sensitive skylines. The expropriated N2 National Road is located on the ridgeline of the Knysna Heights neighbourhood and to the south of the application area. The visual impact of the site should also be regarded within the context of residential development within an existing residential area. Strict architectural design guidelines and appropriate landscaping should mitigate the visual impact, if any.

Impact on the Agricultural Potential / Viability of the property

The Agricultural Potential investigation indicated that, by virtue of its soil potential, size and location has limited agricultural potential. Therefore, the proposed development will not contribute to the loss of high potential agricultural land. The development proposal will also not leapfrog any high potential agricultural land.

Availability of Link Services, Infrastructure and Capacity

Sufficient evidence exists to the effect that there is sufficient service capacity within the existing municipal infrastructure to accommodate the proposed development (see attached services reports as Annexure L). Any further detail is be finalized as part of a service level agreement.

Heritage Impact

The fact that Heritage Western Cape issued a positive Record of Decision (ROD) is a clear indication that the proposed development will have no heritage impact whatsoever. In the interest of thoroughness, the following considerations have been taken into account when undertaking the assessment of this application:

- **Lawfulness, reasonableness and procedural fairness** – the procedure followed during the processing of this application is deemed to comply with this consideration,
- **public participation** – all public participation was undertaken in the legally prescribed manner and all interested and affected parties as fair opportunity to comment on the proposal,
- **status of the decision maker and legislative provisions** – Council is authorized to take a decision on this matter and the decision is provided for in terms of the Land Use Planning Ordinance and the General Structure Plan,
- **Relevant considerations** – no irrelevant considerations are deemed to have influence on the decision maker with regard to this assessment,
- **Consistency with the SDF** – the proposal is consistent with the Knysna Municipality SDF 2008 and with principles enunciated in that document,
- **Site specific circumstances** – circumstances are deemed to be in favour of the proposal. An EIA was also undertaken as part of this development and was granted by the relevant environmental authority,

- **Public interest** – the members of the public concerned were consulted and this assessment has taken into account all individual viewpoints of all interested and affected parties,

- **Risk** – any potential risk has been mitigated through strict compliance with relevant legislation, norms and standards,

- **Impact** – no negative impact is envisaged in the realistic sense, however it must be mentioned that some of the members of the public do not share the same sentiment,

- **Long term benefits** – the transformation of the subject property from being a vacant underutilized land parcel in an area where developable land is a scarcity will obviously lead to all sorts of benefits in the medium to long term. These benefits are too many to mention which is why it is important to mention but one benefit – the provision of affordable housing which is both a primary need and constitutional right of the citizens of Knysna and beyond.

- **Engineering and environmental considerations** – there is sufficient capacity for the proposed development. Further details in this regard can be ironed out at the service level agreement stage. *(see attached services reports as Annexure L)*.

- **Weightings** – the following weightings have been taken into account:
  - Guidelines set out in the spatial development framework in so far as it relates to desirability,
  - Effect on existing rights (except any alleged right to protection against trade competition).
  - The safety and welfare of the members of the community,
  - The preservation of the natural and developed environment, and
  - The effect of the application on existing rights concerned (with the exception of any alleged right to protection against trade competition).

### FINANCIAL IMPLICATIONS

The High Court Order states that the Respondent (Municipality) shall pay the Applicant (Trackstar Trading 7 (Pty) Ltd) an amount of R 95 000 in respect of legal costs on or before 31 August 2018.

### RELEVANT LEGISLATION

- Land Use Planning Ordinance no. 15 of 1985.

**Comments from departments and other statutory agencies (Annexure L)**

**Comments: Western Cape Department of Agriculture**

No objection. All newly created units (including the remainder) approved for township development must be zoned to any non-agricultural zoning according to the Local Government’s zoning scheme and regulations. All the newly created units approved for township development must be incorporated into the town area and linked up to the municipality’s bulk services,
Comments: Technical Services (15 October 2007)

The access from the development to Rio Street must be a 20m road reserve.
The access road from the development and intersection with Rio Street shall be constructed with the dual lanes as proposed by the traffic impact study by the development.
Hospital Hill Road and Main Road intersection shall be improved by the developer in terms of the traffic impact study with road widening and traffic signals.
The developer shall submit detailed construction details of the improvements to the municipality and the Roads Authority for approval. Council may consider 50% of the cost of the improvements to the intersection being offset from other Capital Charges, the balance to be funded by the development.
This department supports the application, however, it is proposed that the bulk water must be supplied from Green Pastures Development. Should Council approve the Water Master Plan no bulk water shortfall is foreseen.
The sewer connection proposal is acceptable (as per letter from the Director dated 24 October 2006). The proposed access to Erf 5084 is approved subject to the new bell mouth being bitumen surfaced to avoid gravel spilling onto Rio Road and storm water being controlled, details of storm water to be submitted for approval.
The development should not be supported until ESKOM has indicated that they are in the position to allow Knysna Municipality to increase the Notified Demand (electro technical).
Should Council be willing to consider the application the following conditions shall apply (Director: DTS as per letter dated 23 September 2008):
The development shall be subject to a services agreement being entered into with the Municipality which would contain requirements for:
- The payment of augmentation levies and extension charges for water and sewer services,
- The upgrading of the local water and sewer infrastructure including the provision of a reservoir to the approval of the municipality by the developer,
- The compliance with the approval of the Traffic Impact Study for the development.
- The provision of internal services to the satisfaction of the municipality,
- The approval of the subdivision plan and layout by the Municipality,
- The registration of servitudes for all existing and required Municipal Services for and on the Erf,
- No development to be below the 1:100 year floodline,
- Any requirements of SANRAL to be complied with,

Comments: Technical Services (11 August 2016)

- See section 19.1.1 Roads, page 28 of 36. This is crucial, as the development is required, i.e. to upgrade the intersection of Main St and Hospital Hill Road. See annexure M, letter from Knysna Municipality, paragraph 3, dated 15 October 2007
- Further to Section 19.1.1 (iv), gradients steeper that 12% should be limited to 70m in length and the main access road as defined under 19.1.1 (iii) shall not exceed a grade of 10% at any point,
The development consists of 172 living units and would entail significant construction activities. The question arises as to how the site will be accessed during the construction phase of the access road has not been built and the main St and Hospital Hill Road intersection has not been upgraded.

Notwithstanding the requirement for Hospital Hill, it is more likely that the development’s traffic will use Grey Street to town and perhaps a shift from Hospital Hill to Gray may be better suited to our needs.

The TIA must also be included as an entity of its own in the Vreken report. It may also have to be updated due to age.

Comments: Technical Services (3 November 2016)
- Service level agreement to be finalised before approval to the satisfaction of DTS,
- Applicant did not respond to access.
- The developer agrees that higher contributions and higher capital contributions can be imposed in the Service Level Agreement, regarding traffic and transport.

Comments: Technical Services (3 November 2016)
- Certify that there is capacity

Comments: Electro-Technical Services Engineer (29 June 2018)
- Certify that there is capacity.

Comments: Department of Environmental Affairs and Development Planning
A Copy of the Environmental Authorisation dated 22 June 2016 is attached as Annexure K.

Comments: Eskom
- No objection,
- Should it be necessary to move or support any of Eskom’s services, at least three months’ notice in writing is required and costs will be entirely for the account of the developer / applicant,
- Eskom’s rights on the property shall not be affected.

Comments: Environmental Management
- Subdivision for 1 resort zone is not supported for the Tourism facility in the forest area north of the property. No development is supported in the forest area. The environmental Authorisation issued by DEA on 05 July 2015 is noted –
- You are reminded of your obligation under the Conservation of Agricultural Resources Act (Act no 43 of 1983) to eradicate and control the spread of numerous declared weeds and invader plants. All category 1 species must be controlled or eradicated in accordance to Regulation 15 of the Act.
- Tourism facilities proposed in the forest area are not approved.

Comments: Heritage Western Cape
- No further study is required and the development may proceed with no conditions.

Comments: Department of Transport and Public Works
- The department offered no objection.

Comments: Cape Nature
- No objection and generic comments from Cape Nature.
Comments: Water Affairs and Forestry
- The department supported the Guide Plan amendment but would not support the rezoning and subdivision before the following aspects were taken into account:
- The submission of a letter from the Municipality acknowledging the support for the proposed development to connect to the municipal services (water and sewage). If the connection to Municipal Services is supported by the Municipality, the Municipality must inform this office that the extra water is still within the municipality’s water allocation and that the extra effluent to be treated is still within the design capacity of the relevant sewage treatment works.

Comments: Chief Town Planner
- No objection to the amendment of the Regional Structure Plan,
- Access and density must be to the satisfaction of Council as per services plans,
- No objection to the removal of restrictions,
- Rezoning to General Residential not supported, this would not be in line with any known policy.
- Detailed subdivision will be considered once more detail is provided i.e. once rezoning has been established.

Comments: SANPARKS
- No objection subject to the conditions below:
- An alien clearing strategy and rehabilitation plan shall be implemented. The clearing of alien vegetation should start at the site development phase, prior to construction of units taking place,
- Zero loss of indigenous trees,
- An erosion management and erosion prevention plan is implemented,
- Rehabilitation of the Salt River running through the property takes place,
- A storm water management plan is implemented to prevent siltation of the river system,
- No development shall take place on slopes steeper than 1:4,
- Environmental Management Plans should be implemented during the construction and operational phase of the development,
- SANParks requires proof that there is sufficient capacity in the existing municipal system to accommodate water supply and waste water treatment.
- At least 70% of the site shall be private open space,
- Business shall be limited to low impact tourism activities,
- When the placement of the proposed platforms for tents is determined no loss of indigenous trees shall occur. Only the area surrounding the platforms is zoned as resort and the remainder of the forest area remains private open space. A maximum of 12 platforms is built.
- Units 56, 57, 58 as per plan 10 are not developed and remain private open space.
- Architectural Guidelines are developed and implemented to reduce the visual impact.
- The proposed General Residential Node 2 (21 Units) as per Plan 10 is reduced in size and moved 2 meters down the slope or as relevant to ensure no development on slopes steeper than 1:4.
- SANParks has no objection to the departure from the Knysna Zoning Scheme Regulations under Group Housing to an area of 3.2 ha.

Comments: Department of Economic Development and Tourism
- No objection as long as the municipality has followed due process.

Comments: National Department of Agriculture
- The proposed application is not acceptable from an agricultural point of view because the proposed development represents leap frog development and the creation of a new node.

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the following correspondence be noted:
   i. Application from Marike Vreken Town and Regional Planners dated September 2010 and the supplementary letter dated 5 November 2010;
   ii. Comments: Western Cape Department of Agriculture;
   iii. Comments: Technical Services (15 October 2007);
   iv. Comments: Technical Services (11 August 2016);
   v. Comments: Technical Services (3 November 2016);
   vi. Comments: Technical Services (29 June 2018);
   vii. Comments from Electro-Technical Services (29 June 2018);
   viii. Comments: SANRAL;
   ix. Comments: Department of Environmental Affairs and Development Planning;
   x. A Copy of the Environmental Authorisation dated 22 June 2016;
   xi. Comments: Eskom;
   xii. Comments: Environmental Management;
   xiii. Comments: Heritage Western Cape;
   xiv. Comments: Department of Transport and Public Works;
   xv. Comments: Cape Nature;
   xvi. Comments: Water Affairs and Forestry;
   xvii. Comments: Chief Town Planner;
   xviii. Comments: SANPARKS;
   xix. Comments: Department of Economic Development and Tourism;
   xx. Comments: National Department of Agriculture;
   xxii. Uschi Schultz – 13 January 2009: general comment with queries and suggestions,
The South Cape Trust – 10 December 2008: General comment and no objection;

Glynn William Van Straten – undated: objection;

Alastair M Davidson – 19 January 2009 – objection,

Warren Stott – 16 November 2015: objection,

G J Ott – 23 November 2016,

Vanessa van der Merwe – 16 November 2015: Objection,

David Wright c/o Rodfair Investors – 16 November 2015: Objection

Gopichand Family Trust – 14 November 2015: objection,

Noel and Val Crossley – 15 November 2015: objection,

K E Horn – 15 November 2015: objection,

Anita Batistic 16 November 2015: objection,

Andre Roodt – 16 November 2015: objection,

Andre van Rooyen – 15 November 2015: objection,

W P & C Stott – 16 November 2015: objection,

Johan and Petro Kruger – 16 November 2015: objection,

Edmund and Carol Schoeman – 16 November 2015: objection;

Sean Sim and Niel du Plessis – 15 November 2015: objection,

Pieter Reynecke – 16 November 2015: objection,

Dr R M Becker – 16 November 2015: objection,

Daleen Meyer – 16 November 2015: objection,

Schalk Meyer – 16 November 2015: objection,

Brian Eksteen – 16 November 2015: objection,

Ursula & Du Toit Maree – 16 November 2015: objection,

Eugene Julyan / Hein Stander – 16 November 2015: objection,

Vincot Trust – 16 November 2015: objection,


P O de Kock – 16 November 2015: objection,

Gay Booysen – 15 November 2015: objection,

Eastford Glen Homeowners Association – 16 November 2015: objection,

Green Pastures Homeowners’ Association - November 2015: objection,

Comments from internal and external departments and statutory bodies;

Applicant’s response to comments dated 20 February 2009;

Applicant’s response to comments.

[b] That, approval be granted in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Knysna Erf 5084 from – Agriculture Zone I – to – Subdivisional Area – for the purposes of residential erven,
group housing erven, general residential erven, a local business erf, private open space and private roads;

[c] That, approval be granted in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the subdivision of Knysna Erf 5084 into 19 single residential erven, 75 Group Housing erven; 6 General residential erven; 1 Local Business erf, and 4 private open space erven and private roads;

[d] That, approval be granted in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme to allow single residential stands that are smaller than 4000 m² in the Eastford area and to allow group housing sites larger than 2 ha;

[e] That, approval be granted in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme Regulations to allow a group housing site of larger than 2 ha;

[f] The approval is subject to the following conditions imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985, that:

**Conditions: Knysna Municipality**

(i) This approval applies only to the rezoning, subdivision and departures outlined above and shall not be used as authority to depart from any legal prescriptions or requirements;

(ii) A revised layout plan incorporating the conditions of the Environmental Assessment shall be submitted for assessment and possibly approval prior to the finalization of the services level agreement;

(iii) The access from the development to Rio Street must be a 20m road reserve;

(iv) The access road from the development and intersection with Rio Street shall be constructed with the dual lanes as proposed by the traffic impact study by the development;

(v) Hospital Hill Road and Main Road intersection shall be improved by the developer in terms of the traffic impact study with road widening and traffic signals;

(vi) The developer shall submit detailed construction details of the improvements to the municipality and the Roads Authority for approval. Council may consider 50% of the cost of the improvements to the intersection being offset from other Capital Charges, the balance to be funded by the development;

(vii) The bulk water must be supplied from Green Pastures Development;

(viii) The new bell mouth to be constructed on the access point form Rio Street shall be surfaced with bitumen to avoid gravel spilling onto Rio Road and storm water being controlled, details of storm water to be submitted for approval;

(ix) The development shall be subject to a services agreement being entered into with the Municipality which would contain requirements for:

   a. The payment of augmentation levies and extension charges for water and sewer services,

   b. The upgrading of the local water and sewer infrastructure including the provision of a reservoir to the approval of the municipality by the developer,
c. The compliance with the approval of the Traffic Impact Study for the development.

d. The provision of internal services to the satisfaction of the municipality,

e. The approval of the subdivision plan and layout by the Municipality,

f. The registration of servitudes for all existing and required Municipal Services for and on the Erf,

g. No development to be below the 1:100 year floodline,

h. Any requirements of SANRAL to be complied with.

(x) Gradients steeper that 12% should be limited to 70m in length and the main access road as defined under 19.1.1 (iii) shall not exceed a grade of 10% at any point;

(xi) An updated Traffic Impact Assessment shall be submitted to the municipality before a service level agreement can be finalized,

(xii) The developer shall agree that higher contributions and higher capital contributions can be imposed in the Service Level Agreement, regarding traffic and transport;

(xiii) Subdivision for 1 resort zone shall not be permitted for the Tourism facility in the forest area north of the property;

(xiv) No development is supported in the forest area;

(xv) Any deviations from the Environmental Authorisation issued by the Department of Environmental Affairs on 05 July 2015 shall not be entertained without authorization from the department;

(xvi) The developer shall eradicate and control the spread of numerous declared weeds and invader plants;

(xvii) All category 1 species must be controlled or eradicated in accordance to Regulation 15 of the Conservation of Agricultural Resources Act (Act no 43 of 1983);

(xviii) Tourism facilities proposed in the forest area shall not be permitted;

Comments: Water Affairs and Forestry

(xix) The Municipality shall submit a letter to the Department of Water Affairs and Forestry to confirm that the proposed development will be connected to the municipal services (water and sewage).

(xx) The Municipality shall inform the department that extra water is still within the municipality’s water allocation and that the extra effluent to be treated is still within the design capacity of the relevant sewage treatment works.

Conditions: SANPARKS

(xxii) An alien clearing strategy and rehabilitation plan shall be implemented;

(xxii) The clearing of alien vegetation should start at the site development phase, prior to construction of units taking place and there shall be zero loss of indigenous trees;

(xxiii) An erosion management and erosion prevention plan shall be implemented;
Rehabilitation of the Salt River running through the property shall take place and a storm water management plan shall also be implemented to prevent siltation of the river system;

No development shall take place on slopes steeper than 1:4;

The municipality shall provide proof to SANParks that there is sufficient capacity in the existing municipal system to accommodate water supply and waste water treatment;

Architectural Guidelines shall be developed, approved and implemented to reduce the visual impact of the proposed development;

Local labour and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BEE and local labour content, (including those relating to transportation of employees) to the satisfaction of Council, shall be submitted to the Director: Corporate Services for approval prior to commencement of construction, and a monthly report on labour and contractors shall be submitted to the Director: Planning and Development for information of Council. The municipal database on local labour shall be used as far as possible;

Capital contribution with regard to the provision of electricity shall be determined as part of the service level agreement.

APPENDIX / ADDENDUM

The following annexures will be circulated on a compact disc:

Annexure A – Locality Map
Annexure B – 23 September 2009 Council Resolution
Annexure C – Response from applicant dated 20 February 2009
Annexure D – 2008 Proof of Public Participation
Annexure E -2015 Proof of Public Participation
Annexure F – 2008/9 Comments and Objections
Annexure G – 2015 Comments and Objections
Annexure H – Applicant’s Motivation
Annexure I – High Court Order
Annexure J – Applicant’s further comments
Annexure K – Environmental Authorisation
Annexure L - Comments from Internal and External Departments

Directors: Report
Director: Planning and Development Comments on the report from the Manager Town Planning

File Number: 9/1/2/13
Execution: Director: Planning and Development
Manager: Town Planning and Building Control
### SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING

**AGENDA**

26 OCTOBER 2018

---

**PLAN 1**

<table>
<thead>
<tr>
<th>LOCALITY PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>KNYSNA ERF 5084</td>
</tr>
</tbody>
</table>

---

**Map**

- **Knysna Heights**
- **Knysna CBD**
- **Green Pastures**
- **ERF 5084**
- **Eastford**
- **Simola**
- **Municipal Forest**
- "The Site"
C8.II.17/09/09ERVEN 5084 EASTFORD, KNYSNA: PROPOSED REMOVAL OF
RESTRICTION, REGIONAL STRUCTURE PLAN AMENDMENT, REZONING,
SUBDIVISION AND DEPARTURE
Director: Planning and Development

RESOLVED

[a] That the following correspondence be noted:

[i] Application from Marike Vreken Town Planners, dated September 2008;
[ii] Letter from U Schultz, dated 13 January 2009;
[iii] Letter from South Cape Trust, dated 10 December 2008;
[iv] Letter from GW van Straaten, undated;
[v] Letter from P Morkel dated 19 December 2008;
[vi] Letter from AM Davidson, dated 19 January 2009;
[vii] Letter from SANPARKS dated 16 January 2009;
[viii] Comments from Cape Nature dated 8 October 2008;
[ix] Comments from SANRAL dated 8 October 2008;
[x] Comments from ESKOM dated 29 September 2008;
[xi] Letter from the Provincial Department of Agriculture, dated 10 October 2008;
[xii] Letter from the National Department of Agriculture, dated 18 April 2008;
[xiii] Extract from National Department of Agriculture website, dated 5 June 2009;
[xiv] Letter from the Department of Water Affairs and Forestry dated 22 December 2008;
[xv] Letter from Western Cape Department of Economic Development and Tourism, dated 22 September 2008;
[xvi] The applicant’s response to comments received, dated 20 February 2009;
[xvii] Letter from Marike Vreken Town Planners dated 4 June 2008;

[b] That the Director: Integrated Environmental Management (Region A), Department of Environmental Affairs and Development Planning, Western Cape Province, be notified that the Knysna Local Municipal Council supports the amendment, in terms of Section 4 of Ordinance No 15 of 1985, of the Knysna-Wilderness-Plettenberg Bay Regional Structure Plan designation of Erf 5084 Knysna from “Agriculture” to “Township Development” and “Nature Area”;

[c] That the infrastructure of Knysna Municipality can not at this time support a development of this nature and the applicant be informed that no application for rezoning or subdivision will be entertained until the Director: Technical Services and the Town Electrotechnical
Engineer have certified that the infrastructure can support the development;

[d] That the Director: Integrated Environmental Management (Region A), Western Cape Province, be advised that a decision to approve the amendment, in terms of Section 4 of Ordinance No 15 of 1985, of the Knysna-Wilderness-Plettenberg Bay Regional Structure Plan designation of Knysna Erf 5084 from “Agriculture” to “Township Development” and “Nature Area”, should be subject to the following conditions which will be taken into account in the consideration of any future application:

[e] An alien clearing strategy and rehabilitation plan be implemented;
   [i] Zero loss of indigenous trees should be permitted;
   [ii] An erosion management and erosion prevention plan is implemented;
   [iii] Rehabilitation of the Salt River running through the property;
   [iv] A storm water management plan is implemented to prevent siltation of the river system;

[f] That should the amendment be approved the Director: Integrated Environmental Management (Region A), Department of Environmental Affairs and Development Planning, Western Cape Province, the rezoning, departures and subdivision must be resubmitted to Council for consideration

[g] That the Director: IEM (Region A1) be advised that the Knysna Municipality has no objection to the removal of the restrictive title deed conditions C (a-c) on Erf 5084 Knysna of Deed of Transfer T71610/2005.
C8.II.17/09/09ERVEN 5084 EASTFORD, KNYSNA: PROPOSED REMOVAL OF
RESTRICTION, REGIONAL STRUCTURE PLAN AMENDMENT, REZONING,
SUBDIVISION AND DEPARTURE
Director: Planning and Development

RESOLVED

[a] That the following correspondence be noted:

[i] Application from Marike Vreken Town Planners, dated September 2008;
[ii] Letter from U Schultz, dated 13 January 2009;
[iii] Letter from South Cape Trust, dated 10 December 2008;
[iv] Letter from GW van Straaten, undated;
[v] Letter from P Morkel dated 19 December 2008;
[vi] Letter from AM Davidson, dated 19 January 2009;
[vii] Letter from SANPARKS dated 18 January 2009;
[viii] Comments from Cape Nature dated 8 October 2008;
[ix] Comments from SANRAL dated 8 October 2008;
[x] Comments from ESKOM dated 29 September 2008;
[xi] Letter from the Provincial Department of Agriculture, dated 10 October 2008;
[xii] Letter from the National Department of Agriculture, dated 18 April 2008;
[xiii] Extract from National Department of Agriculture website, dated 5 June 2009;
[xiv] Letter from the Department of Water Affairs and Forestry dated 22 December 2008;
[xv] Letter from Western Cape Department of Economic Development and Tourism, dated 22 September 2008;
[xvi] The applicant’s response to comments received, dated 20 February 2009;
[xvii] Letter from Marike Vreken Town Planners dated 4 June 2008;

[b] That the Director: Integrated Environmental Management (Region A),
Department of Environmental Affairs and Development Planning,
Western Cape Province, be notified that the Knysna Local Municipal
Council supports the amendment, in terms of Section 4 of Ordinance
No 15 of 1985, of the Knysna-Wilderness-Plettenberg Bay Regional
Structure Plan designation of Erf 5084 Knysna from “Agriculture” to
“Township Development” and “Nature Area”;

[c] That the infrastructure of Knysna Municipality can not at this time
support a development of this nature and the applicant be informed
that no application for rezoning or subdivision will be entertained until
the Director: Technical Services and the Town Electrotechnical
Engineer have certified that the infrastructure can support the development;

[d] That the Director: Integrated Environmental Management (Region A), Western Cape Province, be advised that a decision to approve the amendment, in terms of Section 4 of Ordinance No 15 of 1985, of the Knysna-Wilderness-Plettenberg Bay Regional Structure Plan designation of Knysna Erf 5084 from “Agriculture” to “Township Development” and “Nature Area”, should be subject to the following conditions which will be taken into account in the consideration of any future application:

[e] An alien clearing strategy and rehabilitation plan be implemented;
[i] Zero loss of indigenous trees should be permitted;
[ii] An erosion management and erosion prevention plan is implemented;
[iii] Rehabilitation of the Salt River running through the property;
[iv] A storm water management plan is implemented to prevent siltation of the river system;

[f] That should the amendment be approved the Director: Integrated Environmental Management (Region A), Department of Environmental Affairs and Development Planning, Western Cape Province, the rezoning, departures and subdivision must be resubmitted to Council for consideration

[g] That the Director: IEM (Region A1) be advised that the Knysna Municipality has no objection to the removal of the restrictive title deed conditions C (a-c) on Erf 5084 Knysna of Deed of Transfer T71610/2005.
By Hand

The Municipal Manager
Knysna Municipality
P.O. Box 21
Knysna
6570

FOR ATTENTION: MS F FEIERTAG

Dear Madam

KNYSNA ERF 5084: PROPOSED REMOVAL OF RESTRICTIONS; REGIONAL STRUCTURE PLAN AMENDMENT; REZONING, DEPARTURE AND SUBDIVISION

Reference is to your letter dated 21 January 2009 containing the comments and objections received regarding this application. Herewith our response to the comments and objections received.

1. The South Cape Trust (10 December 2008)

1.1. Comment: The South Cape Trust was the developer of Knysna Heights and having sold all erven they no longer have any right or interest in the property.

Response: Noted.

2. Erf 5245 Pieter Morkel (19 December 2008)

2.1. Comment: The inclusion of General Residential is not acceptable for this area especially where double storey flats are suggested because the area was developed for single residential or group housing purposes.

Response: There’s a serious need for more affordable accommodation in Knysna. The only way to achieve more affordable accommodation is to increase residential densities. The proposed general residential units will be far below the objector’s property and will have no impact on the objector whatsoever.

2.2. Comment: double storey flats will not be in keeping with the surrounding country style estate and with Green Pastures.

Response: Green Pastures have double storey town houses hence the proposed double storey units will be similar to the units in Green Pastures. All general residential properties are surrounded by wide open spaces hence the proposed general residential sites will have no impact on Green Pastures.
2.3. Comment: Access to the end three blocks of flats means travelling through the whole development which is poor town planning.

Response: there's only one practical access to the site. Access to the western three general residential sites can only be provided through this one access road.

2.4. Comment: the departure to allow a group housing site larger than 2ha is not supported. Original Zoning regulations were drawn up to restrict group housing to reasonable size limits and not to create urban sprawl.

Response: the purpose of restricting the size of group housing sites was to mitigate the visual impact of large areas of identical units. Different types of group housing units will be built. The Provincial and local level spatial planning policies recommend higher residential densities in order to prevent urban sprawl.

3. Uschi Schultz (Environmentalist)

3.1. Comment: The developer should prepare a model of the entire development to prove that all items suggested will actually fit into the proposed 39ha

Response: the layout plan clearly indicates how these land uses are fitted onto the site, together with large areas of open space corridors.

3.2. Comment: The development must blend in not to disturb the natural ambience of that area.

Response: Noted. This could be achieved by architectural styles.

3.3. Comment: Enough space should be left for a nature area along the bypass reserve within the proposed 39ha.

Response: a total of 61% of private open space has been provided on the site.

3.4. Comment: Should an Eskom High Voltage Power Line run through the property, no activities should be in the magnetic field.

Response: a 30m wide Eskom Servitude exists over the property. No building may take place within this servitude area.

4. 14 Edward Street GW Van Straaten (8 January 2009)

4.1. Comment: A development of low to middle class housing will depreciate surrounding property prices.

Response: a properly planned and managed development will devalue the area less than vacant land that is invaded by squatters.

4.2. Comment: The green belt area where the proposed development will be is home to many birds and a large selection of indigenous trees which could be never be replaced and will have a huge affect on the character of the area.

Response: the objector’s property abuts a public open space and the public open space is abutted by the expropriated bypass route. The N2 National Road will have a much high impact on the character of the area. It should be noted that approximately 60% of the currently disturbed, alien affected property will be rehabilitated on the site. Therefore, the proposed development will
actually enhance the surrounding biophysical environment and could potentially increase the birdlife on the site.

4.3. Comment: The proposed General residential erven of 78 units is on our doorstep which is ludicrous and any building 2 -3 storey building is unacceptable.

Response the proposed general residential property is not on the objectors doorstep, a municipal public open space of 36m wide and the N2 National road reserve of 100m wide are between the application area and the objectors property.

4.4. Comment: There is a huge shortage of all utilities, i.e. electricity, sewerage services and water. How can Knysna Town Planners allow such a project?

Response Eskom is busy installing a new electrical line to Knysna and then the electrical load to Knysna could be increased. It is foreseen that construction of this line will be completed by the end of 2009. Knysna Municipality is also busy with EIA studies to increase the capacity of the water treatment work. It is foreseen that by the time when this proposed development will require services (approximately 2-3 years from date), the municipal works would have been upgraded.

4.5. Comment: Although the development will create new job opportunities, this will only be until the development is completed and will result in an already climbing crime rate.

Response this objection is disputed. The proposed heritage village as well as the proposed resort units will create ongoing employment opportunities for restaurateurs; tour guides; catering businesses; cleaning services; gardening services; waiting opportunities; etc.

5. Alastair M Davidson (Ratepayer) (19 January 2009)

5.1. Comment: The fact that Agriculture were considered and that costs associated with commercial farming makes the area non-viable, is narrow minded and extreme. What about Forestry and Hydroponics?

Response the agricultural potential report, compiled by an agricultural economist concluded that the site does not have agricultural potential. This is supported by the fact that the Department of Agriculture supported the application.

5.2. Comment: Trackstar Trading 7 (PTY) LTD had no intend to use the property other than for Investment/Return associated developments.

Response Noted. Trackstar Trading 7’s primary business is property development. Trackstar trading did a thorough research regarding the SDF’s and other spatial planning policies before the property was acquired. Trackstar Trading would not have acquired the property if the relevant and recent spatial policies did not earmark the property being in the urban edge.

5.3. Comment: Sub-ordination of this plan to line the pockets of “development/speculators” is unacceptable and against the interests of property owners in the area and Government planning in general.

Response: a guide plan does not give development rights, nor does it take away any development rights. The guide plan was compiled in 1982 and is now
outdated as the guide plan did not provide ample areas for normal urban extension. According to the title deed, the objector bought his property in 2007, during this time the Knysna SDF has been published various times for public inputs and the application area was included in the Knysna SDF since 2006. It the objector did his home work property he would have realised that his property is in close proximity to the N2 National Road and large portions of vacant land that are included in the Knysna Urban edge.

5.4. Comment: Building activity will be visible from Knysna Heights and the properties in Knysna Heights will have to look down on high density residential development and roof structures. There is no indication of the degree of control and guarantee that the Municipality will have over the development and design to ensure the resulting development is not a low quality eyesore. The residents in Knysna Heights will be looking onto a N2 National Bypass road and Eskom Power lines before they will look onto the proposed new residential units. The Eskom Power lines and N2 National Bypass will have a more of a visual impact than the lower lying proposed residential units.

Response: Again this comment is disputed. A TIA was conducted concluded that certain upgrades will be required to the road network (e.g. Hospital Hill road and Main Road intersection), but otherwise no significant traffic problems are foreseen.

5.5. Comment: There is no impact assessment of the traffic flows that will result from an additional ±200 residential houses and the development will put pressure on the road system.

Response: The affect of noise pollution created by the building of nearly 200 residences along with their occupation by potentially 1000+ people is not addressed in any form and it’s the Municipality’s responsibility that noise pollution levels are kept below Environmental safety levels. Will there be restrictions as to when the builders are allowed to build?

Response: The decibels of residential “noise” are much lower than noise generated on farms with tractors, trucks, animal noise, etc. The decibel level of "noise" generated by the proposed new development will be no higher than the existing noise levels within the Knysna Heights Township. It should further be noted that the potential noise pollution from the proposed N2 National Road a mere 150m away from the objector’s property will have a much higher noise impact than a residential development that is further away from the objector’s property.

5.6. Comment: Section 9.7 relates to “Safety and Welfare of the community”: It is noted that vagrants and other negative social elements thrive on large portions of the “unattended and vacant land”. These issues are directly related to the current owners who are seeking re-zoning and should be considered the same as an owner renting a crowd and then complaining about the mass of people.

Response: This is a subjective opinion. The property is not a viable agricultural property. If this property is not developed and left in its current state, it is highly likely that the vagrants will further settle on the property and this could lead to increase house break ins in the Knysna Heights Township.
5.8. Comment: Municipal and Regional plans exist to provide the greater population with confidence when making decisions relating to their life, re-location and investments and the proposal affects current residents of the area and their investments.
Response: the proposals are actually consistent with recent local municipal spatial planning policies. This objection should therefore be disregarded.

6. Western Cape Department of Agriculture, 10 October 2008

6.1. Comment: this department has no objection from an agricultural land use potential perspective to the proposed amendment of the guide plan.
Response: Noted.

6.2. Comment: all the newly created units must be zoned to any non-agricultural zoning.
Response: Noted and accepted. This is indeed the proposal.

6.3. Comment: all the newly created units must be incorporated into the town area and linked up to the municipality’s bulk services.
Response: Noted and accepted. This is indeed the developer’s intention.

6.4. Comment: all relevant sections and regulations of the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) regarding agricultural land use must be adhered to.
Response: Noted and accepted.


7.1. Comment: SANParks has no objection to proposed amendment from “Agriculture” to “Township” Development and “Nature Area”.
Response: Noted.

7.2. Comment: SANParks has no objection to the rezoning from “Agriculture Zone 1” to “Subdivisonal Area” subject to some conditions:
Response: Noted.

7.3. Comment: An alien clearing strategy and rehabilitation plan is implemented. This should happen at the beginning of the site development phase.
Response: Noted.

Response: Noted.

7.5. Comment: Erosion management and erosion prevention plan
Response: Noted.

7.6. Comment: Rehabilitation of the Salt River running through the property.
Response: Noted.
7.7. Comment: Storm water management plan implemented  
Response: Noted.

Response: Noted.

7.9. Comment: Environmental Management Plans implemented during construction and operational phases  
Response: Noted.

7.10. Comment: Proof is required that there is sufficient capacity in existing municipal system to accommodate water supply and waste water treatment.  
Response: Noted.

7.11. Comment: 70% of site should be private open space.  
Response: Noted.

7.12. Comment: No loss of indigenous trees during placement of proposed platforms for tents; area surrounding platforms zoned as resort and remainder of forest area remains private open space. A maximum of 12 platforms is built.  
Response: Noted.

7.13. Comment: Units 56, 57 and 58 per Plan 10 should not be developed and remain private open space.  
Response: Noted.

7.14. Comment: Architectural guidelines are developed and implemented to reduce the visual impact.  
Response: Noted.

7.15. Comment: Proposed general residential node 2 (21 units) as per Plan 10 is reduced in size and moved to 2 metres down the slope or as relevant to ensure no development on slopes steeper than 1:4.  
Response: Noted.

8. Cape Nature Conservation, 8 October 2008

8.1. Comment: the information provided in the report regarding the flora, fauna and aquatic systems on the property is inadequate for us to provide meaningful comment on the proposal.  
Response: Noted.

8.2. Comment: we are concerned about the ongoing urban sprawl taking place around all the coastal towns and along the coast in the Southern Cape. Therefore we support the Provincial Spatial Development Framework's PSDF approach to have densification of existing towns to curb the ongoing sprawl.  
Response: the proposal could be regarded as infill development and not urban sprawl as the site is bordered by urban development on three sides.
8.3. Comment: It should be noted that fynbos is a fire driven system. Periodic fires play an
important role in maintaining the species richness in fynbos vegetation. A
fire management plan must be compiled prior to planning and not after
planning.
Response: very little fynbos exists on the property as the site consists of main old
pastures. The property is also surrounded by urban development; hence it
will not be practical to burn the property as it will be a risk for surrounding
urban properties.

8.4. Comment: Cape Nature requires proof that water necessary for the development has
been secured, environmentally assessed and found to be sustainable and
licensed by DWAF.
Response: Noted.

8.5. Comment: Cape Nature requires proof that there is sufficient capacity in the existing
municipal system to accommodate the additional sewerage load.
Response: Knysna Municipality is busy with EIA studies to increase the capacity of the
water treatment work. It is foreseen that by the time when this proposed
development will require services (approximately 2-3 years from date), the
municipal works would have been upgraded.

8.6. Comment: Storm water planning and management need to include the screening and
treatment of storm water where it will be discharged into river systems.
Response: Noted and accepted

8.7. Comment: Should this application be successful, all the requirements as stipulated in
the specialist report and as required by the various Government
Departments must be complied with.
Response: Noted and accepted

FURTHER COMMENTS FROM CAPE NATURE ON E-MAIL DATED 17 OCTOBER 2008

8.8. Comment: the development should be limited to the historical pastures and not in the
disturbed – invaded thicket / fynbos transition or the natural Afromontane
forest riparian thicket.
Response: Noted and accepted

8.9. Comment: Fynbos that existed in the area (Knysna Conglomerate Fynbos) occurs on
the site according to the Rapid Conservation Assessment and Corridor design
for the Knysna Municipality. The report does not refer to this fynbos
species.
Response: A site visit with Maretha Alant from SANParks confirmed that this fynbos
specie does not exist on the site. It should be noted that the Lombard et al
study was a desktop GID study and does not consist of ground truthed
information.

8.10. Comment: Any remaining portions of indigenous vegetation should be rehabilitated as
"biodiversity offset".
Response: Noted and accepted. Approximately 70% of Private open space is provided
on the layout.
9. **SANRAL, 8 October 2008**

9.1. **Comment:** the proposed subdivision indicated on Drawing Pr0601107 dated 2 July 2007 has been approved by the South African National Roads Agency Limited in terms of the South African National Roads Agency Limited and National Roads Act, 1998 (Act 7 of 1998). The approval is subject to the following conditions:

**Response:** Noted.

9.2. **Comment:** The applicant shall, at his own cost and in accordance with the provisions of Section 49(5)(a) and (b) of the Act, insert the following condition in the Deeds of Transfer in respect of the Erven:

**Response:** Noted.

9.3. **Comment:** With exception of existing structures and any essential storm-water drainage structures, noise berms, boundary walls or fences, no structure or other thing, including anything attached to the land on which it stands even though it does not form part of that land, shall be erected, constructed, laid or established without the written approval of SANRAL, within a distance of 10 metres measured from the boundary of the national road reserve.

**Response:** Noted and accepted.

9.4. **Comment:** Within 12 months from date of approval, the applicant must furnish SANRAL with written proof that the aforementioned insertions have been done on the title deeds of the relevant properties.

**Response:** Noted and accepted.

9.5. **Comment:** No direct access to or egress from the national road will be permitted. Access obtained from Rio Street, subject to conditions in our letter of approval with reference W11/2/3-2/8-2, dated 1 August 2006.

**Response:** Noted and accepted.

9.6. **Comment:** In accordance with the provisions of section 47(2) of the Act, all storm-water discharged or diverted from the national road, shall be received and disposed of and SANRAL will not be held liable for any damage or diminishment in value of the property arising out of any impact the development hereby approved may have on existing storm-water discharged or diverted onto the development. In this regard, SANRAL hereby also reserves its right to impose further conditions that it may deem necessary.

**Response:** Noted and accepted.

9.7. **Comment:** The applicant shall at his own cost establish a permanent 2 metre high brick wall/security fence/ palisade fence on the common boundary or the relevant sub-division and the national road reserve. Detailed plans of the proposed wall/security fence/palisade fence must be submitted to SANRAL for approval prior to the establishment or erection thereof.

**Response:** Noted and accepted.
9.8. Comment: SANRAL shall not be held liable should it be found at any future time that noise emanating from the national road, presents a problem in the development adjacent to the said road.
Response: Noted.

10. Department of Water Affairs and Forestry, 22 December 2008

10.1. Comment: This office is supportive of the proposed guide plan amendment.
Response: Noted.

10.2. Comment: the rezoning and subdivision can only be supported once a letter from Knysna Municipality acknowledging their support for the proposed development to connect to the Municipal services. If the connection to municipal services is supported by the Municipality, the Municipality must inform this office that the extra water is still within their water allocation and that the extra effluent to be treated is still within the design capacity of the relevant sewage treatment works.
Response: Noted. It is suggested that the Municipality only consider the guide plan amendment part of the application until the EIA has been completed. Only after the EIA has been completed, should the local authority consider the rezoning and subdivision of the property.


11.1. Comment: If the municipality has followed a due process and involved relevant government department including the Department of Environmental Affairs and Development Planning, and Agriculture, the our department would have no objection to the subdivision and rezoning of the agricultural land for residential development purposes.
Response: Noted.


12.1. Comment: No objection
Response: Noted.

12.2. Comment: The development should only be supported once Eskom has indicated that they are in the position to allow Knysna Municipality to increase the notified demand.
Response: Noted and accepted.


13.1. Comment: No objection to the amendment of the Regional Structure Plan, access and density must be to satisfaction of Council as per services plans.
Response: Noted and accepted.
13.2. Comment: No objection to removal of restrictions.
Response: Noted.

13.3. Comment: Rezoning to General Residential not supported, this would not be in line with any known policy.
Response: these general residential sites are part of an urban development and carefully planned to provide huge open space buffers around each site. Provincial and municipal planning policies recommend densification and the provision of affordable housing, and in order to achieve more affordable housing prices, residential densities have to be increased.

13.4. Comment: Detailed subdivision will be considered once more detail is provided, i.e. once rezonings have been established.
Response: Noted and accepted.

14. **Knysna Municipality: Director Technical Services, 23 September 2008**

14.1. Comment: the application cannot be supported as the municipality does not have sufficient bulk water and sewer capacity for the development. The application is for 203.4 equivalent units.
Response: Noted.

Should Council wish to consider the application, the following conditions will apply.

14.2. Comment: The development would be subject to a services agreement being entered into with the Municipality which would contain the requirements for the payment of augmentation levies and extension charges for water and sewer services.
Response: Noted and accepted.

14.3. Comment: the upgrading of the local water and sewer infrastructure including the provision of a reservoir to approval of the Municipality by the developer.
Response: Noted and accepted.

14.4. Comment: the compliance with the approval of the Traffic Impact Study for the development.
Response: Noted and accepted.

15 **ESKOM (29 SEPTEMBER 2008)**

15.1 Comment: Eskom has no objection.
Response: Noted.

15.2 Comment: Applicant should not undertake any work in close proximity in Eskom services in proposed area as indicated on the included drawing.
Response: Noted.
15.3 Comment: Should it be necessary to move or support any of Eskom’s services, at least 3 month’s notice in writing is required and cost will be entirely for the account of the Developer/Applicant.
Response: Noted.

15.4 Comment: Eskom’s right on the property will not be affected.
Response: Noted.

We trust that the above response will enable you to assess the guide plan amendment part of the application and that the guide plan amendment part of the application will be tabled to the next relevant Committee Meeting of Council.

Please do not hesitate to contact the writer if you require any additional information in this regard.

Yours faithfully,

[Signature]

MARIKE VREKEN TRP(SA)
KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(Act 32 OF 2000)

PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT,
REZONING, DEPARTURE AND SUBDIVISION; ERF 5084

KNYSNA

Notice is hereby given, in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and Sections 4(7), 15(1), 17(2) and 24(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the under mentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Offices, Department of Town Planning, 11 Pitt Street, Knysna. The application is also open to inspection at the office of the Director, Integrated Environmental Management, Region A, Provincial Government of the Western Cape, at room 204, 1 Dorp Street, Cape Town, from 08:00-2:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at 021 483 8781 and the Director’s fax number is 021 483 3633. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 and to The Director: Integrated Environmental Management, Region A, at Private Bag X9086, Cape Town, 8000 or before 19 January 2009 quoting the above Ordinance and the objector’s property description or erf number.

Any comments received after the aforementioned closing date may be disregarded.

Notice is further given, in terms of Section 21(4) of the Local Government Act: Municipal Systems 2000 (Act 32 of 2000) that people who cannot write, can approach the Town Planning Department during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Objections via e-mail will not be accepted.

Nature of the application:

1. Removal of restrictive title conditions applicable to Erf 5084, Knysna, to enable the owner to accommodate the following zonings on the property: Single Residential, Group Housing, General Residential, Local business, resort, Private Open Space and Private Roads.
2. The amendment of the Sub Regional Structure Plan applicable to Knysna Erf 5084 from “Agriculture” to “Township Development” and “Nature Areas” in terms of Section 4 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
3. The rezoning of Knysna Erf 5084 from “Agriculture” zone to “Subdivision Area” for the purposes of a residential township development, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
4. A departure from the Knysna Zoning Scheme Regulations in order to allow single residential properties in an area of less than the required 4000m² as stipulated in the Scheme Regulations, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
5. The subdivision of Knysna Erf 5084 into 19 single residential ervens; 7 Group Housing erven; 6 General Residential erven; 1 Local Business erf, 1 Resort erf and 4 private open space erven and private roads, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
6. A departure from the Knysna Zoning Scheme Regulations to allow a group housing site of larger than 2 ha, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

Applicant:
HM Vreken TRP(SA) on behalf of Trackstar Trading 7 (Pty) Ltd, P.O. Box 2180, KNYSNA, 6570, Tel: (044)382 0420 Fax: (044) 382 0438 e-mail: marike@vreken.co.za
J B Douglas, Municipal Manager
Reference: 5084 KNY 21 November 2008

KNYSNA MUNICIPALITY

ORDONNANISIE OP GRONDBEKRIEFSPLAN, 1985
(ORDONNANISIE 15 VAN 1985)

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS,
2000 (WET 32 VAN 2000)
VEROEGETEDE WYSING VAN DIE STREEK
STREUKPLAN, HERROENING, AFWYKING EN
ONDERVERDEELING; ERF 5084 KNYSNA

Kennis geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) en Artikels 4(7), 15(1), 17(2) en 24(2) van Ordonnansie op Grondgebruik, 1985 (Ordonnansie 15 van 1985) dat die onderstaande aanvoer deur die Munisipale Bestuurder ontvang en ter inligting van die Munisipale Kantone, Departement Stadsbeplanning, Pitsaat 11, Knysna. Die aanvoer leë ook ter inligting by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek A, Provisonale Stad, die Wes-Kaap, by Kamper 204, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniëse navrae in hierdie verband kan gereg op oorkoms van 021 483 8781 en die Direkteurs se faksnummer is (021) 483-3633. Enige besware met volledige redes daarvoor moet skriflik by die Munisipale Bestuurder, Postbus 21, Knysna, 6570 en by Die Direkteur: Geïntegreerde Omgewingsbestuur, Streek A, Private Bag X9086, Kaapstad, 8000, ingediend word, op of voor Maandag 19 Januarie 2009 met vermelding van 8000 Knysna, Munisipale bestuur en beswaarmakers se eindomsbeskrywing/erfnummers. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moonlik nie in ag geneem word nie.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word hiermee verder kennis gegee dat persone wat nie kan skryf nie, die Stadsbeplanningafdeling kan nader tydens normale kantoorure waar die Sekretaris van u sal wys, na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Besware per e-pos sal nie aanvaarbaar wees nie.

Aard van aanvoer:

1. Opheffing van beperkende titelvoorwaarde van toepassing op Erf 5084, Knysna, ten einde die eienaars in staat te stel om de volgende sonderings op die eienem te akkommodeer: Enkel Residensiele, Groepshuis, Algemene Residensiele, Oordsone, Privaat Oopruimte en Privaat Paie.
2. Wysiging van die Knysna Wildernis Plettenbergbaai Streekstruktuurplan vanaf “Landbou” na “Dorpsgebied” en “Nasionalegebied” vir die gedeeltes wat betrekking het op Erf 5084, Knysna, ingevolge Artikel 4 van die Ordonnansie op Grondgebruik beplanning, 1985 (Ordonnansie 15 van 1985);
3. Aanvoer vir die heronering van Erf 5084 vanaf “Landbou” zone na “Onderverdelingsgebied” vir die doel van residensiële dorpsontwikkeling, ingevolge Artikel 17 van die Ordonnansie op Grondgebruik beplanning, 1985 (Ordonnansie 15 van 1985);
4. Aanvoer vir ‘n afwyking van die Knysna Skemaregulasies om enkelwoning eiendomme, kleiner as 4000m² toe te laat in die Eastford area, ingevolge Artikel 15 van die Ordonnansie op Grondgebruik beplanning, 1985 (Ordonnansie 15 van 1985);
5. Aanvoer vir die onderverdeling van Erf 5084 in 19 Enkelwoon residensiële erven; 75 Groepshuis erven; 6 algemene woonsone erven; 1 plaslike besigheids erv; 1 oordsone erv en 4 privaat oopruimte erv en privaat paie, ingevolge Artikel 24 van die Ordonnansie op Grondgebruik beplanning, 1985 (Ordonnansie 15 van 1985);
6. Aanvoer vir ‘n afwyking van die Knysna Skemaregulasies om grondgebruik persoonlike grond slegs groter as 2 ha toe te laat, ingevolge Artikel 15 van die Ordonnansie op Grondgebruik beplanning, 1985 (Ordonnansie 15 van 1985).

Aanvoerder:
HM Vreken TRP(SA) namens Trackstar Trading 7 (Pty) Ltd, Postbus 2180, KNYSNA 6570, Tel: (044) 382 0420 Faks: (044) 382 0438 e-pos: marike@vreken.co.za
J B Douglas, Munisipale Bestuurder

Verwyssing: 5084 KNY 21 November 2008

31041
LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000 (ACT 32 OF 2000)

PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT, REZONING,
DEPARTURE AND SUBDIVISION: ERF 5084 KNYSNA

Notice is hereby given, in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and Sections 4(7), 15(1); 17(2) and 24(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the under mentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Offices, Department of Town Planning, 11 Pitt Street, Knysna. The application is also open to inspection at the office of the Director, Integrated Environmental Management, Region A, Provincial Government of the Western Cape, at room 204, 1 Dorp Street, Cape Town, from 08:00 – 12:00 and 13:00 – 15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at 021 483 8781 and the directorate's fax number is 021 483 8781 and the directorate's fax number is 021-483 3633. Any objections, with full reasons therefore, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 and to The Director: Integrated Environmental Management, Region A, at Private Bag X9085, Cape Town, 6000 on or before 19 January 2009 quoting the above Ordinance and the objector's property description / erf number. Any comments received after the aforementioned closing date may be disregarded.

Notice is further given, in terms of Section 21(4) of the Local Government Act: Municipal Systems 2000 (Act 32 of 2000) that people who cannot write, can approach the Town Planning Department during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

Objections via e-mail will not be accepted.

Nature of the application:

1. Removal of restrictive title conditions applicable to Erf 5084, Knysna, to enable the owner to accommodate the following zonings on the property: Single Residential, Group Housing, General Residential, Local business, resort, Private Open Space and Private Roads.

2. The amendment of the Sub Regional Structure Plan applicable to Knysna Erf 5084 from "Agriculture" to "Township Development" and "Nature Area" in terms of Section 4 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

3. The rezoning of Knysna Erf 5084 from "Agriculture" zone to "Subdivisional Area" for the purposes of a residential township development, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

4. A departure from the Knysna Zoning Scheme Regulations in order to allow single residential properties with an area of less than the required 4000m² as stipulated in the Scheme Regulations, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

5. The subdivision of Knysna Erf 5084 into 19 single residential ervens; 75 Group Housing ervens; 6 General residential ervens; 1 Local Business erf; 1 Resort erf and 4 private open space ervens and private roads, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

6. A departure from the Knysna Zoning Scheme Regulations to allow a group housing site of larger than 2 ha, in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

Applicant:
HM Vreken TRP(SA) on behalf of Trackstar Trading 7 (Pty) Ltd
P.O. Box 2180, KNYSNA. 6570
Tel: (044) 382 0420 Fax: (044) 382 0438 e-mail: marike@vreken.co.za
Reference: 5084 KNYS

Published
20 November 2008

38 | Page
<table>
<thead>
<tr>
<th>ERF 211</th>
<th>MUNICIPALITY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ERF 211</strong></td>
<td>JOHN BENN (PTY) LTD</td>
</tr>
<tr>
<td></td>
<td>PO BOX 753</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 211</strong></td>
<td>KNYSNA ANGLIGH &amp; DIVING ASS</td>
</tr>
<tr>
<td></td>
<td>PO BOX 774</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 211</strong></td>
<td>KNYSNA BOWLING CLUB</td>
</tr>
<tr>
<td></td>
<td>PO BOX 285</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>RF 211</strong></td>
<td>LION'S CLUB</td>
</tr>
<tr>
<td></td>
<td>PO BOX 666</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 211</strong></td>
<td>MUNICIPALITY</td>
</tr>
<tr>
<td></td>
<td>KADAC, GREEN HOLE</td>
</tr>
<tr>
<td></td>
<td>PO BOX 21</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 211</strong></td>
<td>KNYSNA LOERIE PIGEON CLUB</td>
</tr>
<tr>
<td></td>
<td>PO BOX 1113</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 225</strong></td>
<td>N MAGSON</td>
</tr>
<tr>
<td></td>
<td>PO BOX 21</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 226</strong></td>
<td>SENIQUE PROPERTIES (PTY) LTD</td>
</tr>
<tr>
<td></td>
<td>PO BOX 1925</td>
</tr>
<tr>
<td></td>
<td>PLETtenberg Bay</td>
</tr>
<tr>
<td></td>
<td>6600</td>
</tr>
<tr>
<td><strong>ERF 227</strong></td>
<td>V MITCHELL</td>
</tr>
<tr>
<td></td>
<td>PO BOX 3245</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>ERF 228</strong></td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 229</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>ERF 1364</td>
<td>DEPT OPENBARE WERKE &amp; GRONDSAKE PRIVATE BAG X9027 CAPE TOWN 8000</td>
</tr>
<tr>
<td>ERF 2078</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 2802</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 2803</td>
<td>MUNICIPALITY PO BOX 21 KNYSNA 6570</td>
</tr>
<tr>
<td>ERF 3148</td>
<td>JM NOWERS PO BOX 526 KNYSNA 6570</td>
</tr>
<tr>
<td>ERF 3149</td>
<td>JH GROENEWALD PO BOX 4073 ASTONBAAI 6332</td>
</tr>
<tr>
<td>ERF 3150</td>
<td>CHIAPOS INV. CC 26 LEAGUE STREET KNYSNA 6570</td>
</tr>
<tr>
<td>ERF 3151</td>
<td>TETRAFULL 1 PTY LTD PO BOX 30343 Kyalami 1684</td>
</tr>
<tr>
<td>ERF 4972</td>
<td>BODY CORPORATE OAKLANDS AT KNOLL PO BOX 999 KNYSNA 6570</td>
</tr>
<tr>
<td>ERF 5236</td>
<td>WR &amp; SA CUNLIFFE PO BOX 1442 KNYSNA 6570</td>
</tr>
</tbody>
</table>
| ERF 5237     | PME HOLLOWAY  
|              | PO BOX 2784  
|              | KNYSNA  
|              | 6570       |
| ERF 5238     | AM DE KLEIN & OTHERS  
|              | PO BOX 783  
|              | KNYSNA  
|              | 6570       |
| ERF 5239     | VN BANKS  
|              | PO BOX 53  
|              | GRAHAMSTOWN  
|              | 6140       |
| ERF 5240     | NOT ON VALUATION ROLL |
| ERF 5241     | A JC & GA MONTEIRO DA SILVA  
|              | 34 TEMPLEMAN ROAD  
|              | KNYSNA HEIGHTS  
|              | KNYSNA  
|              | 6570       |
| ERF 5242     | JD TITLEY & LJ BREALEY  
|              | 36 TEMPLEMAN ROAD  
|              | KNYSNA HEIGHTS  
|              | KNYSNA  
|              | 6570       |
| ERF 5243     | J VAN TONDER  
|              | POSBUS 1210  
|              | KNYSNA  
|              | 6570       |
| ERF 5244     | DT BOTHA  
|              | PO BOX 71  
|              | HARKERVILLE  
|              | PLETENBERG BAY  
|              | 6604       |
| ERF 5245     | PE MORKEL  
|              | 42 TEMPLEMAN DRIVE  
|              | KNYSNA HEIGHTS  
|              | KNYSNA  
|              | 6570       |
| ERF 5246     | NJ EUSTICE  
|              | PO BOX 1473  
|              | KNYSNA  
|              | 6570       |
| ERF 5248 | MI & AR CLARKE  
48 TEMPLEMAN DRIVE  
KNYSNA HEIGHTS  
KNYSNA  
6570 | REGISTERED LETTER  
(with a domestic insurance option)  
RD 193 308 981 ZA  
A BOOK COPY |
|---|---|---|
| ERF 5249 | MUNICIPALITY  
PO BOX 21  
KNYSNA  
6570 | REGISTERED LETTER  
RD 193 308 885 ZA  
A BOOK COPY |
| ERF 5250 | E & LE WOODS  
PO BOX 637  
KNYSNA  
6570 | REGISTERED LETTER  
RD 193 308 899 ZA  
A BOOK COPY |
| ERF 5251 | SL LANGLANDS  
PO BOX 21  
KNYSNA  
6570 | REGISTERED LETTER  
RD 193 308 868 ZA  
A BOOK COPY |
| ERF 5252 | I ENGELBRECHT  
PO BOX 224  
KNYSNA  
6570 | REGISTERED LETTER  
RD 193 308 871 ZA  
A BOOK COPY |
| ERF 5253 | I ENGELBRECHT  
PO BOX 224  
KNYSNA  
6570 | |
<p>| ERF 7619 | NOT ON VALUATION ROLL | |
| ERF 7620 | NOT ON VALUATION ROLL | |
| ERF 7621 | NOT ON VALUATION ROLL | |
| ERF 7622 | NOT ON VALUATION ROLL | |
| ERF 7623 | NOT ON VALUATION ROLL | |</p>
<table>
<thead>
<tr>
<th>ERF 7624</th>
<th>NOT ON VALUATION ROLL</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERF 7625</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7626</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7627</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7628</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7630</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7631</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7632</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7633</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7634</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7635</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7637</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7639</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>ERF 7640</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7641</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7642</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7643</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7644</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7645</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7646</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7651</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7652</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7653</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7654</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7655</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>ERF 7656</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7657</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7658</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7659</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7660</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7661</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7662</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7663</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7664</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7665</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7666</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7667</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>ERF 7668</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7669</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7670</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7671</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7672</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7673</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7691</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7692</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7693</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7694</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7695</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7696</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7697</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7698</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7699</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7700</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7701</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7702</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7703</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7704</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7705</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7706</td>
<td>NOT ON VALUATION ROLL</td>
</tr>
<tr>
<td>ERF 7962</td>
<td>HC MOWERS 52 HIBISCUS STREET FRAAISIG KNYSNA 6570</td>
</tr>
</tbody>
</table>
| ERF 8776 | AP & AM SAGGERSON  
60 TEMPLEMAN DRIVE  
KNYSNA  
6570 |
|----------|---------------------------------------------------------------|
| ERF 8777 | CN & DH WOODCOCK  
PO BOX 877  
KNYSNA  
6570 |
| ERF 8778 | GG DE JAGER  
64 TEMPLEMAN ROAD  
KNYSNA HEIGHTS  
KNYSNA  
6570 |
| ERF 8779 | CM VAN DER MERWE & J VAN ROMBURGH  
PO BOX 789  
KNYSNA  
6570 |
| ERF 8780 | HM MEYER  
CO/HAIR UNLIMITED  
MULBERRY GARDENS  
MAIN STREET  
KNYSNA  
6570 |
| ERF 8781 | MC TURNBULL  
10 GLENALPINE ROAD  
WELCOME GLEN  
7975 |
| ERF 8782 | JADMIN PROPERTIES CC  
PO BOX 262  
GATESVILLE  
7764 |
| L. 8783 | ME WILSON  
PO BOX 2083  
GALLO MANOR  
2052 |
| ERF 8784 | P VAN DER WESTHUIZEN  
PO BOX 309  
KNYSNA  
6570 |
| ERF 8785 | P VAN DER WESTHUIZEN  
PO BOX 309  
KNYSNA  
6570 |
<table>
<thead>
<tr>
<th>ERF</th>
<th>Name</th>
<th>Address</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>8797</td>
<td>DR COHEN</td>
<td>PO BOX 2599, KNYSNA 6570</td>
<td>RD 193 307 933 ZA</td>
</tr>
<tr>
<td>8798</td>
<td>GW VAN STRAATEN</td>
<td>PO BOX 961, KNYSNA 6570</td>
<td>RD 193 307 902 ZA</td>
</tr>
<tr>
<td>8799</td>
<td>IE &amp; AT OTTO</td>
<td>PO BOX 934, KRUGERSDORP 1740</td>
<td>RD 193 307 916 ZA</td>
</tr>
<tr>
<td>8800</td>
<td>SJ BUTZ</td>
<td>113 BERN CLOSE, BELVEDERE ESTATE KNYSNA 6570</td>
<td>RD 193 308 001 ZA</td>
</tr>
<tr>
<td>8801</td>
<td>TE &amp; WD ROWE</td>
<td>PO BOX 256, KNYSNA 6570</td>
<td>RD 193 308 015 ZA</td>
</tr>
<tr>
<td>8802</td>
<td>W &amp; I AALBERS</td>
<td>PO BOX 39247, MORELETTA PARK 0044</td>
<td>RD 193 307 981 ZA</td>
</tr>
<tr>
<td>8803</td>
<td>NOT ON VALUATION ROLL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8804</td>
<td>TORTOISE COTTAGE CC</td>
<td>PO BOX 171, KNYSNA 6570</td>
<td>RD 193 307 995 ZA</td>
</tr>
<tr>
<td>8805</td>
<td>CD STUCKI</td>
<td>PO BOX 27413, GREENACRES PORT ELIZABETH 6057</td>
<td>RD 193 307 964 ZA</td>
</tr>
<tr>
<td>8806</td>
<td>ME WILSON</td>
<td>PO BOX 2083, GALLO MANOR 2052</td>
<td>RD 193 307 978 ZA</td>
</tr>
<tr>
<td>ERF 8807</td>
<td>NA FRIEDLEIN &amp; DH MORGAN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>-------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>POSTNET SUITE 53</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PRIVATE BAG X31</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8808</td>
<td>ML LESCH</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 TEMPLEMAN ROAD</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6571</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8809</td>
<td>A &amp; M WILKE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PO BOX 980</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8810</td>
<td>WL WENTZEL &amp; JOHANSEN</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>75 TEMPLEMAN ROAD</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA HEIGTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8811</td>
<td>MERLIN PROPERTY TRUST</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PO BOX 2292</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>HALFWAY HOUSE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1685</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8812</td>
<td>R &amp; MN BURTON</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>24 WALLACE DRIVE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GROBY LEICESTER</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LEGOOGQ UK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8813</td>
<td>HJ &amp; M BRUWER</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>11 LAGOONRIDGE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6571</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8814</td>
<td>BN HATTINGH</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PO BOX 3050</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8815</td>
<td>RG EDWARDS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PO BOX 1352</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8816</td>
<td>PF JONK</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PO BOX 1466</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6570</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERF 8817</td>
<td>AL &amp; DC DAVIDSON</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>17 MEADOW WAY</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONSTANTIA MEADOWS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| ERF 8818 | A CILLIERS  
|          | PO BOX 1352  
|          | KNYSNA  
|          | 6570  
| & E & EM VAN DER KUIL  
|          | PO BOX 26929  
|          | EAST RANCH  
|          | 1462  
| ERF 8823 |  
| ERF 8824 | GS GREGORY  
|          | PO BOX 1310  
|          | KNYSNA  
|          | 6570  
| ERF 8825 | IN & HM STEYN  
|          | PO BOX 3658  
|          | KNYSNA  
|          | 6570  
| ERF 8826 | SPR DE VILLIERS  
|          | 13 PLUM TREE AVE  
|          | HOUT BAY  
|          | CAPE TOWN  
|          | 7806  

SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING  
AGENDA  
26 OCTOBER 2018  

REGISTERED LETTER  
(with a domestic insurance option)  
RD 193 308 678 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 032 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 090 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 050 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 063 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 977 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 125 ZA  
A BOOK COPY  

REGISTERED LETTER  
RD 193 308 134 ZA  
A BOOK COPY
| ERF 8827 | IV VAN ZYL  
|  | PO BOX 220 
|  | KELVIN 
|  | BRAMLEY  
|  | 2054 |
| ERF 8828 | SP PATERSON  
|  | 20 OU DORING CRESCENT 
|  | RIVER RIDGE 
|  | EDENVALE  
|  | 1609 |
| ERF 8829 | SOUTH CAPE TRUST  
|  | PO BOX 155 
|  | RONDEBOSCH  
|  | 7700 |
| L 8830 | EA LEE  
|  | 51 RIO STREET 
|  | KNYSNA  
|  | 6570 |
| ERF 8831 | MIDNIGHT MASQUERADE PROP 271 
|  | SOTHEBYS C/O NICOLETTE 
|  | PO BOX 3038 
|  | KNYSNA  
|  | 6570 |
| ERF 8832 | OJ & LJ MUSICER  
|  | PO BOX 854 
|  | SILVERTON  
|  | 0127 |
| ERF 8834 | MUNICIPALITY  
|  | PO BOX 21 
|  | KNYSNA  
|  | 6570 |
| Erf 8835 | HJ HOFF  
|  | PO BOX 21 
|  | KNYSNA  
|  | 6570 |
| ERF 8836 | R VAN DER LINDE  
|  | PO BOX 75388 
|  | LYNNRIDGE MALL 
|  | PRETORIA  
|  | 0001 |
| ERF 8837 | MUNICIPALITY  
|  | PO BOX 21 
|  | KNYSNA  
|  | 6570 |
| ERF 8838 | MUNICIPALITY  
| PO BOX 21  
| KNYSNA  
| 6570 |
| ERF 8839 | A MAREE & JS LOUBSER  
| 10 AGNAR STREET  
| WESTHILL  
| KNYSNA  
| 6570 |
| ERF 8840 | WV & D LATEGAN  
| 24 KANNABAS  
| VREDEKLOOF  
| BRECKENFELL  
| 7561 |
| F 8841 | PT WOOD  
| PO BOX 179  
| SEDGEFIELD  
| 6573 |
| ERF 8842 | GVW YOUNG  
| NO 8, 20TH AVENUE  
| MELKBOSSSTRAND  
| CAPE TOWN  
| 7441 |
| ERF 8843 | ERF 8843 KNYSNA BK  
| 13 VIGILANCE DRIVE  
| INDUSTRIAL AREA  
| KNYSNA  
| 6570 |
| ERF 8844 | DG & CE LATHAM  
| 3 KENTISH COURT  
| LONDON RD  
| MAIDSTONE, KENT, ME168AA  
| UNITED KINGDOM |
| ERF 8845 | V LANDSBERG  
| POSBUS 914-095  
| WINGATE PARK  
| 0153 |
| ERF 8846 | WG ENGELBRECHT  
| PO BOX 42  
| KLEINZEE  
| NORTHERN CAPE  
| 8282 |
| ERF 8847 | J FEIL & A BIESEN  
JURGEN FEIL STREET  
AM GRUNDEN, GRUND 121  
47249 DUISBERG  
GERMANY |
|---|---|
| ERF 8848 | EWH UEBERREITER  
D83101 ROHRDORF  
HETZENBICHI 6 |
| ERF 8849 | FR STAHLMANN  
BLAURENSTRASSE 64  
78224 SINGEN  
GERMANY  
0001 |
| ERF 8850 | TJ BROTHERTON  
PO BOX 1245  
KNYSNA  
6570 |
| ERF 8851 | DAJ BINDEL  
C/O DEREK CS WOLLASTON  
32 RIO STREET  
KNYSNA  
6570 |
| ERF 8852 | H GUITONEAU  
PO BOX 3451  
KNYSNA  
6570 |
| ERF 8853 | JRR POOLE  
18A 8TH AVENUE  
PARKTOWN NORTH  
JOHANNESBURG  
2001 |
| ERF 8854 | UZ & ACK STEINHILPER  
MARS-STRASSE 13  
80335 MUNCHEN  
GERMANY |
| ERF 8855 | HOJ WITZMANN  
32 RIO STREET  
KNYSNA  
6570 |
<p>| ERF 8995 | NOT ON VALUATION ROLL |</p>
<table>
<thead>
<tr>
<th>ERF</th>
<th>Address</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>9244</td>
<td>GIL PHANTOM PROP CC PO BOX 2038 KNYSNA 6570</td>
<td></td>
</tr>
<tr>
<td>9245</td>
<td>AG STUNDEN POSTBUS 2479 KNYSNA 6570</td>
<td></td>
</tr>
<tr>
<td>12858</td>
<td>RJC &amp; CE STOKER C/O KNYSNA PRIM SCHOOL LONG STREET KNYSNA 6570</td>
<td></td>
</tr>
<tr>
<td>13655</td>
<td>FJ SCiacca 3 CHAPMIL ST QUINTONS ROAD ORANJEZICHT CAPE TOWN 8001</td>
<td></td>
</tr>
<tr>
<td>13656</td>
<td>DC ROWE, NR VLOK &amp; G &amp; TA REID PO BOX 954 KNYSNA 6570</td>
<td></td>
</tr>
<tr>
<td>13657</td>
<td>JR SCiacca 11 VILLAGE GREEN 34 POPLAR AVE, DOWERGLEN EDENVALE 1609</td>
<td></td>
</tr>
<tr>
<td>13658</td>
<td>DJ SCiacca &amp; MS BADER 24 VILLAGE GREEN POPLAR STR DOWERGLEN EDENVAL 1609</td>
<td></td>
</tr>
<tr>
<td>13659</td>
<td>PM &amp; L SCiacca POSTNET SUITE 516 PRIVATE BAG X1 JUKSKEI PARK 2153</td>
<td></td>
</tr>
<tr>
<td>13674</td>
<td>NOT ON VALUATION ROLL</td>
<td></td>
</tr>
<tr>
<td>13676</td>
<td>NOT ON VALUATION ROLL</td>
<td></td>
</tr>
</tbody>
</table>
| ERF 13871 | CJ & CA JACKSON  
NEALES FARM: LOWER Bognor  
LAGNESS CHICHESTER  
W SUSSEX PO201LWE  
ENGLAND |
|-----------|--------------------------------------------------------------|
| ERF 13872 | PAR KLEIN  
7 COPPERFIELD CLOSE  
STOTFOLD HARPENDEN HERTS  
SG54GA |
| ERF 13873 | I WHITE  
8 THE BOULEVARD  
WESTGATE-ON-SEA  
KENT  
CT8 8EP, UNITED KINGDOM |
| ERF 13874 | M & DM PIENAAR  
PO BOX 155  
MISGUND  
6440 |
| ERF 13875 | JC & CE WATERS  
CHANNEL VIEW WALTON BAY  
CLEVELAND  
NORTH SOMERSET  
BS217AX UK |
| ERF 13876 | D CORNE  
PO BOX 361  
KNYSNA  
6570 |
| ERF 14038 | T JALBERT INV PROP (PTY) LIMITED  
PO BOX 234  
BELVILLE  
CAPE TOWN  
7535 |
| ERF 14039 | M OLIVER  
PO BOX 71664  
BRYANSTON  
8301 |
| ERF 14040 | KG & E CHRISTIE  
87 DU TOITSPAN ROAD  
KIMBERLEY  
8301 |
| ERF 14046 | E & Y EKKEKAMP  
PO BOX 2176  
KNYSNA  
6570 |
<table>
<thead>
<tr>
<th>ERF 14047</th>
<th>NOT ON VALUATION ROLL</th>
</tr>
</thead>
</table>
| ERF 14048 | MJ & RE HOARE  
PO BOX 3443  
KNYSNA  
6570 |
| ERF 14049 | H VAN DER WATH  
POST SUITE 5  
PRIVATE BAG X31  
KNYSNA  
6570 |
SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING

AGENDA
26 OCTOBER 2018

SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING

AGENDA
26 OCTOBER 2018

REZONING, SUBDIVISION AND DEPARTURE: ERF 5084 KNYSNA (PLATBOS)

Notice is hereby given in terms of Sections 15; 17 & 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the mentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Town Planning Offices, 3 Church Street, and Knysna. The application can also be downloaded from www.vrekken.co.za. Any objections, with full reasons therefore, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 on or before Monday, 16th November 2015 quoting the above Ordinance and objector’s erf number.

Notice is further given in terms of Section 21(4) of the Local Government: Municipal Systems Act 2000 (Act 32 of 2000) that people who cannot write may approach the Town Planning Section during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

Nature of Application

(i) Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Knysna Erf 5084 from "Agriculture Zone I" to "Subdivisional Area" for the purposes of residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.

(ii) Application in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the subdivision of Knysna Erf 5084 into 13 single residential erven, 158 Group Housing erven; 3 General residential erven; 1 Resort erf; 2 Parking erven; 14 private open space erven and private roads.

(iii) Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme to allow single residential stands that are smaller than 4000 m² in the Eastford area and to allow group housing sites larger than 2 ha;

Applicant

MARIE VREKEN TOWN PLANNERS
(obn Trackstar Trading 7 (Pty) Ltd)

File reference: 5084 KNYSNA

MUNICIPAL MANAGER

VOORGESTELDE HERSONERING; ONDERVERDELING EN AFWYKING: ERF 5084 KNYSNA (PLATBOS)

Kennis geskied hiermee ingevolge: Artikels 15; 17 & 24 van Ordnonsie 15 van 1985 dat die onderstaande aansoekoor die Munisipale Bestuurder ontvang is en ter inname lê by die Munisipale Stadsbeplanning Kantore, Kerkradal 3, Knysna. Die aansoek kan ook besigtig word by www.vrekken.co.za Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingediend word op of voor Maandag, 16de November 2015, met vermelding van boegenoemde Ordnonsie en beswaarmaker se erfnommer.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels 2000 (Wet 32 van 2000) word verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling kan nader tydens normale kantoorure waar die Sekretaris van die Kamer ervaar om die betrokke amptenaar wat u toegelaat om u kommentaar of besware op skriflike te stel.

Aard van Aansoek

1. Aansoek vir die hersonering van Erf 5084 vanaf "Landbou" sona naar "Onderverdelingsgebied" vir die doel van residensiële dorpsontwikkeling, ingevolge Artikel 17 van die Ordnonsie op Grondgebruiksbepaling, 1985 (Ordnonsie 15 van 1985);

2. Aansoek vir 'n afwyking van die Knysna Skemaregulasies om enkelwoon eiendomme, kleiner as 4000m² toe te laat in die Eastord area en om groepshuis gehuising persone van groter as 2 ha toe te laat, ingevolge Artikels 15 van die Ordnonsie op Grondgebruiksbepaling, 1985 (Ordnonsie 15 van 1985);

3. Aansoek vir die ondersondeling van Erf 5084 in 17 Enkelwoon residensiële ewe; 158 groepshuis gehuising ewe; 3 algemene woningewone; 1 oorsione erf; 2 parker ewe; 14 privaat kopruimte ewe en privaat paal, ingevolge Artikel 24 van die Ordnonsie op Grondgebruiksbepaling, 1985 (Ordnonsie 15 van 1985);

Aansoeke\r

MARIE VREKEN TOWN PLANNERS
(obn Trackstar Trading 7 (Pty) Ltd)

Lêerwevynig: 5084 KNYSNA

MUNISIPALE BESTUURDER
<table>
<thead>
<tr>
<th><strong>Western Cape Department of Agriculture</strong></th>
<th>Western Cape Department of Agriculture</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Private Bag X1</td>
</tr>
<tr>
<td></td>
<td>Eisenburg</td>
</tr>
<tr>
<td></td>
<td>6707</td>
</tr>
<tr>
<td><strong>SANParks</strong></td>
<td>SANParks</td>
</tr>
<tr>
<td></td>
<td>PO BOX 3542</td>
</tr>
<tr>
<td></td>
<td>Knysna</td>
</tr>
<tr>
<td></td>
<td>6570</td>
</tr>
<tr>
<td><strong>Cape Nature</strong></td>
<td>Cape Nature</td>
</tr>
<tr>
<td></td>
<td>Private Bag X6546</td>
</tr>
<tr>
<td></td>
<td>George</td>
</tr>
<tr>
<td></td>
<td>6530</td>
</tr>
<tr>
<td><strong>South African National Roads Agency Limited</strong></td>
<td>South African National Roads Agency Limited</td>
</tr>
<tr>
<td></td>
<td>Private Bag X19</td>
</tr>
<tr>
<td></td>
<td>Bellville</td>
</tr>
<tr>
<td></td>
<td>7530</td>
</tr>
<tr>
<td><strong>ESKOM</strong></td>
<td>Land Development</td>
</tr>
<tr>
<td></td>
<td>ESKOM</td>
</tr>
<tr>
<td></td>
<td>PO Box 222</td>
</tr>
<tr>
<td></td>
<td>Brackenfell</td>
</tr>
<tr>
<td></td>
<td>7561</td>
</tr>
<tr>
<td><strong>Western Cape Department of Economic Development and Tourism</strong></td>
<td>Deputy Director</td>
</tr>
<tr>
<td></td>
<td>Western Cape Department of Economic Development and Tourism</td>
</tr>
<tr>
<td></td>
<td>PO Box 979</td>
</tr>
<tr>
<td></td>
<td>8000</td>
</tr>
<tr>
<td><strong>Western Cape Department of Water Affairs</strong></td>
<td>Western Cape Department of Water Affairs</td>
</tr>
<tr>
<td></td>
<td>Private Bag X16</td>
</tr>
<tr>
<td></td>
<td>Bellville</td>
</tr>
<tr>
<td></td>
<td>7532</td>
</tr>
<tr>
<td><strong>GREEN PASTURES HOME OWNERS ASS.</strong></td>
<td>The Chairperson</td>
</tr>
<tr>
<td></td>
<td>GREEN PASTURES HOME OWNERS ASS.</td>
</tr>
<tr>
<td></td>
<td>PO BOX 2722</td>
</tr>
<tr>
<td></td>
<td>KNYSNA</td>
</tr>
</tbody>
</table>

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 597 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 606 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 570 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 583 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 535 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 552 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 566 ZA

*INTERNATIONAL INSURED*

- **Parcel:** Sandton 111 111 111
- **CV:** 002 238 549 ZA
<table>
<thead>
<tr>
<th>ERF Number</th>
<th>Description</th>
<th>Address Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>KNYSNA ERF 1545</td>
<td>DORMELL PROP 280 PTY LTD</td>
<td>P O BOX 66321 HIGHVELD HIGHVELD 0169</td>
</tr>
<tr>
<td>KNYSNA ERF 8978</td>
<td>TRESSO TRADING 79 (PTY) LTD</td>
<td>PO BOX 174 KNYSNA 6570</td>
</tr>
<tr>
<td>KNYSNA ERF 12858</td>
<td>STOKER RJC &amp; CE C/O KNYSNA PRIM.SCHOOL LONG STR. KNYSNA 6570</td>
<td></td>
</tr>
<tr>
<td>KNYSNA ERF 18104</td>
<td>Totheo Stergianos Properties (pty) Ltd.</td>
<td></td>
</tr>
<tr>
<td>KNYSNA ERF 2071</td>
<td>MUNICIPALITY</td>
<td>PO BOX 21 KNYSNA KNYSNA 6570</td>
</tr>
<tr>
<td>KNYSNA ERF 2803</td>
<td>MUNICIPALITY</td>
<td>PO BOX 21 KNYSNA KNYSNA 6570</td>
</tr>
<tr>
<td>KNYSNA ERF 19047</td>
<td>Not on Valuation</td>
<td></td>
</tr>
<tr>
<td>KNYSNA ERF 2802</td>
<td>Not on Valuation</td>
<td></td>
</tr>
<tr>
<td>KNYSNA ERF 15266</td>
<td>Not on Valuation</td>
<td>KNYSNA KNYSNA</td>
</tr>
<tr>
<td>KNYSNA ERF 16315</td>
<td>Not on Valuation</td>
<td></td>
</tr>
</tbody>
</table>
PIETER MORKEL  
P. O. BOX 3351, KNYSNA, 6570  
Telephone/Fax (044) 382 - 7903  
Cellphone 082 8435323  
e-mail: pietmor@mweb.co.za  

19 December 2008  

The Municipal Manager  
P. O. Box 21  
Knysna, 6570  

Attention: Municipal Manager  

Dear Sir,  

Re: PROPOSED REZONING, DEPARTURE AND SUBDIVISION OF ERF 5084 KNYSNA IN TERMS OF SECTION 17(2) OF THE LAND USE PLANNING ORDINANCE 15 OF 1985 ET AL  

I am the owner of erf 5245 42 Templeman Drive, Knysna Heights and I object to the above application on the following grounds:  

1. The inclusion of “general residential” in the proposed planning is not acceptable.  
In order to achieve a financially viable development the proposer has indicated not one but six blocks of double storey flats scattered over the steeper portions of the site. I object to the erection of all or any double storey flats in this area of Knysna and more specifically to those three flat areas immediately overlooking Green Pastures. All the developments in this area are for single residential or group housing purposes. It is not appropriate to erect blocks of flats particularly on steeply sloping sites which compounds the problems with the aesthetics of this type of building in what is basically a country estate. Access to the end three blocks of flats means travelling through the whole development which is poor town planning.  

2. The departure to allow a group housing site of larger than 2 ha. The original Zoning regulations were drawn up for good reasons and one of these is to restrict group housing to reasonable size limits and not create urban sprawl with its resultant problems.  

Yours faithfully,  

P.E. Morkel  

---  

MUNIS/PALITEIT / MUNICIPALITY  
KNYSNA  
5 JAN 2009  
Action:  
CC:
DEAR MR. DOUGLAS,

AS FAR AS I CAN REMEMBER THE ABOVE MENTIONED PROPERTY HAS GOT A SIZE OF 39 HA.

HOW THE DEVELOPER WANTS TO FIT 19 SINGLE RESIDENTIAL ERVEN
75 GROUP HOUSING ERVEN
6 GENERAL RESIDENTIAL ERVEN
1 LOCAL BUSINESS ERF
1 RESORT
4 PRIVATE OPEN SPACE ERVEN
PRIVATE ROADS

SHOULD THE OVERALL SIZE REALLY BE 39 ha, I WOULD SUGGEST THAT THE DEVELOPER PREPARES A MODEL TO SHOW US THAT ALL ITEMS FIT INTO 39 ha.

SHOULD THIS DEVELOPMENT BE SURROUNDED BY NON-HIGHDENSITY DEVELOPMENTS IT MUST BLEND IN NOT TO DISTURB THE NATURAL AMBIENTE OF THAT AREA.

SHOULD THIS "TOWNSHIP DEVELOPMENT" BE CLOSE TO THE KNYSNA BYPAS ROAD RESERVE ENOUGH SPACE MUST BE LEFT TO ACCOMMODATE A CERTAIN PERCENTAGE FROM THE 39 ha TO RUN AS A NATURE AREA ALONG THE BYPASS RESERVE.

FURTHER: SHOULD AESKOM HIGH VOLTAGE POWER LINE RUN THROUGH THE PROPERTY, NO ACTIVITIES (BUILDINGS) SHOULD BE IN THE MAGNETIC FIELD.

Save the Knysna Lagoon.......and you save the Knysna Seahorse!
Mr GW Van Straaten  
PO Box 961  
Knysna  
6570

The Municipal Manager  
PO Box 21  
Knysna  
6570

Dear Sir

Proposed removal of restrictions: Erf 5084 Knysna (Eastford)

We refer to the above proposal and would like to state our objection to the low to middle class housing project proposed for this area.

Our home was valued by the Knysna Municipality at R1.7 million and it looks over a green belt area which is a home to many birds of various species. The peace and serenity of the area is what makes this part of Knysna so unique. It has a large selection of beautiful indigenous trees that could never be replaced.

The proposed residential area is right below our house and in particular, the proposed General Residential erven of 78 units to built on 6 stands, is literally on our doorstep. This is absolutely ludicrous and deserves outright rejection. What size house is envisaged on these small 6 sites to accommodate 78 units? Would they be single-storied? To get 78 units on six minute stands I imagine that it is a 3 story building with 1 or 2 bedroom flats - which is totally and completely unacceptable.

I have just received an sms from the municipality not to use hose-pipes or to waste water. I cannot understand how the town planners of Knysna can allow a project of this nature to be erected in our area. The current situation is a shortage of all utilities, i.e. electricity, sewerage services and water. The building of the project will create jobs while the building is going on, but, when the project is completed all the people that were employed will then be without jobs which adds to an already climbing crime rate.

Please reject this proposal. It is unfair to the residents of Knysna Heights.

Yours truly

Glynn William Van Straaten  
14 Edward Street, Knysna Heights
residential developments" .... And that "Sensitive architectural design and landscaping will have to be used to mitigate any potential visual impact".

As such building activity will be visible from KNYSNA Heights properties and in many instances will look down on "High Density Residential" apartment building structures and roofs.

There is no indication of the degree of control and guarantee that the Municipality will have over the development and design to ensure the resulting development is not a low quality eyesore.

5. There is no impact assessment of the traffic flows that will result from an additional +/- 200 residential houses. The use of Rio road via Knysna Heights will put pressure on road system to the main road that is little better than country lanes and were not designed for extended housing densities or the building activities that would require a significant movement of materials.

6. Noise pollution is not addressed in an area were noise travels and farm generator in the valley can be clearly heard. The additional noise created by the building / development nearly 200 residencies along with their occupation by potentially 1000+ people is not addressed in any form.

It is the responsibility of the Municipality to ensure that Noise Pollution levels are kept below Environmental safety levels. There is no indication that this has been considered; that current residents will not be impacted during development; or that Development will be carried out during normal working hours.

7. Section 9.7 relates to "Safety and Welfare of the community". It is noted that vagrants and other negative social elements thrive on large portions of the "unattended and vacant land".

These issues are directly related to the current owners who are seeking rezoning and should be considered the same as an owner renting a crowd and then complaining about the mass of people.

It is my belief that no-one should benefit from land speculation where such benefit is derived from deviations from Municipal and Regional plans. These plans exist to provide the greater population with confidence when making decisions relating to their both their life, re-location and investments. This proposal affects current residents of the area and their investments, the current owners of the property for which this rezoning request is made should not be rewarded for ignoring such plans.

Alastair M Davidson
Ratepayer Knysna
10 December 2008

The Municipal Manager
P O Box 21
KNYSNA
6570

Dear Madam,

PROPOSED REMOVAL OF RESTRICTIONS; REGIONAL STRUCTURE PLAN AMENDMENT, REZONING, DEPARTURE & SUBDIVISION: ERF 5084 KNYSNA (EASTFORD)

In response to the above mentioned notice, we must advise that our company was the developer of Knysna Heights and having sold and transferred all the erven in the subdivision, have no further right title or interest in the property.

Yours faithfully

J. Eales

for
ES RIVETT-CARNAC
TRUSTEE

cc: Marike Vreken TRP (SA)
P O Box 2180
KNYSNA
6570

Trustees: H.J.S Ebrahim OMSG  Mrs F.E. Laher  A.D.P Ovenstone  E.S. Rivett-Carnac
Re: Comments and objection

Proposed removal of Restrictions; Regional structure plan amendment, rezoning, departure and subdivision: ERF 5084 KNYSNA (Eastford)

Please note the following comments and objections that I have regarding the proposed amendments and rezoning along with departure from the Regional Structure Plan.

1. The Regional Sub Structure Plan deems that the area is defined a “Agriculture”. Whilst section 6.5 of the rezoning proposal indicates the area to have a “low agriculture potential” and that costs associated with commercial farming makes the area “non-viable”, there is nothing to indicate the types of farming considered.

   Forestry and Hydroponics are diverse types of farming along with many others to which the land could be subject and retain the “Agriculture”. To write the area off as “non-viable” is narrow minded and extreme in the least.

2. There is no evidence that the current owners of the property “Trackstar Trading 7 (Pty) Ltd” has either attempted farming or had any intent on utilising the area for “Agriculture” purposes. The document provided would suggest the area was procures for Investment/Return associated with re-development of the area associated with rezoning and that this was the prime motivation in land acquisition

3. The re-zoning application affects property owners who purchased their properties “in good faith” based on the published intentions of the “regional Structure Plan”. Sub-ordination of this plan to line the pockets of “development / speculators” is unacceptable and against the interests of property owners in the area and Government planning in general.

4. Section 6.7 deals with “Visual Impact” and makes note that the proposed residential developments are not on a ridge of skyline. It is noted that “high lying areas (south of the Escom servitude”) will be visible from abutting
residential developments’... And that “Sensitive architectural design and landscaping will have to be used to mitigate any potential visual impact”.

As such building activity will be visible from KNYSNA Heights properties and in many instances will look down on “High Density Residential” apartment building structures and roofs.

There is no indication of the degree of control and guarantee that the Municipality will have over the development and design to ensure the resulting development is not a low quality eyesore.

5. There is no impact assessment of the traffic flows that will result from an additional +/- 200 residential houses. The use of Rio road via Knyana Heights will put pressure on road system to the main road that is little better then country lanes and were not designed for extended housing densities or the building activities that would require a significant movement of materials.

6. Noise pollution is not addressed in an area were noise travels and farm generator in the valley can be clearly heard. The additional noise created by the building / development nearly 200 residencies along with their occupation by potentially 1000+ people is not addressed in any form.

It is the responsibility of the Municipality to ensure that Noise Pollution levels are kept below Environmental safety levels. There is no indication that this has been considered; that current residents will not be impacted during development; or that Development will be carried out during normal working hours.

7. Section 9.7 relates to “Safety and Welfare of the community”. It is noted that vagrants and other negative social elements thrive on large portions of the “unattended and vacant land”.

These issues are directly related to the current owners who are seeking rezoning and should be considered the same as an owner renting a crowd and then complaining about the mass of people.

It is my belief that no-one should benefit from land speculation where such benefit is derived from deviations from Municipal and Regional plans. These plans exist to provide the greater population with confidence when making decisions relating to their both their life, re-location and investments. This proposal affects current residents of the area and their investments, the current owners of the property for which this rezoning request is made should not be rewarded for ignoring such plans.

Alastair M Davidson
Ratepayer Knysna
Town Planning Intern - Fwd: Proposed development, Erf 5084 Knysna.

From: Hennie Smit
To: Town Planning Intern
Date: 26/11/2015 11:41 AM
Subject: Fwd: Proposed development, Erf 5084 Knysna.
Attachments: Hennie Smit.vcf

FYA

Kind Regards

Hennie Smit (Manager: Town Planning & Building Control)
PO Box 21, Knysna, 6570 - Western Cape, South Africa
Tel.: +27 (0)44 302 6301 (switchboard) or 302 6319 (office)
Fax: +27 (0)44 302 1631 - E-mail: hsmit@knysna.gov.za

>>> From: Grant Easton
To: Hennie Smit; Mike Maughan-Brown; Seretse Mthembu
CC: Amanda De Jongh; Knysna Municipality; brucejhenderson@gmail.com
Date: 2015/11/17 09:06 AM
Subject: Proposed development, Erf 5084 Knysna.

Colleagues

For your attention please.

Thanks

Grant Easton (Municipal Manager)
PO Box 21, Knysna, 6570 - Western Cape, South Africa
Tel.: +27 (0)44 302 6300 (switchboard) or 302 6302 (direct)
Fax: +27 (0)86 668 9636 - E-mail: geaston@knysna.gov.za

>>> From: "Bruce Henderson" <brucejhenderson@gmail.com>
To: geaston@knysna.gov.za
CC: <info@vreken.co.za>, <pjmr@netactive.co.za>
Date: 2015/11/16 05:00 PM
Subject: Proposed development, Erf 5084 Knysna.

file:///C:/Users/tplanning/AppData/Local/Temp/XPgrpwise/5656EFD1kmdom02kmpo02... 27/11/2015
16h52, 16th November 2015

Dear Sir,

Re Proposed Development Erf 5084, Knysna.

I have within the past half hour received for the first time, information from a neighbouring estate about this proposed development. As Eastford Glen is a near neighbour of this Erf, receives services from the same sources, will share access routes and generally shares an environment with it, we contend that we should have timeously received the relevant information from the associated Town Planner. Eastford Glen Homeowners’ Association has not been made aware of the proposal and we therefore request an extension of the deadline for objections to allow us to receive and study the necessary information and assess any impact the development may have upon our area and our estate.

We trust that you will receive this request with understanding and allow an extension.

Yours faithfully,

Bruce Henderson.

B. J. Henderson.
(Chairman, Eastford Glen Homeowners’ Association.)
brucejhenderson@gmail.com
Phone: 044 382 1989
Fax: 086 502 2444

file:///C:/Users/tplanning/AppData/Local/Temp/XPgrpwise/56S6EFD1kmdom02kmbo02... 27/11/2015
GREEN PASTURES
Residential Estate
P O Box 2722, Knysna, 6570
Website: greenpasturesho.co.za
E-mail: info@greenpasturesho.co.za

The Municipal Manager
Knysna Municipality
P.O. Box 21
Knysna
6570
Saturday, 14 November 2015

Dear Mr Easton

Re Proposed Regional Structure Plan Amendment: Rezoning and Subdivision and Departure: Erf 5084, Division of Knysna, Western Cape.

I refer to a letter received dated 14 October 2015 from Marike Vreken Town & Regional Planner giving us until Monday 16th November to lodge objections against these proposed changes:

1. We received it on Friday 13 November 2015. Given the state of postal services we find the agents of the developer have erred in not giving us sufficient time, within which to gather professional advice, to substantiate our objections to the planned rezoning, subdivision and departure on Erf 5084.

2. The findings in 2.1 (iii) of the Specialist Planning Report for Basic Environmental Assessment: Knysna Erf 5084, are not persuasive to the Green Pastures community. High density housing is high density housing and have not given the late submission of the documentations to fully understand what is meant by “recreations area” or what guarantees are offered for the “private open spaces” will remain conservation areas.

3. The Green Pastures Home Owners Association objects most strongly to the proposed development which will have an adverse effect on the residential amenity of neighbours, by reason of the following:
   a. Noise & Disturbance. Noise will be an issue as such high concentration of residents in a valley will disturb the peace in an area of Knysna that strives to have a "country feel". Valleys tend to reflect sound, this will mean that disturbance can extend further than the immediate vicinity.
b. Overlooking. The proposed development will overlook the houses in both the lower sections of Green Pastures as well as Green Pastures Village. This will further detract from the quality of life in the area and negatively impact property values.

c. Loss of privacy. As with c above. Such a large concentration of houses on a small place with inevitably impact the sense of privacy for dwellers in the houses in Lower Green Pastures and Green Pastures Village.

d. The loss of existing views from neighbouring properties in Green Pastures and Green Pastures Village, would adversely affect the residential amenity of neighbouring owners.

4. The proposed development represents an unacceptably high density/overdevelopment of the site, notwithstanding the assurances on net density mentioned in 2 above. In a “country area” such as this part of Knysna 158 homes on such small plots would be totally out of character. It also runs totally contrary to the open aspect of the neighbourhood.

5. The proposal omits any reference to the nature of the homes to be constructed. Are we talking about RDP homes or luxury simplex dwellings? We would strenuously oppose ANY form of high density development, but the Knysna residents should not be expected to give a green light to development when they do not know what type of house will be built. A development out of keeping with what is already in Eastford and Green Pastures may cause an even worse visual impact on the character of the neighbourhood, than those already listed above in 3 above.

6. We reject the idea that this development would not impact the ecology of the area. The valley concerned support groups of bushbuck and other small antelope. Where will they go? Has consideration been given to the fynbos and other flora in the area?

7. Our major concern is for the quality of the water that runs down the Salt River and feeds into the precious Knysna Lagoon. This is a delicate ecosystems that deserves protection. Such a high concentration of dwellings will cause household detergents, garden run off, waste, etc. to pollute this river and running the risk of a catastrophic impact on the lagoon.

8. The development would adversely affect road safety or the convenience of road users in the area. Notwithstanding the stated intention of having access to the area via Knysna Heights, we simply don’t believe it. The logical connection is by running a much shorter and less expensive road down to Salt River Road, a road that is far too narrow to accommodate any more traffic. This will result in and inevitably increase in accidents and further disturb the peaceful country character of our communities.

9. Should the development go ahead, notwithstanding objections from the community, we would ask the municipality to carefully consider the ADDITIONAL capital cost for construction of flyovers and junctions to the proposed N3 motorway by-pass. Is it the intention that the developer will foot this bill?

10. The proposed Development would also place the housing directly under the Eskom powerlines. Has the health implication of this on the potential resident be considered?
11. Finally, an economic consideration: has the Knysna municipality considered the revenue it will be losing by permitting a development not in keeping with the existing developments in the neighbourhood? If a development is permitted on Erf 5084 which reduced the amount of additional high-value houses in Eastford, Green Pastures, etc., a reduction in total revenue for Knysna will be the nett effect.

We would welcome a development of this area which is sympathetic to the character of the neighbourhood – but the one before us is not it.

We would be happy to discuss this matter with the Town Planning Committee. On behalf of the more 100 owners of property in Green Pastures, I would like to thank you for considering this representation.

Yours Faithfully

Ray Gerber
Chairman Green Pastures Home Owners Association

CC Marike Vreken Town & Regional Planner
P.O. Box 2180
Knysna
6570
Sent from my Sony Xperia™ smartphone

----- Original Message -----
Subject: Rezoning - Erf 5084 (Platbos)
Sent: 16 Nov 2015 17:28
From: Derek Carroll <derek@currencyassist.com>
To: cbezuidenhoudt@knysna.gov.za
Cc: geaston@knysna.gov.za

Dear Grant,

I trust that you are well. As chairman of Green Pastures Village Body Corporate I received a note from Ray Gerber yesterday who is the Chairman of the Green Pastures HOA regarding the above. He received a letter from Marike Vreken which was dated the 14th October 2015 on the 13th November stating that if there were any objections to this rezoning application they had to be in by Monday 16 November which in effect has given them and us one working day to react which I am sure you will agree is insufficient time to respond.

This was the first I have heard of this proposed development myself as I am both Chairman of the Village as well as Simola HOA and this has never been brought up which is rather strange. Surely from the Green Pastures Village point of view Vreken should have sent us notification as affected parties (the interested has now disappeared). I have also checked with Choice Properties who are our management agent to see if they received correspondence which they confirm they have not. I would like to place on record that insufficient time was given to review the proposal and request that an extension is granted of at least 14 days.

In the meantime if you could I would appreciate if you can answer the following which would be the obvious questions that will be asked and is a constant issue in current environment let alone going forward:

What provision has been made for power as we were told by Neil Perring prior to his retirement that no...
her applications would be approved until the power allocation had been improved.

Water – we are already have a water crisis where by our storage dam does not have sufficient capacity with current offtake even though the water from the Gouna River has been flowing strongly.

Sewage – The system is already under huge pressure – does the town have the capacity to handle more when one considers there are approved developments that still have to add to this and this would apply to the above two items as well.

Noise pollution because of the high density application

Impact of views and open land that purchasers originally brought into

Environmental issues – I presume a full EIA has been done?

Security – What provision has been made to ensure that this does not become a convenient thoroughfare?

Please can you maybe elaborate on the bulking factor? I see reference keeps being made to Green Pastures as 6 units per hectare but the difference here is that it is all usable land which includes a proper road network with generous verges. I believe in the breakdown sent by Vreken the proposed units are 158 but the revised document on their website state 190 units of various combinations. However when one dissects this further the application is for 243 units on just under 39 hectares. Please clarify the number of opportunities.

The real issue is that the bulking factor and the “laws” surrounding this can are also ambiguous which can easily be misinterpreted when a developer wants to push up the bulk like we all do. In reality the only area that can be used is 6 hectares as the balance of the land either sits in the flood line or on slopes too steep to develop. Effectively 243 “units” are going to be crammed into 6 hectares which works out at 40 units per hectare.

For reference I have checked the bulking factor for Simola which is one unit per hectare and that includes group housing opportunities. Imagine if they put in application as per the above based on just over 400 hectares. If precedent is set then anybody with land could try and do a high density development and would have a good motivation to do so. I am all for development but it needs to be done responsibly and not on the back of previously disadvantaged as the document indicates because the developer is not doing this because he is a nice chap.

If you could clarify the above that would be great and we can take it from there. Thank you for your time.

file:///C:/Users/tplanning/AppData/Local/Temp/XPgrpwise/5656E260kmdom02kmpo021... 26/11/2015
Kind Regards,

Derek

(Derek Carroll)

Chairman – Green Pastures Village
From: Hennie Smit
To: Town Planning Intern
Date: 26/11/2015 11:46 AM
Subject: Fwd: Rezoning - Erf 5084 (Platbos)
Attachments: Hennie Smit.vcf

FYA

Kind Regards

Hennie Smit (Manager: Town Planning & Building Control)
PO Box 21, Knysna, 6570 - Western Cape, South Africa
Tel.: +27 (0)44 302 6301 (switchboard) or 302 6319 (office)
Fax: +27 (0)44 302 1631 - E-mail: hsmit@knysna.gov.za

>>>>
From: Grant Easton
To: Hennie Smit; Mike Maughan-Brown; Seretse Mthembu
CC: Amanda De Jong; Christopher Bezuidenhoudt; Knysna Municipality; derek@currencyassist.com
Date: 2015/11/17 09:15 AM
Subject: Rezoning - Erf 5084 (Platbos)
Colleagues

For your attention please.

Thanks

Grant Easton (Municipal Manager)
PO Box 21, Knysna, 6570 - Western Cape, South Africa
Tel.: +27 (0)44 302 6300 (switchboard) or 302 6302 (direct)
Fax: +27 (0)44 686 6893 - E-mail: geaston@knysna.gov.za

>>>>
From: "Derek Carroll" <derek@currencyassist.com>
To: <cbezuidenhoudt@knysna.gov.za>
CC: <geaston@knysna.gov.za>
Date: 2015/11/16 05:33 PM
Subject: Rezoning - Erf 5084 (Platbos)
Dear Grant,

I trust that you are well. As chairman of Green Pastures Village Body Corporate I received a note file:///C:/Users/tplanning/AppData/Local/Temp/XPgrpwise/5656F133kmdom02km0021...

27/11/2015
from Ray Gerber yesterday who is the Chairman of the Green Pastures HOA regarding the above. He received a letter from Marike Vreken which was dated the 14th October 2015 on the 13th November stating that if there were any objections to this rezoning application they had to be in by Monday 16 November which in effect has given them and us one working day to react which I am sure you will agree is insufficient time to respond.

This was the first I have heard of this proposed development myself as I am both Chairman of the Village as well as Simola HOA and this has never been brought up which is rather strange. Surely from the Green Pastures Village point of view Vreken should have sent us notification as affected parties (the interested has now disappeared). I have also checked with Choice Properties who are our management agent to see if they received correspondence which they confirm they have not. I would like to place on record that insufficient time was given to review the proposal and request that an extension is granted of at least 14 days.

In the meantime if you could I would appreciate if you can answer the following which would be the obvious questions that will be asked and is a constant issue in current environment let alone going forward:

- What provision has been made for power as we were told by Nell Perring prior to his retirement that no further applications would be approved until the power allocation had been improved.
- Water – we are already have a water crisis where by our storage dam does not have sufficient capacity with current offtake even though the water from the Gouna River has been flowing strongly.
- Sewage – The system is already under huge pressure – does the town have the capacity to handle more when one considers there are approved developments that still have to add to this and this would apply to the above two items as well.
- Noise pollution because of the high density application
- Impact of views and open land that purchasers originally brought into
- Environmental issues – I presume a full EIA has been done?
- Security – What provision has been made to ensure that this does not become a convenient thoroughfare?

Please can you maybe elaborate on the bulking factor? I see reference keeps being made to Green Pastures as 6 units per hectare but the difference here is that it is all usable land which includes a proper road network with generous verges. I believe in the breakdown sent by Vreken the proposed units are 158 but the revised document on their website state 190 units of various combinations. However when one dissects this further the application is for 243 units on just under 39 hectares. Please clarify the number of opportunities.

The real issue is that the bulking factor and the “laws” surrounding this can are also ambiguous which can easily be misinterpreted when a developer wants to push up the bulk like we all do. In reality the only area that can be used is 6 hectares as the balance of the land either sits in the flood line or on slopes too steep to develop. Effectively 243 “units” are going to be crammed into 6 hectares which works out at 40 units per hectare.

For reference I have checked the bulking factor for Simola which is one unit per hectare and that includes group housing opportunities. Imagine if they put in application as per the above based on

file:///C:/Users/tplanning/AppData/Local/Temp/XPgrpwise/5656F133kmdom02kmpo021... 27/11/2015
just over 400 hectares. If precedent is set then anybody with land could try and do a high density development and would have a good motivation to do so. I am all for development but it needs to be done responsibly and not on the back of previously disadvantaged as the document indicates because the developer is not doing this because he is a nice chap.

If you could clarify the above that would be great and we can take it from there. Thank you for your time.

Kind Regards,

Derek

(Derek Carroll)

Chairman – Green Pastures Village
The Municipal Manager
P.O. Box 21
Knysna:
6570
Email - mmasten@knysna.gov.za
Date 16 November 2015

Dear Mr. Easton

Re Proposed Regional Structure Plan Amendment: Rezoning and Subdivision and Departures: Erf 5084, Division of Knysna, Western Cape.

I am a property owner in Green Pastures.

<table>
<thead>
<tr>
<th>Name</th>
<th>Johan &amp; Petro Kruger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>6 Cranberry Close</td>
</tr>
<tr>
<td></td>
<td>Green Pastures</td>
</tr>
<tr>
<td>Erf number</td>
<td>13638</td>
</tr>
</tbody>
</table>

I have been advised of a proposed development of the above mentioned property. I would like to register the following objections:

1. I object most strongly to the proposed development which will have an adverse effect on the residential amenity of neighbours, by reason of the following:
   a. Noise & Disturbance. Noise will be an issue as such high concentration of myself and other residents in a valley will disturb the peace in an area of Knysna that strives to have a "country feel". Valleys tend to reflect sound; this will mean that disturbance can extend further than the immediate vicinity.
   b. Overlooking. The proposed development will overlook the houses in both the lower sections of Green Pastures as well as Green Pastures Village. This will further distract from the quality of life in the area and negatively impact my property value.
   c. Loss of privacy. Such a large concentration of houses on a small place with inevitably impact the sense of privacy for dwellers in the houses in Lower Green Pastures and Green Pastures Village.
   d. The loss of existing green views from neighbouring properties in Green Pastures and Green Pastures Village, will adversely affect the residential amenity of neighbouring owners.

2. The proposed development represents an unacceptably high density/overdevelopment of the site. It also runs totally contrary to the open aspect of the neighbourhood.

3. This development will impact the ecology of the area. The valley concerned support groups of Bush buck and other small antelope. Has consideration been given to the fynbos and other flora in the area?
4. A major concern is for the quality of the water that runs down the Salt River and feeds into the precious Knysna Lagoon. This is a delicate ecosystem that deserves protection. Such a high concentration of dwellings will have household detergents, garden run off, waste, etc. pollute this river and running the risk of a catastrophic impact on the lagoon.

5. The development would adversely affect road safety or the convenience of road users in the area.

6. Other

_______________________________

Yours Faithfully

[Signature]
GUIDE PLAN AMENDMENT, REMOVAL OF RESTRICTIONS, REZONING & SUBDIVISION

For

KNYSNA ERF 5084

CLIENT: TRACKSTAR TRADING 7 (PTY) LTD
PREPARED BY: MARIKE VREKEN URBAN & ENVIRONMENTAL PLANNERS

September 2008
(i) CONTENTS
(ii) LIST OF ANNEXURES
(iii) LIST OF PLANS
(iv) LIST OF FIGURES

(i) CONTENTS

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

SECTION B: CONTEXTUAL INFORMANTS

| 3. LOCALITY | 3 |
| 4. ZONING   | 3 |
| 5. CHARACTER OF THE AREA (refer Plan 2) | 3 |
| 6. SITE CHARACTERISTICS (refer Plans 3; 4 & 5) | 4 |
| 6.1. Topography | 4 |
| 6.2. Hydrology and drainage | 5 |
| 6.3. Vegetation | 6 |
| 6.4. Man-made characteristics | 7 |
| 6.5. Agricultural Potential | 7 |
| 6.6. Heritage Impact | 7 |
| 6.7. Visual Impact | 8 |

SECTION C: FORWARD PLANNING

| 7. SPATIAL PLANNING GUIDELINES | 8 |
| 7.1. Bioregional Planning Framework for the Western Cape | 8 |
| 7.2. Draft Coastal Zone Policy for the Western Cape | 10 |
| 7.4. Provincial Spatial Development Framework (December 2005) | 11 |
| 7.5. South Cape Sub-Regional Structure Plan, 1997 | 12 |
| 7.6. Eden Spatial Development Framework (Refer Plan 7) | 12 |
| 7.7. Outeniqua Spatial Development Framework, Feb 2002 | 13 |
| 7.9. Spatial Development Framework for the Knysna Municipality, Nov 2007 (Refer Plan 9) | 14 |
| 7.10. Guidelines for resort developments in the Western Cape, Dec 2005 | 15 |
8. INFORMANTS: OPPURTUNITIES AND CONSTRAINTS ................................................. 15
  8.1. Opportunities ........................................................................................................ 15
  8.2. Constraints ........................................................................................................... 16

SECTION D: STATUTORY REQUIREMENTS

9. LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985) ............ 16
  9.1. Guide Plan Amendment (Refer Plan 10) ............................................................... 16
  9.2. Rezoning .............................................................................................................. 17
  9.3. Subdivision ........................................................................................................... 17
  9.4. Departures............................................................................................................ 17
  9.5. Home Owners’ Association ................................................................................. 17


11. NATIONAL ROADS ACT, 1998 (Act 7 of 1998) .................................................. 17

12. REMOVAL OF RESTRICTIONS ACT, 1967 (Act 84 of 1967) .............................. 18


15. NATIONAL HERITAGE RESOURCES ACT, 1999 (Act 25 of 1999) .................... 21

16. WESTERN CAPE PLANNING AND DEVELOPMENT ACT, 1999 (Act 7 of 1999) .... 22

17. NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT (Act 57 of 2003) .................................................................................................................. 23

SECTION E: DEVELOPMENT PROPOSAL

18. DEVELOPMENT PHYLosophy ................................................................................. 24
  18.1 Single residential development .......................................................................... 24
  18.2 Group Housing Units ............................................................................................. 25
  18.3 General Residential erven .................................................................................... 25
  18.4 Tourist facilities .................................................................................................... 26
  18.5 Open Space and Connectivity with surrounding environment ......................... 27
  18.6 Proposed Land Uses and Appropriate Zonings ................................................. 27
  18.7 Summary .............................................................................................................. 28
SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING
AGENDA
26 OCTOBER 2018

19. INFRASTRUCTURE SERVICES
19.1 Civil Services
19.1.1 Roads
19.1.2 Bulk water provision
19.1.3 Storm Water
19.1.4 Sewer
19.1.5 Bulk Services capacity
19.2 Electrical services
19.2.1 Existing System
19.2.2 Capacity of the Existing System
19.2.3 Expected Demand
19.2.4 Proposed Electricity Distribution Network

SECTION F: MOTIVATION

20. REGIONAL STRUCTURE PLAN AMENDMENT
20.1 Procedures
20.2 Information required for Guide Plan Amendment Applications

21. REZONING & SUBDIVISION
21.1 Consistency with Spatial Policy Directives
21.2 Consistency of the Development with the Character of the Surrounding Area
21.3 Locality and accessibility of the area
21.4 Potential of the property
21.5 Layout Design Sensitive to the Physical Characteristics of the Site
21.6 Impacts on existing land use rights
21.7 Safety and welfare of the community
21.7.1 Increased Crime and squatters
21.7.2 Tourism Opportunities
21.8 Conservation of the environment
21.9 Urban Sprawl – ripple effect
21.10 Limited visual impact
21.11 No Impact on the Agricultural Potential / Viability of the property
21.12 Availability of Link Services, Infrastructure and Capacity
21.13 No Heritage Impact y

22 CONCLUSION

SEPTEMBER 2008
(ii) ANNEXURES

ANNEXURE A:  Power of Attorney & Company Resolution
ANNEXURE B:  Application Forms
ANNEXURE C:  Title Deed
ANNEXURE D:  S.G. Diagrams of Erf 5084
ANNEXURE E:  Eskom Servitude Diagram
ANNEXURE F:  Zoning Certificate
ANNEXURE G:  Botanical Assessment
ANNEXURE H:  Letter of approval for new access road
ANNEXURE I:  Agricultural Potential Report
ANNEXURE J:  Letter from Department of Agriculture
ANNEXURE K:  ROD from Heritage Western Cape
ANNEXURE L:  Extract from Knysna Plett Herold ,11 October 2007
ANNEXURE M:  Civil Services Report
ANNEXURE N:  Electrical Services Report

(iii) LIST OF PLANS

PLAN 1:  Locality Plan
PLAN 2:  Land use Plan
PLAN 3:  Slope Analysis
PLAN 4:  Height Analysis Plan
PLAN 5:  Site Characteristics Plan
PLAN 6:  Extract from the Knysna Wilderness Plettenberg Bay Sub Regional Structure Plan
PLAN 7:  Extract from Eden SDF
PLAN 8:  Extract from draft Eastford Welbedacht Local Structure Plan
PLAN 9:  Extract from the draft Knysna SDF
PLAN 10: Proposed Amended Guide Plan
PLAN 11: Layout Plan
PLAN 12: Site Development Plans of General Residential Erven
(iii) LIST OF FIGURES

FIGURE 1: Northern views as seen from the application area
FIGURE 2: Salt River running through property
FIGURE 3: Existing dam on the application area
FIGURE 4: Open disturbed area surrounded by the indigenous forest
FIGURE 5: Three global imperatives to achieve sustainable development
FIGURE 6: Extract from the Knysna SDF
FIGURE 7: Proposed single residential erven
FIGURE 8: Proposed group housing erven
FIGURE 9: Proposed general residential erven
FIGURE 10: Proposed tourist facilities
FIGURE 11: Proposed land uses
1. **INTRODUCTION**

Mariske Vreken Town Planners have been appointed by **Trackstar Trading 7 (Pty) Ltd** (refer to **Annexure A** for Company Resolution and Power of Attorney) to apply to the relevant authorities for the following in respect of Knysna Erf 5084 (refer to **Annexure B** for Application forms):

1. the amendment of the Sub Regional Structure Plan from “Agriculture” to “Township” and “Nature Area”, in terms of Section 4 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
2. Removal of restrictive title deed conditions C (a) – (c) in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967);
3. Application in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Knysna Erf 5084 from “Agriculture Zone 1” to “Subdivisional Area” for the purposes of residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.
4. Application in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the subdivision of Knysna Erf 5084 into 19 single residential erven, 75 Group Housing erven; 6 General residential erven; 1 Local Business erf, 1 Resort erf and 4 private open space erven and private roads;
5. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme to allow single residential stands that are smaller than 4000 m² in the Eastford area and to allow group housing sites larger than 2 ha;
6. Application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a departure from the Knysna Zoning Scheme Regulations to allow a group housing site of larger than 2 ha;
7. The establishment of a Home Owner’s Association in terms of Section 29 of the Land Use Planning Ordinance 1985 (no. 15 of 1985);
9. The subdivision of zoned Agricultural Land for residential development in terms of the Subdivision of Agricultural Land Act 1970 (Act 70 of 1970);

In “parallel” with the abovementioned applications, **Eco Route Environmental Consultancy** has been appointed as independent environmental practitioners (IEP) for the preparation and submission of the application for “environmental authorisation” of the envisaged activities by the “relevant authority” in terms of the regulations of the National Environmental Management Act, 1998 (Act 107 of 1998).
2. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A Copy of the Title Deed for Knysna Erf 5084, containing the details outlined below is contained in Annexure C.

Title Deed Description: Erf 5084 Knysna, in the Municipality and Division of Knysna, Western Cape. A copy of the S.G. Diagram for Erf 5084 is attached as Annexure D to this report.

Title Deed Number: T 71610/2005

Title Deed Restrictions: The title deed contains conditions that restrict the use of on the property to certain specific uses. Condition C of the Deed prevents any business uses on the property. Therefore Conditions C(a) – C(c) have to be removed to allow the proposed tourism uses. Condition D of the Deed restricts Erf 2787 to certain uses. These conditions are therefore not applicable to Erf 5084. Condition F of the Deed restricts Erven 150 & 151 to certain uses. These properties are part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition G of the Deed restricts Erf 141 to certain uses. This property is part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition H of the Deed restricts Erven 157 – 159 to certain uses. These properties are part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition I of the Deed restricts Erf 175 to certain uses. This property was part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition J of the Deed restricts Erf 198 to certain uses. This property was part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition N of the Deed restricts Erf 139 to certain uses. This property is part of the Paradise Township and therefore these conditions are therefore not applicable to Erf 5084. Condition Q of the Deed restricts the uses on Erf 5084 to single residential uses, unless the property is located within the area of a Town Planning Scheme. The property is located within the boundaries of the Knysna Zoning Scheme Regulations and therefore this condition is not applicable to Knysna Erf 5084.
Bonds: No bonds are registered over the property.

Property Size: 39,1100 (THIRTY NINE COMMA ONE ONE ZERO ZERO) hectares

Property Owner: Trackstar Trading 7 (Pty)Ltd

Servitudes: A 36m wide Escom servitude bisects the property. The S.G Diagram showing these servitudes are attached as Annexure E to this report. Condition K of the Deed describes a servitude to construct, lay and maintain a pipe and power line to convey water and electricity over Erf 5084, as well as to construct roads and pump houses.

SECTION B CONTEXTUAL INFORMANTS

3. LOCALITY (refer Plan 1)

The subject property is located in the Eastford area, approximately 2,5km north of the Knysna Central Business District (CBD) and is virtually surrounded by residential development. The expropriated N2 Bypass route abuts the southern boundary of the application area.

The subject property is located directly south of the existing Green Pastures Residential development and north of the Knysna Heights Township. Access to the property will be obtained from Rio Street in Knysna Heights.

4. ZONING

The application area is currently zoned as “Agriculture” in terms of the Knysna Zoning Scheme Regulations. A copy of the Zoning Certificate of the property is attached as Annexure F to this report.

5. CHARACTER OF THE AREA (refer Plan 2)

The approach to the application area is via Grey Street and Rio Street, Knysna Heights. Grey Street runs past Lelieskloof, a middle income residential neighbourhood. Knysna Heights is a middle to higher income residential area, with the low income areas (Witlokasie; Joo d se kamp; etc) of Knysna a mere 200m to the east of the application area. The Sanel Epilepsy centre is located to the south of the entrance to the application area.

The area surrounding the application area is characterised by medium to low density residential developments. The Eastford Residential development (Vale & Cove) to the west has a gross
density of approximately 6 units per ha, whilst the existing Green Pastures development to the north of the application area has an average density of 6-7 units per hectare.

The Simola Golf & Country Estate is located to the northeast of the application area. The recently approved Founders Estate is located on Knysna Erf 4010 to the northwest of the application area.

6. SITE CHARACTERISTICS (*Refer Plans 3; 4 & 5*)

The application area is situated in the Eastford area, north of Knysna Heights and is virtually surrounded by residential developments to the north and south and west.

The following site analysis was done in order to obtain a better understanding of the application area.

6.1 Topography

![Figure 1: Northern views as seen from the application area](image)

(i) Erf 5084 has a north facing aspect with steep undulating slopes and spectacular views over the Eastford; Green Pastures and Simola developments. The northern parts of the property have moderate slopes.

(ii) The highest part of the application area is approximately 140m above sea level, whilst the lowest part of the application area (Salt River) is approximately 17m above MSL.
6.2 Hydrology and drainage

(i) The drainage of the site occurs in the form of sheet flow over a stable geological basis with some signs of erosion being displayed.

(ii) The Salt River bisects the application area and flows from southeast in a north western direction.

![Figure 2: Salt River running through property](image)

![Figure 3: Existing dam on the application area](image)
(iii) An off-stream dam is located to the north west of the application area. This dam is mainly fed with storm water run-off. This dam could serve as a central recreation area and retention pond for any development on the site.

6.3 Vegetation

HillLand Associates were appointed to conduct a Botanical Assessment of the application area. A copy of the botanical assessment report is attached as Annexure G to this report. The finding of this report could be summarised as follows:

(i) The application area mainly consists of alien invested vegetation (pine trees; black wattle and rooikrans) with low agricultural potential to the south of the Salt River.

(ii) A large section of the Southern section of the property is made up of grass dominated pasture areas. This community is dominated by members of the family Poaceae (grasses), with a significant amount of kikuyu (*Pennisetum clandestinum*) (an alien grass species commonly used for pastures and lawns).

(iii) A number of herbaceous plants (including shrubs) occur scattered across the pastures. These plants tend to be mostly pioneer fynbos species;

(iv) The botanical sensitivity for the pasture areas is considered to be low

(v) There are remnants of afro-montane forest and riparian thicket are present along the stream, with a moderate to high invasion of exotic vegetation in places. This vegetation is botanically sensitive and forms an important ecological corridor function. This vegetation type is subsequently considered to be of very high sensitivity.

*Figure 4: Open disturbed area surrounded by the indigenous forest*
An open, transformed, area exists within the indigenous forest patch. This previously disturbed area is approximately 3500m² in extent, and ideally situated for tourist activities.

6.4 Man-made characteristics

Man-made characteristics of this application area includes, amongst others:

(i) Eskom main power lines bisect the property. A Eskom servitude of 36m wide bisects the application area;
(ii) Municipal power lines that bisect the property.
(iii) The existing Gouna water main line
(iv) Remnants of the farm house and associated outbuildings;
(v) Existing farm roads criss-crossing the application area;
(vi) An existing access road from Rio Street to the farm house;
(vii) The expropriated N2 bypass abuts the southern boundary of the application area.

The application area currently receives access and egress from an existing gravel road over Erf 215. This road runs within the expropriated bypass road. A new access to the proposed development is proposed from Rio Street in Knysna Heights. This access across the expropriated N2 Bypass route has been approved by SANRAL. Copies of the letters of approval from SANRAL and the Municipal Town Engineer are attached as Annexure H to this report.

6.5 Agricultural Potential

A soil type and agricultural potential assessment was undertaken by Mr. B Robertson to assess the agricultural value of the application area. The bulk of the application area has low agricultural potential and / or the slopes are too steep for agricultural practices. The property does not have irrigation rights and the process associated with obtaining such rights, as well as the costs associated with preparing the ground and installing the necessary infrastructure for irrigation, would make agricultural activities on the site non-viable for commercial farming practices. A copy of the agricultural potential report is attached as Annexure I to this report.

The Agricultural Potential Report has been submitted to the Western Cape Provincial Department of Agriculture (Elsenburg). The Department indicated in writing that they have no objection to the proposed structure plan amendment application to accommodate the proposed development. A copy of the letter from Department of Agriculture dated 16 February 2007 is attached as Annexure J to this report.

6.6 Heritage Impact

The application does not contain any significant heritage elements. Ron Martin Heritage Consultancy was appointed to assess the heritage value of the property. Heritage Western Cape issued a positive Record of Decision. This ROD concluded that the development may proceed without requiring any additional studies. A copy of this letter from Heritage Western Cape is attached as Annexure K to this report.
6.7 Visual Impact

Approximately half of the application area is low-lying and hidden behind trees which make it hardly visible from abutting residential developments. The higher lying areas (south of the Eskom servitude) will be visible from abutting residential developments. Sensitive architectural design and landscaping will have to be used to mitigate any potential visual impact.

The application area is not located on a ridge line, or on a skyline. The proposed N2 Bypass (south of the application area) will be on the Knysna Heights ridgeline and have a far more visual impact than the proposed development.

SECTION C  FORWARD PLANNING

7. SPATIAL PLANNING GUIDELINES

Even though Knysna does not currently have a statutory Structure Plan or Spatial Development Framework, there are nevertheless a number of “planning policies” that need to be taken into account when the possible development of Knysna Erf 5084 is considered.

7.1 Bioregional Planning Framework for the Western Cape

A primary objective of the Provincial Government of the Western Cape is to promote development that is sustainable and that will ensure the well-being of all the people of the province. Sustainable development is defined as: “...meeting the needs of the present without compromising the ability of future generations to meet their needs...”

Sustainable development occurs at the intersection of three interlinked factors, namely human well-being, economic efficiency and environmental integrity. If these imperatives are not balanced, sustainable development cannot be achieved.

![Figure 5: Three global imperatives to achieve sustainable development](image-url)
Therefore, to promote sustainable development in the Western Cape, it is necessary to institute planning and management systems that will facilitate a balanced integration of conservation and development interests in land-use and settlement planning.

The Provincial Government of the Western Cape has resolved that bioregional planning principles have to be applied in all planning projects. These principles are:

- It is to serve as both a reference and framework for promoting a consensus approach to managing the resources of the Western Cape in a sustainable manner within the context of the Western Cape Planning and Development Act, 1999 (Act 7 of 1999).
- It is to provide a framework for the delimitation of cluster biosphere reserves in the Cape Floral Region based on UNESCO’s MaB (Man and the Biosphere Programme).
- It is to provide guidelines for the land-use classification of the entire land surface of the Western Cape Province in accordance with defined Spatial Planning Categories, which are based on a broad spectrum of environmental parameters.
- It is to provide a framework for the delimitation of bioregions in the Western Cape Province based on bioregional planning principles.
- It is to provide a framework and guidelines for place-specific planning, design and management of the natural and cultural (human-made) environment.

The Bioregional Planning Framework puts forward a comprehensive set of Spatial Planning Categories that satisfy local requirements and provide for the geographical zoning of landscapes into specific land-use zones.

The following table is a summary of the Spatial Planning Categories according to the Bioregional Planning Policy:

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>DESCRIPTION</th>
<th>BASIC PURPOSES</th>
</tr>
</thead>
</table>
| Category A | Core Area<br>(Consistent with UNESCO’s Biosphere Reserve ‘Core Areas’).     | • Comprising areas of high conservation importance that must be protected from change.  
• Only non-consumptive land-uses may be allowed conditionally. |
| Category B | Buffer Zone<br>(Consistent with UNESCO’s Biosphere Reserve ‘Buffer Zone’ and ‘Transition Zone 1’). | • Serving as a buffer between Category A Areas and Category C Areas.  
• Sustainable small-scale development and non-consumptive land-uses may be allowed conditionally. |
| Category C | Agricultural areas<br>(Consistent with UNESCO’s Transition Zone 2).          | • Constituting rural areas where extensive and intensive agriculture is practised.  
• Including forestry areas. |
### SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING

#### AGENDA

**26 OCTOBER 2018**

---

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>DESCRIPTION</th>
<th>BASIC PURPOSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category D</td>
<td>Urban-related areas (Consistent with UNESCO’s Transition Zone 3).</td>
<td>▪ Representing a broad spectrum of nodal urban-related settlements and associated services and infrastructure.</td>
</tr>
<tr>
<td>Category E</td>
<td>Industrial areas.</td>
<td>▪ Representing the industrial areas where the highest intensity of human activity occurs.</td>
</tr>
<tr>
<td>Category F</td>
<td>Surface infrastructure and buildings.</td>
<td>▪ Constituting all surface infrastructure and buildings not catered for in the above categories. ▪ Including roads, railway lines, power lines, communication structures, etc.</td>
</tr>
</tbody>
</table>

Together with the limited environmental constraints, the Spatial Planning Categories were applied as a guide for the preparation of the various plans for the proposed project.

#### 7.2 Draft Coastal Zone Policy for the Western Cape

The primary aim of the Draft Coastal Zone Policy for the Western Cape is to give clear guidance regarding the sustainable development and management of the ± 1200 km long coastal zone of the Western Cape Province with specific reference to the following:

▪ Leading to the creation of a much needed and broadly acceptable integrated spatial coastal zone policy, which could be effectively implemented;
▪ Enhancing public awareness, appreciation and sustainable use of the coast and its resources.
▪ Contributing to the enhancement of knowledge of coastal officials and managers who co-ordinate and have a commitment to promoting sustainable coastal development and management within their area of jurisdiction.
▪ Creating the conditions for investment in sustainable development, which could lead to economic development and the consequent social upliftment of coastal communities.
▪ Promoting and implementing practical and widely endorsed strategies and development guidelines, which will contribute to the submission of appropriate development applications that can be relatively quickly approved without enduring costly delays in conflict resolution and litigation.
▪ Creating the scope for a partnership between central and provincial government with respect to the implementation and management of a coastal zone policy.
▪ Serving as a model for policy formulation exercises in other coastal provinces of South Africa.

The mapping of the Coastal Zone policy was conducted on a very “broad brushed” scale hence the SPC categories cannot be implemented on a site specific scale. The principles of this policy will however be implemented through this development proposal.
7.3 Knysna – Wilderness, Plettenberg Regional Structure Plan, 1983 (Refer Plan 6)

The abovementioned document was approved as a Guide Plan by the (then) Minister of Constitutional Development and Planning on 21 September 1982 with a view to provide guidelines for the future spatial development of the Garden Route region. On 9 February 1996 the (then) Deputy-Minister of Land Affairs declared that the “Guide Plan” should be deemed as a Regional Structure Plan. Although the Regional Structure Plan has not yet been reviewed in totality since its original preparation and adoption, it remains in full force and effect as a statutory planning document.

This Guide Plan earmarked the application area for “agricultural/ forestry” purposes. Therefore, application has to be made for the amendment of the Guide Plan from “Agriculture/ Forestry” to “Township” and “Nature Area”.

7.4 Provincial Spatial Development Framework (December 2005)


The policy proposals in the Provincial Spatial Development Framework (PSDF) relate mainly to:

- Natural Environment: Resource Conservation
- Built Environment: Urban Restructuring and Regional Linkages
- Socio-economic Trends: Human Resource and Economic Development

Some of the proposals in this policy document that will inform any development proposal on the subject property include:

(i) All existing intensive agriculture (ploughed and permanently cultivated lands) on low, high and medium potential soils shall be protected from urban development and will not be required for biodiversity conservation purposes except where they may fall under the Ecological or River Corridors;

(ii) In the case of endangered areas of biodiversity further loss of habitat shall not be permitted unless there are significant biodiversity off-sets;

(iii) Urban Edges shall be defined around the boundaries of urban settlements to enable them to achieve an average settlement density of 25du/ha within 10 years in those settlements that do experience growth. Densification should be achieved by:
- Demolition and redevelopment
- Infill of vacant surplus land including brown fields areas;
- Green fields locations within the urban edge, as long as they have not been identified as biodiversity priority; and priority open space; productive agricultural land and recreational sites.

(iv) Low density residential development could be provided on the urban periphery;

(v) Urban settlements shall be restructured so as to break down the spatial barriers created by apartheid and make them more convenient and pleasant to live in while creating economic opportunities close (within walking distance) to where people live.
(vi) All land within an Interim or Medium Term Urban Edge shall be used for Urban Development purposes;

Conclusion: The application area is located within the earmarked urban edge of Knysna Municipality. It is the considered opinion that the development proposal will contribute to redress the spatial inequalities of the past as it will provide a range of housing opportunities that will be affordable for a range of income groups, and the proposal (tourism node) will also ensure the creation of much needed employment opportunities, without jeopardizing the environmental integrity of this area.

7.5 South Cape Sub-Regional Structure Plan, 1997

This Structure plan focuses mainly on the development of the rural areas. The point of departure of the abovementioned study was to create a conceptual development pattern for the South Cape, in terms of which the following broad land use categories were identified:

- Urban Areas
- Rural Nodes
- Agricultural Areas
- Natural Areas

The proposed development would classify as an extension of an existing “Urban Node” (Knysna Heights, Green Pastures & Eastford), whilst the existing “Simola” development could be classified as a “Rural Node”. The objective of the structure plan is to canalize urban uses in nodes in urban areas, thereby relieving agriculture and nature areas from development pressure.

This policy document stresses that development densities should be determined by the carrying capacity of each specific site. The carrying capacity of this site will be determined by the EIA process.

It is therefore the considered opinion that the proposed development will be consistent with the objectives of this policy document.

7.6 Eden Spatial Development Framework (Refer Plan 7)

The compilation of the Eden District SDF is also based on the Bioregional Planning Approach. This SDF is based on similar planning principles and a similar approach as the CZP.

It should be noted that the mapping on the Eden SDF Plans, was done on a very broad brushed scale, and the recommendations of these plans cannot really be implemented on a site specific scale. However, the application area is earmarked as an “Ecological Corridor” in the Eden SDF. Given the fact that the developer strives to rehabilitate existing water courses traversing through this development, if could be argued that the proposal is consistent with the Eden SDF.
7.7 Outeniqua Spatial Development Framework, Feb 2002

This document is also based on the Bioregional Planning approach, but has been adapted to address the unique conditions of the study area. What distinguishes this document further from other similar policy documents is the fact that it recognizes that “Urban Cores” are as important in spatial planning as the “Conservation Core Areas” proposed by the Biosphere planning approach. This SDF identified the following Land Use Categories:

- Core Conservation Zone;
- Conservation Buffer Zone;
- Transition Zone;
- Urban Buffer Zone;
- Urban Core Zone;

According to this Spatial Development Framework (SDF), the application area is earmarked as an “Urban Core” area. According to this policy, an urban buffer zone is a management zone that is flexible and the extent thereof would need to be determined based on local conditions.

The objective of urban core areas, according to this document is:-

“...Accommodating all functions required for human well-being and providing opportunities for urban growth and economic development...”

According to this document, densities within core urban areas should be increased and urban renewal and infill development should be encouraged. Densities of up to 40 units per hectare for group housing developments could be achieved.

The proposed mixed use development will therefore be consistent with the goals and objectives of Urban Core Zones of this SDF.

7.8 Local Structure Plan: Welbedacht Eastford, May 1998 (Refer Plan 8)

The local Structure Plan for the Welbedacht Eastford area was compiled when development interests shifted to the Welbedacht and Eastford areas. No spatial policy guidelines existed for these areas, and with the support of the Western Cape Provincial Administration, this local Structure Plan was compiled. This plan has no statutory status but is used by the Knysna Municipality as a spatial planning policy.

The application area is earmarked as an open space system containing sensitive indigenous vegetation, steep slopes and flood prone areas. The proposed development is therefore not consistent with the draft SDF Plan, but the principles of the proposed development is consistent with the guidelines as proposed in this local structure plan.

It should be noted that this draft SDF was done on a broad 1:50000 scale. Site specific environmental studies have been conducted to determine the environmental sensitivity of the site.

The development is consistent with the following guidelines of this document:
- No development should take place on slopes steeper than 1:4
- There should be greenbelts and predominance of open space to protect the wildlife of the area – *large corridors are maintained in the development proposal*;
- New development should be in keeping with the country atmosphere of the area – *although nodes with higher densities are proposed, large open spaces (60% of the site) is proposed as open spaces, thereby the country atmosphere of the area will be maintained*;
- An average density of 6 units per hectare should be enforced in the southern part of the structure plan area.

7.9 **Spatial Development Framework for the Knysna Municipality, Nov 2007 (Refer Plan 9)**

Knysna Municipality has recently compiled a SDF for the municipal area. This SDF has been adopted by Knysna Municipality, and it should replace the Guide Plan as the statutory regional plan for the area. This SDF is also based on the Bioregional Planning Principles and the application area is included within the draft “urban edge” for Knysna.

This plan identifies a forest corridor along the northern corner of the application area and a prominent ridgeline to the south of the application area. The northern corner of the site will be maintained and protected as a natural indigenous forest.

It should be noted that the expropriated bypass route to the south of the application area is located on the ridge and that the application area is located lower down the ridge. The Height analysis plan (Plan 4) confirms this statement. The proposal will therefore not have any negative visual impact.

![Figure 6: Extract from the Knysna SDF](image-url)
The development proposal of this site is therefore considered to be consistent with this draft policy document.

7.10 Guidelines for resort developments in the Western Cape, Dec 2005

This guideline document was prepared by the Department of Environmental Affairs and Development Planning during 2005. The purpose of this policy was mainly to provide guidelines for assessment of resort applications outside urban edges. This document states that where resorts are located within urban edges, the “group housing” zone development parameters of the local zoning scheme shall apply.

This document recommends that each resort should have a natural source of recreation, but that where such a resort is located within an urban edge of a town, the presence of a unique source of recreation becomes less important. It is the considered opinion that the natural setting, of this resort is the source of recreation as the log cabins will be tucked away within the forest canopy.

Given the size of the log cabins (± 60m²) it will be too small to serve as permanent residences and it will therefore ensure that the log cabins are used for short term tourism accommodation.

It is therefore the considered opinion that the proposed resort component of this development complies with the resort guide lines of the Western Cape.

8. INFORMANTS: OPPORTUNITIES AND CONTRAINTS

A strategic analysis of the application area and its direct environs indicated that the following aspects needed to be taken into account when considering and preparing the development proposal:

8.1 Opportunities

- The application area is strategically located between the lower income areas and higher income areas of Knysna, thereby forming an ideal opportunity for infill housing;
- The proposed development will have limited impact on the natural vegetation as the site is mostly covered with alien vegetation.
- The indigenous forest area provides for eco tourism opportunities only 3km from the Knysna CBD;
- The application area has even developable slopes that results in no sensitive skylines or ridgelines (no visual impact);
- Northern aspect is ideal to optimise northern sun for residential units;
- Access opportunity from Rio Street;
- Riverine area results in the creation of a focus point for the proposed development;
- Existing access route towards open transformed area within the indigenous forest area;
- Proposed development will ensure / formalise the protection of the riverine area (as opposed to agricultural activities);
- Existing transformed agricultural land;
- Existing dam could be used as storm water retention pond as well as landscaping feature;

### 8.2 Constraints

- Existing access of property is within the expropriated bypass route. A new alternative access is required;
- Wide flood plain limits development potential of site;
- Steep slopes limit development potential of the site.
- Existing Eskom servitudes limit development potential of the site.
- Existing Gouna Water main has to be re-aligned.

### SECTION D STATUTORY REQUIREMENTS

In order to obtain development rights for the proposed development as envisaged on this property, the following statutory planning process should be followed:

### 9. LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

#### 9.1 Guide Plan Amendment *(Refer Plan 10)*

The Knysna Wilderness Plettenberg Bay Guide Plan was adopted in 1983 in terms of Section 6 of the Physical Planning Act of 1967 and deemed in February 1996 in to be a Regional Structure Plan in terms of the Physical Planning Act of 1991. It is referred to in this document as the Regional Structure Plan.

The most important fact related to the legislative context of this plan is that no change in zoning which is not compliant with the Regional Structure Plan can be approved without the prior amendment of the Regional Structure Plan. Unless the proposed uses are consistent with the Regional Structure Plan, therefore, it is essential, for the application to be approved, that an amendment to the Regional Structure Plan is approved at the same time.

The application area is currently earmarked for “agricultural” purposes. Application has to be made in terms of Section 4 of the Land Use Planning Ordinance, 1985 (no 15 of 1985) to amend the Regional Structure Plan from “Agriculture” to “Township Development” and “Nature Area”. The proposed amended Guide Plan is shown on **Plan 10** of this report.
9.2 Rezoning

Application has to be made in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the rezoning of Knysna Erf 5084 from “Agriculture Zone 1” to “Subdivisional Area” for the purposes of a mixed density residential estate, a resort and local business uses.

9.3 Subdivision

Application has to be made in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the subdivision of Knysna Erf 5084 into single residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads

9.4 Departures

The Knysna Zoning Scheme Regulations restrict the minimum size of single residential zoned properties in the Eastford area to 4000m² and also restricts the maximum size of a group site to 2 ha. The proposed group housing development will cover an area of 3,2 ha, hence an application for departures from these regulations is required. Application will have to be made in terms of Section 15 of the Land Use Planning Ordinance.

9.5 Home Owners’ Association

Application has to be made for the establishment of a Home Owner’s Association in terms of Section 29 of the Land Use Planning Ordinance 1985 (no. 15 of 1985). The services of the proposed development will be managed by the Home Owners’ Association.


This Act determines that when application is made for the subdivision of “agricultural land” which is earmarked for agricultural purposes on a Regional Structure Plan, application should also be made in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970). This application will have to be submitted to the National Department of Agriculture.


The application area abuts the expropriated N2 bypass route. Also, access to the application area will be obtained across or under the new bypass road. This proposed access point was already approved by SANRAL. Copies of these letters of approval are attached as Annexure E to this document. However, the proposed rezoning, subdivision and Guide Plan Amendment application still has to be approved by SANRAL.

No direct access to the future N2 will be allowed by SANRAL.
12. **REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)**

The registered title deed of the property contains a condition that prevents the development as envisaged. This condition is:

Condition C (a): "...Use for residential, agricultural, horticultural or farming purposes only..."

Application has to be made for the removal of restrictive title deed conditions in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967).


The National Environmental Management Act, 1998 (Act 108 of 1998), (NEMA) requires that the potential impact of activities, and alternatives thereto be investigated.

Chapter 1 of NEMA introduces a more "anthropocentric" approach to "environmental management, and focus on the fact that environmental management should place people and their needs at the forefront and serve their physical, psychological, developmental, cultural and social interest equitably".

The following principles are stated in NEMA. These principles have to be taken into consideration when an application is prepared, submitted and assessed:

"(2) Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.

(3) Development must be socially, environmentally and economically sustainable.

(4) (a) Sustainable development requires the consideration of all relevant factors, including the following:

(i) that the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimized and remedied;

(iii) that the disturbance of landscapes and sites that constitute the nation’s cultural heritage is avoided, or, where it cannot be altogether avoided, is minimized and remedied;

(v) that the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource;

(vii) that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions; and

(viii) that negative impacts on the environment and on people’s environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimized and remedied.

(4) (b) Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of
decisions on all aspects of the environment and all people in the environment by pursuing
the selection of the best practicable environmental option.
(4) (c) Environmental justice must be pursued so that adverse environmental impacts shall
not be distributed in such a manner as to unfairly discriminate against any person,
particularly vulnerable and disadvantaged persons.”

The new EIA regulations prescribe the Environmental process that should be followed and also
prescribes that Interested and Affected Parties should be included in the Planning Process.

According to Regulation No R 386 of 21 April 2006, the following activities will require a basic
environmental assessment:

Activity 16: The transformation of undeveloped, vacant or derelict land to p
   (a) establish infill development covering an area of 5 ha or more, but less than
       20 ha
   (b) residential, mixed, retail, commercial, industrial or institutional use where
       such development does not constitute infill and where the total area to be
       transformed is bigger than 1 hectare.

According to Regulation No R 387 of 21 April 2006, the following activities may not commence
without Environmental Authorization and an environmental impact assessment and scoping:

Activity 2: Any development activity, including associated structures and infrastructure,
   where the total area of the developed area is, or is intended to, be 20 hectares or
   more;

It will be the responsibility of Eco Route Environmental Consultancy to ensure compliance
with these regulations, and to submit the application for authorisation to DEADP.


The purpose of this Act is to introduce extraordinary measures to facilitate and speed up the
implementation of reconstruction and development programmes and projects in relation to land;
and in so doing, to lay down general principles governing land development throughout the
Republic; to provide for the establishment of a Development and Planning Commission for the
purpose of advising the government on policy and laws concerning land development at national
and provincial levels.

The first set general set of principles dealing with Planning is Section 3 of the Development
Facilitation Act (number 67 of 1995). The principles of relevance are quoted below:

Section 3(1)(a): “...Policy, administrative practice and laws should provide for urban and
rural land development and should facilitate the development of formal
and informal, existing and new settlements...”

Planning Implication: This creates a clear legal presumption in favour of the creation of a new
“infill development” such as this development proposal.
Section 3(1)(c): "...Policy, administrative practice and laws should promote efficient and integrated land development in that they (i) "... promote the integration of the social, economic, institutional and physical aspects of land development...”

Planning Implication: This principle constitutes social development through job creation and economic development through the generation of year-round economic activity in the Knysna area. This principle also constitutes physical development.

Section 3(1)(c): (iii) "...promote the availability of residential and employment opportunities in close proximity to or integrated with each other...”

Planning Implication: The development will include an economic generator (tourism node) thereby provide economic opportunities within the development, and it should also be noted that the proposal is in close proximity to the existing Knysna CBD.

Section 3(1)(c): (iv) "...optimise the use of existing resources including such resources relating to agriculture, land, minerals, bulk infrastructure, roads, transportation and social facilities...”

Planning Implication: The optimisation of resources is a strong argument in favour of this development, and also of relatively intense development. Given the strategic locality of the application area, this application is exceptionally well suited to the type of project as the site is walking distance from the Knysna CBD. The proposed development will also relieve the pressure and dependency on public transport as this project strives to bring employment opportunities closer to existing residential areas. The proposed development optimises the use of this land and of the infrastructure that serves it.

Section 3(1)(c): (v) "...promote a diverse combination of land uses, also at the level of individual erven or subdivisions of land...”

Planning Implication: the proposed development will provide a range of housing opportunities as well as economic and tourism opportunities within the proposed development.

Section 3(1)(c): (vi) "...discourage the phenomenon of “urban sprawl” in urban areas and contribute to the development of more compact towns and cities...”

Planning Implication: The proposed development could be regarded as “infill” development as the site is virtually surrounded by existing of approved urban developments.

Section 3(1)(c): (vii) "...contribute to the correction of the historically distorted spatial patterns of settlement in the Republic and to the optimum use of existing infrastructure in excess of current needs...”
Planning Implication: This proposed development project could be used as an example to redress the inequalities of the past as the proposal will be providing a range of housing opportunities within the development and not only exclusive high income residential development.

Section 3(1)(c): (viii) "...encourage environmentally sustainable land development practices and processes ...

Planning Implication: Encouraging environmentally sustainable land use practices is one of the prime features of this project. The ecologically sensitive riverine areas have been identified and will remain intact. The riverine buffer areas will be used as landscaping features in this proposed development.

Section 3(1)(j): "...Each proposed land development area should be judged on its own merits and no particular use of land, such as residential, commercial, conservational, industrial, community facility, mining, agricultural or public use, should in advance or in general be regarded as being less important or desirable than any other use of land...

Planning Implication: This last principle is perhaps the most important of all as it emphasises the idea that the development of the land must optimise the use of the land. This is precisely what the proposed development aims to do.

15. NATIONAL HERITAGE RESOURCES ACT, 1999 (ACT 25 OF 1999)

The purpose of this Act is to:

(i) introduce an integrated and interactive system for the management of the national heritage resources;
(ii) promote good government at all levels, and empower civil society to nurture and conserve their heritage resources so that they may be bequeathed to future generations;
(iii) lay down general principles for governing heritage resources management throughout the Republic;
(iv) introduce an integrated system for the identification, assessment and management of the heritage resources of South Africa.
(v) enable the provinces to establish heritage authorities which must adopt powers to protect and manage certain categories of heritage resources;
(vi) provide for the protection and management of conservation-worthy places and areas by local authorities;

According to Section 38(1)(c) of the Heritage Resources Act, 1999 (Act 25 of 1999), a Heritage Impact Assessment (HIA) is required for any rezoning on a land portion larger than 10000m².

Given the scale and nature of the proposed development, it is the considered opinion that the application area will not have any significant impacts on any heritage value of the site. A specialist Heritage consultant was appointed to conduct a Heritage Impact Statement and a positive ROD was issued by Heritage Western Cape. A copy of this ROD is attached as Annexure K to this report.
16. WESTERN CAPE PLANNING AND DEVELOPMENT ACT, 1999 (ACT 7 OF 1999)

The purpose of this Act was to replace racially based planning and development legislation; to establish a system for development planning in the province and consolidate legislation in the Province pertaining to provincial planning, regional planning and development and urban and rural development into one law; to regulate, monitor and support planning and development at provincial, regional and municipal levels for urban and rural areas; to provide frameworks, norms and standards, inter alia with regard to areas where municipalities have legislative power, with a view to establishing and maintaining standards essential to orderly co-ordinated planning and development.

A third set of principles are found in Schedule 4 of this Act. These principles are given a standing by Section 53 of the Act. Many of them are exact duplicates of the principles contained in the Development Facilitation Act. The relevant principles are stated below, but where the planning implications have already been motivated above, it is not repeated:

Section 2.1: "...Each proposed development should be judged on its merits and no specific land use should be regarded in advance or in general as being less important or desirable than any other land use, unless a development framework or structure plan indicates that a specific type of land use should be protected...”

Planning Implication: This is a modification of Section 3(1)(j) of the Development Facilitation Act. It does not alter the basic, critical principle that every proposal should be judged on its own merits, the importance of which was discussed above. It merely modifies the principle to take account of regional planning instruments that may be in place to guide development. The way in which it does this is significant. It acknowledges the right of a Development framework or structure plan to PROTECT a particular land use. It does not suggest such a plan should be entitled to prohibit any land use or to stipulate arbitrary criteria for the approval of other land uses. In this case the only use that might be protected on the land is Agriculture. Taking into account the principle of cooperative governance, the decision as to whether this land use should be protected is specifically allocated to the Minister of Agriculture.

Section 5.1: "...Provision should be made for rural and urban planning and development, and the development of existing and new formal and informal settlements should be facilitated ...”

Planning Implication: Given the fact that the proposed development is regarded as infill development the proposal constitutes urban development.

Section 5.4: "...Efficient and integrated planning and development should be promoted by...”

5.4.1 the integration of social, economic, institutional, environmental and physical aspects of planning and development;
5.4.2 integrated development and planning in rural and urban areas with a view to mutual support;
5.4.3 providing residential and employment opportunities in close proximity to or integrated with each other;
5.4.4 the optimal utilisation of existing resources, including resources with regard to agriculture, land, minerals, bulk infrastructure, roads, transport and social facilities;
5.4.5 encouraging a diverse combination of land uses, including mixed land uses;
5.4.6 discouraging the phenomenon of urban sprawl, protecting the agricultural resource base and encouraging the development of more compact cities;
5.4.7 contributing towards the correction of historically distorted spatial patterns of settlement in the Western Cape, and
5.4.8 encouraging environmentally sustainable planning and development practices and processes.

As is the case with the other two sets of principles, these principles have been taken fully into account in the development proposal.

17. NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT (ACT 57 OF 2003)

The objectives of this piece of legislation that are relevant to Erf 5084 are –

Section 2):

(a) to provide within the framework of national legislation, including the National Environmental Management Act, for the declaration and management of protected areas;

(d) to provide for a representative network of protected areas on state land, private land and communal land;

(e) to promote sustainable utilisation of protected areas for the benefit of people, in a manner that would preserve the ecological character of such areas; and

(f) to promote the participation of local communities in the management of protected areas, where appropriate.

The purpose of creating protected areas, as they are relevant to Erf 5084 is:-

Section 17):

(a) to protect ecologically viable areas representative of South Africa’s biological diversity and its natural landscapes and seascapes in a system of protected areas;

(b) to preserve the ecological integrity of those areas;

(c) to conserve biodiversity in those areas;

(g) to protect an area which is vulnerable or ecologically sensitive;
(i) to create or augment destinations for nature based tourism;
(ii) to manage the interrelationship between natural environmental biodiversity, human settlement and economic development

SECTION E DEVELOPMENT PROPOSAL

The proposed development will consist of a total area of 39,11ha, situated on Knysna Erf 5084. The gross density of the proposed development (including the group housing units) calculates to ±4 units per hectare

18. DEVELOPMENT PHYLOSOPHY

"To create a living environment with a sense of place, that will cater for a wide range of inhabitants as far as age groups and income levels are concerned, that takes cognisance of the great beauty of the surrounding natural environment and provide more than just living space, to fulfill in the needs and aspirations of the modern urbanite, whilst preserving the natural heritage and providing tourist facilities."

In order to put this philosophy in practice, a range of housing stock is introduced:

18.1. Single Residential development

The proposed development will consist of the range of housing stock. This includes the following:

FIGURE 7: PROPOSED SINGLE RESIDENTIAL ERVEN
(i) A total 19 single residential stands are proposed. These erven will be more upmarket housing opportunities.
(ii) The average size of the erven are between 700m$^2$ – 900m$^2$
(iii) These stands abuts the 1:100 year flood line and maximise open space and privacy;

18.2. Group Housing Units

![Figure 8: Proposed Group Housing Erven](image)

(i) A total of 75 smaller group housing units are proposed.
(ii) These erven vary between 300m$^2$ to 500m$^2$. It is envisaged that these erven would be a “plot and plan” development, with ample private open space provided on every open erf. It is foreseen that these units would be linked group housing units.

18.3. General Residential erven

(i) Six general residential stands are proposed. It is foreseen that a total of 78 units will be provided on the 6 general residential erven.
(ii) Site Development Plans for the proposed general residential properties are attached as Plan 12 to this report.
(iii) These six stands abut the expropriated bypass route south of the application area.
(iv) It is foreseen that these stands will provide housing in the much needed middle income housing market.
(v) Simultaneously, these apartments will serve as a buffer between the N2 bypass and the development. These units will be carefully designed to minimise any potential visual impacts.
(vi) By incorporating higher densities this development caters for a wider range of inhabitants and therefore ensuring not just a development for the privileged few.
(vii) Despite the introduction of group housing and general residential uses, the overall density is still very low where less then 20% of the application area will be utilised for residential erven and the gross density of all dwellings are less then 4 units per hectare.
Figure 9 above shows the proposed general residential sites within the development.

18.4. Tourist facilities

(i) The new Knysna SDF emphasises the importance of the tourist economy for the Knysna Municipal area. The portion of indigenous forest is one of the last portions of forest that are so close to the Knysna CBD (a mere 3 km). It is the intention of the developer to provide a resort containing 15 log cabins, tucked away in the forest. These log cabins will be rented out on a short term basis. An example of similar tree top chalets exists in the Diepwalle area. An extract of the Knysna Plett Herald of 11 October 2007, describing a similar project of SANParks is attached as Annexure L to this report.

(ii) A “heritage village” to replicate the “Old Knysna” and the timber and former gold mining culture of old Knysna, is proposed in the disturbed open space between the forest patches. The developer envisages creating a historical village
containing restaurants and arts & craft shops, with residential units on top. This village will be typical example of the historical Knysna, thereby contributing to the unique sense of place of the Knysna forests. This proposed local business site is 3591 m² in extent.

(iii) No vehicular traffic will be allowed in the forest area. A central parking area is proposed to the west of the Salt River. Motor vehicles will be parked at this point and visitors will be transported with golf carts or with a similar, low impact tourist shuttle service. A derelict existing, narrow track, will provide access to the proposed village. This track will be upgraded to accommodate golf carts.

(iv) Currently, the application area is privately owned, with no access to the general public. By providing the resort facilities as envisaged, the general public could have access to the site and share in the unique forest culture of Knysna.

18.5. Open Space and Connectivity with surrounding Environment

As can be seen from the layout, the majority of the residential erven are buffered from surrounding properties by open space.

The entire site is well connected with open space corridors to allow for storm water and species movement. The ecological corridors on the site are designed to connect with the corridors on neighbouring properties.

More than 60% of the site is to be zoned for “Private Open Space”. The Private Open Space will be rehabilitated, cleared of aliens and possibly included in a conservancy.

18.6. Proposed Land Uses and Appropriate Zonings

The application area was carefully assessed in order to maximize the development potential of the site whilst retaining the existing land use activities. Emphasis has been placed on the creation of a development that is sensitive towards any ecological sensitive attributes. The proposed layout plan, as reflected on the Subdivision Plan (Plan 11) entails the following uses:

<table>
<thead>
<tr>
<th><strong>LAND USE</strong></th>
<th><strong>ZONING</strong></th>
<th><strong>QUANTITY</strong></th>
<th><strong>AREA (HA)</strong></th>
<th><strong>% OF TOTAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>Single Residential</td>
<td>19</td>
<td>1.57</td>
<td>4.02</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>Group Housing</td>
<td>75</td>
<td>3.20</td>
<td>8.18</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>General Residential</td>
<td>6</td>
<td>3.18</td>
<td>8.13</td>
</tr>
<tr>
<td>Heritage Village</td>
<td>Local Business</td>
<td>1</td>
<td>0.359</td>
<td>0.92</td>
</tr>
<tr>
<td>Resort &amp; Forest (15 units)</td>
<td>Resort</td>
<td>1</td>
<td>2.98</td>
<td>7.72</td>
</tr>
<tr>
<td>Private Open Space</td>
<td>Private Open Space</td>
<td>4</td>
<td>24.01</td>
<td>61.06</td>
</tr>
<tr>
<td>Private Roads</td>
<td>Private Open Space</td>
<td>3.811</td>
<td>9.97</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>83</strong></td>
<td><strong>39.11</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

*Figure 11: Proposed Land Uses*
The intention is to rezone the entire resort site as a nature area (Private Open Space III in Section 8 Scheme Regulations), but the Knysna Zoning Scheme Regulations does not have a nature zone. The property will therefore be zoned as a resort zone, but the indigenous forest will be managed as a private nature area.

18.7. Summary

In summary this development proposal can be regarded as a model for future development where the developer not merely strived for maximum economy, but also portray great social responsibility to ensure a better quality of life for more people.

19. INFRASTRUCTURE SERVICES

19.1. Civil Services

Tuiniqua Consulting Civil Engineers was appointed to investigate the existing services capacity for the proposed development. A copy of the Civil Services report is attached as Annexure M to this report. This report concluded that:

19.1.1. Roads

(i) a new access road towards Rio Street is proposed for this new development. The alignment of the proposed new road was submitted to Knysna Municipality as well as SANRAL, and both authorities approved the proposed new access road.

(ii) The access road will be 2 x 3,5 m lanes from the development to Rio Street within a 20m road reserve.

(iii) The road from the entrance to the parking area will be regarded as the main access with the same lane width as the access road to the development. (3,5m lane width);

(iv) The topography allows for the design of an effective road network within the maximum 10% to 12% gradient requirement. Should the gradient be steeper than 12%, it will be for over short distances only.

19.1.2. Bulk water provision

Water to the proposed development could be obtained from the proposed new pump line. This will require a new reservoir to be financed by the developer. The size of the reservoir required for this development is 500 kl. This size is not economical and it will be advantageous to negotiate with the council to provide a larger reservoir with a contribution from the council. It is recommended to build a new reservoir that could service more than just the application area, provided that a suitable location for the reservoir can be provided by the council. The reservoir should be at a height of 160m-170m to provide a minimum static height of 24m for the development.
19.1.3. **Storm Water**

(i) The topography of the area allows the discharge of the storm water from storm water pipes into the existing stream or into natural water courses.

(ii) The layout of the township should allow for green areas where the topography forms natural water courses.

(iii) It will be important to control and monitor the quality of the discharge of the existing stream since it contributes to the water quality of the Knysna lagoon.

19.1.4. **Sewer**

(i) The sewer reticulation for this development will be pumped to the existing municipal infrastructure on Erf 8832 or Erf 8835, Rio Street.

(ii) A full waterborne sanitation system is envisaged for the proposed development. Bulk sewer drainage will be provided, by means of Class 34x 160 mm diameter pipe that gravitates to the proposed sewer pump station from where it will be pumped to the municipal system in Rio Street.

(iii) Emergency storage capacity equivalent to 4 hours flow at the average flow rate will be provided at the pump station.

19.1.5. **Bulk Services Capacity**

(i) Knysna Municipality was requested to comment on the proposed connection points for water and sewer. The connection points and a service report will be finalized between the Developer and the Municipality when detail planning is done.

19.2. **Electrical Services**

BDE Consulting Electrical Engineers was appointed to assess the electrical supply to the proposed development. A copy of this report is attached as Annexure N to this report concluded that:

19.2.1. **Existing System**

(i) The Municipality is in the process to establish a 66/22/11 kV injection substation next to the northern boundary of the development (between the proposed development and Green Pastures). The new Eastford Substation will be supplied from the adjacent Eskom 66 kV power line.

(ii) The greater area, including the proposed development will be supplied from Eastford Substation.

(iii) The establishment of Eastford Substation will be done in phases. The first phase (2007) will be the establishment of a 66/22 kV transformer for Eastford Substation. This will make capacity available at the existing Knysna Eskom Intake Substation but will not make additional 11 kV capacity available in Eastford area. The 66/11 kV transformer will be established during the second phase planned for 2008/2009.
19.2.2. Capacity of the Existing System

With the commissioning of Eastford 66/22/11 kV Substation, the capacity of the Municipal main supply system will be more than adequate to supply the proposed development.

19.2.3. Expected Demand

The expected electricity maximum demand of the development is 750 kVA and the average demand 300 kVA.

19.2.4. Proposed Electricity Distribution Network

(i) The establishment of an 11kV ring cable supply system with a 70/3 11kV Cu cable from Eastford Substation.
(ii) The proposed underground 11kV ring supply cable system will supply strategically positioned mini-substation in the development.
(iii) The low voltage distribution system will be supplied from the mentioned mini-substations.
(iv) The low voltage distribution system will be underground cable supplying strategically positioned distribution kiosks.
(v) Service connections will be done with underground cable from the mentioned kiosks ending 1 meter x 1 meter inside each single residential site and at a connection box on an external wall for apartment and business buildings, if so applicable.
(vi) Street lighting will be done with low intensity, low level, bollard type area luminaries positioned at carefully selected places.

SECTION F: MOTIVATION

20. REGIONAL STRUCTURE PLAN AMENDMENT

As mentioned in Section 7.3 of this report, the development proposal is not consisting with the existing designation of the Sub Regional Structure Plan. Hence this structure plans requires statutory approval from the Department of Environmental Affairs and Development Planning.

This Sub-Regional Structure Plan has limited spatial categories (i.e. township development, industrial, rural occupation, recreation and nature area). In order for the development proposal to be consistent with the Sub – Regional Structure Plan, this plan needs to be amended to allow for the following purposes:

Township development: to allow the proposed residential and local business node.
Nature area: to ensure the future environmental integrity of the open space system as well as the proposed tree top chalets.
20.1. Procedures

Provincial Circular C/19/2003 deals the procedures relating to the amendment for former guide plans and rezoning processes. This provincial Circular states that: “It is proposed that applicants first prepare an application for the amendment of the former Guide Plan (now structure plan) and that the process be brought to a closure before the detailed application in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and the Environment Conservation Act, 1989 (Act 73 of 1989), is continued with. It must be kept in mind that this process is not enforceable and that applicants are free to still take the risk of drafting complete applications…”

The reality is that even though (according to this Circular), detailed environmental studies are not required for guide plan amendment processes, the relevant decision making authority often require additional information for informed decision making. The developers then have to instruct specialists do conduct additional specialist studies on an ad hoc basis. The developers of this development proposal have decided to rather submit a combined application with detailed specialist information in order to ensure “informed” decision making by the relevant authorities.

It is recommended that the Knysna Municipality considers the Guide Plan part of the application, forward their recommendation to the Provincial authority for a final decision regarding the Guide Plan Amendment. The competent authority as stipulated by the National Environmental Management Act will then be in position to issue a Record of Decision (ROD), and only after a ROD was issued by the competent authority, can the Knysna Municipality consider the rezoning and subdivision of the application area.

20.2. Information required for Guide Plan Amendment Applications

Provincial Circular C/19/2003 states that: “…when an application for the amendment of a former Guide Plan is referred to the Province, the following information must be supplied:…”

(i) The proposed land uses and the appropriate zonings in terms of the zoning scheme.
(ii) The approximate extent and density of each land use.
(iii) A motivation report that inter alia clearly addresses the following:
- the desirability of the planned development including the motivation for amending the structure plan;
- the extent to which the planned development link up with the proposals of other forward planning documents that apply to this area;
- areas those are too steep and not developable.
(iv) An analysis of the vegetation and the identification of all conservation worthy species and groupings.
(v) An indication of visual impacts if the application is situated in a visual prominent location.
(vi) An analysis of the available infrastructure, including a sustainable water supply, accessibility and dealing with storm water.
(vii) An indication of possible environmental impacts. After submitting the application with this Department, an indication will be given of any environmental studies that are required.
(viii) Any other important information that needs to be brought to the authority’s attention.
It is the considered opinion that all this information in contained in this application. Hence the relevant authorities should be in a position to make an informed decision with regard to this application.

21. REZONING & SUBDIVISION

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 proposed land use. The following points must be taken into account when evaluating the desirability of this application:

21.1. Consistency with Spatial Policy Directives

Although this proposed development is not consistent with the Agricultural designation of the statutory structure plan, the proposed development is consistent with more recent spatial planning guidelines applicable to this area, such as the Knysna SDF. Also, the proposed development is included in the draft urban edge for Knysna Municipality.

It should be noted that the new Provincial Spatial Development Framework promotes mixed used settlements where economic and employment opportunities are situated within walking distance from the residential areas. Therefore the proposed establishment of economic opportunities (tourism opportunities) within the proposed development could be regarded as being desirable for this area. It should also be noted that the site is in close proximity to the area of major employment for Knysna, namely the Knysna CBD.

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

The surrounding area is characterised by predominantly medium to low density single residential and resort type land uses. The proposed development could be regarded as “infill” development as this is the application area is located between the existing low income areas of Knysna to the east (Wit Lokasie) and the higher income areas to the west of the application area (Knysna Heights). Higher income residential developments such as Green Pastures; Eastford Vale and Glen and the Simola Country Estate is located north of the application area.

It is therefore the considered opinion that the proposed development is consistent with the character of the surrounding area.

21.3. Locality and accessibility of the area

The application area is located between the lower income and higher income areas of Knysna. Currently the site receives access from Grey Street that is also the main linkage and public transport route between the lower income areas and the Knysna CBD.

A new safer access is proposed off Rio Street. Rio Street connects the Knysna Heights neighbourhood with Grey Street and the Knysna CBD.

The proposed new access has been approved by the Knysna Municipality as well as the National Roads Authority. Therefore, sufficient and very accessible access could be provided.
21.4. Potential of the property

The application area has no agricultural potential and is also predominantly covered with invasive alien vegetation. The environmental integrity of the portion of indigenous forest to the north east of the application area is under threat as various snares etc. has been founded on this portion. A resort on this portion will protect the fauna and flora of this portion, whilst utilizing eco tourism opportunities in close proximity to the Knysna CBD.

The property has an unique opportunity to provide a range of housing stock that will result in an integrated development.

It is the considered opinion that the proposed development will optimise the potential of the property whilst maintaining the environmental integrity of the sensitive eco-systems.

21.5. Layout Design Sensitive to the Physical Characteristics of the Site

The proposed layout was sensitively planned, taking into account sensitive natural areas, riverine areas; steep slopes and the continuity of open space corridors. Wide buffer areas are proposed on both sides of the water course, and no development is proposed below the 1:100 year flood line.

The design of the proposed development has therefore carefully used the on site informants to dictate, ensuring that the unique character of the site is retained.

21.6. Impacts on existing land use rights

The proposed development is surrounded with medium; low and high density residential development and given the consistency of the proposed development with the existing residential development, and given the abundant provision of functional open space, it is the considered opinion that the proposed development will not impact on any existing land use rights. The proposed development will rather strive to conserve the natural environment and therefore ensure that the proposed development will not impact on any existing land use rights in the area.

21.7. Safety and welfare of the community

The entire property is not improved and is covered mostly by exotic species. The property, in its existing state, is not properly fenced.

Vagrants and other negative social elements thrive on large portions of unused and unattended vacant land. This is evident of the site as various snare have been found in the indigenous forest areas where locals hunt on the few remaining bushbuck and also on the portion to the south of the Salt River where the existing residential dwelling was stripped of it roof; windows; doors etc.

The proposed development will therefore add value to the surrounding area, providing a high quality, aesthetically controlled development.

The proposed development will also secure the common boundaries with surrounding properties.
During the Public Participation process that have been conducted in terms of the relevant environmental legislation, Interested & Affected Parties expressed concerns relating to, amongst other, increased crime, squatters and tourism opportunities.

**21.7.1. Increased Crime and squatters**

Residents of Knysna Heights have expressed their concern about rising level of crime that is experienced on the neighbourhood. Vagrants can easily hide on large portions of vacant land.

The proposed development will serve as a buffer between the lower income areas of Wit Lokasie and the higher income areas of Knysna Heights.

**21.7.2. Tourism Opportunities**

Knysna is known for its timber history. The proposed heritage village within the development will ensure the conservation of the unique Knysna Heritage whilst simultaneously creating employment opportunities.

**21.8. Conservation of the environment**

A detailed site-specific environmental sensitivity analysis was conducted by HillLand Associates and the development concept was informed by this sensitivity analysis, thereby ensuring that the development proposal will have a minimal negative environmental impact.

The existing riverine and indigenous forest areas will be retained and rehabilitated in order to ensure the functioning of these ecological corridors. The fact that the proposed nature areas will have statutory conservation status (by amending the statutory guide plan designation to nature area); will ensure the integrity of these areas. Storm water will be distributed in an appropriate way to ensure that the functioning of the riverine area will not be impacted upon.

**21.9. Urban Sprawl – ripple effect**

Given the unique character of the proposed development, the integration of a private nature area and medium density residential component on transformed areas, the proposed development will ideally fit in with the urban fringe area of Knysna town. It is the considered opinion that given the fact that the application area is surrounded by other existing residential developments and the fact that the application area is located within the urban edge of Knysna; the proposed development is rather an “infill”.

Given the fact that the proposed development is regarded as “infill development”, the proposed development will have a minimal ripple effect on the Knysna surroundings.

**21.10. Limited visual impact**

Although the property is located on a northern facing slope, the property is not located on any ridgeline of sensitive skylines. The expropriated N2 National Road is located on the ridgeline of the Knysna Heights neighbourhood and to the south of the application area.
The visual impact of the site should also be regarded within the context of residential
development within an existing residential area.

It is foreseen that strict architectural design guidelines and appropriate landscaping will mitigate
the visual impact, if any.

21.11. No Impact on the Agricultural Potential / Viability of the property

The Agricultural Potential investigation has indicated that, by virtue of its soil potential, size and
location has limited agricultural potential. Therefore, the proposed development will not
contribute to the loss of high potential agricultural land.

The development proposal will also not leapfrog any high potential agricultural land.

21.12. Availability of Link Services, Infrastructure and Capacity

Sufficient connections and infrastructure capacities are available for the provision of services to
the proposed development. Refer to Annexures M - N of this report for comprehensive Services
reports. It should be noted that the developer will be responsible for the provision of services to
the satisfaction of the local authority.

21.13. No Heritage Impact

The fact that Heritage Western Cape issued a positive Record of Decision (ROD) is a clear
indication that the proposed development will have no heritage impact whatsoever.

22. CONCLUSION

This motivation report has:

(i) analysed the existing situation on the site and around it
(ii) given an indication of the values and objectives of the owners of the site who
     wish to develop it.
(iii) set out in detail the planning response to the site in the light of the established
     criteria, and it has then assessed the planning response in relation to the
     legislative, planning and policy environment.

Having established that the planning proposals are substantially compliant with the legislative,
planning and policy frameworks the motivation has formulated the necessary detailed
applications for Regional Structure Plan Amendment, Subdivision and Rezoning.

The motivation report cannot be looked at in isolation. It must be seen in conjunction with the
basic Environmental Assessment report and all the Specialist Studies.

All in all we suggest that this documentation represents a compelling body of evidence that the
development rights applied for will:
- Conserve, protect and enhance the biophysical environment on the site to an extraordinary degree;
- Provide a major benefit to the regional economy of the Southern Cape and Knysna in particular;
- Provide a substantial number of real permanent jobs;
- Contribute significantly to socio-economic upliftment;
- Contribute to address the major need for middle income housing opportunities in Knysna in close proximity to the Knysna CBD;
- Lead to the creation of a desirable development of the highest quality.

We therefore request that the Knysna Municipality recommends the approval of the applications and that the Minister of Environment Affairs and Development Planning of the Western Cape Government approve it.

MARIKE VREKEN
B.Art et Scien(Bepl), TRP(SA)
SEPTEMBER 2008
ANNEXURE A:

Power of Attorney & Company Resolution
SPECIAL POWER OF ATTORNEY

*I/We, .................................................. SCHALK VAN DER MERWE ............................................................

.......................................................... the undersigned,

do hereby nominate, constitute and appoint

MARIKE VREKEN - TOWN AND REGIONAL PLANNER

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

REZONING AND SUBDIVISION OF KNYSNA ERF 5084

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 .................. .2008

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

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

In the presence of the undersigned witnesses:

AS WITNESSES:

1. ............................................

2. ............................................

*Delete whichever is not applicable
RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Knysna on the 11th day of April 2008.

Resolved that S.W. V.O. Merwe in his capacity as DIRECTOR, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

DESCRIPTION OF PROPERTY

Knysna Erf 5084

NATURE OF APPLICATION

Rezoning and subdivision

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:  
S.W. V.O. Merwe

J. Stanford

SIGNATURE:  

[Signature]

[Signature]
ANNEXURE B:

Application Forms
REZONING APPLICATION

ERF / ERVEN

Please Indicate

KNYSNA
SEDGEFIELD
BRENTON
BELVIDERE
RHEENENDAL
KARATARA

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

IF OTHER, PLEASE SPECIFY

REZONING OF PROPERTY(IES) FROM
Agriculture Zone

TO
Subdivisional Area

DATE: 10 September 2008
INSTRUCTIONS TO ASSIST IN COMPLETION OF APPLICATION FORM

1. Note that this application form relates only to rezoning proposals which do not involve simultaneous subdivision of properties.

2. The whole application form must be accurately completed in ink, and any handwriting must be legible.

3. Where applicable, place an ‘X’ or similar mark in the relevant block only.

4. Where additional information is attached as an annexure, it must be clearly marked as to which subsection of the application form it relates to.

5. The application for rezoning, with all accompanying documentation, must be submitted to:
   The Chief Town Planner
   Knysna Municipality
   11 Pitt Street
   Knysna
   6570

6. **5 (five) complete copies** of the application and all accompanying documentation must be submitted. This includes 5 copies of the completed application form, as well as 5 (five) copies of all engineering reports, motivation reports, maps, diagrams, etc., which form annexures to the application form.

7. 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 proposals have been properly prepared and motivated.

8. In cases where the application has to be referred to State Departments or other statutory authorities for comment prior to consideration thereof by the Knysna Town Council, and this has not yet been done by the applicant, he / she may be required to submit additional copies of the completed application form together with all annexures, for forwarding to such Departments / authorities.
9. Please ensure that the most up-to-date application fees are paid.

10. It is the responsibility of the applicant to ensure that correct, accurate and complete information is furnished with the application.

11. 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.

12. 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.
# SECTION A

## PARTICULARS OF APPLICANT

1. **FULL NAMES:** Hendrika Maria Vreken

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

3. **POSTAL ADDRESS:**
   
   PO Box 2180

   Knysna

   6570

   ____________________________

   **NOTE:** All correspondence will be directed to the above address

4. **TELEPHONE NO.:** (044) 3820420

5. **CELL NO.:** 082 927 5310

6. **FAX NO.:** (044) 382 0438

7. **EMAIL ADDRESS:** Marike@vreken.co.za

8. **BOND DETAILS**

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
</table>

   **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):
   Track star Trading 7 (Pty) Ltd

2. IS THE APPLICANT THE (ONLY) REGISTERED OWNER OF THE PROPERTY CONCERNED?
   
3. POWER OF ATTORNEY OF REGISTERED OWNER(S) ATTACHED?
   YES  NO  N/A
   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?
   YES  NO

5. CERTIFIED COPY OF EMPOWERING RESOLUTION ATTACHED?
   YES  NO  N/A
   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  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.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ERF NO.</td>
</tr>
<tr>
<td></td>
<td><strong>Knysoa</strong></td>
</tr>
<tr>
<td>2.</td>
<td>EXTENT OF PROPERTY</td>
</tr>
<tr>
<td></td>
<td><strong>m^2</strong></td>
</tr>
<tr>
<td>3.</td>
<td>STREET NAME:</td>
</tr>
<tr>
<td>4.</td>
<td>TOWNSHIP (e.g. Paradise, Hornlee, Central Town, etc.)</td>
</tr>
</tbody>
</table>

5. Are there any servitudes registered on the property which may affect the application?  
   
   ![Yes/No Box]

6. If there are any such servitudes, provide a brief description thereof:
   
   **Electrical Servitudes - accommodated in layout**

7. Is it proposed that any new servitudes be registered as part of the application?  
   
   ![Yes/No Box]

8. If any such servitudes are proposed, provide a brief description thereof:
   
   **Servitudes to accommodate existing services**
SECTION D

DETAILS OF APPLICATION

1. BRIEF AND ACCURATE SUMMARY (NOT MOTIVATION) OF THE PROPOSAL:

1.1 PRESENT ZONING(S): Agriculture

1.2 PROPOSED ZONING(S): Subdivisional Area

1.3 EXISTING USE(S): Vacant

1.4 PROPOSED USE(S): Single Residential, Group Housing, General Residential, Local Business, Resort

1.5 AMENDMENT OF THE REGIONAL STRUCTURE PLAN

1.6 PRESENT DESIGNATION(S): Agriculture

1.7 PROPOSED DESIGNATION(S): Township Development and Nature Area

1.8 ANY FURTHER COMMENTS:

Refer to Motivation Report

- 4 -
2. DOES THE APPLICATION ALSO INVOLVE A SIMULTANEOUS:

2.1 Consolidation [combination] of more than one property?

YES ☒ NO ☐

If ‘YES’, briefly explain:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2.2 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 ☒

If ‘YES’, briefly explain:

☒ To allow single residential even of smaller than 400m² in the East Fedd area
☒ To allow a group housing site larger than 2 ha in extent

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

YES ☒ NO ☐

If ‘YES’, briefly explain:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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

YES ☒ NO ☐ UNCERTAIN ☐

If ‘YES’ or ‘UNCERTAIN’ briefly explain:

Conditions (c(a)) - (c(c))

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

- 5 -
2.4.1 Has, in the case of a simultaneous application in accordance with 2.4 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?

2.5 Application for subdivision of the property(ies) concerned?

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

2.6.1 The construction or upgrading of:

(a) facilities for commercial electricity generation with an output of at least 10 megawatts and infrastructure for bulk supply;

(b) nuclear reactors and facilities for the production, enrichment, processing, reprocessing, storage or disposal of nuclear fuel and wastes;

(c) with regard to any substance which is dangerous or hazardous and is controlled by national legislation –

(i) infrastructure, excluding road and rail, for the transportation of any such substance; and

(ii) manufacturing, storage, handling, treatment or processing facilities for any such substance;

(d) roads, railways, airfields and associated structures;

(e) marinas, harbours and all structures below the high-water mark of the sea and marinas, harbours and associated structures on inland waters;

(f) above ground cableways and associated structures;

(g) structures associated with communication networks, including masts, towers and reflector dishes, marine telecommunication lines and cables and access roads leading to those structures, but not including above ground and underground telecommunication lines and cables and those reflector dishes used exclusively for domestic purposes;

(h) racing tracks for motor-powered vehicles and horse racing, but not including indoor tracks;

(i) canals and channels, including structures causing disturbances to the flow of water in a river bed, and water transfer schemes between water catchments and impoundments;

(j) dams, levees and weirs affecting the flow of a river;

(k) reservoirs for public water supply;

(l) schemes for the abstraction or utilization of ground or surface water for bulk supply purposes;

(m) public and private resorts and associated infrastructure;

(n) sewerage treatment plants and associated infrastructure;

(o) buildings and structures for industrial, commercial and military manufacturing and storage of explosives or ammunition or for testing or disposal of such explosives or ammunition.
2.6.2 The change in the use of land from:
a) agricultural or zoned undetermined use or an equivalent zoning, for any other land use;
b) use for grazing to any other form of agriculture use
c) use for nature conservation or zoned open space to any other land use.

If “YES”, stipulate the activity(s) (i.e. 2.6.1(e), 2.6.2(b), etc.):

2.6.1 (d)
2.6.1 (k)
2.6.1 (m)
2.6.2 (a)

NOTE: The abovementioned activities are subject to regulations promulgated in terms of the Environment Conservation Act, 1989 (Act 73 of 1989) and the National Environmental Management Amendment Act (No. 56 of 2002).

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

If “YES”, indicate the date of submission, as well as the specific office (and responsible person) to which / whom it has been submitted:

Eco Route Environmental Consultancy has been appointed to fulfill the requirements of the National Environmental Management Act

- 7 -
3. **MOTIVATION FOR PROPOSAL:**

   **NOTE:** Even if a full motivation 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.

   Refer to 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 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.

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 of 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/properties 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:

- Ground Water Line
- Electrical Power Lines

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

10. HAS A CONTOUR PLAN BEEN SUBMITTED?

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

   - SITUATED BELOW THE 1 IN 50 YEAR FLOODLINE?
     | YES | NO |
   - SUBJECT TO FLOODING?
     | YES | NO |
   - SITUATED IN A NATURAL DRAINAGE COURSE?
     | YES | NO |
   - SITUATED IN A WETLAND AREA?
     | YES | NO |

12. 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:

   All development will be above the 1:100 year flood line

13. ARE THERE ANY PROTECTED TREE SPECIES IN TERMS OF THE NATIONAL FORESTS ACT (1989) ON THE PROPERTY(IES) CONCERNED?

   | YES | NO |

   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?

   | YES | NO |

   If 'YES', briefly explain, and include mitigating measures to be implemented, if any:
15. 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).

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

16. 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.)?
If 'YES', explain briefly:

................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

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 (NO. 25 OF 1999)?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

- DECLARED AS A NATURAL HERITAGE SITE?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

OR

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

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

................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................
................................................................................................................................................................................

- 11 -
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.

19.1 Water:  
Knysna Municipality

19.2 Sewerage:  
Knysna Municipality

19.3 Electricity:  
Knysna Municipality

19.4 Stormwater:  
Knysna Municipality

19.5 Refuse Removal:  
Knysna Municipality
1. WERE ANY PROFESSIONAL CONSULTANTS INVOLVED IN THE PREPARATION OF THIS APPLICATION?  

   YES   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:
   Hendrika Maria Vreken.................................................................

3. NAME OF COMPANY/FIRM: (Where applicable, e.g. ABC Consultants)
   Marike Vreken Town Planners.............................................................

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

5. QUALIFICATIONS / RELEVANT FIELDS OF EXPERIENCE / PROFESSIONAL AFFILIATIONS, ETC.:
   B.Art et Scien (Bep.I).............................................................................
   TRP (SA)....................................................................................................

6. CONTRIBUTION TO THE STUDY:
   Motivation Report..................................................................................

- 13 -

7. CONTACT DETAILS OF CONSULTANT

POSTAL ADDRESS:
PO Box 2180
Knysna
6570

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

TELEPHONE NO.: (044) 382 0420
CELL NO.: 082 927 5310
FAX NO.: (044) 382 0438
EMAIL ADDRESS: marike@vreken.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  
   - 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: **Mr. E Hill**
   - Rank / Position: Chief Town Planner
   - Authority / Organisation: Knysna Municipality
   - Date of Discussion:
   - Manner of Discussion (telephonic / meeting / correspondence etc.): Meeting
   - Issues raised and discussed: Property located inside urban area, development could be supported in principle.

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

   - YES  
   - NO

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

<table>
<thead>
<tr>
<th>Name of Authority</th>
<th>Date Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEADP</td>
<td>10 September '05</td>
</tr>
<tr>
<td>SANRAL</td>
<td></td>
</tr>
<tr>
<td>DWAF</td>
<td></td>
</tr>
<tr>
<td>Dept Agriculture</td>
<td></td>
</tr>
</tbody>
</table>

**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

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

- 15 -
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 |
---|---|

If 'NO', briefly explain why not:

All registered I.A.'s inters of the EIA process

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):
SECTION G

APPLICATION FEES

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

I, Hendrika Maria Vreken .................................................................

(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: 2008 - 09 - 09

--oOo--

- 18 -
CAPE PROVINCIAL ADMINISTRATION

ALTERATION, REMOVAL, SUSPENSION OF RESTRICTIONS

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

NOTE

Part A is to be completed by the Applicant in triplicate, two copies of which must be submitted to the Local Authority in whose area of jurisdiction the property is situated and one copy to the Director: Local Government, Private Bag X 9083, Cape Town 8000

PART A

(1) Has one copy of the application form been submitted to the Director: Local Government in accordance with the above note?

YES

Please note that a copy is required by the Director: Local Government to enable him to advise the Council on what basis the application must be advised. Failure to submit a copy of the application to the Director

(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: Local Government. 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:

MARIKE VREKEN TOWN PLANNERS CC
P.O. BOX 2180
KNYSNA
6570

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.
SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING

AGENDA

26 OCTOBER 2018

(5) Date of application:

9 SEPTEMBER 2008

(6) Full name and address of registered owner:

Volle name en adres van geregistreerde eienaars:

TRACKSTAR STRADING 7 (PTY)LTD

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 eienaars gedaan word, moet "n volmaak van sodanige eienskaps aanheg word. Dit is ook van toepassing waar die persoon wat aansoek doen, nog nie die geregistreerde eienaars nie maar besig is om die eiendom van sodanige eienaar te verkry.

Attached as Annexure A

(7) Registered description of the property as shown in the present Title Deed:

Erf 5084 Knysna, 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.

Indien die eiendom geleë is in "n dorps wat ingevolge Artikel 20 van die Ordesie op Dorpes, no. 33 van 1934, geregistreer is, moet die naam van die dorps en die uitbreiding-enummer daarvan ook aangegee word, asook die verwysings-enummer, indien bekend.

N/A

(9) If the Property is encumbered by a bond, the name of the bond-holder:

Indien die eiendom deur "n verband beswaar is, die naam van die verbandhlder:

No bonds are registered

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

Nota: Die verbandhlder se toestemming tot diens aansoek moet aanheg word.

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

Die voorwaarde(s) soos wat gewysig, opheef, of opgeskort moet word is soos volg (haal volledig aan met Titelbewysnommer en -datum, in "n aparte aanhangsel indien nodig):
TITLE DEED NO: T 71610/2005

Condition C(a): this condition restricts the use on the site to residential; agricultural; horticultural or farming purposes only.

Condition C(b): Value of buildings may not be less than R1 000.

Condition C(c): restrict the use of corrugated iron as building material

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.

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.

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

Single Residential Uses; Group housing uses; general residential uses; local business purposes; resort purposes; private open space and private roads.

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

Yes, Knysna Zoning Scheme Regulations

(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

Application is made simultaneously for the rezoning and subdivision and departures as well as amendment of the Sub Regional Structure Plan.

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

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

Refer to the attached Motivation Report

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.

The following are attached:

(a) The title deeds to the land (original and copy for Director: Local Government and a copy for the local authority).

(b) Twelve copies of a locality plan (10 for the

Die volgende word aangeheg:

(a) Die titelbewysse van die grond (korsprinklike en kopie vir Direkteur Plaaslike Bestuur en kopie vir plaaslike owerheid).

(b) Twaalf afdrukke van liggingsplan (10 vir die
Director: Local Government 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 of a sketch plan (10 for the Director: Local Government 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: Local Government

Signature of Applicant ____________________________ Handtekening van Aanvorder

Name in block letters ____________________________ MARIKE VREKEN ____________________________ Naam in blokletters

NOTE
On receipt of the application by the Director: Local Government, 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 Official Gazette and shall claim the cost in respect thereof from the applicant.

NOTA
By ontvang van die aanvraag deur die Direkteur: Plaaslike bestuur sal die plaaslike overheid in kennis gestel word van die eiendomme in die omgewing aan die eienaars waarvan kennis van hierdie aanvraag beteken moet word en die vorm van die kennisgewing wat hy aan sodanige eienaars sal moet beteken. Die plaaslike overheid sal enige kennisgewing wat in die pers en die Offisiële Koerante gepubiseer word, behartig en sal die kostes daarvan van die applikant kan vorder.
## PART B

<table>
<thead>
<tr>
<th>MUST BE COMPLETED BY LOCAL AUTHORITY</th>
<th>DEEL B: MOET DEUR DIE PLAASLIKE OWERHEID VOLTOOI WORD</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Have all the necessary supporting documentation been submitted with this application?</td>
<td>(1) Is die nodige stawende dokumente met hierdie aansoek ingediens?</td>
</tr>
<tr>
<td>(2) Is the information furnished by the applicant correct?</td>
<td>(2) Is die inligting deur die aansoeker verstrek, korrek?</td>
</tr>
<tr>
<td>(3) Have the following been submitted by the applicant?</td>
<td>(3) Is die volgende deur die aansoeker ingediens?</td>
</tr>
<tr>
<td>(a) Copy of notice served on the surrounding owners</td>
<td>(a) 'n Afrif van die kennisgewing wat aan die omliggende eienaars beteken is?</td>
</tr>
<tr>
<td>(b) List of Erf numbers and names of the registered owners on whom notice has been served.</td>
<td>(b) 'n Lys van erfnommers en die name van die geregistreerde eienaars aan wie kennis beteken is.</td>
</tr>
<tr>
<td>(c) Copies of registered postal receipts.</td>
<td>(c) Afskrifte van die geregistreerde poskвитaties.</td>
</tr>
<tr>
<td>(4) Council’s full comments on the application.</td>
<td>(4) Raad se volledeg kommentaar oor die aansoek.</td>
</tr>
<tr>
<td>(5) Council recommendation and detail of any conditions which it desire to be imposed:</td>
<td>(5) Raad se aanbeveling en besonderhede van enige voorwaarde wat hy wil last stel:</td>
</tr>
</tbody>
</table>

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

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

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

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

   (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: -

In die geval van ’n toestemmings gebruik kragtens die dorpsaanlegskema moet die volgende inligting verskaf word: -
(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: Local Government direct with this application for amendments of conditions (i.e., the minor subdivision must not be sent to the Surveyor General).

(a) 'n Sertificaat ten effekte dat die bepaleings van die Dorpsbeplanningskema met betrekking tot die advertering van die voorgestelde gebruik nagekom is en dat die plaaslike overheid die aansoek ingevolge die skema goedgekeur het.

(b) Kopië van enige besware ontvang.

OPMERKINGS

i) In dien 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 Titelvoorwaardes vergezel.

ii) Indien die aansoek 'n onderverdeling behels, gelieve te verseker dat die aansoekvorm ten opsigt van die klein onderverdeling wat deur die aansoeker ingediend word, registreers aan die Direkteur: Plaaslike Bestuur gestuur word tansames met hierdie aansoek om die wysiging van voorwaardes (d.w.s. die aansoek ten opsigt 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.
TOWN CLERK/SECRETARY _______________________ STADSKLERK/ SEKRETARIS
DATE _________________________________________ DATUM
ANNEXURE C:

Title Deed
DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MICHELLE YVONNE du PLESSIS

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said appearee being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at KNYSNA on 4 MAY 2005 granted to him by

JOHN STANIFORTH
Identity Number 400315 5101 08 2
Married out of community of property

[Signature]
And the appealer declared that his said principal had, on 21 December 2004, truly and legally sold by Private Treaty, and that he, the said Appraiser, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

TRACKSTAR TRADING (PRIVATE) LIMITED
No. 2000/009088/07

or its Successors in Title or assigns, in full and free property

ERF 5084 KNYSNA IN THE MUNICIPALITY AND DIVISION OF
KNYSNA, PROVINCE OF THE WESTERN CAPE;

IN EXTENT 39,1100 (THIRTY NINE COMMA ONE ONE ZERO ZERO) HECTARES

FIRST TRANSFERRED and still held by Deed of Transfer No.

A. SUBJECT to the conditions contained in Certificate of Amended Title No. 3583 dated 19th April, 1926;

B. ENTITLED to the terms of the endorsement dated 7th December, 1945 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:

*REGISTRATION OF SERVITUDE

By D/T 17471 dated 7.12.1945 the owner of the remainder of the land held hereunder and its successors in title whilst owner of not less than 171,3064 hectares of the farm Eastford shall be entitled to the use and enjoyment of a right of way road shown as running approximately from beacon f to beacon c on diagram S.G. 5912/1944 of Erf 204 thereby conveyed subject to conditions. As will more fully appear on reference to said Deed of Transfer.*

C. ENTITLED to the terms of the endorsement dated 7th January 1948 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:

*REGISTRATION OF SERVITUDE

By T/frs. 229, 230, 232 & 223 dated 7.1.1948
The property transferred is subject to certain conditions imposed by
the owner of the remaining extent of the land held hereby for its benefit
which conditions relate to
(a) Use for residential, agricultural, horticultural or farming
purposes only.
(b) Value of buildings erected to be not less than R1 000.00
(c) Building material to be used in the buildings erected and
(d) ......................
As will more fully appear on reference to said Deed of Transfer."

D. ENTITLED to the terms of the endorsement dated 30th October, 1956
on Certificate of Amended Title No. 3583 dated 19th April, 1926, 
reading as follows:-

"REM. REGISTRATION OF SERVITUDE
By Deed of Transfer 15676 dated 30.10.1958 the owner and his
successors in title to the Rem. of Erf 203 held hereunder is entitled to
the benefit of conditions imposed in respect of Erf 2787 thereby
transferred, relating to:
(1) Restriction on use of erf for certain purposes;
(2) Building lines;
(3) Prohibition of Advertising displays;
(4) Prohibition on use of Corrugated iron;
(5) Prohibition on use of Hotel or Boarding House purposes and for
certain other business purposes, trade or manufacture permitting,
however use as a nursery;
(6) Prohibition of use for hospital, Church, school etc.
(7) Value of residence, outbuildings and other structures which may
be erected in certain circumstances, materials to be used;
(8) Prohibition on subdivision;
(9) ......................
(10) Limitation for claims for contribution for maintaining and
erecting gates and fences etc."

E. ENTITLED to the terms of the endorsement dated 29th June, 1959 on
Certificate of Amended Title No. 3583 dated 19th April, 1926, reading
as follows:-

"REM. REGISTRATION OF SERVITUDE."
By D/T 8482 dated 29.8.1959 the remainder of Erf 203 held hereunder is entitled to the benefit of conditions imposed against erven 2704 and 2705 thereby conveyed, relating to (i) restriction on use for certain purposes; (ii) Subdivision; (iii) Nature and value of buildings; (iv) Construction of buildings

As will more fully appear from said Transfer.

F. ENTITLED to the terms of the endorsement dated 28th August, 1959 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:–

"REM. REGISTRATION OF SERVITUDE.

By D/T 11724 dated 28.8.1959 the remainder of erf 203 held hereunder is entitled to the benefits of conditions imposed against erven 150 meas. 1349 sq. metres and 151 meas. 1431 sq. metres thereby conveyed relating to:

1. Restriction on use for certain purposes
2. Subdivision
3. Nature and value of buildings
4. Construction of buildings
5. 

As will more fully appear on reference to the said Transfer.

G. ENTITLED to the terms of the endorsement dated 20th October, 1959 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:–

"REM. REGISTRATION OF SERVITUDE

By D/T 14667/1959 dated 20.10.1959 The remainder of Erf 203 held hereunder is entitled to the benefit of conditions imposed against erf 141= 1677 sq. metres thereby conveyed in regard to–

(a) Restriction of use for certain purposes only.
(b) Subdivision
(c) Nature and value of Buildings,
(d) Construction of buildings
(e) 

As will more fully appear upon reference to the said Deed of Transfer."
H. ENTITLED to the terms of the endorsement dated 1st April, 1960 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:-

"REM. REGISTRATION OF SERVITUDE
By D/T 4744 dated 1.4.1960 the remainder of Erf 203 held hereunder is entitled to the benefit of conditions imposed against erven 157, 158 and 159 thereby conveyed relating to:
(1) Restriction on use for certain purposes.
(2) Subdivision.
(3) Nature and value of buildings.
(4) Construction of buildings.
(5) ....................
As will more fully appear from said Deed of Transfer."

I. ENTITLED to the terms of the endorsement dated 5th January, 1961 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:-

"REM. REGISTRATION OF SERVITUDE
By D/T 64 dated 5.1.1961 the remainder of Erf 203 held hereunder is entitled to the benefit of conditions imposed against Erf 175 thereby conveyed in regard to:
(1) Restriction on use for certain purposes.
(2) Subdivision.
(3) Nature and value of buildings.
(4) Construction of buildings.
(5) ....................
As will more fully appear upon reference to the said Deed of Transfer."

J. ENTITLED to the terms of the endorsement dated 6th May, 1966 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:-

"REMAINDER REGISTRATION OF SERVITUDE
By Deed of Transfer No. 8230/66 dated this day the remainder of Erf 203 held hereunder is entitled to the benefit of conditions imposed against erf 198 thereby conveyed relating to:
(1) Restriction on use for certain purposes only.
K. SUBJECT to the terms of the endorsement dated 16th October, 1969 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:-

"REMAINDER MEASURING 1029,1030 Hectares.

By Notarial Deed No. 546/69 dd. 30.6.69 the rem. of the within ppty (meas. 1029,1030 ha) is subject to the following servitude right in favour of the Municipality of Knysna.

(1) To construct lay and maintain a pipe and power line to convey water and electricity.

(2) To construct roads and use existing roads.

(3) To construct Pump Houses etc. along routes and positions still to be determined.

With ancillary rights and subject to conditions.

As will more fully appear from the said Notarial Deed.

L. ENTITLED to the terms of the endorsement dated 27th April, 1970 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:

"REMAINDER REGISTRATION OF SERVITUDE

By Deed of Transfer No. 10654 dated this day, erf 152 Knysna meas. 1,655 sq. metres transferred thereby is subject to the following conditions in favour of the remainder of Erf 203 Knysna held hereunder.

(1) Restriction on use for certain purposes only.

(2) Cost of building to the value of R700.00

As will more fully appear on reference to said Deed of Transfer."

M. ENTITLED to the terms of the endorsement dated 20th August, 1971 on Certificate of Amended Title No. 3583 dated 19th April, 1926, reading as follows:-
"REMAINDER"

By Deed of Transfer No. 22038 dated this day the remainder of the within property is entitled to a servitude right of way 12.59 metres wide relating to pedestrian and vehicular traffic and driving of animals over Erf 3954 measuring 4,6108 ha. thereby conveyed, the southern boundary of which right of way is depicted by the line D.C. on diagram 6407/87 thereby annexed.
As will more fully appear from said Deed of Transfer."

N. ENTITLED to the terms of the endorsement dated 20th August, 1971 on Certificate of Amended Title No. 3553 dated 19th April, 1926, reading as follows:-

"REMAINDER"

By Deed of Transfer No. 22037/1971 dated this day erf 139 Knysna measuring 1478 square metres transferred thereby is subject to the following conditions in favour of the remainder of erf 203 Knysna held hereunder.
(1) Restriction on use for certain purposes only
(2) Cost of building to the value of R700.00.
As will more fully appear on reference to said Deed of Transfer."

O. SUBJECT to the following condition contained in said Certificate of Registered Title No. 20866 dated 13th July, 1976 imposed by the Administrator of the Cape of Good Hope under the provisions of Ordinance 33 of 1934, when app of the said Township:-

"This portion shall only be used for single residential purposes or for such purposes as the Administrator may from time to time after reference to the Townships Board and the local authority, approve, provide that if the erf is included within the area of a Town Planning Scheme the local authority may permit such buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme."

P. SUBJECT FURTHER to the servitude referred to in the following endorsement dated 13th July, 1976 on said Certificate of Registered Title No. 20866 dated 13th July, 1976:-
"By Notarial Deed No K899/1976(S) the properties held hereunder are subject to a right in favour of Electricity Supply Commission to convey electricity thereover, together with ancillary rights, and subject to conditions, as will more fully appear from reference to the said Notarial Deed (and diagram), groove whereof is annexed hereto."

the dotted lines n.p.q.r.s.t. and u.v.w.x.y.z. on the said diagram No. 9288/87 each represents the centre line of one of the Electric Power Transmission servitudes registered by the said Notarial Deed No. K899/1976S.
ANNEXURE D:

S.G. Diagrams of Erf 5084
SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING
AGENDA
26 OCTOBER 2018

DESCRIPTION OF BOUNDARIES:
A. K............Concrete block 150x150mm
C D E F G H J........20mm iron peg and cairn
J............Concrete block 150x150mm in diam. proj. 450mm with 25mm pipe at centre

NOTE: The dotted lines npqrst uvwxyz each represents the centre line of an Electric Power Transmission servitude vide diagram no. 7897/75 annexed to D/T

Scale 1:20,000

The figure ABCDEFGHJK represents 39,1100 hectares

ERF 5084 (a ptn. of ERF 4009) KNYSNA
situated in Eastford Township Ext. No. 1 in the Municipality and Administrative District of Knysna, Province of Cape of Good Hope.
Surveyed in August 1987, August 1960 and June 1971

This diagram is annexed to No. D/T 4-9731/89
file No. 3/5087/21/33
S.R. No. 8 2891/87
Comp. AM-AAA/122
Gen. Plan P73 (2989)
TP 8320
Comp. AM-AAA (3599)
AMNA-1381-13/02/32231

Registrar of Deeds

166 | Page
This Subdivision is exempt from the provisions of Chapter III of Ordinance 15 of 1985 in terms of Section 23(1).

Reason : Transfer from Municipality

Reference : B.P. 1234, 1989... H.G.(

-3 FEB 1988

TOWN CLERK

THI S P O R T I O N IS A P P R O V E D
IN TERMS OF ACT 54 OF 1971.

EXEMPT FROM PROVISIONS OF
CHAPTER III OF ORD. 15/1985
ANNEXURE E:

Eskom Servitude Diagram
Attention: Marike Vreken

KNYSNA ERF 5084: PROPOSED REMOVAL OF RESTRICTIONS; REGIONAL STRUCTURE PLAN AMENDMENT; REZONING AND SUBDIVISION
YOUR REF: Pr0601b12
OUR REF: 00854/08

Your letter dated 10 September 2008 refer.

1. Eskom has no objection to the above rezoning and subdivision, and include the following drawing indicating Eskom existing services, please take note a 66kV and 132kV overhead line crosses the property with a 35m servitude restriction.

- Drawing included: Map request 00854/08

2. This is not an approval for applicant to undertake any work in close proximity in Eskom services in proposed area as indicated on the included drawing.

3. Should it be necessary to move or support any of Eskom’s services, at least 3 month’s notice in writing is required and cost will be entirely for the account of the Developer/Applicant.

4. Eskom’s right on the property will not be affected.

Yours faithfully

Shaun Swanepoel
LAND DEVELOPMENT: BRACKENFELL
ANNEXURE F:  

Zoning Certificate
ZONING CERTIFICATE

TO WHOM IT MAY CONCERN

ERF 5084 KNYSNA

It is hereby confirmed that the above property is zoned "AGRICULTURAL" in terms of the Knysna Zoning Scheme (1992).

DATE OF ISSUE:

E.J. HILL
CHIEF TOWN PLANNER

/ph

KNYSNA

MUNICIPALITY/MUNICIPALITY/UMASPELX

0 5 SEP 2006
PRELIMINARY
BOTANICAL ASSESSMENT
FOR
ERF 5084, KNYSNA

Reference: KNY07/566/01

Hilland Associates

Compiled: April 2007

Compiled by: Hilland Associates
Table of Contents

1 INTRODUCTION ............................................. 4
1.1 Location of Study Site .................................. 4

2 REGIONAL SIGNIFICANCE .................................. 4

3 Botanical Descriptions .................................... 5
3.1 Pastures / Grass-dominated vegetation .................. 5
3.2 Remnant afro-montane forest/ thicket vegetation ....... 6
3.3 Invaded thicket / fynbos transitional vegetation ...... 6

4 BOTANICAL SENSITIVITY .................................. 7
4.1 High environmentally sensitive areas .................... 7
4.2 Moderate environmentally sensitive areas ............... 8
4.3 Low environmentally sensitive areas ..................... 8

5 ASSESSMENT OF LAYOUT AND SUGGESTED MITIGATORY MEASURES 8
5.1 Section of the proposed development South of the Eastford link Road .... 8
5.2 Section of the proposed development between the Eastford link road and the 1:00 year flood line ........................................ 9
5.3 Resort units North of the 1:100 year flood line ........... 10
5.4 Proposed business site north of the 1:00 year floodline .... 11

6 GENERAL MITIGATORY MEASURES .......................... 11

7 CONCLUSION .................................................. 12

Figure 1: Environmental Assessment of erf 5084, Knysna in terms of CAPE
Figure 2: Environmental Assessment of erf 5084, Knysna in terms of NSBA
Figure 3: Environmental Assessment of erf 5084, Knysna in terms of STEB
Figure 4: Botanical Sensitivity Assessment of erf 5084.

Erf, 5084, Knysna

Preliminary Botanical Assessment
1 INTRODUCTION

Hilland Associates were appointed by Marike Vreken town Planners to undertake a Botanical Sensitivity analysis for the proposed development Erf 5084, Knysna). The specific terms of reference was to:

- Determine the overall vegetation conservation value of the site;
- Identify areas of environmental concern in terms of both botanical sensitivity and conservation importance;
- Determine / magnitude the degree of environmental concern;
- Provide appropriate recommendations for change in layout;
- Highlight important environmental control measures that would need to be implemented in order to maintain the environmental concern to a minimum;
- determine the vegetation environmental sensitivity of the various components of the site; and to
- determine the areas that have a high potential for rehabilitation of indigenous vegetation.

1.1 Location of Study Site

Erf 5084 is situated directly North of Knysna Heights, north-west of Knysna. The property is bordered by the "Ou Kaapse Weg" on the West.

2 REGIONAL SIGNIFICANCE

The regional significance of the study site has been determined in terms of a number of biodiversity programs, namely:

- The Cape Action Plan for People and the Environment (CAPE);
- The National Spatial Biodiversity Assessment (NSBA); and
- The Sub-tropical Thicket Ecosystem program (STEP).
The results and interpretation of these regional assessments are shown in figures 1-3 attached to this report, as follows:

- Figure 1: Environmental Assessment of erf 5084, Knysna in terms of CAPE
- Figure 2: Environmental Assessment of erf 5084, Knysna in terms of NSBA
- Figure 3: Environmental Assessment of erf 5084, Knysna in terms of STEP

### 3 Botanical Descriptions

The following details the status quo of the botanical component on site.

#### 3.1 Pastures / Grass-dominated vegetation

A large section of the Southern section of the property is made up of grass dominated pasture areas. This community is dominated by members of the family Poaceae (grasses), with a significant amount of kikuyu (*Pennisetum clandestinum*) (an alien grass species commonly used for pastures and lawns). However, a number of other grasses also occur and include indigenous species such as *Eragrostis curvula*, *Cynodon dactylon*, *Stenotaphrum secundatum*, *Harpochloa faix*, *Lolium perenne*, *Briza maxima*, *Digitaria sanguinalis*, *Digitaria erianthra* and *Eragrostis capensis*.

A number of herbaceous plants (including shrubs) occur scattered across the pastures. These plants tend to be mostly pioneer fynbos species such as *Helichrysum petiolare*, *Passerina rigida*, *Conyza scabrida*, *Erica densifolia* and *Senecio spp*.

Alien invasive species include *Pinus spp.*, *Eucalyptus spp.*, Scottish Thistle (*Cirsium vulgare*), Inkberry (*Castrum spp*.), Thorn Apple (*Datura stramonium*), Bramble (*Rubus sp*) *Acacia mearnsii* and *A. saligna*. These aliens tend to be sparsely scattered throughout the pastures and also occur in clumps.

---

**Erf, 5084, Knysna**

Preliminary Botanical Assessment
The botanical sensitivity for the pasture areas is considered to be low.

### 3.2 Remnant afro-montane forest/thicket vegetation

There are remnants of afro-montane forest and riparian thicket are present along the stream, with a moderate to high invasion of exotic vegetation in places. This vegetation is botanically sensitive and forms an important ecological corridor function. Indigenous species occurring within this vegetation type include: *Tarchonanthus camphoratus*, *Rhus lucida*, *Grewia occidentalis*, *Gymnosporia buxifolia*, *Rapanea melanophloeos*, *Carissa bispinosa*, *Chrysanthemoides monilifera* and *Diospyros dichophylla*. This vegetation type is subsequently considered to be of very high sensitivity.

A number of alien species are scattered throughout this vegetation type. These include *Acacia mearnsii* and *A. melanoxylon*. The density of the aliens are, however, not high enough to warrant this vegetation as having medium or low vegetation sensitivity. The aliens should be systematically removed as part of an alien clearing and control program for the property (see section of report pertaining to general mitigatory measures).

This vegetation type forms an important ecological corridor function and its disturbance should be completely avoided.

### 3.3 Invaded thicket/fynbos transitional vegetation

A portion of the property consists of an invaded thicket/fynbos transitional vegetation. This vegetation type is mostly situated between the historical pasture areas and the riparian vegetation, with a few small pockets situated within the historical pasture areas.
This vegetation type consists of a mixture of thicket species (dominated by *Rhus lucida* and *Chrysanthemoides monilifera*) and certain pioneer fynbos species (*Helichrysum petiolare*, *Passerina rigida*, *Conysa scabrida*, *Erica densifolia* and *Senicio spp*). A number of grasses, such as *Eragrostis capensis* and *Eragrostis curvula*, are also present.

The vegetation type is considered to be of moderate sensitivity.

The presence of a high density of alien species result in this vegetation type being classified as moderate sensitivity. However this vegetation is often associated with the minor drainage lines leading to the stream. This should therefore be considered when developing the storm water management plan.

### 4 BOTANICAL SENSITIVITY

The botanical sensitivity for erf 5084 is indicated on the attached figure 4. As can be seen from the attached figure, there is quite a diversity of sensitivity classes present on the site.

**NOTE:** That boundaries of the various sensitivity classes have been determined taking the botanical and ecological functioning of the area into account. Consideration has not been given to other aspects such as visual sensitivity, geohydrological functioning and steep slopes etc. These however may need to be considered.

#### 4.1 High environmentally sensitive areas

These areas include areas that have not been affected by human impact or have been moderately affected by human disturbance. This includes the vegetation associated with the stream traversing the property from east to west. This area has been included as a high sensitivity predominantly due to its ecological corridor function.
Disturbed pockets within this high sensitivity vegetation type, are considered to have a high rehabilitation potential.

4.2 Moderate environmentally sensitive areas

These are mostly natural areas invaded by alien vegetation or previously disturbed areas in a state of recovery as well as an existing wetland on the property. The spatial location of these areas are mostly along the transition between the thicket and the historical pasture areas.

These areas are considered to have a low - moderate rehabilitation potential. Although the full rehabilitation of these areas is possible, it will be an extremely costly, long term exercise.

4.3 Low environmentally sensitive areas

These are areas where no or very few natural tracts of vegetation occur. These areas are considered to be modified to such an extent that that the re-instatement of these areas to an ecological functioning state is not considered viable. These areas therefore are considered to have a low rehabilitation potential.

5 ASSESSMENT OF LAYOUT AND SUGGESTED MITIGATORY MEASURES

5.1 Section of the proposed development South of the Eastford link Road

The proposed layout in this area consists of a number single and general residential sites and associated access infrastructure as well sections of private open space.
These units are situated on previously disturbed areas with a low to moderate botanical sensitivity.

The following mitigatory measures are suggested for this area;
- A full plant rescue exercise of the total footprint area of the development (although the area has been previously disturbed, certain geophytes and thicket species are present);
- Demarcation of the disturbance area during construction;
- Development of a storm water management plan to ensure that natural surface run off patterns are maintained; and
- The total rehabilitation of the open space areas. (removal of alien vegetation in line with an approved invasive vegetation management plan and planting of rescued plants from the developed area. It is strongly recommended that the open space areas be rehabilitated and not landscaped, as they can form important ‘stepping stone corridors’ within an urban landscape.

If these mitigatory measures are implemented, the impact will be considered to be negligible.

5.2 Section of the proposed development between the Eastford link road and the 1:00 year flood line

The proposed development in this area consists single residential plots with associated infrastructure and private open space.

The majority of the development is proposed within previously disturbed areas. Plots 100, 102 – 105 & 112 – 118 encroach slightly into the disturbed riparian area.

The following mitigatory measures are proposed for this area;
• Plots 100, 102 – 105 & 112 – 118 should be set back at least 10 meters behind the 1:100 year flood line; i.e. it should allow for a minimum of a 40m buffer along the river (the river buffer is indicated in yellow on the attached figure 4)
• A minimal 5m building line should be implemented on the above mentioned erven and all services (gravity sewer lines etc) should be accommodated within this building line. No additional disturbance should take place north of the property boundaries;
• The storm water management should be developed to accentuate the wetland components;
• A full plant rescue exercise of the total footprint area of the development (although the area has been previously disturbed, certain geophytes and thicket species are present);
• Demarcation of the disturbance area during construction;
• Development of a storm water management plan to ensure that natural surface run off patterns are maintained; and
• The total rehabilitation of the open space areas. (removal of alien vegetation in line with an approved invasive vegetation management plan and planting of rescued plants from the developed area. It is strongly recommended that the open space areas be rehabilitated and not landscaped, as they can form important ‘stepping stone corridors’ within an urban landscape.

If the above mentioned mitigatory measures are implemented, the impact of the proposed development in this area would be considered low to moderate.

5.3 Resort units North of the 1:100 year flood line

These units, could with careful planning undertaken between an ecologist and a land surveyor be placed to have little environmental impact. The access to these units could however have a significant impact.
Should these units be considered, the following mitigatory measures are suggested:

- The exact placement of the units should be determined on site between an ecologist and land surveyor;
- Access to the units should be via foot along a boardwalk;
- Parking for the units should be situated south of the stream in an existing disturbed area; and
- Construction of the units should be done with material that can be carried in by hand along a raised boardwalk.

5.4 Proposed business site north of the 1:00 year floodline

Although the actual site for the proposed business area is disturbed, the impact of accessing the site is considered to be moderate to high. The access route seems to cross the stream along a previously disturbed track. The impacts of providing access to this area although may not have a direct significant impact on the botanical component if mitigated, it will affect the functioning of this important ecological corridor.

It is therefore strongly suggested that this business unit be relocated to South of the 1:100 year floodline, possibly adjacent to one of the general residential areas.

In light of this, should the applicant still wish to consider the business site in its current location, a full ecological assessment should take place of the proposed access as well as a hydrological assessment of the impacts on the stream crossing.

6 GENERAL MITIGATORY MEASURES

There are a number of general mitigatory measures that are suggested that could offset any potential environment impact and even contribute to a positive environmental net gain associated with this proposed development. These are as follows;

Erf, 5084, Knysna

Preliminary Botanical Assessment
7 CONCLUSION

Should all the suggested mitigatory measures be implemented and the recommended changes to the layout be made, this proposed development could result in a net environmental gain on the property. The long term management of the open space areas is still however a concern which needs to be addressed as part of an operational phase environmental management plan.
ANNEXURE H:

Letter of approval for new access road
N PERRING

25 July 2006

Tuiniqua Consulting Engineers
P O Box 2862
Knysna
6570

Dear Sir

ACCESS ROAD TO ERF 5084 KNYSNA

With reference to your letter dated 14 July 2006, the proposed access to
erf 5084 is approved subject to the new bell mouth being bitumen
surfaced to avoid gravel spilling onto Rio Road and storm water being
controlled; details of storm water to be submitted for approval.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES
ANNEXURE I:

Agricultural Potential Report
LANDBOUKUNDIGE POTENSIAAL
- ERF 5084 KNYSNA

TA ROBERTSON
OKTOBER 2006
LANDBOUKUNDIGE POTENSIAAL – Erf5084 Knysna

INLEIDING

’n Landboukundige potensiaalstudie van erf 5084 te Knysna is onderneem. Die grondkundige studie is gedoen op terrein met hellings van minder as 20% (1:4). Gronde is geklassifiseer volgens Grondklassifikasie – ’n Taksonomiese Sisteem vir Suid Afrika – Grondklassifikasie Werkgroep, 1991. Die gronde is ge-evalueer in terme van gewasse wat potensiël hier verbou kan word.

AGTERGROND

GEologiesie

Die gronde het ontwikkel uit verskeie moedermateriaal. Relieke duinmateriaal met ‘n sanderie geaardheid is dominant en oorle Enon konglomerate in die vallei.

TOPOGRAFIE

Die groter gedeelte (80%) van die eiendom is geleë op ‘n steil, 20% hellings, met ‘n noordelike aspek. ’n Smaal gedeelte met <20% helling kom voor as voethang en vloedvlak rondom die Soutrivier wat van oos na wes deur die eiendom vloei. Die klein gedeelte suidelike aspek geleë aan die noordelike grens van die eiendom is minder steil met gedeeltes wat <20% hellings bevat.

PLANTEGROEI

Groot gedeeltes van die eiendom bestaan uit inheemse bos. Op die gelyker gedeeltes is die bos in die verlede verster en het hul gedeeltes ontstaan. Dit is op die gedeeltes waar uitheemse Acacia- en Pinus spesies oorgeneem het.

HUIDIGE GRONDGEBRUIK

Tans word die eiendom slegs benut as ‘n residensiele hoewe. Twee wonings is op die eiendom. Die eiendom beslaan ±32ha. Geen landbou of verwante aktiwiteite vind hier plaas nie. ’n Eskom servituut strek van oos na wes deur die eiendom. Die voorgestelde Knysna verbypad servituut vorm die suidelike grens van die eiendom en loop hoofsaaklik op ’n kruin asook op die steil hoër middelhanggedeelte van die noordelike aspek.
KLIMAAT

Die klimaat is warm gematigd met die koudste maand wat 'n daaglike gemiddelde minimum en maksimum temperatuur van onderskeidelik 7,9°C en 18,5°C het. Die eiendom is geleë in 'n heelejaar reënval streek met die mees regenseisoene in die herfs en lente. Die laagste reënval is in die wintermaande en stem ooreen met die periode van laagste verdamping. Januarie en Februarie is die warmste maande met die hoogste verdamping. Die gemiddelde reënval vir Knysna is 748mm per jaar.

DIE GRONDE

Geen grondbaarmap of kaart word nie. Die gronde potensiaal geskik vir landbou is die voetblandgronde op die noordelike aspek asook 'n gedeelte van die westelike aspek aan die noordkant van die rivier. Hierdie area word op megalaande kontoertuie met kolletjies aangeteken. Die totale area beslaan <8,0 hektaar.

Op die steiler middelhange, veral boë is die noordelike aspek kom podzoliese sande voor. Pinegroevorm, Highbury familie met dieptes van 90 tot 100cm en 'n medium leemsand tekstuur kom hier dominant voor. Bogronde is liggekleur en die gronde het 'n lae waterhouvermoe.

Die voetbland was ten tye van die studie bale nat van die daalweg en dit veral met die lichte windories van die westelike aspek van die gronde. Blom, Knysna en Twee familie met medium leemsand bograndtekstuur kom dominant hier voor. Wisselende watertafels as gevolg van seisoenale natheid is hier aan die orde van die dag. Grootskaalse windvalle van veral indringerbome vind hier plaas.

Dieselfde Kroonstad type gronde kom op die minder steil suidelike voetbland voor.

Op die baie steil suidelike voetblandgronde kom weerens Pinegroevorm voor, maar die gronde het veral koolstofvlakke in die A en B horisonte. Die gronde is ook tot 150cm diep. Inheemsse bos kom hier dominant voor.

Ter opsomming: Die area wat potensiaal geskik is vir landbou-aktiwiteite word onderdeel van die Kroonstadvorm met 'n sandige bogrond. Dieptes tot die klei wissel tussen 30 en 45cm. Hierdie area beslaan sowat 6 hektaar. Die rest is van die eiendom bestaan uit baie steil gedeeltes, asook gedeeltes onder inheemse plantegroei.
LANDBOUKUNDIGE POTENSIAAL

Op die potensieel geskikte gedeeltes kan meerjarige grasweidings aangeplant word. Bewerking in die sensibele gebied moet tot die minimum beperk word. Alhoewel hier op die naburige eiendomme nie meer enige landbou bedryf word nie, kan grootvleë wel die aangeplante gras benut. ‘n Drakrag van 2 grootvleë-eenhede per hektaar kan gehandhaaf word.

 Alvorens die area vir weidings benut sou word, moet dit eers ontbos, bekalk, bemes en gevestig word.

My mening is dat boenoemde nie ‘n ekonomiese landbou-eenheid is nie.
ANNEXURE J:

Letter from Department of Agriculture
SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING
AGENDA
26 OCTOBER 2018

Our reference : 20/9/2/4/6/445
Your reference : Pr06/01b/405
Enquiries : Jan Smit

Marike Vreken Town & Regional Planner
P.O. Box 2180
Knysna
6570

Attention: Marike Vreken

PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT: DIVISION KNYSNA REZONING & SUBDIVISION: KNYSNA ERF 5084

Your letter of 26 January 2006 has reference.

The proposed development has the intent to establish single residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.

The Department of Agriculture: Western Cape has no objection from an agricultural land use potential perspective, to the proposed amendment of the Knysna-Wilderness-Plattekloof Bay Guide Plan whereby the reservation for above-mentioned property to be changed from "Agriculture/Forestry" to "Township Development" and "Nature Area" in order to accommodate the above-mentioned development.

Yours sincerely

A. ROUX
ACTING DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT
2007-02-16

Copies to:
Directorate Land Use and Sustainable Resource Management
National Department of Agriculture
Private Bag X120
PRETORIA
0001

The Municipal Manager
Knysna Municipality
P.O. Box 21
KNYSNA
6570

Privaatsak X1 / Private Bag X1, Elsenburg 7507
Tel: (021) 808 5111 • Faks/Fax: (021) 808 5120 • Webwerf/Website: www.eisenburg.com
LANDBOU-ONTWIKKELINGSENTRA / AGRICULTURAL DEVELOPMENT CENTRES:
ELSENBURG • GEORGE • MOORREESBURG • OUDTSHOORN • VREENDAL
ANNEXURE K:

ROD from Heritage Western Cape
Heritage Western Cape hereby notifies:

Ron Martin Heritage Consultancy
7 Suikerbossie Street
FOREST VILLAGE
7100

RECORD OF DECISION

Of its comments, decisions and recommendations in terms of the National Heritage Resources Act (Act 25 of 1999) and Regulation 3(3)(a) of PN 298 (29 August 2003)

For: proposed development

At: Erf 5084, Eastford, Knysna

DECISIONS, COMMENTS AND RECOMMENDATIONS:

Your Notification of Intent to Develop dated 14 February 2007 refers.

I can hereby confirm that in terms of section 38(8) of the National Heritage Resources Act 25 of 1999:

- no further study is required and the development may proceed, with no conditions.

Please note that this decision applies to the heritage related aspects of the development only and does not exonerate the applicant from obtaining approvals from other relevant authorities.

For Chief Executive Officer: Heritage Resource Management Service p.p. Heritage Western Cape

Copy to: Knysna Municipality, P O Box 21, Knysna, 6570
ANNEXURE L:

Extract from Knysna Plett Herald, 11 October 2007
ANNEXURE M:

Civil Services Report
ERF 5084 KNYSNA

REVISED CIVIL INFRASTRUCTURE SERVICE REPORT FOR SUBDIVISION

1. BACKGROUND

1.1. This report is a revision of the original report dated 12 October 2006 and provides information regarding the civil infrastructure required for the proposed residential development on Erf 5084, Knysna.

1.2. Tuiniqua Consulting Engineers has been appointed by the owners Track Star Trading 7 (Pty) Ltd, as Structural and Civil Engineers for this project.

1.3. Services are planned according to the “Guidelines for Human Settlement Planning and Design” and references in this report refer to the Guidelines.

1.4. Erf 5084 is located to the north of Rio Street, south of Sout River and east of Old Cape road.

1.5. The proposal is to rezone the property to the following:

Table 1.

<table>
<thead>
<tr>
<th>Zoning</th>
<th>No. of units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>19 erven</td>
</tr>
<tr>
<td>Group Housing</td>
<td>75 erven</td>
</tr>
<tr>
<td>General Residential</td>
<td>6 erven with 78 units</td>
</tr>
<tr>
<td>Local Business</td>
<td>16x Residential and 16 x 88m² shops</td>
</tr>
<tr>
<td>Resort</td>
<td>1 erv with 15 log cabins</td>
</tr>
<tr>
<td>Private Open space</td>
<td>24.01 ha</td>
</tr>
<tr>
<td>Private Roads</td>
<td>4.05 ha</td>
</tr>
</tbody>
</table>

1.6. A preliminary geotechnical site investigation was done and is available from Tuiniqua Consulting Engineers (Pty) Ltd. Reg no 2005/042257/07

Directors: Oudtshoorn: Aile Killian (Pr Tech NHDT MSAICE) Knyysna: Serett Maree (Pr Eng, B Eng (Civ) MSAICE)
George: Paul Goedhart (Pr Eng, M Eng) Plettenberg Bay: Francois Scholtz (Pr Eng, B Eng (Civ))

REGISTERED FIRM – THE SOUTH AFRICAN ASSOCIATION OF CONSULTING ENGINEERS
Engineers or from Siyakhula Lab.

1.7. The maximum slope on certain areas on the development is steeper than the allowable 1: 4 for development. The areas with slopes of less than 1:4 were identified and only these areas will be developed.

1.8. The Soutrivier crosses the erf and the 1: 100 and 1: 50 year flood lines were determined. No development will take place within the flood lines.

1.9. The civil bulk services were discussed with the municipality and no problems were foreseen at the time of the original report in October 2006 with the provision of any bulk services.

1.10. The access route to the site from Rio Street crosses the proposed N2 bypass servitude.

1.11. Erf 5084 is divided into two by an Eskom servitude running from east to west over the stand.

1.12. Municipal water lines cross the erf without registered servitudes. These lines are indicated on the town planner’s layout and are located within 5m from the overhead power lines.

1.13. The water lines will be relocated where the Local business area and General Residential zones are split by the waterline.

1.14. It is recommended that servitudes be registered for these services.

2. SERVICES:

2.1 Roads: The following roads will be required for this project:

2.1.1 Access Road:

2.1.1.1 The only access to this development is from Rio Street over the proposed N2 bypass servitude.

2.1.1.2 Permission was obtained from Sanral and Knysna Municipality for the access road. (See attached letters)

2.1.1.3 A traffic impact study was done and was submitted to Knysna Municipality. (See attached letter from Knysna Municipality dated 15 October 2007).

2.1.1.4 The Municipality approved the Traffic impact study with conditions of approval as per the attached letter.

2.1.1.5 The access road will be 2 x 3.5 m lanes from the development to Rio Street within a 20m road reserve.
2.1.1.6 The road will be surfaced.

2.1.2 Internal roads:
2.1.2.1 The road from the entrance to the parking area will be regarded as the main access with the same lane width as the access road to the development. (3.5m lane width)
2.1.2.2 Minimum lane widths of all other internal roads of 2.7m are recommended with a total width of 5.4m.
2.1.2.3 All internal roads will be surfaced.
2.1.2.4 Stormwater should discharge into stormwater pipes alongside roads from where the water will be released into natural water courses and eventually into the Sout River.
2.1.2.5 The geotechnical report will address the founding, conditions for the proposed roads.
2.1.2.6 The topography allows for the design of an effective road network within the maximum 10% to 12% gradient requirement. Should the gradient be steeper than 12%, it will be for over short distances only.
2.1.2.7 The structural design period for the roads will be 20 years.

2.2 Storm water:
2.2.1 The topography of the area allows the discharge of the stormwater from stormwater pipes into the existing stream or into natural water courses.
2.2.2 The layout of the township should allow for green areas where the topography forms natural water courses.
2.2.3 A 100-year recurrence interval flood line is required in terms of the National Water Act on residential development plans. This flood line for the river crossing the development was determined and no residential erven will be developed within the 1: 100 year line. The 1: 50 year flood line is also shown on the drawings. The expected floods for different flood recurrence intervals are as follow:

1:100 - 78 m³/s
1:50  - 61 m³/s
1:20  - 42 m³/s
1: 10  - 29 m³/s

Catchment area – 7 km² Length of longest water course – 7.227km.
Mean annual rainfall - 721 mm Weather bureau station - 14063 at Knysna.

The flood was determined with the computer program DETFLOOD 4.0.1.

The 1: 100 year flood line was determined with the computer program HEC-RAS Version 3.1.3.

The required design flood frequencies are summarised in Table 2.

Table 2: Design Flood frequencies

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>DESIGN FLOOD RECURRENCE INTERVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>50 years</td>
</tr>
<tr>
<td>Institutional (e.g. schools)</td>
<td>50 years</td>
</tr>
<tr>
<td>General commercial and industrial</td>
<td>50 years</td>
</tr>
<tr>
<td>High value central business districts</td>
<td>50 – 100 years</td>
</tr>
</tbody>
</table>

2.2.4 It will be important to control and monitor the quality of the discharge of the existing stream since it contributes to the water quality of the Knysna lagoon.

2.3 Water reticulation:

2.3.1 The water demands for the different zones are summarised in Table 3.

Table 3 Water Demand

<table>
<thead>
<tr>
<th>Zone</th>
<th>Erven</th>
<th>Units</th>
<th>Average Water Demand per unit (litres/day)</th>
<th>Average Water demand/zone/day (m³/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>19</td>
<td>19</td>
<td>1000</td>
<td>19</td>
</tr>
<tr>
<td>Group Housing</td>
<td>100</td>
<td>100</td>
<td>800</td>
<td>80</td>
</tr>
<tr>
<td>General Residential</td>
<td>8</td>
<td>8</td>
<td>700</td>
<td>54.6</td>
</tr>
<tr>
<td>Resort</td>
<td>1</td>
<td>1</td>
<td>400</td>
<td>4</td>
</tr>
<tr>
<td>Local Business</td>
<td>1</td>
<td>1</td>
<td>400</td>
<td>6.4</td>
</tr>
<tr>
<td>General Residential in</td>
<td>1</td>
<td>1</td>
<td>400</td>
<td>6.4</td>
</tr>
<tr>
<td>Local Business area</td>
<td>1</td>
<td>1</td>
<td>400</td>
<td>6.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>19</td>
<td>19</td>
<td><strong>152.4</strong></td>
<td><strong>14.11</strong></td>
</tr>
</tbody>
</table>

2.3.2 The Municipality proposed that water be supplied from the Eastford Reservoir via The Green Pastures development. After discussions with SSI Consulting Engineers, the appointed engineers to do the master planning for the water reticulation for Knysna Municipality, the following possibilities
were also suggested:

2.3.2.1 From Witlokasie Reservoir. This reservoir is however already utilized over capacity.

2.3.2.2 From the proposed new reservoir at Eastford. This will require a new pipeline from the reservoir to erf 5084 of approximately 4km. This line can be on the same servitude as the pump line to the reservoir.

2.3.2.3 From the proposed new pump line. This will require a new reservoir to be financed by the developer. The size of the reservoir required for this development is 500 kl. This size is not economical and it will be advantageous to negotiate with the council to provide a larger reservoir with a contribution from the council.

2.3.2.4 SSI is of the opinion that the capacity of the Green Pasture reticulation is not adequate to supply water to erf 5084.

2.3.3 It is our recommendation to make use of alternative 2.3.2.3 provided a suitable location for the reservoir can be provided by the council. The reservoir should be at a height of 160m-170m to provide a minimum static height of 24m for the development.

2.3.4 The water will gravitate from this reservoir by means of a 200 mm diameter pipe to feed the development. The capacity of the main line is determined by the minimum design fire flow of 6000 liter/min (100 l/sec).

2.3.5 The following fire risk categories and design fire flow are applicable to this development:

Table 4. Design Fire Flow.

<table>
<thead>
<tr>
<th>FIRE RISK CATEGORY</th>
<th>MINIMUM DESIGN FIRE FLOW (liter/min)</th>
<th>MAXIMUM NUMBER OF HYDRANTS DISCHARGING SIMULTANEOUSLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Risk</td>
<td>Not applicable</td>
<td>12000</td>
</tr>
<tr>
<td>Moderate-risk</td>
<td>Group Housing General Res. Business</td>
<td>6000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All hydrants within radius of 270m of the fire</td>
</tr>
<tr>
<td>Low-risk – Group 1</td>
<td>Single Res.</td>
<td>900</td>
</tr>
<tr>
<td>Low-risk – Group 2</td>
<td>Not applicable</td>
<td>500</td>
</tr>
<tr>
<td>Low-risk – Group 3</td>
<td>Not applicable</td>
<td>350</td>
</tr>
<tr>
<td>Low-risk – Group 4</td>
<td>Not applicable</td>
<td>N/A</td>
</tr>
</tbody>
</table>
2.3.6 Fire hydrants will be placed 180m apart.

2.3.7 Storage capacity required is 24kl.

2.4 Sewer:

2.4.1 The sewer reticulation for this development will be pumped to the existing municipal infrastructure on erf 8832 or erf 8835, Rio Street.

The calculated expected sewage flow for the proposed development is summarised as follows.

Table 5: Sewage Discharge

<table>
<thead>
<tr>
<th>Zone</th>
<th>Erven</th>
<th>Units</th>
<th>Average sewage flow (l/day)/unit</th>
<th>Average sewage flow (m3/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>19</td>
<td>19</td>
<td>750</td>
<td>14.25</td>
</tr>
<tr>
<td>Group Housing</td>
<td>75</td>
<td>75</td>
<td>700</td>
<td>52.5</td>
</tr>
<tr>
<td>General Residential</td>
<td>6</td>
<td>78</td>
<td>600</td>
<td>46.8</td>
</tr>
<tr>
<td>Resort</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>Local Business</td>
<td>1</td>
<td>16</td>
<td>Not taken into account</td>
<td>-</td>
</tr>
<tr>
<td>General residential in</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local business area</td>
<td>1</td>
<td>16</td>
<td>600</td>
<td>9.6</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>129.2</td>
</tr>
<tr>
<td>Peak flow l/s</td>
<td></td>
<td></td>
<td></td>
<td>3.5 x 1.15 = 4</td>
</tr>
</tbody>
</table>

A full waterborne sanitation system is envisaged for the proposed development. Bulk sewer drainage will be provided, by means of Class 34x 160 mm diameter pipe that gravitates to the proposed sewer pump station from where it will be pumped to the municipal system in Rio Street.

2.4.2 The average daily flow from this development will be 1.5 l/s (“Guidelines for Human Settlement Planning and Design”).

2.4.3 160mm uPVC class 36 pipes will be used throughout the development.

2.4.4 Emergency storage capacity equivalent to 4 hours flow at the average flow rate will be provided at the pump station.

2.5 Telkom:

2.5.1 Sleeves for Telkom cables will be provided along the roads to Telkom’s specifications.
2.6 Retaining walls:
2.6.1 Engineered designed terrace block retaining walls will be provided where required next to roads.

2.7 BULK SERVICES:
2.7.1 Knysna Municipality was requested to comment on the proposed connection points for water and sewer. Their reply dated Oct 2006 is attached to this report. The connection points and a service report will be finalized between the Developer and the Municipality when detail planning is done.

3. STRUCTURES:
3.1 A detailed geotechnical survey will be conducted to provide the necessary information for foundation designs.

We recommend that this development be allowed as per the proposal.

SERETT MAR EE
TUINIQUA CONSULTING ENGINEERS
Creating

health through

infrastructure

Beste Serett

NASIONALE ROETE 2 SEKSIE 8: TOEGANGSPAD NA ERF 5084, KNYSNA

Dankie vir u brief gedateer 14 Julie 2006.

Die Suid-Afrikaanse Nasionale Padagentskaps Beperk (SANRAL) het op 28 Julie 2006 toegang na Erf 5084 goedgekeur kragtens die bepaling van Artikel 44 van die Wet op Die Suid-Afrikaanse Nasionale Padagentskaps Beperk en op Nasionale Paasie, 1908 Wet 7 van 1998, onderhewig aan die volgende voorwaarde:

- Die ontwerp en konstruksie van die toegangspad na Erf 5084, Knysna sal voldoen aan die standaarde van Knysna Munisipaliteit.

- Die ontwikkelaar sal goedkeuring verkry en die nodige ooreenkoms aangaan met Knysna Munisipaliteit vir die aanleg van die toegangspad asook vir die toekomstige irrigasiehouding daarvan, met inbegrip van grondverkryging en oordrag aan die Munisipaliteit vir pastoelreëls. SANRAL moet voorstel word van die nodige dokumentasie hiervan en finale goedgekeurde plannings voordat enige konstruksie 'n aanvang neem.

- Die konstruksie van die toegangspad moet voltooi word binne 12 maande van datum van goedkeuring van die ontwikkeling deur die Knysna Munisipaliteit.
SANRAL sal nie verantwoordelik wees vir enige uitgawe in verband met die aansoek nie.
SANRAL sal verantwoordelik wees vir die koste verbonden aan die ontwerp en konstruksie van 'n kruissteg struktuur by die kruising onderdeur die voorgestelde N2, wat die voorheen voorgestelde kruissteg ongeveer 117 m oor daarvan sal vervang.

Die uwe

JC VANDER WALT
STREEKBESTUURDER

Doc #169236
N PERRING

25 July 2006

Tuiniqua Consulting Engineers
P O Box 2862
Knysna
6570

Dear Sir

ACCESS ROAD TO ERF 5084 KNYSNA

With reference to your letter dated 14 July 2006, the proposed access to erf 5084 is approved subject to the new bell mouth being bitumen surfaced to avoid gravel spilling onto Rio Road and storm water being controlled; details of storm water to be submitted for approval.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES
J PIETERSE

24 October 2006

Tuiniqua Consulting Engineers
P O Box 2062
Knysna
6570

Dear Sir

RE: ERF 5084 KNYSNA: CIVIL INFRASTRUCTURE FOR SUBDIVISION

With reference to your letter date 12 October 2006 the following:

This department supports the application however; it is proposed that
the bulk water must be supplied from Green Pastures development.
Should Council approve the Water Master Plan no bulk water shortfall
are foreseen. The sewer connection proposal is acceptable.

Yours faithfully

N PERING
DIRECTOR TECHNICAL SERVICES
N PERRING

15 October 2007

Tuiniqua Consulting Engineers
P O Box 2862
KNYSNA
6570

Attention: Mr. S Maree

Dear Sir

TRAFFIC IMPACT STUDY: ERE 5084 KNYSNA

With reference to my previous correspondence dated 17 May 2007 and latter correspondence with Vela VKE we are satisfied with the traffic impact study and our conditions of approval for the traffic aspect of the development are:

1) The access road from the development to Rio Street must be a 20m road reserve.

2) The access road from the development and intersection with Rio Street shall be constructed with the dual lanes as proposed by the traffic impact study by the development.

3) Hospital Hill Road and Main Road intersection shall be improved by the developer in terms of the traffic impact study with road widening and traffic signals. The developer shall submit detail construction drawings of the improvements to the Municipality and the Road Authority for approval. Council may consider 50% of the cost of the improvements to the intersection being offset from other Capital charges, the balance to be funded by the development.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES

Cc TP
Cc DTE(PW)
Cc Vela VKE
ANNEXURE N:

Electrical Services Report
ELECTRO TECHNICAL REPORT:
Reference ME 5300, 21 May 2008

RE: ERF 5084, KNYNSA

1 SCOPE

This report covers the electricity supply to the proposed development on Erf 5084. The supply authority, Knysna Municipality, supplies the area with a combination of 11 000 volt underground cable and overhead power line networks.

2 EXISTING SYSTEM

The Municipality is in the process to establish a 66/22/11 kV injection substation next to the northern boundary of the development (between the proposed development and Green Pastures). The new Eastford Substation will be supplied from the adjacent Eskom 66 kV power line.

The greater area, including the proposed development will be supplied from Eastford Substation.

The establishment of Eastford Substation will be done in phases. The first phase (2007) will be the establishment of a 66/22 kV transformer for Eastford Substation. This will make capacity available at the existing Knysna Eskom Intake Substation but will not make additional 11 kV capacity available in Eastford area. The 66/11 kV transformer will be established during the second phase planned for 2008/2009.

3 CAPACITY OF THE EXISTING SYSTEM

With the commissioning of Eastford 66/22/11 kV Substation, the capacity of the Municipal main supply system will be more than adequate to supply the proposed development.

4 EXPECTED DEMAND

The proposed development will consist of 19 single residential erven, 75 group housing units, close to 178 general residential units, 1 local business erf and a resort with 15 log cabins.

The expected electricity maximum demand of the development is 750 kVA and the average demand 300 kVA.
5  PROPOSED ELECTRICITY DISTRIBUTION NETWORK

The proposed electrical distribution network allows for:

5.1 The establishment of an 11kV ring cable supply system with a 70/3 11kV Cu cable from Eastford Substation.

5.2 The proposed underground 11kV ring supply cable system will supply strategically positioned mini-substation in the development.

5.3 The low voltage distribution system will be supplied from the mentioned mini-substations.

5.4 The low voltage distribution system will be underground cable supplying strategically positioned distribution kiosks.

5.5 Service connections will be done with underground cable from the mentioned kiosks ending 1 meter x 1 meter inside each single residential site and at a connection box on an external wall for apartment and business buildings, if so applicable.

5.6 Street lighting will be done with low intensity, low level, bollard type area luminaires positioned at carefully selected places.

6  CONSUMPTION METERING

6.1 The development will be measured in bulk by the supply authority. Individual consumption and the distribution network beyond the bulk meter will be the responsibility of the home owners association or landlord.

7  MUNICIPAL AUGMENTATION

Standard Municipal augmentation will be applicable.

8  IMPACT

8.1 IMPACT ON EXISTING ELECTRICITY CUSTOMERS

The development will have a minimal effect on the quality of supply to the existing customers due to the fact that the development will be supplied by its own 11kV cable ring system directly from a main electricity supply network with adequate capacity.
8.2 IMPACT ON MUNICIPAL OPERATING COSTS

The development will have no negative effect on the electrical operating costs of the Municipality, due to the fact that the complete electrical infrastructure required for the development will be supplied and installed by the Developer. Maintenance on the proposed electrical network will be minimal due to the proposed complete underground distribution system and bulk meter that will be provided. Electricity sales to the new customers will in actual fact contribute to the profits made by the electricity service of the Municipality.

8.3 ENVIRONMENTAL IMPACT

The entire internal electrical distribution network will be designed carefully to blend in with the development as a whole as well as the natural environment. All structures, equipment and switchgear will be low profile following natural contours. The colours and shapes of all structures, equipment and switchgear will be selected carefully to blend in with the environment. Services will generally be located within the road reserves to prevent additional disturbance of vegetation. The environmental management plan for the development will form an integral part of the specification and requirements for the electrical construction work.
PLAN 1:

Locality Plan
PLAN 2:

Land Use Plan
PLAN 3:

Slope Analysis
PLAN 4:

Height Analysis Plan
PLAN 5:

Site Characteristics Plan
PLAN 6:

Extract from the Knysna Wilderness
Plettenberg Bay Sub Regional Structure Plan
PLAN 7:

Extract from Eden SDF
PLAN 8:

Extract from draft Eastford Welbedacht Local Structure Plan
PLAN 9:

Extract from the draft Knysna SDF
PLAN 10: Proposed Amended Guide Plan
PLAN 11:

Layout Plan
PLAN 12:
Site Development Plans of General Residential Erven
NEW DEVELOPMENT ON ERF 5084 - KNYSNA
NEW DEVELOPMENT ON ERF 5084 - KNYSNA

6121 m²
GENERAL RESIDENTIAL
(24 UNITS)
NEW DEVELOPMENT ON ERF 5084 - KNYSNA
6
3039 m²
GENERAL RESIDENTIAL
(24 UNITS)
IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CAPE TOWN: Tuesday 17 July 2018
Before the Honourable Mr Justice Nuku

Case No: 4287/18

In the matter between:

TRACKSTAR TRADING 7 (PTY) LTD
(Registration Number: 2000/009088/07)

and

THE MUNICIPALITY OF KNYSNA

By agreement between the parties it is ordered as follows:

1. The decision taken by the Respondent’s Council on 26 May 2017, refusing the Applicant’s application in terms of the Land Use Ordinance 15 of 1985 ("LUPO") for the rezoning, subdivision, and departure in respect of Erf 5084 Knysna, is set aside.
2. The Applicant’s application for land use approvals under LUPO is remitted to the Respondent, to be dealt with as follows:

2.1. The Respondent’s Director: Technical Services, and Town Electrotechnical Engineer, must provide reports in which they must confirm and certify whether the Respondent’s infrastructure can support the proposed development.

2.2. The Respondent’s Manager: Town Planning must thereafter update the Report and recommendations of 8 February 2017 (annexure “FA17” to the founding papers), taking account of all relevant information. In this regard the Manager: Town Planning must have regard to the reports envisaged in paragraph 2.1. above, and may have regard to additional technical reports which are in his opinion necessary.

2.3. The matter must thereafter serve before the Respondent’s Planning and Integrated Human Settlements Committee (“the Committee”), established in terms of Section 80 of the Local Government: Municipal Structures Act 117 of 1998, to make a recommendation.

2.4. The Committee’s recommendation must serve before the Mayoral Committee for its recommendation, and must thereafter serve before the Respondent’s Council for its decision.
3. The Respondent shall pay Applicant an amount of R95,000.00 (ninety-five thousand rand) in respect of its legal costs, on or before 31 August 2018.
FOR ATTENTION: MR. J DOUGLAS

Dear Sir,

KNYSNA ERF 5084: PROPOSED REZONING, SUBDIVISION & DEPARTURE

Our application for the rezoning, Subdivision & Departure of Knysna Erf 5084, dated 9 November 2008, has reference.

1. Background

1.1. The land use application on Knysna Erf 5084 was submitted in terms of the Land Use Planning Ordinance, 1985, and therefore, regardless of the new legislation, this application must be completed in terms of the legislation in terms of what it was submitted.

1.2. The National Department of Environmental Affairs issued an Environmental Authorisation for this proposed development application on 24 June 2016.

1.3. The application was then ready for consideration by Knysna Municipality. The Town Planning Department prepared a recommendation that was tabled to the February meeting of the Knysna Municipality’s Section 80 committee for Planning and Human Settlements.

1.4. It should be noted that this recommendation was prepared by Professional, Registered Town Planners, whom are in the employment of Knysna Municipality.

1.5. The recommendation that was tabled to the Section 80 Committee was also signed off by the then Acting Director, Planning & Development.

Member: HM Vreken Pr. Pn 1101
Reg. CK 2005/032114/23 VAT: 4690222106
2. **Legal Framework**

2.1. It is common knowledge that a decision-making authority, can only make decisions in terms of the decision-making powers that is assigned to it in terms of the specific legislation.

2.2. Applications that were submitted in terms of the Land Use Planning Ordinance, must be completed in terms of the Land Use Planning Ordinance, and in terms of the decision-making structures of the Ordinance (i.e. the Municipal Town Planning Department prepare a recommendation and the recommendation gets tabled to the Section 80 Committee, Mayoral Committee, and the Council), and the decision-making powers as delegated to the relevant decision making bodies of the Knysna Municipality.

2.3. The Knysna Municipal Planning Tribunal, was established in terms of Section 35 the Spatial Planning and Land use Management Act, 2013 (Act 16 of 2013). The Municipal Planning Tribunal, is assigned to make decisions on land use applications that were submitted in terms of the Knysna Municipal Land Use Planning Bylaw (2016), and where such decisions are not delegated to an “Authorised” Municipal Official (refer Section 68 of the Municipal Planning By-law).

2.4. Therefore, it is clear that land use applications that were submitted in terms of the Land Use Planning Ordinance must be completed in terms of the decision-making structures as assigned by that particular set of legislation, and not by a decision making structures of a different set of legislations (such as the Municipal Planning Tribunal, established in terms of SPLUMA).

3. **Decision-making Process on Knysna Erf 5084**

3.1. This application on Knysna Erf 5084 was tabled to the Knysna Municipality’s Section 80 Committee Meeting on 8 Feb, and then on 20 Feb, we received the minutes of the meeting in which it was minuted that the application was recommended for approval (see attached).

3.2. Then, on 22 Feb, we received new / amended minutes of the Section 80 Committee Meeting, in which the recommendation for Erf 5084 was amended and where the application is now referred to the Municipal Planning Tribunal to advise the Knysna Municipal Council on decision making.

3.3. It is our considered opinion that this recommendation of the Council’s Section 80 Committee, contradicts the decision-making structures that are allowed for in the applicable legislation. This means that, should the Mayoral Committee decide to refer this application to the Municipal Planning Tribunal, the Knysna Municipality is not following due administrative process and this alone makes the decision and the Municipality very vulnerable to legal review.

3.4. It is our understanding that these amended minutes will now be tabled to the Council’s Mayoral Committee this coming Thursday (2 March). During this meeting, the Mayoral Committee might decide to follow through with the recommendation of the Section 80 Committee.
3.5. We further don’t understand the need to refer this particular application to the Municipal Planning tribunal for a recommendation, as Ms M Boyce (in her capacity as Acting Director Planning and Development) has already signed the recommendation off. Ms M Boyce also serves on the Tribunal, hence, why will the Tribunal come to a different conclusion?

3.6. Further to this, the Municipal Planning Tribunal is an external decision making body. The Tribunal Members must be paid for their time to meet. Who will be paying the cost of the tribunal? If the municipality fits the bill, it will be unnecessary and wasteful expenditure of taxpayers’ money, and if the applicant is expected to fit the bill, our client will definitely not pay for these costs, as he has already paid the prescribed application fee. The process recommended by the Council’s Section 80 Committee contradicts the decision making structures as prescribed in the Land Use Planning Ordinance.

4. Conclusion

We conclude that:

4.1. Should the Mayoral Committee decide to refer this application to the Municipal Planning Tribunal, the Knysna Municipality is not following due administrative process and this alone makes the decision and the Municipality very vulnerable to legal review.

4.2. We urgently request the Mayoral Committee to follow due administrative process and not to send this recommendation to the Municipal Planning Tribunal. Failing which, our client will seek legal advice.

We trust the above response is adequate to enable you to finalise your assessment of this application. Please do not hesitate to contact the writer if you require any additional information in this regard.

Kind regards,

MARIKE VREKEN
Pr. Pin 1101 M SAPI 10233
Mr S W van der Merwe  
Trackstar Trading 7 (Pty) Ltd  
PO Box 194  
KNYSNA  
6570

Tel no: (044) 381 0950  
E-mail: circoledv@mweb.co.za

PER MAIL / E-MAIL

Dear Mr van der Merwe

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 543/544/546 THE DEVELOPMENT OF THE KYNNSNA FOREST VILLAGE SITUATED ON ERF NO. 5084 IN KYNNSNA, WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

Please note that Activity 11 of GN R. 544 for the construction of the wooden pedestrian bridge to access the tourism facilities across the Salt River; and Activity 6 of GN R. 546 for the construction of the tourism facilities (i.e. the heritage village, tented luxury resort, central parking area), are not approved due to the sensitivity of the forest area. See the key reasons for the decision in the attached EA.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department’s decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the amendment decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of this decision, by means of one of the following methods:

By post: Private Bag X447,  
Pretoria, 0001; or
By hand:        Department of Environmental Affairs
                Environment House
                473 Steve Biko Road
                Arcadia
                Pretoria.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Appeals must be submitted in writing to:

Mr Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel:        (012) 399 9356
Email:      AppealsDirectorate@environment.gov.za

The authorised activities must not commence within twenty (20) days of the date of signature of the environmental authorisation. Further, please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

Yours faithfully

Ms Khashiwe Masinga
Chief Director (Acting): Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 24 June 2016

<table>
<thead>
<tr>
<th>cc:</th>
<th>Tel:</th>
<th>Email:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms Janet Ebersohn</td>
<td>Tel: 044 381 0950</td>
<td><a href="mailto:Janet@ecoroute.co.za">Janet@ecoroute.co.za</a></td>
</tr>
<tr>
<td>Mr A Oosthuizen</td>
<td>Tel: 044 605 8600</td>
<td><a href="mailto:aoosthuizen@pgwc.gov.za">aoosthuizen@pgwc.gov.za</a></td>
</tr>
<tr>
<td>Mr M Maughn-Brown</td>
<td>Tel: 044 302 6330</td>
<td><a href="mailto:mmaughn-brown@knysna.gov.za">mmaughn-brown@knysna.gov.za</a></td>
</tr>
<tr>
<td><strong>APPLICANT</strong></td>
<td><strong>INTERESTED AND AFFECTED PARTIES (IAPs)</strong></td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA]).</td>
<td>1. Receive EA from Applicant/Consultant.</td>
<td></td>
</tr>
<tr>
<td>2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.</td>
<td>2. N/A.</td>
<td></td>
</tr>
<tr>
<td>3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).</td>
<td>3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA with the Minister of Environmental Affairs (the Minister).</td>
<td></td>
</tr>
<tr>
<td>4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice.</td>
<td>4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice.</td>
<td></td>
</tr>
<tr>
<td>5. The Applicant must also serve on each IAP:</td>
<td>5. Appellant must also serve on the Applicant within 10 days of lodging the notice,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• a notice indicating where and for what period the appeal submission will be available for inspection.</td>
<td></td>
</tr>
<tr>
<td>6. The appeal must be submitted in writing to the Minister within 30 days after the lapping of the period of 20 days provided for the lodging of the notice of intention to appeal.</td>
<td>6. The appeal must be submitted to the Minister within 30 days after the lapping of the period of 20 days provided for the lodging of the notice of intention to appeal.</td>
<td></td>
</tr>
<tr>
<td>7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.</td>
<td>7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.</td>
<td></td>
</tr>
</tbody>
</table>

**NOTES:**

1. An appeal must be:-
   a) submitted in writing;
   b) accompanied by:
      • a statement setting out the grounds of appeal;
      • supporting documentation which is referred to in the appeal; and
      • a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.
Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

THE DEVELOPMENT OF THE KYNNSNA FOREST VILLAGE SITUATED ON ERF NO. 5084 IN KYNNSNA, WESTERN CAPE PROVINCE

Eden District Municipality

<table>
<thead>
<tr>
<th>Authorisation register number:</th>
<th>14/12/16/3/3/1/2506</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last amended:</td>
<td>First issue</td>
</tr>
<tr>
<td>Holder of authorisation:</td>
<td>Trackstar Trading 7 (Pty) Ltd</td>
</tr>
<tr>
<td>Location of activity:</td>
<td>Knysna Local Municipality, Western Cape Province</td>
</tr>
</tbody>
</table>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

TRACKSTAR TRADING 7 (PTY) LTD
With the following contact details –

Mr S W van der Merwe
Trackstar Trading 7 (Pty) Ltd
PO Box 194
KNYSNA
6570
Tel no: (044) 381 0950
Fax: (044) 343 1106
E-mail: circledev@mweb.co.za

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notices 1, 2 or 3 (GN R. 544, 545 & 546):
### Listed activities

<table>
<thead>
<tr>
<th>GN R.544 Item 23:</th>
<th>Activity/Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The transformation of undeveloped, vacant or derelict land to –</td>
<td></td>
</tr>
<tr>
<td>(i) residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares</td>
<td>The construction of a housing development consisting of 19 single residential stands (1.536 ha), 156 high density General Residential units (2.493 ha), 74 smaller medium density Group Housing units (3.165 ha) and access roads (3.178 ha). The development will also include a Private Open Space area (27.719 ha).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GN R.544 Item 56:</th>
<th>Activity/Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phased activities for all activities listed in this Schedule, which commenced on or after the effective date of this Schedule, where any one phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</td>
<td>The construction of a housing development consisting of 19 single residential stands (1.536 ha), 156 high density General Residential units (2.493 ha), 74 smaller medium density Group Housing units (3.165 ha), access roads (3.178 ha), and Private Open Space (27.719 ha). The development will be phased in over a period of time to accommodate economic constraints and demand in the property market.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GN R.546 Item 12:</th>
<th>Activity/Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous</td>
<td>According to the biodiversity sector plan, the property is</td>
</tr>
</tbody>
</table>
Listed activities | Activity/Project description
---|---
vegetation.  
(b) Within critical biodiversity areas identified in bioregional plans | earmarked as a Critical Biodiversity Area (CBA) and an Ecological Support area.

GN R.546 Item 13:  
The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation  
(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.  
(c) in Western Cape  
iii. in urban areas, the following:  
(dd) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined. | According to the biodiversity sector plan, the property is earmarked as a CBA and an Ecological Support Area. The Salt River runs through the property.

GN R.546 Item 26:  
Phased activities for all activities listed in this Schedule and as it applies to a specific geographical area, which commenced on or after the effective date of this Schedule, where any phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold. | The development will be phased in over a period of time, in order to accommodate economic constraints and demand in the property market.

As described in the Basic Assessment Report (BAR) dated September 2015 at:

<table>
<thead>
<tr>
<th>Alternative 1: Site Location</th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site</td>
<td>34°00'21.36&quot; S</td>
<td>23°02'41.17&quot; E</td>
</tr>
</tbody>
</table>
Alternative 1: Access Road | Latitude | Longitude  
--- | --- | ---  
Starting Point | 34° 01' 23.77" S | 23° 02' 54.59" E  
Middle Point | 34° 01' 23.17" S | 23° 02' 35.77" E  
End Point | 34° 01' 25.14" S | 23° 02' 23.49" E  

- for the Knysna Forest Village on Erf No. 5084 situated in Knysna, within the Western Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

a) The construction of 19 single residential stands (1.536 ha);
b) The construction of 74 smaller medium density group housing units (3.165 ha);
c) The construction of 156 high density general residential units (2.493 ha);
d) Public access road and internal access road (3.178 ha); and
e) Private Open Space (27.719 ha).

The total footprint of the development, including the Private Open Space area, will be approximately 38.5 ha.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred site layout Alternative 1 (which excludes the three high density general residential erven to the west of the site and the access road to these erven) for the construction of the Knysna Forest Village housing development is approved as per the geographic coordinates above.  
2. The preferred Alternative 1 for the construction of an access road is approved as per the geographic coordinates above.  
3. The Tourism Facilities proposed in the forest area, as described in the BAR dated September 2015, are not approved.
4. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.

5. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder’s behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.

6. The activities authorised may only be carried out at the property as described above.

7. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.

8. This activity must commence within a period of three (3) years from the date of issue of this authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

9. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.

10. The holder of an environmental authorisation must apply for an amendment of environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.

Notification of authorisation and right to appeal

11. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.

12. The notification referred to must —
   12.1. specify the date on which the authorisation was issued;
   12.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;
12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
12.4. provide the reasons of the competent authority for the decision.

13. The holder of the authorisation must publish a notice—

13.1. informing interested and affected parties of the decision;
13.2. informing interested and affected parties where the decision can be accessed; and
13.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management of the activity

14. The Environmental Management Programme (EMP) submitted as part of the application for environmental authorisation is hereby approved. The EMP must be implemented and adhered to during the construction, operation and rehabilitation phases of the activity.

15. The EMP must be included in all contract documentation for the construction phase of the development.

Monitoring

16. The applicant must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.

16.1. The ECO must be appointed before commencement of any authorised activity/ies.
16.2. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
16.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a schedule of tasks undertaken by the ECO.
16.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
Recording and reporting to the Department

17. All documentation e.g. audit / monitoring / compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at the Department.
18. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
19. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPR.
20. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Commencement of the activity

21. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
22. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Notification to authorities

23. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number. This notification period may coincide with the notice of intent to appeal period.
Operation of the activity

24. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

25. Should the activity ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

Specific conditions

26. No activities, which require a water use authorisation, will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.

27. The holder of the authorisation and the contractor must ensure that all site workers understand the content of the EMPr, Rehabilitation Plan and this EA prior to construction, by undertaking environmental awareness training.

28. Indigenous vegetation, or any other natural features outside the work area, which will not be cleared for construction purposes, must not be defaced or painted for benchmarks.

29. All cleared vegetation must either be mulched and mixed into the topsoil stockpiles or disposed of at an approved disposal site. The disposal of vegetation by burying or burning is prohibited without the requisite permit from the local authority.

30. The ECO must be present for the site preparation and initial clearing activities to ensure the correct demarcation of no-go areas, to facilitate environmental induction with construction staff and to supervise any flora relocation and faunal rescue activities that may need to take place during site clearing, as per the approved EMPr.

31. No vegetation may be cleared without prior permission from the ECO and Project Manager.

32. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
33. Any trees that are not to be cleared shall be marked beforehand with danger tape. The ECO must be given adequate advance notice of impending clearing activities to mark vegetation that is to be conserved before the contractor begins clearing the site.
34. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
35. No exotic plants may be used for rehabilitation purposes. Only locally indigenous plants must be utilised.
36. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste requiring disposal shall be disposed of at a licensed landfill.
37. Hazardous and flammable substances must be stored and used in compliance with the applicable regulations and safety instructions.
38. If any human remains are found during construction activities, work in that area must cease and the South African Police Service (SAPS) and the South African Heritage Resources Agency (SAHRA) must be notified immediately.
39. The Site Engineer and/or Environmental Control Officer (ECO) responsible for monitoring environmental compliance of the development must remain aware that all sedimentary deposits have the potential to contain fossils; he/she must thus monitor all deeper (> 1 m) excavations into sedimentary bedrock for fossil remains.
40. If any evidence of fossils, archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) and/or Heritage Western Cape must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted as soon as possible to inspect the findings.
41. Development must not take place within 10 meters from the 1:100 year flood line. In addition, no disturbance must take place north of the property boundaries.
42. A storm water management plan must be developed and implemented to ensure that natural runoff patterns are maintained and to accentuate the watercourse and wetland components.
43. A copy of this authorisation and the approved EMPr must be kept at the property where the activity/ will be undertaken. The authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.

44. The holder of the authorisation must notify both the Director: Integrated Environmental Authorisations and the Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

45. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 24 June 2016

Ms Khashiwe Masinga
Chief Director (Acting): Integrated Environmental Authorisations
Department of Environmental Affairs
Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

a) The information contained in the BAR dated September 2015;
b) The comments received from organs of state and interested and affected parties as included in the BAR dated September 2015;
c) Mitigation measures as proposed in the BAR dated September 2015 and the EMPr;
d) The findings of the site visit conducted on 24 March 2015;
e) The information contained in the specialist study contained within Appendix D of the BAR; and
f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department’s consideration of the application. A summary of the issues which, in the Department’s view, were of the most significance is set out below.

a) The findings of all the specialist studies conducted and their recommended mitigation measures.
b) The need for the project stems from the lack of sufficient medium to low cost housing in the area. The area is surrounded by informal settlement and high end housing, so there is a need for medium to low cost housing.
c) The BAR dated September 2015 identified all relevant environmental legislation and guidelines that have been considered in the preparation of the BAR.
d) The methodology used in assessing the potential impacts identified in the BAR dated September 2015, and the in specialist studies, has been adequately indicated.
e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

3. Findings
After consideration of the information and factors listed above, the Department made the following findings -

a) The identification and assessment of impacts are detailed in the BAR dated September 2015 and sufficient assessment of the key identified issues and impacts have been completed.

b) The procedure followed for impact assessment is adequate for the decision-making process.

c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.

d) According to the independent EAP, the information contained in the BAR dated September 2015 is accurate and credible.

e) The environmental authorisation includes only the residential component of the development. The proposed tourism facilities (i.e. the heritage village, tented luxury resort, central parking area and the wooden pedestrian bridge to access these facilities) are not approved due to the sensitivity of the forest area. The indigenous portion of forest is one of the last portions of forest that are so close to the Knysna CBD. This decision was supported by the findings of the Department’s site visit conducted on 24 March 2015 and the comments received from relevant organs of state and stakeholders. Further, the need for the tourism facilities was not proven.

f) The “Southern Afrotemperate Forest” vegetation type covers approximately 41.40% of the portion north of the Salt River. The “Southern Afrotemperate Forest” vegetation type has a protected status in terms of the National Forest Act. The portion of the property north of the Salt River is in a near pristine condition.

g) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the approved activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the approved activity can be mitigated to acceptable levels. The application is accordingly granted.
Ms. Khashwa Masinga
Director: Coordination, Strategic Planning and Support

Dear Ms Masinga


I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorisations, for the period 22 – 30 June 2016, whilst Mr Sabelo Mulausa is on annual leave.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations, must be signed under the Acting Chief Director: Integrated Environmental Authorisations during the above period.

You appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours sincerely,

[Signature]

Mr. Ishaam Abader
Deputy Director-General: LACE
Date: 22/06/2016

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief Director: Integrated Environmental Authorisations

Signed: [Signature]
Date: 22/06/2016
MEMORANDUM

TO | Manager: Legal Services
FROM | Acting Director: Technical Services
cc | Municipal Manager
DATE | 2018-06-29
COLLAB. REF. | “1412”
FILE REF. |
REGARDING | Water and sewer capacity for Erf 5084, Knysna

1. PURPOSE:

The purpose of the report is to clarify our previous response in terms of water and sewer services.

2. BACKGROUND AND MOTIVATION:

The department was requested by Administration to review the capacities, for water and sewer, for the above erf development. The above erf development has a long history, which dates back to around year 2006. Various bulk service projects were introduced to mitigate bulk capacity in the system.

Below are some of the key projects that were introduced to assist in providing capacity for development:

Knysna Waste Water Treatment Works:
- The upgrade of the Works in 2013 to increase the capacity from 6.75 Mℓ/day to 8.2 Mℓ/day.
- A further phase 2 is currently being rolled out, which will provide another 2.5 Mℓ/day in 2019. This will bring the total capacity to ±10.5 Mℓ/day.
- The department is currently also embarking on a feasibility study to develop second sewer scheme for future capacities.
- The latest average daily flow, in the wet months, is 7.45 Mℓ/day.
- The development wants to take up 0.2 Mℓ/day capacity.
- If the above is added to the average it will give a total of 7.65 Mℓ/day. This is less than the capacity of 8.2 Mℓ/day.
Knysna Water Treatment Capacity:

- The Knysna Water Treatment Works was upgraded in June 2008 to a 21.3 Ml/day.
- A further Water Use License were attained in 2013 to abstract water to 25.9 Ml/day. However, the department had limited pumping capacity, which could only provide 9.5 Ml/day.
- To improve the water security, Council increased the capacity with a Reverse Osmosis Plant, which could produce a further 2 Ml/day of water.
- The Belvidere and Brenton borehole cluster produce a further 1 Ml/day.
- Bigal Spring also produce 0.5 Ml/day
- New section of the bulk scheme is completed, which increased the pumping capacity from 83 l/s to 125 l/s; (10.8 Ml/day).
- The total capacity of the current water services is 14.3 Ml/day combined.
- The latest average production is ±12.5 Ml/day
- The total average demand will be 12.79 Ml/day if the development is added, which is clearly less than what all schemes can produce. (see attached Annexure A- Report form Messrs. Aurecon consulting Engineers)

3. FINANCIAL OR LEGAL IMPLICATIONS:

Funding is provided in the next two (2) financial years to complete the upgrade to Knysna Waste Water Treatment Works to the capacity of 10.7 Ml/day. Funding has also been approved for the further phases of the Charlesford scheme to pump 25.9 Ml/day as per our Water License.

4. RECOMMENDATION:

Based on the above facts, the department certify that Knysna Municipality have the capacity to provide the water and sewer services.

5. APPROVALS:

Content

SIGNATURE OF ORIGINATOR

COMMENTS & SIGNATURE (WHERE APPLICABLE):

<table>
<thead>
<tr>
<th>DIRECTOR of USER DEPARTMENT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MANAGER: LEGAL SERVICES</td>
<td></td>
</tr>
<tr>
<td>MUNICIPAL MANAGER</td>
<td></td>
</tr>
</tbody>
</table>
28 June 2018

The Municipal Manager
Knysna Municipality
P O Box 21
KNYSNA
6570

Attention: Mr R Parry (E-mail: rparry@knysna.gov.za)

Sirs,

KNYSNA ERF NO 5084 : AVAILABILITY OF BULK WATER SERVICES FOR PROPOSED DEVELOPMENT

With reference to the abovementioned subject we wish to report as follows.

The Knysna Wastewater Treatment Works has a capacity of 5,2 Ml/d. The average daily wastewater flow to the Works since September 2017 is 75% and there is definitely spare capacity in the Works to accommodate the wastewater flow from the proposed development on Erf 5084.

Furthermore work is at present being carried out to increase the capacity of the Knysna Wastewater Treatment Works by 2,5 Ml/d to 10,7 Ml/d. This work is estimated to be completed by 2019.

The Knysna Water Treatment Works has a capacity of 21,3 Ml/d. However due to the constraint in the supply of bulk water to the Works the maximum capacity is 16 Ml/d.

At present the bulk raw water supply pipe line from Charlesford is being upgraded and works should be completed by November 2018. This upgrade will increase the supply of raw water to the Works from 100 t/h to 125 t/h.

There is spare capacity to supply potable water to the proposed development on erf 5084.

We trust that sufficient detail has been provided for your purposes. However if any additional information is required please do not hesitate to contact us.

Yours faithfully

PE Erasmus Pr Eng
Technical Director
pp Aurecon

AC Keyser Pr Tech Eng
Office Manager
pp Aurecon
ERF 5084 KNYSNA

REVISED CIVIL INFRASTRUCTURE SERVICE REPORT FOR SUBDIVISION: Apr 2015

1. BACKGROUND

1.1. This report is the fourth revision of the original report dated 12 October 2006 and provides information regarding the civil infrastructure required for the proposed residential development on Erf 5084, Knysna.

1.2. Tuiniqua Consulting Engineers has been appointed by the owners Track Star Trading 7 (Pty) Ltd, as Structural and Civil Engineers for this project.

1.3. Services are planned according to the “Guidelines for Human Settlement Planning and Design” and references in this report refer to the Guidelines.

1.4. Erf 5084 is located to the north of Rio Street, south of Sout River and east of Old Cape road.

1.5. The proposal is to rezone the property to the following:

Table 1.

<table>
<thead>
<tr>
<th>Zoning</th>
<th>No. of units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>13 erven</td>
</tr>
<tr>
<td>Group Housing</td>
<td>158 erven</td>
</tr>
<tr>
<td>General Residential</td>
<td>5 erven with 112 units</td>
</tr>
<tr>
<td>Local Business</td>
<td>1 erf 0.3591 ha</td>
</tr>
<tr>
<td></td>
<td>15x Residential and</td>
</tr>
<tr>
<td></td>
<td>x 88m² shops</td>
</tr>
<tr>
<td>Resort</td>
<td>1 erf with 15 log cabins</td>
</tr>
<tr>
<td>Private Open space</td>
<td>18 stands 27,996 ha</td>
</tr>
<tr>
<td>Private Roads</td>
<td>3,3657 ha</td>
</tr>
<tr>
<td>Parking Zone</td>
<td>1 erf 0.0828 ha</td>
</tr>
</tbody>
</table>

Tuiniqua Consulting Engineers (Pty) Ltd. Reg no 2005/042267/07

Directors: Oudshoorn: Alia Killian (Pr Tech NHDT MSAICE) Knysna; Serel Maree (Pr Eng, B Eng (Civ), MSAICE)
George: Paul Goedhart (Pr Eng, M Eng) Plettenberg Bay; Francois Schotz (Pr Eng, B Eng (Civ))

REGISTERED FIRM – THE SOUTH AFRICAN ASSOCIATION OF CONSULTING ENGINEERS
1.6. A preliminary geotechnical site investigation was done and is available from Tuiniqua Consulting Engineers or from Siyakhula Lab.

1.7. The maximum slope on certain areas of the development is steeper than the allowable 1:4 for development. The areas with slopes of less than 1:4 were identified and only these areas will be developed.

1.8. The Soutrivier crosses the erf and the 1:100 and 1:50 year flood lines were determined. No development will take place within the flood lines.

1.9. The civil bulk services were discussed with the municipality and no problems were foreseen at the time of the original report in October 2006 with the provision of any bulk services.

1.10. The access route to the site from Rio Street crosses the proposed N2 bypass servitude.

1.11. Erf 5084 is divided into two by an Eskom servitude running from east to west over the stand.

1.12. Municipal water lines cross the erf without registered servitudes. These lines are indicated on the town planner's layout and are located within 5m from the overhead power lines.

1.13. The water lines will be relocated where the Local business area and General Residential zones are split by the waterline.

1.14. It is recommended that servitudes be registered for these services.

2. SERVICES:

2.1 Roads: The following roads will be required for this project:

2.1.1 Access Road:

2.1.1.1 The only access to this development is from Rio Street over the proposed N2 bypass servitude.

2.1.1.2 Permission was obtained from Sanral and Knysna Municipality for the access road. (See attached letters)

2.1.1.3 A traffic impact study was done and was submitted to Knysna Municipality. (See attached letter from Knysna Municipality dated 15 October 2007).

2.1.1.4 The Municipality approved the Traffic impact study with conditions of approval as per the attached letter.

2.1.1.5 The access road will be 2 x 3.5 m lanes from the development to Rio Street within a 20m road
reserve.

2.1.1.6 The road will be surfaced.

2.1.2 Internal roads:

2.1.2.1 The road from the entrance to the parking area will be regarded as the main access with the same lane width as the access road to the development. (3.5m lane width)

2.1.2.2 Minimum lane widths of all other internal roads of 2.7m are recommended with a total width of 5.4m.

2.1.2.3 All internal roads will be surfaced.

2.1.2.4 Stormwater should discharge into stormwater pipes alongside roads from where the water will be released into natural water courses and eventually into the Sout River.

2.1.2.5 The geotechnical report will address the founding, conditions for the proposed roads.

2.1.2.6 The topography allows for the design of an effective road network within the maximum 10% to 12% gradient requirement. Should the gradient be steeper than 12%, it will be for over short distances only.

2.1.2.7 The structural design period for the roads will be 20 years.

2.2 Storm water:

2.2.1 The topography of the area allows the discharge of the stormwater from stormwater pipes into the existing stream or into natural water courses.

2.2.2 The layout of the township should allow for green areas where the topography forms natural water courses.

2.2.3 A 100-year recurrence interval flood line is required in terms of the National Water Act on residential development plans. This flood line for the river crossing the development was determined and no residential erven will be developed within the 1: 100 year line. The 1: 50 year flood line is also shown on the drawings. The expected floods for different flood recurrence intervals are as follow:

1:100 - 78 m³/s
1:50  - 61 m³/s
1:20  - 42 m³/s
1: 10  - 29 m³/s
Catchment area – 7 km². Length of longest water course – 7.227km.

Mean annual rainfall - 721 mm Weather bureau station - 14063 at Knysna.

The flood was determined with the computer program DETFLOOD 4.0.1.

The 1: 100 year flood line was determined with the computer program HEC-RAS Version 3.1.3.

The required design flood frequencies are summarised in Table 2.

Table 2: Design Flood frequencies

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>DESIGN FLOOD RECURRENCE INTERVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>50 years</td>
</tr>
<tr>
<td>Institutional (e.g. schools)</td>
<td>50 years</td>
</tr>
<tr>
<td>General commercial and industrial</td>
<td>50 years</td>
</tr>
<tr>
<td>High value central business districts</td>
<td>50 – 100 years</td>
</tr>
</tbody>
</table>

2.2.4 It will be important to control and monitor the quality of the discharge of the existing stream since it contributes to the water quality of the Knysna lagoon.

2.3 Water reticulation:

2.3.1 The water demands for the different zones are summarised in Table 3.

Table 3 Water Demand

<table>
<thead>
<tr>
<th>Zone</th>
<th>Erven</th>
<th>Units</th>
<th>Average Water Demand per unit (l/day)</th>
<th>Average Water demand/zone/day (m³/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>13</td>
<td>13</td>
<td>1000</td>
<td>13</td>
</tr>
<tr>
<td>Group Housing</td>
<td>158</td>
<td>158</td>
<td>800</td>
<td>126.4</td>
</tr>
<tr>
<td>General Residential</td>
<td>5</td>
<td>112</td>
<td>700</td>
<td>78.4</td>
</tr>
<tr>
<td>Resort</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>Local Business</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>General Residential</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>Local Business area</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>2.72 l/s</td>
<td>235.8</td>
</tr>
<tr>
<td>Peak demand l/sec</td>
<td></td>
<td></td>
<td>Peak factor 8</td>
<td>21.83</td>
</tr>
</tbody>
</table>

2.3.2 The Municipality proposed that water be supplied from the Eastford Reservoir via The Green Pastures development. After discussions with SSI Consulting Engineers, the appointed engineers to
do the master planning for the water reticulation for Knysna Municipality, the following possibilities were also suggested:

2.3.2.1 From Witlokasie Reservoir. This reservoir is however already utilized over capacity.

2.3.2.2 From the proposed new reservoir at Eastford. This will require a new pipeline from the reservoir to erf 5084 of approximately 4km. This line can be on the same servitude as the pump line to the reservoir.

2.3.2.3 From the proposed new pump line. This will require a new reservoir to be financed by the developer. The size of the reservoir required for this development is 500 kl. This size is not economical and it will be advantageous to negotiate with the council to provide a larger reservoir with a contribution from the council.

2.3.2.4 SSI is of the opinion that the capacity of the Green Pasture reticulation is not adequate to supply water to erf 5084.

2.3.3 It is our recommendation to make use of alternative 2.3.2.3 provided a suitable location for the reservoir can be found. The reservoir should be at a height of 160m-170m to provide a minimum static height of 24m for the development. The highest point on stand 5084 is approximately 128m above mean sea level (a.m.s.l.). With the reservoir at this height all erven can be serviced with sufficient static height with the exception of the two general residential erven for 24 and 48 units above the 120m contour. These two erven should be supplied by booster pumps by the developer of these erven once it is developed.

2.3.4 The water will gravitate from this reservoir to the development by means of a 200 mm diameter pipe to the development. The capacity of the main line is determined by the minimum design fire flow of 1500 liter/min (100 l/sec)

2.3.5 The following fire risk categories and design fire flow are applicable to this development:

2.3.5.1 **Moderate risk**: General residential erven and the commercial erf.

2.3.5.2 **Low-risk group 1 and 2**: Single residential and group housing stands.

2.3.6 Fire hydrants will be placed 180m apart for Moderate risk and 240m apart for Low risk areas.

2.3.7 Centrally placed fire hydrants ensure that only one hydrant will discharge at one time as only one
hydrant will be within 270 m radius of the fire.

2.3.8 Storage capacity required for fire requirements is 1500 liter per minute over 4 hours – 360kl.

2.3.9 A storage capacity for 6000 liter per minute over 4 hours will require a 1,44MI reservoir which will not be feasible for a development of this nature.

2.4 Sewer:

2.4.1 The sewer reticulation for this development will be pumped to the existing municipal infrastructure on erf 8832 or erf 8835, Rio Street, alternatively it can gravitate to the mainline next to the road to Simola.

The calculated expected sewage flow for the proposed development is summarised as follows.

**Table 5: Sewage Discharge**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Even</th>
<th>Units</th>
<th>Average sewage flow (l/day/unit)</th>
<th>Average sewage flow (m3/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>13</td>
<td>13</td>
<td>750</td>
<td>9.75</td>
</tr>
<tr>
<td>Group Housing</td>
<td>158</td>
<td>158</td>
<td>700</td>
<td>10.6</td>
</tr>
<tr>
<td>General Residential</td>
<td>5</td>
<td>112</td>
<td>600</td>
<td>6.72</td>
</tr>
<tr>
<td>Resort</td>
<td>1</td>
<td>15</td>
<td>400</td>
<td>6</td>
</tr>
<tr>
<td>Local Business</td>
<td>1</td>
<td>15</td>
<td>Not taken into account</td>
<td>-</td>
</tr>
<tr>
<td>General residential in</td>
<td>1</td>
<td>15</td>
<td>600</td>
<td>9</td>
</tr>
<tr>
<td>Local business area</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td>202.6</td>
</tr>
</tbody>
</table>

A full waterborne sanitation system is envisaged for the proposed development. Bulk sewer drainage will be provided, by means of Class 34x 160 mm diameter pipe that gravitates to the proposed sewer pump station from where it will be pumped to the municipal system in Rio Street or alternatively gravitate to the mainline as mentioned above.

2.4.2 The average daily flow from this development will be 2.3 l/s ("Guidelines for Human Settlement Planning and Design").

2.4.3 160mm uPVC class 36 pipes will be used throughout the development.
2.4.4 Emergency storage capacity equivalent to 4 hours flow at the average flow rate will be provided at the pump station.

2.4.5 The alternative to provide a gravitation line to the mainline next to the Simola Road is the recommended alternative.

2.5 Telkom:

2.5.1 Sleeves for Telkom cables will be provided along the roads to Telkom’s specifications.

2.6 Retaining walls:

2.6.1 Engineered designed terrace block retaining walls will be provided where required next to roads.

2.7 BULK SERVICES:

2.7.1 Knysna Municipality was requested to comment on the proposed connection points for water and sewer. Their reply dated Oct 2006 is attached to this report. The connection points and a service report will be finalized between the Developer and the Municipality when detail planning is done.

3. STRUCTURES:

3.1 A detailed geotechnical survey will be conducted to provide the necessary information for foundation designs.

We recommend that this development be allowed as per the proposal.

SERETT MAR EE
TUINIQUA CONSULTING ENGINEERS
Creating wealth through infrastructure

Nasionale Roete 2 Seksie 6: Toegangspad na Erf 5084, Knysna

Dankie vir u brief gedateer 14 Julie 2006.

Die Suid-Afrikaanse Nasionale Padegentskap Beperk (SANRAL) het op 23 Julie 2006 toegang na Erf 5084 goedgekeur kragteens die bepalinge van Artikel 44 van die Wet op Die Suid-Afrikaanse Nasionale Padegentskap Beperk en op Nasionale Roete, 1998 Wet 7 van 1998, onderwegig aan die volgende voorwaarde:

- Die ontwerp en konstruksie van die toegangspad na Erf 5084, Knysna, sal voldoen aan die standaarde van Knysna Munisipaliteit.
- Die ontwikkelaar sal goedkeuring verkey en die nodige eersaakos aangaan met Knysna Munisipaliteit vir die aanleg van die toegangspad asook vir die toekomstige instandhouding daarvan, met inbegrip van grondverwysing en onderhoud aan die Munisipaliteit van paddobouleindes. SANRAL moet voorheen word van die nodige dokumentasies hiervan en firme goedkeurde plannings verwys en enige konstruksie in aanvang naam.
- Die konstruksie van die toegangspad moet voltooi word binne 12 maande van datum van goedkeuring van die ontwikkeling saam die Knysna Munisipaliteit.
SANRAL sal nie verantwoordelik was vir enige uitgawe in verband met die aanvra nie.

SANRAL sal verantwoordelik was vir die koste verbonde aan die ontwerp en konstruksie van 'n kruisstegsgang struktuur by die kruising onder die voorgestelde N2, wat die voorheen voorgestelde kruisstegsgang ongeveer 117m oor daarvan sal vervang.

Die uwe

JC VAN DER WALT
STREEKBESTUURDER

D/o #199236
OUR REFERENCE : 20/9/2/4/6/445
YOUR REFERENCE : Pr0601/b38
ENQUIRIES : Cor van der Walt

Marike Vreken Town Planners
PO Box 2180
KNYSNA
6570

Att: Marike Vreken

PROPOSED REZONING, SUBDIVISION AND DEPARTURE: DIVISION KNYSNA
ERF NO 5084

Your application of 14 October 2015 has reference.

The Western Cape Department of Agriculture has no objection against the rezoning, subdivision and departure as the letter of 10 October 2008 is still applicable.

Please note:
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

AD ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT
2016-01-11

Private Bag X120, Pretoria (Tshwane), 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7676 Fax: 012-329-5938 E-mail: Agriland@nda.agric.za
Enquiries: Helpdesk Ref: 2009_01_0942

Marike Vreken Town & Regional Planner
P.O Box 2180
KYNNSNA
6570

Dear Sir/Madam

PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT: REZONING AND
SUBDIVISION: ERF 5084, DIVISION OF KNYSNA, WESTERN CAPE PROVINCE

Your application Pr 06/01 b 405 dated 10 October 2008 refers.

With reference to the above-mentioned subject I wish to inform you that this Department has no objection against the proposed amendment of the Kynsna – Wilderness – Plettenberg Bay Guide Plan whereby the reservation for above mentioned property to be changed from "Agriculture/ Forestry" to "Township Development" and "Nature Area" in order to accommodate the above-mentioned development on the subject property of 39, 11 hectares in extent under the following conditions:

1. All the newly created units (remainder included) approved for township development must be zoned to any non-agricultural zoning according to the Local Government's zoning scheme and regulations.

2. All newly created units approved for township development must be incorporated into the town area and linked up to the municipality's bulk services.

Yours faithfully

[Signature]

DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT

Makhosonke/2009
PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT: DIVISION KNYSNA
REZONING & SUBDIVISION: KNYSNA ERF 5084

Your letter of 26 January 2005 has reference.

The proposed development has the intent to establish single residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.

The Department of Agriculture: Western Cape has no objection from an agricultural land use potential perspective, to the proposed amendment of the Knysna-Wâlderness-Plettenberg Bay Guide Plan whereby the reservation for above-mentioned property to be changed from "Agriculture/Forestry" to "Township Development" and "Nature Area" in order to accommodate the above-mentioned development.

Yours sincerely

A. ROUX
ACTING DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT
2007-02-16

Copies to:
Directorate Land Use and Sustainable Resource Management
National Department of Agriculture
Private Bag X120
PRETORIA
0001

The Municipal Manager
Knysna Municipality
P.O. Box 21
KNYSNA
6570
Attention: Marike Vreken

PROPOSED REGIONAL STRUCTURE PLAN AMENDMENT: DIVISION KNYSNA
REZONING & SUBDIVISION: KNYSNA ERF 5084

Your letter of 26 January 2006 has reference.

The Department of Agriculture: Western Cape would like to thank you for the opportunity to comment again on the above proposed development. See our letter of support dated 16 February 2007 in regard to the proposed Regional Structure Plan Amendment.

The proposed development has the intent to establish single residential erven, group housing erven, general residential erven, a local business erf, a resort, private open space and private roads.

The Department of Agriculture: Western Cape has no objection from an agricultural land use potential perspective, to the proposed amendment of the Knysna-Wilderness-Plettensberg Bay Guide Plan whereby the reservation for above-mentioned property to be changed from "Agriculture/Forestry" to "Township Development" and "Nature Area" in order to accommodate the above-mentioned development on the subject property of 39.11 hectares in extent.

There are however a number of conditions:

1. All the newly created units (remainder included) approved for township development must be zoned to any non-agricultural zoning according to the Local Government's zoning scheme and regulations.

2. All the newly created units approved for township development must be incorporated into the town area and linked up to the municipality's bulk services.

Marike Vreken Town & Regional Planner
P.O. Box 2180
Knysna
6570

Our Reference: 20/9/24/445
Your Reference: P06/01b400
Enquiries: JH Smit

MUNISIPALITEIT / MUNICIPALITY
KNYSNA
17 OCT 2008

P R I V A A T S A K X 1 / P R I V A T E B A G X 1 , E I L S E N B U R G 7 6 0 7
Tel: (021) 808 5093 • Faks/Fax: (021) 808 5092 • Webwerf/Website: www.elsenburg.com
LANDBOU-ONTWIKKELINGSENTRA / AGRICULTURAL DEVELOPMENT CENTRES:
ELSENBURG • GEORGE • MOORREESBURG • OUDTSHOORN • VREDENDAL
Please take note:

- That this is only a recommendation to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970 and the Land Use Planning Ordinance 15 of 1985 and that the applicant must provide the local government as well as the National Department of Agriculture with copies of the application.

- The proposed development is proposed in a natural flood plain area. The natural runoff from the surrounding agricultural land will therefore drain towards this area. These aspects must be addressed in the detail planning when more information is available and was therefore not included in this comment.

- All relevant sections and regulations of the Conservation of Agricultural Resources Act, 1883 (Act 43 of 1983) regarding agricultural land use must be adhered to (e.g.):

Declared Weeds (Category 1) are prohibited plants that will no longer be tolerated on land or water surfaces, neither in rural nor urban areas. These plants may no longer be planted or propagated, and all trade in seeds, cuttings or other propagated material is prohibited.

Plant invaders are plants with proven potential of becoming invasive. Category 2 plants are to be retained in special areas demarcated for a specific purpose (e.g. woodlot), but those outside demarcated areas have to be controlled. Category 3 may no longer be planted and will not be allowed to occur anywhere unless they were already in existence when Regulation 15 of CARA came into effect. Category 2 & 3 plants may not occur within 30 m from the 1:50 year flood line of watercourses or wetlands.

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

AS ROUX Pr Eng
DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT
2006-10-10

| Copies: | The Municipal Manager |
| Direcorate Land Use and Sustainable Resource Management | Kynsna Municipality |
| National Department of Agriculture | P.O. Box 21 |
| Private Bag X 120 | KNYSNA |
| PRETORIA | 6570 |

Priavatsak XI / Private Bag XI, ELSenburg 7607
Tel: (021) 808 5093 • Faks/Fax: (021) 808 5092 • Website: www.elsenburg.com
LANDBOU-ONTWIKKELINGSENTRA / AGRICULTURAL DEVELOPMENT CENTRES:
ELSensburg • GEORGE • MOORREESBURG • OUDTSHOORN • VREDENDAL

36 | Page

286 | Page
5 October 2007

Knysna
Municipality

Attention: Mr. S Maree

TRAFFIC IMPACT STUDY: ERF 5084 KNYSNA

With reference to my previous correspondence dated 17 May 2007 and letter correspondence with Vela VKE we are satisfied with the traffic impact study and our conditions of approval for the traffic aspect of the development are:

1) The access road from the development to Rio Street must be a 20m road reserve.

2) The access road from the development and intersection with Rio Street shall be constructed with the dual lanes as proposed by the traffic impact study by the development.

3) Hospital Hill Road and Main Road intersection shall be improved by the developer in terms of the traffic impact study with road widening and traffic signals. The developer shall submit detail construction drawings of the improvements to the Municipality and the Road Authority for approval. Council may consider 50% of the cost of the improvements to the intersection being offset from other Capital charges, the balance to be funded by the development.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES

Cc TP
Cc DTE(PW)
Cc Vela VKE
17 MAY 2007

Mr S Maree
Tuiniqua Consulting Engineers
P.O.Box 2862
Knysna
6570

Dear Sir

TRAFFIC IMPACT STUDY: ERF 5084 KNYSNA

With reference to the document form Vela VKE dated December 2006 here with our comments.

1) Plan 7 states an " Upgrade of existing traffic signals" for Access 2, Grey Street. There is no reference in the text as to what is envisaged here or an apportionment of cost.

2) The access road from the development to Rio Street must be a 20m road reserve.

3) No traffic impact has been undertaken or proposals made for the two intersections: access erf 5084 / Rio Street and Rio Street/ Concordia (Grey) Street.

4) The recommendations are generally supported and when the above has been addressed we will reconsider the report.

Yours faithfully

NEALE PERRING
DIRECTOR TECHNICAL SERVICE

Cc ADTE (PW)
3 September 2007

Vela VKE
9 Longifolia Street
Dana Bay
Mossel Bay
6506

Attention: Mr. H Maart

Dear Sir

TRAFFIC IMPACT STUDY: ERF 5084 KNYSNA

With reference to your letter dated 10 August 2007 we thank you for the information on intersections: Access erf 5084/Rio Street and Rio Street/Grey (Concordia) Street, these are accepted. There is a misunderstanding with regard to “Access 2”, Plan 7 refers to access 2 as Grey Street that requires upgrading, hence our notes on the letter of 17 May 2007. You have commented on Access 1, Hospital Hill. We await your further comments.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES

Cc CTP
Cc Tuiniqua Consulting Engineers: Mr. S Maree
J PIETERSE

24 October 2006

Tuiniqua Consulting Engineers
P O Box 2562
Knysna
6570

Dear Sir

RE: ERF 5084 KNYSNA : CIVIL INFRASTRUCTURE FOR SUBDIVISION

With reference to your letter date 12 October 2006 the following:

This department supports the application however; it is proposed that the bulk water must be supplied from Green Pastures development. Should Council approve the Water Master Plan no bulk water shortfall are foreseen. The sewer connection proposal is acceptable.

Yours faithfully

N PERRING
DIRECTOR TECHNICAL SERVICES
N PERRING

25 July 2006

Tuiniqua Consulting Engineers
P O Box 2863
Knysna
6570

Dear Sir

ACCESS ROAD TO ERF 5084 KNYSNA

With reference to your letter dated 14 July 2006, the proposed access to
erf 5084 is approved subject to the new bell mouth being bitumen
surfaced to avoid gravel spilling onto Ria Road and storm water being
controlled; details of storm water to be submitted for approval.

Yours faithfully

N PERRING

DIRECTOR TECHNICAL SERVICES
Tuiniqua Consulting Engineers
P O Box 2862
Knysna
6570
E-mail: knysna@tuiniqua.co.za
Contact number: 044 382 6855

Attention: S Maree

Dear Sir / Madam

REZONING AND SUBDIVISION: WATER AND SEWER USAGE: ERF 5084, KNYSNA

With regard to your letter dated 6 May 2016 and our subsequent meeting, the following:

Water will be available for the development as stated in your letter.

For further correspondence you can contact Mr R. Parry at 044 302 6332.

We trust that above is in order.

Yours faithfully

GS EASTON
MUNICIPAL MANAGER

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tel: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za
PROPOSED GUIDE PLAN AMMENDMENT : REMOVAL OF RESTRICTIONS, REZONING AND SUBDIVISION : ERF 5084 KNYSNA

With reference to your memo dated 17 September 2008, for the above development, on erf 5084 Knysna, the application is not supported as the Municipality does not have sufficient bulk water and sewer capacity for the development. The application is for the following demand for services:

<table>
<thead>
<tr>
<th>Type</th>
<th>数量</th>
<th>Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single residential</td>
<td>19</td>
<td>19 ee</td>
</tr>
<tr>
<td>Group housing</td>
<td>75</td>
<td>75 ee</td>
</tr>
<tr>
<td>General residential</td>
<td>6</td>
<td>78 ee</td>
</tr>
<tr>
<td>Local Business</td>
<td>16</td>
<td>16 ee</td>
</tr>
<tr>
<td>Resent</td>
<td>88m² shops</td>
<td>0.4 ee</td>
</tr>
<tr>
<td></td>
<td>15 units</td>
<td>15 ee</td>
</tr>
<tr>
<td><strong>Total equivalent erven</strong></td>
<td></td>
<td><strong>203.4 ee</strong></td>
</tr>
</tbody>
</table>

Should the Council wish to consider the application the following conditions would apply:

1. The development would be subject to a services agreement being entered into with the Municipality which would contain the requirements for:
   - the payment for augmentation levies and extension charges for water and sewer services.
   - the upgrading of the local water and sewer infrastructure including the provision of a reservoir to approval of the Municipality by the developer.
   - The compliance with the approval of the Traffic Impact Study for the development.

2. The provision of internal services to the satisfaction of the Municipality.
3. The approval of the subdivision plan and layout by the Municipality.
4. The registration of servitudes for all existing and required Municipal services for and on the erf.
5. No development to be below the 1:00 year flood line.
6. Any requirements of SANRAL to be complied with.
DEPARTMENT OF THE TOWN
ELECTRO-TECHNICAL ENGINEER

INTERNAL MEMORANDUM

<table>
<thead>
<tr>
<th>To:</th>
<th>The Municipal Manager</th>
<th>Your Reference:</th>
<th>5084 KNY</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Acting Electrical Manager</td>
<td>Our Reference:</td>
<td>2/15/4</td>
</tr>
<tr>
<td>Date:</td>
<td>29 June 2018</td>
<td>Enquiries:</td>
<td>Ndiphiwe Naki</td>
</tr>
</tbody>
</table>

Dear Sir,

PROPOSED GUIDE PLAN AMENDMENT, REMOVAL OF RESTRICTIONS, REZONING AND SUBDIVISION: ERF 5084, KNYSNA; BULK ELECTRICAL SUPPLY FROM MUNICIPAL NETWORK

There was a request for the writer to comment on the availability of a bulk electrical supply to the abovementioned development, with specific reference to an Internal Memorandum of 26 September 2008 (copy attached) from the previous Electro-Technical Engineer, Mr Len Richards, stating that in principle he has no objection to said development, but that it should not be supported until such time Eskom has indicated that they are in a position to allow the Municipality to increase the Notified Demand.

Subsequent to Mr Richardson’s memorandum, Eskom increased the capacity of their supply network to the area and the Municipality has been able to make adjustments to the Notified Demand at their two (2) main intake substations at Knysna.

In addition to this the Municipality is currently engaged in upgrading one of the main intake substations, namely Eastford Substation, which is located right next to and will supply the proposed development, and the work is expected to be completed within the next month. The municipal work was in actual fact completed this month, i.e. a second transformer feeder bay to step-down from 66 to 11kV, and it is only required for Eskom to complete some minor work on their side.

In terms of the electrical service, it must however, be noted that the following further requirements would have to be met before a supply can be made available:

(i) A services report must be submitted by the electrical consultants for the development taking into account the master plan for the area and obtaining the latest requirements from the electrical department.

(ii) The completion of the Services Agreement for the development.

(iii) Completion of the supply network to the satisfaction of the electrical department.

(iv) Payment of the Capital Contribution (contribution towards future upgrading of the primary network).
We certify that our electrical network will support the development subject to the conditions mentioned above.

Yours faithfully,

Ndiphiwe Naki
Acting Electrical Manager
DEPARTMENT OF THE
TOWN ELECTROTECHNICAL ENGINEER

INTERNAL MEMORANDUM

To: The Manager Operations - Town Planning
From: The Electrotechnical Engineer
Date: 26 September 2008

Your Reference: 5084 KNY
Our Reference: 2/15/4
Enquiries: L R Richardson

Sir

PROPOSED GUIDE PLAN AMENDMENT, REMOVAL OF RESTRICTIONS, REZONING AND SUBDIVISION: ERF 5084 KNYSNA

An application by M Vreken in connection with the above matter refers.

In principle I do not have any objection to the proposed rezoning of the erf. The development should however not be supported until Eskom has indicated that they are in the position to allow Knysna Municipality to increase the Notified Demand.

Yours faithfully

L R RICHARDSON
ELECTROTECHNICAL ENGINEER
Our Reference: HM/Knysna/Erf 5084
E-mail: bseptemb@pgwc.gov.za
19-02-2007

Heritage Western Cape hereby notifies:

Ron Martin Heritage Consultancy
7 Sulkerbossie Street
FOREST VILLAGE
7100

RECORD OF DECISION

Of its comments, decisions and recommendations in terms of the National Heritage Resources Act (Act 25 of 1999) and Regulation 3(3)(a) of PN 298 (29 August 2003)

For: proposed development

At: Erf 5084, Eastford, Knysna

DECISIONS, COMMENTS AND RECOMMENDATIONS:

Your Notification of Intent to Develop dated 14 February 2007 refers.

I can hereby confirm that in terms of section 38(8) of the National Heritage Resources Act 25 of 1999:

- no further study is required and the development may proceed, with no conditions.

Please note that this decision applies to the heritage related aspects of the development only and does not exonerate the applicant from obtaining approvals from other relevant authorities.

For Chief Executive Officer: Heritage Resource Management Service
p.p. Heritage Western Cape

Copy to: Knysna Municipality, P O Box 21, Knysna, 6570
Dear Mr. Johan Brand

PROPOSED DEVELOPMENT: ERF 5084, EASTFORD, KNYSNA

- HWC regrets to inform you that it cannot make an informed assessment of your application, as the heritage section of the Notification of Intent to Develop form has not been completed by a heritage practitioner.
- It is imperative that a suitably qualified and experienced heritage practitioner who is familiar with the area completes this section. This should enable HWC to ascertain whether or not to call for an impact assessment in terms of section 38 of the National Heritage Resources Act (Act 25 of 1999).
- Please ensure that the written comments of the local conservation bodies are obtained as well.
- A Phase 1 Archaeological Impact Assessment (AIA) be undertaken by an approved and accepted Archaeologist. Although parts of the property have been disturbed, i.e., Eskom power line, larger section has not been. Looking at the scale and possible impact on the buried archaeological/palaeontological resources, such action is appropriate.
- Included, please find a list of heritage practitioners registered with Association of Heritage Practitioners (AHAP).

NB: HWC request that you submit at least five copies, in order for members of APM to read and make an informed decision. Illustrations should be in colour, as black and white is often too intelligible to be of any worth. Please make an attention of Mr. Ndukuyakhe Ndlovu.

Yours faithfully

Zwelibanzi G Shiceka
For Chief Executive Officer:
p.p. Heritage Western Cape
Copy to Knysna Municipality, P O Box 21, Knysna, 6570

www.capegateway.gov.za/sa/culture_sport
GEORGE REGIONAL OFFICE

HM Vreken
PO Box 2180
KNYSNA
8570

SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING
AGENDA
26 OCTOBER 2018

RE: PROPOSED REMOVAL OF RESTRICTIONS, REGIONAL STRUCTURE PLAN AMENDMENT, REZONING AND SUBDIVISION: ERF 5084, KNYSNA:

CapeNature would like to thank you for the opportunity to comment on this proposal.

The information provided in the report regarding the flora, fauna and aquatic systems on the property is inadequate for us to provide meaningful comment on the proposal at this stage. The specific habitats that may be impacted on by the development including associated activities such as access roads must be identified in detail.

A detailed survey of the flora, fauna and aquatic ecosystems needs to be undertaken in the areas earmarked for the proposed development. A sensitivity analysis report needs to be compiled discussing and indicating areas that are sensitive. These surveys need to be carried out by expert ecologists who are familiar with the plant and animal species of the Knysna area and have adequate experience of these ecosystems, i.e. no desktop surveys. Recommendations as to how impacts on sensitive areas can be mitigated (if possible) or avoided should be included in the report.

We trust that the proposal will be responsive to any environmental constraints as will be identified by the specialist studies.

CapeNature would like to raise the following generic comments:

- We are concerned about the ongoing urban sprawl taking place around all the coastal towns and along the coast in the Southern Cape. Therefore, we support the Provincial Spatial Development Framework’s (PSDF) approach to have densification of existing towns to curb the ongoing sprawl. The demarcation of an urban edge for each town is thus very important.
- It should be noted that fynbos is a fire-driven system. Periodic fires play an important role in maintaining the species richness in fynbos vegetation. In order to accommodate fires (which need to take place during late summer and under optimal weather conditions, i.e. hot, dry, windy conditions), the long-term management of possible fynbos vegetation on the site therefore needs to be incorporated already into the PLANNING of the development – i.e. the burning of the fynbos needs to be spatially planned and accommodated on the site (in collaboration with the neighbouring landowners). BEFORE the layout of the development is planned not the other way around where the units are first laid out and the fire management is regarded as an aspect that should be addressed in the Operational Environmental Management Plan.
- We need to point out that we are very concerned about the water supply for the proposed development, particularly since we are aware of the fact that many municipalities in the Southern Cape have reached their capacity in terms of water supply. CapeNature requires proof that the water necessary for the development has been secured, environmentally assessed and found to be sustainable and licensed by the Dept of Water Affairs & Forestry...
We need a written guarantee from the municipality that the water required for this development will not take their current assurance of supply below the 1 in 10 year assurance level. If this cannot be guaranteed, CapeNature cannot consider this development any further.

- CapeNature requires proof that there is sufficient capacity in the existing municipal system to accommodate the additional sewage load. Detailed and substantiated information must be submitted on how sewage will be treated, what the standard of the effluent will be and to where it will be discharged.
- Storm water planning and management needs to include the screening and treatment of storm water where it will be discharged into river systems (for example by retention dams and/or artificial wetlands).
- Should this application be successful all the requirements as stipulated in the specialist report and as required by the various Government Departments must be complied with.

Please see attached document on CapeNature’s commenting role.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that might be received.

For your attention please.

Yours sincerely,

[Signature]

Dr Wetsche Roets
For Manager: Scientific Services
Land Use Advice
CapeNature

CC: BU Manager: A MacDonald
Conservation Services Manager: B Le Roux
Francois Naude, DEA&DP George
Neil Lambrachts, DSA&DP George
Martha Alant, SANParks
Deborah Vromans, SANParks
Dr A Schutte-Vloof, CapeNature
BELANGRIJ: Hierdie fax is vertroueke en meg gedeel word deur priviliege van die regter. Dit moet nie gelees, gekopieer of gebruik word deur enige ander persoon as die adresseerde nie. Ongesagfigis gebruik, bemarkings- of kopiering is streng verbod en mag onwettig wees. Stel ons seëns if dit in kennis indien u per e-mail hierdie fax ontvang het.

IMPORTANT NOTE: This fax is confidential and may be covered by legal professional privilege. It must not be read, copied, disclosed or used by any person other than the addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this fax in error, please contact us immediately.

INQAKU ELIBALULEKILEYO: Le faxi iyimhla kwaye ikhusende ngokuqumelwane asenhambi, Akufunzeli ifundwa, ikotshwa, ibhengane okanye isiphiwe ziyanda ngaye nzwaphila na umuntu ngaphambili kwezimo ifunyelwa kuye. Akulawakanga ukusuiyemizwa kwayo ngokunye,nkwenza, ukuhlawu kwayo okanye ukulawakanga, ukuhla ziyanda nominiyane. Ukuba izibelela iyinikelele ezikhathi zokho ngempakazalo le faxi, nene uqamasho fane nathi misingane.

AAN / TO / IYA KU-

FAKSNOMMER / FAX NUMBER / INOMBOLO YEFAKSI: (044) 302 6333

GEADRESSEERDE / ADDRESSEE / UMNTU ETHUNYELWA KUYE: THE MUNICIPAL MANAGER

VIR AANDAG / FOR ATTENTION / IYA KU:

VAN / FROM / IVELA KU-

NAAM / NAME / IGAMA: MARK LAKAY

VERW. / REF. / ISALATHISI: KNYSNA ERF 5084

DATUM / DATE / UMHLA: 22 SEPTEMBER 2008

ONDERWERP/ SUBJECT / ISIHLOKO

KNYSNA ERF 5084: REZONING AND SUB-DIVISION

Gaagle / Dear / ...obekekileyo

Please find attached

Dle uwe / Yours faithfully / Ozithobileyo

No. of pages (including cover sheet): 2

---

MUNICIPALITY / MUNICIPALITY

KNYSNA

23 SEP 2008

Action: ___________________________

00: ___________________________

---

Udlalangalathi, wakhalaswe, St. George's Way, Elsies River 7800, CAPE TOWN
90 Thabo, Khayelitsha, Khayelitsha, CAPE TOWN 7800
Ph (021) 460-1717 F (021) 460-4892
E-mail: faks@knysna.gov.za

37 | Page
Enquiries: M. Lakay
Navrae: (021) 483 4717

Mr J. Douglas
The Municipal Manager
Knysna Municipality
Clyde Street
Knysna
6570

Per Fascimile: 044 302 6333

RE: KNYSNA ERF 5064: PROPOSED REMOVAL OF RESTRICTIONS; REGIONAL STRUCTURE PLAN AMENDMENT; REZONING AND SUB-DIVISION

Dear Sir

We have received the above mentioned sub-division and rezoning application. It is noted that the proposed subdivision has been included in the November 2007 draft Knysna Spatial Development Framework as part of the West Hill/Paradise, Knysna Basin action areas in the implementation framework.

Therefore if the municipality has followed due process and involved the relevant government departments including the Department of Environmental Affairs and Development planning and Agriculture, then our department would have no objection to the sub-division and rezoning of the agricultural land for residential development purposes.

Regards

MARK LAKAY
LOCAL ECONOMIC DEVELOPMENT

DATE: 22/09/2005
Section E - Implementation Framework

304 | Page

Figure 2: Existing Action Areas

Figure 3: Proposed Action Areas

5. Implementation Framework

The objective of the proposed actions is to address the following key areas:

5.1. Action Areas

A. Capital Improvement Programs

B. Land use changes

C. Action areas for which progress and impact are being tracked

The section of the action plans that address the proposed actions from the SCP.

The Kings Spine Connectivity Framework (KSF)
DEPARTMENT of 
ENVIRONMENTAL AFFAIRS 
& DEVELOPMENT PLANNING 
Provincial Government of the Western Cape

REFERENCE: E17/2/2/2/AK111/Erft 5084, Knysna
ENQUIRIES: B Bantom

REGISTERED POST

Marike Vreken Town Planners CC
P.O. Box 2180
KNYSNA
6570

Dear Ms Vreken

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967): ERFT 5084, KNYSNA

1. Refer to your application P0601007 dated 9 September 2008

2. Kindly accept our apologies for the delay in finalising this application.

3. This Office was informed by the Office of the Registrar of Deeds that conditions C. (a), (b) and (c) placed a restriction on Erft 1518 to 1522 and 1524 to 1525, Knysna whereby conditions were created in 1229, 230 and 233 dated 7 January 1948. However, the aforementioned conditions do not place a restriction on Erft 5084, Knysna and therefore does not have to be removed.

4. The original Deed of Transfer No. T. 71810 of 2005, is hereby returned.

Yours faithfully,

Ms B Bantom
PRINCIPAL LAND USE MANAGEMENT REGULATOR
DATE: 3 OCT 2011
7. Closure

-oOo-