

The Municipal Manager
Knysna Municipality
P.O.Box 21
Knysna
6570
25th November 2019

Proposed Permanent Departure , Erf 20344, Knoetzie,
Knysna (Resort Zone 2)

History

- i) The original erf number of the property was 394/47.
- ii) Knoetzie implemented it's own zoning scheme in 2000, called the Knoetzie Local Council Zoning Scheme (2000).
- iii) All the properties and boundaries were surveyed and the new erf number for the property was given as Erf 20344.

Title deeds

- i) The total area of the property is 904 square meters.
- ii) The title deed number is : T000020745
- iii) The owners are Sean & Claire Henderson.

Previous Building plans:


- i) The last time that plans were approved for alterations/additions to the property was on 30/02/2001 and the plan number 2/2001.
- ii) The Knoetzie Local Council Zoning Scheme (2000) was already in place then and structures approved over the 5.0m front building line.

Proposed new building plans

- i) My clients are rebuilding on the existing footprint (with stone plinth & store underneath) where the existing house was standing before it was destroyed by the fires in June 2017.
- ii) The survey of the property revealed that the staircase leading from the existing stoep (north east) was built over the property boundary and that was removed by the owners, as requested by the Noetzie Conservancy Owners Association .
- iii) The NCOA have no objection to the relaxation of the building line so that the owners can re-build the house on the existing footprint.
- iv) None of the neighbouring properties are negatively affected by the proposed new house. The previous was also double storey and in the same position/footprint.

Yours faithfully

N.Genade



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- a) There are no restrictive conditions in the title deed that restrict the owner from building the house over the 5m front building line. According to the Knoetzie Local Council Zoning Scheme of 2000 the front building line is 5.0m. There are no restrictions on the building lines for Resort Zone in the Knysna Zoning Scheme Regulations (1992)
- b) If the municipality relaxes the building line (from 5m to 1.269m) , it will allow the owner to build on the existing footprint of the previous house destroyed by the fires, without having to destroy the old stone plinth of the remaining structure.
- c) If the building line is relaxed , it will greatly improve the way the house can be designed on the existing footprint of the old dwelling.
- d) The 5.0m front building line restricts the owner from re-building the house on the original footprint.
- e) The benefit for the owner if the building line is relaxed is that they can make full usage of the existing stone plinth
- f) The property will still remain RESORT ZONE 2 with the departure granted by the municipality.
- g) There will be more jobs opportunities created for the people that will be building the proposed new dwelling.
- h) The proposal will have no effect on any municipal services.
Knoetzie have no water, electrical or sewer connections in place

Please let me know if you require any further information.

Yours faithfully

N.Genade





NOETZIE CONSERVANCY OWNERS' ASSOCIATION

Box 336, KNYSNA, 6570

Dear Nelis,

10 June 2019

Proposed house Henderson, Erf 20344

BUILDING PLANS

Thank you for the opportunity to comment on the building plans for Noetzie erf 20344, house Henderson.

For the record, the matter was referred to the Noetzie Conservancy Owners' Association (NCOA) committee members and to the owners of the immediately adjacent Noetzie properties for their comment. Where necessary these comments are referred to below.

In general, we welcome the rebuilding of the old Nou-en-Dan house, destroyed by fire. However, we wish the following to be noted:

1. the new building will be constructed on the existing footprint on the foundations of the former house.
2. the new building plan has corrected the encroachment where the old house projected over the building line - and over the boundary line - into a section of the public land marked as "road".
3. the building line on the plans for the new house is 1m from the front boundary of the property, bordering on the public open space on the river side, and 5m from the back boundary. The Noetzie Town Planning Scheme requires the building line to be 5m from the front boundary and 1m from the back.

The NCOA has no objection to the relaxation of the building line, and as there is no real reason to deviate from the existing, historical foundations.

Please note the following concerns:

1. SEPTIC TANKS:

The Noetzie river estuary was categorised as a "prioritised water resource unit" by the national Department of Water and Sanitation in 2018.

The draft Knysna Spatial Development Framework 2019 lists the Noetzie river estuary under those water bodies where the policy to guide decision-making and land use management must adopt:

"A precautionary approach, supported by strong land use management and enforcement for activity and development within the catchment.."

Noetzie does not have a water-born sewerage system and the management of waste-water and sewage is a particular concern in this sensitive environment, particularly on properties bordering the near-pristine Noetzie river. Seepage of sewage is a real concern.



NOETZIE CONSERVANCY
OWNERS' ASSOCIATION

SIGNED _____

DATE 10th June 2019

As we note that the new house had more bathrooms than the old house, would you please indicate the position and capacity of the septic tank and soak-aways.

Tim Everett, owner of the adjacent property 20343, has said the existing septic tank on erf 20344 is cracked, and would need replacing.

It must be ensured that the septic tank is of an adequate size to cope with the increase in bathrooms; that it and the associated infrastructure is sound and without leaks, and that its positioning and plans comply with both SANParks and Knysna Municipality regulations.

2. STORMWATER

Stormwater management in the vicinity of erf 20344 is an issue that you need to be aware of. There is a small stream in the little valley behind the houses, which does not always flow, but does after heavy rains. It used to flow through erf 20344, under the house.

At some stage this stream was diverted, and was probably intended to flow via the "passageway" between erf 20344 and erf 20345, owned by Greg Bond-Smith. However, he reports that the stream now flows towards his house, sometimes causing flooding after heavy rains.

Care should be taken to ensure that any runoff of stormwater from erf 20344 is appropriately directed towards the river.

3. ASBESTOS

Any asbestos that is removed during demolition must be handled by a contractor registered to handle the removal and safe disposal of this hazardous waste.

4. MONKEYS and BABOONS

The range of wild monkeys and baboons has been slowly shrinking as areas are developed. Both monkeys and baboons have learned to raid houses and rubbish bins at Noetzie in search of easy food. Please ensure that all construction and other workers are made aware of this and do not contribute to the problem. Please ensure that they:

- never feed any monkey or baboon
- never leave food where these animals can get it
- keep all lunch or bags containing food *inside* a vehicle, where windows are closed at all times
- never throw away leftover scraps of food, including fruit peels or bones, into the bush
- take food rubbish away daily when contractors depart to throw away in bins in town.

Thank you again for the opportunity to comment.

Regards,

Melanie Gosling

NCOA committee: Municipal Portfolio 2019

(021) 709-0238

0728631425

melanie.gosling@gmail.com



NOETZIE CONSERVANCY
OWNERS' ASSOCIATION

SIGNED _____

DATE 10th June 2019

POWER OF ATTORNEY

DATE: 25/06/2019

To whom it may concern,

ERF 20344

I, SEAN STEPHEN HENDERSON ID No 517974464 ^(BRITISH PASSPORT) confirm that I am the legal owner of the above mentioned property.

Mr. Nelis Genade is herewith authorized to submit building plans and such other applications as may be required for Erf 20344, NOETZLE to the Knysna Municipality for their approval.

Yours faithfully,


OWNERS SIGNATURE

NAME: SEAN STEPHEN HENDERSON

CELL NO: 465 9232 5931

POSTAL ADDRESS: 18 J QUEEN ASTRID PARK
SINGAPORE 264820

EMAIL ADDRESS: sean.henderson@hsbc.com.sg

K20344

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Herold Gie Attorneys
Wembley 3
80 McKenzie Street
Cape Town
8001

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R. 2 300 000.00	R. 1 075.00
Mortgage capital Amount	R.	R.
Reason for exemption	Cat.	Exempt i.t.o. section Act

Prepared by me

Linda Carol Jordaan
CONVEYANCER
LINDA CAROL JORDAAN

T000020745 / 2018

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

PHILLIP CHARLES SAMPSON

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

IONA HONOR EVERETT
Identity Number 521217 0100 081
Married out of community of property

which said Power of Attorney was signed at Haslemere, Surrey, England on the 16th of April 2018.

DATA / VERIFY
17 MAY 2018
PENELOPE NGOGOWANA

DATA / CAPTURE
16 MAR 2018
VUYELWA LAMANI

Lexis® Convey 16.4.0.473



And the appearer declared that his/her said principal had, on 20 February 2018, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **SEAN STEPHEN HENDERSON**
Born on 1 October 1974
Married, which marriage is governed by the laws of England
2. **CLAIRE JEAN HENDERSON**
Born on 14 December 1973
Married, which marriage is governed by the laws of England

their Heirs, Executors, Administrators or Assigns, in full and free property

 **ERF 20344** KNYSNA, IN THE MUNICIPALITY AND DIVISION OF KNYSNA,
PROVINCE OF THE WESTERN CAPE

IN EXTENT **904** (NINE HUNDRED AND FOUR) Square metres

FIRST TRANSFERRED by Deed of Transfer No. T 8687/1960 with Diagram No. 4053/41 annexed hereto and held by Deed of Transfer No. T 79315/2012.

- A. **SUBJECT** to the conditions referred to in Deed of Grant issued on 19 April 1915 (Knysna Quitrents Vol.11 No.23) and to those mentioned therein, one of which reads as follows:-

"The said land being subject moreover to all such duties and regulations as either are already or shall in future be established respecting lands held on similar tenure."



WHEREFORE the said Appearer, renouncing all rights and title which the said

IONA HONOR EVERETT, Married as aforesaid

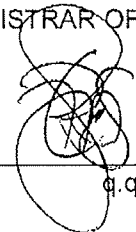
heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

1. **SEAN STEPHEN HENDERSON, Married as aforesaid**
2. **CLAIRE JEAN HENDERSON, Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 300 000,00 (TWO MILLION THREE HUNDRED THOUSAND RAND) .


IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 9 May 2018.



q.q.

In my presence



REGISTRAR OF DEEDS

