

E HILL
4304 SED

5 May 2005

REGISTERED MAIL

Att: Ms M Vreken

Marike Vreken Town & Regional Planner
P O Box 2180
KNYSNA
6570

Madam

**ERF 4304 SEDGEFIELD: PROPOSED AMENDMENT OF CONDITIONS OF
APPROVAL AND DEPARTURE FROM THE SEDGEFIELD ZONING SCHEME
CONDITIONS**

Your application dated 27 January 2005 refers.

Please be advised that my Council, via its Public Amenities & Housing Committee, at its meeting of 3 May resolved as follows:

"[a] That the following correspondence be noted:

- [i] Application from Marike Vreken, Town and Regional Planner, dated 27 January 2005, for the amendment of certain conditions of approval, in respect of Erf 4304 Sedgefield and a departure from the Sedgefield Zoning Scheme conditions to relax the coverage allowed from 25% to 30%;
- [ii] Letter from South African National Roads Agency, dated 23 February 2005;
- [iii] Letter from Sedgefield Ratepayers and Voters Association, dated 19 February 2005;

- [iv] Letter from Sedgefield Island Village Homeowners Association, dated 17 February 2005;
- [v] Comments of the Town Electrotechnical Engineer, dated 1 April 2005;
- [vi] Comments from the Town Engineer, dated 16 March 2005;
- [vii] Letters from the applicant (Marika Vreken) dated 7 March 2005 and 11 April 2005, in response to the comments received;

[b] That the application in terms of Section 42(3) of Ordinance No. 15 of 1985 for the amendment of conditions of approval applicable to Erf 3404 Sedgefield, in order to develop a maximum of 24 flats instead of a hotel as previously approved, as well as the application in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for a Departure from the Sedgefield Zoning Scheme, to increase the coverage allowed on the said erf from 25% to 30% be approved, subject to the following conditions:

- (i) that the architectural style of the blocks of flats, as indicated on the typical elevations attached to the motivation report, shall be maintained to the satisfaction of Council, with a height of 2 storeys up to a maximum of 8,5m above natural ground level;
- (ii) that a site development plan, indicating the siting, elevations and finishes of all buildings, paved areas and proposed landscaping, as well as all screen walls, shall be submitted for consideration with, or prior to, submission of building plans for approval. In this regard, the following aspects are of relevance: The layout of units must take into account orientation and climatic conditions, and must indicate practical access to all garages. No structures, including garages, will be permitted within the building lines and no outbuildings may exceed one storey in height. An area of at least 15% of the site shall be reserved separately from the parking area and access roads as an undivided area for gardening or recreation;
- (iii) that a Home Owner's Association shall be established, the proposed Constitution of which must be submitted to Council for approval;
- (iv) that augmentation fees in respect of electricity shall be payable on 23 units;

- (v) that if the electrical demand is greater than that allowed for the hotel, the applicant must upgrade the 500kVA miniature substation to supply the new demand at his/her cost;
- (vi) that the conditions stipulated in the letter dated 23 February 2005 from the South African National Roads Agency shall be adhered to;
- (vii) that the remainder of the original conditions of approval and in particular the capital (augmentation) charges shall be adhered to;
- (viii) that provision and installation of civil services shall be to the satisfaction of the Town Engineer;
- (ix) that all costs pertaining to the application shall be for the account of the developer;
- (x) that a 5kl rain water tank shall be installed for each unit and rain water run-off from roofs shall be collected therein for gardening and similar uses;
- (xi) that dual-flush toilets shall be installed in all units;
- (xii) that normal building plan approval shall be obtained for all units, and that a permit from Heritage Western Cape shall be obtained for demolition of structures on the property, if applicable."

Your attention is drawn to the provisions of Section 44 of the Land Use Planning Ordinance, 1985 (Ord. No. 15 of 1985), in terms of which you have a right to appeal to the Premier of the Western Cape against the decision of Council. Should you wish to exercise this right of appeal, you must lodge such motivated appeal in writing to be received by the relevant authorities within **thirty (30) days** of date of registration of this letter. The appeal should be addressed to:

The Director: Integrated Environmental Management (Region A)
Department of Environmental Affairs and Development Planning
Chief Directorate: Development Planning
Private Bag X9086
CAPE TOWN
8000

A copy of the appeal must be served on Council simultaneously.

In addition, your attention is drawn to the provisions of Section 16 and/or Section 27 of Ordinance No. 15 of 1985, regarding the lapsing of unutilized land use approvals (2 years in terms of Departures and Rezoning, 5 years in respect of subdivision).

Yours faithfully



E J HILL

CHIEF TOWN PLANNER

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cc: Manager: Corporate Services
 Manager: Finance
 TE
 TEE
 BCO
 Chief: Health & Housing