

Collab Ref: 2395300
File Ref: 5008, Sed
L Mniki



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LAND USE MANAGEMENT

ZONING CERTIFICATE

TO WHOM IT MAY CONCERN

ERF 5008, SEDGEFIELD (comprising of Erven 4839, 5006 & 5007, Sedgefield)

It is hereby confirmed that the above property has a split zoning of "Business Zone I" (portion of Erf 4839), "Transport Zone II" (Erf 5006), "Open Space Zone II" (Erf 5007), and "General Residential Zone III" (portion of Erf 4839), in terms of the Knysna Zoning Scheme By-law (2020); and is subject to the uses and conditions as listed in the Knysna The property is subject to the uses and regulations as listed in the Zoning Scheme By-law and conditions of approval, where applicable. On a letter dated 02 December 1999, approval was granted for the development of Erf 1627, Sedgefield [Erf 4305 Sed, Vol1]. A letter dated 05 May 2005 [Ref 4304 Sed, vol 1] was issued to allow the amendment of conditions of approval applicable to Erf 4304 Sedgefield, in order to develop a maximum of 24 flats instead of a 'hotel' as previously approved; and to allow an increase on the permissible coverage from 25% to 30%. A temporary use departure for a market was granted under letter dated 25 June 2015 [Ref 4839 Sed] on Erf 4839, Sedgefield. The source of the aforementioned information is archival property files of the Land Use Management Department.

Please note:

- (1) The subject property may only be used in accordance with such zoning and any other applicable rights (consent uses, departures, etc.) and not for any other purpose.
- (2) The above zoning category and land use rights are subject to various development parameters and restrictions contained in the applicable zoning scheme regulations, a copy of which is available on the Knysna Municipality's municipal website (<https://www.knysna.gov.za/do-business/planning-development/land-use-management/>).
- (3) The subject property's Title Deed should also be consulted for any restrictions that might be more onerous and/or records of any other previous approvals, consents, exclusions or departures granted from the zoning scheme regulations.
- (4) Use of the property in accordance with the above specified zoning category does not exempt the owner/occupier from compliance with any other legal statutory requirement which may affect the property.
- (5) Although every effort has been made to ensure that the information here-in is accurate, any errors or omissions made in this document cannot be used to enforce a zoning other than the lawful zoning for this property.
- (6) Knysna Municipality indemnifies himself from any liability with regards to any direct or indirect consequential loss, damage or cost caused or arising from the information as set out in this zoning certificate.

JH SMIT
MANAGER: LAND USE MANAGEMENT
/lm

DATE:



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

/ac

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



SEDGEFIELD

MUNISIPALITEIT - MUNICIPALITY

Flemingolaan
Fleming Ave
3, SEDGEFIELD
6573

☎ (044) 3431640

Fax: (044) 3432135

email: sedgemun@pixie.co.za

2 Desember 1999

Navrae
Enquiries

J. VAN SCHALKWYK/meg

Verwysing
Reference

15/2/3/1/60

Mhre Vanco Projects
Posbus 1256
SEDGEFIELD
6573

Memoire

AANSOEK OM HERSONERING EN ONDERVERDELING : GEDEELTE A, ERF 1627, SEDGEFIELD

U aansoek in bostaande verband het betrekking.

Geliewe kennis te neem dat my Raad tydens sy vergadering gehou op 29 November 1999 soos volg besluit het:

- ✓ a) Dat goedkeuring ingevolge artikel 25 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1935) vir die onderverdeling van Erf 1627, Sedgefield in agt dele en 'n restant, soos aangetoon op onderverdelingsplan TEK.822/G-2 HER 4 verleen word.
- ✓ b) Dat goedkeuring ingevolge artikel 16 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) vir die hersonering na algemene residensieel (hotel), sakeso, winkel en restaurant), motorhawesone, sakesone met spesiale ontspanningsfasiliteit as toestemmingsgebruik, groepbehuisingone, privaat oopruimte en straat, soos aangetoon op plan TEK.822/G-2 HER 4 verleen word.
- ✓ c) Dat goedkeuring vir die onderverdeling van Gedeeltes 5 en 7, soos aangetoon op planne TEK.822/G-5 en TEK.822/G-6 verleen word onderhewig aan die volgende voorwaardes:
 - ✓ i) Dat een huiseienaarsvereniging gestig word ten opsigte van die groepsbehuisingontwikkeling en waarvoor 'n grondwet opgestel word wat aan die Raad voorgelê moet word vir goedkeuring.
 - ✓ ii) Dat die argitektoniese styl ten opsigte van die groepshuiseenhede soos aangetoon op plan TEK.822/G-7 gevolg word en dat voldoening aan die styl in die grondwet van die huiseienaarsvereniging opgeneem word.
 - ✓ iii) Dat geen geboue-ontwikkeling onder die 3m gemiddelde seevlak mag plaasvind nie.
 - ✓ iv) Dat daar 'n dienste-ooreenkoms aangegaan word met die Raad ten opsigte van alle munisipale dienste.
 - ✓ v) Dat die verlegging van die toegangspad na Die Eiland (Jan van Riebeeckstraat) tot tevredenheid van die Raad en die Padowerheid aangespreek word. So ook moet die straat wat toegang verleen tot die kommersiële komponent tot tevredenheid van die Raad gebou word. Alle kostes wat hieruit spruit is vir die rekening van die ontwikkelaar.

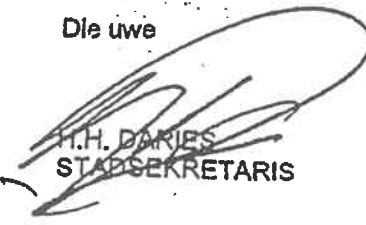
vi) Dat/...

Hart van die Meregebied

Heart of the Lakes area

- ✓ vi) Dat die motorhawesone slegs vir 'n vulstasie gebruik mag word en dat 'n "truck-stop", motorwassery, diensstasie of enige gepaardgaande aktiwiteite nie toegelaat word nie.
- ✓ vii) Dat 'n ondersoek na die moontlike besoedelingsgevaar wat die brandstoftanks en afloopwater vir die ekologie inhou, gedoen word en dat dit tot bevrediging van die Raad, Natuurbewaring en Parkeraad sal wees. Dit moet bewys word dat die vulstasie nie 'n besoedelingsgevaar inhou nie. Ook moet dit duidelik gestel word watter voorsorgmaatreëls sal geld om alle situasies te hanteer om besoedeling te voorkom.
- ✓ viii) Dat 'n ondersoek gedoen word na die fauna en flora op die perseel en in die omgewing om die invloed van die ontwikkeling op die breë omgewing te bepaal, dat die bevindinge tot tevredenheid van Natuurbewaring en Parkeraad moet wees en dat 'n bestuursplan vir die ontwikkeling in sy geheel (onder andere die beheer van indringerplante) opgestel word.
- ✓ ix) Dat die argitektoniese styl ten opsigte van die kommersiële komponent, soos voorgelê by die publieke vergadering, gehandhaaf word, maar dat detail voorstelle vooraf met die Raad onderhandel word.
- ✓ x) Dat die omvang van die hotel beperk word tot twee verdiepings en dat 'n hoogtebeperking van 8,5m vanaf natuurlike grondhoogte ten opsigte van alle strukture in die kommersiële deel sal geld.
- ✓ xi) Dat detail terreinontwikkelingsplanne ten opsigte van voorstelle vir die ontwikkeling van die kommersiële persele aan die Raad voorgelê word waarin voorsiening van parkering, landskapering, boulyne, dekking ensovoorts aangetoon word. Plasing, ontwerp ensovoorts van advertensietekens moet aan die Raad voorgelê word vir goedkeuring.
- ✓ xii) Dat die ontwikkelaar 'n omgewingskundige sal aanstel wat tydens die konstruksiefase toesig sal hou en nakoming van die bestuursplanvoorstelle soos gemeld in (viii) hierbo sal verseker, welke persoon op 'n maandelikse basis tot en met die voltooiing van die projek aan die Raad verslag moet doen.
- ✓ xiii) Dat daar voldoen word aan die voorwaardes soos gestel deur die onderskeie Staatsdepartemente.
- ✓ xiv) Dat geen buiteverbruik drankwinkellisensie by enige van die kommersiële komponente toegelaat sal word nie.
- ✓ xv) Die goedkeuring verval indien daar nie tot tevredenheid van die Raad aan die voorwaardes voldoen word nie.
- ✓ xvi) Hierdie goedkeuring onthef nie die applikant van sy verpligting om ander wetgewing na te kom nie.
- ✓ xvii) Dat alvorens die ontwikkelaar sy regte kan uitoefen, alle aspekte waarna in die voorwaardes hierbo verwys word, tot bevrediging van die Raad onderhandel word.
- ✓ xviii) Dat Landmeterdiagramme by die Raad ingedien word na registrasie daarvan in die Kantoor van die Landmeter-Generaal.

Die uwe


H.H. DRIES
STADSEKRETARIS