

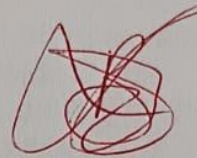
Collab. Ref: 221889-
File Ref: 2187 & 12673 KNY
M MAUGHAN-BROWN

Tel: 044-3021605
Fax: 044-3021631

REGISTERED MAIL

2013-01-11

H M Vreken
P O Box 2187
KNYSNA
6570

 16-01-2013

Dear Madam

**PROPOSED REZONING, SUBDIVISION AND CONSOLIDATION: ERVEN 2187
AND 12673 KNYNSNA**

Your application dated 27 March 2008 refers.

Please be advised that my Council, at its Council meeting of 29 November 2012, resolved as follows:

"[a] That the following correspondence be noted:

- (i) Application of Marike Vreken, Town and Regional Planners, dated 27 March 2008 for the removal of restrictive conditions, rezoning and subdivision of erven 2187 and 12673 Knysna (consolidated erf 16583 Knysna);
- (ii) Objections received from: J. Rogge, dated 17 June 2008, G. Logan, dated 24 June 2008, B. B. Plewman, dated 29 June 2008, J. L. Paton, dated 30 June 2008, SM Jackson dated 20 February 2012, B B Plewman dated 29 June 2008, J L Paton dated 20 February 2012, Outeniqua Geotechnical Services dated 20 February 2012 and Logan of Logan Martin dated 27 January 2012;
- (iii) Record of Decision from Heritage Western Cape, dated 22 August 2008
- (iv) Comments from the Director: Technical Services, dated 7 April 2008 and 20 January 2012, the Town Electrical Engineer, dated 11 April 2008 and 1 February 2012, the Traffic manager dated 25 January 2012 and Environmental Officer dated 27 January 2012 and August 2012;
- (v) Applicant's response to objections and comments, dated 1 September 2008 and 13 July 2012;

[b] That the rezoning from "Single Residential" to "Group Housing" as well as the subdivision of erven 2187 and 12673 Knysna, in terms of sections 16 and 25 respectively, of the Land Use Planning Ordinance, 1985, (Ord 15 of 1985) into 32 "Group Housing" and 1 "Private Open Space" erf, be approved, subject to the following conditions:

- (i) That a Detailed Site Development Plan, indicating the siting, elevations and finishes of the building shall be submitted by the applicant for approval prior to the approval of building plans; the design of the building shall be in accordance with the design guidelines for the rest of the development;
- (ii) The development may only take place once Eskom have completed the upgrading of the 132kV supply line to Knysna and have allowed Knysna Municipality to increase the notified demand;
- (iii) The development will be supplied by means of Bulk Electrical Meter. The developer must also install the electrical infrastructure, at his cost, within the development;
- (iv) The development must further supply and install a mini-sub in accordance to the electrical department's specification;
- (v) Solar or gas assisted water heating devices/heat pumps shall be installed by the applicant;
- (vi) Load switch accommodation is required and it will be wired in accordance to the Electrical department's specification, the switch will be purchased by the applicant;
- (vii) CFL are to be used in all fittings if advantageous;
- (viii) The developer's electrical consultant must calculate the estimated demand of the development and if found acceptable, will be used to calculate the augmentation payable for the developments;
- (ix) All existing services to be moved at applicant's cost & to council's satisfaction;
- (x) The augmentation and extension fees for water and sewer will be due on the final size of the erf and must be agreed on in the services agreement;
- (xi) The Developer shall redevelop the Health Care Centre and Club House before construction is commenced on any of the units, or alternatively, shall furnish financial or other guarantees to the satisfaction of Council that the Health Care Centre and Club House shall be redeveloped and in operation by the time that 50% of the erven have been transferred;
- (xii) All costs pertaining to the application shall be for the account of the applicant, unless otherwise indicated;
- (xiii) Ownership of the property and the community facility shall vest in the Home Owner's Association and transfer of ownership to the Home Owners'

- Association shall take place before 76% of the properties in the development have been transferred;
- (xiv) The procedures for the appointment of management agents and for the control of the management of the facility shall be clearly spelt out in the Constitution of the Home Owners' Association;
 - (xv) Normal building plan approval shall be required and no aesthetics approval is implied in this approval;
 - (xvi) Local labour and contractors from within the Knysna Municipal area shall be utilised wherever possible, and, in this regard, contracts regarding BBEE, (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: Strategic Services for information of Council. The municipal database on local labour shall be used as far as possible;
 - (xvii) All units to be further than 32 m from the water course; and
 - (xviii) Road signs to be erected: Concealed exit/entrance on approach & Stop signs at exits.
 - (xix) A bridge, to the satisfaction of the Director: Technical Services should be constructed over the river at each entrance at the cost of the Developer."

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 **twenty one (21) days** of date of registration of this letter. The appeal should be addressed to:

The Director: Land Management (Region 3)
Department of Environmental Affairs and Development Planning
Private Bag X6509
GEORGE
6530

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

Please note that you may not act in terms of the above decision of Council until it has been confirmed, in writing, that an appeal has not been lodged by an objector against that decision. Should you not have been informed within 30 days of receipt of this letter, you are advised to contact the writer. Should an appeal have been lodged, the decision of the Premier will have to be awaited, which decision will replace Council's decision on the matter.

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