Collab. Ref.: 1745994
File Ref.: 5190 Sed
App No.: 2777
JH Smit
Tel: 044-302 6318

Knysna
Municipality Munisipaliteit uMasipala
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Via Electronic Mail

2024-03-12

Xander Oscar & Bruno Carl Rau
c/o Planning Space (Pty) Ltd
PO Box 173
KNYSNA
6570
Email: lundi@planningspace.co.za

Dear Sir/Madam,

DECISION: SUBDIVISION: ERF 5190, SEDGEFIELD

Your application in the above regard, received dated 14 September 2022 and accepted 10 October 2022, refers.

Please be advised that the Authorised Official, in terms of Council Resolution SC02/03/16 dated 31 March 2016, has made the following decision:

1.1 That, **Approval Be Granted** in terms of Section 60 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the Subdivision of Erf 5190, Sedgefield, into a portion (Portion A) measuring 761.2m^2 and a remainder portion measuring 797.5m^2 as shown on subdivisional plan numbered "*1.100-T00-1of1*" dated 05 August 2022.

2. The above approval(s) is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipal By-law on Spatial Planning & Land Use Management (2021):

General Conditions:

(i) The subdivision shall generally be in accordance with the plans numbered "*1.100-T00-1of1*" dated 05 August 2022.

(ii) The vehicular access point to Portion A at the panhandle shall be a minimum distance of 10m from the intersection with Kingfisher Drive as

shown on the geometric layout contained in the traffic and geometric report compiled by Shameez Patel Papathanasiou dated 01 August 2023.

Conditions of Subdivision:

(i) The landowner/developer shall apply for a street address/numbering in accordance with Council's Street Naming and Numbering Policy, prior to certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021).

(ii) The landowner/developer shall submit the endorsed Surveyor-General plan or diagram(s) to the Municipality, upon application for certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021).

(iii) The landowner/developer shall install separate municipal service connections for water, electricity and/or sewer to the subdivided portion, to the satisfaction of the Director: Infrastructure Services, prior to certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first.

(iv) The landowner/developer shall pay augmentation levies for municipal services in accordance with Council's policy, to the satisfaction of the Director: Infrastructure Services, prior to certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first.

(v) The landowners/developer shall pay augmentation levies for municipal services in accordance with Council's policy, to the satisfaction of the Director: Infrastructure Services, prior to the certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first. The augmentation levies shall include contributions to road network upgrades including the physical closure of Tern Crescent to form a cul-de-sac, where found applicable.

3. **The reasons for above recommendation are as follows:**

(i) The applicant proposes to subdivide the erf into two positions to accommodate two existing dwellings. The dwellings have been in existence for an extended period.

(ii) The subdivision will enable the site to become two separate portions which will also permit the joint ownership of the property by two persons to own each portion separately.

(iii) The subdivision of the subject property contributes to densification of the urban area within the urban edge as encouraged by planning policy.

(iv) The subdivided portions are of similar proportions to other single residential properties in the surrounding area and will thus not be out of character for the area and not set a new precedent.

(v) The portions can be accessed adequately and do not require additional municipal engineering services.

(vi) There are no objections to the subdivision, and the adjoining owners have offered their consent.

4. **The applicant/landowner is further advised of the following matters regarding the application:**

(i) Building plans shall be submitted in terms of the requirements of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) to the Municipality for approval of any building work being undertaken.

(ii) The landowner/developer shall adhere to the comments of the National Department of Forestry Fisheries and the Environment in their correspondence dated 07 December 2022.

You are hereby informed of your right to appeal to the Appeal Authority in terms of Section 79(2) of the said legislation.

1.1 The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Municipal Manager, P.O Box 21, Knysna or via email to knysna@knysna.gov.za , within 21 days of notification of this decision together with proof of payment of the appeal fee.

1.2 You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

1.3 The notice must be served in accordance with Section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

Kindly note that this decision is not subject to a right of appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Should you have any further enquiries, please contact Shaun Madumbo telephone number: 044-302 6268 or via e-mail address: smadumbo@knysna.gov.za .

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
Delegations: P.78
/lb

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Collab. Ref.: 1771372
File Ref.: 5190 Sed
App No.: 2777
JH Smit
Tel: 044-302 6318

Via Electronic Mail

2024-04-12

Xander Oscar & Bruno Carl Rau
c/o Planning Space (Pty) Ltd
PO Box 173
KNYSNA
6570
Email: lundi@planningspace.co.za

Dear Sir/Madam,

ERRATUM IN TERMS OF 63(1) OF THE PLANNING BY-LAW: SUBDIVISION: ERF 5190, SEDGEFIELD

Our letter of 12 March 2024, refers.

Please be advised that this correspondence replaces the aforementioned letter in accordance with Section 63(1) of the Knysna Municipality By-law on Municipal Land Use Planning (2016). An underlined word denotes a correction to an error:

Please be advised that the Authorised Official, in terms of Council Resolution SC02/03/16 dated 31 March 2016, has made the following decision:

1.1 That, **Approval Be Granted** in terms of Section 60 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the Subdivision of Erf 5190, Sedgefield, into a portion (Portion A) measuring 772.7m^2 and a remainder portion measuring 785.9m^2 as shown on subdivisional plan numbered "*1.100-T01-1of1*" dated 08 August 2023.

2. The above approval(s) is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipal By-law on Spatial Planning & Land Use Management (2021):

General Conditions:

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tell: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

(i) The subdivision shall generally be in accordance with the plans numbered "*1.100-T01-1of1*" dated 08 August 2023.

(ii) The vehicular access point to Portion A at the panhandle shall be a minimum distance of 10m from the intersection with Kingfisher Drive as shown on the geometric layout contained in the traffic and geometric report compiled by Shameez Patel Papathanasiou dated 01 August 2023.

Conditions of Subdivision:

(i) The landowner/developer shall apply for a street address/numbering in accordance with Council's Street Naming and Numbering Policy, prior to certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021).

(ii) The landowner/developer shall submit the endorsed Surveyor-General plan or diagram(s) to the Municipality, upon application for certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021).

(iii) The landowner/developer shall install separate municipal service connections for water, electricity and/or sewer to the subdivided portion, to the satisfaction of the Director: Infrastructure Services, prior to certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first.

(iv) The landowners/developer shall pay augmentation levies for municipal services in accordance with Council's policy, to the satisfaction of the Director: Infrastructure Services, prior to the certification in terms of Section 20(6) of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first. The augmentation levies shall include contributions to road network upgrades including the physical closure of Tern Crescent to form a cul-de-sac, where found applicable.

3. **The reasons for above recommendation are as follows:**

(i) The applicant proposes to subdivide the erf into two positions to accommodate two existing dwellings. The dwellings have been in existence for an extended period.

(ii) The subdivision will enable the site to become two separate portions which will also permit the joint ownership of the property by two persons to own each portion separately.

(iii) The subdivision of the subject property contributes to densification of the urban area within the urban edge as encouraged by planning policy.

(iv) The subdivided portions are of similar proportions to other single residential properties in the surrounding area and will thus not be out of character for the area and not set a new precedent.

(v) The portions can be accessed adequately and do not require additional municipal engineering services.

(vi) There are no objections to the subdivision, and the adjoining owners have offered their consent.

4. **The applicant/landowner is further advised of the following matters regarding the application:**

(i) Building plans shall be submitted in terms of the requirements of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) to the Municipality for approval of any building work being undertaken.

(ii) The landowner/developer shall adhere to the comments of the National Department of Forestry Fisheries and the Environment in their correspondence dated 07 December 2022.

You are hereby informed of your right to appeal to the Appeal Authority in terms of Section 79(2) of the said legislation.

1.1 The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Municipal Manager, P.O Box 21, Knysna or via email to knysna@knysna.gov.za , within 21 days of notification of this decision together with proof of payment of the appeal fee.

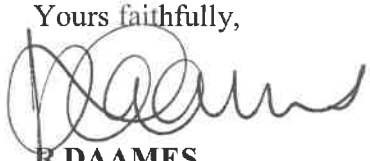
1.2 You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

1.3 The notice must be served in accordance with Section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

Kindly note that this decision is not subject to a right of appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Should you have any further enquiries, please contact Shaun Madumbo telephone number: 044-302 6268 or via e-mail address: smadumbo@knysna.gov.za .

Yours faithfully,



R DAAMES
ACTING DIRECTOR: PLANNING & DEVELOPMENT
Delegations: P.124
/lb

Collab. Ref.: 1771365
File Ref.: 5190, Sed
Application No.: 2777
S Madumbo
Tel: 044-302 6268

Knysna
Municipality Munisipaliteit uMasipala
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Via Electronic Mail

12 April 2024

Xander Oscar & Bruno Carl Rau
c/o Planning Space (Pty) Ltd
PO Box 173
KNYSNA
6570

Email: lundi@planningspace.co.za

Dear Sir/Madam,

SUBDIVISION: ERF 5190, SEDGEFIELD

This Municipality's letter of erratum dated 12 April 2024 refers.

Please be advised that the Authorised Official in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), approved the subdivision of Erf 5190, Sedgefield, into a portion (Portion A) measuring 772.2m^2 and a Remainder measuring 785.9m^2 as shown on the plan numbered "*1.100-T01-1of1*" dated 08 August 2023.

The approval is subject to the conditions contained in Annexure A, B and C enclosed herewith.

A copy of the subdivision plan, duly endorsed as required, is attached for your further attention. Kindly furnish our office with a copy of the approved Surveyor-General diagram as soon as it is available.

Should you have any further enquiries, please contact the Senior Town Planner, Shaun Madumbo on telephone number: 044-302 6268 or via e-mail address at: smadumbo@knysna.gov.za.

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
Delegations: P.78
/sm
1339, Sed

CC: - GIS Officer

Please address all correspondence to the Municipal Manager and quote the above reference
P O Box 21 • Knysna • 6570 • Tell: 044 302 6300 • Fax: 044 302 6333 • E-mail: knysna@knysna.gov.za

ANNEXURE A

The following conditions of title shall be registered against the subdivided portion(s), except where similar conditions have, in the opinion of the conveyancer, already been registered against the original property or properties:

(a) The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewerage and drainage including storm water of any other erf or erven to be conveyed across this erf, and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon if considered necessary by the local authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above;

(b) The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

ANNEXURE B

Satisfactory arrangements for the essential removal of telephone or telegraph routes which cross the land being subdivided must be made with the Post Office in terms of section 83(1) of the Post Office Act.

ANNEXURE C

(i) The landowner/developer shall apply for a street address/numbering in accordance with Council's Street Naming and Numbering Policy, prior to certification in terms of Section 20(6) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021).

(ii) The landowner/developer shall submit the endorsed Surveyor-General plan or diagram)s) to the Municipality, upon application for certification in terms of Section 20(6) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021).

(iii) The landowner/developer shall install separate municipal service connections for water, electricity and/or sewer to the subdivided portion, to the satisfaction of the Director: Infrastructure Services, prior to certification in terms of Section 20(6) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first.

(iv) The landowner/developer shall pay augmentation levies for municipal services in accordance with Council's policy, to the satisfaction of the Director: Infrastructure Services, prior to certification in terms of Section 20(6) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), or the submission of building plans, whichever comes first. The augmentation levies shall include contributions to road network upgrades including the physical closure of Tern Crescent to form a cul-de-sac, where found applicable.

5190, Sed

Legend - Site Services

DPO	new/existing municipal data post
DMH	new/existing municipal data MH
EPO	new/existing municipal electrical post
EMH	new/existing municipal electrical MH
EMLO	new/existing municipal electrical lamppost
EMC	new/existing municipal electrical connection
EO	new/existing electrical powerlines overhead
tank	Existing septic tank
FHO	Fire Hydrant
SMH	new/existing municipal sewer MH

MUNISIPALITEIT / MUNICIPALITY
UMASIPALA
12 APR 2024
KNYSNA

It is hereby certified that this subdivision / ~~consolidation~~ / ~~site development~~ plan (Plan no: 1.100-T01-1of1.....), has been approved in terms of Sections 60 and 15(2) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021).

File Reference: 5190 5190 SED
Authorised Official: J.H. Smit
Signature: .....
Delegation No: P. 34
Date: 12/4/2024

Y 18120 X 3766480

Y 18100 X 3766480

ERF 1691

Erf Boundary 56850mm

ERF 1681

Existing road kerb

10 000

B

C

Erf Boundary 7600mm

PORTION A, ERF 5190
772,7 m²

existing septic tank

PANHANDLE

3170

Proposed new Boundary
27039mm

Proposed new Boundary
4375mm

2 000

2 002

Proposed new Boundary
8228mm

NEW ENTRANCE

02 Tern Cresent

REMAINDER, ERF 5190
785,9 m²

Existing building

Existing building

Existing building

Existing building

Erf Boundary 21520mm

Strandloper road

5 172

10 696

8 091

9 506

Proposed new Boundary
17899mm

existing septic tank

Proposed new Boundary
25008mm

1100

Existing Entrance

Erf Boundary 25190mm

D

E

3m 4m 5m 6m 7m 8m 9m 10m 11m 12m 13m 14m 15m 16m 17m 18m 19m 20m 21m

Erf Boundary 60950mm

ERF 4838

N

Site Plan 1:100

Y 18120 X 3766520

Y 18100 X 3766520

AREA SCHEDULE

Site Info

Total erf area:	1558,70m²
Proposed subdivided Erf A	772,70m²
Proposed subdivided Erf B	785,90m²

signature of engineer Date

I/we, the under signed, hereby confirm that I/we are fully aware of the contents of this drawing, that it carries my/our approval, that the architect reserves the right of ownership on this drawing until paid for in full in terms of our appointment and instruct the architect to submit drawings for Council approval.

signature of owner Date

Repeated Notes on all Drawings:
All construction to be strictly in accordance with the latest legislative revisions of the National Building Regulations and Building Standards Act No. 103 of 1977 and the application thereof as found in the South African National Standards; for design rules as per SANS 10400 The application of the National Building Regulations; for materials and construction as per SANS 2001 Construction works. So too in accordance with all applicable laws and bylaws of the concerned local, and/or provincial and/or national authorities. The information of this drawing is incomplete without referring to the document titled:
.-A-001 Project Information

Client:
XO Rau & BC Rau

Project Erf Address
Erf 5190 SEDGEFIELD

Project Street Address
02 Tern Cresent, Sedgefield

Project Description
Subdivision Plan Erf 5190 Sedgefield

DYK ARCHITECTS

Project Name
Subdivision Plan Erf 5190 Sedgefield

Drawing No	Rev No	Sheet
.-1.100	T01	1 of 1

Drawing Description
Subdivision layout

Issued For	Issued Date
Subdivision Plan	2023/08/08

Modified	Checked	Approved	Scale	Size
			As shwn	A1

Copyright
The Copyright Act No. 98 of 1978 applies

Collab. Ref.: i8163961
File Ref.: 5190 Sed
App No.: 2777
JH Smit
Tel: 044-302 6318

Knysna
Municipality Munisipaliteit uMasipala
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Via Electronic Mail

2024-05-22

Xander Oscar & Bruno Carl Rau
c/o Planning Space (Pty) Ltd
PO Box 173
KNYSNA
6570
Email: lundi@planningspace.co.za

Dear Sir/Madam,

DECISION: SUBDIVISION: ERF 5190, SEDGEFIELD

1. This Municipality's letter dated 12 April 2024, refers.

2. I wish to advise that no appeal against the approval specified in the aforementioned letter, has been lodged with the Municipality as contemplated in Section 79(1) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) (the "Planning By-Law").

3. The matter has been finalized and the file is closed.

Yours faithfully,

JH SMIT
MANAGER: LAND USE MANAGEMENT
Delegations: P.78
/lb