

M MAUGHAN-BROWN  
292 SED

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2009-12-04

V P M Planning  
P O Box 173  
KNYSNA  
6570



**REGISTERED MAIL**

Sir/Madam

**PROPOSED REZONING FROM SINGLE RESIDENTIAL ZONE TO BUSINESS  
ZONE: ERF 292, 293 AND 294 SEDGEFIELD**

Your application dated 14 July 2006 refers.

Please be advised that my Council, at its Council meeting of 26 November 2009, resolved as follows:

"(a) That the following correspondence be noted:

- (i) Application from VPM Planning, dated 14 July 2006, for the rezoning of Erven 292, 293 and 294 Sedgefield, from "Single Residential" to "Business";
- (ii) Objection from J Linder dated 8 September 2006;
- (iii) Comment from the Sedgefield Ratepayers and Voters Association, dated 18 August 2006;
- (iv) Memoranda from the Town Engineer dated 17 July 2006 and subsequent comment on applicant's response and Town Electrotechnical Engineer, dated 12 September 2006;
- (v) Applicant's response to comment dated 24 October 2006;
- (vi) E-mail from the Director of Technical Services dated 2009/09/17.

(b) That, notwithstanding the objection received, the application for the rezoning of Erven 292, 293, and 294 Sedgefield, from "Single Residential" to business: be **APPROVED**, in terms of Sections 16 of the Land Use Planning Ordinance, 1985 (Ord. 15 of 1985), subject to the following conditions:

- (i) The development be shall restricted to an extent to which, as determined by the Director: Technical Services, water and electricity could be made available from present supplies to Sedgefield;

Please address all correspondence to the Municipal Manager and quote the above reference

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- (ii) A services agreement must be concluded with the Municipality for the provision of services, augmentation, and timing of the development. No development may commence until such agreement is in place;
- (iii) Any additional supply of electricity required for the development, including network upgrading and metering shall be for the applicant's account;
- (iv) Augmentation fees in respect of water, sewerage and electricity, shall be payable, as determined by the Director: Technical Services and Town Electrotechnical Engineer, in accordance with Council's current policy, on date of application for rates clearance or for building plan approval, whichever date the earlier;
- (v) A site development plan, indicating the siting of buildings, vehicular- and pedestrian areas, as well as access to the erf and the elevations and finishes of all buildings and walls shall be provided to the satisfaction of the Council's Aesthetics Committee, prior to approval of building plans;
- (vi) The site development plan and building plans shall take into account the recommendations contained in the Sedgefield CBD Enhancement Study and any deviations from those recommendations must be agreed to in writing by the Manager: Town Planning and Building Control;
- (vii) A 5kl rainwater tank, or equivalent system to the satisfaction of Council, shall be installed with a practical method of utilizing rainwater for at least garden and swimming pool use shall be installed in respect of each residential unit. The rain water tanks or alternative system shall be architecturally treated to be aesthetically pleasing;
- (viii) Dual flush toilet cisterns and low water taps and shower heads shall be installed in all units;
- (ix) A load shedding facility, in conjunction with a solar power heating system and dual gas-electric hob installation, shall be provided to all units to the satisfaction of the Town Electrotechnical Engineer, at the applicant cost;
- (x) CFL light bulbs shall be installed in all light fittings, where feasible. No external floodlighting or spotlighting shall be permitted and any landscape illumination shall be by means of solar-powered LED lighting;
- (xi) Separate skips or suitable containers shall be utilized for the following waste materials: building materials, recyclable material, green waste and non-recyclables;
- (xii) The disposal of all waste shall be undertaken by the developer to the relevant and appropriate waste sites and recycling centre."

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: 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.

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 approvals (2 years in terms of Departures and Rezoning, 5 years in respect of subdivision).

Yours faithfully

  
J B DOUGLAS

**MUNICIPAL MANAGER**

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cc: Director: Corporate Services  
Director: Finance  
Director: Technical Services  
Director: Planning & Development  
Director: Community Services  
TEE  
BCO