

K E U R B O O M S T R A N D
P L A A S L I K E R A A D / L O C A L C O U N C I L

Posbus 12
GEORGE
6530

Tel. 0441-744040
Fax. 0441-746626

P.O. Box 12
GEORGE
6530

Verw/Ref:

14/7/2/741

Navrae/Enquiries:

G. Scott

9 October 1991

Messrs Brink Stokes Marais & Moolman
P.O. Box 1691
GEORGE
6530

The Building Control Officer
Knysna

Copy for your information

Sir

APPLICATION FOR DEPARTURE: PORTION 1 OF ANNEX ARCH ROCK 296:

1. Your application in the above regard refers.
2. My Council has, in terms of Section 15(1)(b) of Ordinance 15/1985, granted the application for a departure from the Zoning Scheme to permit the erection of one dwelling house and two chalets on Portion 1 of Annex Arch Rock 296, subject to the following conditions:
 - 2.1 That the road serving the chalet area shall have a minimum width of 5 m.
 - 2.2 That provision be made for refuse storage facilities which are easily accessible to the removal vehicle.
 - 2.3 That as few as possible (if any) of the indigenous trees be removed to accommodate the units.
 - 2.4 That these two units and all future units to be erected on the property, form a harmonious architectural entity to Council's satisfaction.
 - 2.5 That the sizes of the units shall not exceed the size of the units as indicated on Plan G2390/1 (dated 25 October 1991) namely approximately 65 m².

- 2.6 That a capital contribution of R3 456,00 per unit be paid in respect of electricity. This figure is subject to an escalation of 20% per annum.
- 2.7 That a minimum of 4 of the existing caravan stands be closed.
- 2.8 That no labourers be permitted to reside on the property.
- 2.9 That approval of this application will only be effected on compliance with all the relevant conditions.
- 2.10 That all building operations must cease immediately and may only be continued once all conditions of approval have been complied with.
3. Your attention is also directed to the provisions of Section 15(5) of Ordinance 15/1985 in terms whereof this approval will lapse if not exercised within two years as from date hereof.

Yours faithfully

SECRETARY

GS/yh



SUID-KAAP STREEKSDIENSTERAAD
SOUTH CAPE REGIONAL SERVICES COUNCIL

YORKSTRAAT 54
POSBUS 12

GEORGE
6530

54 YORK STREET
P.O. BOX 12

14/7/2/741

Mr P C J Theron

GEORGE

TAKKANTOOR
BRANCH OFFICE
POSBUS/P.O. BOX 13
RIVERSDAL/E
6770

GEORGE
KNYSNA
MOSSELBAAI/BAY
RIVERSDAL/E
HEIDELBERG

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PAAIE
ROADS
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22891
911518
32438

GESONDHEID
HEALTH
744040
21157
3503
32438
21

FAX

(0441) 744826
-
-
(02933) 33203
-

8 October 1991

The Secretary
Keurboomstrand Local Council
P O Box 12
GEORGE
6530

Sir

DEPARTURE : PORTION 1 OF ANNEX ARCH ROCK 296

APPLICANT: Messrs Brink Stokes Marais and Moolman on behalf of G A & A O Reid

PROPERTY: Portion 1 of Annex Arch Rock

SIZE: 9,3905 Ha

LOCALITY: On the eastern side of and adjacent to Keurboomstrand Township

ZONING: Resort Zone I

APPLICATION FOR: Departure from the existing land use restrictions so that one additional dwelling house and two chalets may be erected on the property.

ANNEXURES:

1. Proposed Lay-out Plan
2. Motivation

1. COMMENTS:

- 1.1. At present there are one dwelling house and three chalets together with a restaurant and a caravan park on the property. It is the applicant's intention to build two additional chalets and a dwelling house on the property.
- 1.2. In terms of the zoning of the property the erection of chalets does not require a rezoning but the Council's approval for a departure of the land use restrictions are required. The

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present land use restrictions are based on the existing development on the property as described in paragraph 1.1.

1.3. From a town planning point of view there is no objection to this application as the proposed development fits into the pattern of development in the area which is based on accommodation for holiday makers.

1.4. It is also the applicant's intention to replace other caravan stands with chalets and to subdivide the property into two portions. This application will however be addressed in due course.

2. COMMENTS OF THE SENIOR HEALTH INSPECTOR (ORIGINALLY AFRIKAANS)

2.1. WATER

2.1.1. Huishoudelike water is afkomstig vanaf die Keurboomstrand interne verspreidingsnetwerk.

2.1.2. Die nodige kapitale bydrae van R2 000,00 tot die waterhernuwingsfonds moet onderskeidelik vir die woonhuis en chalets gemaak word.

2.2. RIOOL

2.2.1. Die verwydering van riool sal deur die Suid-Kaap Streeksdiensteraad onderneem word.

2.2.2. Daar word aanbeveel dat die opgaartenk wat die twee chalets bedien 'n volume van ten minste 12m³ moet hê. 'n Kapitale bydrae van R300,00 per opgaartenk moet gemaak word.

2.2.3. Riool en gryswater moet in hierdie tenk opgegaan word.

2.3. HUISHOUELIKE VULLIS

2.3.1. Die verwydering van huishoudelike vullis sal deur die Suid-Kaap Streeksdiensteraad onderneem word.

2.3.2. Die nodige stoorfasiliteite wat maklik toeganklik is vir die verwyderingsvoertuig, moet voorsien word.

3. COMMENTS OF THE CHIEF: ROADS

3.1. There is no objection to the application subject to the condition that the road serving the chalet area shall have a minimum width of 5 m.

4. RECOMMENDED

That the application for departure from the zoning scheme to permit the erection of one dwelling house and two chalets, be approved on condition:

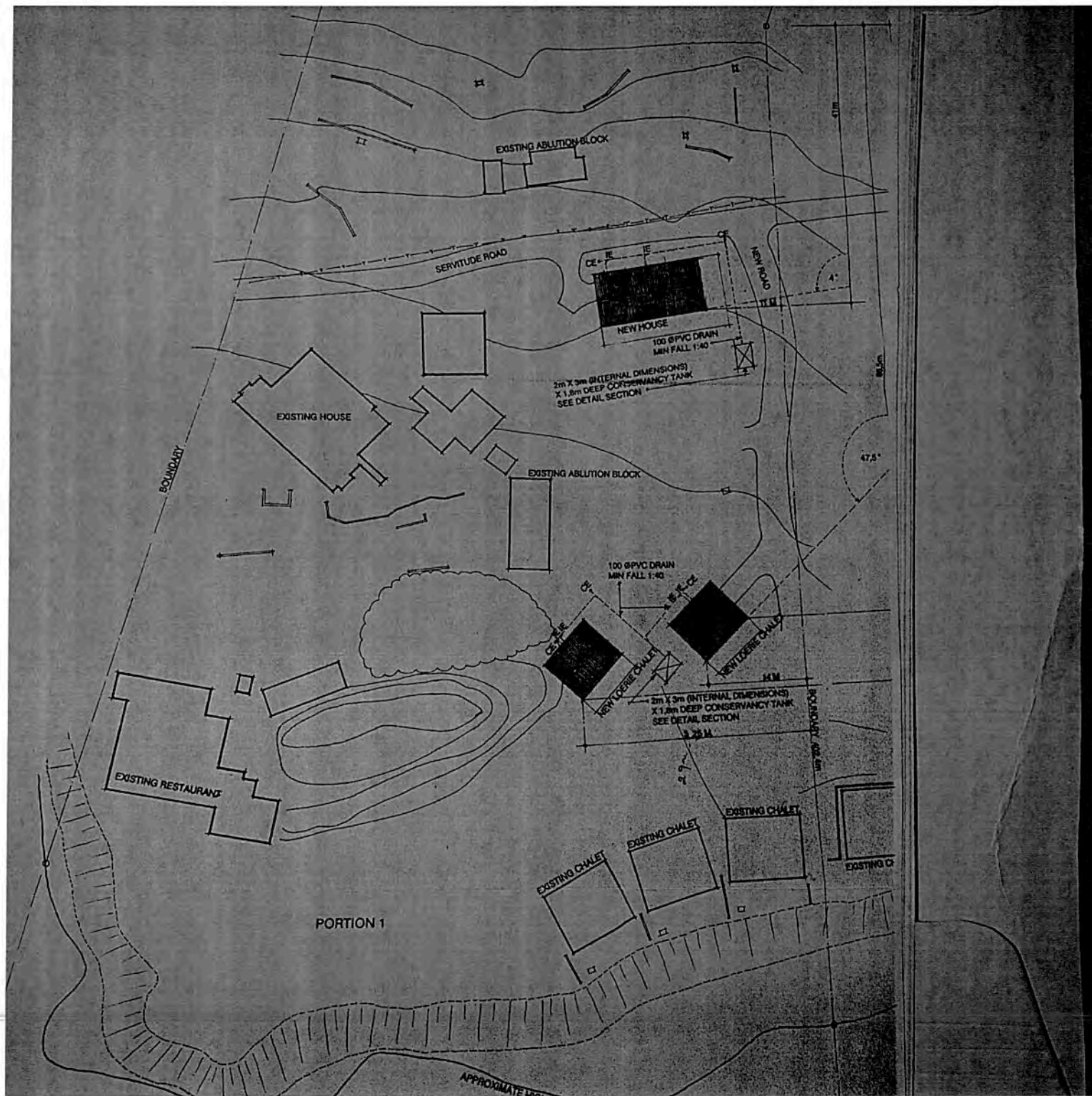
- 4.1. That the conditions laid down by the Senior Health Inspector and the Chief: Roads, be complied with.
- 4.2. That as few as possible (if any) of the indigenous trees be removed to accommodate the units.
- 4.3. That these two units and all future units to be erected on the property shall form a harmonious architectural entity to Council's satisfaction.
- 4.4. That the sizes of the units shall not exceed the size of the units indicated on Plan G2390/1 (dated 25/10/1991) namely approximately 65m².

Yours faithfully



C ZIETSMAN
CHIEF EXECUTIVE OFFICER
PCJT/tg

- 4.5. *Electrics*
- 4.6. *4 Car stands*
- 4.7. *Car stands*
- 4.8



KEURBOOMSTRAND
PLAASLIKE RAAD LOCAL COUNCIL
YORKSTRAAT 54 YORK STREET
12
GEORGE 6530
☎ 0441-744040 FAX 0441-746656

VER-
REF

14/7/2/741

NAVRAE
ENQUIRIES

G. Scott

10 June 1992

Messrs Van Waart, Pawson & Maree
P.O. Box 350
PLETTENBERG BAY
6600

Afskrif ter inligting aan:

Die Teso

Sir

SUBDIVISION OF PORTION 1 OF ARCH ROCK 296

1. Your application in the above regard refers.
2. My Council has in terms of Section 25(1) of Ordinance 15/1985 granted approval to the subdivision of the abovementioned property as indicated on the attached plan k296 on which the land uses for the purposes of Sections 22(2) and 22(3) of Ordinance 15/1985 are indicated.
3. This approval is subject in terms of Section 42(1) of Ordinance 15/1985 to the following conditions:
 - 3.1 That a capital contribution of R2 000 be made towards the Water Renewal Fund i.r.o. the subdivided portion of the property.
 - 3.2 That a capital contribution of R3 456 be paid i.r.o. Electricity.
 - 3.3 That any buildings that are in conflict with the proposed line of subdivision be demolished prior to clearance being given for the registration of the subdivision.
 - 3.4 That services be provided to the subdivision in accordance with Regulation 39 of the Regulations promulgated in terms of Section 47(1) of Ordinance 15/1985. (In this regard your attention is invited to the Provincial Administration's Circulars LG/PB 15/1986 dated 20 June 1986 and LG/PB 17/1986 dated 9 July 1986).

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4. Your attention is also invited to the following:
 - 4.1 Regulations 36, 37 and 38 of the Regulations promulgated in terms of Section 47C of Ordinance 15/1985, and
 - 4.2 Sections 26, 27 and 28 of Ordinance 15/1985.
5. A copy of this letter has been endorsed to the Surveyor-General.
6. It should be noted that clearance certificates for the subdivided erven will only be issued if Council is in possession of copies of the Surveyor-General's diagrams of the erven.

Yours faithfully

SECRETARY
GS/yh

relevant to
Please note that it is a
and Building Standard
which a certificate of

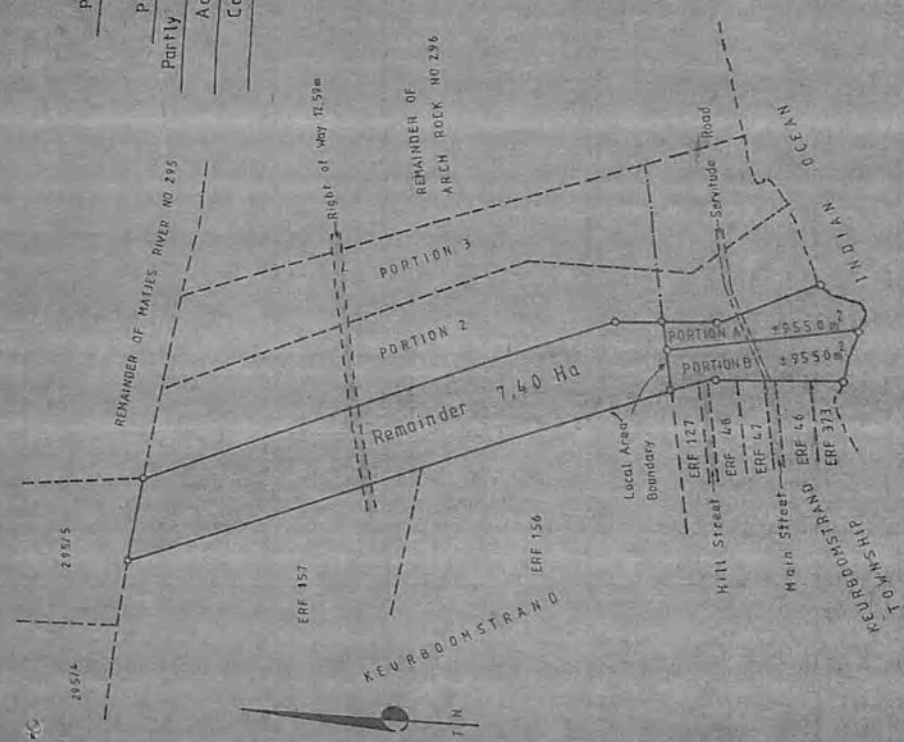
SCALE = 1:5000
PLAN
of
Proposed Subdivision
of
Portion 1 of Arch Rock No. 296
Partly in the Local Area of Keurboomstrand
Administrative District of Knysna
Cape Province
(Ref K:296)

APRIL 1991

A. M. West
Van West, Rouwen & Marez
Land Surveyors

SOON TO BE OPENED
SUIDKAMP STREEKSIEDERSTE RAAD
SOUTH CAPE REGIONAL SERVICES COMMISSION
Ondervindende (gegronde) Knysna artikel 25
Subdivisie gemaak in terme van section 26 of
van Oudmanwet 15 van 1985.

9.6.92
HOOFDVERBODIGING DATUM
CHIEF EXECUTIVE OFFICER



relevant to



K 57

SUID-KAAP STREEKSDIENSTERAAD SOUTH CAPE REGIONAL SERVICES COUNCIL

YORKSTRAAT 54
POSBUS 12

GEORGE
6530

54 YORK STREET
P.O. BOX 12

VERW. REF. 14/7/2/800

NAVRAE ENQUIRIES C. Schliemann

KANTOOR OFFICE George

TAKKANTOOR BRANCH OFFICE
POSBUS/P.O. BOX 13
RIVERSDAL'E 6770

	KANTOOR OFFICE	PAARIE ROADS	GESONDHEID HEALTH	FAX
GEORGE	(0441) 744040	744040	744040	(0441) 746628
KNYSNA	(0444) -	22691	21157	-
MOSSELBAAI/BAY	(0444) -	911518	3503	-
RIVERSDAL'E	(02933) 32438	32438	32438	(02933) 33203
HEIDELBERG	(02962) -	-	21	-

23 June 1992

TO CHIEF EXECUTIVE OFFICER
FROM CHIEF TOWN & REGIONAL PLANNER

PROPOSED SUBDIVISION: PORTION 1 OF THE FARM ARCH ROCK 296

Applicant Van Waart Pawson & Maree on behalf of
G.A. Read and A.O. Read

Property Portion 1 of the farm Arch Rock 296

Locality See Annexure 1

Zoning Portion A + B Resort Zone I
Remainder Agricultural Zone I

Size 9,3 ha

Application Subdivision of the property into three portions

Annexures 1. Locality Plan
2. Subdivision Plan

1. COMMENT

- 1.1 Application has been made for the subdivision of Portion 1 of Arch Rock no 296 into three portions, namely Portions A + B, each 9550 m² and the Remainder being 7,4 ha in extent.
- 1.2 Proposed Portions A + B fall within the Keurboomstrand Local Council area, while the Remainder falls within the RSC area. The Local Council has already approved the application, but because a part of the property falls within the RSC area, approval is required from the RSC. By alienating the Remainder, the property is divided according the respective local authorities involved, which will simplify future administrative obligations by the authorities. Any future change in use of the Remainder would have to be submitted to the RSC.

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Korrespondensie moet aan die Hoof-Uitvoerende Beampte gerig word
Correspondence must be addressed to the Chief Executive Officer

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1.3 Because the Remainder is indicated as Nature Area in the Guide Plan, the subdivision is exempted from the provisions of Act 70 of 1970.

2. RECOMMENDATION

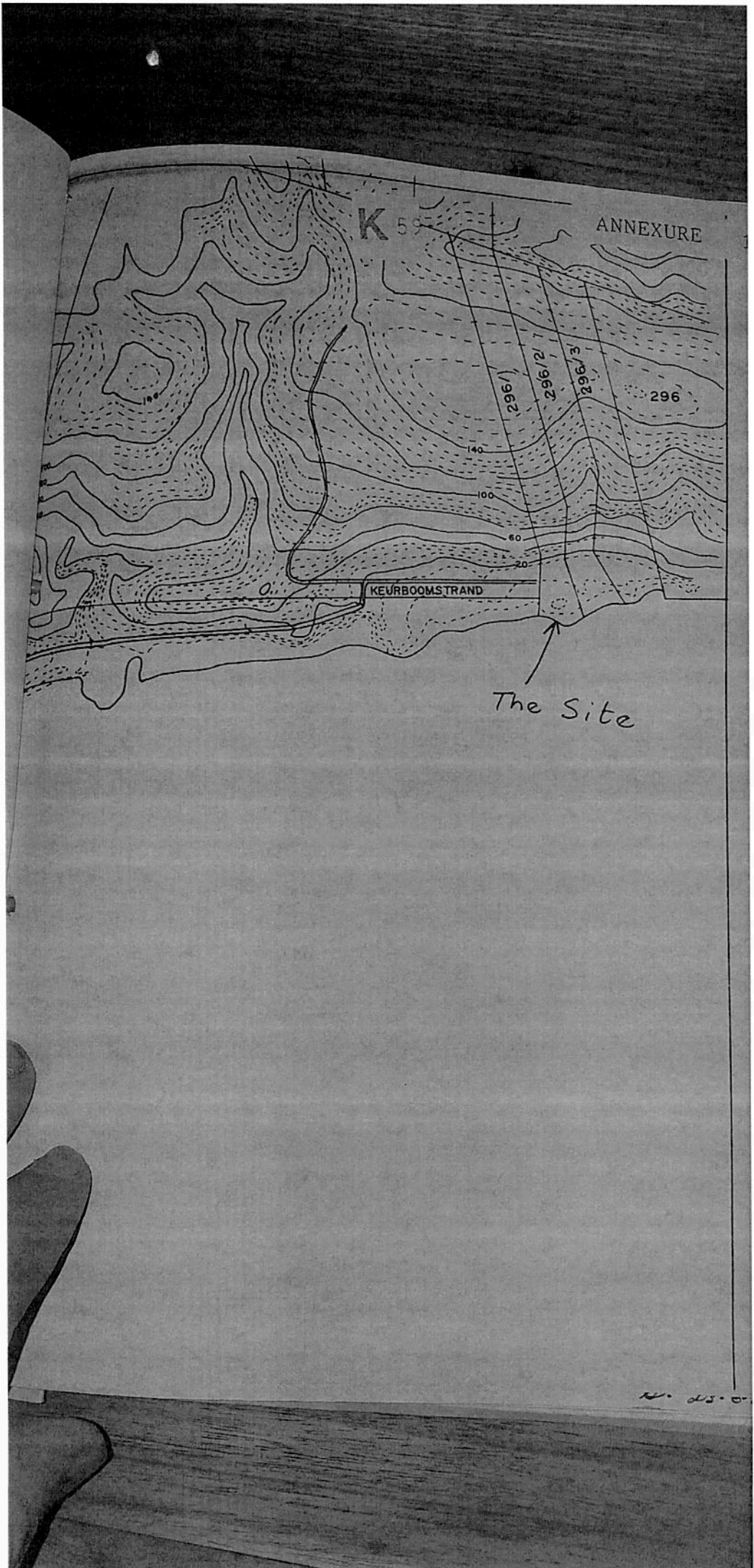
2.1 That the application for subdivision of Portion 1 of the Farm Arch Rock 296 as depicted on Subdivision Plan Ref K.296, be approved.

Yours faithfully



CHIEF TOWN & REGIONAL PLANNER
CSyh800

2015-01-12



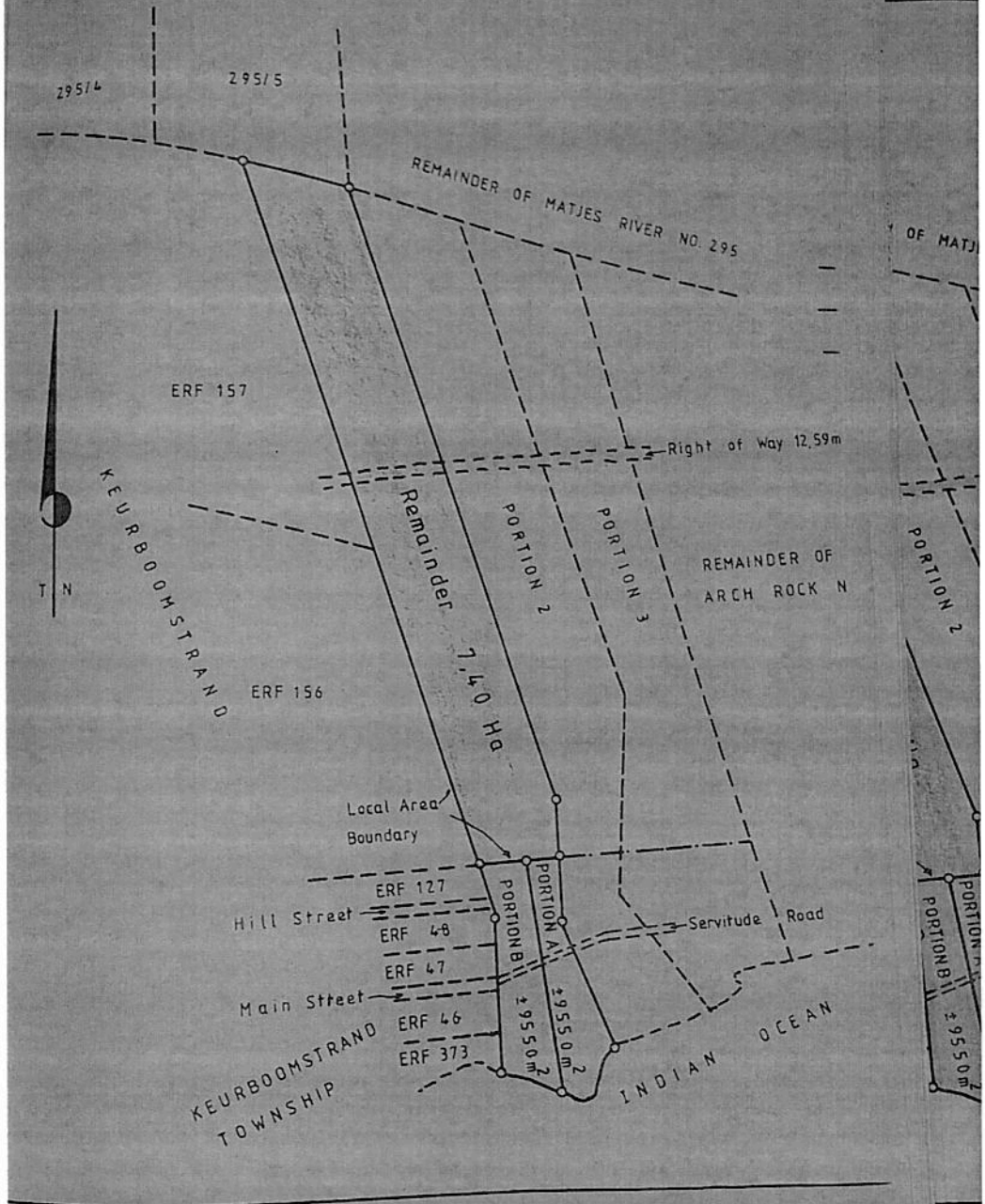
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ANNEXURE

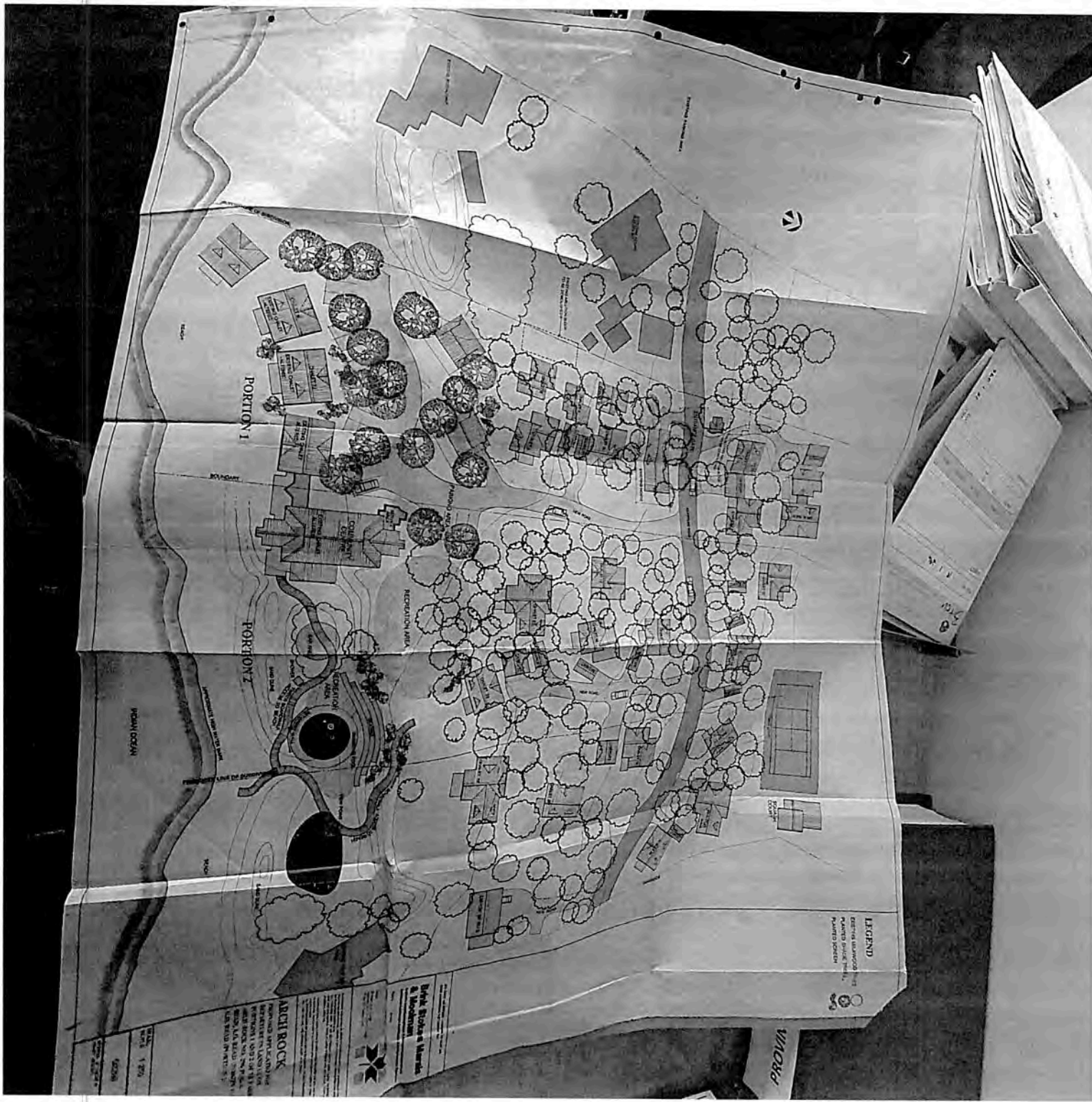
KEURBOOMSTRAND

The Site

12. 23. 01



W. 25-012



PORTION 1

PORTION 2

LEGEND
EXISTING STRUCTURES
PLANTING
PAVING SYSTEM

ARCH ROCK

Birk, Birk & Associates, Inc.
Architects & Landscape Architects

PROVIN

KEURBOOMSTRAND
PLAASLIKE RAAD LOCAL COUNCIL

YORKSTRAAT 12 YORK STREET
GEORGE 6530
☎ 041-744040 FAX 041-744156

14/02/741

J C OTTERVANGER

11 May 1993

CERTIFIED MAIL

Messrs Brink Stokes Marais & Moolman
P O Box 1691
GEORGE
6530

Sirs

ORDINANCE 15/1985: APPLICATION FOR A DEPARTURE: PORTION A OF
PORTION 1 AND PORTIONS A & B OF PORTION 2 OF ARCH ROCK


1. Your application in the above regard refers.
2. My Council has, in terms of Section 15(1)(b) of Ordinance 15/1985, read with Section 42(1) (if applicable), granted the application for a departure from the Scheme Regulations in order to permit a chalet development, conference facilities and recreational facilities on the abovementioned properties, subject to the following conditions:
 - That only a total of two chalets and one dwelling house be erected on the said properties until such time as the problem in respect of the removal of sewerage is solved to the satisfaction of Council. No building plan will be approved until Council received a letter signed by both relevant owners wherein it is stated where the two chalets are to be erected in terms of this approval.
 - 2.2 That once the problem in respect of removal of sewerage is solved, a total of 9 chalets and two dwelling houses, may be erected on Portion A of Portion 1, 6 Chalets on Portion A of Portion 2 and 7 chalets on Portion B of Portion 2 of Arch Rock, together with the conference and recreational facilities, as indicated on Plan G2390 dated 9 April 1992.
 - 2.3 That the conditions laid down by Department of Nature Conservation, as attached be complied with.

2/.....

- 2.4 That as few as possible (if any) of the indigenous trees be removed to accommodate the units and other facilities.
- 2.5 That the style of the chalet development and dwelling houses corresponds with that of the two chalets which were erected recently, namely timber log cabins.
- 2.6 That the positioning of each construction be done in collaboration with the Chief: Town and Regional Planner.
- 2.7 That the sizes of the units shall not exceed the size of units indicated on Plan G2390 dated 9 April 1992, namely approximately 65m².
- 2.8 That no development takes place in front of or alongside the existing chalets. - +
- 2.9 That right of way servitudes be registered in favour of all the properties where applicable to provide internal access as proposed on Plan G2390 dated 9 April 1992.
- 2.10 That no carports be erected on Portion A of Portion 1 Arch Rock.
- 2.11 That the contents of the conservancy tanks are to be removed by the Regional Services Council. The continuance of this service is not guaranteed by the Regional Services Council. In the event of this service being discontinued, the applicant must make alternative arrangements for the removal of the sewage.
- 2.12 The position of the conservancy tanks must be determined in conjunction with an official of this department.
- 2.13 Water will be supplied via the Keurhoomstrand water reticulation system. Each portion is already provided with a standard 20 mm water connection.
- 2.14 Refuse will be removed by the Regional Services Council refuse removal system.
- 2.15 The applicants must provide a refuse storage facility that is easily accessible for the removal truck.
- 2.16 On submission of each building plan to the Regional Services Council, the following capital contributions are to be paid.
 - 2.16.1 Water - R2 000,00
 - 2.16.2 Sewerage - R300,00
 - 2.16.3 Electricity - The amount is to be determined by Council from time to time - being R4 089,60 at present
 - 2.16.4 The refuse removal tariff will automatically be levied on the completion of each unit.
- 2.17 That the internal roads and relevant stormwater drainage be designed by a consulting engineer.
- 2.18 That the internal roads be permanently surfaced as indicated in the application.

- 2.19 That the riding surface of the 12.59 m servitude right of way shall have a minimum width of 5 m with a 1 m wide gravel shoulder on either side.
- 2.20 That access roads serving individual subdivisional areas, should be kept within the perimeters of such particular subdivision.
- 2.21 In the event of this not being possible due to practical reasons (e.g. the location of Milkwood trees), a servitude right of way should be registered across the straddled property so as to render legal access.

Yours faithfully



SECRETARY

JCO/tg

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1. COMMENTS

1.1 At present the property facilitates the following uses.

Portion A of Portion 1: Five existing chalets, 30 caravan sites with ablution facilities and outbuildings. One of the existing chalets is presently being used as a residence for G A Read.

Portion 2: One dwelling house, one existing chalet, 65 caravan sites with an ablution block, outbuildings and services.

It is the applicant's intention to develop the property as follows:

Portion A of Portion 1 to be converted from 30 caravan sites and ablution facilities to accommodate five existing chalets, eight new chalets and two dwelling houses, access roads and parking.

Portion 2 is to be subdivided into three portions, namely the Remainder (7,7 ha), Portion A (8500 m²) and Portion B (8500 m²), as indicated on the subdivision plan (Annexure 2). Portion B is to be converted from caravan sites to accommodate a conference centre (indicated as a community centre on the lay-out plan, Annexure 4), 7 chalets, a swimming pool, bar area and recreational area and Portion A to accommodate one existing residence and outbuilding, 6 new chalets, squash court, tennis court, access roads and parking.

In due respect to the applicant some minor discrepancies in the motivation report were noted. (Refer to annexure 5, paragraph 1.4.1 and paragraph 3.1) These have no influence on the nature of the application and is probably the result of the duration from setting up the report to the present.

1.2 The Southern part of Portion 2 of Arch Rock (Portion A and B) falls within the Local Council's area of jurisdiction. Although the proposed Portion A and Portion B are quite large in comparison to the average erf in Keurboomstrand, the impression is created that these properties form an integral part of Keurboomstrand. This is in contrast to the "rural" properties known as Matjesfontein where the subdivision of these properties in similar way could not be supported. The Remainder of 7,7 ha in extent and falls outside the Local Council area.

The topography, the low-lying southern party (proposed Portion A and Portion B) and the high lying Remainder on the plateau, also serves as a natural division between the Remainder and Portion A and B. From a planning point of view there is no objection to the subdivision in principle.

1.3 Council will recall that at its meeting held recently on 14 July 1992, subdivision was approved for the adjacent property (Portion 1 Arch Rock).

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- 1.4 It must be noted that the proposed tennis court violates the subdivision line indicated on Plan Ref K296 dated September 1991. The alteration of this subdivision line must be done in such a way to accommodate the proposed tennis court (refer to paragraph 1.4.5)
- 1.5 Because it is felt that the abutting property owners will not be affected by the subdivision, the application was not advertised.
- 1.6 In terms of the zoning of the property the erection of chalets does not require a rezoning but Council's approval for a departure of the land-use restrictions is required. The present land-use restrictions are based on the existing development on the property as described in Paragraph 1.1.
- 1.7 The proposed development fits into the pattern of development in the area which is based on accommodation for holiday makers and therefore from a Town Planning point of view there is in principle no objection to the development as such.
- 1.8 The proposed and existing number of structures on the property (Portion A of Portion 1 and Portion A and B of Portion 2) will be 47 in total - including recreational facilities, car ports and dwelling houses. Twenty six of these structures will be chalets of which 13 are intended to be on Portion A of Portion 1 together with the dwelling houses. Subsequently a density of 15,7 units per hectare on Portion A of Portion 1 and 8,2 units per hectare on Portion 2 is proposed.

During an inspection carried out on the property it was noted that the existing Milkwood trees and the natural open space on Portion A of Portion 1 will not be able to accommodate the proposed number of chalets and two dwelling houses as per plan. In the area between the existing two new chalets and the Servitude Road (Annexure 5) only three chalets and a dwelling house can be recommended due to the nature of the vegetation.

On the northern side of the Servitude Road (Portion A of Portion 1) two chalets and a dwelling house were proposed and also here the location of the Milkwood trees and the density factor can only allow the erection of 1 chalet and a house.

One of the conditions laid down by Nature Conservation was the increasing of the setback line on the rear side of the development. No development should take place in front of or alongside the existing structures. This implies that the chalet on the south western part of the property and swimming pool will be affected, and can no longer be constructed on the proposed locations.

Nature Conservation further recommended a strongly clustered unit arrangement with a corresponding acceptable architectural style that will reduce the structural density and unit size. By implication this means the conservation of the existing indigenous coastal vegetation by all means. To establish this it is recommended that the exact location of each structure be done in co-operation with the Chief Town and Regional Planner.

It is further recommended that the proposed three carports on Portion 1 be replaced by open parking to further reduce the structural density.

It must be stated that the approved dwelling house on Portion A of Portion 1 (South of the Servitude Road) is not yet being built although it is indicated as an existing house on the layout Plan.

1.9 On Portion 2 a total of 13 chalets with 10 carports, a swimming pool and bar area, squash court, tennis court and the upgrading of an existing chalet for the purpose of a conference centre, are proposed. This implies a chalet density of 7,65 per hectare. During an on-site inspection, this density together with the proposed carports and existing house was acceptable and a reduction in the number of units on this portion is not necessary.

1.10 The proposed squash court is situated alongside the north - eastern boundary of Portion A of Portion 2. This site is densely bushed and the exact placing has to be done in co-operation with the Chief: Town and Regional Planning. The proposed tennis court (adjacent to the squash court), is placed on a natural flat and clear area, secluded behind dense vegetation but in violation of the proposed subdivision line between Portions A and B of Portion 2. (refer to paragraph 1.2.3.) The position of the tennis court is therefore determined by the site characteristics. The alternation of this subdivision line, must be done in such a way that the tennis court be fully accommodated on either one of the proposed properties.

1.11 The proposed bar area is situated under a mature Milkwood tree on the southern part of Portion 2. The construction of the bar area must be done in such a way that the tree will not be damaged at all and that water seepage can still be maintained. A wooden structure, blending with the environment, will be most appropriate.

1.12 It is intended by the owners to operate the complete chalet development as one interacting unit and not as three separate resorts. Because of this, access to some of the chalets is obtained via adjacent properties. Therefore it is necessary to register right of way servitudes where property boundaries are crossed by internal roads (Annexure 4).

1.13 In terms of the Knysna - Wilderness - Plettenberg Bay Guide Plan the area under discussion is earmarked as a Nature Area. It is therefore important to protect and preserve vegetation as far as possible in order to establish a balance between development and conservation. Because of this, it must be emphasized that the density, architectural style and positioning of structures are very important in this specific development.

1.14 The application for departure was advertised and no objection was received.

2. COMMENT BY CHIEF: HEALTH & COMMUNITY SERVICES

2.1 Subdivision:

This department has no objection to this application provided the following conditions are complied with:

- 2.1.1 A capital contribution of R2 000,00 be made towards the water renewal fund in respect of the subdivided portion of the property.
- 2.1.2 A capital contribution of R3 456,00 be paid in respect of electricity.
- 2.1.3 All other services will be as for the Keurboomstrand Local Council jurisdiction use.

2.2 Departure:

Herewith the following recommendations:

2.2.1 Sewerage:

- 2.2.1.1 Because of the current uncertainty as to the rendering of the sewerage removal service it is recommended that the applicant be granted permission to erect only 2 additional chalets and a house for Mr G A Reed (2 chalets already erected).
- 2.2.1.2 The contents of the tanks will be removed by the Regional Services Council's sewerage removal service. The continuance of this service is not guaranteed by the Regional Services Council. In the event of this service being discontinued the applicant must make alternative arrangements for the removal of sewerage.
- 2.2.1.3 The position of the conservancy tanks must be determined in conjunction with an official of this department.

2.2.2 Water:

- 2.2.2.1 Water will be supplied via the Keurboomstrand water reticulation system.
- 2.2.2.2 Each portion is already provided with a standard 20 mm water connection.

2.2.3 Refuse:

- 2.2.3.1 Refuse will be removed by the Regional Services Council refuse removal service.
- 2.2.3.2 The applicants must provide a refuse storage facility that is easily accessible for the removal truck.

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2.2.4 Capital Contributions:

On the submission of a building plan to the Regional Services Council office, the following capital contributions must be paid.

- 2.2.4.1 R2 000,00 for the water augmentation fund.
- 2.2.4.2 R300,00 for the conservancy tank.
- 2.2.4.3 A capital contribution towards Electricity Fund.
- 2.2.4.4 The refuse removal tariff will automatically be levied on the completion of each unit.

3. COMMENT BY CHIEF: ROADS

3.1 Subdivision

No comments.

3.2 Departure

Access to the individual portions is off the public parking area at the beach in Keurboomstrand, by way of a servitude right of way, 12,59 m wide.

It is not clear why the proposed subdivisional lines should cut across public facilities such as the access road serving the proposed two portions of Portion 1 as well as the swimming pool area and tennis courts on the proposed two portions of Portion 2.

The application can be recommended subject to the following conditions:

- 3.2.1 That the internal roads and relevant stormwater drainage be designed by a consulting engineer.
- 3.2.2 That the internal roads be permanently surfaced as indicated in the application.
- 3.2.3 That the riding surface of the 12,59 m servitude right of way shall have a minimum width of 5 m with a 1 m wide gravel shoulder on either side.
- 3.2.4 That access roads serving individual subdivisional areas, should be kept within the perimeters of such particular subdivision.
- 3.2.5 In the event of this not being possible due to practical reasons (e.g. the location of Milkwood trees), a servitude right of way should be registered across the straddled property so as to render legal access.

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4. RECOMMENDATION

4.1 SUBDIVISION

That the application for subdivision of Portion 2 Arch Rock 296 as depicted on Plan Ref K296 dated September 1991, be approved, subject to the following conditions.

4.1.1 That the conditions laid down by the Chief: Health and Community Services be complied with.

4.1.2 That the tennis court, that is in conflict with the proposed line of subdivision, be relocated or that the subdivision line be altered to accommodate the tennis court.

4.2 DEPARTURE

That the application for departure from the zoning scheme to permit chalet development, conference facilities and recreational facilities on Portion A of Portion 1 and Portion A and B of Portion 2 be approved, subject to the following conditions:

4.2.1. That only a total of two chalets and one dwelling house be erected on the said properties until such time as the problem in respect of the removal of sewerage is solved to the satisfaction of Council. No building plan will be approved until Council received a letter signed by both relevant owners wherein it is stated where the two chalets are to be erected in terms of this approval.

4.2.2. That once the problem in respect of removal of sewerage is solved, a total of 9 chalets and two dwelling houses, may be erected on Portion A of Portion 1, 6 chalets on Portion A of Portion 2 and 7 chalets on Portion B of Portion 2 of Arch Rock, together with the conference and recreational facilities, as indicated on Plan G2390 dated 9 April 1992.

4.2.3. That the conditions laid down by the Chief: Roads and the Chief: Health and Community Services be complied with.

4.2.4. That the conditions laid down by Department of Nature Conservation be complied with.

4.2.5. That as few as possible (if any) of the indigenous trees be removed to accommodate the units and other facilities.

4.2.6. That the style of the chalet development and dwelling houses corresponds with that of the two chalets which were erected recently namely timber log cabins.

4.2.7. That the positioning of each construction be done in collaboration with the Chief: Town and Regional Planner.

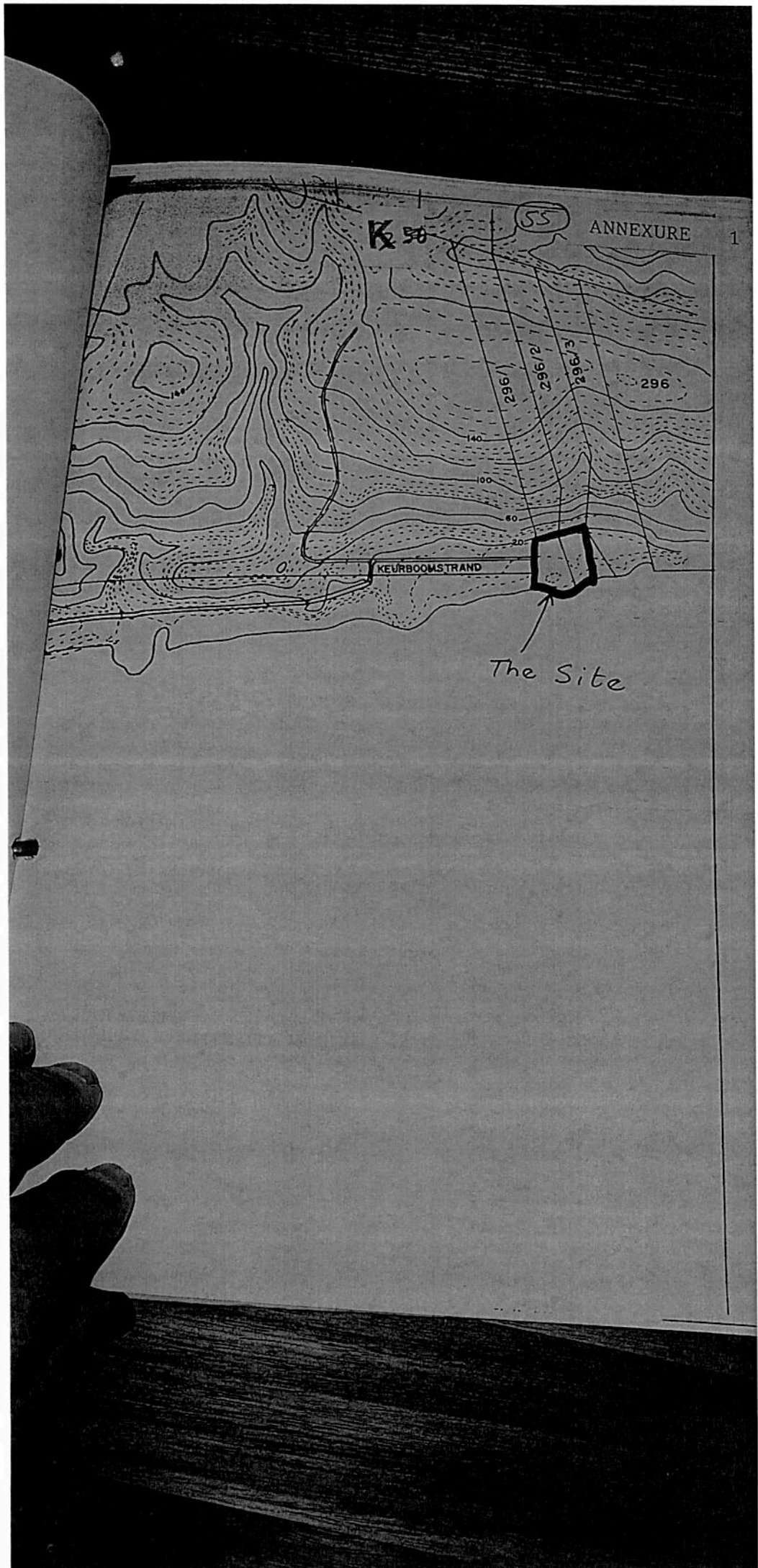
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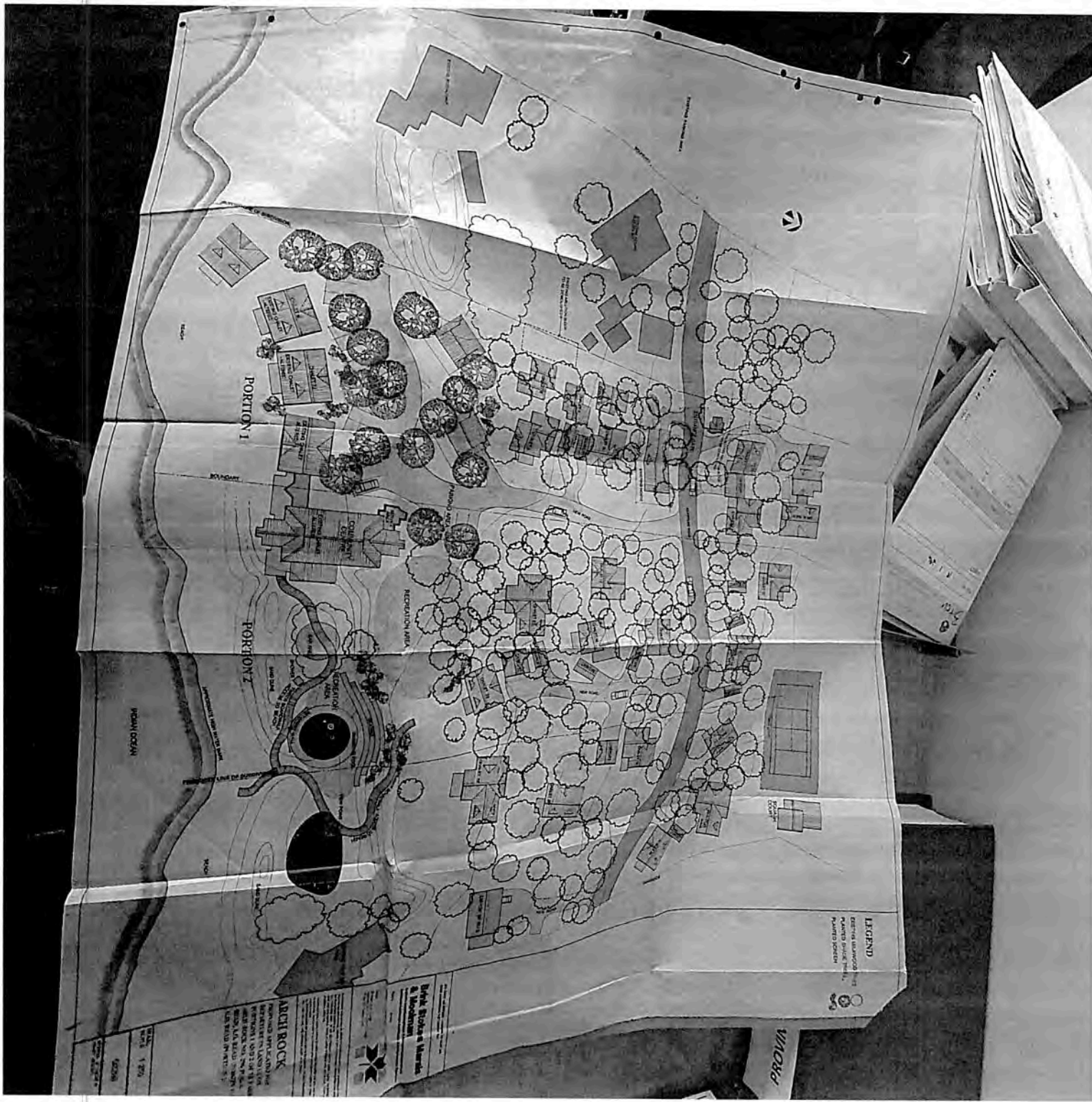
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- 4.2.8. That the sizes of the units shall not exceed the size of units indicated on Plan G2390 dated 9 April 1992, namely approximately 65m².
- 4.2.9. That no development takes place in front of or alongside the existing chalets.
- 4.2.10. That right of way servitudes be registered in favour of all the properties where applicable to provide internal access as proposed on Plan G2390 dated 9 April 1992.
- 4.2.11. That no carports be erected on Portion A of Portion 1 Arch Rock.

Yours faithfully

CHIEF, TOWN AND REGIONAL PLANNER





PORTION 1

PORTION 2

LEGEND
EXISTING STRUCTURES
PLANTING
PAVING

ARCH ROCK

Birkle, Birkle & Associates
Landscape Architects

PROVIN

EXTRACTS FROM THE AGENDA & MINUTES OF THE ORDINARY
COUNCIL MEETING HELD ON 9 December 1998

C 7.4 PROPOSED SUBDIVISION: PORTION 5 OF THE FARM ARCH ROCK
NO. 296, KEURBOOMSTRAND (T/K/1/22/5/296)

MINUTE NO. 1236

PROPOSED SUBDIVISION: PORTION 5 OF THE FARM ARCH ROCK NO.
296, KEURBOOMSTRAND (T/K/1/22/5/296)

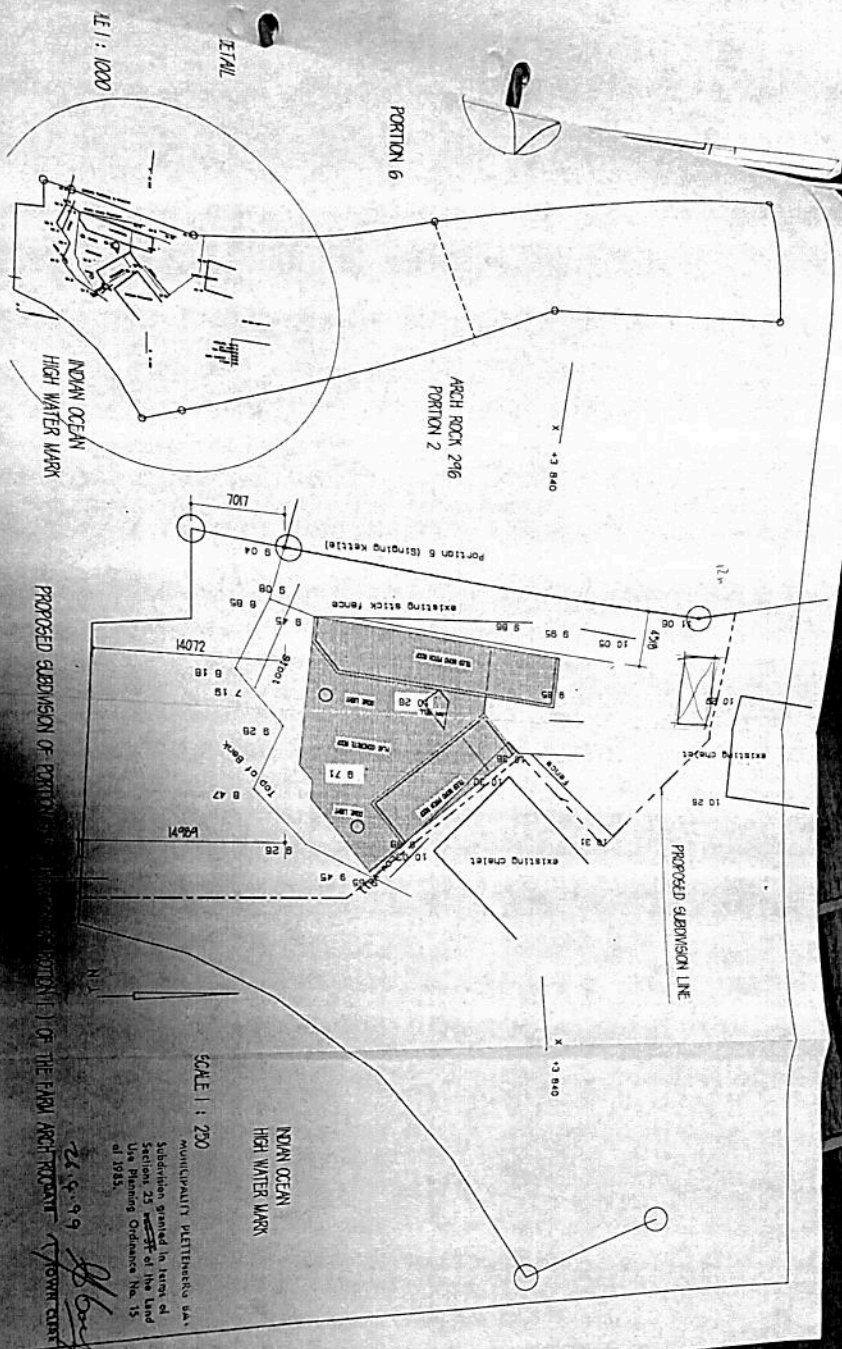
Report by the Senior Town Planner circulated with the Agenda. It was;

RESOLVED

That Council approves the subdivision of Portion 5 of the Farm Arch Rock No. 296, Keurboomstrand into two portions in terms of Section 25 of the Land Use Planning Ordinance 15 of 1985 subject to the following conditions:

- 1. That a Home Owner's Association be established in terms of Section 29(1) of the Land Use Planning Ordinance, No. 15 of 1985.
- 2. That the two new chalets be to the same architectural style as the existing chalets.
3. That a Right of Way be registered via Portion 5 for access to the new portion.
4. That a combined conservancy tank be used which is located on the inland side of the existing chalets (Portion 2).
5. Augmentation levies be payable by the owner for sewerage at R2 500 and R8 500 per unit or at such amount at registration of the subdivision or within 12 months of this approval, whichever is the soonest.
6. Electrical augmentation amounting to R957 / ERU (Residential unit) or R319 / kva be payable as per Clinkscapes Maughan-Brown Report No. G/4106/E.
7. That the layout plan indicating the siting of the units be submitted to Council.
8. That this approval be subject to a legal opinion being obtained to the effect that the subdivision may legally be done in this manner.

STP



SCALE 1 : 1000

DETAIL

PORTION 6

ARCH ROCK 2916
PORTION 2

PROPOSED SUPERVISION OF PORTION 6

PROPOSED SUPERVISION LINE

SCALE 1 : 250

NDAM OCEAN
HIGH WATER MARK

MUNICIPALITY PLETIENBERG S.A.
Subsidiary granted in terms of
Section 25 read of the Land
Use Planning Ordinance No. 15
of 1955.

24.5.99

[Signature]
GOVERNMENT

Biton

Physical B
T4 + 27/044

FILE NO: 18/1/296

SUBJECT:

18/1/296

PERIOD		VC
FROM	TO	

REMARKS:

Verwysing
Reference
Isalathiso

EG12/1/1-284 (4036)

Navrae
Enquiries
Imibuzo

S. DU TOIT

Datum
Date
Umhla

OF ISSUE



*Departement van Omgewingsake en Ontwikkelingsbeplanning
Department of Environmental Affairs and Development Planning
ISEbe leMicimbi yeNdalo esiNggongileyo noCwangciso loPhuhliso*

Mr G Read
Arch Rock Chalets
P.O. Box 1327
Plettenberg Bay
6600

Tel: (044) 535 9409

Fax: (044) 535 9409

Dear Sir

**APPLICATION: UPGRADE OF A RESORT ON PORTION 5 OF PORTION 1 OF FARM
ARCH ROCK NO. 296, PLETTENBERG BAY**

With reference to your application, find below the Record of Decision in respect of this application.

RECORD OF DECISION

A. DESCRIPTION OF ACTIVITY:

The proposed activity entails the construction of 5 resort units (chalets) which will replace 5 caravan sites.

The above comprises an activity identified in Schedule 1 of Government Notice No R 1182 of 5 September 1997, as amended, being:

Item 1(m): The construction, erection or upgrading of public and private resorts and associated infrastructure,

hereinafter referred to as "the activity".

B. LOCATION:

The property is on the eastern-most boundary of the Keurboomstrand Village, adjacent to the coast and north-east of Plettenberg Bay (see Figures 1 and 2 of the

*Department of Environmental Affairs & Development Planning
Chief Directorate: Environmental Affairs*

Scoping Report by Grant Johnston Associates, dated 10 February 2003, hereinafter referred to as "the Scoping Report".)

Co-ordinates: Latitude: 34° 00' 27" South Longitude 23° 27' 75" East

C. APPLICANT:

Arch Rock Chalets
P.O. Box 1327
Plettenberg Bay
6600
Tel: (044) 535 9409
Fax: (044) 535 9409

D. CONSULTANT:

Grant Johnston Associates cc
P.O. Box 1026
Plettenberg Bay
6600
Tel: (044) 533 0728
Fax: (044) 533 2379

E. SITE VISIT(S):

A site visit was conducted by Ms. D. Grant and Dr. S. du Toit on 3 July 2002.

F. DECISION:

In terms of Sections 22 and by virtue of powers delegated by the Minister in terms of Sections 28 & 33 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), the relevant authority (as defined in GN. No. R.1183 of 5 September 1997, as amended), grants **authorisation with the conditions** contained in this Record of Decision, for the execution of the activity described above.

This Authorisation has been granted in terms of section 22 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) solely for the purposes of undertaking the activity referred to above, and does not exempt the holder thereof from compliance with any other relevant legislation.

G. CONDITIONS OF AUTHORISATION:

1. The activity, including site preparation, may not commence before the statutory 30 day appeal period expires.

*Department of Environmental Affairs & Development Planning
Chief Directorate: Environmental Affairs*

2. One week's notice, in writing, must be given to the Directorate: Environmental Management, (hereinafter referred to as "this Directorate"), before commencement of construction activities.
 - 2.1 Such notice shall make clear reference to the site location details and reference number given above.
3. An integrated waste management approach must be used that is based on waste minimisation and should incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
4. The mitigation and rehabilitation measures and recommendations as detailed in section 4.3 of the Scoping Report must be adopted and implemented.
5. The applicant must appoint a suitably experienced Environment Control Officer ("the ECO") to undertake the mitigation measures referred to in this Record of Decision.
6. Unless the ECO deems it necessary (for example, should a unit require slight repositioning to avoid a large root), the layout of the units shall not differ substantially from Figure 3: The Proposed Layout Plan, as indicated in the Scoping Report.
7. This Directorate, as well as any other relevant authority, must be informed of such amendment(s) to the layout plan as described in Condition 6 prior to the repositioning of the unit(s).
8. The ECO must submit an Environmental Audit Report to this Directorate 6 (six) months after completion of construction. The audit report must indicate the date on which the construction was completed and detail compliance with the conditions of this authorisation.
9. The applicant must, within five calendar days of date of issue of this Record of Decision:
 - Inform the relevant local authority as well as all interested and affected parties, ("I & AP's") registered during the Scoping and Impact Assessment processes, of the outcome of this application and, if requested, provide copies of this Record of Decision within a reasonable time before expiry of the thirty day appeal period;
 - Include in such information the provisions of Regulation 11 of Government Notice No. R 1183 of 5 September 1997, as amended, which reads as follows:

*Department of Environmental Affairs & Development Planning
Chief Directorate: Environmental Affairs*

- (1) An appeal to the Minister or provincial authority under section 35(3) of the Act must be done in writing within 30 days from the date on which the record of decision was issued to the applicant in terms of regulation 10(1);
- (2) An appeal must set out all the facts as well as the grounds of appeal, and must be accompanied by all relevant documents or copies of them which are certified as true by a commissioner of oaths.
 - Include the date on which the record of decision was issued to the applicant in terms of regulation 10(1) and the date by which appeals must reach the Minister.
 - Inform all I & AP's that a signed and certified Appeal Questionnaire, obtainable from the Minister's office at tel. (021) 483 3915, e-mail lvdberg@pawc.wcape.gov.za, or URL <http://www.westerncape.gov.za/eadp> must accompany the appeal.
 - If the applicant should appeal against this Record of Decision, he must inform all interested and affected persons that such an appeal is being lodged with the Minister and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.
10. This Directorate must be notified, within 30 days thereof, of any change of ownership and/or project developer, as well as any change of address of the owner and/or project developer.
12. All outdoor advertising associated with this activity, whether on or off the property concerned, must comply with the South African Manual for Outdoor Advertising Control (SAMOAC) available from:

The Director: Environmental Impact Management
Department of Environmental Affairs and Tourism
Private Bag X447, Pretoria, 0001.
13. The owner and/or developer must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
14. The applicant shall be responsible for ensuring compliance with the conditions contained in the Record of Decision by any person acting on his behalf, including but not limited to, an agent, servant, employee or any person rendering a service to the applicant in respect of the activity, including but not limited to contractors and consultants.

15. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this Record of Decision, at all reasonable times.

H. RECOMMENDATIONS:

None

I. KEY FACTORS AFFECTING THE DECISION:

Biophysical:

Biophysically, there are no limiting factors that would justify this Directorate refusing authorisation of the activity.

Public Participation:

Various comments, but no objections were received in relation to the proposed activity.

Alternatives:

The independent consultant requested exemption from the consideration of alternatives. However, there was sufficient comment in the Scoping Report on the issues relating to alternatives to satisfy the Department that suitable, reasonable alternatives had been considered.

Meetings held: No meetings were held.

J. DURATION AND DATE OF EXPIRY:

This authorisation shall lapse if the activity does not commence within two (2) years of the date of issue of this authorisation.

K. APPEAL:

In terms of Section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), formal, motivated appeals **must** be directed within thirty (30) days of the date of the issuing of this Record of Decision, to:

The Minister of Environmental Affairs and Development Planning
Western Cape Province
PO Box 15653
Vlaeberg
8018
Fax: (021) 483-6081

Appeals must comply with the provisions of regulation 11 of Government Notice No. R. 1183 of 5 September 1997, as amended.

*Department of Environmental Affairs & Development Planning
Chief Directorate: Environmental Affairs*

If the appellant is not the applicant, the latter must be informed of the appeal within the appeal period referred to above and must provide the applicant with reasonable access to a full copy of the appeal, if requested.

A signed and certified Appeal Questionnaire, obtainable from the Minister's office at tel. (021) 483 3915, email lvdberg@pawc.wcape.gov.za or URL <http://westerncape.gov.za/eadp> must accompany the appeal.

If any condition imposed in terms of this authorisation is not being complied with, the authorisation may be withdrawn after 30 days written notice to the applicant in terms of Section 22(4). Failure to comply with any of these conditions is also an offence and may be dealt with in terms of Sections 29, 30 and 31 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) as well as any other appropriate legal mechanisms.

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



DIPOL ELFORD
CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE OF DECISION: 31/03/03

Copies to: (1) Grant Johnston Ass

Fax: 044 - 533 2379

CONTROL SHEET

SECTION NORMALLY DEALING WITH FILE

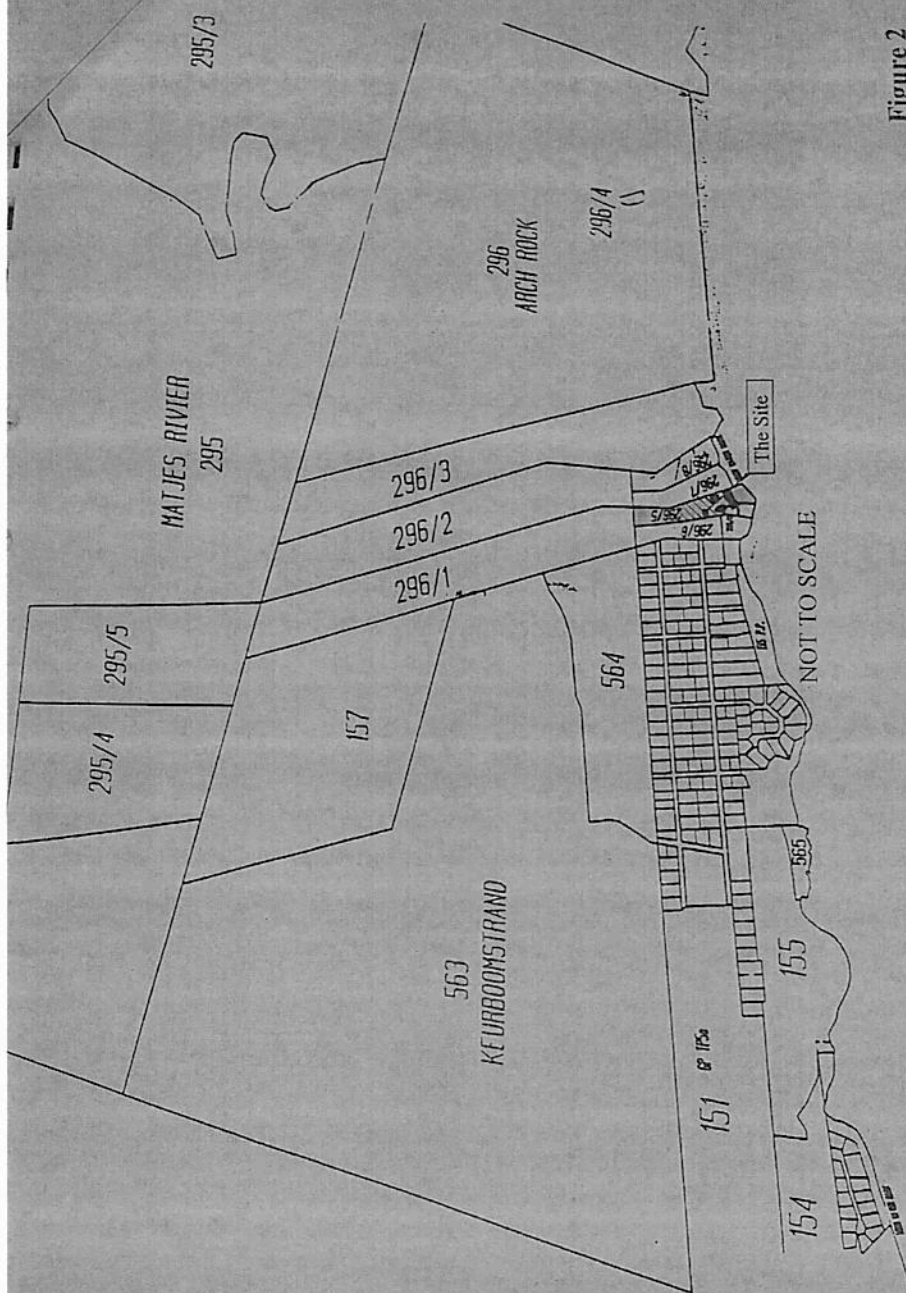


Figure 2
Locality Plan

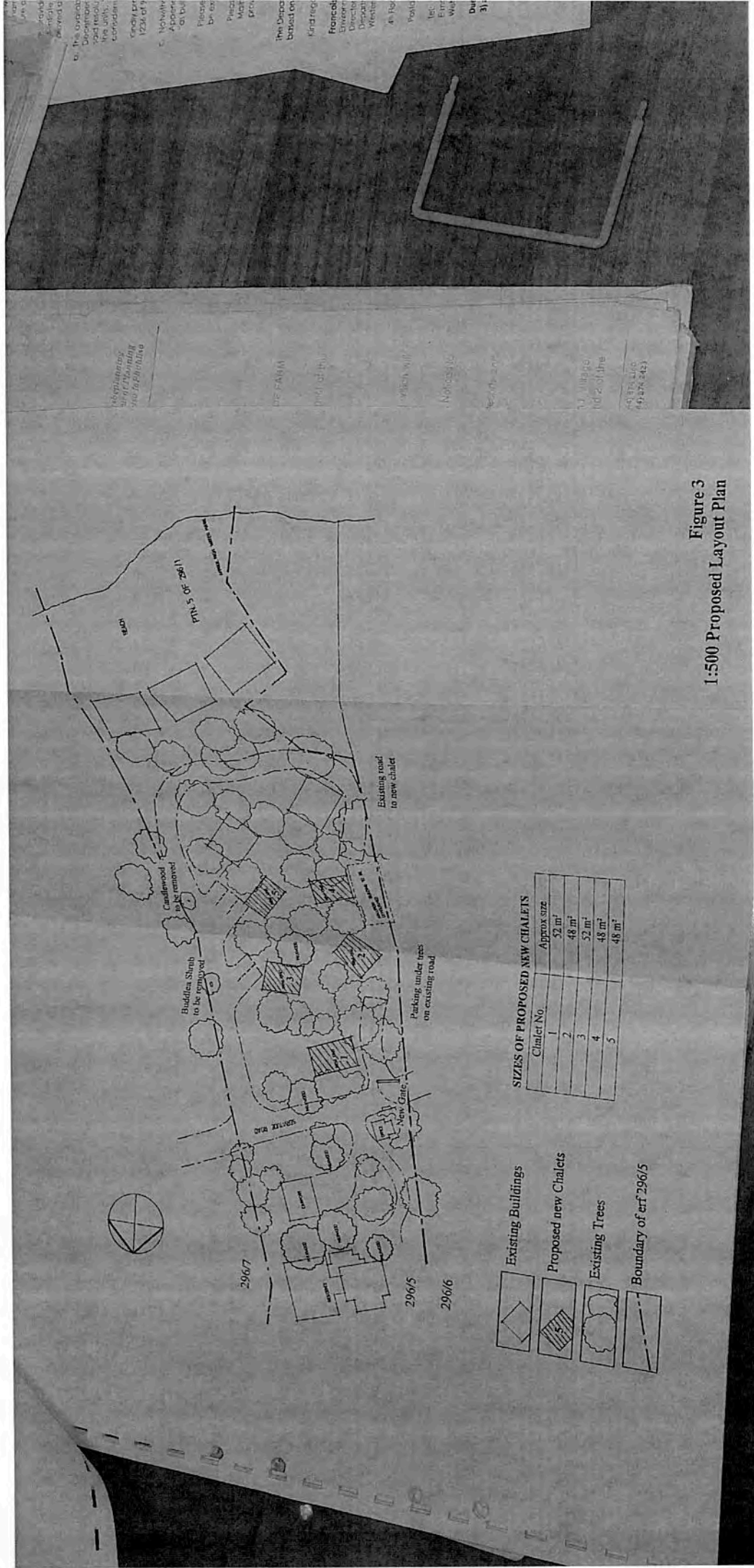


Figure 3
1:500 Proposed Layout Plan

PROPOSED SUBDIVISION OF PORTION 5 OF ARCH ROCK No. 296
situate in BITOU MUNICIPALITY
Administrative District of Knysna, Province of Western Cape



- Notes:
1. Cadastral information from Surveyor-General's GIS.
 2. Areas & dimensions are approximate and subject to final survey.
 3. Line 'xy' represents the middle of a servitude 3,00m wide. Vide Diagram No. 4853/1985.
 4. The northern boundary of the servitude road is the proposed subdivision line and also to include the office.

Beacon Survey
Professional Land Surveyors
and Sectional Title Practitioners
103 Longtops Drive P.O. Box 350 Pieterberg Bay
Tel: (044) 533 2235 Fax: (044) 533 0264
e-mail: beacon@beacon.co.za
Date: November 2018
PLAN NO. F296P5/SUB2

MUNISIPALITEIT BITOU MUNICIPALITY
Subdivision and/or consolidation approved in terms of
Sections 60 of the Bitou Municipality :
Land Use Planning By-Law

27/2/2019 

DATE MUNICIPAL MANAGER
DATUM MUNISIPALE BESTUURDER