



PEZULA

4 May 2006

Noetzie Conservancy Owners Association
Care Of: Mr. Mike Dane
PO Box 26356
Hout Bay
7872

(email: mdane@iafrica.com)

Dear Mike

**PROPOSED SUB-DIVISION OF PORTION OF REMAINDER OF FARM NOETZIE NO. 394
DISTRICT OF KNYSNA: PEZULA PRIVATE ESTATE (PTY) LTD.**

As you know, Pezula Private Estate (Pty) Ltd applied for the registration of a sub-divisional diagram of the above mentioned property, commonly referred to as the "Noetzie Infill".

This needs to be done to enable Pezula to proceed with its proposed development of the area, which development plans will be subject to the required statutory procedures pertaining to applications of such nature.

The Knysna Municipality decided to advertise the application for sub-division. Objections were lodged and after the Municipality granted the application, your association lodged an appeal on 17 December 2004.

Our application has now effectively been delayed for 15 months. This is unacceptable to us. We are of the opinion that the application should have been granted after its submission without the delay that has taken place. The reasons for the aforesaid statement are as follows:

1. Advertising of application by Municipality

It is our contention that the Knysna Municipality erred in deciding to advertise the application for sub-division. When the Pezula Private Estate development was initially approved, such approved development plan included the sub-divided portion known as the "Noetzie Infill". Any proposed future development of such Infill will obviously need to be advertised. This is, however, not the subject of our current application.

We reserve our rights to take such action against the Municipality as we might be advised for the delay caused by this incorrect procedure having been followed. In this regard they are copied on this letter.

PEZULA PRIVATE ESTATE (PTY)LTD⁵ PO Box 1240, Knysna, 6570, South Africa | Tel +27 (0)44 384 1195 | Fax +27 (0)44 384 1016 REG No. 2003/0067132
PEZULA RESORT HOTEL & SPA (PTY)LTD⁵ PO Box 3327, Knysna, 6570, South Africa | Tel +27 (0)44 302 3333 | Fax +27 (0)44 302 3303 REG No. 2001/00063
PEZULA CLUB LIMITED¹ PO Box 3373, Knysna, 6570, South Africa | Tel +27 (0)44 302 5300 | Fax +27 (0)44 384 1277 REG No. 2001/02724206



E-MAIL: INFO@PEZULA.COM | WEBSITE: WWW.PEZULA.COM

DIRECTORS: K.B. STEWARD¹ (CHAIRMAN), M.H. BOOTH¹, B.G. RIMBAU¹, J.S. CLAUSE¹ (MANAGING)



PEZULA

2. Letter of appeal

Your letter of appeal is specifically against condition 4 of the Municipality's letter of approval of 19 November 2004 which states: "iv) All roads as shown on general plan 19 shall be retained". In your letter you deal with two aspects namely the diagram that was submitted as part of our application and the zoning scheme of Noetzie. In addressing these two issues we wish to bring the following to your attention:

2.1) Diagram

We attach hereto a copy of the letter from VPM Surveys with annexures. The annexures are a letter from the Surveyor General's office confirming that the diagram in the application (diagram 1351/2006) is technically the correct diagram and conforms with the information in the Surveyor General's office as well as a copy of the relevant diagram. This is the exact same diagram as was initially submitted in our application for sub-division. It therefore follows that the plan submitted by VPM in the original application was indeed the correct plan. All roads shown on general plan 19 are retained in our application.

2.2) Zoning Scheme

The zoning scheme has nothing to do with our current application for sub-division. The zoning scheme will be taken into account when an application for further development is submitted on the sub-divided portion which is the subject of our current application.

We furthermore refer to the recent meeting that took place between our representatives and your committee at the Pezula Resort Hotel, during which you undertook that, once we have received confirmation from the Surveyor General that our diagram is correct, you will withdraw your letter of appeal.

We trust that the aforesaid clarifies any uncertainty regarding our application. You are hereby requested, in terms of the aforesaid undertaking given by you, to withdraw the letter of appeal within 7 days after date hereof. Should your association and all its members elect not to withdraw the letter of appeal, it will leave us no option but to hold your association collectively as well as the members individually accountable for damages already incurred by us due to the aforesaid delay as well as any future damages arising from a further delay in finalization of our application.

Yours sincerely,

MARIUS BOTHA
DIRECTOR

Cc: Department of Town Planning – Knysna Municipality
Attention: Mr. Ed Hill

PEZULA PRIVATE ESTATE (PTY)LTD⁵ PO Box 1240, Knysna, 6570, South Africa | Tel +27 (0)44 384 1195 | Fax +27 (0)44 384 1016 REG. No. 2002/001237/07

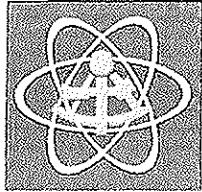
PEZULA RESORT HOTEL & SPA (PTY)LTD⁶ PO Box 3327, Knysna, 6570, South Africa | Tel +27 (0)44 302 3333 | Fax +27 (0)44 302 3303 REG. No. 2001/001238/06

PEZULA CLUB LIMITED⁷ PO Box 3373, Knysna, 6570, South Africa | Tel +27 (0)44 302 3300 | Fax +27 (0)44 384 1277 REG. No. 2001/001239/06



E-MAIL: INFO@PEZULA.COM | WEBSITE: WWW.PEZULA.COM

DIRECTORS: K.P. STEWART¹, G. THIRAMANA, M.H. BOTHA², P.G. RINIBALE³, J.S. CLAUSE⁴ * 1 - AMERICAN



VPM
SURVEYS

Professional Land Surveyors

Township Planners, GIS & GPS Consultants
Topographical, Sectional Title & Engineering Surveys

16 Green Street Knysna 6570

Tel: 082 8222145 Fax: 0866 898 908

e-mail: vpm.survey@pixie.co.za

02 May 2006

Pezula Private Estate
Attention: Peter Rimbault
P.O.Box 1240
Knysna
6570

Dear Sir,

Re: Noetzie Infill Diagram : Erf 13493 Knysna

We herewith enclose the Surveyor General Office provisional approval of our diagram in respect of the Noetzie Infill. We requested the Surveyor General to examine the document in the light of accusations made by the appellants as to its accuracy.

From the letter received from the Surveyor General, it is clear that he is satisfied that the diagram complies with his records. In light of this approval we believe that the appellant should reconsider their appeal.

I await your further instructions in this matter.

Yours sincerely,

R J Kohler
VPM SURVEYS KNYSNA



DEPARTMENT: LAND AFFAIRS
REPUBLIC OF SOUTH AFRICA

SURVEYOR-GENERAL : CAPE TOWN

Private Bag X9028, 90 Plein Street, Cape Town, 8001, Tel: (021) 467 4800, Fax: (021) 465 3008, Prints (021) 465 7358,
Accounts (021) 465 7361 E-mail: cpt-sg secretary@dla.gov.za

Mr RJ Kohler
Professional Land Surveyor
P O Box 173
KNYSNA
6570

Enquiries: AB Rodrigues
Tel No: 467 4815
Reference: Knys 394
Your Ref:

26 April 2006

Sir

**SUBDIVISION OF THE FARM NOETZIE NO 394 KNYSNA
DGMS 1351/2006 ; SRE 512/2006**

Our telephonic conversation this morning refers.

Diagram 1351/2006 is technically correct, however before final approval, the requirements of my letter dated 13 April 2006 must be addressed.

Yours faithfully

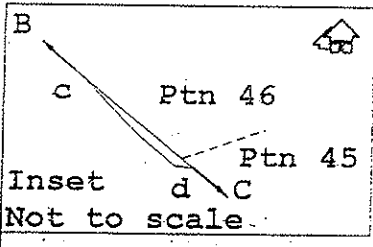
A handwritten signature in black ink, appearing to read 'A B Rodrigues'.

**A B Rodrigues
for SURVEYOR-GENERAL : CAPE TOWN**

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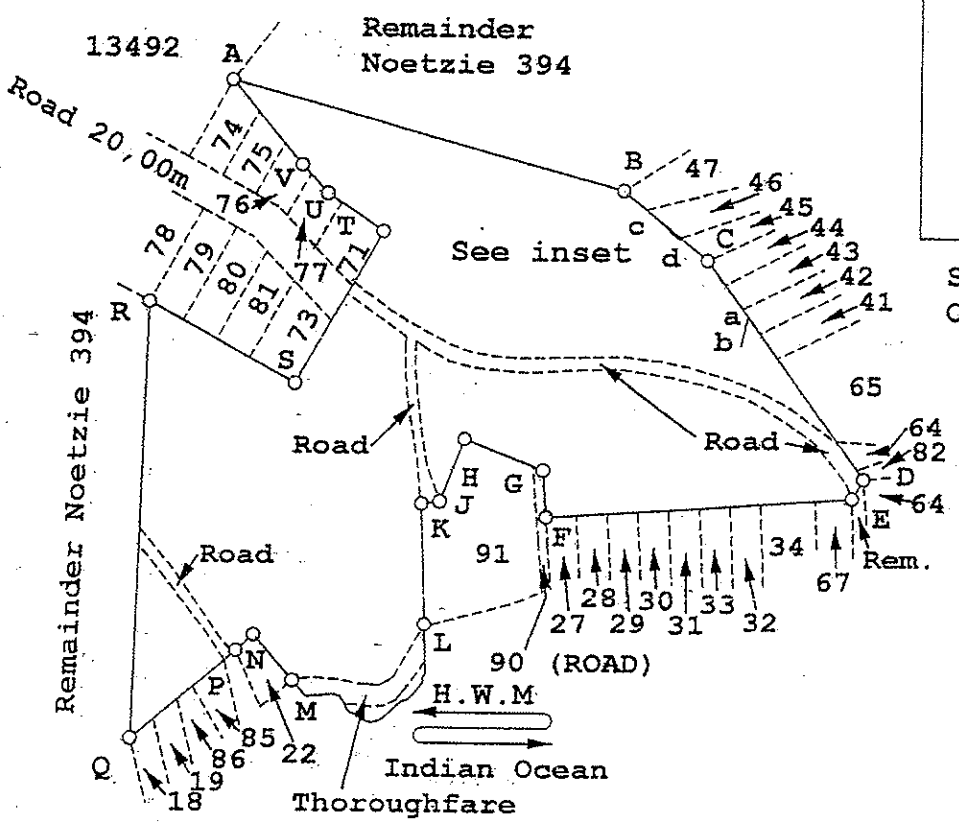
RECEIVED

02 MAY 2006



SCALE 1:4000

SG No.
Approved
for
SURVEYOR-GENERAL



SHEET 3
OF 3 SHEETS

Portion of the farm Noetzie 394.
Situat in the Municipality and Administrative District
of Knysna, Province of the Western Cape
Surveyed in August to December 1996,
March to October 1997,
April 1998, May and June 1999,
February 2000, June 2003 to April 2004,
December 2004 to February 2005 and February 2006.

R.J. Kohler (PLS 0840)
Professional Land Surveyor

by me
Surveyed in November 1969, January 1972,
September 1977, January 1978 and May 1981

J.R. Pawson (PLS 0762)
Professional Land Surveyor

by me



DEPARTMENT: LAND AFFAIRS
REPUBLIC OF SOUTH AFRICA

SURVEYOR-GENERAL : CAPE TOWN

Private Bag X9028, 90 Plein Street, Cape Town, 8001, Tel: (021) 467 4800, Fax: (021) 465 3008, Prints (021) 465 7358,
Accounts (021) 465 7361 E-mail: cpt-sg secretary@dla.gov.za

Mr RJ Kohler
Professional Land Surveyor
P O Box 173
KNYSNA
6570

Enquiries: AB Rodrigues
Tel No: 467 4815
Reference: Knys 394
Your Ref:

13 April 2006

Sir

**SUBDIVISION OF THE FARM NOETZIE NO 394 KNYSNA
SRE 512/2006 ; DGM 1351/2006**

Your survey records and diagram are returned for the following.

The division of the farm Noetzie No 394 has a boundary defined by the high water mark of the sea, please notify the Surveyor-General of your intention to survey such land in terms of section 32 of Act 8 of 1997.

The designation of your diagram to be Erf 13493.

Beacon Agreement 004/1969 may effect your subdivision.

Please obtain endorsed approval plan, which is legible, and approval in terms of Act 70 of 1970.

The approval is subject to an appeal; supply me with notification that this has been resolved.

Please attend to the notes on the dex copies which must be returned on relodgement.

Yours faithfully

A B Rodrigues
for SURVEYOR-GENERAL : CAPE TOWN

Enclosures: Dgm 1351/2006
SRE 512/2006
BA 004/1969

/ect (c:\rodrigues\knys394-a.rjk)