



KNYSNA MUNICIPALITY
PRE –APPLICATION MEETING

Minutes of meeting held on the

13 November 2025

At

09:00

On

MS Teams & Planning Boardroom

MINUTES

No.	Item	Presentation
1.	Opening and Welcoming	Mr S Madumbo
2.	Attendance Mr S Madumbo (Chairperson) – KM : Town Planning (KM) Ms N Vonya – KM : Town Planning (KM) Ms L Mniki – KM : Town Planning (KM) Ms S Sitinga – KM : Town Planning (KM) Mr S Phungula – KM : Town Planning (KM) Mr M Musekene – KM : Town Planning (KM) Mr R Talmaagies – KM : Infrastructure Services Directorate (KM) Dale Bastian (DB) - Applicant Jerome Starkey (JS) – Applicant Walter Coetsee (WC) – Applicant Alexander Havenga (AH) – Applicant Mark de Bruyn (MDB) – Applicant Apologies/ Absent	

	None	
3.	Items for consideration <i>*Please note: Meeting minutes do not reflect verbatim discussions</i>	
3.1.	<u>Erf 21534 (Portion of Erf 4932) Knysna – Application for Rezoning and Subdivision</u> <u>Discussions and Recommendations:</u> • DB: What are the considerations of the amended SDF? • KM: We cannot consider anything in the proposed document as it has not been finalised. • KM: Where does this township establishment come from as we were of the understanding that the development was intended for equestrian purposes? • DB: I believe these sections on the subdivision plan were always needed for residential uses. • KM: Please ensure the application fleshes out the history of the site(s) and the implications thereof. • KM: What is the status of the Environmental Impact Assessment? • DB: It is underway, and the NID is being prepared. Once we have some outcomes, we will incorporate the informants in the town planning applications. • KM: Please ensure that the environmental studies speak to visual impact and bulk service requirements, as well. • KM: Please elaborate on the road network proposal. • DB: We will divulge the access arrangements, existing and proposed servitudes in the application. We will consult a conveyancer to officiate the registration thereof. • KM: It is likely that a services report will be required. • DB: Yes, engineers have been appointed. • KM: A slope analysis is required to emphasise the feasibility of the proposed development.	KM Officials & Dale Bastian (DB)

3.2.	<u>Unregistered Erf 16708, Knysna (A Portion of Erf 16697, Knysna) – Permanent Departure</u> <u>Discussions and Recommendations:</u> • JS: Approval was obtained for the development of the property during 2022. The builder failed to notify the Municipality for the commencement of the development (preparing the site). However, the market was not good at the time for completion of the building works. The plans ultimately lapsed and following several deliberations with the Municipality, submissions have been made to rectify and obtain approval for the building line relaxation to allow the retaining walls which are higher than a metre. • KM: In terms of Section 40 of the Spatial Planning and Land Use Management By-law (2021) we requested you to attend the meeting because at the face of it, the application seemed straightforward however we did not understand the history and context of why the application was necessary in light of the previous approval. It was not well communicated in the motivation. • KM: Given this understanding brought on by your introduction here, we recommend that an application for the determination of an administrative penalty be submitted in terms of Section 15(2)(r) which must be motivated in terms of Section 93(9) of the Spatial Planning and Land Use Management By-law (2021). Thereafter, we can consider the Permanent Departure (which may be submitted separately but simultaneously). • JS: This seems onerous for building works which commenced based on an approved building plan, within the same year; and only because the Municipality was not notified of the commencement. How can the Municipality refuse to re-approve the plans which were previously approved but we did not do anything illegally. • KM: The failure to notify the Municipality within a year of approval is indeed a transgression. • JS: We will see about the appointment of the necessary consultant.	KM Officials & Jerome Starkey (JS)
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3.3.	<u>Erf 18847, Knysna – Permanent Departure</u> <u>Discussions and Recommendations:</u> • CS & KM: <i>*Discussions including an introduction of the proposal and the Municipality's request for the applicant to attend this meeting following the internal deliberations on preliminary scrutiny of the proposal.</i> • KM: We recommend that an application for the determination of an administrative penalty be submitted in terms of Section 15(2)(r) which must be motivated in terms of Section 93(9) of the Spatial Planning and Land Use Management By-law (2021). Thereafter, we can consider the Permanent Departure (which may be submitted separately but simultaneously) • KM: If you are stating that the contravention was made by the previous property owners, you can contest and provide evidence in the application submission. • KM: Use an appropriate Power of Attorney which speaks to land use planning applications. In addition, please use and complete the correct application form. • KM: Please provide a letter and/ or plan which has the endorsement of the HOA and/ or relevant committee. • KM: Kindly refer to Section 38 of the Spatial Planning and Land Use Management By-law (2021) for the information required for <u>each</u> application submitted in terms of Section 15(2) of the said legislation, where applicable.	KM Officials & Walter Coetsee (CS)
3.4.	<u>Erf 3963 Knysna – Permanent Departure and Administrator's Consent and Administrative Penalty</u> <u>Discussions and Recommendations:</u> • AH: The owner wanted to construct a personal workshop during 2022 and was ill-advised (by the builders) to commence with building works without building plan approval. The construction also resulted in a building line encroachment. I believe I may have misunderstood the fees for a determination of an administrative penalty. We had proceeded to pay the R5000.00 as it was 'uncontested' as documented in the municipal tariffs.	KM Officials & Alexander Havenga (AH)

	• KM: Although the amount of R5000.00 is stated in the tariffs, that is in fact the penalty amount, which requires a decision to be rendered. The application fees for an admin penalty are 50% of the other/ "main" application fees that are submitted. Your application submission (motivating memorandum for the S(2)(15)(r) application) can declare that there is no contestation/ provide an admission of guilt, however it is the Tribunal who will officiate the amount of the penalty to be paid. • KM: It is noted that there are three storeys of the dwelling house which have not been acknowledged or addressed in the application. A Permanent Departure application will therefore be required. • AH: We were under the impression that due to the approved building/ existing dwelling being above and that the building works are on the lower side of the slope, it would not be a height encroachment. However, it is understood and the necessary amendments to the plans will also be made. • AH: Has the Tribunal been reestablished? We are still awaiting decisions/ minutes from the June meeting. • KM: The establishment of the new Tribunal is underway. Applicants and interested affected parties shall be duly notified of the meetings and decisions to come.	
	<u>Portion 27 of Farm Charlesford Number 192 Knysna – Permanent Departure and Consent Use</u> <u>Discussions and Recommendations:</u> • MDB: <i>*presents proposal.</i> • KM: There is a difference between "second dwelling unit" which is applicable to a 'residential zoned property'; and "additional dwelling" which pertains to an 'agricultural zoned property'. • MDB: Which building lines are applicable to the site? • KM: What is the zoning of the property? • MDB: Agricultural Zone II • KM: Therefore, the description and development parameters for "small holding" shall be applicable and as contemplated in the	KM Officials & Mark de Bruyn (MDB)

	Knysna Zoning Scheme By-law (2020), whereby the building line controls are dependent on the extent of the site. • KM: A site development plan will be required (ie. Application in terms of Section 15(2)(g) for a permission required in terms of the zoning scheme in addition to the Permanent Departure and Consent Use application. • MDB: Does that additional application require fees? • KM: Yes, as detailed in the 2025/2026 Tarriffs. • KM: The farm is within the Critical Biodiversity Area (CBA) and the development seems it will collectively amount to more than 300m² clearance/ disturbance which may then require environmental authorisation. If it is less than 300m², only an OSCAE Permit will be required. • KM: Please ensure that the environmental implications are also discussed in the motivation memorandum of the Town Planning applications.	
	<u>Erven 11240 & 11241 Knysna (Pezula Golf Estate) – Consolidation</u> <u>Discussions and Recommendations:</u> • MDB: <i>*presents proposal.</i> • MDB: The owner also owns an abutting site that is vacant and therefore wishes to preserve the space/ views through the consolidation. The consolidation would be a loss of only one residential opportunity. • KM: Yes, the application needs to discuss the matter in the context of the original approval/ intentions of the development; as well as answer the question of whether it is in conflict with the policy objectives with regard to implications on density.	KM Officials & Mark de Bruyn (MDB)
	The Chairperson closed the meeting.	

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