

Collab. Ref:
File Ref: 1389 KNY
M MAUGHAN-BROWN



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2012-10-19

REGISTERED MAIL

V P M Planning
P O Box 173
KNYSNA
6570

Dear Sir/Madam

**PROPOSED SITE DEVELOPMENT PLAN AND AMENDMENT OF APPROVAL
OF CONDITIONS: ERF 1389 KNYNSA**

Your application dated November 2008 refers.

Please be advised that my Council, at its Council meeting of 1 October 2012, resolved as follows:

- "[a] That the following correspondence be noted:
- (i) Copy of the original application from VPM Planning dated November 2008;
 - (ii) Letter in respect of the submission of a revised site development plan dated 1 December 2012;
 - (iii) Latest site development plan approval letter dated 7 March 2008;
 - (iv) Letter of objection from Uschi Schultz dated 23 February 2009;
 - (v) Letter of objection from John L Falconer dated 5 February 2009;
 - (vi) Comments from Traffic Services dated 26 January 2012;
 - (vii) Comments from the District Roads Engineer dated 6 March 2009;
 - (viii) Comments from the Town Electrotechnical Engineer dated 16 February 2009;
 - (ix) Comments from the Director: Technical Services dated 06 January 2009;
 - (x) Comments from the Director: Technical Services dated 11 January 2012;
 - (xi) Comments from the Town Electrotechnical Engineer dated 20 January 2012;
 - (xii) Comments from the Director: Community Services dated 22 December 2012;
 - (xiii) Comments from the Executive Manager: Road & Transport Management dated 20 January 2012;

- (xiv) Comments from the Manager: Environmental Services dated 25 January 2012;
- (xv) Comments from SANParks dated 17 May 2012;
- (xvi) Applicant's response to comments dated 1 March 2012;
- (xvii) Copy of the Environmental Authorisation dated 15 July 2009;

[b] That **approval be granted** in terms of Section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the amendment of the following conditions of approval set out in a letter of approval dated 7 March 2008 (Ref 1389KNY) (Annexure A):

- i. **The amendment of Condition (i): The amended site development plan shall be substantially as indicated in plan K1389 SITE DEVELOPMENT PLAN dated 7 November 2007, with such minor amendments as required by these conditions;**

To read as follows:

The amended site development plan shall be substantially the same as is indicated in Plan No. 207/753/J dated 21 August 2012, with such minor amendments as required by these conditions.

- ii. **The amendment of Condition (ii): The total number of units on the property, including holiday flats, holiday chalets, owner's housing and manager's cottage, shall not exceed 73 units. No additional units may be placed on the island;**

To read as follows:

The total number of units on the property, including holiday flats, holiday chalets, owner's housing and manager's cottage, shall not exceed 85 units. No additional units may be placed on the island

- iii. **The amendment of condition (viii): No augmentation fees shall be payable in respect of water and sewerage, as there is no increase in development rights;**

To read as follows: **Augmentation levies, to be determined in conjunction with the Director: Technical Services will be applicable on the additional unit applied for.**

[c] That **approval be granted** in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the approval of the Site Development Plan No. 207/753/J dated 21 August 2012 (Annexure B), subject to the following conditions:

- (i) This approval applies to the proposal as outlined above and may not be construed as authority to deviate from any other legal prescriptions or requirements;

- (ii) The amended site development plan shall be substantially the same as is indicated in Plan No. 207/753/J dated 21 August 2012, with such minor amendments as required by these conditions;
- (iii) The amended site development plan shall be submitted to the Department of Environmental Affairs and Tourism for acknowledgement and acceptance prior to any building plans being submitted;
- (iv) The total number of units on the property, including holiday flats, holiday chalets, owner's housing and manager's cottage, shall not exceed 85 units.
- (v) The conditions set out in the approval letter dated 7 March 2008, except those amended by this approval, shall be adhered to;
- (vi) Load Switch Accommodation is required and will be wired in accordance with the Electrical Department's specifications and the switch will be purchased by the applicant;
- (vii) The development will be restricted to its current Notified Demand of 210kVA and no further electrical upgrades will be permitted until Eskom has completed the upgrading of the 132kV line to Knysna and have allowed Knysna Municipality to increase the Notified Demand;
- (viii) Should the development require an increased supply after the Eskom upgrade it will be for the cost of the Development i.e. Augmentation fees, upgrading of the 11kV network costs, Minisub upgrading costs will be for the development;
- (ix) Solar assisted or gas assisted water heating devices or heat pumps shall be installed by the applicant;
- (x) CFL lamps are to be used in all fittings if advantageous.
- (xi) Before the transfer of the additional 29 units may take place, the existing junction of the George Rex Drive with Main Road 2 must be signalised, including a left turn slip lane on the northbound approach and associated geometric improvements, as per ITS Engineers' proposal. This junction upgrading must be facilitate between the Knysna Municipality's roads department and the developer."

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: Land Management (Region 3)
Department of Environmental Affairs and Development Planning
Private Bag X6509

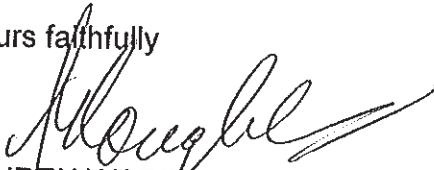
GEORGE
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A copy of the appeal must be served on Council simultaneously.

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



LAUREN WARING
MUNICIPAL MANAGER

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