

**Farm 183/22
EastBrook
Karatara
Knysna**

BUILDING LINE RELAXATION APPLICATION



Client: Unit 2 Seahaven cc

**Prepared by: Nolubabalo Lufundo
25/7/2025**

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INFORMATION REQUIRED IN TERMS OF SECTION 38. OF THE BY-LAW

COMPULSORY INFORMATION AND DOCUMENTATION REQUIRED

	DEPARTURE	DOCUMENT REFERENCE
Completed & signed application form	Yes	Attached
Power of Attorney / Owner's consent	Yes	Attached
Resolution	Yes	Attached
Proof of registered ownership	No	N/A
Bondholder's consent (if any	No	N/A
Neighbouring house's consent	Yes	Attached
Written motivation	Yes	Main document
S.G. diagram / Extract of general plan	Yes	Annexure A
Locality plan	Yes	Figure
SDP / conceptual layout plan	Yes	Figure 5
Subdivision plan [incl street name(s) &no]	Yes	Not required
Proof of payment of application fees	No	To be paid
Copy of title deed	Yes	Attached
Conveyancer certificate	Yes	Attached
Zoning plan	Yes	Figure:8
Phasing plan	No	-
Consolidation plan	No	-
Proof of lawful use right	No	Not required
HOA Consent	No	Not required

1. INTRODUCTION

Nolubabalo Lufundo has been appointed by Mary Therese Hall, a member of Unit 2 Seahaven Cc Company that owns farm 183 of portion 22, to prepare and submit a Permanent Departure application. In terms of section 15(2)b of the land use planning by law of Knysna Municipality for the relaxation of the :

- Relaxation of North Western side building line from 30m to 16m for the existing shed 2.
- Relaxation of the South Eastern building line from 30m to 4.3m for the existing shed 1.

And in terms of section 15(2)g permission required in terms of the Zoning Scheme:

- Consideration to site development plan no 22.15, dated August 2024.

2. BACKGROUND

Unit 2 Seahaven cc, the owner of farm 183/22 bought the Property in 2020. The property had two approved structures, a main house and a cottage when Unit 2 Seahaven cc bought the property. Approximately 80 % of the property is used for agricultural purposes, hence there was no appropriate structure to keep and protect the machinery from bad weather.

The board members of Unit 2 Seahaven cc saw a need to build two sheds in order to keep the machines and to save them from bad weather conditions. Furthermore the two sheds had to be built on the southern and Western side of the property due to the following reason, safety & security, fire hazard as it is recommended for Agricultural or Forestry companies to store the machinery in a distance from the plantation/farm. In addition the property is on a very sensitive area, due to environmental restrictions the suitable area for the structures was to be built over the building line.



Figure 1: Shed 2



Figure 2: Shed 1



3. PROPERTY INFORMATION

3.1 LOCALITY

The subject property is situated on farm 183 portion 22 EastBrook, Karatara. (See Locality Plan Figure).Karatara is situated approximately 10 km away from Sedgefield Central and ; the access road is Karatara road.

3.2 BIO-PHYSICAL SITE CONDITIONS

3.2.1 Topography

- The site has a very uneven gradient and is prone to erosion not limited to flooding in some areas.
- Due to sensitivity as well as the river that runs on the property and the steepness on the site, most of the development had to be constructed on the southern side of the property to minimize the amount of earthworks that would be required. However a building line relaxation application was relevant.
- As indicated on the map below the contour layout clearly gives details on terrain, how uneven the property is. The maximum degree of steepness is approximately 55 percent and the minimum degree is 10 percent.



Figure 3: Contour layout

3.2.2 Vegetation

- Vegetation on site consists of Knysna sensitive fynbos vegetation no protect
- In terms of vegetation, there is nothing of relevance to this building line relaxation application hence most areas consist of cultivated grass.
- The site does have a conservation value and has a corridor function.
- Moreover, Erf 183/22 has been identified as a Critical Biodiversity Area (CBA) or an Ecological Support Area (ESA).

3.4.1 PROPERTY DETAIL

Location	Farm 183/22 EastBrook ,Karatara, Sedgefield
Access Road	Karatara road
Title Deed Number:	T0000034132/2020
S.G./GP Diagram Nr:	4035/1949
Title Deed Restrictions:	None
Property Size:	12,7150 Hectares
Property Owner:	Unit 2 Seahaven cc
Bonds:	None
Land Use	Agriculture
Zoning:	Agricultural Zone I

3.4.2 LOCALITY PLAN

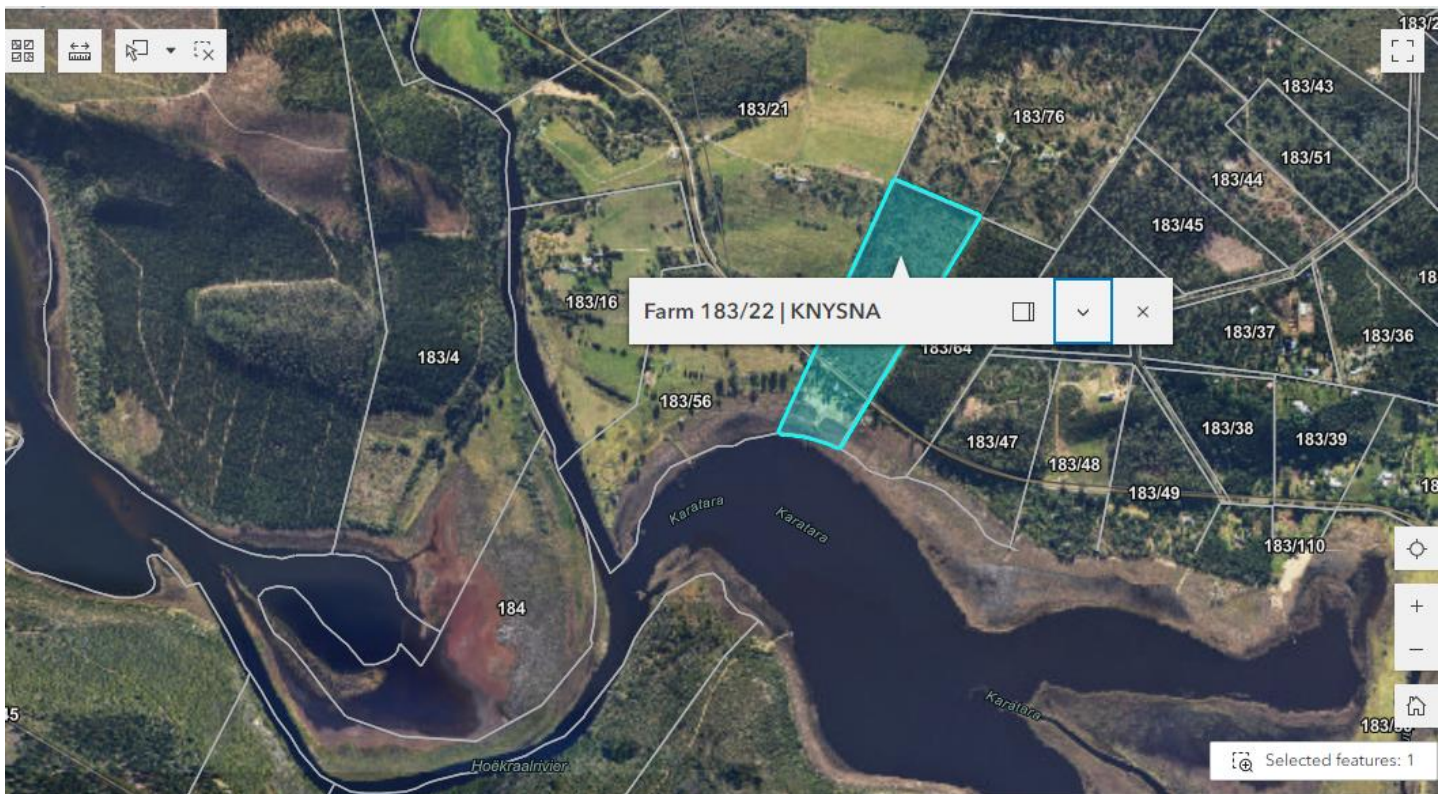


Figure 4: Aerial Photograph



Figure 5: Aerial Photograph

4. PROPOSAL

The property consists of two approved dwellings and it is zoned under Agricultural zoning I .This Proposal is to legalize the as built two shed structures. Relaxation of North Western side building line from 30m to 16m for the existing shed 2.Relaxation of the South Eastern building line from 30m to 4.3m for the existing shed 1.

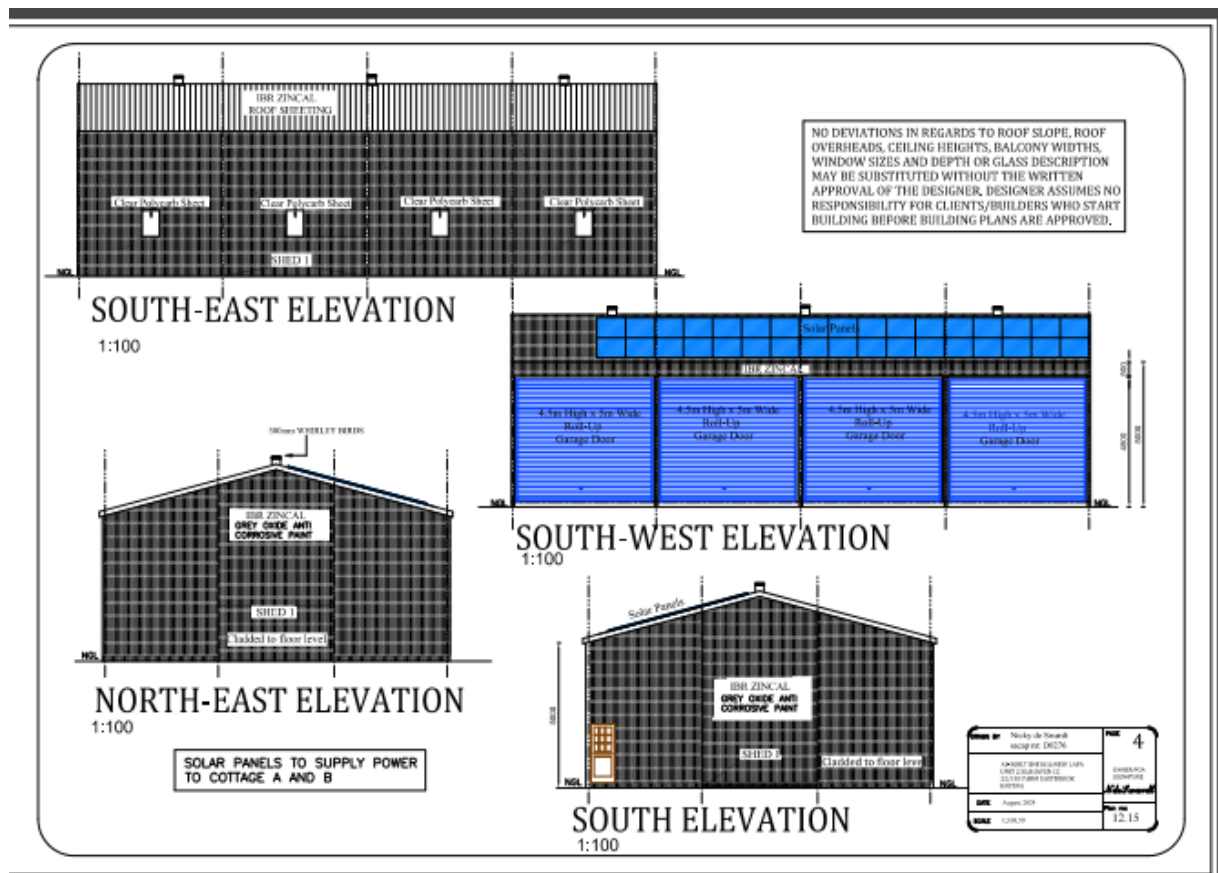


Figure 6: SDP

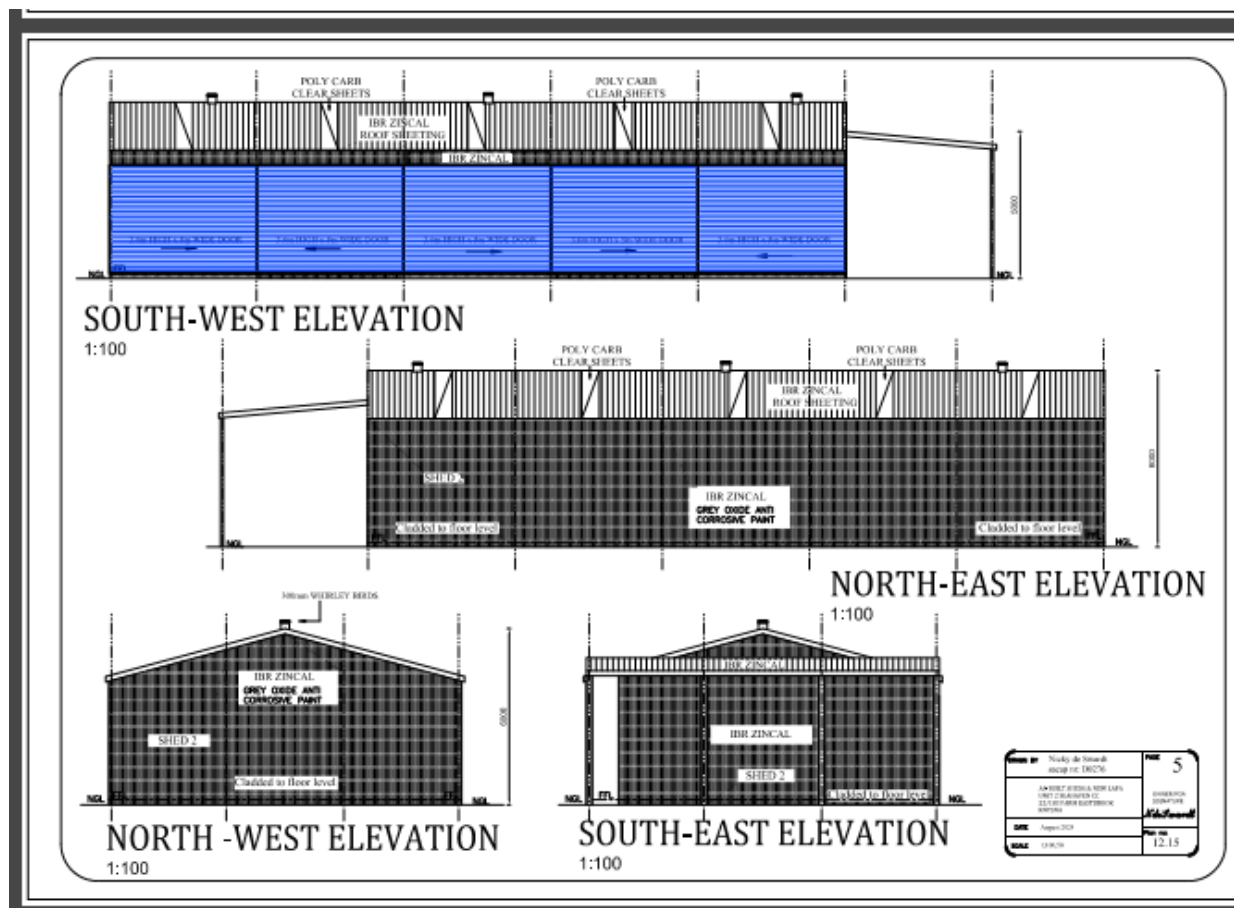


Figure 4: SDP

Development perimeter

Parameter	Knysna zoning scheme by-Law	
Building Line	Street	30m
	Lateral	30m
	Rear	30m
Coverage	40%	

Figure 7: Zoning scheme

5. FACTORS TO CONSIDER

5.1 EXISTING / PROPOSED STRUCTURE.

Topography of the site limits the development in most areas of the property. The site is also sensitive and consists of Knysna fynbos. The Southern side of the property extends to the Swartluis River with 100 meter water mark restriction for any construction activity. However the area also consists of indigenous reeds. The current ruling Zoning Scheme permits bona fide structures.

5.2 ANTICIPATED IMPACT OF THE DEPARTURE

It is believed that the building line relaxation will have no detrimental negative impact to the surrounding properties. Furthermore, it will not cause any visual impact, the high of the proposed building align with the some of the neighbouring structures in the neighbourhood. In addition the building is made steel and zinc that also complement the neighbourhood as it matches with the existing building in the neighbourhood.

5.3 COMPATIBILITY WITH KNYSNA SPATIAL DEVELOPMENT FRAMEWORK

Building line relaxation is a matter that is not addressed in Spatial Planning documentation. This by nature is very site specific and the application will have to be considered on its own merit.

5.4 POLICIES, PRINCIPLE AND PLANNING AND DEVELOPMENT NORMS AND CRITERIA SET BY THE NATIONAL AND PROVINCIAL GOVERNMENT.

In considering the application, the decision-maker needs to be guided by the DEVELOPMENT PRINCIPLES contained in (Chapter II) of Spatial Planning and land Use Management Act 2013 (Act no 16 of 2013) SPLUMA and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).

SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning. It does therefore not have much relevance to individual departure applications that is mostly site specific.

5.4.1 Spatial Justice

The principle of spatial justice requires that past spatial and other development imbalances must be redressed through improved access to and use of land. The proposal cannot directly contribute to spatial reform. These matters are best addressed through spatial development frameworks and zoning schemes and other management systems.

5.4.2 Spatial Sustainability

The proposal supports this principle of spatial sustainability in the sense that it would not cause any negative detrimental impact on natural assets.

5.4.3 Spatial Efficiency

The principle of spatial justice requires that past spatial and other development imbalances must be redressed through improved access to and use of land. The proposal cannot directly contribute to spatial reform. These matters are best addressed through spatial development frameworks.

5.4.4 Spatial Resilience and Good Administration

The proposal supports this principle of spatial sustainability in the sense that it would not cause any negative detrimental impact on natural assets.

6. CONCLUSION

Council is humbly requested to consider the following application:

a) Section 15 (2) (b): Application for a building line relaxation:

Relaxation of North Western side building line from 30m to 16m for the existing shed 2. Relaxation of South Eastern building line from 30m to 4.3m for the existing shed 1. The reasons for approving the proposal are summarised as follow:

- The proposal is not in conflict with Spatial Planning Policies.
- The proposal will not negatively impact any of the neighbours.
- The proposal is not in conflict with the development principles set out in Section 7 of SPLUMA.
- The owners of Farm 183/56, 183/76, 183/64 and 183/21 granted consents that show the application is supported.
- There are no changes on the property's current use.

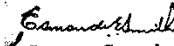
ANNEXURE: A

SUB-DIVISIONAL DIAGRAM,
Sect. 24 (b), Act No. 9 of 1927.

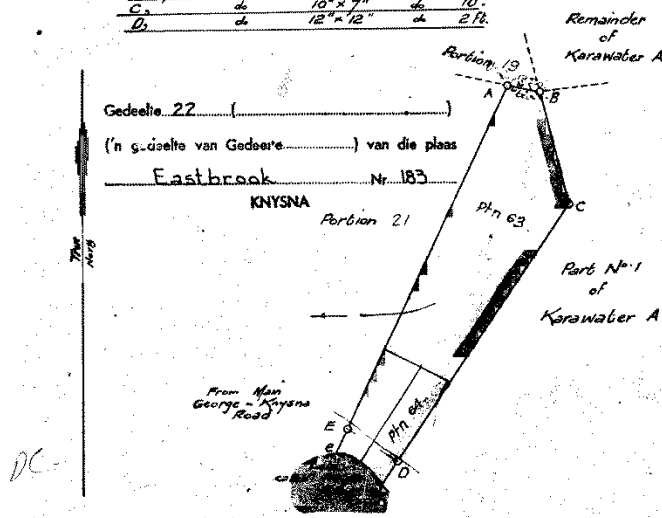
SIDES	Cape Feet	ANGLES OF DIRECTION	SYSTEM 1° 25' CO-ORDINATES	
			y	z
AB	603.9	Constant	+ 50000.0	+ 11940000.0
BC	2175.3	280.48.40	A + 3014.7	+ 4204.5
CD	5781.4	345.9.40	B + 2421.5	+ 1317.7
DE	1103.2	33.27.0	C + 1864.4	+ 6420.4
EA	7030.7	122.43.20	D + 5051.2	+ 11244.2
		204.42.20	E + 5978.3	+ 10646.2
Dd		33.27.0		
Ee		24.42.20		

No. 4035/49

Approved


 Surveyor-General.

A & E, concrete beacons 7"x6" projecting 6".
 B, planted stone 10"x8" projecting 12".
 C, do 10"x7" do 10".
 D, do 12"x12" do 2 ft.



Scale 1: 25000

The figure ABCd edge of Lake e A
 represents 130.1975 Morgen of land being

Partion 22 of the farm Eastbrook

situate in the Division of Knysna Province of Cape of Good Hope.

Surveyed in Feb.-March 1949 by ^{US} 

Land Surveyors

This diagram is annexed to
 D.T. No. 73/2
 d.d. 26/5/1950.

Registrar of Deeds.

The original diagram is
 No. 2683, 1911 annexed to
 D.G. Knysna L.I. 16
 Q. 11-10

File No. S. 7204
 S.B. No. E. 1132/49
 Knysna Div. Sh. 1.
 Kn. L. 1A. 16

