



Knysna

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KNYSNA MUNICIPALITY

PRE –APPLICATION MEETING

Minutes of meeting held on the

02 October 2025

At

09:00

Microsoft Teams

MINUTES

No	Item	Presentation
1.	Opening and Welcoming	Mr S Madumbo
2.	Attendance Mr S Madumbo (Chairperson) – KM : Town Planning (KM) Ms L Mniki – KM : Town Planning (KM) Miss S. Sitinga: Town Planning (KM) Mr P Phungula: Town Planning (KM) Ms. B Koti: Town Planning (KM) Raymond Talmaggies: Technical Services (KM) Mr M Musekene: Environmental Management (KM) Mrs N. Nkoane: Building Control (KM) Mark de Bruyn(MB) Ryan Roux(RR) Nobuhle Moshesh(NM) Siphesihle Nxele(SN) Lourens Du Toit(LT)	
3.	Items for consideration <i>*Please note: Meeting minutes do not reflect verbatim discussions</i>	

3.1	<u>Erf 1329, Sedgefield – Application for Subdivision and Removal of Title Deed Restrictions</u> <u>Discussion and Recommendations</u> • MB: Explained that the application entails a subdivision into one portion and a remainder, with the vacant portion obtaining access via a panhandle driveway Requested a building-line relaxation along the new panhandle boundary for the existing dwelling. Indicated that the closest encroachment point measures approximately 0.91 m from the proposed boundary, while the general setback is 1.98 m, a minor 2 cm deviation. Noted that the carport slightly overlaps the boundary but will be cut back once approval is granted; confirmed that the structure qualifies as a carport within building-line parameters as permitted in the Knysna Zoning Scheme By-law (2020). Stated that Portion A panhandle portion measures approximately 701 m², and the remainder approximately 600 m². Requested consideration to reduce the remainder to around 554 m² by shifting the boundary to a low vibrocrete fence and correspondingly increase Portion A to ±747 m². Confirmed that vegetation is minimal, consisting mainly of grass and a small shrub that can remain near the boundary. • SHM: Acknowledged the proposal and confirmed that previous Municipal Planning Tribunal (MPT) approvals on Sedgefield Island typically maintained a minimum 600 m² erf size. Noted that the draft Sedgefield Local Spatial Development Framework (LSDF) proposes reducing the minimum to 500 m², though the document is still under public participation and not yet adopted by Council. Indicated that the applicant may motivate for 550 m² with supporting precedent, though officially 600 m² remains the accepted norm. Confirmed that carports are permissible within lateral building lines if compliant with zoning-scheme provisions open on at least two sides, within prescribed width and height. Queried the panhandle width requirement for Single Residential Zone I. • LM: Clarified that, in terms of Clause 45 of the Knysna Zoning Scheme By-law (2020), the minimum panhandle width is 4 m, or 3 m for single-residential zones. Concluded that the proposed 3.6 m panhandle therefore complies. Requested submission of previously approved building plans with the application to support arguments for any permanent	KM Officials and Mark de Bruyn(MB)
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	departures. Asked the applicant to indicate the width and approval status of the access for the remainder. Queried the purpose of the existing low vibrocrete wall, noting that it does not coincide with the new boundary and may limit usable space. • MB: Explained that the vibrocrete wall is a remnant from a former rental arrangement when the erf was partly used by a holiday-letting group. Confirmed that the wall has no functional purpose and can be removed or relocated to the new boundary line. • LM: Acknowledged the response and recommended that the proposal clarify the wall's removal or relocation, to avoid future ownership and spatial-use issues. • SHM: Summarised that the proposal appears acceptable in principle, subject to: Compliance with the minimum erf-size policy, currently 600 m². Submission of supporting building plans and confirmation of access details. Inclusion of a motivation addressing soft densification principles applicable to Sedgefield Island. • SHM: Confirmed that title-deed restrictions will need to be removed only where relevant to the proposal subdivision and internal building-line conditions. Concluded the discussion and invited the applicant to proceed to formal submission once the above items are addressed.	
3.2	<u>Erf 13490, Knysna – Application for Amendment of Condition in Respect to an Existing Approval</u> <u>Discussion and Recommendations:</u> • RR: Explained that a previous application was approved for consent use to permit a freestanding base station within Pezula Estate. Noted that two conditions of approval were imposed the maximum height limited to 15 metres, and the design restricted to a lamp-pole dome-type structure. Stated that the applicant seeks to amend these two conditions to allow a 25 metre freestanding tree-mast design. Motivated that the existing 15 m lamp-pole structure is technically restrictive, as it limits co-location capacity and signal coverage. The shorter structure does not allow sufficient mounting space for additional antenna equipment. Clarified that the tree-mast design will provide improved area coverage, enable multiple service-provider co-location, and ensure better network performance for Pezula	KM Officials and Ryan Roux(RR)

	Estate and surrounding areas. Confirmed that all previously approved mitigation measures including fencing, site layout, and visual-screening treatments will remain unchanged. Only the height and external appearance of the mast will be modified. Noted that engagement has taken place with both the Pezula Estate Management and the network service providers, who are in support of the proposed changes. • SHM: Acknowledged the motivation and explained that, when applying for an amendment of a condition of approval, the applicant must address two key considerations why the condition was originally imposed, and what circumstances have changed to justify its amendment. Advised that the motivation report should explicitly demonstrate this aspect clarifying whether the height limitation and design requirement stemmed from a policy provision or visual impact concern and showing how current technical or contextual factors support the need for amendment. Confirmed that the standard submission requirements applicable to the initial consent-use approval will continue to apply to this amendment application. • RR: Confirmed that the motivation document will include detailed technical justification for the proposed amendment, with reference to coverage needs, co-location potential, and network efficiency improvements. • SHM: Concluded that the proposal is acceptable in principle, subject to a comprehensive motivation addressing the original conditions and the reasons for their amendment. Reiterated that the standard documentation and procedures for amendment applications apply.	
3.3.	<u>Erf 10473, Knysna – Application for Subdivision, Rezoning & Departure</u> <u>Discussion and Recommendations:</u> • NM: Confirmed that she would present the application and explained that the owners intend to subdivide the remainder of Portion 147 of Farm 216 into three portions proposed Portions A, B, and C. She added that the application also includes associated rezonings, relaxation of building lines to address existing encroachments, and removal of restrictive title conditions related to subdivision and current land use. NM further stated that the property is currently zoned and used as	KM Officials and Nobuhle Moshesh, Siphesihle Nxele

	Resort. Portion A is proposed to be rezoned from Resort to Agricultural Zone II to allow small-scale farming operations, while Portions B and C are proposed to be rezoned from Resort to General Residential 1 to formalise a private residential estate comprising eleven existing units. • SHM: Noted that the site lies outside the urban edge in terms of the 2020 Knysna SDF and confirmed that introducing General Residential 1, an urban residential zoning in this location conflicts with current municipal policy. He added that the SDF amendment process is at an advanced stage and presently undergoing a second round of public participation following presentation to the Portfolio Committee in August. He encouraged the applicant to review the draft SDF, as it may influence the motivation and approach. SM also explained that the site's existing rights originate from historic Resort approvals dating back to the 1990s, under the LUPO Section 8 schemes, which distinguished between Resort 1 and Resort 2. He noted that the 2020 Zoning Scheme consolidates these into a single Resort zone and that Schedule 4 preserves existing lawful parameters, including the right to alienate units granted under Resort 2, provided the development remains within conforming rights. He cautioned that rezoning to General Residential 1 could constitute a change of rights and therefore extinguish the preserved alienation rights. SM advised that the first step should be to establish the full approval history from the municipality's archives including approvals, conditions, densities, and access details before deciding how to proceed. • MM: Asked what is meant by "unsurveyed buildings" as indicated on the plan and whether these represent illegal structures • SN: Explained that the term "unsurveyed buildings" refers to structures that have not been captured through a formal topographical survey. The buildings were measured using tape only to determine approximate positions. He added that the resort was sectionalised around 2017; one structure on Proposed Portion B burned down and was rebuilt without submitting new building plans, while another structure on Proposed Portion A exists but is not shown on the 2017 sectional plans. The approval status of that building is unknown. SN stated that the developer intends either to formalise these	
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	structures through plan submission or to demolish and redesign them once subdivision and rezoning are approved. • SHM: Confirmed that if the irregular buildings are to be demolished and excluded from the proposal, the land-use application can proceed. However, if the applicant seeks to regularise them, additional applications may be necessary. He reiterated that the submission must address two key aspects policy alignment with the SDF and full documentation of existing rights and non-conforming uses. • SN: Asked whether keeping the Resort zoning could preserve the right to alienate while allowing subdivision or sectionalisation. • SM: Confirmed that retaining the Resort zoning could preserve those rights, referring to Schedule 4 of the Zoning Scheme which provides that Resort 2 developments outside the urban edge may retain alienation rights if they remain within existing lawful parameters. He cautioned that expanding or changing rights through rezoning could forfeit that protection. • SN: Mentioned that the title deed contains restrictive conditions limiting use of the property to agriculture, although it currently operates as a resort, and asked whether removal of those conditions would be acceptable. • SHM: Responded that removal of restrictive conditions would be acceptable and advised the applicant to obtain a conveyancer's certificate to confirm the nature of each restriction and whether it benefits any other party, as this will strengthen the motivation. • SN: Confirmed that there is a single access point to the property and explained that rights-of-way servitudes are proposed to serve Portions A and C via the existing driveway. • SHM: Agreed that this arrangement is acceptable, particularly if the proposed servitudes follow existing disturbed routes, and confirmed that every subdivided portion must have legal access. • SM: Requested that the application include a detailed services report describing how water, sewerage, electricity, access and refuse will be managed for each portion. He also noted that the applicant must confirm with the competent authority whether environmental authorisation is required under NEMA, given the site's proximity to the estuary. He stated that the national	
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	department is likely the competent authority and that SANParks should be notified. SM clarified that while a final record of decision is not required before the municipality considers the application, the same environmental information submitted to the competent authority must accompany the land-use application. • MM: Agreed that the environmental triggers must be confirmed with the national department, as the site falls within an area of national environmental sensitivity. • NN: Asked about the size of the property. • SN: Confirmed that the site measures approximately 2.1034 hectares and referred to the table on the plan showing the extent. • NN: Queried whether any visual-impact or heritage-related studies might be required given the property's prominence on the estuary. • SM: Asked whether any new construction was proposed. • SN: Confirmed that only formalisation of the two unsurveyed buildings is contemplated and explained that if those structures are formalised, visual assessments may be triggered; otherwise, if they are demolished or redesigned, such studies may not be necessary. • LM: Emphasised that policy inconsistencies may be overcome only through site-specific evidence. She advised that any motivation should clearly demonstrate, as required by the SDF, why the proposed development cannot be accommodated within the urban edge, and must include verifiable supporting studies on services, environment and visual impact. • SHM: Concluded the meeting by summarising the next steps. The applicant should arrange an appointment with Ms Nocipo Vonya to inspect the municipality's physical archive files and extract the historic approvals; obtain a conveyancer's certificate for the restrictive conditions; prepare a motivation addressing the SDF policy issues and considering whether to retain the Resort zoning; compile the required services report; confirm environmental triggers with the national authority and liaise with SANParks; and decide whether to formalise or remove the unsurveyed buildings, making that decision explicit in the final application.	
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3.4.	<u>Erf 7856, Knysna – Application for Departure</u> <u>Discussion and Recommendations:</u> • LT: Confirmed that the application pertains to Erf 7856, Knysna, situated at 31 Glenview Road, The Heads. He stated that the property is zoned Single Residential Zone I and measures approximately 1 017 m² in extent. LT explained that the site is vacant, and the owner intends to develop a three-storey dwelling house. Due to the steep slope of the property, the applicant seeks to construct three levels while still complying with the maximum permitted building height of 8.5 m as prescribed in the Knysna Zoning Scheme By-law. He added that, given the slope and footprint of the proposed dwelling, departures are required from the southern street building line 4.5 m to 0 m, the eastern side building line 2 m, and the western side building line 2 m, in addition to a departure to permit a third storey. • SHM: Acknowledged the proposal and asked for clarity on the portions of the building that encroach into the street building line. He confirmed that the property is located at the end of a cul-de-sac and that the main concern relates to the number of storeys proposed. • LT: Confirmed that this is correct. • SHM: Explained that the Zoning Scheme By-law allows the Municipality to consider a departure from the two-storey limit where the slope of the site justifies it, provided that the overall height remains below 8.5 m and that the additional storey is placed on the lower side of the slope so that the building appears as two storeys from the street. He advised that the applicant's motivation should focus on demonstrating that the slope is sufficiently steep to justify the third storey and that a contour plan or slope analysis must form part of the submission. Emphasised that the slope's steepness and impact on the building design should be central to the motivation and that the dwelling must maintain a two-storey appearance from the street side. • LT: Indicated agreement and mentioned that they have contour information available to demonstrate this. • SHM: Invited further comments or questions from officials, but none were raised. He asked if LT had any additional queries.	KM Officials and Lourens Du Toit
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	• LT: Responded that there were no further questions, except for one relating to the applicability of the Coney Glen Architectural Design Guidelines, which was briefly mentioned in correspondence. • SHM: Replied that he was aware of that issue and noted that the erf might fall under the old 1992 Knysna Zoning Scheme, specifically under Annexure A, Special Zone. He explained that this special zoning had its own development parameters including a 30% coverage limit or 400 m², whichever is less, a maximum bulk of 50% or 600 m², 10% limit for hardened areas, a two-storey height restriction, and a 4.5 m height limit measured from the highest road or contour level. He suggested that these provisions likely still influence development rights on the site and that the parent file for the subdivision would contain these conditions. Recommended that the applicant review the parent approval and annexure to verify how those restrictions apply, as non-compliance with them may require additional departures. • LT: Asked whether such additional departures would form part of the same application. • SHM: Confirmed that they would, explaining that the process would still constitute a standard departure application under SPLUMA, not a separate process. • LT: Acknowledged this and noted that compliance with the previous scheme's parameters could serve as supporting motivation for the new application. • SHM: Agreed, confirming that demonstrating compliance with historical parameters would strengthen the argument. • LT: Thanked him and indicated that those were all the queries from their side. • SM: Summarised that the three key matters requiring attention are (1) the applicable design guidelines, (2) the conditions from the original subdivision approval, and (3) the slope analysis demonstrating the need for a third storey. • LT: Confirmed and restated that they would investigate the design guidelines, verify previous approvals, and prepare the necessary slope motivation. • SHM: Concluded the discussion and confirmed that the item and meeting were closed.	
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4.	The Chairperson closed the meeting.	
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