

KNYSNA ERF 21266
(A PORTION OF KNYSNA ERF 21001)
APPLICATION FOR:
CONSOLIDATION & SUBDIVISION



CLIENT: HUDSON GUEST SERVICES (PTY)LTD
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(II) ANNEXURES

ANNEXURE A.	Copy of Approved Site Development Plan for Erf 21266
ANNEXURE B.	Pre-Application meeting minutes dated 29 January 2025.
ANNEXURE C.	Signed Company Resolution & Signed POA
ANNEXURE D.	Application Form dated 13 March 2026
ANNEXURE E.	Title Deed (T43207/2023)
ANNEXURE F.	General Plan No. 2737/2022

(III) PLANS

- PLAN 1.** Locality Plan
- PLAN 2.** Subdivision and Consolidation Plan
- PLAN 3.** Subdivision Plan.
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SECTION A :**BACKGROUND****1. BACKGROUND**

Knysna Erf 21266 is located at Welbedacht Lane (Eastford), Knysna. The property is currently zoned "General Residential Zone I" (Group Housing) in terms of the Knysna Municipality Zoning Scheme By-law (2020) and is 5259m² in extent.

Knysna Erf 21266 is a group housing site within the approved Entabeni Farm Housing estate (Knysna Erf 4015). Originally, when this development was approved during 2015, there were going to be three (3x) single residential erven. Then, during 2022, when the amended layout for Entabeni was approved, these three erven were changed to 1x group housing site, with rights for 10x "tiny homes".

Knysna Municipality approved a site development plan for the 10x "tiny homes" during July 2025. An extract of the approved SDP is shown in the figure below, and a copy of the letter of approval and endorsed plan, is attached as **ANNEXURE A**.



FIGURE 1: APPROVED SITE DEVELOPMENT PLAN FOR ERF 21266

Given changing circumstances and market demands, the owners of Erf 21266 now wish to subdivide Erf 21266 into 4x erven (3x group housing and 1x street).

1.1. Pre-Application Consultation

The required pre-application consultation was conducted with Knysna Municipality on 29 January 2025 for the proposed application. The pre-application consultation panel did not highlight any red flags or major concerns regarding the intended application. A copy of the pre-application consultation meeting minutes is attached as **ANNEXURE B**.

The following key issues were raised during the consultation:

Pre-Application Input	Application's Response
(i) The issue of densification will be critical, as policy speaks to densification to address the issue of the housing crisis in the town. This also raises issues of efficient use of land.	<i>The newly subdivided properties will remain group housing and therefore not decrease the definition of the area. Refer Par 13</i>
(ii) How do the property sizes compare to the surrounding properties?	<i>The proposed size of the new properties will fit in with the surrounding erf sizes within the Entabeni estate. Refer Par 14</i>
(iii) There needs to be compliance with the design manual. However, the site itself, will it have compliance with group housing in terms of the zoning scheme bylaw.	<i>The new properties will remain group housing properties an ill fit in with the surrounding properties and will comply with the design manual. Refer Par 13 & Par 14</i>
(iv) The refuse room is at the front of the estate. Waste management will likely require clarification on how that will work. The applicant is advised to clarify this on the motivation.	<i>The properties will have their own refuse collection point where the Entabeni estate will collect the waste and move it to their own refuse room for the municipal collection. Refer Par 4.4</i>
(v) The applicant is also advised to be explicit in their arguments for the proposed property sizes.	<i>Refer to the propose sie as indicated in the Subdivision plan in Par 4.2</i>
(vi) There was an environmental authorisation granted with the SDP. There should've been a condition that if there is a diversion from that authorisation, the competent authority be notified.	<i>The proposed subdivision does not deviate from the previous SDP it only aims to amend the cadastral boundaries into three erven and does not aim to change the zoning or the densification of the current property. Refer Par 17</i>

2. THE APPLICATION

Marika Vreken Urban and Environmental Planners have been appointed by **Hudson Guest Services (Pty)Ltd** to prepare and submit the required application documentation (refer to **ANNEXURE C**: Signed Company Resolution & Signed Power of Attorney and **ANNEXURE D**: for the Application form, for:

- (i) Confirmation of an exempted subdivision and consolidation to amend common property boundaries between Knysna Erven 21266 and 21001, in terms of Section 24(1)(c) of the Knysna Municipal Land Use Planning Bylaw (2021).
- (ii) Application for the Subdivision of the newly consolidated Erf (Knysna Erf 21266 plus portions A and B of Erf 21001) into four (4x) Portions (Portions A, B and C as group housing units and portion D as a private street), in terms of Section 15(2)(d) of the Knysna Municipal Land Use Planning Bylaw (2021).
- (iii) Confirmation of an exempted subdivision to register servitudes for pipelines, in terms of Section 24 (1)(c) of the Knysna Municipal Land Use Planning Bylaw (2021).

3. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed (T43207/2023) that includes the information outlined below is contained in **ANNEXURE E**. The General Plan No. 2737/2022 for the application area is contained in **ANNEXURE F**.

Title Deed Description:	Erf 21266 (A Portion of Erf 21001) Knysna in the Municipality and Division of Knysna, Province of Western Cape.
Title Deed No:	T43207/2023.
Property Owner:	Hudson Guest Services Proprietary Limited.
Property Size:	5259m ² (Five Thousand Two Hundred and Fifty-Nine) Square Metres.
Title Deed Restrictions:	The owner and his successors shall be members of the Entabeni Farm Village Home Owners' Association and shall at all times be subject to the constitution thereof, and the property may not be transferred without the written consent of the Association.
Servitudes:	There is a right-of-way servitude register on the property in favour of the owner of the property to obtain access from Welbedacht Lane via Trunk Road 2 (T2).
Bonds:	There is no Bond registered over the property.

SECTION B :**DEVELOPMENT PROPOSAL****4. DEVELOPMENT SPECIFICATIONS**

(Refer to **Plan 4: Tiny House SDP**; **Plan 2: Approved Subdivision Plan**, and **Plan 2Plan 3: Subdivision Plan with Exempted Consolidation**)

The main purpose of the application is to amend the communal property boundaries between Erven 21001 & 21266, to formalise the existing private road in the development that runs over both properties, so that the road will only run over Erf 21266. This boundary amendment is an exempted subdivision and consolidation.

The consolidated property will then be subdivided into 4 portions: 3x group housing erven, and the existing road. Simultaneously, the owners envisage registering servitudes to allow existing services pipelines.

4.1. Proposed Boundary Amendment

Knysna Erf 21001 will be subdivided into 3x portions: Portion A ($\pm 93\text{m}^2$); Portion B ($\pm 96\text{m}^2$), and the Remainder.

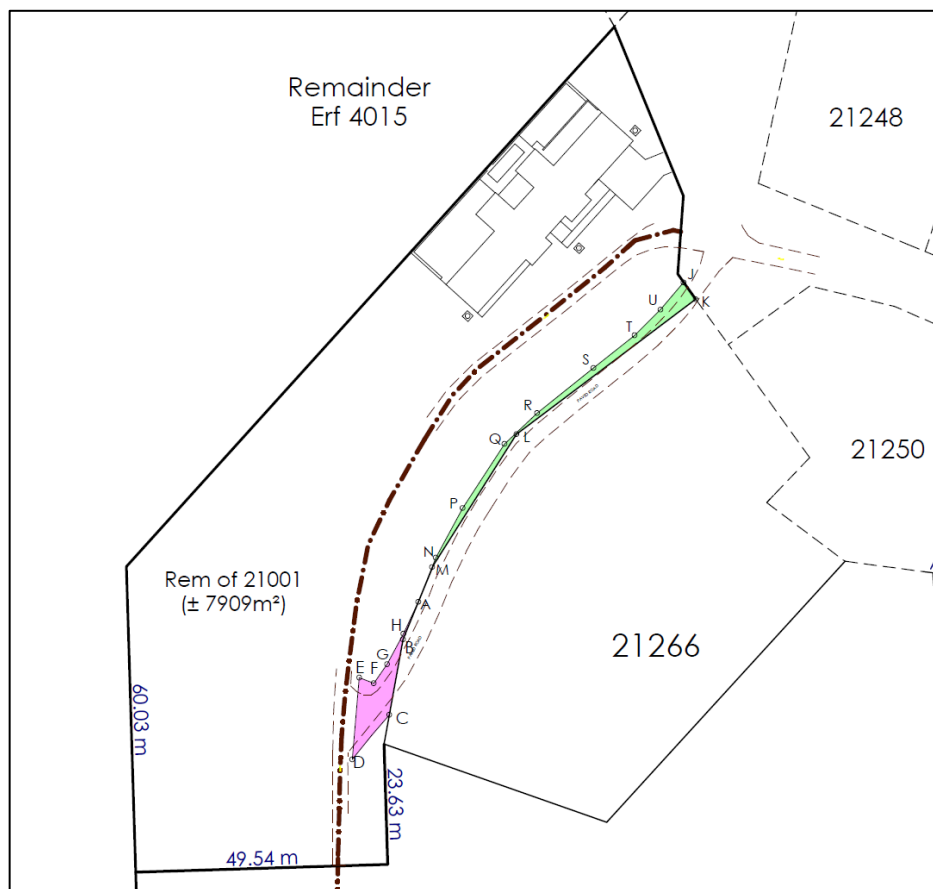


FIGURE 2: PROPOSED SUBDIVISION OF ERF 21001

Portion A is indicated in **Pink** in Figure 2 above and covers the southern portion of the existing road on Erf 21001; and Portion B is indicated in **Green** in Figure 2 above and covers the northern part of the existing road that runs over both Erf 21001 & 21266.

These two portions of subdivided roads will be consolidated with Erf 21266, as shown in the figure below, to create a new consolidated property of $\pm 5448\text{m}^2$. This consolidation is a minor boundary adjustment necessary to encompass the existing physical road footprint. The proposed consolidation is shown in Figure 3 below:

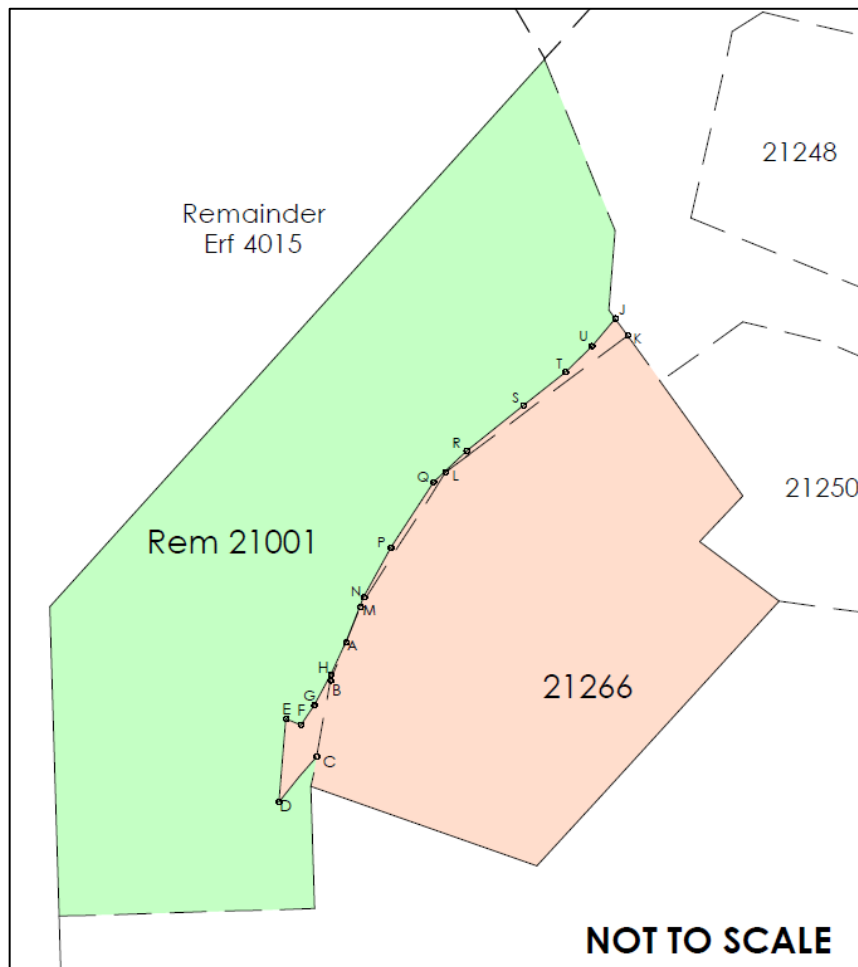


FIGURE 3: PROPOSED CONSOLIDATION

The two properties' current and new erf areas are summarised in the table below:

Property	Current Erf Size	New Erf Size	% Change
Erf 21001	7909m ²	$\pm 7720\text{m}^2$	2.39%
Erf 21266	5259m ²	$\pm 5448\text{m}^2$	3.59%

From the above table, it is clear that the proposed change in property sizes for both Erf 21001 & 21266 is less than 10%, and therefore, the proposed subdivision and consolidation (boundary amendment), is exempted from a formal application in terms of Section 24(1)(c) of the Knysna Municipal Land Use Planning Bylaw (2021).

4.2. Proposed Subdivision

The proposal is to subdivide the newly consolidated Erf (Erf 21266 and Portion A and B of Erf 21001) into 3x smaller group housing erven, as shown in Figure 4 below:

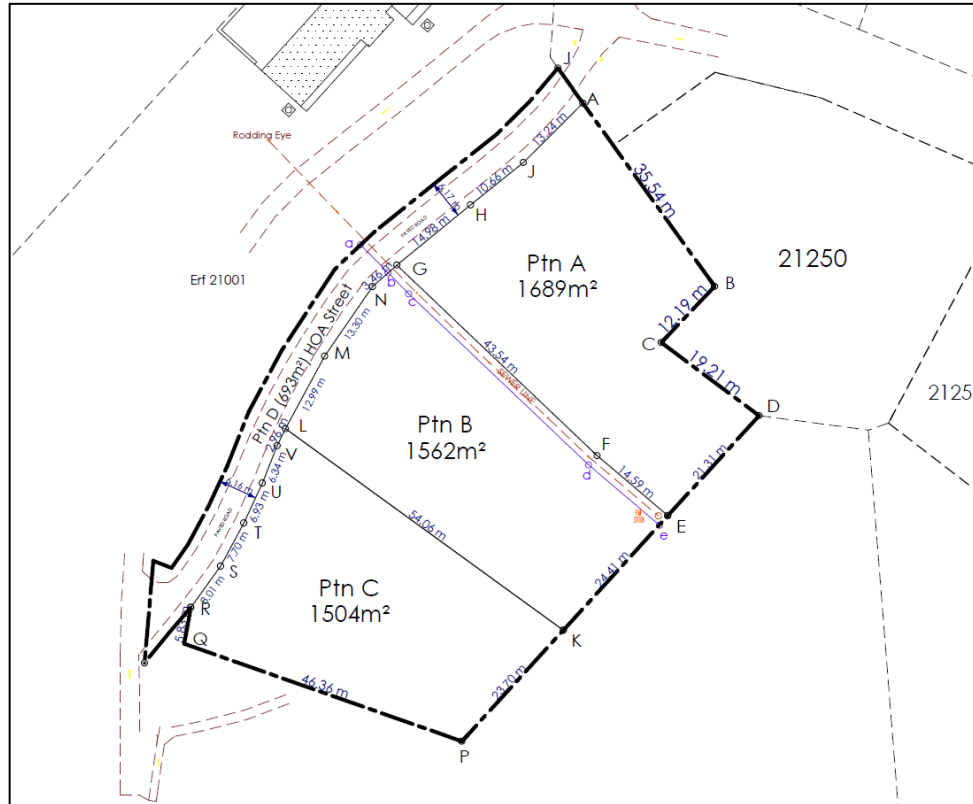


FIGURE 4: PROPOSED SUBDIVISION

The proposed subdivisions are:

- Portion A: 1689 m²
- Portion B: 1562 m²
- Portion C: 1504 m²
- Portion D: 693 m² (street)

4.3. Access

Access to the application area is via the Entabeni estate combined entry and exit way along the western boundary of Erf 20999.



FIGURE 5: ACCESS TO ENTABENI ESTATE

Upon finalisation of the cadastral diagram, Portion D will be formally subdivided off and transferred to the Entabeni Farm Village HOA after the subdivision. By vesting the road as a private erf under the Association's ownership, the responsibility for long-term maintenance and infrastructure management is legally secured within the existing estate framework. This arrangement replaces the need for individual right-of-way servitudes, providing a streamlined, legally robust access solution that integrates seamlessly with the broader Entabeni Estate.

All three the group housing erven (Portion A; B & C) will have direct access off Portion D, the private HOA street.

4.4. Refuse Collection

Refuse management for the proposed portions will be integrated into the existing operational framework of the Entabeni Farm Village. Each of the three group housing properties will utilise individual mobile refuse bins (wheelie bins), which will be managed by the respective owners. On designated collection days, waste will be moved from the individual erven to the estate's centralised refuse collection point. From this internal site, the Entabeni HOA coordinates the final removal, ensuring that the subdivision remains self-sufficient and does not require additional municipal curb-side collection services within the private road network.

5. STATUTORY SPECIFICATIONS

The following land development application is lodged in terms of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021), to achieve the desired outcome.

5.1. Subdivision

To allow for the proposed development, an application is made in terms of Section 15(2)(d) of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021) for the subdivision of the newly consolidated Erf (Knysna Erf 21266 and Portion A and B of Erf 21001) into four (4) portions as follows:

- Portion A (1689 m²): To be utilised for group housing purposes
- Portion B (1562 m²): To be utilised for group housing purposes
- Portion C (1504 m²): To be utilised for group housing purposes
- Portion D (693 m²): To be utilised as a Private Road for access and service reticulation.

As a specific condition of approval for this proposed subdivision, Portion D will be formally transferred to the Entabeni Farm Village HOA for integration into the existing estate road network and ongoing maintenance. All three portions will remain vacant upon transfer, as the current temporary dwellings are to be relocated off-site prior to the finalisation of the subdivision.

5.2. Services Servitude (Exemption)

There is an existing sewer pipeline from the existing dwelling on Erf 21001 that runs to the south eastern boundary of Erf 21266, to connect into an existing sewer line along the south eastern boundary of Erf 21266. The proposed new boundary of Portion A was positioned in such a way that the boundary will be 1m away from the line, and then a 2m wide services servitude can be registered to protect this sewer line over the future Portion B, as shown in Figure 6 below:

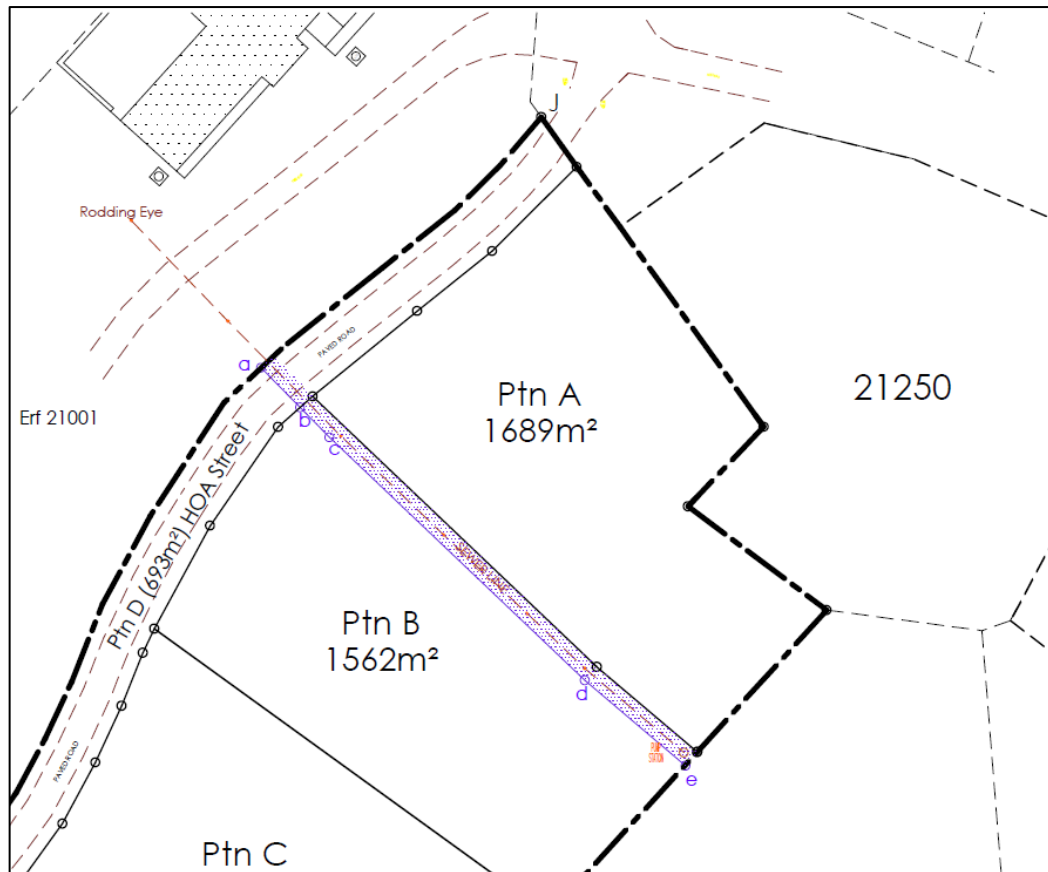


FIGURE 6: PROPOSED SERVICES SERVITUDE

5.3. Governance

Erf 21266 is currently a member of the Entabeni Homeowners Association (HOA). After subdivision, each subdivided portion will become a member of the Entabeni Homeowners Association (HOA) to ensure the long-term management and aesthetic cohesion of the development.

Central to this governance structure is the creation of Portion D, a dedicated private road erf that provides essential access to the residential portions. Upon approval, Portion D will be formally transferred to the Entabeni HOA, vesting ownership and maintenance responsibility within the established estate framework.

Consequently, the HOA will retain full responsibility for all internal private infrastructure, including this shared access way, internal services, and perimeter landscaping buffers. By shifting the infrastructure and maintenance burden from the local authority to a private governing body, the application aligns with the Knysna SDF's goals for sustainable and self-sufficient densification. This arrangement provides the municipality with a legal guarantee that the high standards of the surrounding residential and agricultural interface will be perpetually upheld.

5.4. Knysna Municipality Zoning Scheme By-law (2020)

A summary of the prescribed development parameters for "General Residential Zone I" "Group housing", and a comparison of the proposed development's parameters are shown in the table below:

Prescribed Development Parameter:			Compliance
	Allowed	Proposed	
Primary Land Use	'Group Housing'	'Group Housing'	Comply
Building Lines	Street boundary building line: 5m	5m	Comply
	Side and rear boundary building line: 3m	5m	Comply
Height	The height of a dwelling house may not exceed 8,5 metres	<8.5m	Comply
Site Development Plan	The municipality may request that an SDP be submitted	Provided	Comply
Access	Between 5m and 8m	Between 5m and 8m	Comply

6. SERVICES INFRASTRUCTURE

Knysna Erf 21266 is currently connected to the municipal services infrastructure. The property is fully serviced (water, electrical, sewer, roads, and fibre) and is a member of the Entabeni Farm village HOA, contributing equal levies.

Erf 21266 currently have rights for 10x tiny homes. The proposal is merely to subdivide the application area into 3x portions, and not to change the land use rights of the application area. Therefore, except for an individual services connection to each new erf (Portions A; B & C), no additional services capacity will be required.

The existing sewer line that runs from the dwelling house on Erf 21001, that will run along the southern boundary of the proposed Portion A, will be contained in a new, 2m wide services servitude, that is also exempted from a formal subdivision application.

SECTION C :**CONTEXTUAL INFORMANTS****7. LOCALITY***(Plan 1: Locality Plan)*

Entabeni Farm Village is strategically situated on the northern shore of the Knysna Estuary, positioned along Welbedacht Lane and directly south of the Oakhill Sports Campus. The application area is located within the defined Urban Edge of Knysna, falling under the residential suburb of Eastford. The application area specifically occupies the western most portion of the estate, with the centroid coordinates recorded at 34° 1' 34.75"S and 23° 0' 9.07"E.

The property is surrounded by other agricultural and residential zoned properties; the Eastford Area is characterised by low-density residential estates. The southern boundary of the property runs along the N2 road. The eastern boundary is identified as Welbedacht Lane. The expropriated future bypass route runs alongside the north-eastern portion of the property. The property is effectively wedged between the existing N2, the new bypass and the Welbedacht Lane.

**FIGURE 7: LOCALITY****8. CURRENT LAND USE AND ZONING****8.1. Land Use**

Knysna Erf 21266 is currently used for residential purposes (Group housing) and within the Entabeni Farm Village. The uses/structures on the application area include three dwelling units (Tiny Houses) within the prescribed building lines of the application area.



FIGURE 8: ENTRY AND EXIT WAY



FIGURE 9: TINY HOUSE NR 1.



FIGURE 10: TINY HOUSE NR 2.



FIGURE 11: TINY HOUSE NR 3.

8.2. Zoning

Knysna Erf 21266 is currently zoned as "General Residential Zone I" (group housing) in terms of Knysna Municipality Zoning Scheme By-Law, 2020. The application area was previously rezoned to "General Residential" from "Agriculture Zone I" and was not updated on the Knysna Municipal Zoning Map yet.

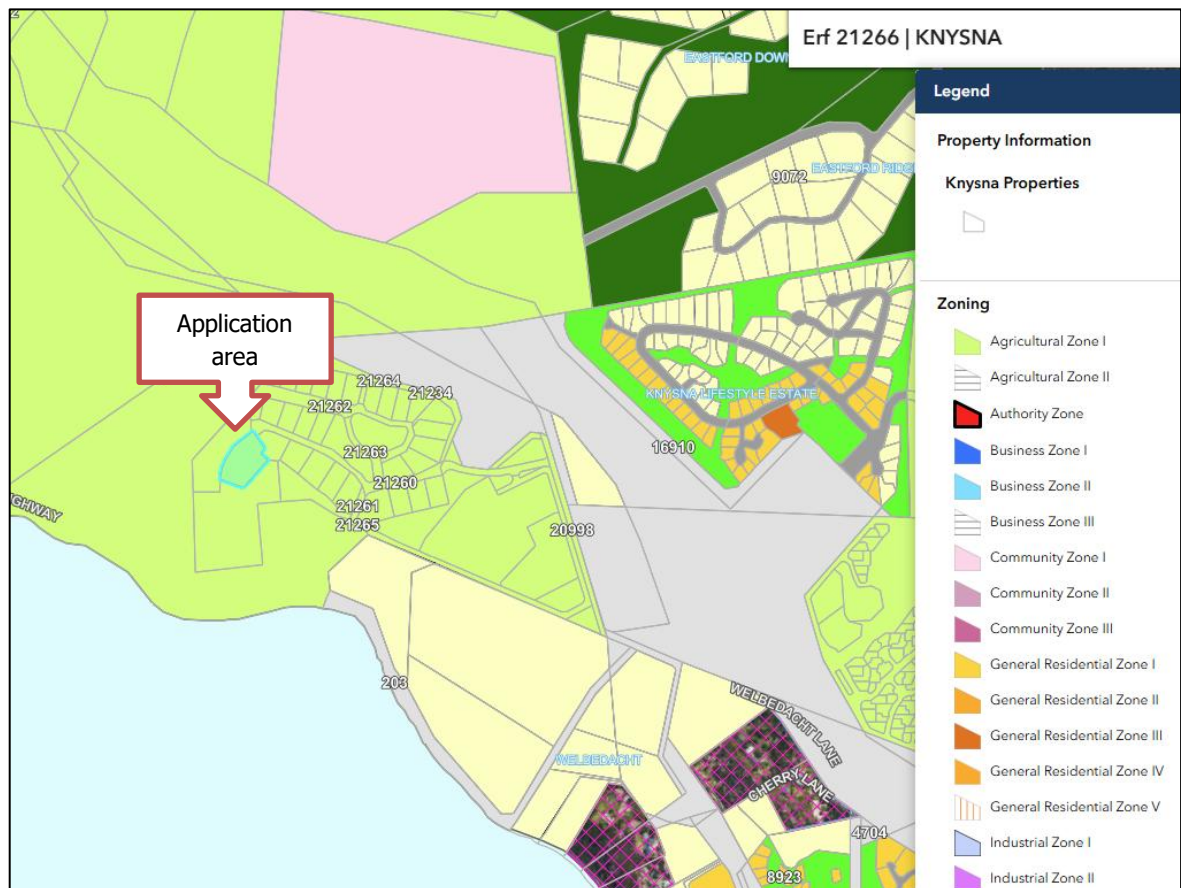


FIGURE 12: EXTRACT KNYSNA ZONING MAP

9. CHARACTER OF THE AREA

The application area is situated within Entabeni Farm Village, where both the subject property and its immediate surroundings are zoned Agriculture Zone I. As the proposal introduces no land-use changes and strictly maintains the residential/smallholding nature of the site, the character of the area remains unaffected. The application for a building line departure is a localised spatial adjustment necessitated by the site's narrow configuration and does not alter the low-density rural-residential fabric of the Eastford precinct.

10. EXISTING POLICY FRAMEWORKS

10.1. Western Cape Provincial SDF (2014)

The Western Cape Provincial SDF serves as a strategic spatial planning tool that “communicates the province's spatial planning agenda”. The PSDF sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. Each of the three spatial themes contributes to the achievement of the Western Cape's strategic objectives. These policies are categorised into three themes, namely:

- **Resources:** Sustainable use of spatial assets and resources

- **Space Economy:** Opening up opportunities in the Space Economy
- **Settlement:** Developing Integrated and sustainable settlements.

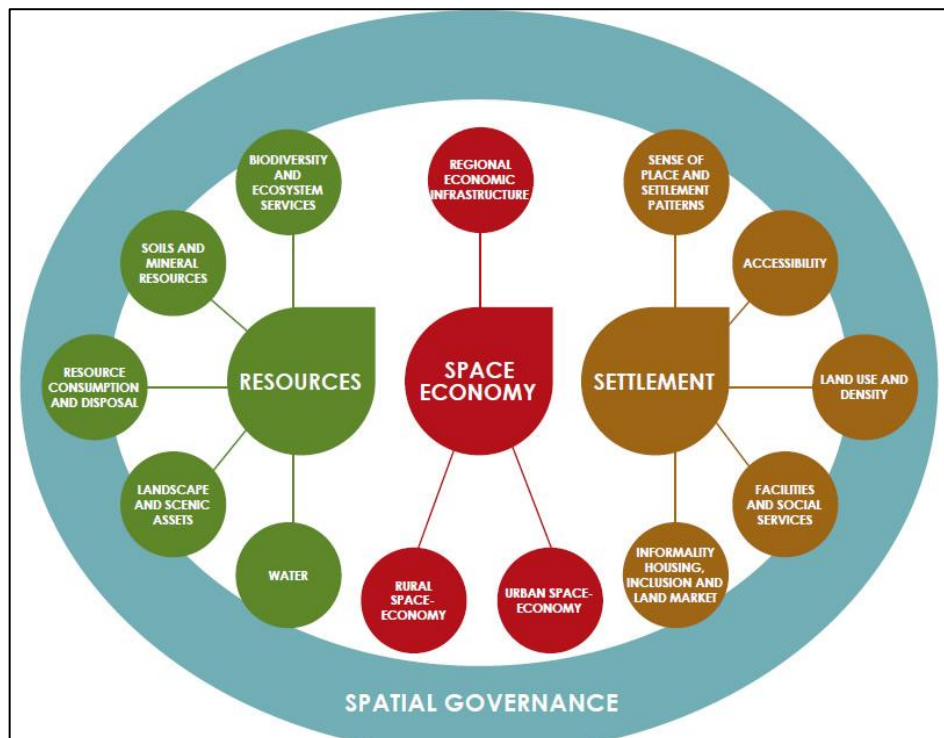


FIGURE 13: POLICIES APPLICABLE TO THE PROPOSED DEVELOPMENT

The proposed departures complement the SDF's spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in urban areas; and
- (iii) Strengthening resilience and sustainable development.

The proposed subdivision aligns with the core principles of the Western Cape PSDF, specifically regarding Spatial Resilience and Sustainability. By formalising the subdivision of an existing land parcel within a managed residential precinct, the application promotes the efficient use of land and infrastructure within the defined urban edge.

This approach supports the PSDF's mandate to curb horizontal urban sprawl by encouraging "sensitive densification" in areas already serviced and managed. The proposal ensures that the transitional character of the Knysna urban edge is respected, while providing diverse residential opportunities that contribute to the compact city model.

10.2. Draft Garden Route Regional Spatial Development Framework (2019)

The draft Garden Route (Southern Cape) Regional Spatial Development Framework provides development guidelines for the Garden Route District, aligning with the 2014 Provincial Spatial Development Framework. This framework emphasises three urban priority regions in the Western Cape: the Greater Cape Functional Region, the Greater Saldanha Region, and

the Southern Cape Region. The Southern Cape, identified as a provincial leisure and tourism coastal belt, includes key regional centres like Mossel Bay, George, Knysna, and Plettenberg Bay.

The Southern Cape Regional Plan aims to stimulate inter-municipal growth, support integrated sustainable development, and manage urban and rural areas. Its core objectives include fostering regional development opportunities, promoting a regional approach to sustainable development, and improving urban and rural area management practices. The plan outlines specific roles for identified towns to drive coordinated infrastructure investment and contribute to the provincial economy.

The plan addresses various aspects:

- Provides a coherent spatial vision for the Southern Cape functional region, considering environmental, social, and economic factors.
- Offers guidance on rational and predictable infrastructure, economic, and land use planning within the region.
- Takes a regional approach to address environmental management, human settlement provision, economic development, infrastructure, transport, landscape character, sense of place preservation, and heritage.
- Expresses the Provincial Spatial Development Framework at the regional level, elaborating on the role of specific towns in the growth and development of the region.
- Addresses environmental perspectives.
- Considers social perspectives.
- Examines economic perspectives.

Planning Implication:

In the context of the Garden Route RSDF, this application supports the regional goal of Sustainable Settlement Management. The RSDF prioritises the protection of the region's unique environmental and "sense of place" assets. By restoring the historical cadastral boundaries and utilizing a private governing body (the HOA) for infrastructure maintenance, the proposal ensures that the development remains low-impact and self-sufficient. This aligns with the RSDF's strategy to promote development that does not place an undue burden on municipal bulk services while maintaining the high aesthetic and environmental standards characteristic of the Garden Route's transitional landscapes.

10.3. Knysna Spatial Development Framework (2025)

Knysna Municipality has adopted and implemented a new Spatial Development Framework (June 2020). The purpose of the Knysna SDF is to provide relevant background information regarding the biophysical, economic and social context of Knysna Municipality. The Knysna Municipality Spatial Development Framework serves as a regulatory framework for spatial development within the local municipality.

The SDF is the primary spatial tool for guiding development within the municipal area. The SDF echoes the principles laid down by the provincial SDF, including densification, the importance of compact settlements and walkability and the promotion of a mixture of uses in close proximity to one another. The Spatial Vision of the municipality is to create a long-term, sustainable land use pattern and building on the Knysna Municipality's integrated development vision to be Inclusive, Innovative and Inspired, the complementary spatial planning vision leading the Knysna MSDF is to:

"...Establish Knysna as an authentic place that works for all of its residents and continues to attract visitors. Build an equitable and inclusive society within a sustainable and resilient ecosystem..."

According to the Knysna Municipality Spatial Development Framework (SDF), the subject property is:

- The application area is located inside the urban edge of Brenton on Sea.
- The application area is suitable for urban development.
- The application area is located inside the earmarked regional services centre.
- The application area is situated inside an area identified as a Coastal Destination.

The Spatial policies and policy guidelines guide decision-making on resource allocation, sector planning, land use management and land development programmes. The proposal is on such a small scale that it will not influence any of the key policies of the SDF.

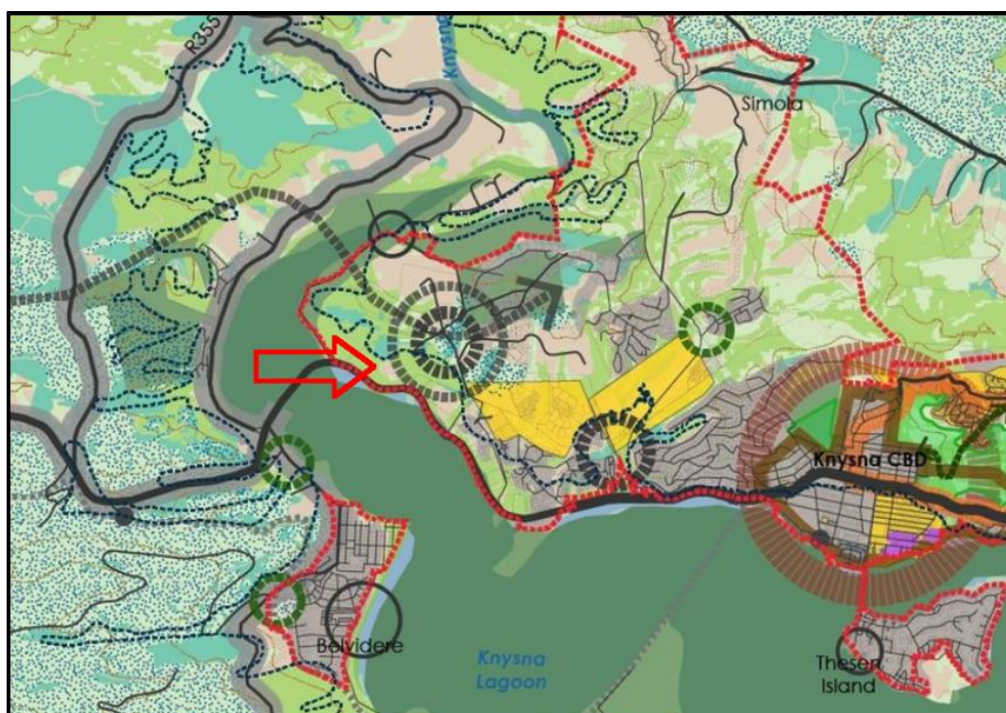


FIGURE 14: EXTRACT - KNYSNA SDF 2020

The Spatial policies and policy guidelines guide decision-making on resource allocation, sector planning, land use management and land development programmes. It is important to note some of the key policies of the SDF have a bearing on this application.

Policy No	Policy	
B	Manage the growth of urban settlement in Knysna to ensure the optimum and efficient use of existing infrastructure and resources and in turn, secure the Municipality's fiscal sustainability and resilience, while preventing further loss of natural and agricultural assets and functional ecosystem services.	
		Policy Guideline
B1	Hold the urban edge as the development boundary as identified for settlements in the Knysna Municipal Area.	<i>ii. In short, direct new development to vacant, <u>underutilised</u> or recycled land within the urban edge as defined in the MSDF for Knysna town</i>

Planning Implication:

The proposal is fundamentally consistent with Policy B1 (Guideline 2) of the Knysna SDF, which mandates a sensitive transition between urban development and the agricultural hinterland. By concentrating the group housing units within a clustered footprint and utilising existing disturbed areas, the application preserves the rural visual amenity of the surrounding farms. The subdivision does not represent a 'hard' urban expansion; instead, it utilises a layout that respects the landscape's character through appropriate scale and the

retention of green buffers. This ensures that the urban edge remains a definitive, yet integrated, boundary that protects the integrity of the adjacent agricultural zone.

10.4. Knysna Integrated Development Plan (2023)

The IDP is a legislative requirement in terms of the Municipal Systems Act, Act 32 of 2000, section 25. The residents, businesses and investors communicate to the municipality their needs using municipal processes from where the municipality develops a long-term vision, and how the municipality plans to achieve it. The local government, Municipal Systems Act, Act 32 of 2000, requires the IDP, the principal strategic planning instrument be the guide for all municipal planning and development within the area of jurisdiction.

The singular strategy of the municipality is guided by section 35 of the MSA, which directs the IDP as 'the principal strategic planning instrument' which guides and informs all planning and development with regard to planning, management and development in the municipality with the aim of-

- Providing household infrastructure and services where it is most needed;
- Create loveable local towns and rural areas;
- Building vibrant and inclusive local economies; and
- Facilitating community empowerment and development

According to the IDP, the Vision for Knysna Municipality is to:

- Inclusive – The strive towards a more spatially integrated and inclusive municipality
- Innovative
- Inspired

The application area is located in **Ward 10** of the Knysna Municipality. None of the issues raised in the community for Ward 10 applies to the proposed development.

SECTION D :**MOTIVATION****11. ASSESSMENT OF APPLICATIONS****11.1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

Section 42 of SPLUMA prescribes certain aspects that have to be taken into consideration when deciding on an application. These are:

- (1). Development principles set out in Chapter 2 of SPLUMA
- (2). Protect and promote the sustainable use of agricultural land
- (3). National and provincial government policies, the municipal spatial development framework, and take into account: —
 - (i) the public interest;
 - (ii) the constitutional transformation imperatives and the related duties of the State;
 - (iii) the facts and circumstances relevant to the application;
 - (iv) the respective rights and obligations of all those affected;
 - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
 - (vi) any factors that may be prescribed, including timeframes for making decisions.

11.2. Knysna Municipality: Spatial Planning and Land Use Management By-law, 2021

The Knysna Municipality: Spatial Planning and Land Use Management By-law, 2021, as promulgated by G.N 8492 dated 17 September 2021, states in Section 65 the general criteria necessary for considering an application by the municipality.

It must be noted that the application has not undergone the notice phase of the application process and that the information below is the necessary information required by the municipality to process the application. The following criteria must be considered when evaluating the desirability of this land development application:

Criteria	Reference in Report
The impact of the proposed land development on municipal engineering services .	Par. 6
The integrated development plan , including the municipal spatial development framework.	Par. 10.4
The applicable local spatial development frameworks adopted by the Municipality.	Par. 10.3
The applicable structure plans .	<i>n/a</i>
The applicable policies of the Municipality that guide decision-making .	Par. 11.2
The provincial spatial development framework .	Par. 10.1
where applicable, a regional spatial development framework contemplated in section 18 of the Act and a provincial regional spatial development framework.	Par. 10.2
The policies, principles and the planning and development norms and criteria set by the national and provincial government;	Par. 11.1
The matters referred to in Section 42 of the Act; Principles referred to in Chapter VI (6) of the Western Cape Land Use Planning Act ; and	Par. 19
applicable provisions of the zoning scheme	Par. 5.4
any restrictive condition applicable to the land concerned	<i>n/a</i>

12. CONSISTENCY WITH SPATIAL PLANNING POLICIES

As described in **Par. 10** of this report, the proposal is consistent with the relevant spatial planning policies for the following reasons:

- (i) The Western Cape SDF promotes revitalised urban spaces that are efficient, convenient, and attractive, while respecting surrounding character and property rights.
- (ii) The subject property is within the Brenton urban edge, and since the PSDF applies at a provincial scale, the small-scale proposal has limited relevance to it.
- (iii) Legalising the existing retaining walls ensures lawful and efficient land use and aligns with Western Cape SDF strategic objectives, specifically policies S1 No. 2 & 3.
- (iv) The Southern Cape Regional Plan promotes sustainable development and growth by balancing environmental, social, and economic factors.
- (v) The proposed application is too small to directly link to regional strategic objectives but does not contradict the Garden Route Regional SDF or Knysna's vision.
- (vi) The application fits the existing character of Brenton, service provision is sufficient, and the proposal aligns with the Knysna SDF.

- (vii) The IDP directs municipal funding to strategic objectives, but the small-scale proposal neither contributes to nor deviates from these priorities, while remaining non-contradictory.

13. NEED FOR SUBDIVISION

The primary need for this application arises from a strategic refinement of the development model for the subject property. It is important to emphasise that the existing land-use rights of the property remain unchanged; the site retains its General Residential Zone I (Group Housing) zoning. The subdivision is intended purely to facilitate the individual alienation of three distinct land parcels, shifting from a single-block ownership model to one that provides future owners with the security of individual title.

This approach was a key point of discussion during the pre-application meeting held with the Knysna Municipality. A primary concern addressed in that forum was to ensure that the proposal would not lead to a de-densification of the site. By maintaining the three group housing portions, the application ensures that the development density remains strictly aligned with the original intent of the Group Housing zoning and the existing development rights.

The subdivision is necessitated by current market demands in Knysna, where there is a clear preference for independent ownership over collective schemes. This model ensures the project remains economically viable and manageable without increasing the intensity of the land use. By formalising these boundaries, the land is optimised to its full potential in a manner that is sympathetic to the surrounding agricultural interface and existing neighbourhood character, ensuring the densification remains sensitive, orderly, and compliant with the municipality's strategic objectives.

14. CONSISTENCY WITH ERF SIZES IN THE SURROUNDING AREA

The surrounding environment of the subject property is defined by a low-density, rural-residential atmosphere, characterised by standalone dwellings and expansive open spaces. While the "Group Housing" zoning allows for a clustered development footprint.

By formalising the site into three distinct properties, the proposal reinforces the existing spatial pattern of the Entabeni Estate. Crucially, the resulting erf sizes are entirely consistent with the prevailing erf sizes found throughout the estate and the immediate Welbedacht locality. This alignment ensures that the development maintains the generous spacing and privacy typical of the surrounding agricultural and residential interface.

This "low-impact" approach ensures that the visual impact on the landscape is minimised, preserving the semi-rural aesthetic of the area. Consequently, the subdivision is not merely compatible with the surrounding land uses; it acts as a proactive measure to ensure that the development is integrated seamlessly into the estate's fabric, remaining consistent with the high-quality, low-density character of the broader Knysna region.

15. NO IMPACT ON EXISTING RIGHTS

The proposed subdivision will have no negative impact on the existing land-use rights of surrounding property owners. It is important to clarify that the subject property retains its General Residential Zone I (Group Housing) zoning; therefore, the primary land-use rights and the permitted development density remain unchanged and consistent with the established planning parameters for the site.

Rather than altering the intensity of the land use, this application seeks to refine the cadastral configuration of the property. By establishing three independent residential portions that align with the surrounding estate's grain, the proposal ensures that the allowed density is distributed in a manner that is far more compatible with the surrounding agricultural-residential landscape.

This approach provides a more traditional residential layout compared to a single-block, high-concentration group housing footprint. Consequently, the transition to individual title ensures that the privacy, sunlight, and quiet enjoyment currently experienced by neighbouring landowners remain entirely undisturbed, as the scale of development remains strictly within the existing "low-impact" parameters of the current zoning.

16. RELEVANT CONSIDERATIONS, WESTERN CAPE - ENVIRONMENTAL AFFAIRS & DEVELOPMENT PLANNING

The following key considerations are taken into account to determine the desirability of the proposed land use.

Elements for Consideration	Key Questions to Ask	Proposal (Desirability)
Economic impact	Positive or Negative impact on neighbourhood/settlement?	<i>Positive economic impact - increase in property value. No impact on surrounding property owners or their rights.</i>
Social impact	Greater social justice, equity of access to opportunity	<i>The surrounding property owners will not be negatively affected by the proposal, and the proposal complies with all the other development parameters.</i>
Scale of capital investment	> capital investment - > positive impact	Investment by landowners. No additional development is proposed.
Compatibility with surrounding land uses		The proposal is in line with the character of the area and compatible with the rural residential area. See Par.9 & Par.14.

Elements for Consideration	Key Questions to Ask	Proposal (Desirability)
Impact on external engineering services	How much must the developer contribute to municipal costs incurred?	- No impact on existing service infrastructure. Existing services are sufficient - Rainwater will be collected, and sewage will be dealt with on-site via septic tanks, increasing the application area's sustainability. - Refer to Par. 6
Impact on safety, health & well-being of the surrounding community		Refer to Par.14 & Par.15
Impact on heritage		- No heritage impacts - No heritage value
Impact on the biophysical environment	Are there negative impacts? Are they adequately mitigated?	- Within urban edge. - No NEMA-listed activities were triggered. - Outside any CBA areas.
Traffic impacts, parking access, other transport considerations	Support for densification & functional public transport system?	- No additional traffic. - Access from the existing road network.
Impact on quality of life (incl. views, sunlight, privacy, visual impact, character)		- No views will be obscured. - Fits within the character of the area.
Timing – need to densify or protect urban edges	The best option for the site at this point?	- Within urban edge. - No impact on the urban edge, as the proposal does not require the expansion of the urban edge.
Cumulative impacts	Unacceptable cumulative impacts?	Only positive impacts. No impact on any of the surrounding property owners or the Municipality.

Elements for Consideration	Key Questions to Ask	Proposal (Desirability)
Opportunity costs	Any unacceptable opportunity costs?	▪ <i>Private investment.</i> ▪ <i>No municipal funding is required.</i> ▪ <i>Increased property values, resulting in increased revenue for the local authority.</i>
Alignment with SDF's		▪ <i>Refer to Par.10</i>

Note: LUPA (Land Use Planning Act) does not refer to a lack of desirability, nor does it require there to be a positive advantage (i.e. the absence of a positive advantage should not automatically lead to a decision to refuse).

17. NO ENVIRONMENTAL IMPACT

The proposal carries no negative environmental implications as the property is situated within a fully transformed footprint within an existing estate. The application relies on existing approved land-use rights and does not trigger any new listed activities in terms of the NEMA EIA Regulations (2014). As the site is already serviced and integrated into the managed estate network, the subdivision represents a sustainable cadastral alignment with no encroachment into sensitive ecological areas.

18. DESIRABILITY

The concept of "desirability" in the land use planning context may be defined as the degree of acceptability of a proposed development on land units concerned. This section expresses the desirability of the proposed departure, taken in conjunction with the development principles and criteria set out through the statutory planning framework, as well as the degree to which this proposal may be considered within the context of broader public interest. It is the considered opinion that the initial investigation into the desirability of the proposal reveals no obvious negative impacts.

The desirability of this application is rooted in its alignment with the low-density, rural-residential character of the Knysna agricultural fringe. By abandoning the previously envisioned "Group Housing" project in favour of three independent residential erven, the proposal effectively reduces the potential built-form density and associated human footprint on the site. This "downscaling" is highly desirable as it ensures that the property's development trajectory remains sensitive to the environmental and spatial constraints of the area, preventing the localised "urban sprawl" often associated with higher-density schemes. The subdivision, therefore, represents a more sustainable and appropriate use of the land that respects the existing neighbourhood grain.

Furthermore, the proposal is desirable from a socio-economic and management perspective. Reverting the property to its original cadastral state removes the complexities of a consolidated group housing scheme, allowing for individual ownership and a development scale that is easier for the municipality to service and for the owner to manage. This transition responds directly to

a market preference for standalone residential properties in semi-rural settings, ensuring that the land is utilised to its full potential without compromising the privacy or "sense of place" of neighbouring smallholdings. The application is a logical, low-impact solution that promotes orderly planning and long-term spatial stability within the zone.

19. WESTERN CAPE LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014)

The purpose of this Provincial legislation is to consolidate legislation in the Province pertaining to provincial planning, regional planning and development, urban and rural development, regulation, support and monitoring of municipal planning and regulation of public places and municipal roads arising from subdivisions; to make provision for provincial spatial development frameworks; to provide for minimum standards for, and the efficient coordination of, spatial development frameworks; to provide for minimum norms and standards for effective municipal development management; to regulate provincial development management; to regulate the effect of land development on agriculture; to provide for land use planning principles; to repeal certain old-order laws, and to provide for matters incidental thereto.

Section 59 of this Act prescribes the Land Use Planning Principles that apply to all land development in the province. These are summarised in the tables below. The tables below aim to summarise how the proposed development on Knysna Erf 21266 complies with these principles.

19.1. Spatial Justice

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Past spatial and other development imbalances must be redressed through improved access to and use of land.	N/A	<i>This policy is not applicable to the application area.</i>
Spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.	N/A	▪ <i>This policy is not applicable to the application area.</i> ▪ <i>Not a Spatial Development Framework or Policy.</i>
Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.	N/A	<i>This policy is not applicable to the application area.</i>
Land use management systems should include all areas of a	N/A	<i>This policy is not applicable to the application area.</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas and informal settlements.		
Land development procedures must include provisions that accommodate access to, and facilitation of, the security of tenure and the incremental upgrading of informal areas.	Applicable to Knysna Municipality	<i>The municipality must process this application within the prescribed guidelines of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021).</i>
A competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application.	Applicable to Knysna Municipality	<i>The municipality must process this application within the prescribed guidelines of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021).</i>
The right of owners to develop land in accordance with current use rights should be recognised.	COMPLY	<i>The owner is seeking to develop the property to their liking, and the development does not entail a change in the land use of the property. The proposal complies with all the current land use rights, but an application is made for a departure from the building lines and coverage.</i>

19.2. Spatial Sustainability

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Promote land development that is spatially compact, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority.	COMPLY	▪ <i>The proposal is resource-frugal, as all activities make use of the existing services.</i> ▪ <i>The application area is within the urban edge of Knysna.</i> ▪ <i>No additional service capacity is required to enable the proposal.</i>
Ensure that special consideration is given to the protection of prime, unique and high potential agricultural land.	N/A	<i>Not Agricultural land</i>
Uphold consistency of land use measures in accordance with environmental management instruments.	COMPLY	<i>The application area is located within an existing urban area and does not trigger any environmental listed activities in terms of the National Environmental Management Act (1998).</i>

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Promote and stimulate the effective and equitable functioning of land markets.	COMPLY	The proposal is consistent with the character of the surrounding area.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	COMPLY	- The existing infrastructure is adequate, and no upgrade is required. See Par.0. - Any future costs will be at the cost of the applicant or as determined by the municipality.
Promote land development in locations that are sustainable and limit urban sprawl.	COMPLY	- The application area is located within an existing urban area. - No new developments are proposed, and no urban sprawl will be created
Result in communities that are viable.	COMPLY	The application will provide three new erven for development, and the result will contribute to a more viable residential community.
Strive to ensure that the basic needs of all citizens are met in an affordable way.	N/A	This principle is not applicable to the applicant or this development.
The sustained protection of the environment should be ensured.	COMPLY	- In line with all Environmental policy documents and legislation. - The application area is located within the existing urban area of Knysna and within the existing urban fabric.

19.3. Spatial Efficiency

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Land development optimises the use of existing resources and infrastructure.	COMPLY	The proposal will fully utilise the existing municipal infrastructure. Development complies with the primary land use, and the service provision is for a dwelling house. No upgrades to the existing infrastructure will be required. See Par.0.
Integrated cities and towns should be developed.	N/A	This policy is applicable to township developments.
Policy, administrative practice and legislation should promote speedy land development.	Applicable to Knysna Municipality	The municipality should process this application within the prescribed time frames of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021).

19.4. Spatial Resilience

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks	COMPLY	▪ <i>The proposal is consistent with the various applicable spatial plans, policies and land use management systems.</i> ▪ <i>It will have no negative impact on the livelihood of the community.</i> ▪ <i>The proposed application complies with the requirements of the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021).</i> ▪ <i>The HOA provided their written consent.</i>

19.5. Good Administration

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
All spheres of government should ensure an integrated approach to land use planning.	Applicable to Knysna Municipality	▪ <i>This principle has no direct bearing on the application; however, the Knysna Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.</i> ▪ <i>What is, however, important is that all decision-making is aligned with sound policies based on national, provincial and local development policies.</i>
All government departments must provide their sector inputs and comply with any other statutory requirements during the preparation or amendment of spatial development frameworks.		
The requirements of any law relating to land development and land use must be met timeously.		
The preparation and amendment of spatial plans, policy, zoning schemes and procedures for land development and land use applications should include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.		
The legislation, procedures and administrative practice relating to land development should be clear, promote predictability, trust and acceptance in order to inform and empower members of the public.		
A spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof		

CRITERIA	COMPLIANCE	PLANNING IMPLICATION
should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority.		
Decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts.		
Development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties.		
Decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.		

20. CONCLUSION

In light of this motivation, and the information contained in the foregoing report, it is clear that the application for:

- (i) Confirmation of an exempted subdivision and consolidation to amend common property boundaries between Knysna Erven 21266 and 21001, in terms of Section 24 (1)(c) of the Knysna Municipal Land Use Planning Bylaw (2021).
- (iv) Application for the Subdivision of the newly consolidated Erf (Knysna Erf 21266 plus portions A and B of Erf 21001) into four (4x) Portions (Portions A, B and C as group housing units and portion D as a private street), in terms of Section 15(2)(d) of the Knysna Municipal Land Use Planning Bylaw (2021).
- (ii) Confirmation of an exempted subdivision to register servitudes for pipelines, in terms of Section 24 (1)(c) of the Knysna Municipal Land Use Planning Bylaw (2021).

Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Knysna Municipality: Spatial Planning and Land Use Management By-law (2021), is desirable, and it is therefore recommended that the application be supported by the relevant authorities and approved by Knysna Municipality.

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