

KNYSNA LOCAL MUNICIPALITY

Notice is hereby given of a

KNYSNA MUNICIPAL PLANNING TRIBUNAL MEETING

to be held on

Tuesday, 29 September 2026

at

09:00

Council Chambers

to consider the following items:

MUNICIPAL OFFICES
KNYSNA

ADMINISTRATOR

A G E N D A

Chairperson:

R Smit

Members:

J Grobler

J Samson-Swartz

Z van Rooyen

N Perring

L Mniki

M Nzuzo

M Musekene

L Goya

R Daames

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29 SEPTEMBER 2026

AGENDA

1. Opening and Welcome
2. Attendance (as per attendance register)
 - 2.1 Members: Present
 - 2.2 Members: Absent with Leave
 - 2.3 Members: Absent Without Leave
 - 2.4 Councilors Present
 - 2.5 Officials Present
 - 2.6 Members of the Audit Committee Present
 - 2.7 Members of the Public Present
3. Order of Proceedings
 - 3.1 Conflict of Interest
 - 3.2 Points in *Limine*
 - 3.3 Consideration of *Locus Standi*
 - 3.4 Time Allocation for Oral Presentations
4. Noting of Rules of Order
 - 4.1 Confirmation by Members in terms of Rule 6.3.
5. Approved Minutes of Previous Meeting
6. New Items
7. Closure

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KNYSNA LOCAL MUNICIPALITY

MINUTES

of the

MUNICIPAL PLANNING TRIBUNAL

in the Council Chambers

Main Building

Clyde Street

Knysna

Thursday, 27 August 2026

at

09h00

Members Present (6/10):

R Smit (Chairperson)	(RS)
J Grobler	(JG)
N Perring	(NP)
J Samson-Swartz	(JS)
M Musekene	(MM)
L Mniki	(LM)

1. OPENING AND WELCOME

The Chairperson, Mr. R Smit opened the meeting and welcomed everyone present.

2. ATTENDANCE

2.1. Members Present

As per the attendance register.

2.2. Members Absent with Leave

Z van Rooyen	(ZR)
L Goya	(LG)
R Daames	(RD)

2.3. Members Absent without Leave

M Nzuzo	(MN)
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2.4. Councillors Present

None

2.5. Officials Present

As per the attendance register.

2.6. Members of the Public Present

As per the attendance register.

3. ORDER OF PROCEEDINGS

3.1 CONFLICT OF INTEREST

That it be noted that the Ms. Linda Mniki, member and case official, declared interest in the following items:

- Erf 434 Sedgefield
- Erf 553 Belvidere

3.2 POINTS IN LIMINE

None

3.3 CONSIDERATION OF *LOCUS STANDI*

None

3.4 REQUESTS FOR ORAL PRESENTATION

That it be noted that Ms. Susan Campbell requested to address the Tribunal on application, Erf 553 Belvidere.

4. NOTING OF THE RULES OF ORDER

That it be noted that members present, noted the Rules of Order.

5. APPROVED MINUTES OF PREVIOUS MEETING

That the previous approved minutes be noted.

6. NEW ITEMS

6.1. KMPT01/08/26: **PORTION 19 OF THE FARM RUYGTE VALLEY NO. 205, KNYSNA: ADMINISTRATIVE PENALTY (APPLICATION NO. 3724)**

- That, it be noted that the Tribunal considered the land use planning report dated 17 August 2026 as submitted by the case officer, Ms. S Sitinga on 18 August 2026.
- That, it be noted that the report was presented by the case officer at the meeting with the following deliberations:
 - (i) *The Tribunal considered whether an additional penalty, beyond the standard penalty, should be imposed for the unauthorised land use. It was noted that an additional dwelling on agricultural land requires approval, which had not been obtained when the use commenced.*
 - (ii) *The Tribunal queried whether the factory on the property had the required consent to operate.*
 - (iii) *Approval had previously been granted for consent use to allow an additional dwelling; however, the approval had lapsed, giving rise to the current application.*
 - (iv) *The applicant's motivation refers to unauthorised building work relating to the main house, additional dwelling unit, farm manager's cottage, garage and storeroom cottage. These works constitute extensive unlawful structural development, and the applicant's acknowledgement indicates that the additional land uses are unauthorised.*

- (v) *The Tribunal considered whether the item should be referred back and whether the applicant should be required to submit a complete application addressing all unauthorised activities on the premises, including the second dwelling and pottery business.*

6.1.1 The Tribunal unanimously resolved that the application be **referred back** to submit a complete application addressing all unauthorised structures and uses on the premises.

File number: 9/1/2/13

Execution: Municipal Manager

Director: Planning and Development

Manager Land Use Management

6.2. KMPT02/08/26: **ERF 3958 KNYSNA – ADMINISTRATIVE PENALTY**
(APPLICATION NO.3743)

- *That it **be noted** that the Tribunal considered the land use planning report dated 17 July 2026 as submitted by the case officer, Ms. Sinovuyo Sitinga on 18 August 2026.*
- *That it further **be noted** that the report was presented by the case officer at the meeting and after deliberations the Tribunal unanimously resolved as follows:*

6.2.1 That, in terms of Section 60 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) an Administrative Penalty in the amount of **R5 000.00** be determined in accordance with Section 93(2) for the unauthorised building work encroaching the 2m building line in terms of the Knysna Zoning Scheme By-law (2020) under "Single Residential Zone I" in respect of Erf 3958, Knysna.

6.2.2 **The above decision is subject to the following condition(s) imposed in terms of Section 66 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021):**

- (i) The administrative penalty applies to the buildings and structures encroaching the prescribed building line as shown on the plan numbered "2025/019-M002-Rev0" dated 13 May 2026.

- (ii) The landowner/applicant shall pay the administrative penalty within 30 days reckoned from the date of the notice of decision.
- (iii) This decision and imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on the subject erf.

6.2.3 The reasons for above decision are as follows:

- (i) The applicant has conceded to the transgressions and the payment of the penalty as specified in Council's approved tariff list. The applicant further presented their arguments in terms of impact and why construction was needed, however, a contravention of the scheme was committed. Therefore, the recommended penalty is considered reasonable and proportionate to the nature and gravity of the offence.

File number: 9/1/2/13

Execution: Municipal Manager

Director: Planning and Development

Manager Land Use Management

**6.3. KMPT03/08/26: ERF 553 BELVIDERE – ADMINISTRATIVE PENALTY
(APPLICATION NO.3666)**

- That it **be noted** that the Tribunal considered the land use planning report dated 17 August 2026 as submitted by the case officer, Ms. LV Mniki on 18 August 2026.
- That it further **be noted** that the report was presented by the case officer at the meeting.
- That it be noted that Ms. Susan Campbell made the following oral presentation:
 - (i) *That she discovered the application two days before the meeting when someone from Sedgefield asked about an item on the agenda.*
 - (ii) *Ms Campbell, who owns a cottage in Belvidere Manor and who is one of the trustees, went on to say that after reading the application, it was found that the tribunal correct and complete information was not put before the Tribunal for consideration.*
 - (iii) *That, if the tribunal goes ahead with the decision that it will be based on misleading/incomplete information and that she feels that it would be*

wrong of her to sit back and see the tribunal making a bona fide decision based on completely and utterly false information.

- (iv) Ms. Campbell further went on to give credit to the land use planner for picking up part of the misleading information.*
- (v) Ms. Campbell noted that the by-law does allow the tribunal to ask for more information.*
- (vi) Ms. Campbell requested the tribunal to postpone the matter, to give her an opportunity to respond with the missing information.*

- *That it be noted after deliberations, the Tribunal resolved as follows:*

*6.3.1 For the matter to **be referred** back based on the issues raised by Ms campbell which in her view does not give a full reflection of what is on the said property.*

6.3.2 Ms. Campbell to submit the missing information as stated, to the Planning Department; and for the process to be fair, to give the applicant an opportunity to respond.

6.3.3 If the information is not forthcoming, then the department do their own research and submit the report to the September tribunal meeting, as is.

File number: 9/1/2/13

Execution: Municipal Manager

Director: Planning and Development

Manager Land Use Management

6.4. KMPT04/08/26: **ERF 434 SEDGEFIELD – ADMINISTRATIVE PENALTY**
(APPLICATION NO.3702)

- *That it **be noted** that the Tribunal considered the land use planning report dated 17 August 2026 as submitted by the case officer, Ms. LV Mniki on 18 August 2026.*
- *That it further **be noted** that the report was presented by the case officer at the meeting and after deliberations the Tribunal unanimously resolved as follows:*

6.4.1 That, in terms of Section 60 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) an administrative penalty in the

amount of **R5 000.00** be determined in accordance with Section 93(2), for the following transgressions on Erf 434, Sedgefield as shown on the plan numbered "1/1-A1" dated 20 September 2025 drawn by Coastal Plans:

- 6.4.1.1 the encroachment of the 4.5m Uil Street building line as prescribed under "dwelling house" of the Knysna Zoning Scheme By-law (2020) by an as-built garden shed.
- 6.4.1.2 the encroachment of the 4.5m Uil Street building line as prescribed under "dwelling house" of the Knysna Zoning Scheme By-law (2020) by an as-built carport.
- 6.4.1.3 the encroachment of the 4.5m Swift Street building line as prescribed under "dwelling house" of the Knysna Zoning Scheme By-law (2020) by an as-built entrance portico.

6.4.2 The above decision is subject to the following condition(s) imposed in terms of Section 66 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021):

- (i) The landowner/applicant shall pay the administrative penalty within 60 days reckoned from the date of the notice of decision.
- (ii) The decision and imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law (2021) on the subject erf.

6.4.3 The reasons for above decision are as follows:

- (i) The applicant has acknowledged the transgression and accepted responsibility for the contravention in their capacity as the landowner. The applicant has also confirmed their willingness to pay the applicable administrative penalty in accordance with Council's approved tariff.
- (ii) Having regard to the nature, severity and extent of the transgression, the contravention is considered to be of a minor nature. Furthermore, there is no evidence that the transgression has resulted in, or is likely to result in, any material adverse implications. In consideration of the above circumstances, the imposition of an administrative penalty in accordance with Council's approved tariff is considered reasonable, appropriate and justified.

File number: 9/1/2/13

Execution: Municipal Manager

Director: Planning and Development

Manager Land Use Management

7. Closure

The Chairperson thanked all attendees and closed proceedings at 09h43.



R SMIT (CHAIRPERSON)

17. 9. 2026

DATE


Knysna

Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

ITEM TO:

Municipal Planning Tribunal

APPLICATION NO.	3666
CASE OFFICIAL	Ms LV Mniki
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/3672/2025
TELEPHONE NO.	+6383
APPLICATION DATE	13 March 2026

LAND USE PLANNING REPORT
DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 553 BELVEDERE
PART A: APPLICANT DETAILS

Name & Surname	Lloyd Druce
Company name	VBGD Town Planners
SACPLAN registration number	A/543/1987
Registered owner(s)	Hendrik Jeremias Du Bruyn

PART B: PROPERTY DETAILS

Property description	Erf 553 Belvedere
Property Extent	1297m ²
Physical address	35 Belvedere Manor
Area/Town	Belvedere
Current zoning	General Residential Zone V
Applicable zoning scheme	Knysna Zoning Scheme By-law (2020)
Current land use	Dwelling House
Are there existing buildings on the property?	Yes
Title Deed number & date	T12225/2024
Any restrictive title conditions applicable?	None
Any third party conditions applicable?	None
Any unauthorised land use/building work	Yes
Bondholder's Consent	None Applicable

PART C: CONTRAVENTION INFORMATION	Yes	No	Not Applicable
Has the landowner applied for the determination of an administrative penalty?	☒	☐	☐
Has the Municipality applied to the Municipal Planning Tribunal for an order that a person who is contravening the Zoning Scheme By-law must pay a contravention penalty?	☐	☒	☐
Has the Municipality served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of a contravention penalty?	☐	☒	☐

1. APPLICATION DESCRIPTION

An application has been submitted in terms of Section 15(2)(r) of the Knysna Spatial Planning and Land Use Management By-Law (2021) for the determination of an administrative penalty to regularise the use of Erf 553, Belvedere as a property zoned "Single Residential Zone I", whereas the site is zoned "General Residential Zone V" in terms of the Zoning Scheme Register (2020).

2. PRE-APPLICATION CONSULTATION

A pre-application meeting was conducted in terms of Section 37 of the Spatial Planning and Land Use Management By-law (2021), on 27 November 2025. Several aspects pertaining to the historical factors were deliberated upon. The applicant was advised that it may be more appropriate to submit an application to allow "General Residential Zone I" in lieu of "Single Residential Zone I" to be considered, as this would maintain uniformity across the broader Belvedere estate.

3. APPLICANT'S BACKGROUND

- 3.1. The applicant provided that there are 34 cottages which form part of the Belvedere Manor precinct, all of which are zoned "General Residential Zone V" which allows for "hotel" use.
- 3.2. They argue that Erf 553, however was viewed differently from the other 33 cottage sites as a "Master Plan" dated 1995, shows the site being for a "Barn", "Services" and "Parking", however there are no records which reflect that the sites were constructed. Furthermore, it is said that during 1995, building plans we approved wherein the said property was labelled "Service Facility: Meeting rooms and staff accommodation for Belvedere Manor".

3.3. The submissions of the applicant state that, "*it was a convenient choice*" to categorise the property as "*hotel*" during the transition from the Section 8 Zoning Scheme Regulations (1988) to the Knysna Zoning Scheme By-law (2020) which does not permit the current use of a "*dwelling house*" nor the previous use(s) as the home of the hotel's chef and other staff accommodation. In addition, the property is of a different size and configuration in comparison to the other 33 cottages of Belvedere Manor.

4. ASSESSMENT OF APPLICATION

4.1. Administrative Penalty Calculation

	Rand value (R)
1. Unauthorised Building Work	<i>as per Council tariff</i>
(a) Uncontested: departure from the development parameters as specified in the Zoning Scheme/ failure to comply with Planning By-law/ requires a permission in terms of zoning	Not applicable
(b) Unauthorised building work contravening the Zoning Scheme (up to and not more than 100% of the value of the building work unlawfully carried out)	Not applicable
(c) Repeat Offender (approved tariff in (a) above x2)	Not applicable
2. Unauthorised Land Use	
(a) Uncontested: Unauthorised 'Other' Use	R 10,000.00
(b) Up to and not more than 100% of the municipal valuation of the area that is used unlawfully (municipal valuation 2025/26 = R 0)	R2,600,000.00

4.2. Considerations in terms of Section 93(9) of the Planning By-law

4.2.1. The applicant has requested a waiver for an administrative penalty given that it was an unfortunate consequence of historical transformation of the site from "*Resort Zone*" whereas it was always used as a form of residential use and not accommodation for transient use. Based on the Master Plan and the approved building plans, dated 1995, it is evident that although the floor layout may easily be converted to conform to that of a "*dwelling house*", the use of the premises on Erf 553, Belvedere was not intended for permanent residence.

4.2.2. The conduct of the owner has been responsive, taking steps to regularise the use of the property in spite of unknowingly purchasing a site which is not permitted to be used as a "*dwelling house*". As noted in the applicant's submission, there are several 'cottages' which are no longer utilised for resort-related purposes within Belvedere Manor. This undermines conditions of establishment and may threaten the character of an area/ precinct. Nevertheless, that is a matter to be deliberated upon in a separate application made in terms of Section 15(2) of the Spatial Planning and Land Use Management By-law (2021).

4.2.3. Whilst the owner may be liable to pay a maximum penalty of up to R 2,600,000.00, in terms of the Municipal Valuation of the property, the implications of the residential use are not considered grievous as they neither result in increased activity nor physical harm on the neighbouring property owners. Hence, the standard municipal tariff for 'other' land uses are considered to be proportionate response to the unlawful use of the Erf 553 Belvedere.

5. RECOMMENDATION

It is recommended that, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an administrative penalty in the amount of R10,000.00 be determined in accordance with Section 93(2) for the unauthorized land use of a "dwelling house" as contemplated under "Single Residential Zone I" of the Knysna Zoning Scheme By-law (2020).

6. CONDITIONS IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above recommendation is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

6.1. The landowner shall pay the administrative penalty within 60 days reckoned from the date of the notice of decision.

6.2. The decision and imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on the subject erf.

7. REASONS FOR RECOMMENDATION

The reason(s) for the above recommendation is as follows:

- (i) The recommended penalty is considered proportionate to the unlawful land use which has been perpetuated over the years. Considering the recent ownership of the property, Council's prescribed penalty for "other" unlawful land use has been recommended, in lieu of the valuation criteria.
- (ii) Although the applicant argues that the zoning is inaccurate, the floor layout of the building on Erf 553 Belvedere includes, staff accommodation and meeting rooms as the intended use for establishment would serve as a support premises, in-keeping with the resort and/or hotel-related land uses in the vicinity of Belvedere Manor. Therefore, the use for "dwelling house" is unlawful.

- (iii) In determining the administrative penalty, the applicant's mitigating circumstances, including financial constraints and efforts to regularise the unauthorised land use and building works, have been taken into account. Accordingly, the imposition of the Municipality's standard administrative penalty is considered fair, reasonable, and appropriate in the circumstances.

8. **SUPPORTING APPLICATION DOCUMENTS**

ANNEXURE A: Applicant's motivating memorandum

ANNEXURE B: Plans

ANNEXURE C: Information required in terms of Section 38 of the Spatial Planning and Land Use Management By-law (2021)

ANNEXURE D: Extract of the Municipal Valuation Roll

Administrative Penalty: Erf 553, Belvedere – Application Number 3666			
Author Name: LV Mniki Date: 17/08/2026		Author Signature: 	
Registered planner name: S Madumbo SACPLAN registration number: A150/2012 Date: 17/08/2026		Registered Planner Signature: 	
Decision maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

VBGD Town Planners

Town Planners and Development Consultants

JOHANNESBURG: Tel : 27 011 706 2761 or KNYSNA [REDACTED]
Email [REDACTED] website: <https://vbgdtownplanners.co.za/>

POSTAL ADDRESS: P.O.Box 3506 Knysna 6570

PHYSICAL ADDRESS: [REDACTED]

Celebrating 35 Years service to our clients (1985 to 2020)



Date: 245/2/2026

Reference:

The Manager: Land Use Management
Planning and Development Department
Knysna Municipality
P O Box 21
Knysna
6570
Attention: Hennie Smit

Dear Sir,

APPLICATION: BELVIDERE ERF 553 : DETERMINATION OF ADMINISTRATIVE PENALTY

Our firm has been appointed by the owner of the above erf to submit this application , for the determination of an administrative penalty, as contemplated in Section 93 of the Knysna Spatial Planning and Land Use Management Bylaw (2021). The background is as follows:

- 1. OWNERS:** The site is owned by HENDRIK JEREMIAS DU BRUYN by virtue of the attached Deed of Transfer T 12225/2024 and is 1297m² in extent.
- 2. LOCATION and SIZE:**

The erf is located within the Belvidere Manor complex just north of Lower Duthie Street as shown below:



Director: L.D.Druce B Sc TRP PrPin (A543/1987) Prog Law (UNISA)

Assisted by : J. Erasmus BA (Hons)PrPin

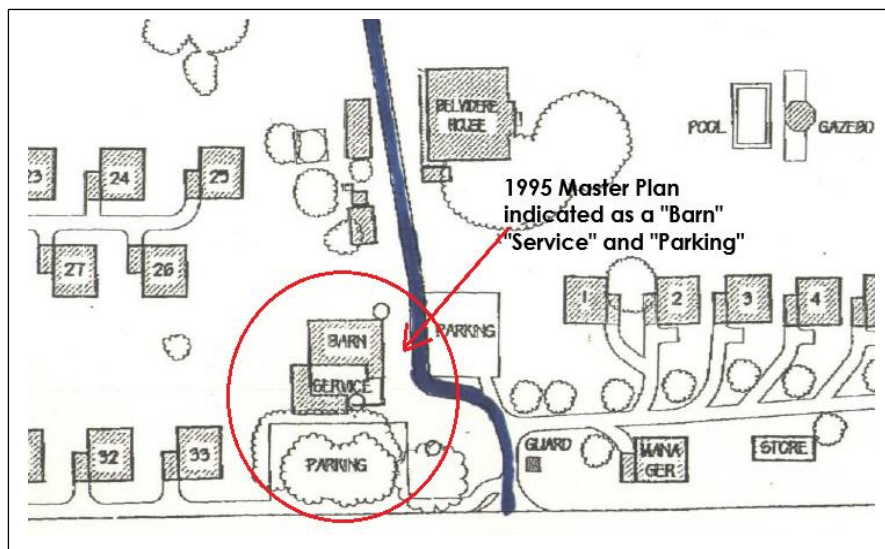
SAACPP
SOUTH AFRICAN ASSOCIATION OF
CONSULTING PROFESSIONAL PLANNERS

3. BACKGROUND AND HISTORY:

3.1 The Modern Belvidere Estate was commenced in the 1980's and three components were created for development of the estate, consisting of, **Belvidere Estate** a residential precinct, **Belvidere Park** a retirement complex, and **Belvidere Manor** which transformed the original Belvidere House into Belvidere Manor Hotel together with the Bell restaurant and pub. It included the 34 cottages which are part of the Hotel precinct and are all zoned "Hotel".

3.2 Erf 553 was also within the Belvidere Manor precinct, however with different intended uses at the time.

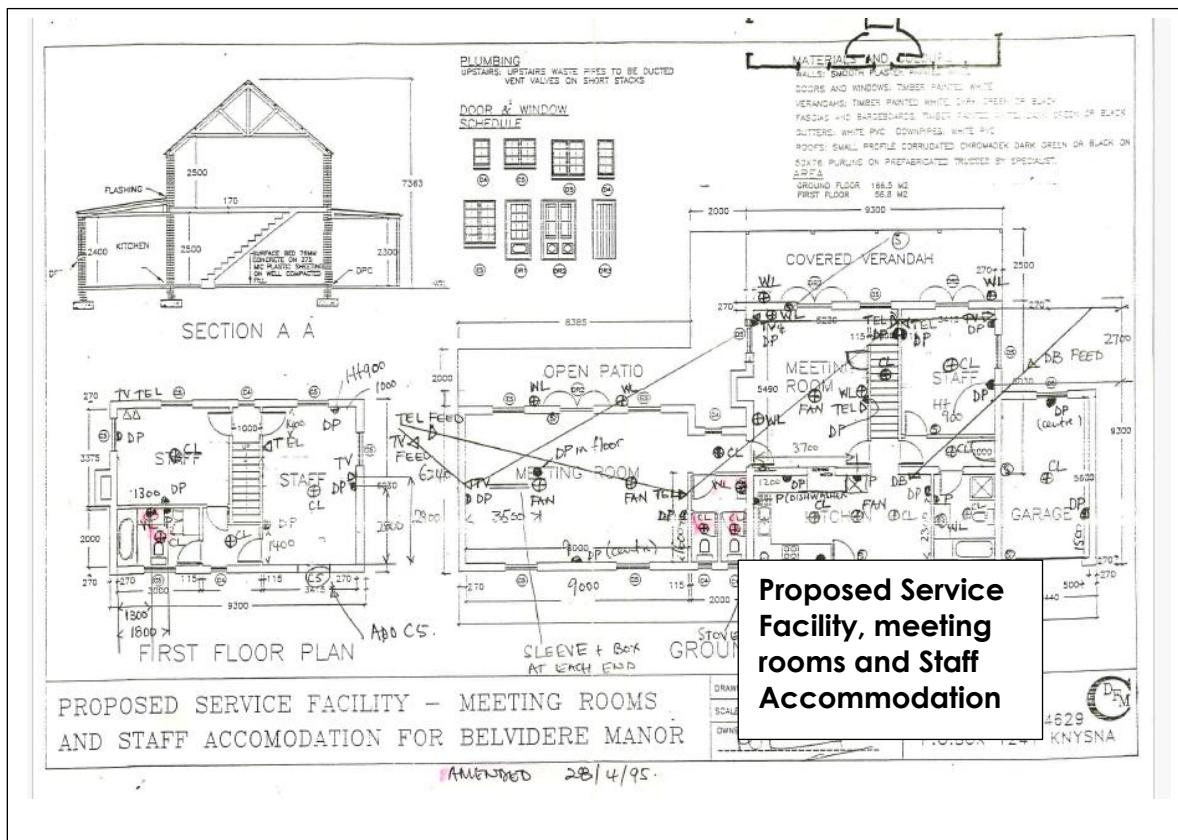
There are varying descriptions of Erf 553 usage, but even from the early days, the site was viewed as different from the other cottage sites. There are various versions of the uses intended for the site, which are not well documented or defined. However, when the Belvidere Manor was planned, the site was viewed as being a specific erf and not the same as the other cottage erven. The diagram below which is from a "Master Plan" in 1995, shows the site as being for a "Barn", "Services" and "Parking", however there are no records which show that these uses were ever constructed.



In 1995, plans were approved, which are attached as ANNEXURE C which were labelled as **"SERVICE FACILITY: MEETING ROOMS AND STAFF ACCOMMODATION FOR BELVIDERE MANOR"**

These plans were approved by the Knysna Municipality, and the buildings on the property were erected in accordance with these plans.

An extract from the plans is shown in the diagram overleaf and show a ground floor plan containing two meeting rooms, a kitchen, staff room and garage, and on the first floor, two staff rooms together with bathrooms.



For all practical purposes the structure presents as a residence (dwelling house) as seen below:



4. THE ZONING OF THE PROPERTY:

The zoning of Belvidere Manor has a history which requires consideration.

The current Belvidere Manor is zoned as partially HOTEL or General Residential Zone V which applies to the hotel itself, the 34 cottages, the Bell Pub restaurant and Erf 553, which is shown on the plan overleaf. The communal areas are zoned "Private Open Space", however, this zoning came into effect when the new Zoning Scheme transitioned from the previous scheme, where the entire Belvidere complex was zoned for a "RESORT".

Current Zoning:



The zoning as it exists allows for hotel uses, which was deemed to be a convenient zoning when the new Zoning Scheme By-Law was created. This zoning does not permit a “dwelling house” as a primary right, which is the issue now for consideration, as Erf 553 is to be used as a residence from now on. A rezoning application to facilitate this use, has also been submitted.

While the “hotel” zoning was a convenient choice when the transition to the new zoning took place, in retrospect, this was possibly not the best choice of zoning.

As described already, Erf 553 has always been different from the other 34 cottages and was constructed as it appears today as a house, even though it was used for the hotel chef's home for many years and other staff member accommodation.

The property is a different size and is configured entirely differently compared with the other 34 units, and therefore the transition from RESORT to the current zoning, an alternative zoning for this site would have been more appropriate.

While the current zoning does not permit a dwelling house for permanent occupation it means that while the land use is best suited for permanent occupation, it contravenes the zoning. Hence the need to apply for an administrative penalty in order to deal with the fact that permanent residence is currently the use while the rezoning takes place.

5. CONSIDERATIONS IN TERMS OF SECTION 93 KNYSNA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW (2020)

The provisions of Section 93 of the By-Law have the following components:

- (a) **Section 93(1):** The applicant is desirous to rectify the existing contravention in terms of this section of the By-Law. No notice has been served on the owner.

- (b) **Section 93(9):** In considering the terms and extent of an administrative penalty the following are considerations:

5.1. The nature, duration, gravity and extent of the contravention:

As mentioned above the site is to some extent inappropriately zoned, which came about due to the transition from the previous RESORT zoning.

The site and the structure erected thereon has always been used for some form of residential use and not as part of "letting" which is the primary usage of an hotel.

The house on the site was in fact the permanent residence of the hotel chef for a number of years and the configuration of the structure was built consisting of normal rooms associated with a dwelling house. It has bedrooms, bathrooms, a lounge, dining area , kitchen and garage, which in normal circumstances would be deemed to be a dwelling house.

Our client purchased the site as a residence within the Belvidere Manor, and was unaware that using it for his home, would be any form of contravention.

The home has been immaculately kept and is totally in line with the Victorian/ Georgian themes required in the Belvidere Design manual .

If viewed rationally and fairly, the need for an admin penalty is essentially a consequence of circumstances, and perhaps even inadvertent zoning for which the owner should not be penalised unfairly.

5.2. The conduct of the person involved:

The owner of the property is a new owner and was only made aware of the non-compliance with the "HOTEL" zoning after the erf was purchased.

He is in the process of rezoning the site to Single Residential Zone 1 which will regularise the status quo, and which is in progress.

His intentions are therefore to see to it that there is compliance with any zoning requirements.

5.3. Previous contraventions:

The landowner has no record of any previous contraventions of this or any other By-Laws

6. CALCULATION OF PENALTY:

The owner of the property has caused no harm or detrimental outcomes for the Belvidere Manor complex and he is regarded as a resident within the Belvidere Manor development,

The Home Owners Association which administers the Belvidere Manor complex are aware that the owner wishes to continue using the house as a permanent residence and has no objection to the use.

It is therefore fair to say that the situation which arises to impose an administrative penalty is an unfortunate consequence of historical transformation from one zoning to another. It would therefore be reasonable to waive the penalty under such circumstances. The amount payable as an administrative penalty is therefore recommended to be nil.

7. PAYMENT OF FEES:

The fees payable are usually 50% of the prescribed fee , which in the instance could only be for rezoning which would be an amount of R2261.71. Full fees have already been paid for the submitted rezoning, however in order to process this application the above amount is to be paid.

8. ACCOMPANYING DOCUMENTS

The following documents accompany the application:

1. A completed application form
2. A Copy of the Title Deeds
3. Power of Attorney from the registered owners
4. Proof of payment : R2261.71
5. ANNEXURE: Existing approved Building Plan.
6. A locality plan

We trust the above is in order and look forward to acknowledgement of the application.

Yours sincerely,



Lloyd Druce
VBGD Town Planners



LOCALITY PLAN ERF 553 BELVIDERE



DEED OF TRANSFER

in favour of

HENDRIK JEREMIAS DE BRUYN

Over

ERF 553 BELVEDERE

*Original on file
With Hendrik (personal)*

Sunel Oosthuizen Attorneys
Suite 4, Waterkloof Rand Centre
Cnr Rigel Ave & Buffelsdrift Street
Erasmusrand

Prepared by me,

CONVEYANCER
RONEL ELS
LPCM No. 86228

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 1 500 000,00	R 1 453,00
All other		
Reason for exemption	Category Exemption.....	Exemption I t o. Sec/Reg..... Act/Proc.....

T 000012225 / 2024

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

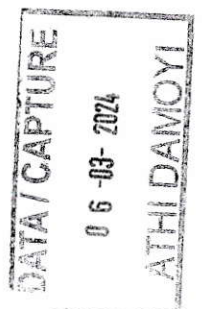
THAT HARRIS GEOFFREY HARDCASTLE
LPCM No. 93545

appeared before me, REGISTRAR OF DEEDS at **CAPE TOWN**, he/she, the said
Appearer, being duly authorised thereto by a Power of Attorney granted to him/her by

BELVIDERE MANOR PROPRIETARY LIMITED ✓
Registration Number 2022/612726/07

dated 01 FEBRUARY 2024

and signed at PRETORIA



AND the said Appearer declared that his/her principal had on **14 November 2023** truly and legally sold by Private Treaty and that he/she, the said Appearer in his/her capacity aforesaid, did, by these presents cede and transfer to and on behalf of:

HENDRIK JEREMIAS DU BRUYN

Identity Number [REDACTED]

Married out of community of property

his heirs, executors, administrators or assigns in full and free property:

ERF 553 BELVEDERE
IN THE MUNICIPALITY AND DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 1297 (ONE THOUSAND TWO HUNDRED AND NINETY SEVEN)
SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer Number T67890/1996 with General Plan 9646/1993 relating thereto, and held by Deed of Transfer T59389/2022

- A. Subject to the conditions as are referred to in Certificate of Registered Title nr T71936/1988.
- B. NOT ENTITLED to the benefit of the respective special conditions relating to a reservation of rights to water contained in Deeds of Transfers Nos. 80/1947, 81/1947, 82/1947, 12535/1947, 13088/1950, 13089/1950, 9919/1958 and 16512/1959, whereby Portions 14, 15, 16, 17, 18, 19, 24, 23, 28 and 36 (all portions of Portion 13) of the farm Uitzigt, respectively were conveyed, which conditions are to the effect that such properties were sold and transferred without any of the water rights referred to in condition (3) of the component part No. (I) contained in Certificate of Consolidated Title No. T12326/1944, by reason of the endorsement dated 8th February, 1965 on the said Certificate of Consolidated Title No. T12326/1944.
- C. NOT ENTITLED to the conditions contained in the Notarial Deed of Servitude dated 14th October 1936 annexed to Deed of Transfer No. T5951/1934 and referred to in the endorsement thereon, dated 15th October 1936, relating to certain water rights to a spring called the "Silver Spring" and the water rights arising therefrom by reason of the endorsement dated 8th February 1965 on the said Certificate of Consolidated Title No. T12326/1944, which reads as follows:

REMAINDER

By Deeds of Transfer No 13089/1950 and 13090/1950, the following properties conveyed thereby namely Portion 20 measuring 7,2700 morgen (para 2 Transfer 13089/1950) and Portion 21 measuring 7,8016 morgen (Transfer 13090/1950) have been made entitled in equal shares to the benefits and obligations under Condition 1(3) herein, as will more fully appear from the said Deed of Transfer."



D. By virtue of Notarial Deed No. K511/1990: ✓

Entitled to a servitude right of way indicated by the figures a' b 'c 'd 'on General Plan 12063 over Erf 499 (Public Place) Belvedere meas 7,6118 HA, as will more fully appear from the said Notarial Deed.

E. SUBJECT to the following condition contained in Deed of Transfer Number T67890/1996 imposed by the TRANSFEROR in favour of BELVIDERE MANOR HOMEOWNERS ASSOCIATION:

"The within property shall not be transferred without the written consent of the BELVIDERE MANOR HOMEOWNERS ASSOCIATION, of which the within transferee and his successors in title to this property automatically shall become and remain a member."



WHEREFORE the Appearer, renouncing all the right, title and interest which the said

BELVIDERE MANOR PROPRIETARY LIMITED

Registration Number 2022/612726/07

heretofore had to the premises, did, in consequence also acknowledge them, to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

HENDRIK JEREMIAS DU BRUYN, married as aforesaid

his heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of

R1 000 000,00 (ONE MILLION RAND) EXCLUDING VAT in the amount of R150 000.00 (ONE HUNDRED AND FIFTY THOUSAND RAND), making the total consideration R1 150 000,00 (ONE MILLION ONE HUNDRED AND FIFTY THOUSAND RAND).

IN WITNESS WHEREOF I, the said Registrar of Deeds together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at **CAPE TOWN** on 01 MAR 2024



q.q. Signature of Appearer

In my presence:



Registrar of Deeds



SPECIAL POWER OF ATTORNEY

I, THE UNDERSIGNED

HENDRIK JEREMIAS DU BRUYN

Identity Number [REDACTED]

Married out of community of property

DO HEREBY NOMINATE, CONSTITUTE AND APPOINT
Lloyd Druce of the firm

VBGD TOWN PLANNERS

with power of Substitution, to be my/our lawful Attorney(s) and Agent(s) in my/our name, place and
stead,

**THE SUBMISSION OF AN APPLICATION FOR REZONING OF ERF 553 KNYSNA IN BELVIDERE
MANOR TO SINGLE RESIDENTIAL 1 ZONING IN TERMS OF THE KNYSNA ZONING SCHEME**

and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be
requisite, as fully and effectively, for all intents and purposes, as I/we might or could do if personally
present and acting herein, hereby ratifying, allowing and confirming and promising and agreeing to
ratify, allow and confirm all and whatsoever my/our said Attorney(s) and Agent(s) shall lawfully do, or
cause to be done, by virtue of these present.

Signed at Knysna this 24. day of November 2025.

In the presence of the undersigned witnesses:

AS WITNESSES:

1.

.....
H J DU BRUYN

2.

[REDACTED]

Registered or other description of the property				Full Names of Owner(s)		Category determined in terms of Section 8 of the Act	Physical address of the property	Extent of the property (HA)	Market value of the property	Remarks
Town Allotment	Suburb	Erf Nr	Portion	Unit	Section					
BELVEDERE	BELVEDERE ESTATE	00000553	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE ESTATE	553 - 0	2 800 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000554	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE	554 - 0	1 800 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000555	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE MANOR	555 - 0	2 000 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000556	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE MANOR	556 - 0	1 500 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000557	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE	557 - 0	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000558	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE MANOR	558 - 0	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000559	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE	559 - 0	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000560	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE MANOR	560 - 0	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000561	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	BELVEDERE MANOR	561 - 0	2 000 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	PHANTOM VIEW	00000565	00000	00000	0000	RESIDENTIAL	OLD BELVEDERE	565 - 0	1 300 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BELVEDERE	BELVEDERE ESTATE	00000620	00000	00000	0000	RESIDENTIAL	LE SUEUR CLOSE	439 - 0	1 800 000	SECT 78(1)(g) - SUBDIVIDED OR CONSOLIDATED AFTER THE LAST GENERAL VALUATION
BRENTON	BRENTON	00000001	00000	00000	0000	VACANT LAND	C R SWART ROAD	1	600 000	SECT 78(1)(g) - THAT MUST BE REVALUED FOR ANY OTHER EXCEPTIONAL REASON
BRENTON	BRENTON ON SEA	00000013	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	C R SWART ROAD	13	1 800 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000026	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	PROTEA AVENUE	26	650 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000111	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	WATSONIA AVENUE	111	1 800 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000116	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	WATSONIA AVENUE	116	3 800 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000139	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	WATSONIA AVENUE	139	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000198	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	C R SWART ROAD	198	34 000 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000204	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	AGAPANTHUS AVENUE	204	2 300 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000205	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	AGAPANTHUS AVENUE	205	2 200 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000206	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	AGAPANTHUS AVENUE	206	2 100 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000210	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	AGAPANTHUS AVENUE	210	1 200 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000221	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	DA GAMA STREET	221	1 700 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED
BRENTON	BRENTON ON SEA	00000229	00000	00000	0000	BUSINESS & COMMERCIAL PROPERTIES	C.O DBA and ROMAN STREET	229	1 300 000	SECT 78(1)(g) - OF WHICH THE CATEGORY HAS CHANGED

ITEM TO:

Municipal Planning Tribunal



APPLICATION NO.	3441
REPORT AUTHOR	Sinovuyo Sitinga
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/2695/2018
TELEPHONE NO.	044-302-6276
APPLICATION DATE:	13 March 2025

LAND USE PLANNING REPORT
**REMOVAL OF RESTRICTIVE TITLE CONDITIONS, CONSENT USE & DEPARTURE(S): ERF 3944
SEDFIELD**
PART B: APPLICANT DETAILS

Name & Surname	<i>Thomas Dillon</i>
Company name	<i>Fineline</i>
SACPLAN registration number	<i>Not applicable</i>
Registered owner(s)	<i>Manuel de Andrade</i>

PART C: PROPERTY DETAILS

Property description	<i>Erf 3944, Sedgfield in the Municipality and Division of Knysna, Province of the Western Cape</i>
Property Extent (m ²)	<i>704</i>
Physical address	<i>16 Cycad Street</i>
Area/Town	<i>Sedgfield</i>
Current zoning	<i>Single Residential Zone I</i>
Applicable zoning scheme	<i>Knysna Zoning Scheme By-law (2020)</i>
Current land use	<i>Dwelling house</i>
Are there existing buildings on the property?	<i>Yes</i>
Title Deed number & date	<i>T56620/2024 dated 09 September 2024</i>
Any restrictive title conditions applicable?	<i>Yes</i>
Any third party conditions applicable?	<i>Yes</i>
Any unauthorised land use/building work	<i>None</i>
Pre-Application Consultation	<i>Yes</i>

1. APPLICATION DESCRIPTION

The application is for the following:

- 1.1. The removal of restrictive title condition in terms of Section 15(2)(f) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) of condition D.(7) as specified in deed of title numbered T56620/2024, in respect of Erf 3944, Sedgefield.
- 1.2. The consent use in terms of Section 15(2)(o) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for a "second dwelling" that exceeds 60m² in floor space as contemplated under "Single Residential Zone I" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 3944, Sedgefield.
- 1.3. The permanent departures in terms of Section 15(2)(b) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) from the development parameters of "dwelling house" as contemplated in the Knysna Zoning Scheme By-law (2020), for the following in respect of Erf 3944, Sedgefield:
 - 1.3.1. the relaxation of the prescribed street building line from 4.5m to 1.5m to allow for portions of a garage on ground floor level and second dwelling on first floor level.
 - 1.3.2. the relaxation of the prescribed lateral building line from 2.0m to 1.5m to allow for portions of the garage on ground floor level and second dwelling on first floor level.

2. BACKGROUND

- 2.1. The subject property is located at 16 Cycad Street, Sedgefield, and is zoned as "Single Residential Zone I" in terms of the Knysna Zoning Scheme By-law (2020). This zoning allows for a "dwelling house" as primary use and is used for such purposes.
- 2.2. This land use imposes a street building line of 4.5m and a lateral building line of 2.0m while the zoning allows a "second dwelling" of more than 60m² as a secondary use right. The landowner wishes to extend the existing dwelling house towards the street side in the form of a new garage at ground floor level and a second dwelling at first floor level. These extensions to the existing dwelling house encroach the street and lateral building lines, hence the current application. The subject property is also subject to restrictive title conditions as specified in the title deed which imposes more restrictive street building lines.

3. PRE-APPLICATION CONSULTATION MEETING

A pre-application consultation meeting was held for this application on 28 November 2024.

4. SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation can be summarised as follows:

- 3.1. The applicant states that the proposed removal of restrictive title deed conditions is desirable as it will allow for better use of the property. Additionally, the applicant states that the proposal will not detract from anyone's rights, instead, the applicant argues that the proposal will improve the value of the property.
- 3.2. With regards to the proposed relaxation of the building lines, the applicant argues that the street pattern in the surrounding area is not linear and the dwelling houses are of various setbacks with a combination of building forms. Therefore, the applicant argues that the absence of a uniform building line supports a degree of flexibility in the application of setback controls where appropriate. Further the applicant asserts that the proposed second dwelling would be constructed in a manner that mitigate potential visual impact.
- 3.3. The applicant also adds that the proposal is in keeping with the character surrounding area and the existing dwelling, and that the proposal will have no negative aesthetic, environmental, or socio-economic impact.

5. PUBLIC PARTICIPATION

Method of Advertising				Date Published	Closing Date
	Yes	No	N/A		
Press	☐	☐	☒	-	-
Gazette	☐	☒	☐	-	-
Notices	☒	☐	☐	07 April 2025	09 May 2025
Ward Councillor	☐	☒	☐	-	-
Site Notice	☐	☒	☐	-	-
Community Organisations	☐	☒	☐	-	-
Public Meeting	☐	☒	☐	-	-
Third Parties	☐	☒	☐	-	-
Total Valid Comments	1			Total comments and petitions refused	
Valid Petitions	Y ☐ N ☒			No of signatures	
Community organisation(s) response	Y ☐	N ☐	N/A ☒	Ward Councillor response	Y ☐ N ☐ N/A ☒
Was public participation undertaken in accordance with section 45- 49 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021)					Y ☒ N ☐

5.1. Summary of Comments Received during Public Participation

5.1.1. Comments and objection to the application was received from a neighbouring property owner, Mr André Els, of Erf 3945, Sedgefield, within the prescribed notice period specified on the public notice.

5.1.2. The objector opposes the application and describes the applicant's proposal as "misleading" and "not truthful." The subject property has a rental tenant with two (2) vicious dogs. The objector describes his current situation as "compromised" in terms of their privacy and enjoyment of their property. It is stated that an additional tenant would further frustrate the already strained reality.

5.1.3. The objector states that the "further addition of another dwelling would infringe on [their] privacy already challenged by the current situation".

5.2. Summary of Comments from Departments/Organs of State

Name	Date Received	Summary of Comments	Recommendation
Infrastructure Services	05 May 2025	Drawing A106 must be amended to indicate the distance from the edge of the road to the building on the street boundary. A fence detail must also be included.	Comment
	17 September 2025	Director Infrastructure Services: Not Approved Manager Roads, Transport, Stormwater & Building Maintenance: Fence detail was not supplied - it still refers to "Palisade by specialist." The street boundary length is less than 30m thus two access points are not permitted. (Zoning Scheme By-law 2020. cl 45(4)(b). and the access points are closer than 12m apart cl. 45(4)(c).	Negative
	20 March 2026	Comments from Manager Public Works: No Objection, subject to the walls in between the columns being limited to 1.2m high. Comments from Director Infrastructure Services: Supported, subject to requirements by Manager Public Works	Comment

5.3. Summary of Applicant's Reply to Comments

The applicant replied to the objection(s) and comments as follows:

5.3.1. In their written correspondence dated 14 July 2025, the applicant responded that the proposal entails all the information regarding their plans for the property.

5.3.2. Furthermore, the applicant stated that the owner had discussions with the objector and indicated that he had clarified his plans to the neighbour and objector. The applicant also submitted an amended site plan as a response to the comments from the Infrastructure Services Directorate and stated that they had removed the second carriageway crossing and included details on the boundary wall as requested.

6. PROPOSAL ASSESSMENT

6.1. Application History

There is no history of previous land use applications or decisions in respect of Erf 3944, Sedgefield, that could have a bearing on the current proposal.

6.2. Considerations in terms of SPLUMA

All land use applications must be assessed on the five principles contained in the Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2013), as well as the Western Cape Land Use Planning Act, 2014 (Act No.3 of 2014). These include spatial justice, sustainability, resilience, efficiency and good administration. The applicant did not provide any arguments in this regard, however, on the face of it, it can be argued that the application does not present any adverse implications in respect of its consistency with the development principles. Furthermore, the development principles may have limited bearing on an application at this scale and are most relevant when considering a change in land use.

6.3. Consistency with SDF, IDP and applicable Policies

As with the discussions above, the applicant did not provide any arguments in this regard. However, considering the scale of the proposal, it is believed that it is challenging to demonstrate its applicability to broader municipal planning policies. The proposal for a second dwelling does, however, support broad densification objectives as expressed by the Municipality's spatial development framework.

6.4. Impact on Municipal Engineering Services

The applicant responded to the initial comments from the Infrastructure Services Directorate that was not in support of the proposal and advised the applicant to comply with the provisions of the Knysna Zoning Scheme By-law (2020) regarding the number of permissible carriageway crossings. The applicant submitted a revised site plan which indicated a single carriageway crossing in compliance with zoning scheme.

6.5. Outcomes of Investigations/Applications i.f.o. other Legislation

Not applicable.

6.6. Zoning Considerations

The proposal does not entail any change in the current zoning of the property.

6.7. Desirability of the Proposal

The desirability of the applicant's proposal was considered in terms of the following:

- 6.7.1. The application is for the relaxation of the street building line to allow for an extended garage on ground floor level as well as a second dwelling on first floor level. The applicant wishes to relax the street building line by 3.0m to allow these extensions around 1.5m from the street boundary.
- 6.7.2. The applicant provided supplementary arguments for the relaxation of the street building line and argues the relaxation based on the varying setbacks found along Cycad Street and describes this character as not having a consistent or formalised setback pattern.
- 6.7.3. However, there is no evidence to suggest that this varying setback involves the encroachment of the 4.5m building line along this street by a double storey dwelling. All indications are that the residential properties along Cycad maintain the 4.0m/4.5m building setback space. There is thus no precedent found along Cycad Street, particularly that of a double storey building, at 1.5m from the street boundary. Single storey garages may, however, be found within the street building line in the area.
- 6.7.4. When considering the existing streetscape along Cycad Street, the extended double storey building would be significantly obtrusive in terms of its scale, bulk and form. This would establish a dominant built form from the proposed extended building in relation to the setbacks on neighbouring properties. This dominant built form would be a material change to the character along Cycad Street.
- 6.7.5. On the other hand, a single storey garage encroaching the street building line may be considered favourably due to its scale, form and intended use. This would be consistent with the urban residential character along the street.
- 6.7.6. The extended dwelling house encroaching the street building line may also compromise sunlight, privacy and views on the neighbouring property to the east. Based on the scale of the applicant's proposal, the relaxation of the street building line may be considered excessive and unreasonable in terms of the interest and general enjoyment of the neighbouring property.
- 6.7.7. Importantly, the relaxation of the street building line as proposed would most likely set a negative precedent that would be inconsistent with the current character and built form along Cycad Street.
- 6.7.8. The consent use for a "second dwelling" that exceeds 60m² can be considered favourably for the reason that the intended land use was found compatible with the character of the area. Furthermore, the Infrastructure Services directorate did not advise of any bulk service capacity constraints that would affect the desirability of such use. This consideration, however, is in terms

of principle and not based on a plan proposal as the relaxation of the street building line to allow for a portion of the second dwelling is not considered desirable for the reasons as specified above.

Assessment Criteria	Y	N	N/A
Has the motivation of the applicant been considered in the assessment of the application?	☒	☐	☐
Will the proposal have a negative impact on the character of the surrounding area in terms of form, density, and aesthetics?	☒	☐	☐
Does the proposal affect the residential amenity of the adjacent landowners negatively in terms of sunlight, privacy, views, and general enjoyment?	☒	☐	☐
Will the intended building proposal affect the adjacent land uses negatively?	☒	☐	☐
Will the proposal and/or building work have a negative effect on the architectural character of the streetscape?	☒	☐	☐
Will the proposal and/or building work have an impact on the municipal bulk services network?	☐	☒	☐
Does the proposal cause a negative impact on vehicular and pedestrian movement on the public street(s), including vehicle sight distances?	☐	☒	☐
Are there adequate on-site parking (including loading bays, where applicable) in accordance with the provisions of the Zoning Scheme By-law?	☒	☐	☐
Does the property have adequate and suitable vehicle access and egress in accordance with the provisions of the Zoning Scheme By-law?	☒	☐	☐
Will the proposal affect the natural and/or open space system negatively, including resulting in the removal of indigenous/protected trees on the site and/or road reserve?	☐	☒	☐
Does the proposal have any negative impact on heritage resources?	☐	☒	☐
Will the proposal and/or building work affect the surrounding property values negatively?	☐	☒	☐
Will the proposal cause or result in a nuisance and or disturbance to adjacent and surrounding landowners?	☐	☒	☐
Will the approval of the application cause or set a negative precedent?	☒	☐	☐

6.8. Considerations to the Removal of Restrictive Title Conditions

- 6.8.1. The application includes the removal of a restrictive title condition that imposes restrictive building lines including the street and lateral spaces. The applicant argued the removal of the restrictive title condition in terms of Section 33(4) of the Planning By-law stating that it would *"not detract from anyone else's rights."*
- 6.8.2. The applicant does not present strong arguments in favour of the removal of the restrictive title condition, however, the removal of the condition can be considered favourably for the reason that the restrictive title condition is in favour of a third-party company who is now defunct and

no longer exist based on information from the Companies and Intellectual Property Commission ("CIPC").

6.8.3. Importantly, the envisaged and established character of the neighbourhood can still be maintained despite the removal of the restrictive title condition.

6.9. Assessment of Comments

6.9.1. The applicant responded to the neighbour's objection by declaring that discussions were had with the objector where it was confirmed that the proposal is in no way misleading or untruthful. However, there is no substantiated response from the objector to support the applicant's assertion. The objector's concern regarding the proposal's impact on privacy, therefore, is still considered valid.

6.9.2. Herein, the applicant did not provide a response other than stating in their supplementary motivation that "no significant" overlooking or loss of privacy is introduced by the building proposal. The applicant, therefore, suggests that there would be some impact from the building line encroachment – however, the question is whether such impact on privacy would be reasonable in relation to the neighbouring properties and the streetscape. As discussed in this report, it was found that a double-storey building would be obtrusive to the established character along the public street and lacks desirability with no compelling argument in support thereof.

6.9.3. The applicant amended the number of carriageway crossings to the subject erf from the initial plan from two (2) to one in accordance with the permissible number allowed in the zoning scheme. The applicant's proposal now comprises a single carriageway crossing.

6.9.4. The Infrastructure Services directorate had concern regarding the boundary wall height at the access point to the public street and suggests that the height of the boundary wall be limited. The applicant revised the plan to show a palisade boundary wall with the Infrastructure Services directorate requiring that the solid wall below the palisading be limited to 1.2m. This is considered reasonable to ensure safe vehicular movement from the subject property.

7. RECOMMENDATION

It is recommended:

- 7.1. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the removal of restrictive title condition D.(7) as specified in the deed of title numbered T56620/2024, in respect of Erf 3944, Sedgfield.
- 7.2. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the consent use of a "second dwelling" that exceeds 60m² in floor space, in respect of Erf 3944, Sedgfield.

7.3. That, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), for the relaxation of the street building line as contemplated under "dwelling house" of the Knysna Zoning Scheme By-law (2020) from 4.5m to 1.5m to allow for a garage at ground floor level only.

7.4. That, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), the permanent departure(s) from the development parameters as contemplated under "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 3944, Sedgefield, **be refused**, in terms of the following:

7.4.1. the relaxation of the street building line from 4.5m to 1.5m to allow for the first-floor additions above the garage (second dwelling).

7.4.2. the relaxation of the lateral building line from 2.0m to 1.5m to allow for first-floor additions above the garage (second dwelling).

8. CONDITIONS OF APPROVAL IN TERMS OF THE PLANNING BY-LAW

The above approval(s) are subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

8.1. The permanent departure from the prescribed street building line applies to a single-storey garage only, and to the extent and footprint as shown on plan numbered "AND2024-A106-rev02" dated 15 September 2019 and drawn by T. Dillon.

8.2. The applicant shall, after the publication of a notice in the Provincial Gazette, apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed, to reflect the removal of the restrictive title condition, prior to the submission of building plans.

8.3. The "second dwelling" shall be subject to its development parameters and those of "dwelling house" as specified in the Knysna Zoning Scheme By-law (2020), unless otherwise approved in terms of the provisions of the Planning By-law.

8.4. The palisade boundary wall shall be limited to 1.2m of solid wall below the palisading, and/or to the satisfaction of the Director: Infrastructure Services, with details and specifications shown on the building plan submission.

9. REASONS FOR RECOMMENDATION

The reasons for the above recommendation are as follows:

9.1. The applicant does not present strong arguments in favour of the removal of the restrictive title condition, however, the removal of the condition can be considered favourably for the reason that the restrictive title condition is in favour of a third-party company who is now defunct and no longer exist based on information from the Companies and Intellectual Property Commission ("CIPC"). Importantly, the envisaged and established character of the neighbourhood can still be maintained despite the removal of the restrictive title condition.

- 9.2. The consent use for a "second dwelling" that exceeds 60m² can be considered favourably for the reason that the intended land use was found compatible with the character of the area. Furthermore, the Infrastructure Services directorate did not advise of any bulk service capacity constraints that would affect the desirability of such use. This consideration, however, is in terms of principle and not based on a plan proposal.
- 9.3. A single storey garage that encroaches the street building line is considered favourably due to its scale, form and intended use (i.e. non-habitable garaging space). This would be consistent with the urban residential character along the public street.
- 9.4. The applicant provided supplementary arguments for the relaxation of the street building line to allow a double storey extended dwelling house and garage, and argues the relaxation based on the varying setbacks found along Cycad Street and describes the street character as not having a consistent or formalised setback pattern.
- 9.5. However, there is no evidence to suggest that this varying setback involves the encroachment of the 4.5m building line along this street by a double storey dwelling. All indications are that the residential properties along Cycad maintain the 4.0m/4.5m building setback space, except for single-storey garaging. When considering the existing streetscape along Cycad Street, the extended double storey building would be significantly obtrusive in terms of its scale, bulk and form. This would establish a dominant built form from the proposed extended building in relation to the setbacks on neighbouring properties. This dominant form would be a material change to the character along Cycad Street.
- 9.6. The extended dwelling house encroaching the street building line may also compromise sunlight, privacy and views on the neighbouring property to the east. Based on the scale of the applicant's proposal, the relaxation of the street building line may be considered excessive and unreasonable in terms of the interest and general enjoyment of the neighbouring property.
- 9.7. Importantly, the relaxation of the street building line as proposed would most likely set a negative precedent that would be inconsistent with the current established character, setbacks and built form along Cycad Street.
- 9.8. The applicant responded to the neighbour's objection by declaring that discussions were had with the objector where it was confirmed that the proposal is in no way misleading or untruthful. However, there is no substantiated response from the objector to support the applicant's assertion. The objector's concern regarding the proposal's impact on privacy, therefore, is still considered valid.

10. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A – *Applicant's Motivating Memorandum (incl. supplementary motivation)*

ANNEXURE B – *Locality Plan*

ANNEXURE C – Copy of Title Deed(s)

ANNEXURE D – Copy of Power of Attorney from landowner

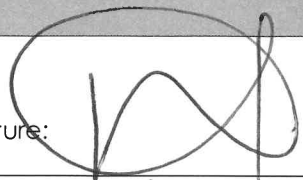
ANNEXURE E – Copy of public notice and mailing list

ANNEXURE F – Objection (Andre Els)

ANNEXURE G – Comments from municipal departments

ANNEXURE H – Applicant's response to comments and objection

ANNEXURE H – Applicant's building plan proposal

Removal of Restrictive Title Condition, Consent Use & Departures: Erf 3944, Sedgefield			
Application No.: 3441			
Author Name: Ms. Sinovuyo Sitinga Date: 21/09/2026		Author Signature: 	
Registered planner name: Shaun Madumbo SACPLAN registration number: A/1510/2012 Date: 21/09/2026		Registered Planner Signature: 	
Decision Maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

15 December 2024

To Whom It May Concern,

MOTIVATION FOR LUM APPLICATION FOR PROPOSED ADDITIONS AT ERF 3944, CYCAD CR, SEDGEFIELD

1. 15(2)o: Second dwelling > 60msq consent

Actual second dwelling = 94msq

Does not exceed 150msq. Main house = 339msq

LUM departure is required for second dwelling > 60msq.

In terms of SECTION 33(4):

We request permanent amendment of the restrictive condition to 94msq in lieu of 60msq

It is desirable to do so:

It increases the financial value of the property and surrounding properties enjoyed by owners

It does not detract from anyone else's rights

It will benefit the owner in particular as he will have more room for family to stay with him in comfort when they visit.

In terms of SECTION 65:

A submission is being made in terms with the bylaw, and procedure is being followed.

This will not detract from the value of neighbouring properties, but improve them by valuing the properties in the area. The proposed work has been discussed with the neighbours and all are in agreement with the proposed work. It remains in keeping with the surrounding neighbourhood and the existing house. The aesthetics, environmental impact, heritage, and socio-economics of the area have been taken into account, and will not be compromised.

We are willing to pay for any fair increase through rates bills that will be induced by impact on municipal engineering services.

The plan is in keeping with the applicable local spatial development frameworks adopted by the municipality, and we are working with the policies.

There is provision for consent to be given in this case and we kindly request you consider our proposal.

2. 15.2(f) restriction removal from title deed

The title deed point D7 indicates that no building may be built within 15 feet of any street line and 5 feet of any adjoining lot ***without written permission of the transferers.***

The transferrers are SEDGEFIELD INVESTMENTS and a CIPC search shows that they are not in business – they are defunct and no permission is obtainable. We request that as per 15(2)f condition D7 of the title deed may be removed.

WELCOME THOMAS DAIN DILLON
PROFILE
LOGOUT

f
t
i
y
u

BIZ PORTAL

HOME
ABOUT US
SERVICES
STATS
BUSINESS SUPPORT
FAQ
CONTACT US

BIZPROFILE

BizProfile is a search tool for all CIPC registered entities. Information displayed includes generic enterprise information, including any partner registrations like B-BBEE, UIF, Compensation Fund, etc. We offer **100 FREE** searches per day. We will soon be introducing a subscription service for customers who would like to conduct more than **100** searches per day.

SEARCH SUBSCRIPTION

Daily Search Limit: **100**
Searches Conducted Today: **0**
Current Subscription Option: **FREE**
Subscription Expiry Date: **2025/01/17 23:59:59 PM**

SUBSCRIBE NOW

ENTITY SEARCH

Enterprise Name

SEARCH

Please note that this search only retrieves the first 200 results. Be more specific with your search criterion to return a smaller set of results.

Enterprise Name	Enterprise / Tracking Number	Status	View
SEDFIELD INVESTMENTS	9423796936	RESERVED	
SEDFIELD PROPERTY INVESTMENTS	9166290450	RESERVED	
SEDFIELD INVESTMENT 13	1997/013433/23	REGISTERED	
SEDFIELD PROPERTY INVESTMENTS	2019/01635/07	REGISTERED	

3. **15(2)b: Relaxation of Street building line for garage and second dwelling 1.5m in lieu of 4.5m street building line and 2.0m common building line**

In terms of SECTION 33(4):

We request a permanent departure from the restrictive conditions of the town planning scheme by-law, i.e: Street building line to allow garage and flat 1.5m in lieu of 4.5m and common side boundary line to allow garage and house 1.5m in lieu of 2.0m.

It is desirable to do so because it makes better use of the available space. The proposed garage entrance is being re-orientated to allow for more comfortable parking for home owners, as well as guests and visitors, as well as better safer moving room for vehicles.

In conjunction with this drainage will be improved and the site will look better.

It does not detract from anyone else's rights. All overlooking features will be screened or will be high level. The effected neighbour has been contacted and is in agreement that this does not detract from his rights and he will support it.

In terms of SECTION 65:

A submission is being made in terms with the bylaw, and procedure is being followed. This will not detract from the value of neighbouring properties, but improve them by valuing the properties in the area. The proposed work has been discussed with the neighbours and all are in agreement with the proposed work. It remains in keeping with the surrounding neighbourhood and the existing house. The aesthetics, environmental impact, heritage, and socio-economics of the area have been taken into account, and will not be compromised.

We are willing to pay for any fair increase through rates bills that will be induces by impact on municipal engineering services.

The plan is in keeping with the applicable local spatial development frameworks adopted by the municipality, and we are working with the policies.

There is provision for consent to be given in this case and we kindly request you consider our proposal.

As per the Pre-consultation meeting, the fees for this application will be:

R3,152.00 Consent

R2,369.24 Departure

R1039.54 Remove restrictive condition.

Please send an invoice so payment can be made.

Please let me know if you need any further information

Tommy Dillon



15 December 2024

To Whom It May Concern,

ADDENDUM TO MOTIVATION MEMORANDUM

ERF 3944, CYCAD STREET, SEDGEFIELD

RE: STREET BUILDING LINE RELAXATION (DOUBLE STOREY COMPONENT)

Following comments received from the Municipality regarding the proposed relaxation of the street building line to accommodate a double storey component, the following additional motivation is provided:

1. STREETScape CONTEXT

A review of the immediate streetscape along Cycad Street indicates that the area does not exhibit a rigid or uniform street building line. Dwellings are positioned at varying setbacks, and the street edge is characterised by a combination of building forms, including forward-facing garage elements and articulated façades.

As such, the streetscape reflects a **degree of visual variation**, rather than a consistent or formalised setback pattern.

While no identical example of a double storey structure at a similar reduced setback was identified, the absence of a uniform building line supports a degree of flexibility in the application of setback controls where appropriate.



2. VISUAL IMPACT OF DOUBLE STOREY COMPONENT

It is acknowledged that a double storey component positioned closer to the street is less common within the immediate context. However, the proposed design has been developed to mitigate potential visual impact through:

- Articulation of the building façade to reduce perceived bulk
- Use of roof forms and proportions consistent with surrounding residential character
- Overall scale that remains comparable to neighbouring dwellings

Accordingly, the structure will not present as visually dominant or intrusive within the streetscape.

3. FUNCTIONAL AND SITE-SPECIFIC CONSIDERATIONS

The relaxation of the street building line is required to achieve a practical and functional layout on the site, specifically:

- To enable improved vehicular access and manoeuvrability
- To accommodate the re-orientated garage in a safe and usable manner
- To allow efficient use of the site without unnecessary spatial constraints

Maintaining the full 4.5m setback would result in a compromised layout with no corresponding planning benefit.

4. IMPACT ON SURROUNDING PROPERTIES

The proposal does not result in material negative impacts on neighbouring properties:

- No significant overlooking or loss of privacy is introduced
- Potential visual impacts are mitigated through design measures
- The development remains consistent with the residential character of the area

5. CONCLUSION

While the proposed condition is acknowledged as less typical, it is considered **appropriate and supportable in this specific context** due to:

- The varied and non-uniform nature of the existing streetscape
- The mitigation of visual impact through considered design
- The functional necessity of the reduced setback
- The absence of adverse impacts on neighbouring properties

The proposal is therefore compatible with the surrounding environment and is respectfully submitted for favourable consideration by the Municipal Planning Tribunal.

EXTRACT FROM ORIGINAL SUBMISSION (FOR CONTEXT)

1. **15(2)b: Relaxation of Street building line for garage and second dwelling 1.5m in lieu of 4.5m street building line and 2.0m common building line**

In terms of SECTION 33(4):

We request a permanent departure from the restrictive conditions of the town planning scheme by-law, i.e: Street building line to allow garage and flat 1.5m in lieu of 4.5m and common side boundary line to allow garage and house 1.5m in lieu of 2.0m.

It is desirable to do so because it makes better use of the available space. The proposed garage entrance is being re-orientated to allow for more comfortable parking for home owners, as well as guests and visitors, as well as better safer moving room for vehicles.

In conjunction with this drainage will be improved and the site will look better.

It does not detract from anyone else's rights. All overlooking features will be screened or will be high level. The effected neighbour has been contacted and is in agreement that this does not detract from his rights and he will support it.

Please let me know if you need any further information

Tommy Dillon



326

TIM DU TOIT & CO. INC
433 Rodericks Road
cnr. Rodericks Road and Sussex Avenue
Lynnwood, Pretoria

Prepared by me



CONVEYANCER
SONJA EMILY FOURIE ((LPCM17395))

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 2 600 000,00	R. 2 140,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg. Act/Proc.

T 000056620 / 2024

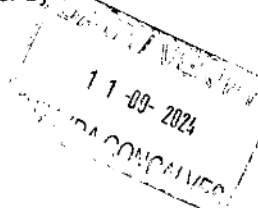
DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Carla Batt LPCM 86715

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

**The Executor in the Estate Late
JUMAT MARLON COLA**
Number 



which said Power of Attorney was signed at CENTURION on 8 May 2024

And the appearer declared that his/her said principal had, on 11 January 2024, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

MANUEL DE ANDRADE

Identity Number [REDACTED]

Unmarried

his Heirs, Executors, Administrators or Assigns, in full and free property

**ERF 3944 SEDGEFIELD
IN THE MUNICIPALITY AND DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE**

IN EXTENT 704 (SEVEN HUNDRED AND FOUR) Square metres

**FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T13576/1998
WITH GENERAL PLAN S.G. No. 4303/1997 RELATING THERETO AND
HELD BY DEED OF TRANSFER T60110/2017**

A. SUBJECT to the conditions referred to in Certificate of Consolidated Title T2542/1926.

B. ENTITLED to the benefits of the servitude, a reference to the terms of which dated 25th September 1929 appears on Deed of Transfer Number T822/1928 reading as follows:

"By Deed of Transfer Number 9658 25th September 1929, certain two rights of way shown on the diagram annexed thereto are to remain open for the use of the owner of the remainder of the land held hereunder as will more fully appear on reference to the said Deed of Transfer."

C. ENTITLED to the benefits of the servitude, a reference to the terms of which dated 9th September 1955, appears on Deed of Transfer No T26897/1948, reading as follows:-

"By Deed of Transfer T14782/1955 d.d 9/9/55 the owner of the remainder of the within property, together with his nominees, servants, employees and successors in title shall be entitled to a right of way 16ft wide over the property thereby conveyed (Para 1) the centre line of which indicated by the brown line b.c. on Diagram 8141/1954. The said right of way shall be for the passage of pedestrian, animal-drawn and vehicular traffic of all kinds as well as for the driving of cattle. Subject to conditions, as will more fully appear on reference to the said Deed of Transfer."

D. SUBJECT FURTHER to the following special conditions contained in Deed of Transfer No. T11679/1956 upon which the land was sold for the benefit of the company SEDGEFIELD INVESTMENTS PTY LTD as defined in Clause 12 as owner of the remaining extent of the land held under Deed of Transfer No T26897/1948, namely:

1. The transferee shall not be entitled to claim against the Transferors as owner of the remaining extent for the time being of the Sedgefield Township and/or the farm Sedgefield for any consideration of compensation or be entitled to make any claim whatever in respect of the construction, erection or maintenance of any gates or fences which may be present exist on the boundary line of any lot or lots purchased of which may in future be erected by the Transferee shall not be debarred from claiming in this regard from any purchaser of a lot other than the said Transferors.
2. The transferee shall be obliged to observe uniformity in respect of the fencing line of any fence that may abut on any road, pathway, open space or property of the Tranferors, and to maintain all boundary fences on the lot in good order and repair.
3. The Transferors shall be entitled to enforce sanitation and cleanliness upon the Transferee in respect of the property hereby sold and may make and enforce all such regulations as the Transferors shall see fit to that end, provided that such regulations shall not require anything in excess of that which a Village Management Board or other like Local Authority might require, in the event of the Transferee failing to conform to the requirements of the Transferors, they may carry out such work or do such acts which may be necessary to ensure such sanitation and cleanliness and shall be entitled to recover the costs of such from the Transferee.
4.
5. The transferee shall not be entitled to erect any corrugated iron fence or screen on this lot without the written consent of the Transferors first had and obtained.
6. Burial of right soil on this lot is forbidden.
7. No building shall be erected on this lot within 15 feet of any street line which forms the boundary of the lot save where the transferors shall have in writing permitted otherwise. No building shall be erected within 5 feet of any adjoining lot, provided that this restriction shall not apply to the common boundary of lots held by one Transferee.
8. The transferee shall not use or suffer to be used the property sold or any portion thereof or any building or erections thereon for the purpose of advertising or displaying any advertisement except first having received written permission from the transferors.
9. This lot shall not be used for carrying on any offensive, unhealthy or dangerous trade as defined in the Cape Municipality Ordinance No. 1912 or any amendments thereto.
10. The Transferors and their successors in title shall be entitled to assign or delegate all or any of the rights conferred by virtue hereof to and in favour of any Local Authority which may hereafter be constituted or established in respect of the whole or any part of the Sedgefield Township.
11. The terms "TRANSFERORS" in these conditions shall be deemed to include the heirs, executors, administrators, assigns or successors in title of the Transferors and Transferee.

12. No licensed hotel shall be erected on his lot nor shall the property or any building thereon be used for the purpose of more than one boarding house without the written permission of the Transferors, which consent shall not be unreasonably withheld.
13. The building erected on this property shall be erected of brick, stone, concrete or other substantial material, save with the written consent of the Transferors, which consent shall not unreasonably withheld.
14. Save for the purpose of a boarding house referred to in paragraph 13 hereof, this property shall not without the written consent of the Transferors be used for other than residential and/or agricultural and/or horticultural purposes, and all trading rights thereon shall be and are hereby reserved to the Transferors.

- E. SUBJECT to the following further conditions contained in Deed of Transfer No T13576/1998 imposed by DE SEDGE INVESTMENTS PROPRIETARY LIMITED at the time of the sale of the property to the TRANSFEREE which shall be binding on the latter and his successors in title namely:-

THE TRANSFEREE shall not be entitled to erect on the property any building or fencing, woodsheet, plywood, composite board or prefabricated concrete panels.

- F. By virtue of Expropriation Caveat No. 332/90 dated 14 May 1990, a portion of the within property measuring approximately 1896 Square Metres, was expropriated by the Municipality of Sedgfield in terms of Section 123(6)(a) of Ordinance 20/1974, as will more fully appear on reference to the said Expropriation Caveat No. 332/90 together with the Expropriation Plans filed therewith.

WHEREFORE the said Appearer, renouncing all rights and title which the said

Estate Late JUMAT MARLON COLA

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

MANUEL DE ANDRADE, Unmarried

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 600 000,00 (TWO MILLION SIX HUNDRED THOUSAND RAND) .

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 09 SEP 2024



q.q.

In my presence



REGISTRAR OF DEEDS

DURABLE AUTHORITY TO ACT AND POWER OF ATTORNEY

To Whom It May Concern,

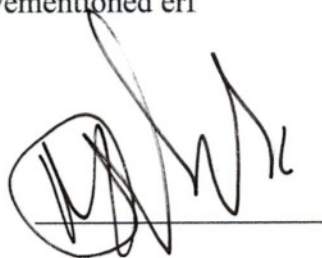
I, MANUEL DE ANDRADE ([REDACTED]) registered owner of erf 3944, Sedgefield, hereby appoint

THOMAS DILLON ([REDACTED]) to be the authorised agent and to have power of attorney and authority to act in my behalf for:

Obtaining Land Use Management approval, and all related applications and approvals

For the abovementioned erf

Signed:

A handwritten signature in black ink, appearing to be 'M. De Andrade', written over a horizontal line.

Manuel De Andrade

Date:

23/1/2025

Signed:

A handwritten signature in black ink, appearing to be 'T. Dillon', written over a horizontal line.

Thomas Dillon

Date:

23/1/2025



Knysna

Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Collab. Ref. 2398444
File Ref.: 3944 Sed
App No: 3441
JH Smit
Tel: 044-302 6318

Via Electronic Mail

2025-04-07

AR King



SEDGEFIELD

6573

Email: [Redacted]

Dear Sir/Madam,

**PROPOSED DEPARTURE, REMOVAL OF RESTRICTIONS & CONSENT USE:
ERF 3944, SEDGEFIELD**

Notice is hereby given in terms of Section 15 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) that the abovementioned application has been received from:

Owners Details:	Manuel De Andrade
Applicant's Name:	c/o Fineline (Thomas Dillon)
Email:	tom@finelineplans.co.za
Reference number:	Application number 3441
Property Description:	Erf 3944, Sedgefield
Physical Address :	16 Cycad Street, Sedgefield
Nature of application:	

- (i) Application for a **Permanent Departure** in terms of **Section 15(2)(b)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) for the relaxation of the street building line to allow for a garage and flat to 1.5m in lieu of 4.5m and common side boundary line to allow for a garage and house to 1.5m in lieu of 2.0m;
- (ii) Application for the **Removal of a Restrictive Title Deed** condition D(7), relating to building lines, applicable to Title Deed T56620/2024 in terms of **Section 15(2)(f)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021); and
- (iii) Application for a **Consent Use** in terms of **Section 15(2)(o)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) to allow a second dwelling unit larger than 60m².

A full copy of the application is available for inspection on the municipal website:
<https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/>

Members of the public are invited to submit written comments, together with the reasons therefore in terms of Section 15 of the Knysna Spatial Planning and Land Use Management By-Law (2021). Comments must be addressed to the Municipal Manager and submitted via email at knysna@knysna.gov.za and ssitinga@knysna.gov.za on or before **9 May 2025**, quoting your name, address, electronic contact details and telephone number, interest in the application and reasons for comment. The municipality may refuse to accept comments received after the closing date. Persons who cannot write may contact the Town Planning Office during office hours, where the responsible official will assist you in putting your comments in writing.

Telephonic enquiries may be made during office hours to Sinovuyo Sitinga at 044-302 6276 or via email ssitinga@knysna.gov.za.

Yours faithfully,



JH SMIT
MANAGER: LAND USE MANAGEMENT
/lb

MAILING LIST FOR ERF 3944 SEDGEFIELD

3095	KING AR	Via electronic mail
3094	A C FAMILY TRUST	Via electronic mail
3093	FORG J & DE BREUNIG	Via electronic mail
3092	VINK JJ & SCHOEMAN E	Via electronic mail
3943	BECKMANN MELINDA	Via electronic mail
3945	K222351767(SOUTH AFRICA)PROPR	Via electronic mail
4709	VAN WYK BG	Via electronic mail
4710	MACKENZIE JE	NO E-MAIL ADDRESS
4711	BRITZ MR & EJM	Via electronic mail
4712	VAN WWK BG & AS	Via electronic mail

From: planning
Sent: Thursday, 08 May 2025 15:36
To: Knysna Municipality
Subject: FW: Request for Comment: Erf 3944, Knysna
Importance: High

File No.: 17/1/5

From: Andre Els [REDACTED]
Sent: Monday, April 14, 2025 11:01 AM
To: planning <planning@knysna.gov.za>
Cc: [REDACTED] 'Audrey Els' [REDACTED]
Subject: RE: Request for Comment: Erf 3944, Knysna
Importance: High

Good day – Without Prejudice

I would like to place on record that I am Vehemently apposing the further development of ERF 3944.
The purpose of this application is misleading and NOT truthful.

There is a rental tenant currently in the referenced property with two (2) vicious dogs and the Owner of the property does not reside in said property. The current situation is of such nature where I am already compromised as the owner of my own property to enjoy my privacy, peace and quite. Another dwelling will definitely result in an additional tenant that would further frustrate the already strained reality.

The further addition of another dwelling would infringe on our privacy already challenged by the current situation.

I am reserving my rights to appose this application and seek further legal remedy if it should be approved

Kind Regards

André Els



FROM THE DESK OF
ANDRÉ ELS (CFI - CPO)

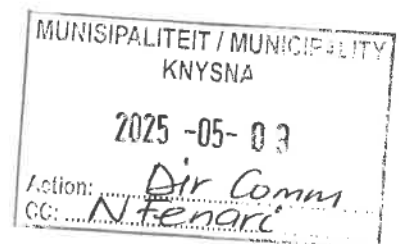
✉ ANDRE.ELS@NSA-ASSOCIATES.COM

NSA & ASSOCIATES (PTY) LTD.

☎ +27(0)0504212 ☎ +27(0)662918936

NSA & ASSOCIATES (PTY) LTD / PSIRA REGISTRATION NO: 2896850

A PSIRA REGISTERED COMPANY REGISTRATION NR 2018/309615/07



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From: planning <planning@knysna.gov.za>
Sent: Thursday, 10 April 2025 10:04
To: [REDACTED]
Subject: Request for Comment: Erf 3944, Knysna

Good day,

Kindly find attached hereto correspondence for your attention.

Kind regards,

Knysna Municipality: Land Use Management
P O Box 21, Knysna, 6570, Western Cape, South Africa
Tel +27 (0)44 302 6300 (switchboard) or 302 6318





KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 203944000

Application Type: Departure;Removal of Restrictions;Consent Use

Application Number: 3441

Application Date: 2025-03-13

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	F	
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Mon May 05 2025 10:02:19 GMT+0200 (South Africa Standard Time) Comment by SASSM: Manager Public Works: Drawing A106 must be amended to indicate the distance from the edge of the road to the building on the street boudary. A fence detail must also be included.
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	
Environmental Services	F	
Building Control	F	
Aesthetics Committee	F	
Street Naming Committee	F	

Sinovuyo Sitinga

From: Tommy Dillon <[REDACTED]>
Sent: Tuesday, 21 October 2025 16:43
To: [REDACTED] planning; Sinovuyo Sitinga; planning
Subject: Planning application Erf 3944
Attachments: 3944 comments may.pdf; 3944 comments sept.pdf; Andrade4.pdf

Dear Sinovuyo,

Please see the attached plan. We have removed the second CWC and added details on the boundary wall. Kindly let me know if there is anything else you need. We urgently need this approval so we can continue to the final approval and start work.

Thanks in advance!

Tommy Dillon

[REDACTED]
www.fineplans.co.za

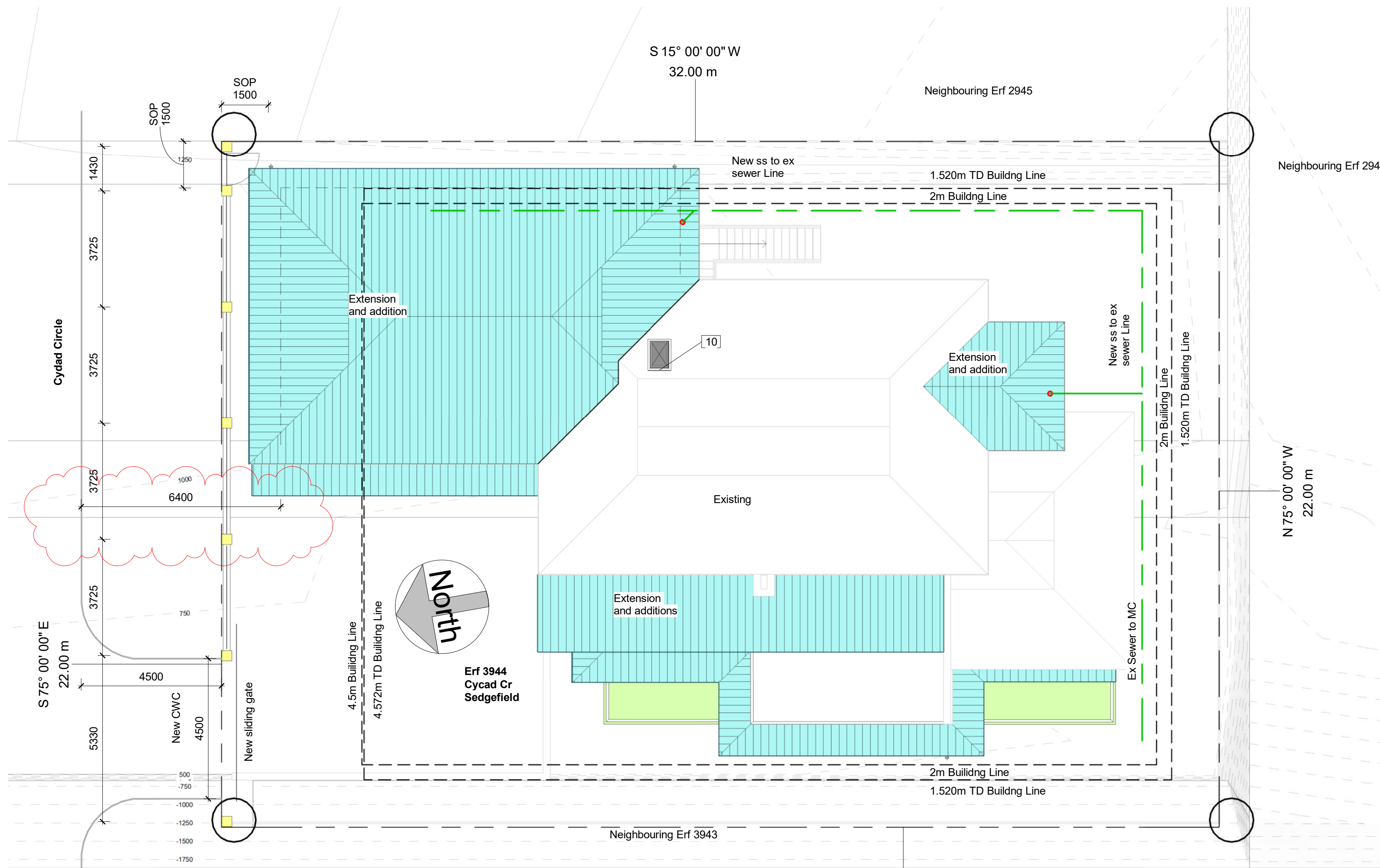
Privy Seal: <https://seals.prod.privyseal.io/5439c52c-1877-4dd9-a729-d81407df8a03>



F I N E L I N E

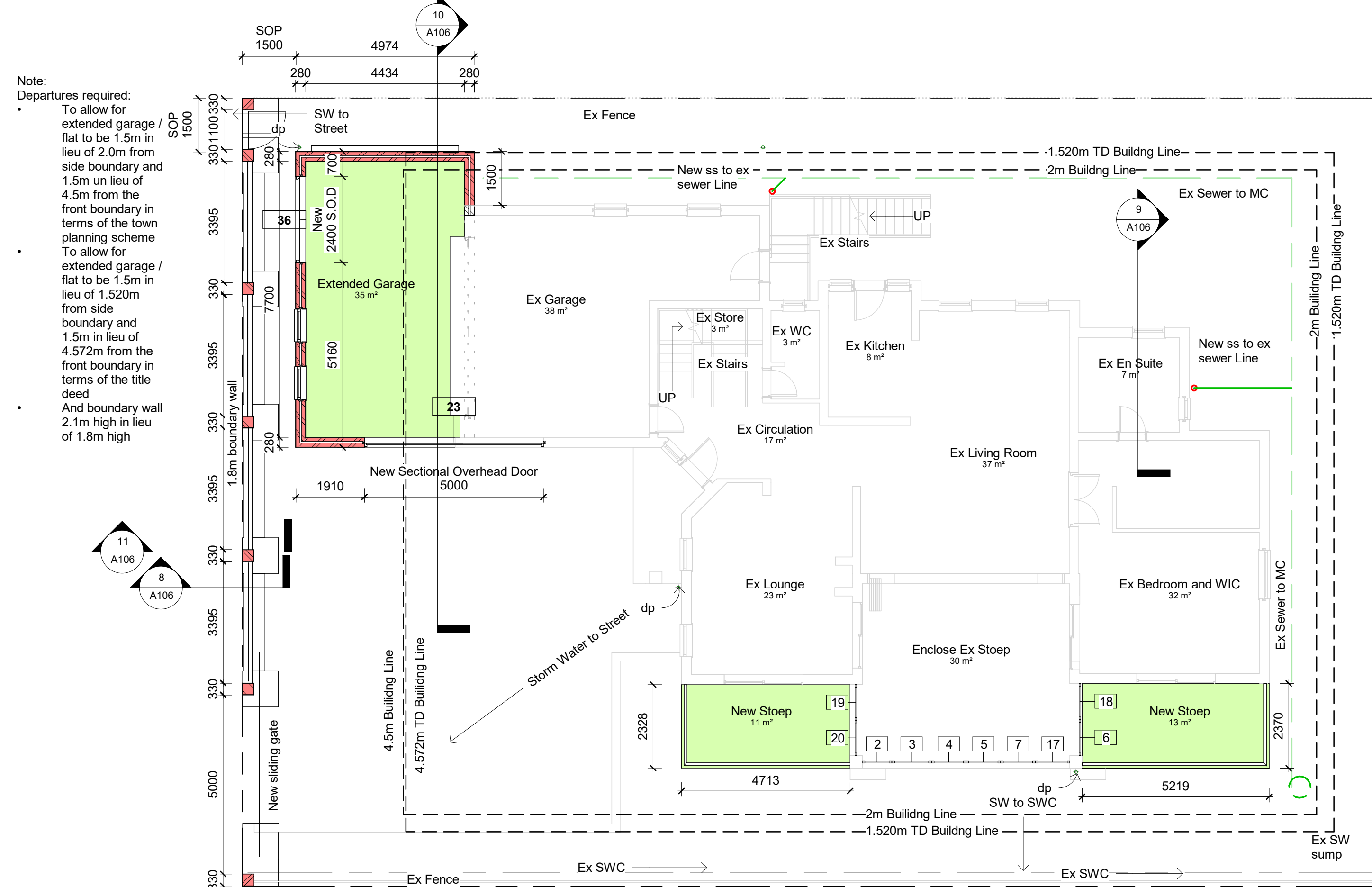
DESIGN | PLANNING | DRAUGHTING

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3 Site Plan
1:100

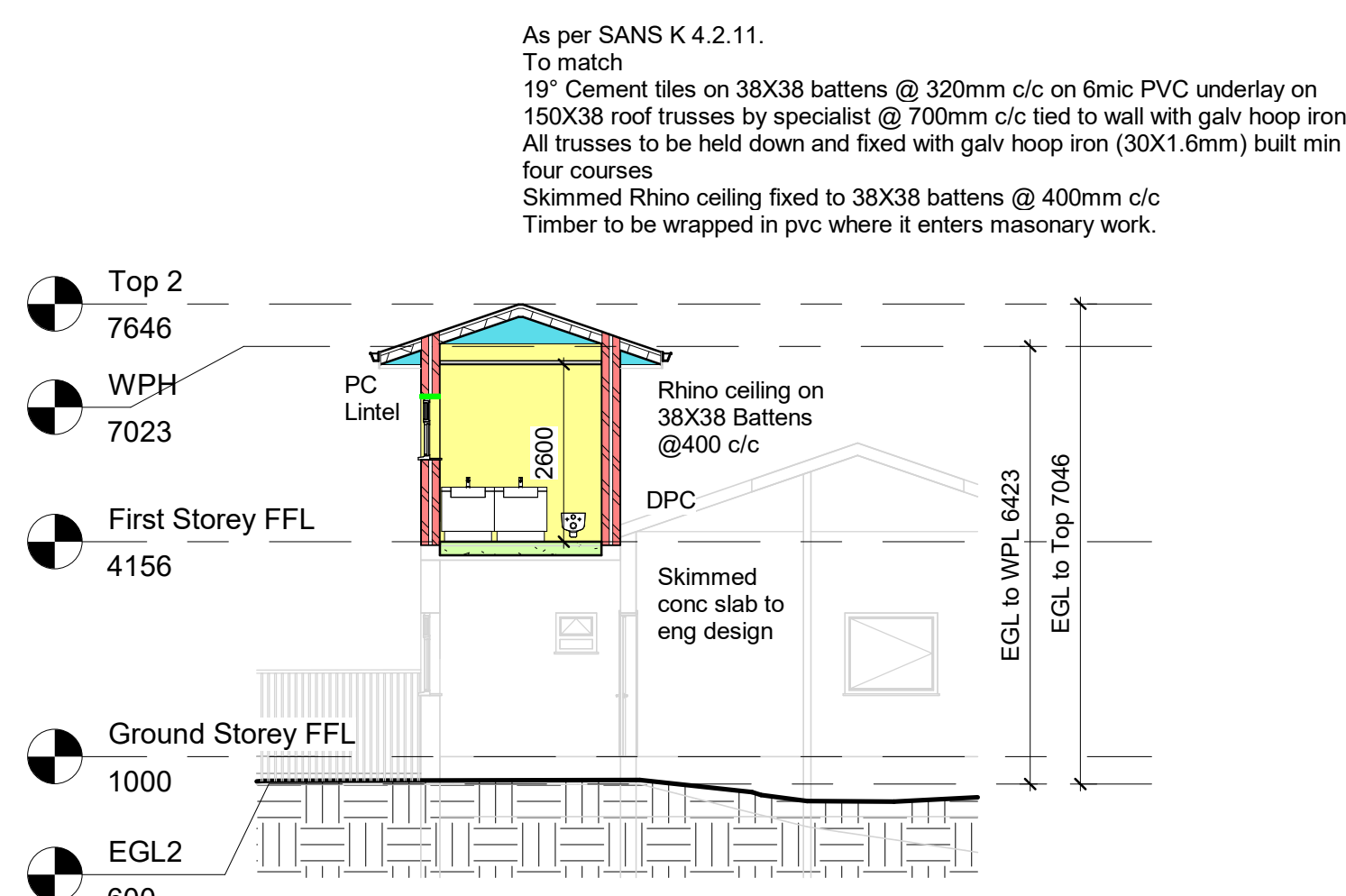
1 Ground Storey Plan
1:100



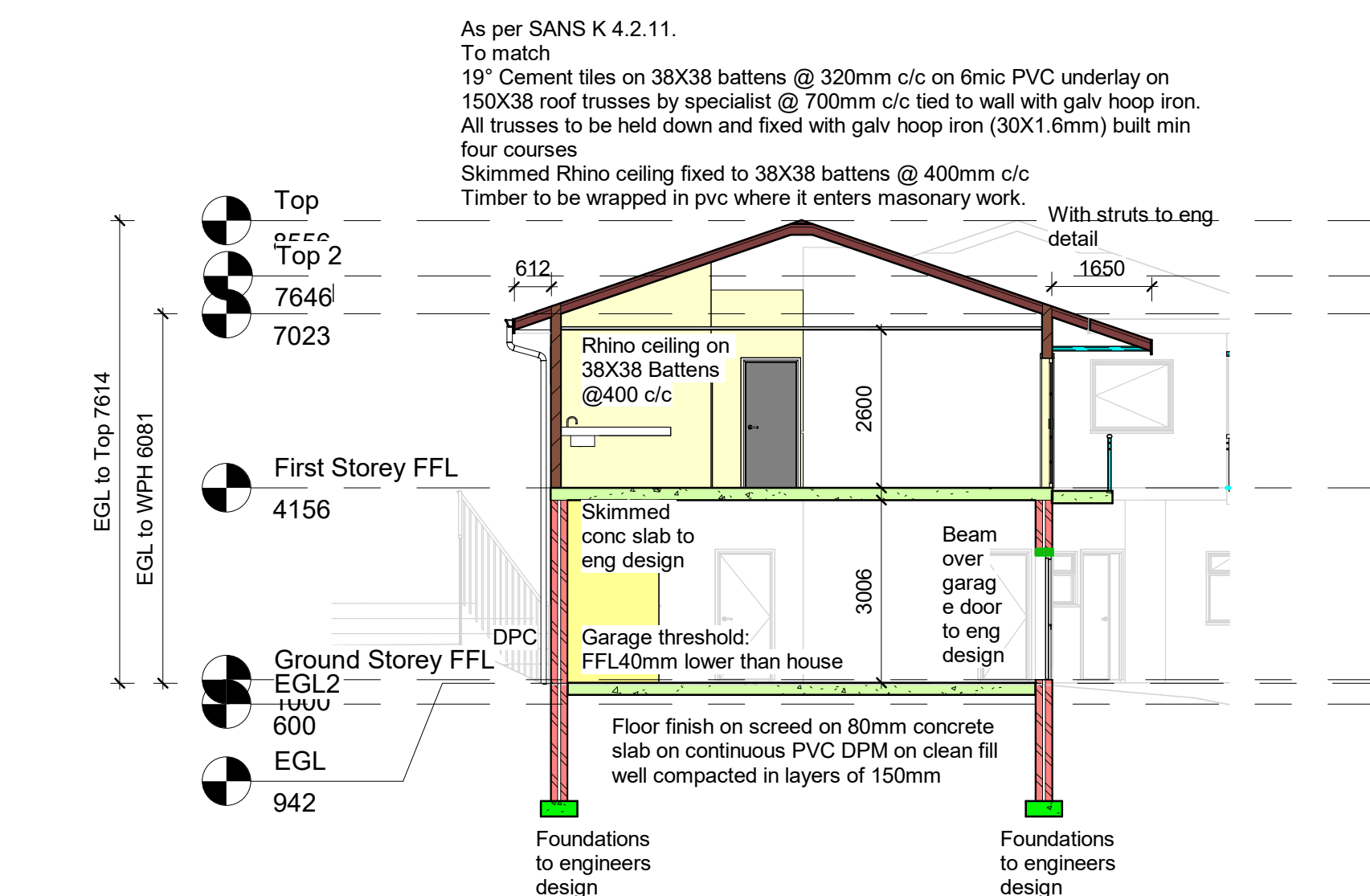
NOTES:
ROOF:
As shown.
Chimney/dormer down only (R-value 1.0) super insulation 400 on 75x50 rafters at 1200 c/c over prefabricated micropiles at max 1200 c/c fixed to 14x40 wallplate with rafters tied down to walls with 1.500mm galvanised wire mesh embedded 500mm into walls. Lay vermiculite glass insulation (R-value 2.55) 100mm thick.
Values:
Roof insulation: R-value = 0.3
Roof cavity: R-value = 0.3
Acoustic: R-value = 2.5
Stoneware cladding: R-value = 0.05
Total R-value = 3.35
CEILING:
Downward and parallel rafterboard fixed to 38x38 battens at 400 c/c nailed to underside of rafters and braced exposed rafters over bing & dining area.
FLOORS:
To be in accordance with SANS 10400XA 4.4.2.
Specified floor applied to 20mm screed on 100mm concrete slab on 250 micron dpm on clean homogeneous well compacted fill.
Suspended floor for: - r/c slab to engineers details.
WALLS:
To comply with sars 10400XA 4.4.3
To comply with sars 10400 part k
Brick walls to receive brick facing at every third course up to final height and offer every brick course is to receive brick facing, top of course. Foundations to be laid 400mm min. below N.C.L.
WINDOWS:
As shown.
All glazing to comply with requirements of SANS 10137 & SANS 10400 part N - Access doors and side lights, windows lower than 1000mm from floor, windows lower than 1000mm above path line of stairs and shop fronts to be safety glass and clearly indicated as such on glass at eye level.
p.s. Items set to Manufacturer's specifications
p.s. Items and 4-courses lockwork with confidence every course over all openings not exceeding 3m. Stressless
Items and 4-courses lockwork with confidence every course over all openings not exceeding 3m.
RAINWATER GOODS:
As shown gutters and downpipes
ELECTRICAL:
SANS approved Low Voltage fittings to be used as per SANS 10400 part XA
SANS APPROVED FITTINGS:
SANS approved products to be used in compliance with SANS 10400 part P
HOT WATER:
Use existing or New 250litre Kookit. Kookit water heater. SANS 4038's approved split system with 1.500m 00001000 water hot panel.
Hot water circuit: (R=1.0) capped as per SANS 10252-1
Water supply: (R=1.0) capped as per SANS 10252-1
Drainage: (R=1.0) capped as per SANS 10252-1
Provide insulation to exposed hot water piping to and from the hot water heater.
All installations to be done in accordance with SANS 10252-1 and SANS 10106.
All equipment have been met and to comply in terms of PABET XA.

Site: 705
Easting: 333msq
Extension: 124msq
Footprint: 264msq
% Cover: 37.4
Fenestration:
Habitable Area: 433
Fenestration area: 74.3msq
Fenestration %: 17 - complies with SANS 10400 XA

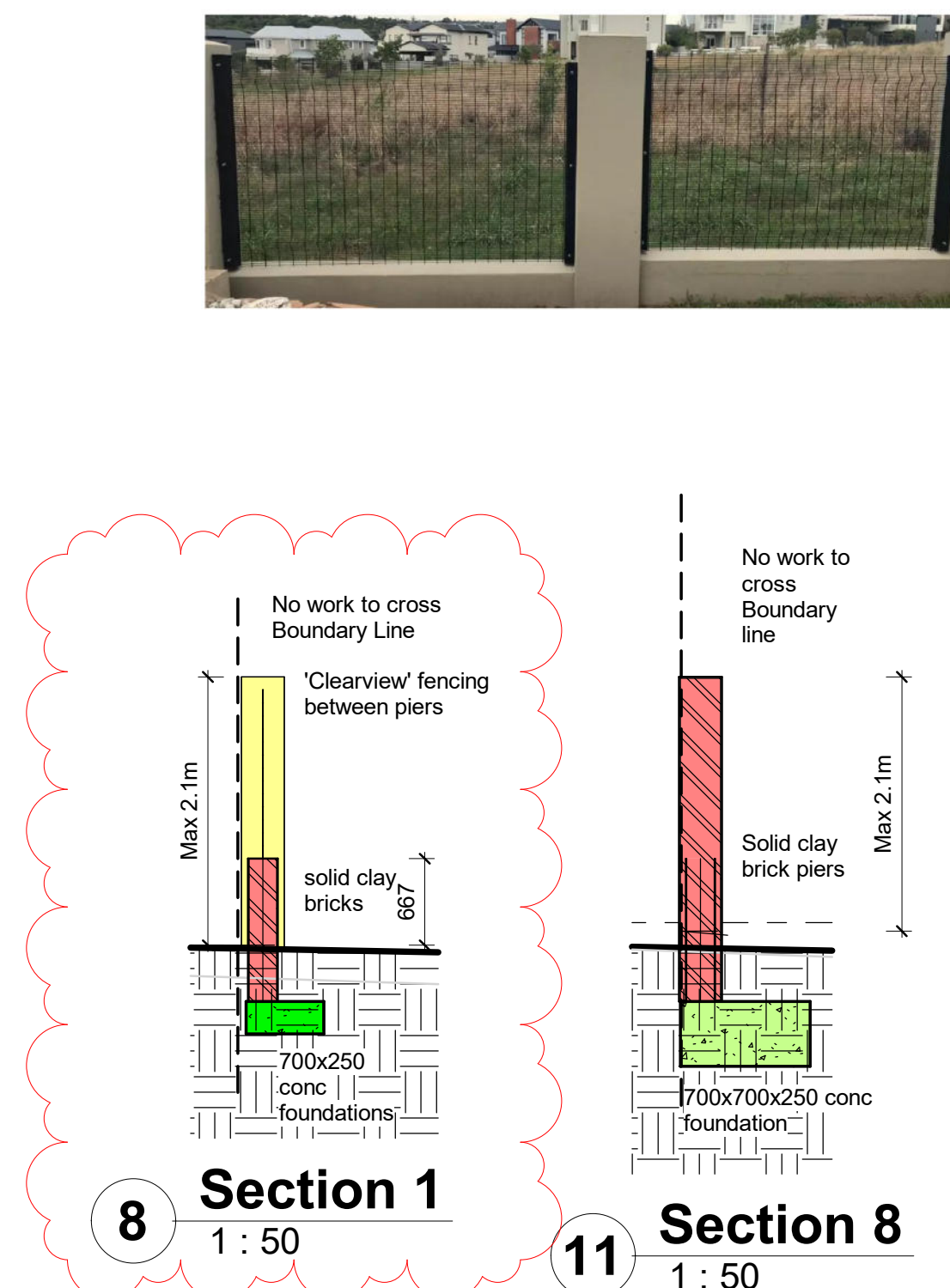
GENERAL NOTES:
All footings to be in natural ground
Open to be a minimum of 150mm above ground level
Built in air bricks above all new windows
Drainage to be left exposed until approved
All structural timber built into walls is to be encased in dpm.
All structural timber to be grade 5/7.
Make good in all trades.
Contractor to verify all levels and setting out dimensions on site.
Do not scale, use figured dimensions only.
Any errors or discrepancies are to be reported immediately for clarification before work is undertaken.
This plan remains the property of Thomas Dillon
This plan is not to be reproduced in any way without written consent of it's author
These plans are for council approval purposes only. All dimensions, including setting out dimensions, to be checked on site before commencement of work.
All building work to comply with National building regulations SANS 10400 & SANS 10400XA
If applicable the engineer is to ensure work done according to their plans and duty as set out in the SANS 10400 Form 2



9 Section 6
1:100



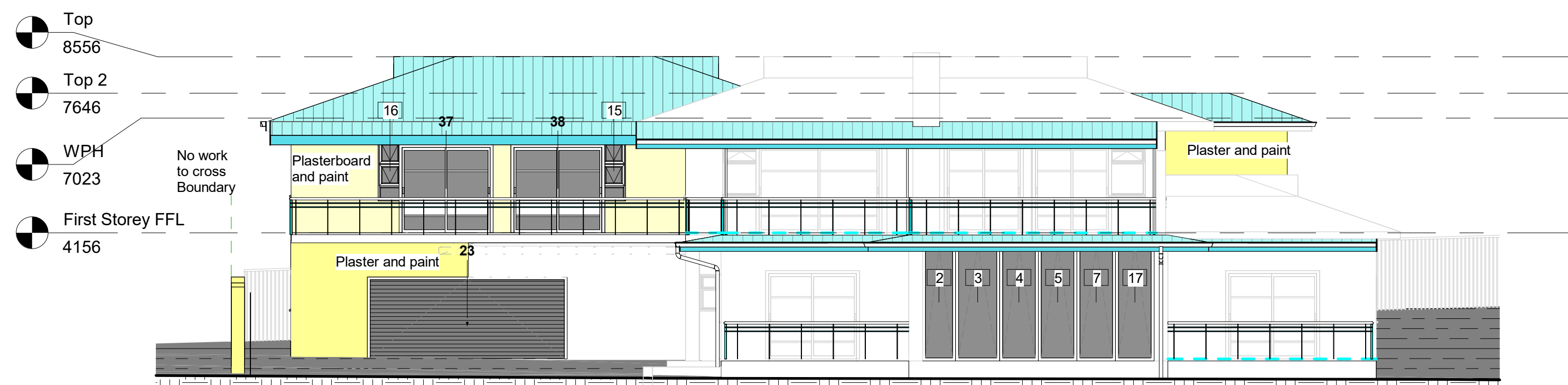
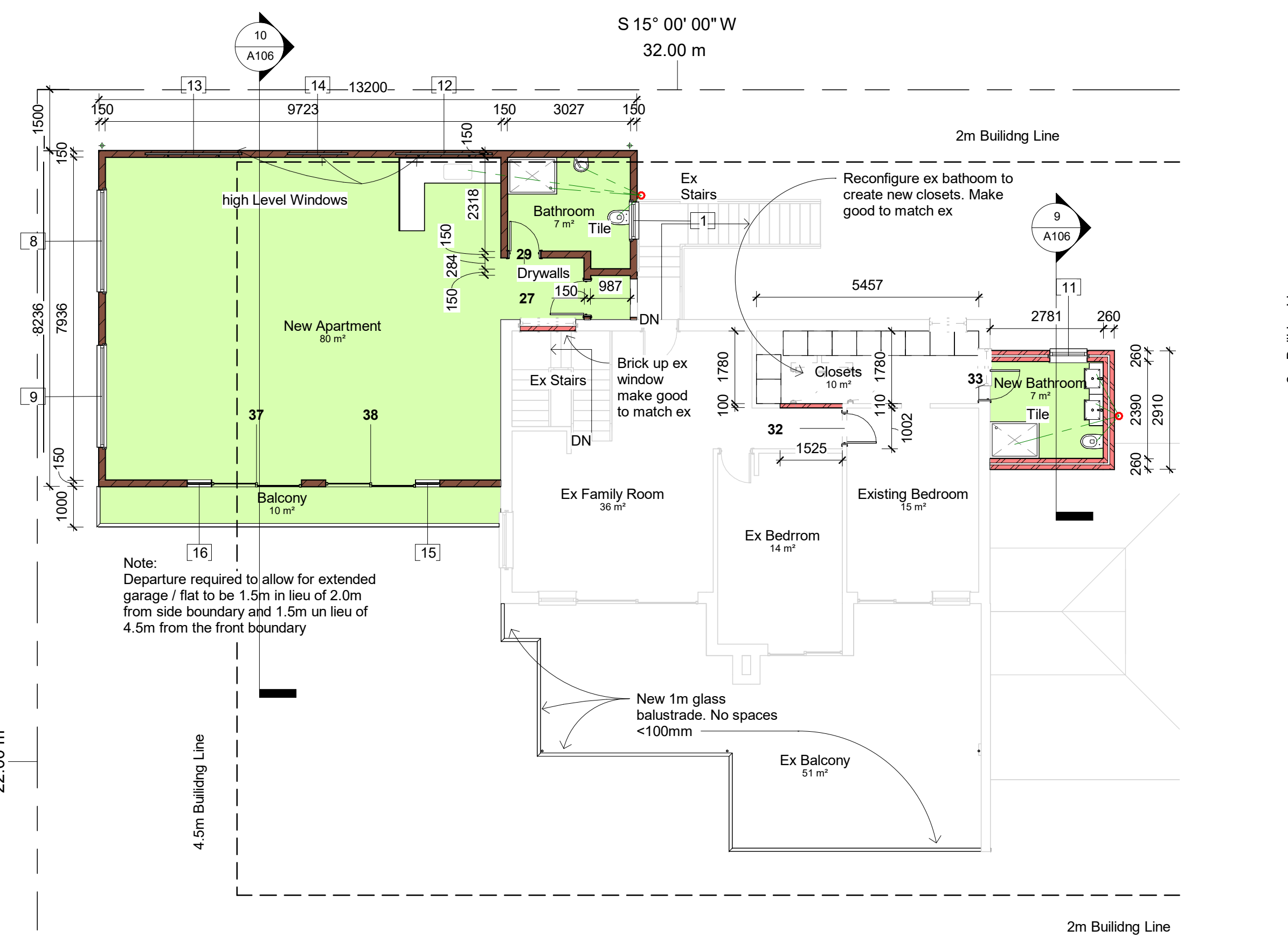
10 Section 7
1:100



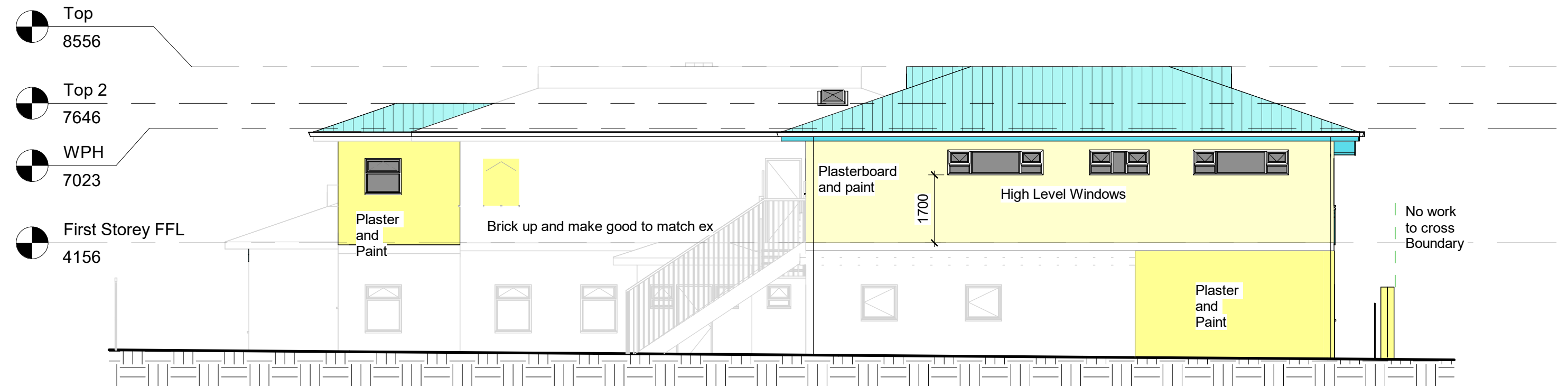
8 Section 1
1:50

11 Section 8
1:50

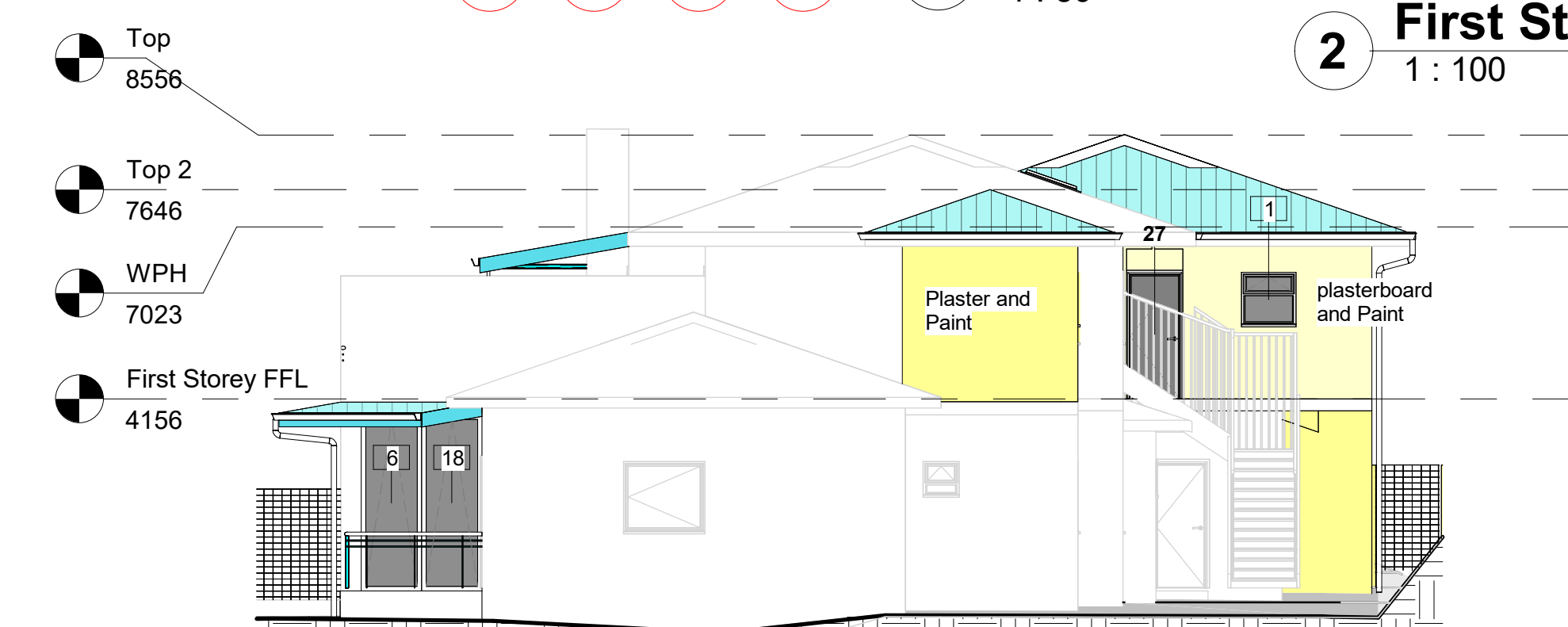
2 First Storey Plan
1:100



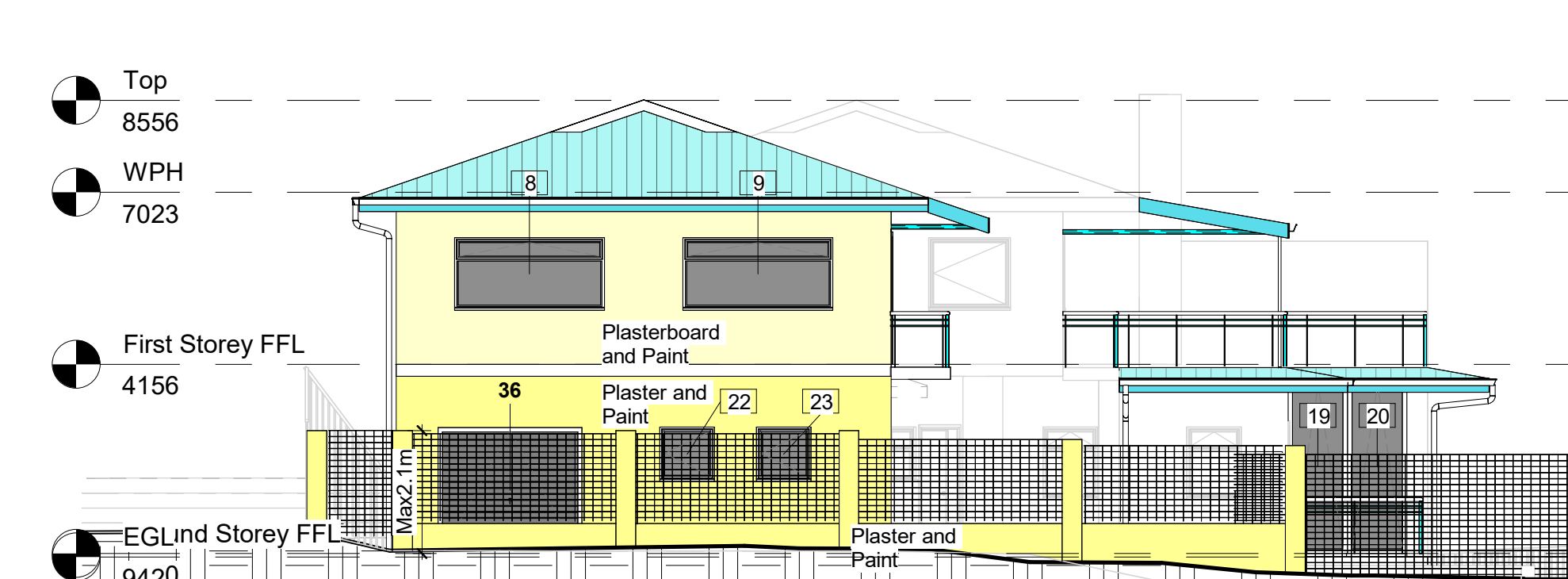
7 West Elevation
1:100



4 East Elevation
1:100



6 South Elevation
1:100



5 North Elevation
1:100

Door Schedule				
Mark	Count	Height	Width	
23	1	2050	5000	
27	1	2110	910	
29	1	2110	810	
32	1	2110	810	
33	1	2110	810	
36	1	2100	2400	
37	1	2134	2200	
38	1	2134	2200	

Window Schedule			
Mark	Count	Width	Height
1	1	910	910
2	1	829	2936
3	1	1105	2936
4	1	967	2936
5	1	967	2936
6	1	1009	2936
7	1	967	2936
8	1	2500	1210
9	1	2500	1210
10	1	600	50
11	1	910	910
12	1	2390	625
13	1	2390	625
14	1	1500	625
15	1	590	1490
16	1	590	1490
17	1	967	2936
18	1	1009	2936
19	1	992	2886
20	1	992	2886
22	1	910	910
23	1	910	910

Rev	Description	Date
1	For Council	22 Oct 24
2	LUM revision	14 Jul 25

SACAP D0231 P.A.D

FINELINE
DESIGN | PLANNING | CONSTRUCTION

Tommy Dillon
0741742583
tom@finelineplans.co.za
www.finelineplans.co.za

PROJECT

Alterations and Additions

TITLE

Erf 3944, Sedgefield

CLIENT

Mr De Andrade

DRAWN BY T Dillon
CHECKED BY Checker
DATE 2026/09/15
SCALE (@A0) As indicated
PROJECT NUMBER AND2024
DRAWING NUMBER A106
REV 2

ITEM TO:

Municipal Planning Tribunal



APPLICATION NO.	3558
REPORT AUTHOR	Sinovuyo Sitinga
JOB TITLE	Town Planner
SACPLAN REG. NO.	A/2695/2018
TELEPHONE NO.	044-302-6268
APPLICATION DATE:	12 September 2025

LAND USE PLANNING REPORT**SUBDIVISION: PORTION 44 OF THE FARM WESTFORD NO. 191, KNYNSA****PART B: APPLICANT DETAILS**

Name & Surname	<i>Nomalungelo Masuku</i>
Company name	<i>Smit & Fisher Planning (Pty) Ltd</i>
SACPLAN registration number	<i>A/2778/2019</i>
Registered owner(s)	<i>Westford Russelstone (Pty) Ltd</i>

PART C: PROPERTY DETAILS

Property description	<i>Portion 44 of the Farm Westford No. 191, in the Knysna Municipality, Division of Knysna, Province of the Western Cape</i>
Property Extent (m ²)	<i>627,5131 hectares</i>
Physical address	<i>Rheenendal Road, Knysna Farms</i>
Area/Town	<i>Knysna Farms</i>
Current zoning	<i>Agriculture Zone I</i>
Applicable zoning scheme	<i>Knysna Zoning Scheme By-law (2020)</i>
Current land use	<i>Rural residential</i>
Are there existing buildings on the property?	<i>Yes</i>
Title Deed number & date	<i>T47521/2021 dated 23 September 2021</i>
Any restrictive title conditions applicable?	<i>Yes</i>
Any third party conditions applicable?	<i>Yes, provincial roads authority.</i>
Any unauthorised land use/building work	<i>None</i>
Pre-Application Consultation	<i>Yes</i>

1. APPLICATION DESCRIPTION

The application is for subdivision in terms of Section 15(2)(d) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) of Portion 44 of the Farm Westford No. 191, Knysna, into three (3) portions (*namely Portion 1 measuring 113,181ha; Portion 2 measuring 103,2971ha; and Portion 3 measuring 117,5366ha*) and a remainder portion measuring 293,4984ha.

2. BACKGROUND

- 2.1. The subject farm is located along the Rheenendal Road which provides connectivity from the national road network to the northern rural areas of Knysna. The farm is considerably large at more than 627 hectares and is zoned for agricultural purposes in terms of the zoning scheme.
- 2.2. The landowner wishes to subdivide the subject farm into three (3) portions and a remainder and has obtained permission for subdivision as contemplated in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970).

3. PRE-APPLICATION CONSULTATION MEETING

A pre-application consultation meeting was held with the applicant in terms of this application.

4. SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation can be summarised as follows:

- 3.1. The applicant argued the application in terms of the development principles contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) and states that the application site is valuable agricultural land and will continue to be used for such purposes after subdivision. The landowner wants to create additional agricultural land units for optimal use. It is also stated that the proposed subdivision will have no detrimental impact on the environment.
- 3.2. The proposed subdivision is not in contrast to the National Development Plan (NDP). The NDP is on a too larger scale to be applicable to this application. Nevertheless, the development of the agricultural sector will contribute to food security and provide employment opportunities.
- 3.3. Due to the detailed nature of the application, the Provincial Spatial Development Framework is not applicable in its entirety. The proposed subdivision will ensure optimised usage of existing resources and infrastructure.
- 3.4. One of the initiatives proposed by the municipal spatial development framework is to create sustainable livelihoods for residents in order to enhance quality of life. Agricultural production in rural areas is very important aspect required for creating a sustainable economy in rural areas.
- 3.5. The proposed subdivision application can be justifiable, as the natural qualities of the property will still be retained. A low-density footprint will be maintained; a dwelling house will be located on each proposed land unit. The property will remain in its natural state, i.e. fynbos forestry, and grazing land.

Page 2 of 14

No industrial or mining activities are proposed. The minimum proposed size is 100 hectares; in fact, the smallest proposed size is 103 hectares.

3.6. The applicant also argues that the current size of the farm presents a challenge in terms of affordability. Due to large portions of each farm portion, each of these portions can still be used for agricultural purposes.

3.7. The proposed subdivision will not negatively affect the surrounding farming areas in any way as the use will remain agricultural.

5. PUBLIC PARTICIPATION

Method of Advertising				Date Published	Closing Date
	Yes	No	N/A		
Press	☐	☐	☒	-	-
Gazette	☐	☒	☐	-	-
Notices	☒	☐	☐	02 October 2025	03 November 2025
Ward Councillor	☐	☒	☐	-	-
Site Notice	☐	☒	☐	-	-
Community Organisations	☐	☒	☐	-	-
Public Meeting	☐	☒	☐	-	-
Third Parties	☐	☒	☐	-	-
Total Valid Comments	2			Total comments and petitions refused	0
Valid Petitions	Y ☐		N ☒	No of signatures	Not Applicable
Community organisation(s) response	Y ☐	N ☐	N/A ☒	Ward Councillor response	Y ☐ N ☐ N/A ☒
Was public participation undertaken in accordance with section 45- 49 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021)					Y ☒ N ☐

5.1. Summary of Comments Received during Public Participation

5.1.1. Comments and objections to the application were received from the following:

Name(s)	Erf Number	Date Received
Nina Malan	Portion 2 of Farm No. 191	03 November 2025
Heather Morgan	Farm No. 488	02 November 2025

5.1.2. Ms. Morgan specified that she is "not opposed to the application" and rather had concerns regarding the use of the property and the precedent the application may set for surrounding farms.

5.1.3. The comments from Ms. Nina Malan were in the form of a request or suggestion for conditions to be imposed in the interest of environmental conservation. These conditions are specifically on compliance with environmental legislation, prevention of environmental degradation, compliance with the zoning scheme, and the protection of the existing wildlife corridor and buffer zone. The objector suggests that "eco-recreation" would be the suitable land use on the portions and concludes that she is in support of reasonable and sustainable land uses.

5.2. Summary of Comments from Departments/Organs of State

Name	Date Received	Summary of Comments	Recommendation
Infrastructure Services	17 November 2025	Manager Electrical Services: No objection. Manager Water and Sewer: There are no water and Sewer services available in the area. Manager Roads and Stormwater/ Public Works: No objection. Director Infrastructure Services: Not supported. Applicant to clarify how services will be rendered. The Knysna Municipality is the Water services Authority and Electricity Distributor and whilst section 13.5 indicated no impact on municipal infrastructure . The applicant must indicate how services will be rendered. Section 10 indicate a need for septic tanks that is not allowed and contradicts section 13.5. Applicant advised to contact Infrastructure departments for minimum requirements.	Comment
Environmental Management	30 October 2025	- The motivation indicates that the agricultural use will not be impacted. The existing agricultural use of this property seems to have been driven by the extremely steep topography. The subdivision of the original farm will leave each subdivided portion with a small total area for agricultural activities. Dept of Agriculture will need to advise if the smaller portions are viable. - The vegetation on site is Afrotemperate Forest and Garden Route Shale Fynbos. Garden Route Shale Fynbos is listed as Critically Endangered under NEM:BA. The subdivision will increase the biophysical footprint of the total area, thus reducing the total area of the Fynbos. It is also likely that each subdivided portion will require a Basic Assessment before any development can occur on the portion. DEA&DP is the competent authority for any BAR on Portion 44 of Farm 191, therefore their comment is recommended.	Comment

Name	Date Received	Summary of Comments	Recommendation
Western Cape Department of Infrastructure	26 March 2026	The department noted that two roads that they have authority over are affected by the application, namely: Main Road 355 (MR00355; Rheenendal Road) and Divisional Road 1616 (DR01616; Highway West Road), with specified speed limits. The department stated that they had no objection to the proposal, with the following conditions;	
		(1) The existing access is retained for portion 2. (2) A servitude right of way (to ensure permanent, legal and unfettered access) off MR00355 (via the approved access in paragraph 3.1) in favour of proposed Portion PTN. 2/PTN. 44 must be registered and brought into place. (3) The existing informal access (accepted to be "ACCESS POINT C") off MR00355 at ±km66.64 RHS may be retained as an approved access to proposed Portion PTN. 3/PTN. 44. This access must be upgraded to this Branch's standards for a main farm access. (4) The existing informal access off MR00355 at ±km66.91 RHS must, due to not enough safe shoulder sight distances to the south, permanently be closed with material like the existing road reserve fence in that location. (5) The existing informal access (accepted to be "ACCESS POINT D") off MR00355 at ±km67.41 RHS must, due to not enough safe shoulder sight distances, permanently be closed with material like the existing road reserve fence in that location. (6) the terrain on proposed Portion RE. /PTN. 44 is of such a nature that a vehicular access off MR00355 at ±km67.78 RHS can be constructed, then may that location be accepted as an approved access to proposed Portion RE. /PTN. 44. This access must be upgraded to this Branch's standards for a main farm access. (7) If the approved access off MR00355 (paragraph 3.6) to proposed Portion RE. /PTN. 44 cannot be used for vehicular purposes, then must the developer source alternative access off the public road network, via an approved access location, and clear that (as safe and acceptable) with this Branch for records purposes. (8) The existing access (accepted to be "ACCESS POINT A") off DR01616 at ±km2.69 LHS (Left Hand Side) may be retained as an approved access to proposed Portion PTN. 1/PTN. 44.	

Name	Date Received	Summary of Comments	Recommendation
		(9) A servitude right of way (to ensure permanent, legal and unfettered access) off DR01616 (via the approved access in paragraph 3.8) in favour of proposed Portion PTN. 1/PTN. 44 must be registered and brought into place. It is further noted that; - All the abovementioned approved main farm accesses' designs must be submitted to and approved by the District Roads Engineer's offices and that Only once such approvals have been issued may construction thereof commence. - All the sight lines within the affected sections of the proclaimed provincial road reserves must be cleared, in conjunction with the offices of the District Roads Engineer, from all vegetation obstructing such minimum required safe distances. With "in conjunction" it is meant that the offices of the District Roads Engineer will only hand over the affected road sections to the developer and ensure that the required minimum temporary traffic accommodations are approved and in place. The physical clearing operations will be the developer's responsibility and costs. If any environmental approval will be required to complete such a task, then it will be the developer's responsibility to ensure such an approval is obtained. - Any advertisement in favour of any of these proposed Portions that will be visible off the provincial road network must carry the approval of Knysna Municipality in terms of the Municipality's approved Advertising By-Law. - The developer must accept that this Branch will not make any contribution, in any fashion, towards this proposed application.	
South African National Parks (SANParks)	11 May 2026	- The property falls within a buffer zone of the GRNP and outside the of the Knysna Protected Area. - CBA 1 and 2 areas should maintain a natural or near natural state, therefore only low-impact, bio-diversity sensitive land use is appropriate. - The property is mapped as containing Critically Endangered Knysna Sand Fynbos and Garden Route Shale Fynbos, any future development should be undertaken in moderation, low density and with care. - The property bisected by several drainage lines with non perennial rivers, and thus regarded as an important water resource careful consideration to	

Name	Date Received	Summary of Comments	Recommendation
		the ensure that there is no pollution and the river corridors remain intact. Riverwater quality must be safeguarded and due diligence must be practiced if new water rights are exercised.	
		▪ The property is mapped as a CBA and the subdivision should be in line with the management objectives of CBA. ▪ Has Southern Afrotropical Forest and South Outeniqua Sandstone Fynbos which are both listed as Least Concerned (SANBI 2022). ▪ Has numerous non-perennial rivers associated with the valleys. ▪ Falls within the National Strategic Water Source Area surface water for the Outeniqua region and serve as a watercourse protection for the South Eastern Coastal Belt. ▪ Directly abuts the Knysna Lakes Protected Environment to the east. The maintenance of ecological buffers and compatible land uses adjacent to protected areas is important to limit edge effects and external pressures on these systems.	
CapeNature	16 April 2026	▪ Comprised mosaics of forest and fynbos ecosystems, which contribute to ecological resilience and landscape-level connectivity. ▪ Advised obtaining comments from SANParks. ▪ No supporting information has been provided regarding the nature, scale, layout, or intensity of the proposed activities (e.g. infrastructure, access roads, clearing, or potential agricultural practices). Thus, the impact of the proposed development/activity cannot be meaningfully assessed. ▪ Intensification of land use may pose risks to water quality and hydrological functioning if not appropriately managed. ▪ The property has moderate to very high soil erodibility thus any disturbance of natural vegetation and inappropriate land management practices may increase the risk of erosion and associated downstream impacts. ▪ The approval of the subdivision will transform the biodiversity of the property overtime. This may result in cumulative environmental impacts not accounted for in the current application. ▪ The proposed subdivision is supported.	

5.3. Summary of Applicant's Reply to Comments

The applicant replied to the objection(s) and comments as follows:

- 5.3.1. The applicant noted the request from the Infrastructure Services directorate and noted that the property owner understands there are no formal municipal services available in the area. Each of the future prospective buyers will be made aware of this fact that water will be supplied by means of a borehole and that sewer treatment will be a septic tank/ conservancy tank.
- 5.3.2. The applicant provided an access plan in response to the comments made by the Western Cape Provincial Department of Infrastructure and finds their comment acceptable in terms of the approved access points and conditions.
- 5.3.3. In terms of their response to the Western Cape Department of Agriculture, the applicant argues that 92% of the farm is in its natural state demonstrating that the farm's topography does not support agricultural activity.
- 5.3.4. The In response to CapeNature, the applicant states that the proposal is merely a subdivision of the farm into four (4) portions and the existing pasture will remain and no additional land will be cleared for agricultural purposes due to the limiting topography of the farm and being bisected by a ravine. The existing agricultural rights will remain with each farm portion having a dwelling unit in terms of their zoning rights.
- 5.3.5. The applicant acknowledged the concerns made by SANParks and that they had no objection to the proposed subdivision. The applicant reasserted that that the farm will remain in its natural state and will retain its agricultural zoning.
- 5.3.6. In terms of the comments from Ms. Morgan, the applicant contends that the comment is not an objection but rather a query on the application documents which was subsequently made available to Ms. Morgan.
- 5.3.7. On the comments made by Ms. Malan, the applicant states her concerns will not be affected by the proposed subdivision. The application does not entail a change in land use with 92% of the area of the farm remaining in its natural state.

6. PROPOSAL ASSESSMENT

6.1. Application History

There are no historic planning decisions on the subject farm which may have a bearing on the application at hand.

6.2. Considerations in terms of SPLUMA

- 6.2.1. The applicant argued the application in terms of the development principles as specified in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (i.e. spatial justice, sustainability, resilience, efficiency and good administration) and suggests that the application is consistent with these principles.

6.2.2. The applicant's assertion can largely be agreed with specifically in terms of the principle of "spatial sustainability" where consideration must be given to the protection of unique and prime agricultural land.

6.2.3. The applicant states that the subdivision will not entail a change in land use with the agricultural use of the property to be kept. The applicant obtained permission in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) for the subdivision of the farm. This permission suggests that the subdivision does not compromise the agricultural viability of each of the proposed farm units. It is thus held that the applicant's proposal will not result in the loss of valuable agricultural land.

6.3. Consistency with SDF, IDP and applicable Policies

6.3.1. The key premise of the applicant's application for subdivision is that it does not entail a change in land use. However, the subdivision of agricultural land may have significant implications for agricultural production, viability and sustainability.

6.3.2. The spatial objective of the SDF (and also expressed in the Western Cape: Rural Areas guideline document) is that subdivision of new agricultural land should not establish or encourage smallholding development and should generally be discouraged.

6.3.3. The subject farm measures more than 627 hectares, and upon subdivision, each farm portion will not be below 100 hectares. It is thus argued that the applicant's proposal for subdivision does not constitute a smallholding development as smallholdings typically is less than 5 hectares in size or less. The Municipality's spatial objective of safeguarding its agricultural land can still be maintained and upheld.

6.4. Impact on Municipal Engineering Services

The subject farm is not connected to the municipal services network with the applicant stating that water will be obtained from borehole extraction and wastewater will be in terms of the appropriate wastewater solution. The applicant will need to obtain the appropriate permissions prior to installation of any domestic services infrastructure to each farm portion.

6.5. Outcomes of Investigations/Applications i.t.o. other Legislation

The applicant obtained permission in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) for the subdivision of the farm. This permission suggests that on subdivision of the farm as proposed, that the agricultural viability of each farm portion can still be retained.

6.6. Zoning Considerations

Not applicable.

6.7. Desirability of the Proposal

- 6.7.1. It is held that the sizes of the subdivided farm portions are reasonable and consistent with the character of and nature of farm sizes in the surrounding rural area. In fact, the subdivided farm portions will still remain larger than most farms in the surrounding area. As the applicant states, the existing grazing areas will remain with the subdivision only allowing a single dwelling house and outbuildings on each farm portion.
- 6.7.2. The applicant has also satisfactorily addressed access to each farm portion with the provincial roads authority granting consent for the access proposals from its surrounding road network, i.e. MR00355 (Rheenendal Road) and DR01616 (Divisional Road). However, two of the farm portions will need access by way of a servitude while the remaining two obtain direct access from the provincial road network. The applicant will be required to register the access servitude at the simultaneous registration of the affected subdivided farm portion.
- 6.7.3. Considerable concerns have been raised regarding the potential environmental impact of the proposed subdivision and that it may harm the sensitive local natural environment. The applicant contends that they only seek the rights allowed in terms of the zoning of the farm, i.e. the development of a single dwelling house and outbuildings while the existing grazing and agricultural activities will continue.
- 6.7.4. It is important to note that any development and/or building work on any agricultural land unit is subject to the consideration of a site development plan. This will allow the Municipality and organs of state to evaluate the impact of the proposal in terms of site-specific conditions and general acceptability of the intended use and building work. Furthermore, and in terms of the zoning scheme, building work/proposals is limited to the extent of the bona fide agricultural activities on the farms. It is argued that with the limitation of the current use rights, the impact on the natural environment may be within acceptable levels.
- 6.7.5. Lastly, it is agreed with the applicant that the subject farm is encumbered by its topography which limits its development potential beyond the existing use. Therefore, it is argued that any further or future subdivision of the subdivided farms may not prove to be viable or consistent with municipal planning policy. Importantly, the assessment finds reasonable grounds to support the applicant's proposed subdivision of the subject farm.

6.8. Considerations to the Removal of Restrictive Title Conditions

Not applicable.

6.9. Assessment of Comments

- 6.9.1. Comments from organs of state (Provincial Agriculture and CapeNature) and the public express concern regarding the agricultural viability and environmental impact of the proposed subdivision. The applicant argues that the existing agricultural use will be retained with each

subdivided farm portion having a dwelling house and agricultural outbuildings as permitted by the zoning scheme. Herein the applicant implies that the subdivision would have a low environmental impact whilst maintaining its existing agricultural use. This argument is found reasonable specifically within the context of any landowner being subject to planning permissions for any land use and building work proposals.

- 6.9.2. It is also considered that the applicant responded satisfactorily to the public concerns raised and that the development of the subject farm (and subdivided farm portions) is limited by the topographical features inherent to the farm (i.e. the natural ravine and steep slopes). Most of the practical and developable portions of the farm are already used for grazing or agricultural purposes.

7. RECOMMENDATION

It is recommended that, **Approval be Granted**, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) for the subdivision of Portion 44 of the Farm Westford No. 191, Knysna, into three (3) portions and a remainder portion as shown on the plan numbered "F4358" dated 11 March 2025.

8. CONDITIONS OF APPROVAL IN TERMS OF THE PLANNING BY-LAW

The above approval(s) are subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

- 8.1. The subdivision of the subject farm shall generally be in accordance with the subdivisional plan numbered "F4358" and dated 11 March 2025.
- 8.2. The landowner/developer shall lodge a site development plan in accordance with Clause 23 of the Knysna Zoning Scheme By-law (2020) in respect of each subdivided farm portion, prior to the submission of building plans, and shall include detail on access, services, use areas, and agricultural areas, amongst others, and demonstrate compliance to the provisions of the Zoning Scheme By-law and any conditions of approval, including any conditions imposed by an organ of state.
- 8.3. The landowner/developer shall install services to each subdivided farm unit to the satisfaction of the Director: Infrastructure Services, prior to or at the submission of building plans.
- 8.4. The landowner/developer shall register a 'right-of-way' servitude at the simultaneous registration of a subdivided farm portion and shall be in accordance with the access arrangements as granted by the Western Cape: Department of Infrastructure.

Condition(s) of Subdivision

- 8.5. The landowner/developer shall submit the endorsed Surveyor-General plans or diagrams to the Municipality at certification in terms of Section 20(6) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021).

9. REASONS FOR RECOMMENDATION

The reasons for the above recommendation are as follows:

- 9.1. The application does not entail a change in land use with the agricultural use of the property to be kept. The applicant obtained permission in terms of the Subdivision of Agricultural Land Act, 1970 (Act No. 70 of 1970) for the subdivision of the farm. This permission suggests that the subdivision does not compromise the agricultural viability of each of the proposed farm units. It is thus held that the applicant's proposal will not result in the loss of valuable agricultural land.
- 9.2. The subject farm measures more than 627 hectares, and upon subdivision, each farm portion will not be below 100 hectares. It is thus argued that the applicant's proposal for subdivision does not constitute a smallholding development as smallholdings typically is less than 5 hectares in size or less. The Municipality's spatial objective of safeguarding its agricultural land can thus be maintained and upheld.
- 9.3. The subject farm is not connected to the municipal services network with the applicant stating that water will be obtained from borehole extraction and wastewater will be in terms of the appropriate wastewater solution. The applicant will need to obtain the appropriate permissions prior to installation of any domestic services infrastructure to each farm portion.
- 9.4. The sizes of the subdivided farm portions were found to be reasonable and consistent with the character of and nature of farm sizes in the surrounding rural area. In fact, the subdivided farm portions will still remain larger than most farms in the surrounding area. As the applicant states, the existing grazing areas will remain with the subdivision only allowing a single dwelling house and outbuildings on each farm portion.
- 9.5. Considerable concerns have been raised regarding the potential environmental impact of the proposed subdivision and that it may harm the sensitive local natural environment. The applicant contends that they only seek the rights allowed in terms of the zoning of the farm, i.e. the development of a single dwelling house and outbuildings while the existing grazing and agricultural activities will continue.
- 9.6. Importantly, any development and/or building work on any agricultural land unit is subject to the consideration of a site development plan. This will allow the Municipality and organs of state to evaluate the impact of the proposal in terms of site-specific conditions and general acceptability of the intended use and building work.
- 9.7. It is also considered that the applicant responded satisfactorily to the public concerns raised and that the development of the subject farm (and subdivided farm portions) is limited by the topographical features inherent to the farm (i.e. the natural ravine and steep slopes). Most of the

practical and developable portions of the farm are already used for grazing or agricultural purposes.

10. MATTERS FOR NOTING

The applicant is informed and advised of the following:

- 10.1. The decision applies to the subdivision as outlined above and may not be construed as authority to depart from any other legal prescriptions.
- 10.2. The applicant/landowner is advised of the conditions and recommendations made by SANParks in terms of their correspondence dated 08 May 2026.
- 10.3. The applicant/landowner is advised of the conditions as set out by the Western Cape: Department of Infrastructure in terms of their correspondence dated 26 March 2026.
- 10.4. The applicant is advised of the correspondence and comment of CapeNature in terms of the letter dated 16 April 2026.

11. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A – *Applicant's Motivating Memorandum (incl. supplementary information)*

ANNEXURE B – *Locality Plan*

ANNEXURE C – *Copy of Title Deed(s)*

ANNEXURE D – *Copies of Power of Attorney & Resolution*

ANNEXURE E – *Existing SG diagram(s)*

ANNEXURE F – *Act 70 of 1970 consent (National Dept. of Agriculture)*

ANNEXURE G – *Copy of Mailing List and Notice(s)*

ANNEXURE H – *Objections (Malan & Morgan)*

ANNEXURE I – *Comments from municipal departments*

ANNEXURE J – *Comments from organs of state (SANParks, Provincial Roads, CapeNature)*

ANNEXURE K – *Applicant's response to comments & objection*

ANNEXURE L – *Subdivisional Plan dated 2026*

Subdivision: Portion 44 of the Farm Westford No. 191, Knysna

Application No.: 3558

Author Name: **Ms. Sinovuyo Silinga**

Date: **21/09/2026**

Author Signature:



Registered planner name: **Shaun Madumbo**

SACPLAN registration number: **A/1510/2012**

Date: **21/09/2026**

Registered Planner signature:



Decision Maker: *Municipal Planning Tribunal*

APPROVED

APPROVED
CONDITIONALLY

APPROVED IN PART

REFUSED



MOTIVATING MEMORANDUM IN SUPPORT OF THE APPLICATION FOR SUBDIVISION IN TERMS OF SECTION 15(2)(d) OF THE KNYSNA MUNICIPALITY SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW, 2021 APPLICABLE ON PORTION 44 OF THE FARM WESTFORD NO. 191 - KNYSNA RD

1 THE BRIEF

This office has been instructed to apply to the Knysna Municipality for the subdivision of Portion 44 of the farm Westford No. 191 - Knysna RD into 4 portions for agricultural and rural residential purposes.

2 APPLICATION PROCEDURE

A subdivision application is being made to the Knysna Municipality in terms of Section 15(2)(d) of the Knysna Municipality Spatial Planning and Land Use Management By-Law, 2021 for the subdivision of Portion 44 of the farm Westford No. 191 - Knysna RD.

3 BACKGROUND INFORMATION

3.1 Local Authority:

Portion 44 of the farm Westford No. 191 - Knysna RD is located within the jurisdiction of the Knysna Municipality.

3.2 Property Description:

The property is registered as Portion 44 of the farm Westford No. 191 - Knysna RD.

3.3 Property Size:

The property measures 627.5131 hectares in extent.

3.4 Registered Owner: (see Annexure I)

The property is registered in the name of Westford Russellstone (Pty) Ltd.

3.5 Existing Zoning:

The property is currently zoned as “Agriculture Zone I”.

3.6 Existing Land Use:

The property is currently used for rural residential purposes and is mostly vacant land.

3.7 Title Deed and Restrictive Title Conditions: (see Annexure I)

The property is registered by virtue of title deed **T47521/2021**.

3.8 Bondholder:

The property is not bonded.

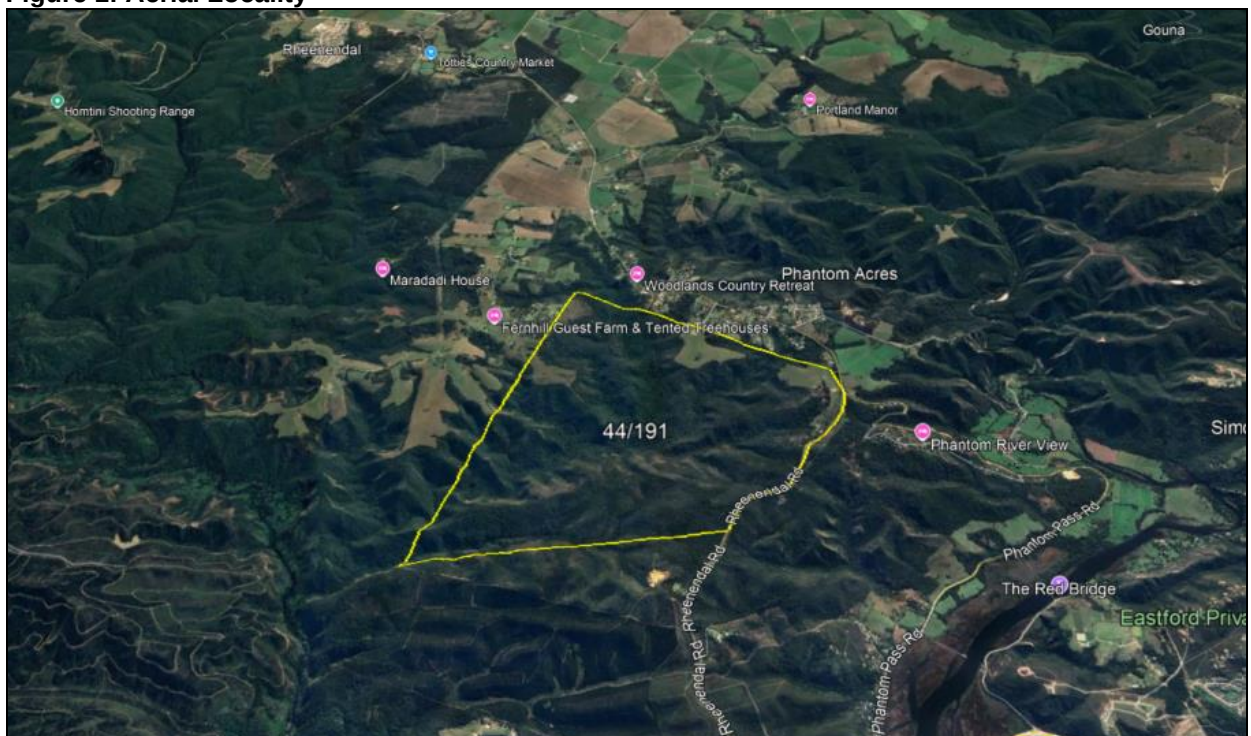
4 LOCALITY:

The application property is located in Phantom Acres.

The following properties are located adjacent to the application site:

- Portions 6, 4, 10, 8, 30, 48, 13, 51, 7, 29, 24, 50, 40, 41, 15, 26, 47, 5, 16 and 17 of the farm Westford No. 191 - Knysna RD are located to the north.
- Remainder of Portion 45 of the farm Westford No. 191 - Knysna RD and Remainder of the farm Charlesford No. 192 - Knysna RD are located to the east.
- Remainder of the farm Dummy No. 488 – Knysna RD is located to the south.
- Remainder of the farm Greater Quarrywood No. 201 – Knysna RD is located to the west.

Figure 1: Aerial Locality



Map of Farm 44/191 showing its location relative to surrounding farms and roads. The farm is highlighted in red. Surrounding farms include Mount Pleasant 196, Farm 194, Farm 463, Farm 482, Farm 488, and Charlesford 192. Roads shown include 3/201, 2/201, 33/187, 32/191, 2/488, and 4/488. A yellow box labeled 'Farm portions 44/191' is located near the center of the red area. A yellow box labeled '8249/1995' is located near the bottom right of the red area.

The area is mostly rural residential in nature, including local businesses such as guest houses and lodges.

The area is accessible through the following roads:

- 7 DETAILED DESCRIPTION OF THE PROPOSED SUBDIVISION:**

PROPERTY DESCRIPTION	SIZE
Proposed Portion 1 of Portion 44 of the farm Westford No. 191 - Knysna RD	113.1810 ha
Proposed Portion 2 of Portion 44 of the farm Westford No. 191 - Knysna RD	103.2971 ha

Proposed Portion 3 of Portion 44 of the farm Westford No. 191 - Knysna RD	117.5366 ha
Remainder of Portion 44 of the farm Westford No. 191 - Knysna RD	293.4984ha
TOTAL	627.5131 ha

7.1 Access to the proposed portions:

The access points for all the 4 proposed portions is shown on the Subdivision Plan (Annexure H – Plan No. F):

- Proposed Portion 1 of Portion 44 of the farm Westford No. 191 - Knysna RD will get access from Access Point A
- Proposed Portion 2 of Portion 44 of the farm Westford No. 191 - Knysna RD will get access from Access Point B
- Proposed Portion 3 of Portion 44 of the farm Westford No. 191 - Knysna RD will get access from Access Point C
- Remainder of Portion 44 of the farm Westford No. 191 - Knysna RD will get access from Access Point D

8 REFERENCE TO THE OBJECTIVE AND PRINCIPLES CONTAINED IN THIS BY-LAW AS WELL AS THE PRINCIPLES AS CONTAINED IN SECTION 7 OF THE ACT

Certain principles apply to spatial planning, land development and land use management. In terms of these principles, it will be illustrated how this application for the subdivision in terms of Section 15(2)(d) of the Knysna Municipality Spatial Planning and Land Use Management By-Law, 2021 is addressed.

DEVELOPMENT PRINCIPLES: SECTION 7 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (IT SHOULD BE NOTED THAT NOT ALL PRINCIPLES ARE APPLICABLE TO THIS APPLICATION):

8.1 The principle of spatial justice (Section 7(a)):

“(i) Past spatial and other development imbalances must be redressed through improved access to and use of land;”

This principle is not applicable to the application.

“(ii) 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.”

This principle is not applicable in its entirety. The Westford area itself is not a former homeland area, and it is not located in close proximity to a former homeland.

“(iii) Spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons.”

This principle is not applicable to the application.

“(iv) Land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas.”

This principle is not applicable to the application.

“(v) A Municipal Planning Tribunal 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 is affected by the outcome of the application.”

The question is asked: what gives a property value? There are various factors that influences property values. Not only land use rights but also what is located in close proximity to a property, such as better connectivity to areas outside the neighbourhood, and nearby shopping and community facilities plays a role like schools, shopping centres, etc. The application property is used for agricultural purposes and after the subdivision it will still be used for agricultural purposes, this will not affect the land value of the surrounding properties as the land use will remain the same being agricultural use.

8.2 The principle of spatial sustainability (Section 7(b)):

“(i) Ensure that special consideration is given to the protection of prime and unique agricultural land.”

The application property is valuable agricultural land and after the proposed subdivision, it will still be used for agricultural purposes. The owner wants to create additional agricultural units for optimal use.

“(ii) Uphold consistency of land use measures in accordance with environmental management instruments.”

The proposed subdivision will have no detrimental impact on the environment as it will remain agricultural.

“(iii) Promote and stimulate the effective and equitable functioning of land markets.”

The principle of integration in order to achieve sustainability, speaks to the ability of these various development components (i.e. economic sector, social sector, institutional sector etc.) to positively function together in one space.

“(iv) Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.”

The proposed subdivision does not pose current and future costs to the Municipality, there are no existing formal services in the area.

“(v) Promote land development in locations that are sustainable and limit urban sprawl.”

Due to the specialized nature of the application and the limited impact of the change sought the impact of this principle is thus limited.

“(vi) Result in communities that are viable.”

Viable communities are not always dependant on housing alone to be viable, but the positive functioning of all amenities and land uses in that space. Basically, spatial planning should strive to create urban spaces where people can live, play and work.

8.3 The principle of efficiency (Section 7(c)):

“(i) Land development optimises the use of existing resources and infrastructure.”

Land is a scarce resource; land use planning mechanisms should ensure that land in urban areas is utilised in a way that supports the individual needs of all people living in the city.

Given the location of the application property and existing infrastructure and land uses. This will ensure the optimal use of the space that is within a functional urban space.

“(ii) Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.”

By providing all of the required documentation to finalise this application, this will expedite the decision making with regards to this subdivision application by the Knysna Local Municipality. This will also limit any possible negative financial impact on the property owner.

“(iii) development application procedures are efficient and streamlined and time frames are adhered to all parties:”

Taking into consideration the principles of SPLUMA as well as current municipality policies and procedures, noting the finalisation and implementation of the bylaws as contemplated in SPLUMA, the current decision-making procedures at the municipality are designed minimise negative financial, social, economic or environmental impacts.

The By-Law requires that land use applications must be submitted and motivated in such a way in order to comprehensively inform and assist the local authority in its decision-making procedures.

To ensure that application procedures “are efficient and streamlined and timeframes are adhered to by all parties”, Smit & Fisher Planning has ensured that all matters relating to policies and legislation are addressed and information is provided. It is the intention of this

office to ensure that the application will adhere to timeframes set as part of the relevant statutes.

8.4 The principle of spatial resilience (Section 7(d)):

“The principle of spatial resilience, whereby 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.”

Resilience is the capacity and ability of a community to withstand stress, survive, adapt, bounce back from a crisis or disaster and rapidly move on.

A resilient system is forgiving of external shocks:

- It is about the capacity to use shocks and disturbances like a financial crisis or climate change to spur renewal and innovative thinking.
- This disturbance takes many shapes, and the ones used within these definitions are stress, crisis, disaster or shock.
- Although they carry slightly different meanings, what they really point at is some sort of internal or external change.

Natural shocks can include the changing climate, floods, earthquakes, etc. whereas economic disasters include xenophobia, unemployment, power failures, etc.

8.5 The principle of good administration (Section 7(e)):

It is imperative that legislative land development requirements are met timeously to ensure efficient administration. In this regard, Smit & Fisher Planning will empower the Knysna Municipality to consider the application through provision of information required.

Transparency in all dealings of this application is important, and this will be possible through participation with those affected as prescribed through the relevant legislation as well as the Council departments.

9 REFERENCE TO THE INTEGRATED DEVELOPMENT PLAN AND MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, AND ITS COMPONENTS AND ANY OTHER POLICIES, PLANS OR FRAMEWORKS WITH SPECIFIC REFERENCE ON HOW THIS APPLICATION COMPLIES WITH IT OR DEPARTS BASED ON SPECIFIC CIRCUMSTANCES OF THE PROPERTY

In this regard, the following are addressed:

9.1 NATIONAL DEVELOPMENT PLAN, 2030

The National Development Plan (NDP) offers a long-term perspective. It defines a desired destination and identifies the role different sectors of society need to play in reaching that goal.

As a long-term strategic plan, it serves four broad objectives:

- Providing overarching goals for what the nation want to achieve by 2030.
- Building consensus on the key obstacles to us achieving these goals and what needs to be done to overcome those obstacles.

- Providing a shared long-term strategic framework within which more detailed planning can take place in order to advance the long-term goals set out in the NDP.
- Creating a basis for making choices about how best to use limited resources.

The Plan aims to ensure that all South Africans attain a decent standard of living through the elimination of poverty and reduction of inequality. The core elements of a decent standard of living identified in the Plan are:

- Housing, water, electricity and sanitation
- Safe and reliable public transport
- Quality education and skills development
- Safety and security
- Quality health care
- Social protection
- Employment
- Recreation and leisure
- Clean environment
- Adequate nutrition

The proposed subdivision is not in contrast to the NDP. The NDP is on a too larger scale to be applicable on this application. Nevertheless, the development of the agricultural sector will contribute to food security and provide employment opportunities.

9.2 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2014

The PSDF focuses primarily on the Western Cape Province, which makes up 10.6% of the country's land surface and encompasses an area of 129 462 km². Within this primary study area consideration is given to the City of Cape Town's (a Metropolitan Municipality) area of jurisdiction and the jurisdictions of the five District Municipalities (i.e. Central Karoo, Eden, Overberg, Cape Winelands and West Coast).

The PSDF also gives consideration to the Western Cape's spatial relationships with neighbouring Provinces and the national space-economy

The logic underpinning the PSDF's spatial strategy is to:

1. CAPITALISE and build on the Western Cape comparative strengths (e.g. gateway status, knowledge economy, lifestyle offering) and leverage the sustainable use of its unique spatial assets.
2. CONSOLIDATE existing and emerging regional economic nodes as they offer the best prospects to generate jobs and stimulate innovation.
3. CONNECT urban and rural markets and consumers, fragmented settlements and critical biodiversity areas (i.e. freight logistics, public transport, broadband, priority climate change ecological corridors, etc)
4. CLUSTER economic infrastructure and facilities along public transport routes (to maximise the coverage of these public investments) and respond to unique regional identities within the Western Cape.

The PSDF's strategy is to accelerate and give momentum to spatial transformation by embarking on a series of logical and sequential transitions of the Western Cape's urban and rural areas. The Provincial spatial framework for the roll-out of this agenda is presented in the next chapter.

The Western Cape economy is founded on the Province's unique asset base. These include farming resources that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g. agri-processing) underpin the Province's industrial sector; and its natural capital (i.e. biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination.

Due to the detailed nature of the application, this framework is not applicable in its entirety. The proposed subdivision will ensure optimised usage of existing resources and infrastructure.

9.3 KNYSNA MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2020

The Knysna Municipality is one of seven municipalities that form the Garden Route District of the Western Cape Province in South Africa. It is located approximately 500km from Cape Town, on the Southern Cape coastline at the heart of the Garden Route, bounded by Bitou Municipality (Plettenberg Bay) to its east and George Municipality to its north and west. The town of Knysna is the primary regional service centre and a prominent national tourist destination. However, in the context of the Garden Route and sub-region, Mossel Bay and George are likely to remain the most important economic centres.

The KMA further includes the specialised (primarily tourist, recreational and retirement-oriented) coastal centres of Sedgefield, Buffalo Bay and Brenton on Sea; as well as the agricultural / forestry villages of Karatara, Rheenendal, and numerous smaller hamlets embedded within forestry areas.

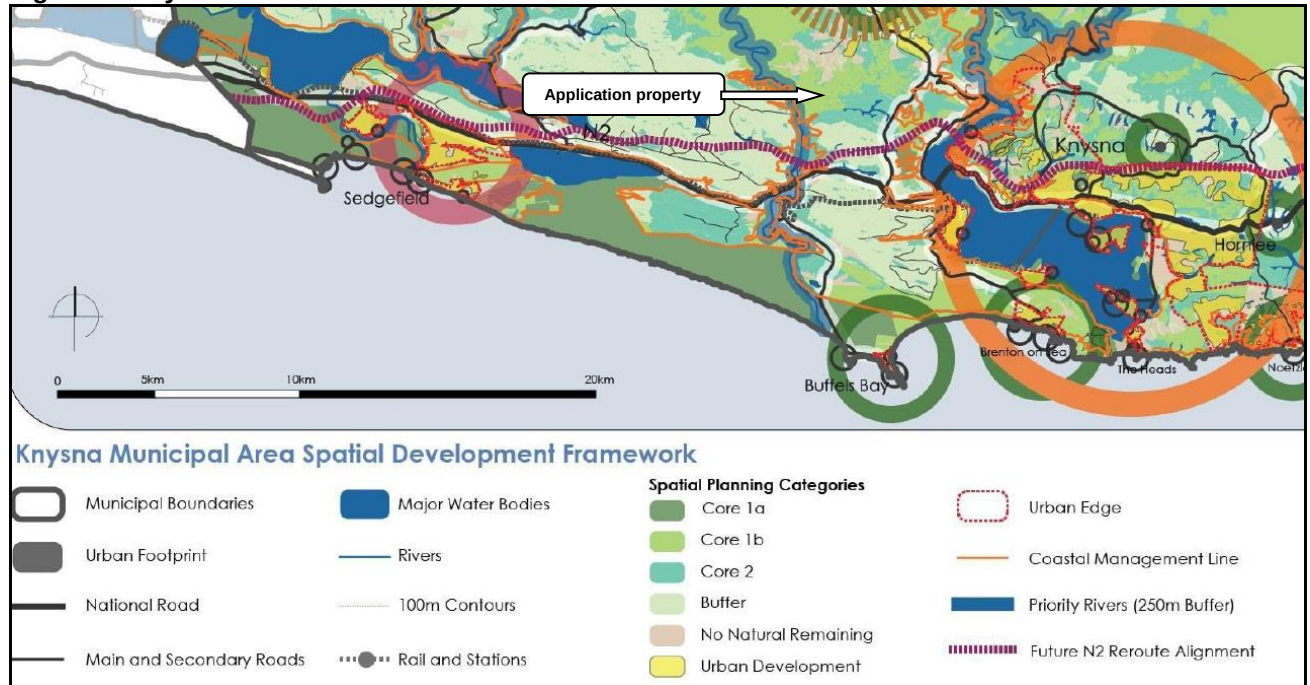
The Knysna town area makes up 75% of the population of the KMA. Sedgefield is the second largest settlement in the KMA with 12,9% of the population (Stats SA/ Western Cape Government, 2018). The KMA population is very much urbanised. 80% of future households living in Knysna will need to be accommodated in Knysna town and 10% in Sedgefield.

Knysna is no different from most South African municipalities in the disparities between rich and poor it is faced with. It has a responsibility to address backlogs in service delivery (including housing provision), maintain service delivery to its existing serviced population while meeting the needs of new in-migrants and stimulate economic growth to create jobs for its residents.

Knysna's economy is predominantly a service economy - driven by tourism and the services needed by those attracted to living in Knysna. Both the tourists and residents live in Knysna because of the quality of life it offers thanks to its unique environment. Looking forward, **agriculture**, manufacturing and tourism are the economic sectors with the greatest comparative advantage in Knysna. The development of these sectors and the overall performance of the economy will stimulate growth in the performance of other derived demand sectors such as finance and business services. The improvement of transport linkages and communication systems and technology are identified as playing an important enabling role in the economy.

The application property is located within Core 2 Biodiversity Area. Coastal sensitivities must be integrated into all applicable planning decisions within the coastal region, in order to protect existing property, infrastructure and ecology and ensure that only responsible and sustainable development takes place in areas with a high risk of inundation, coastal erosion and destructive storm surges.

Figure 3: Knysna SDF



Scenic routes provide public access to the enjoyment of these landscapes. The routes and the land use alongside these routes should be managed in such a way as to not compromise the views offered but to mark and celebrate the landscapes and the origins or nature of their significance. Significant scenic routes in the Knysna Municipal Area are as follows:

- ☐ The N2
- ☐ the Seven Passes between Knysna and George
- ☐ Prince Alfred Mountain Pass between Knysna and Avontuur
- ☐ Garden of Eden Pass / Uniondale Road between Knysna and Uniondale
- ☐ Homtini Pass between Rheenendal and Barrington/ Karatara
- ☐ **Phantom Pass between Knysna and Rheenendal**

Guidelines for the subdivision of agricultural land:

- Support efforts to strengthen and rejuvenate the agricultural and forestry economy and open up new livelihood and business opportunities based on the assets and resources of the region. Some of these resources include the forest, hops, fruit, livestock, flowers, honey bush and sustainable fynbos harvesting.
- The subdivision of rural land should generally not be supported unless this is required to enable more equitable and affordable access to land for farmers that would otherwise not be able to afford to acquire land for farming.
- All properties **greater than 3 hectares** outside of existing smallholding areas are deemed as agricultural properties whose subdivision is subject to the Department of Agriculture's regulations, the Western Cape Government's Rural Development

Guidelines, this Spatial Development Framework and desirability in terms of rural context and character.

One of the initiatives proposed by the MSDFs is to create sustainable livelihoods for residents in order to enhance quality of life. Agricultural production in rural areas is a very important aspect required for creating a sustainable economy in rural areas.

Part of this property is used for fynbos forestry and natural protea flowers. The idea is to split the natural areas and areas that has already been changed into grazing areas.

With the smallest portion being 103 hectares, these portions can comply with the Knysna Municipal Spatial Development Framework, 2020.

9.4 WESTERN CAPE LAND USE PLANNING GUIDELINES RURAL AREAS, 2019

In respect of the Rural Areas Guideline the term, 'rural areas', from a development management point of view, refers to all areas outside of the physical outer edge of existing built-up areas and settlements, no matter how small. Therefore 'urban areas' means the footprint of any settlement being it a city, town or village. The distinction is thus made between all settlements (urban areas) on the one hand and all non-urban areas outside of settlements (rural areas) on the other.

The Western Cape economy is founded on the Province's unique asset base. These include farming resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g. agri-processing) underpin the Province's industrial sector; and its natural capital (i.e. biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. The Western Cape seeks to ensure: 1) sustainable development of its rural areas; 2) conservation of their biological diversity; 3) functionality of ecosystems; 4) protection of agricultural productive land; and 5) safeguarding of rural heritage and culture.

As already mentioned, the property is located within Core 2. Core 2 **comprised areas in a degraded condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure**. These areas should be rehabilitated and only low-impact, biodiversity-sensitive land-uses are appropriate. Core 2 also includes Ecological Support Areas (ESA), that are not essential for meeting biodiversity targets but play an important role in supporting the ecological functioning of CBAs, and deliver important ecosystem services. They facilitate landscape connectivity, promote resilience to climate change, and buffer elements of the landscape including Protected Areas and sites that are important for the survival of individual species.

These also include the following features and areas that may also occur within the Core 1 SPC: climate change adaptation corridors, foredunes, forests, corridors, coastal resource protection areas, endangered ecosystems, rivers, estuaries, wetlands and protection of watercourse, water source and water recharge areas.

Two components of the rural landscape, as mapped by the Western Cape Biodiversity Spatial Plan make up Core 2 Areas, with the following management objectives:

- Critical Biodiversity Area 2 (Degraded): Maintain in a natural or near-natural state with no further loss of natural habitat. These areas should be rehabilitated.

- Ecological Support Area 1: The desired management objective for all ESAs, is to maintain the land in a near-natural and ecologically functional state, even if some loss of ecosystem composition or structure takes place.

GUIDELINES ON LAND USE AND ACTIVITIES IN THE CORE 2 SPC

What kinds of activities?

- Acceptable land uses are those that are least harmful to biodiversity and include compatible and low impact conservation land uses as per Core 1 Areas, whilst allowing for a limited increase in scale of development in less sensitive areas (provided ecological processes are not disrupted). To be informed by detailed site-level mapping of habitat conditions, transformation thresholds and cumulative impacts.
- Provision for biodiversity offsets in exchange for biodiversity loss should only be considered as a last resort and at a ratio consistent with national policy and Provincial guidelines.
- Where existing agricultural activities (e.g. extensive livestock or game farming) occur in Core 1 or Core 2 Areas, it needs to be subject to:
 - Lower impact practices.
 - Lower than standard stocking rates.
 - Resting cycles (i.e. rotational grazing).
 - Wetland and river bank protection to avoid over-grazing, trampling and destabilization.
 - Avoiding areas containing red data species.
 - Limiting “value-adding” to nature-based tourism.
- No further extensions of intensive or extensive agriculture is promoted.
- Non-consumptive low impact eco-tourism activities such as recreation and tourism (e.g. hiking trails, bird and game watching, and visitor overnight accommodation).
- Liner infrastructure installations such as roads, rail, pipelines, canals and powerlines. Other utilities may also be permissible in certain situations and should be approved subject to restrictive conditions or parameters.
- Non-place bound industry with low-moderate impact and rural businesses such as small scale value adding enterprises for tourism or consumptive uses (e.g. hunting).

Land uses not supported

- Any form of mining or prospecting.
- Large-scale cultivation.
- Urban or industrial development

Guidelines for the subdivision of agricultural land

- Following a consultative process with organised agriculture, the various commodity groups and the Western Cape Department of Agriculture, norms/guidelines were established to calculate the farm size for the various farming enterprises. These size norms (to enable an agricultural unit to be farmed in a sustainable manner), are determined over the long term for an average farm with a medium-low and higher potential.
- It is important that the potential of the soil be taken into account, in the determination of farm size. Should the soil potential be low, an increase in the size of the land will be necessitated

The proposed subdivision application can be justifiable, as the natural qualities of the property will still be retained. A low density footprint will be maintained, a dwelling house will be located on each proposed property. The property will remain in its natural state i.e. fynbos forestry, natural protea flowers and grazing land. No industrial or mining activities are proposed.

The minimum proposed size is 100 hectares, in fact the smallest proposed size is 103 hectares. The subdivision application has also been submitted to the Department of Agriculture in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), this office is aware that the finalization of this application relies on the outcome of the subdivision application at the Department of Agriculture.

9.5 KNYSNA MUNICIPALITY IDP, 2024/2025

Knysna, “the jewel of the Garden Route”, derives from the Khoi–khoi word “naizna”, which means ferns. The KM is located on the South Coast of the Western Cape Province. The municipal area is approximately 500 kilometres east of Cape Town and 267 kilometres west of Gqeberha and resides within the jurisdiction of the Greater Garden Route District Municipal Area. The municipal land covers a geographical area of approximately 1059 square kilometres and includes the towns of Sedgefield, Hornlee, Knysna Central, Northern Areas (Nekkies, Knoetzie, Hornlee, Concordia, Xolweni, Joodse Kamp, Sunridge) as well as a number of Forestry Villages (Rheenendal, Brackenhill, Karatara, Springveld, Middelerf and Swanneberg).

The Gross Domestic Regional Product (GDPR) of the Knysna municipal area is expected to remain relatively stagnant, contracting by a further 1.0 per cent in 2023. Notably, the finance sector, a substantial contributor to the GDPR, is anticipated to experience growth, projected at 2.0 per cent in 2023 and an additional 1.2 percent in 2024. The performance of the finance sector in 2022 was boosted by semigration, which buoyed the local property market. The average sale price of property increased by 10.3 per cent between 2021 and 2022, even as the number of property sales in the Wilderness, Knysna and Sedgefield areas declined by an average of 4.7 per cent. The extent of the price increase is apparent when considering the average Provincial property price increase over the same period, recorded at 5.9 per cent.

The proposed subdivision application is detailed in nature. This Knysna IDP is not applicable on this detailed application.

10 NEED

The owner would like to subdivide the property for agricultural and rural residential purposes into 4 portions approximately 100 hectares each in extent. It should be noted that the placement of the houses will be dependent on the outcome of the EIA process. the position of erven should also be decided on by choosing specific localities with the best views / visitors, accessibility, etc. Each erf will have an on-site sewer system i.e. septic tank.

In most cases town planning clashes with the provisions of the Subdivision of Agricultural Land Act, 1970 of 1970 as the custodians of agricultural land. It is no doubt that there has been a lot of agricultural land lost to other developments because of various site specific merits. This application takes cognisance of the Subdivision of Agricultural Land Act, 1970, the application will create properties will remain exclusively used for agricultural purposes, this subdivision will be an attribute to the protection of agricultural viable land.

The owner of the property wants to subdivide the property into 4 portions. The total farm is 627 hectares in extent. The owner of the property wants to create smaller portions to sell certain parts of the farm. The size and affordability of the farm is a problem to potential buyers. The subdivision plan was created along the topography of the property to create 4 viable portions.

10.1 DESIRABILITY

The owner wishes to subdivide the property into 4 portions. The idea is to sell the portion that already has grazing areas and retain the 3 areas in their natural state. Portions 1, 2 and 3 are all natural forest.

Due to large portions of each of the new farm portions, each of these portions can still be used for agricultural purposes. Part of this property is used for fynbos forestry and natural protea flowers. The idea is to split the natural areas and areas that have already been changed into grazing areas.

Economic activities in rural areas such as agriculture have a potential of contributing to:

- Employment.
- Related economy: where farming is the primary economic activity, the entire rural economy, including services such as health care, education and basic infrastructure, may depend on the profitability of the sector.
- In remote and peripheral areas, where society has identified a legitimate priority to prevent depopulation, agriculture is likely to be one of a limited range of economic activities possible to maintain the economic viability of the region.

11 THE DEVELOPMENT CONTEXT OF THE AREA AND IMPACT OF THE DEVELOPMENT ON THE SURROUNDING PROPERTY

With reference to the impact on adjacent properties; the application properties are located in a rural area characterized by larger farm portions. The proposed subdivision will not negatively affect the surrounding properties in any way as the use will also remain agricultural.

12 REFERENCE TO THE ADHERENCE OF THE LAND DEVELOPMENT APPLICATION IN TERMS OF SECTION 9(1)(B) OF THE BY-LAW

This application is coordinated and harmonious in such a way as to most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of the area in which the scheme is proposed as well as efficiency and economy in the process of the development.

13 SECTION 42 OF THE ACT INDICATE THE FOLLOWING:

13.1 The Public Interest

Agricultural production is of importance in the province, this makes the proposed application of importance to the general public.

13.2 The Constitutional and Transformation Imperatives and the Related Duties of the State

Transformation entails radical change. Transformation based on the ideal to establish a South African constitutional state is envisioned to be the desired state which the Constitution describes as “the need to create a new order in which all South Africans will be entitled to a common South African citizenship in a sovereign and democratic constitutional state in which there is equality between men and women, and people and races so that all citizens shall be able to enjoy and exercise their fundamental rights and freedoms.”

13.3 The Facts and Circumstances Relevant to the Application

The details with regard to the application have been addressed under Sections 1-9 and 12 of this memorandum.

13.4 The Respective Rights and Obligations of all those Affected

The application for subdivision of Portion 44 of the farm Westford No. 191 - Knysna RD in terms of Section 15(2)(d) of the Knysna Municipality Spatial Planning and Land Use Management By-Law, 2021 will require that affected parties be consulted.

This will be done as follows:

- Publishing the notice on the municipality’s website.
- Publishing a notice with the contents contemplated in Section 47 in newspapers or other local publications with a general circulation in the area concerned in at least two of the official languages of the Province most spoken in the area concerned; or
- Posting a notice with the contents contemplated in Section 47, for at least the duration of the notice period, on the land concerned and on any other notice board, as may be determined by the municipality, for a minimum of 30 days.

13.5 The State and Impact of Engineering Services, Social Infrastructure and Open Space Requirements

The application will have no impact on services and open space requirements. There are no formal municipal services in the area, and therefore there are no impact on essential services.

13.6 In the event of the Environmental Impact Assessment (EIA) process not being required as indicated in by Environmental Legislation, in any event:

13.6.1 Give a short, general overview/description of the Site Situation Highlighting Identified Site Sensitivities;

No site sensitivities therefore exist on the application property, due to the large portions to be created.

13.6.2 Indicate how the proposed development respond to the open space resource with specific referral to levels, placing and functioning of building footprints, landscaping, and access;

Not applicable.

14 PROPOSED SUBDIVISION: (See Annexure H – Subdivision Plan)

The property will be subdivided as follows:

PROPERTY DESCRIPTION	SIZE
Proposed Portion 1 of Portion 44 of the farm Westford No. 191 - Knysna RD	113.1810 ha
Proposed Portion 2 of Portion 44 of the farm Westford No. 191 - Knysna RD	103.2971 ha
Proposed Portion 3 of Portion 44 of the farm Westford No. 191 - Knysna RD	117.5366 ha
Remainder of Portion 44 of the farm Westford No. 191 - Knysna RD	293.4984 ha
TOTAL	627.5131 ha

15 CONCLUSION:

Application is being made to the Knysna Municipality in terms of Section 15(2)(d) of the Knysna Municipality Spatial Planning and Land Use Management By-Law, 2021 for the subdivision of Portion 44 of the farm Westford No. 191 - Knysna RD into 4 portions for rural residential and agricultural purposes.

SMIT & FISHER PLANNING (PTY) LTD

Postal Address:

**P.O. Box 908
Groenkloof
0027**

**Tel: 012 346 2340
Fax: 012 346 0638
E-mail: admin@sfplan.co.za
Our Ref.: F4358**

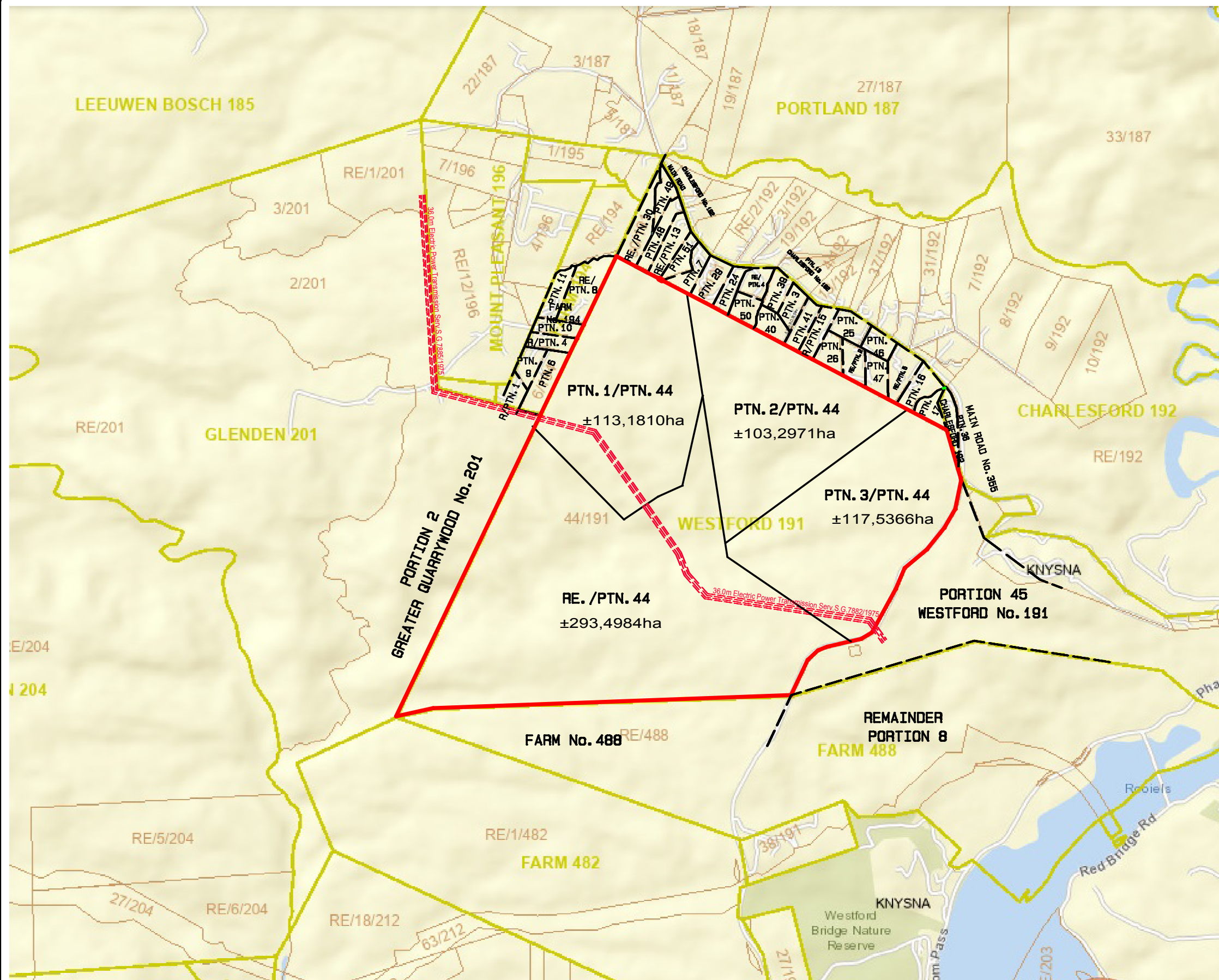
Physical Address:

**371 Melk Street
Nieuw Muckleneuk
Pretoria
0181**

LOCALITY PLAN

**PORTION 44,
OF THE FARM
WESTFORD No.191**

627,5131ha



NOTES:

1. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.

F4358 Westford ptn 44 locality
AMENDED: 27 NOVEMBER 2024

SFP
Townplanning

COPY RIGHT RESERVED BY
S F P TOWNPLANNING

Tel: (012) 346-2340
Fax: (012) 346- 0638

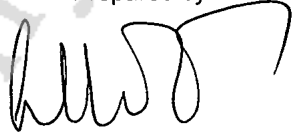
E-Mail: admin@sfplan.co.za
Web site: www.sfplan.net

P O Box 908, Groenkloof, 0027
371 Melk Street, Pretoria
0181

79

Pagdens Incorporated
18 Castle Hill
Central
PORT ELIZABETH
6001

Prepared by me



CONVEYANCER
WILHELM MALAN DE KOCK
LPCM NUMBER: 82518

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 1 500 00,00	R 2 568,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg Act/Proc

T 000047521 / 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

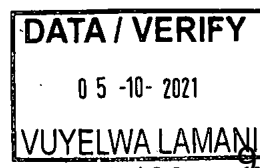
PETRUS JOHANNES GILLIE

(LPC No. 81207)

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appeared being duly authorised thereto by a Power of Attorney granted to him/her by

SUREGO INVESTMENTS 37 PROPRIETARY LIMITED
Registration Number 2007/028924/07

which said Power of Attorney was signed at PORT ELIZABETH on 7 December 2020



Lexis® Convey 18.0.9/10 170

And the appearer declared that his/her said principal had, on 4 December 2020, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

WESTFORD RUSSELLSTONE PROPRIETARY LIMITED
Registration Number 2008/014400/07

or its Successors in Title or assigns, in full and free property

PORTION 44 OF THE FARM WESTFORD NUMBER 191, in the Knysna Municipality, Division of Knysna, PROVINCE OF THE EASTERN CAPE;

IN EXTENT 627,5131 (SIX HUNDRED AND TWENTY SEVEN COMMA FIVE ONE THREE ONE) Hectares

FIRST TRANSFERRED and still held by Deed of Transfer Number T60972/2008 with Diagram SG No. 2898/1997 relating thereto

I. Insofar as the figure ABCDEFGHJKzyx on the attached diagram SG No. 2898/1997 is concerned:

A. SUBJECT to the conditions referred to in Deed of Transfer Number T2835/1935.

B. ENTITLED to the benefit of the servitude referred to in the endorsement dated 30 October 1930 on Deed of Transfer Number T9189/1906 reading:

By notarial deed dated 20 October 1930 a certain right of way has been granted in favour of the land held hereunder over Mount Pleasant and Lot B adjoining Mount Pleasant held under Trfrs. 8202 Sept. 1924, 8661, Aug. 1928, 8203 Sept. 1924, 3116 April 1925, 6204 September 1924, 3747 April 1925, as will more fully appear on reference to the copy annexed hereto.

C.

D. SUBJECT to the servitude referred to in the endorsement dated 23 August 1979 on Deed of Transfer Number T2835/1935, reading:

By Notarial Deed no. K574/1979S dated 17/11/1976 the property held hereunder is subject to a right in favour of the Electricity Supply Commission to convey electricity thereover, together with ancillary rights, and subject to conditions, as will more fully appear from reference to the said Notarial Deed (and Diagram), grosse whereof is annexed hereto.

As represented by the broken lines abcdefghj and kmnupqrvw on Diagram SG no. 2898/1997).

- E. BY VIRTUE of Notarial Deed of Variation of Servitude No. K354/99/S dated 12/3/99, the rights of servitude granted to Escom by Deed of Servitude No. K574/79S referred to in condition D herein is hereby cancelled and substituted by two perpetual servitudes or electric power transmission each 22 metres wide over the within property the centre lines of which are represented by the lines aBCDEFGb and c KLMNPQRd on Servitude Diagram No. 1145/94 annexed to the said Notarial Deed. As will more fully appear from the said Notarial Deed.

(As represented by the broken lines abcdefghj and kmnpqrst on Diagram SG No. 2898/1997).

- II. INsofar as the figure xyzKLMNPQRS on the attached diagram 2898/1997 is concerned:

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T75378/92.

- B. ENTITLED to the benefits under certain Servitude referred to in the Endorsement dated the 30th October 1930 on the said Deed of Transfer Number T9189/1906 the terms of which Endorsement read as follows:

By Notarial deed dated 20 October 1930 a certain right of way has been granted in favour of the land held hereunder over Mount Pleasant and Lot B adjoining Mount Pleasant held under Trfrs. 8202 Sept. 1924, 8661, Aug. 1928, 8203 Sept. 1924, 3116 April 1925, 6204 Sept. 1924, 3747 April 1925, as will more fully appear on reference to the copy annexed hereto.

- C. SUBJECT to the terms of the following Endorsement dated the 23rd August 1979 on the said Deed of Transfer Number T2833/1935 which reads as follows:

"By Notarial Deed No. K575/1979S dated 26/11/1976 the property held hereunder is subject to a right in favour of the Electricity Supply Commission to Convey electricity thereover, together with ancillary rights, and subject to conditions, as will more fully appear from reference to the said Notarial Deed (and Diagram), grosse whereof is annexed hereto."

(the center lines of Portions of the above Servitude are denoted by the broken lines abc and def on the annexed Diagram NO. SG406/92).

- D. BY VIRTUE of Notarial Deed of Variation of Servitude Number K97699/99S dated 12.8.99, the rights of servitude granted to Escom by Deed of Servitude No. K575/1979S referred to in condition C herein is hereby cancelled and substituted by two perpetual servitudes of electric power transmission each 22 metres wide over the within property the centre lines of which are represented by the lines aBb and cEd on Servitude Diagram No. 5775/94 annexed to the said Notarial Deed. As will more fully appear from the said Notarial Deed.

E.

- F. SUBJECT further to the following condition contained in Certificate of Registered Title Number T76502/99 imposed by the controlling authority in terms of Act 21/1940 when approving the subdivision of Remainder of Portion 32 of the Farm Westford 191, namely:

The within mentioned property shall not be further subdivided without the consent of the relevant controlling authority.

III. INsofar as the whole property is concerned:

- A. SUBJECT to the terms of the following Endorsement dated the 28 September 2009 on the said Deed of Transfer Number T60972/2008 which reads as follows:

By virtue of Notarial Deed of Cancellation and Registration of Servitude No. K1030/2009S, dated 1 September 2009, the electric power transmission servitude contained in condition 1.E. herein, indicated by the line cKLMNPQRd on Servitude Diagram no. 1145/1994 attached to Notarial Deed of Servitude no. K354/1999S and indicated by the line kmnpqrst on Diagram no. 2898/1997 is hereby cancelled and replaced by a new electric power transmission and telecommunication servitude.

- B. By Notarial Deed of Servitude K 000000635/2821 dated 1 September 2021 the within property is subject to a 22 metres wide perpetual servitude of electric power transmission the centre line of which is represented by the line abcdefgb on servitude diagram S.G. Number 1145/1994 (also represented by the line kmnpqrst on diagram S.G. Number 2898/1997) which servitude was granted by SUREGO INVESTMENTS 37 PROPRIETARY LIMITED in favour of ESKOM HOLDINGS SOC LIMITED, with ancillary rights, as will more fully appear from the said Notarial Deed of Servitude.

WHEREFORE the said Appearer, renouncing all rights and title which the said

SUREGO INVESTMENTS 37 PROPRIETARY LIMITED
Registration Number 2007/028924/07

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

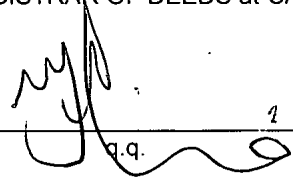
WESTFORD RUSSELLSTONE PROPRIETARY LIMITED
Registration Number 2008/014400/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R7 500 000,00 (SEVEN MILLION FIVE HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

23 SEP 2021



q.q.

In my presence



REGISTRAR OF DEEDS



SPECIAL POWER OF ATTORNEY

I, Russell Du Preez in my capacity as one of the Directors of WESTFORD RUSSELLSTONE (PTY) LTD (Registration Number 2008/014400/07) nominate, constitute and appoint Ferdinand Kilaan Schoeman of the firm SMIT & FISHER PLANNING (PTY) LTD (Registration Number 1999/025363/07) with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name, place and stead to apply for the Proposed Subdivision of Portion 44 of the Farm Westford No.191-Knysna Rd to Knysna Municipality and in general to do everything to effect the application and to do whatever we would do if I/we were present in person and acting in the matter; and I/we hereby ratify, allow and confirm, and promise and agree to ratify, allow and confirm everything and anything my/our attorney(s) and agent(s) may do or may permit to be done legally in terms of this power of attorney.

Signed at Knysna on this 09 day of September 2024 in the presence of the undersigned witnesses.

AS WITNESSES:

1. Lee-Anne Honey
Name in print

[Signature]
SIGNATURE

2. Rilinde Sikhwanzi
Name in print

[Signature]
SIGNATURE

[Signature]
SIGNATURE: REGISTERED OWNER

RESOLUTION OF THE DIRECTORS OF WESTFORD RUSSELLSTONE (PTY) LTD (Registration Number 2008/014400/07) PASSED AT KNYSNA ON THE 09 DAY OF SEPTEMBER 2024

RESOLVED

That WESTFORD RUSSELLSTONE (PTY) LTD (Registration Number 2008/014400/07) gives and grants to, unto and in favour of Ferdinand Kilaan Schoeman of the Firm SMIT & FISHER PLANNING (PTY) LTD (Registration Number 1999/025363/07) and any person employed by them a Power of Attorney empowering them to apply to the competent authorities for the **Subdivision** on the under mentioned property(ies) or any portion/s thereof:

PORTION 44 OF THE FARM WESTFORD NO.191-KNYSNA RD

RESOLVED FURTHER:

That Russell Du Preez, one of the Directors of WESTFORD RUSSELLSTONE (PTY) LTD is hereby authorized to sign such Power of Attorney on behalf of WESTFORD RUSSELLSTONE (PTY) LTD and the further terms and conditions thereof be left to his/her sole discretion.

Russell Du Preez
NAME
[Signature]
SIGNATURE

NAME

SIGNATURE

NAME

SIGNATURE

NAME

SIGNATURE

NAME

SIGNATURE

NAME

SIGNATURE

PORTION 44 of the farm WESTFORD No. 191
 Situate in the Administrative
 District of Knysna, Province of the Western Cape
 Compiled in November 1998

by me

Professional Land Surveyor
 (R.J. KOHLER - PLS 0840)

SG No.

2898/1997

Approved

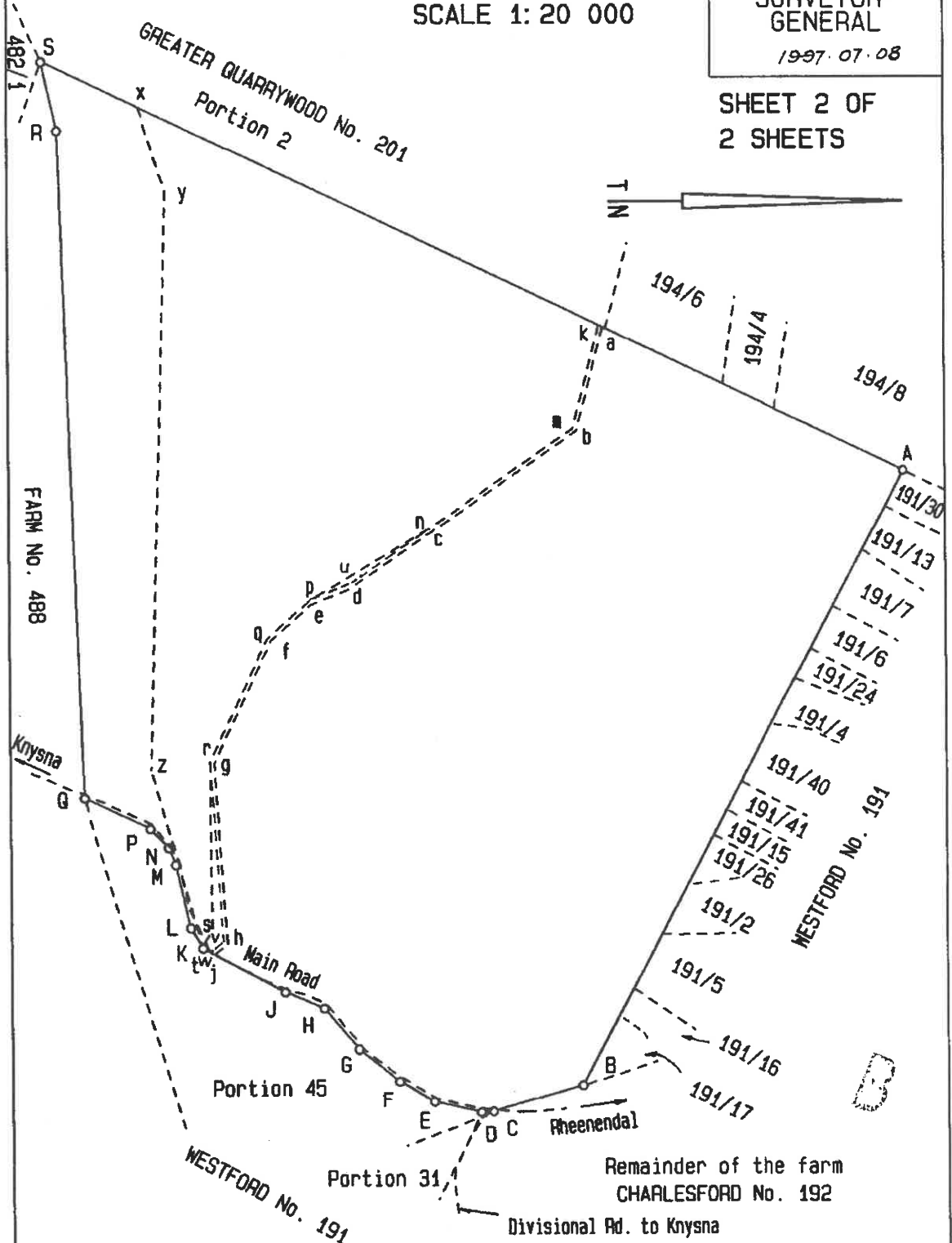
R.A.F.

for
 SURVEYOR-
 GENERAL

1997.07.08

SCALE 1:20 000

SHEET 2 OF
 2 SHEETS



SIDES metres		ANGLES OF DIRECTION	CO-ORDINATES Y System: Lo23° X			SG No. 2898/1997 Approved <i>Raf</i> for SURVEYOR- GENERAL 1997. 07. 08
		Constants	+0, 00	+3 760 000, 00		
A B			A			SHEET 1 OF 2 SHEETS
B C			B			
C D			C			
D E			D			
E F			E			
F G			F			
G H			G			
H J			H			
J K			J			
K L	78, 85	59.26.20	K	+1 721, 31	+4 127, 89	
L M	223, 38	77.04.20	L	+1 789, 21	+4 167, 98	
M N	63, 26	68.01.50	M	+2 006, 93	+4 217, 96	
N P	89, 42	46.46.50	N	+2 065, 60	+4 241, 62	
P Q	247, 59	25.20.20	P	+2 130, 76	+4 302, 86	
Q R	2286, 37	87.55.16	Q	+2 236, 73	+4 526, 63	
R S	242, 13	77.25.40	R	+4 521, 59	+4 609, 57	
S A		205.36.20	S	+4 757, 91	+4 662, 28	
	(236) KNYS 39	△		+2 332, 82	+4 291, 25	
	(237) KNYS 40	△		+4 356, 12	+2 430, 11	

SERVITUDE NOTE:

1. The broken lines abcdefghj and kmnpqrst each represents the centre line of an Electric Power Transmission Servitude
vide Diagram No. 7882/75; D/S No. ~~K 1979~~ ^{574^S}

* 1145/94;

DESCRIPTION OF BEACONS

- K.....Planted stone
L, M, N, P.....20mm iron peg
Q, R.....20mm iron peg in stone cairn
S.....Flat iron peg in stone cairn

- * 2. The broken lines abcdefghj and kmnpqrw each represents the centre line of an electric power transmission servitude
vide dgm. no. 7882/75; D/S No. K1979- ^{574^S}

COMPONENTS:

- The figure ABCDEFGHJKzyx representing the remainder of the farm Westford No. 191
vide Diagram No. 510/1900; Deed of Grant No. Kn.Q.8.24
- The figure xyzKLMNPQRS representing Portion 43 of the farm Westford No. 191
vide Diagram No. 2897/1997; Deed of Transfer No. 1999-76502

The figure A B C D E F G H J K L M N P Q R S
represents 627,5131 hectares of land being

PORTION 44 of the farm WESTFORD No. 191

(and comprises 1 and 2 above) situate in the
Administrative District of Knysna, Province of the Western Cape
Compiled in November 1996

by me

Professional Land Surveyor (R.J. KOHLER - PLS 0840)

This diagram is annexed to

No. 76503/99

d.d.

i.f.o.

Registrar of deeds

The original diagrams are
as quoted above

File Knys. 191

S.R. No. Compiled

T.P.

Comp. ~~AM 1AA (3599)~~
BL-800 (4146)
AL-2888 (6406)



agriculture

Department:
Agriculture
REPUBLIC OF SOUTH AFRICA



OFFICE OF THE DIRECTOR: LAND AND SOIL MANAGEMENT
Private Bag X120, Pretoria, 0001; 20 Steve Biko Street, Pretoria, 0001
Tel: 012 319 7583/7571; E-mail: MotseiM@nda.gov.za/ ConstanceN@nda.gov.za
Enquiries: LUAHelpdesk@nda.gov.za Tel: 012 319 7634 Ref: 2025_02_0015
Web: www.nda.gov.za

SFP Townplanning
P. O. Box 908
GROENKLOOF
0027

Email: noma@sfplan.co.za

Tel: [REDACTED]

Attention: Nomalungelo Masuku

APPLICATION IN TERMS OF SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970: PORTION 44 OF THE FARM WESTFORD NO. 191, DIVISION OF KNYSNA, EASTERN CAPE PROVINCE

Your letter bearing reference F4358 dated 29 January 2025 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No. **58537** issued in terms of section 4 of the Act is enclosed.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully

DIPEPENENG SERAGE
DEPUTY DIRECTOR GENERAL: AGRICULTURAL PRODUCTION,
BIOSECURITY AND NATURAL RESOURCES MANAGEMENT
DELEGATEE OF THE MINISTER
DATE: 2025-10-10



agriculture

Department:
Agriculture
REPUBLIC OF SOUTH AFRICA

REF.

2025_02_0015

CONSENT IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970

58537

By virtue of the powers delegated to me by the Minister of Agriculture, consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

PORTION 44 OF THE FARM WESTFORD NO. 191, IN EXTENT 627,5131 HECTARES, DIVISION OF KNYSNA, EASTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

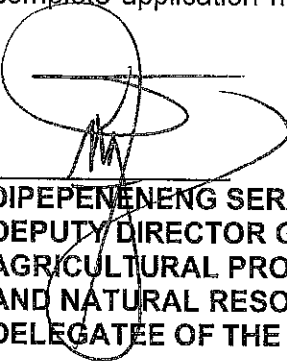
The subdivision of the above-mentioned agricultural land into four portions measuring approximately 113,1810 hectares, 103,2971 hectares, 117,5366 hectares and 293,4984 hectares respectively, represented by the figures marked Portion 1, Portion 2, Portion 3, and Remainder/Ptn.44 as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 This consent does not imply that the above-mentioned subdivisions are assured a permanent water supply.
- 3.2 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.3 This consent is valid for 5 years from the date of grant. Should it not be registered within the time frame, a new complete application must be lodged, which will be considered on its own merits.

2025 -10- 10

DATE


DIPEPENENG SERAGE
DEPUTY DIRECTOR GENERAL:
AGRICULTURAL PRODUCTION, BIOSECURITY,
AND NATURAL RESOURCES MANAGEMENT
DELEGATEE OF THE MINISTER

SUBDIVISION PLAN

PORTION 44,
OF THE FARM
WESTFORD No.191

627,5131ha

2025-10-10

SUBDIVISION:

PTN.1/PTN.44 = 113,1810ha

PTN.2/PTN.44 = 103,2971ha

PTN.3/PTN.44 = 117,5366ha

RE./PTN.44 = 293,4984ha

TOTAL PTN.44 = 627,5131ha

PORTION 2
GREATER QUARRYWOOD No.201

RE./PTN.44
±293,4984ha

PTN.1/PTN.44
±113,1810ha

PTN.2/PTN.44
±103,2971ha

PTN.3/PTN.44
±117,5366ha

PORTION 46
WESTFORD No.191

FARM No.488

REMAINDER
PORTION 8

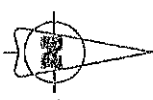
NOTES:

1. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
2. AREAS AND DIMENSIONS ON THIS PROPOSED SUBDIVISION PLAN IS APPROXIMATE AND IS ONLY INDICATORY AND MAY DIFFER FROM ANY BUILDING PLANS AND SITE DEVELOPMENT PLANS.
3. A 36,0m ELECTRIC POWER TRANSMISSION SERVITUDE VIDE S.G.7882/1975 DIAGRAM IS APPLICABLE AND AFFECTS PROPOSED PTN.1 OF PTN.44, PTN.3 OF PTN.44 AND REMAINDER OF PTN.44 OF THE FARM WESTFORD No.191 AS SHOWN ON THE SUBDIVISION PLAN

APPLICANT:
F. SCHOEMAN P/PTN.1/814/1995

F4358 Westford ptn 44 and 2
AMENDED: 27 JANUARY 2025
SYSTEM: L023 AND W623

SCALE 1:20 000
0 100 200 500 1000 1500 metre
307150



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SFP TOWNPLANNING

SFP
TOWNPLANNING

Tel: (012) 346-2340
Fax: (012) 346-0638
E-Mail: admin@sfp.co.za
Web site: www.sfp.co.za
P O Box 908, Groenkloof, 0027
371 Melk Street, Pretoria
0181

SKETCHPLAN TO WHICH IS
REFERRED IN CONSENT
585337
No. 1



Collab. Ref. **2687669**

File Ref.: Kny 191/44

JH Smit

Tel: 044-302 6318

Knysna

Municipality Munisipaliteit uMasipala
inclusive • innovative • inspired

Via Electronic Mail

2025-10-02

Wimock (Pty) Ltd
c/o Andersson Farms

KNYSNA

6570

Email: [REDACTED]

Dear Sir/Madam,

PROPOSED SUBDIVISION: PORTION 44 OF THE FARM WESTFORD NO. 191, KNYSNA

Notice is hereby given in terms of Section 35 of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021) that the abovementioned application has been received from:

Applicant's Name:	Westford Russellstone (Pty) Ltd
Contact Details:	c/o Smit & Fisher Planning (Pty) Ltd
Email:	noma@sfplan.co.za
Reference number:	Application number 3560
Property Description:	Portion 44 of the farm Westford No. 191, Knysna
Physical Address:	Rheenendal Road, Phantom Acres, Knysna
Nature of application:	

- i) Application for a **Subdivision** into three (3) portions (Portion 1 of ± 113.1810 ha, Portion 2 of ± 103.2971 ha, Portion 3 of ± 117.5366 ha and a Remainder of ± 293.4984 ha) in terms of **Section 15(2)(d)** of the Knysna Municipality By-Law on Spatial Planning and Land Use Management (2021).

A full copy of the application is available for inspection on the municipal website:

<https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/>

Members of the public are invited to submit written comments, together with the reasons therefore in terms of Section 50 of the Knysna Spatial Planning and Land Use Management By-Law (2021). Comments must be addressed to the Municipal Manager and submitted via email at knysna@knysna.gov.za and ssitinga@knysna.gov.za on or before **3 November 2025**, quoting your name, address, electronic contact details and telephone number, interest in the application and reasons for comment. The municipality may refuse to accept comments received after the closing date. Persons who cannot write may contact the Town Planning Office during office hours, where the responsible official will assist you in putting your comments in writing.

Telephonic enquiries may be made during office hours to Ms. Sinovuyo Sitinga at 044-302 6276 or via email ssitinga@knysna.gov.za.

Yours faithfully,



JH SMIT

MANAGER: LAND USE MANAGEMENT

/lb

MAILING LIST FOR ERF 191/44 KNYSNA

201/2	WIMOCK PTY LTD C/O ANDERSSON FARMS	Via electronic mail
194/6	FOURIE T I & S B	Via electronic mail
194/4	A HOME TO LEARN PTY LTD	Via electronic mail
194/10	GREAT FORCE INVESTMENTS 124 C/O DR SAAIMAN	Via electronic mail
194/8	VAN ZYL DW	Via electronic mail
194	TERANA BOERDERY TRUST	Via registered mail
191/30	DEVINE DJ	Via electronic mail
191/48	VAN DER MERWE J	Via electronic mail
191/13	DALEY P	Via electronic mail
191/51	BRYDEN JULIE ANN	Via electronic mail
191/7	FEARON JJ & JL	Via electronic mail
191/6	ROWETT AD	Via electronic mail
191/24	FRYER WM	Via electronic mail
191/50	BOTHMA CJ & LH	Via electronic mail
191/40	PATON IB	Via electronic mail
191/41	HEATHER-CLARK Q	Via electronic mail
191/15	ANNETTS WE & KAY S J	Via electronic mail
191/26	BREWER JF	Via electronic mail
191/2	DE BEER N	Via electronic mail
191/47	GEORGIU OL & A	Via electronic mail
191/5	TEN VELDE GB	Via electronic mail

Nina Malan

Pr Architect

BAS(Wits) Barch (Wits) SACAP 6045

Portion 2 of Farm 191, Westford, Knysna

ni [REDACTED]
[REDACTED]

03 November 2025

By email: planning@knysna.gov.za
 ssitinga@knysna.gov.za
 hsmi@knysna.gov.za
 admin@sfplan.co.za (Smit and fisher Planning (Pty)Ltd)
 noma@sfplan.co.za
 pa.ministerdoa@nda.agric.za
 ministerdoa@nda.agric.za

Knysna Municipality – Land use Management

To whom it may concern

C/O JH Smit
Manager – Land Use Management

**RE: APPLICATION FOR SUBDIVISION IN TERMS OF SECTION 15(2)(d) OF THE KNYSNA
MUNICIPALITY SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW, 2021, APPLICABLE TO
PORTION 44 OF FARM WESTFORD NO. 191, KNYSNA ROAD — LETTER OF COMMENT DATED 2025-
10-02**

Dear Sir

Thank you for the opportunity to comment on the above-mentioned application.
Please amend the application to include Portion 2 of Farm 191 within one of the adjacent
properties listed under Section 4: Locality.
As the landowner of Portion 2 of Farm 191, I hereby submit my conditional support for the
proposed subdivision, subject to the following conditions and considerations:

1. Compliance with Environmental Legislation

The development must comply with all applicable provisions of the latest National
Environmental Management Laws, specifically the National Environmental Management
Laws Amendment Act 2 of 2022 which is in force at the time of approval.

2. Prevention of Environmental Degradation

No development may occur that could result in environmental degradation or wildlife
endangerment, including the establishment of a dairy or any other form of intensive
agricultural operation within this environmentally sensitive zone.

3. Adherence to Zoning Scheme Parameters

All development must strictly comply with the parameters of the future zoning scheme, should the application be approved.

4. Protection of the Southern Wildlife Corridor and Buffer Zone

- a. The subject property lies within the Southern Wildlife Migration Corridor—a network of rivers, gullies, and valleys that facilitates the movement of fauna between forest fragments and conservation areas.
- b. This corridor is vital for biodiversity and forms an integral link in the ecological network supporting the Knysna National Forest.
- c. The introduction of fencing, barriers, or intensive agricultural practices would disrupt migration pathways, isolate wildlife populations, and degrade ecological integrity.
- d. Unfenced wildlife corridors should be formally established and protected through title deed restrictions, management plans, or servitudes to ensure permanent, unobstructed animal movement.

5. Incompatibility of Intensive Agriculture within the Buffer Zone

While acknowledging the rights of the landowner, I strongly urge the consideration of alternative, environmentally appropriate land-use models, as dairy farming and intensive agriculture are incompatible with the area's environmental and socio-economic context.

Supporting reasons:

- i. **Environmental Impacts:** Intensive dairy operations carry significant risks, including high methane emissions, nutrient and effluent runoff, and associated degradation of water and air quality.
- ii. **Infrastructure Limitations:** The existing Rheenendal Road and adjoining gravel routes are not designed to accommodate sustained heavy truck traffic, which would accelerate road deterioration and increase noise pollution.
- iii. **Wildlife Conflict:** Pest management practices inherent to dairy operations directly conflict with the conservation objectives of the buffer zone.
- iv. **Established Land-Use Character:** The Rheenendal–Homtini–Phantom area is characterized by low-impact, conservation-based land use, including ecotourism and nature-based livelihoods. Intensive farming is incompatible with this established character.
- v. **Precedent for Future Development:** Approving intensive agriculture would set a harmful precedent for further development, undermining ongoing conservation efforts within the Knysna Forest Buffer Zone.

For these reasons, I formally object to any application that would enable or permit a dairy or similar intensive agricultural enterprise on this sensitive property.

6. Preferred Land Use: Eco-Recreation

In contrast, I support the concept of eco-recreation facility, provided it is developed under clear environmental conditions. Such activities are consistent with the area's natural character and would:

- a. **Promote alien vegetation clearing** and enforce the re-establishment of endemic indigenous Knysna Forest biomes.
- b. **Maintain a low environmental footprint.**
- c. Encourage eco-tourism opportunities that support local livelihoods while safeguarding conservation goals.
- d. Preserve the ecological connectivity of the landscape.

I therefore recommend that the municipality prioritise low-impact, nature-aligned enterprises—such as equestrian facilities, walking trails, environmental education centres, or small-scale eco-tourism ventures, over any form of intensive commercial agriculture.

7. Requests and Conditions for Approval

Should the Municipality consider approving the application, I respectfully request that the following conditions be imposed:

- a. **Wildlife Corridors:** Establish and formally register mapped wildlife corridors as servitudes to ensure long-term protection.
- b. **No-Fencing Zones:** Prohibit perimeter or internal fencing that restricts wildlife movement.
- c. **Land-Use Restriction:** Explicitly prohibit intensive agricultural activities, including dairy or feedlot operations.
- d. **Ecological Assessment:** Require an independent Environmental and Ecological Impact Assessment (EIA) confirming no net loss of habitat or corridor functionality.
- e. **Alien Clearing Management:** Develop and implement an alien-clearing and indigenous restoration plan.
- f. **Conservation Servitude:** Impose a conservation management plan to guarantee ecological protection in perpetuity.

8. Conclusion

I fully support responsible, sustainable land use that respects the ecological integrity of the Knysna Forest Buffer Zone. I oppose any land-use or activity—such as dairy farming—that introduces pollution, threatens biodiversity, or promotes wildlife killing under agricultural regulations.

I urge the Knysna Municipality, Department of Forestry, Fisheries and Environment, SANPARKS and CapeNature to uphold their shared duty to protect this landscape for future generations, ensuring that all developments within the subdivision adhere with the principles of ecological stewardship, sustainability, and harmony with nature.

Thank you for the opportunity to comment. Kindly ensure I am kept informed of all further proceedings, decisions, and conditions relating to this application.

Yours sincerely,



Portion 2 of Farm 191, Westford, Knysna

Nina Malan

(BAS (Wits) BArch (Wits) – SACAP reg no 6045)

From H Morgan <HmmmMorgan@hotmail.com>
Farm 488R, Knysna, 6570
Rheenendal/Phantom Pass Rd
Knysna
6570

[REDACTED] Please leave sms/message/email if
unattended, will call you back.
20251031

To: The Municipal Manager
and Ms Sinovuyo Sitinga
knysna@knysna.gov.za, ssitinga@knysna.gov.za
Knysna
6570

Re PROPOSED SUBDIVISION: 191-44 APPLICATION Collab. Ref 2687669

Dear Sirs/Madam

REASONS: AFFECTED and INTERESTED PARTY:

Adjacent owner of Farm 488R with large common boundary and both farms are derived from great-grandfather's Westford Farm 191, so my cousins owned the farm 191-45 and 191-44 and we visited as children.

I am not opposed to the application, as it sets a precedent for surrounding farms, particularly since derived from same parent farm and similar land uses.

COMMENTS :

This application is **not on the municipal website** as stated and I would like to see more information that is usually provided on the website, like the pre-application meeting minutes:

<https://www.knysna.gov.za/do-business/planning-development/current-land-use-applications/>

20251031

View current land use applications below.

Proposed Departure: Erf 3281 Knysna	+	
Proposed Departure & Administrator's Consent: Erf 142 Buffalo Bay	+	
Proposed Consent Use: Erf 450 Belvedere, Knysna	+	Proposed Rezoning: Erven 13674 & 13676, Knysna
Proposed Departure & Administrator's Consent: Erf 109 Brenton	+	Proposed Permanent Departure Erf 723, Brenton on Lake, Knysna
Proposed Departure: Erf 4432, Knysna	+	Proposed Departure: Erf 533, Brenton
Proposed Departure: Erf 9077 Knysna	+	Proposed Departure & Approval in terms of Zoning Scheme: Erf 3724, Cola Beach, Sedgefield
Proposed Rezoning: Erf 13423 Knysna	+	Proposed Amendment of Conditions of Approval, Departure & Approval of a Site Development Plan, Erf 13760, Knysna
Proposed Rezoning: Erven 13674 & 13676, Knysna	+	Proposed Departure & Administrative Consent: Erf 4507 Knysna
Proposed Permanent Departure Erf 723, Brenton on Lake, Knysna	+	Proposed Consent Use, Departure & Administrator's Consent: Erf 3613, Knysna
Proposed Departure: Erf 533, Brenton	+	Proposed Departure & Site Development Plan: Erf 4016, Knysna
Proposed Departure & Approval in terms of Zoning Scheme: Erf 3724, Cola Beach, Sedgefield	+	Proposed Departure & Administrator's Consent: Erf 3958 Knysna
Proposed Amendment of Conditions of Approval, Departure & Approval of a Site Development Plan: Erf 13760, Knysna	+	Proposed Departure: Erf 749 Brenton
Proposed Departure & Administrative Consent: Erf 4507 Knysna	+	Proposed Consent Use, Departure & Approval of Site Development Plan: Portion 49 of Farm 208, Knysna
Proposed Consent Use, Departure & Administrator's Consent: Erf 3613, Knysna	+	Proposed Departure: Erf 835 Knysna

(Not found on municipality website)

This is the **largest piece of land with the relatively least information** provided I have ever seen on the municipal website applications. Much smaller application have much more information to visualise the property. There are usually images like photos, aerial views, Google Earth or Cape Farm Mapper **images with contours**.

I cannot access Cape Farm Mapper any longer because it now requires a WebGL2 driver — shouldn't vegetation maps/photos information be provided by the applicant anyway.

It has taken me ages to look up and compare to SDF etc because there is not enough detail provided. Had to look up Substation site to compare to find existing entrances for example and it would be convenient to compare it to the new entrances.

The **vegetation** is difficult to compare because so little information is provided.

" Part of this property is used for fynbos forestry and natural protea flowers." **Are they farmed or natural? Where?**

The reasons listed for **subdivision-boundary lines cannot be seen visually; relative to** alien invasive vegetation, contours and topography, water catchments (and geohydrology (nothing about boreholes and dams, demarcated water flows, stormwater).

Cannot see aspect or guestimate views-axis without contours and boundaries and vegetation layered on same map.

Included images made-up (to compensate for lack of detailed information provided) but do not have enough contour detail, aspect, water and vegetation type information and the **Knysna DSF2020 is difficult to match color key.** Why is this not provided in the application?



QUESTION: Although **only core 2** is mentioned, the SDF2020 seems different — image included:



KSDF2020 color key CBA1 CBA2 ESA1 ESA2 QUESTION - which apply to the farm 488R and 191-44? Appears different to core 2 to me?

The vegetation is difficult to compare relative to contours and boundaries because so little information is provided to consider biodiversity or conservation.

Additional boundaries with compulsory firebreaks and clearing can affect natural vegetation or benefit alien invasive clearing. This application is very vague and very little specific information is provided.

"3.6 Existing Land Use:

The property is currently used for rural residential purposes and is mostly vacant land. "

- **Where are the existing building(s)?** - No images provided.

"5 SURROUNDING LAND USES

The area is mostly rural residential in nature, including local businesses such as guest houses and lodges."

- **And farms.** Charlesford cows graze the farms derived from 191.

8.3..onwards is so vague:

9.3

"Part of this property is used for **fynbos forestry and natural protea flowers**. The idea is to split the natural areas and areas that has already been changed into **grazing areas**."

Where are the they? — No aerial imagery or vegetation maps.

Conflicting statements without vegetation images , maps or information to support them:

"A dwelling house will be located on each proposed property", **at least**, since the "The owner of the property wants to create **smaller portions to sell certain parts portions** of the farm." (10) vs

"The idea is to **sell the portion that already has grazing** areas and retain the 3 areas in their natural state Portions 1, 2 and 3 is **all natural forest**." (10.1)

{multiple sales vs single sale?] -

"Part of this property is used for fynbos forestry and natural protea flowers. " Fynbos and forestry are not the same thing — conflicting, confusing comments without any supporting information.

"Portions 1, 2 and 3 is all **natural forest**" — to be subdivided by boundaries with firebreaks clearing and fences to limit wildlife movement?

Where is the fynbos, flowers and alien invasives then?

Which vegetation areas where? No information, no images, no details.

Are the subdivision-boundaries in low valleys with dense vegetation and water flows (for dams)?

Cannot see where subdivision-boundaries actually lie relative to vegetation-topography-contours.

13.6.1

"No **site sensitivities** therefore exist on the application property, due to the large portions to be created" **So little vegetation information** for such a large property — cannot judge where the boundaries fall relative to vegetation types and topography.

If this is considered adequate information to deny any site sensitivities without any map of contours and vegetation, then I look forward to Farm488R subdivision application after the **precedents set here, so I am not opposed to the application.**

Are the comments forwarded to The Minister if the subdivision application is done **simultaneously** with this application with so little information?

Are affected parties entitled to **see the application to The Minister too?** - I would like to know if this application has adequate information, as a **precedent** for our farm 488 future applications.

It would be interesting to see the **pre-application minutes** because they are often informative with good advice on requirements but the application , but is **not available on the municipal website yet.**

I am **not opposed to the application, as it sets a precedent for surrounding farms**, particularly since the local farms are derived from **same parent farm 191**, like farm 488R, with **similar land use and similar vegetation** types, that can be used and subdivided in the same way. Subdivision could prevent **invasive-directives** on large portions which I would also like to implement on Farm 488.

Thank you.

Yours faithfully

Heather Morgan, Farm 488



KNYSNA
Municipality
Munisipaliteit
uMasipala

LAND USE APPLICATION DEPARTMENT COMMENTS

Erf Number: 900191044
Application Type: Sub-Division
Application Number: 3558
Application Date: 2025-09-12

Department	Comment Requested (T=Yes / F=No)	Comment Received
Corporate Services	F	
Legal Services	F	
Financial Services	F	
Community Services	F	
Fire Services	F	
Traffic	F	
Waste Removal	F	
Infrastructure Services	T	--oOo-- Mon Nov 17 2025 12:02:14 GMT+0200 (South Africa Standard Time) Comment by SASSM: Manager Electrical Services: No objection. Manager Water and Sewer: There are no water and Sewer services available in the area. Manager Roads and Stormwater/ Public Works: No objection. Director Infrastructure Services: Not supported. Applicant to clarify how services will be rendered. The Knysna Municipality is the Water services Authority and Electricity Distributor and whilst section 13.5 indicated no impact on municipal infrastructure . The applicant must indicate how services will be rendered. Section 10 indicate a need for septic tanks that is not allowed and contradicts section 13.5. Applicant advised to contact Infrastructure departments for minimum requirements. --oOo-- Mon Nov 17 2025 13:57:46 GMT+0200 (South Africa Standard Time) Comment by SASSM: Manager Electrical Services: No objection. Manager Water and Sewer: There are no water and Sewer services available in the area. Manager Roads and Stormwater/ Public Works: No objection. Director Infrastructure Services: Not supported. Applicant to clarify how services will be rendered. The Knysna Municipality is the Water services Authority and Electricity Distributor and whilst section 13.5 indicated no impact on municipal infrastructure . The applicant must indicate how services will be rendered. Section 10 indicate a need for septic tanks that is not allowed and contradicts section 13.5. Applicant advised to contact Infrastructure departments for minimum requirements.
Infrastructure Services Roads	F	
Infrastructure Services Sewer	F	
Electro Technical	F	
Housing	F	



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Department	Comment Requested (T=Yes / F=No)	Comment Received
Environmental Services	T	--oOo-- Wed Oct 29 2025 10:43:51 GMT+0200 (South Africa Standard Time) Comment by SOUTHEYK: Please note the following 2 points: 1. The motivation indicates that the agricultural use will not be impacted. The existing agricultural use of this property seems to have been driven by the extremely steep topography. The subdivision of the original farm will leave each subdivided portion with a small total area for agricultural activities. Dept of Agriculture will need to advise if the smaller portions are viable. 2. The vegetation on site is Afrotropical Forest and Garden Route Shale Fynbos. Garden Route Shale Fynbos is listed as Critically Endangered under NEM:BA. The subdivision will increase the biophysical footprint of the total area, thus reducing the total area of the Fynbos. It is also likely that each subdivided portion will require a Basic Assessment before any development can occur on the portion. DEA&DP is the competent authority for any BAR on Portion 44 of Farm 191, therefore their comment is recommended.
Building Control	F	
Aesthetics Committee	F	
Street Naming Committee	F	

Enquiries: Dr Vanessa Weyer

Tel: 044-302 5613

E-mail: vanessa.weyer@sanparks.org

Sinovuyo Sitinga
Land Use Management
Knysna Municipality
P O Box 21
Knysna, 6570

Per email:

ssitinga@knysna.gov.za; planning@knysna.gov.za;
admin@sfplan.co.za; chelsea@russellstone.co.za

Dear Madam/Sir

SANPARKS COMMENTS, SUBDIVISION APPLICATION, PORTION 44 OF FARM WESTFORD 191, KNYSNA, WESTERN CAPE

Municipal Ref No. 3558

Portion 44 Westford 191 is situated in the Buffer Zone of the Garden Route National Park (GRNP) (**Fig. 1**), and falls just outside and to the west of the Knysna Protected Environment (KPE) (**Fig. 2**). Several non-perennial rivers run through the property, to flow into the Homtini then Goukamma rivers (**Fig. 1**).

Critical Biodiversity Areas (CBAs) Category 1 (Terrestrial) and 2 (Forest), with smaller Ecological Support Areas (ESA 1: Wetland) occur across the property, as mapped in terms of the 2023 Western Cape Biodiversity Spatial Plan (WCBSP) (**Fig. 3**). These are areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. They should be maintained in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate.

Knysna Sand Fynbos (FFd 10) (Critically Endangered (CE)), Garden Route Shale Fynbos (FFh9) (Endangered (EN)), South Outeniqua Sandstone Fynbos (Least Concern (LC)) (FFs 19) and Southern Afrotropical Forest (FOz1) (LC)) are mapped by Mucina and Rutherford, 2006¹ and as revised by SANBI, 2018² across Portion 44 Westford 191 (**Fig. 4**). Vegetation status is listed as per the National Environmental Management Biodiversity Act (Act No. 10 of 2004), Revised National List of Ecosystems that are Threatened and in Need of Protection GNR No. 2747, 18 November 2022.

The property is 622.12ha in extent and is zoned, Agriculture Zone I (Knysna GIS viewer). The landowner is Westford Russellstone (Pty) Ltd. Topography is steep across the middle section of the property, mostly along the drainage lines, with slopes >30% in places (**Fig. 5 & 6**).

¹ Mucina, L. and Rutherford, M.C. (editors) 2006. Vegetation map of South Africa, Lesotho and Swaziland: an illustrated guide. Strelitzia 19, South African National Biodiversity Institute, Pretoria.

² South African National Biodiversity Institute 2018 Final Vegetation Map of South Africa, Lesotho and Swaziland [Vector] 2018.

addo elephant
agulhas
augrabies
bontebok
camdeboo
golden gate highlands
karoo
kglagadi transfrontier
knysna lake area
kruger
mapungubwe
marakele
mokala
mountain zebra
namaqua
table mountain
tankwa karoo
tsitsikamma
richtersveld
west coast
wilderness

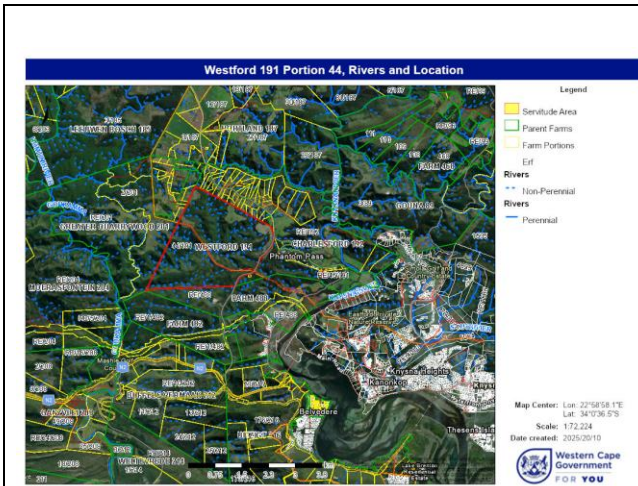


Fig. 1: Locality and rivers of Portion 44 Westford 191(CapeFarmMapper3).

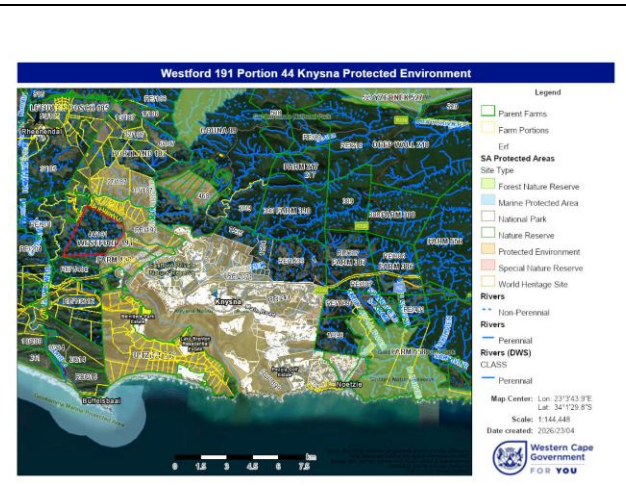


Fig. 2: Portion 44 Westford 191 falls just outside of the Knysna Protected Environment (CapeFarmMapper3).

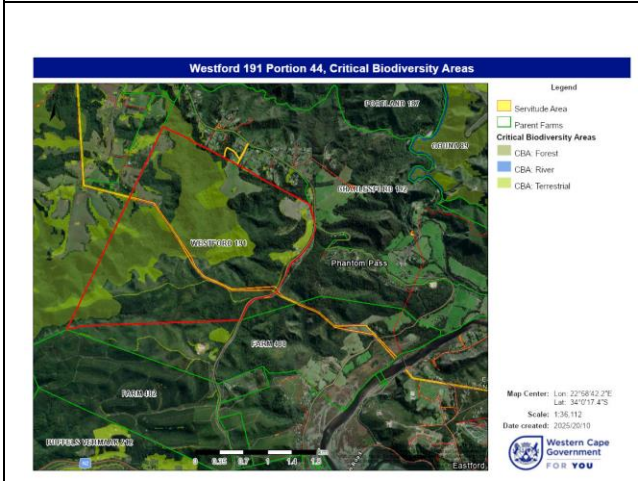


Fig. 3: Critical Biodiversity Areas Category 1 & 2 occur on Portion 44 Westford 191 (CapeFarmMapper3; CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines).

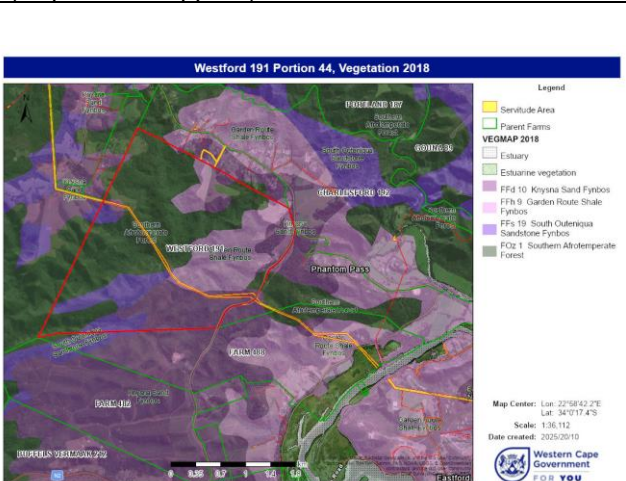


Fig. 4: Knysna Sand Fynbos (CE) (FFd 10), Garden Route Shale Fynbos (EN) (FFh9), South Outeniqua Sandstone Fynbos (LC) (FFs 19) and Southern Afrotemperate Forest (LC) (FOz1) are mapped (CapeFarmMapper3).

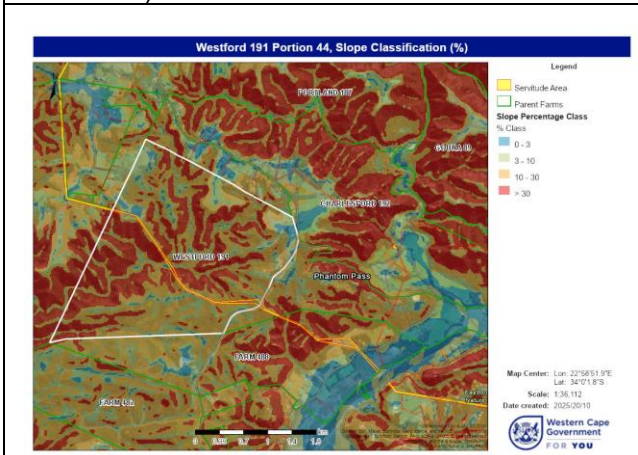


Fig. 5: Slope Percentage Class is >30% across the central sections of Portion 44 Westford 191 (CapeFarmMapper3).

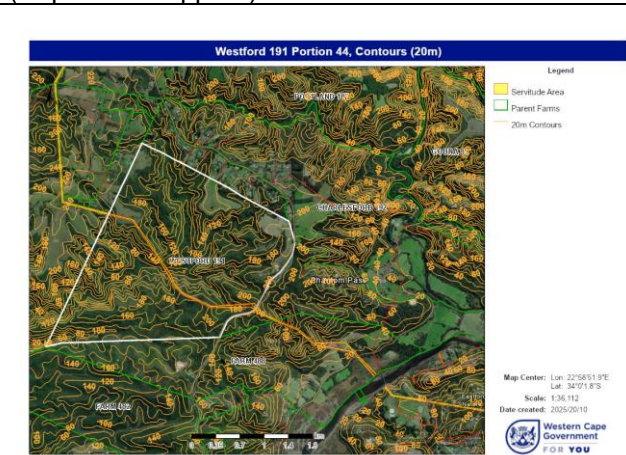


Fig. 6: Topography on Portion 44 Westford 191 showing drainage valleys- (CapeFarmMapper3).

The application submitted is a “**SUBDIVISION IN TERMS OF SECTION 15(2)(d) OF THE KNYSNA MUNICIPALITY SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW, 2021 APPLICABLE ON PORTION 44 OF THE FARM WESTFORD NO. 191 - KNYSNA**”, refer to extracts below from the Motivating Memorandum report as prepared by Smit & Fisher Planning (Pty) Ltd. (SFP), dated April 2025.

14 PROPOSED SUBDIVISION: (See Annexure H – Subdivision Plan)

The property will be subdivided as follows:

PROPERTY DESCRIPTION	SIZE
Proposed Portion 1 of Portion 44 of the farm Westford No. 191 - Knysna RD	113.1810 ha
Proposed Portion 2 of Portion 44 of the farm Westford No. 191 - Knysna RD	103.2971 ha
Proposed Portion 3 of Portion 44 of the farm Westford No. 191 - Knysna RD	117.5366 ha
Remainder of Portion 44 of the farm Westford No. 191 - Knysna RD	293.4984 ha
TOTAL	627.5131 ha

10 NEED

The owner would like to subdivide the property for agricultural and rural residential purposes into 4 portions approximately 100 hectares each in extent. It should be noted that the placement of the houses will be dependent on the outcome of the EIA process, the position of erven should also be decided on by choosing specific localities with the best views / visitors, accessibility, etc. Each erf will have an on-site sewer system i.e. septic tank.

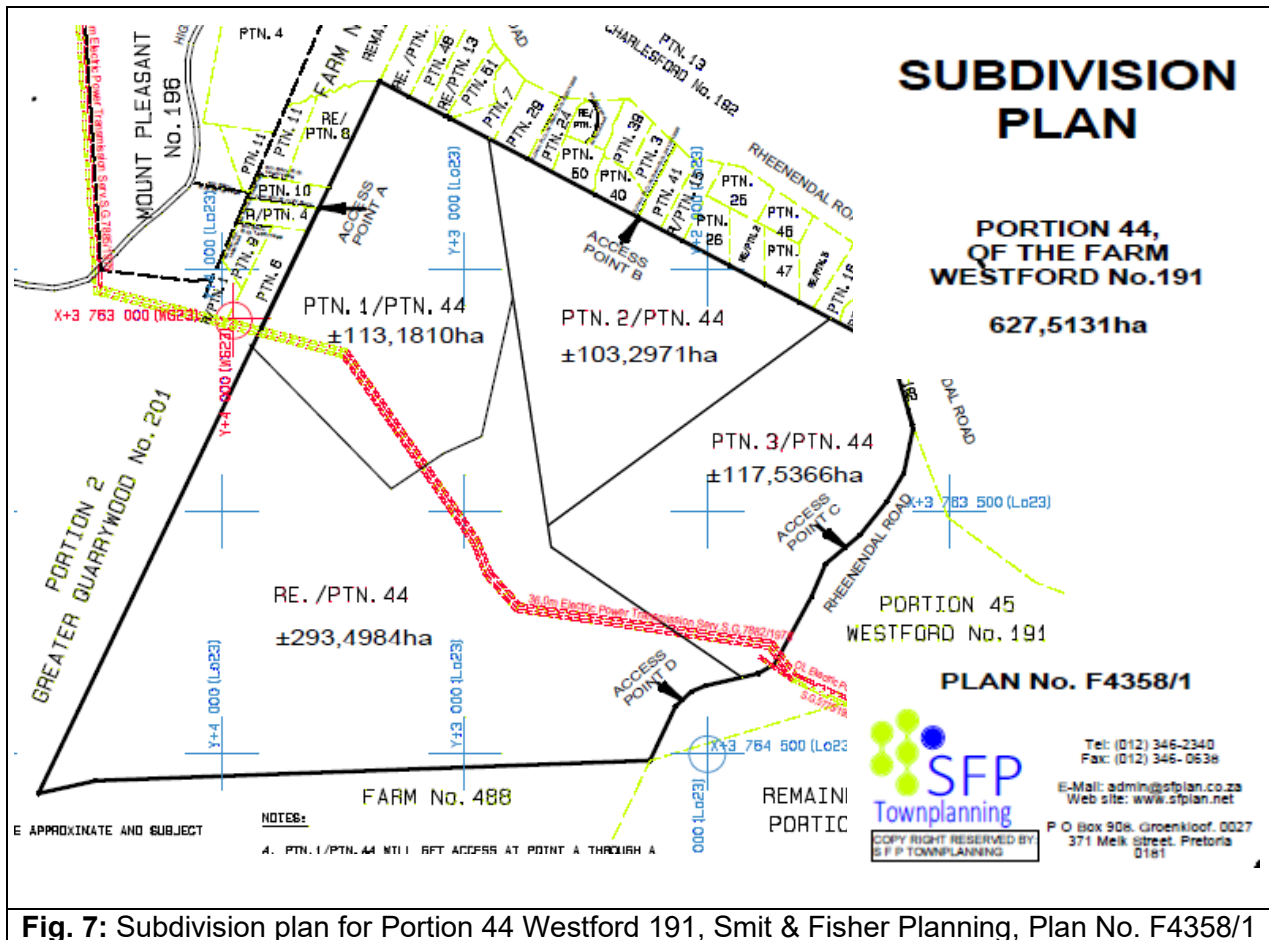
In most cases town planning clashes with the provisions of the Subdivision of Agricultural Land Act, 1970 of 1970 as the custodians of agricultural land. It is no doubt that there has been a lot of agricultural land lost to other developments because of various site specific merits. This application takes cognisance of the Subdivision of Agricultural Land Act, 1970, the application will create properties will remain exclusively used for agricultural purposes, this subdivision will be an attribute to the protection of agricultural viable land.

SUBDIVISION: PORTION 44 OF THE FARM WESTFORD NO. 191 - KNYSNA RD

13

The owner of the property wants to subdivide the property into 4 portions. The total farm is 627 hectares in extent. The owner of the property wants to create smaller portions to sell certain parts portions of the farm. The size and affordability of the farm is a problem to potential buyers. The subdivision plan was created along the topography of the property to create 4 viable portions.

Due to large portions of each of the new farm portions, each of these portions can still be used for agricultural purposes. Part of this property is used for fynbos forestry and natural protea flowers. The idea is to split the natural areas and areas that has already been changed into grazing areas.



Point 1: Biodiversity and Hydrological Value of Property

As the property is mapped as containing Critically Endangered Knysna Sand Fynbos (FFd 10) and Endangered Garden Route Shale Fynbos (FFh9) mostly in the southern section (proposed RE and Portion 3 of Portion 44), any future development in these areas should be undertaken in moderation, with a low density, and with care.

Fire, alien invasive species management, connectivity into adjoining properties, and ecological resilience are important.

Westford 191 Portion 44 is bisected by several drainage lines with non-perennial rivers which drain into the Goukamma catchment and fall within the Outeniqua region National Strategic Water Source Area. The property is regarded as an important water resource. Care should be taken to ensure that no pollution of water resources occur and that the river corridors remain intact. River water quality and quantity should be safe-guarded, and due diligence in granting new water rights should be exercised.

Point 2: Biodiversity Stewardship

Due to the high biodiversity value of the property for landscape functionality, connectivity, ecological resilience, and water resources, landowners of subdivisions should be encouraged to commit their properties into formal or informal biodiversity stewardship mechanisms.

Several biodiversity stewardship categories exist that a landowner can opt into (**Fig. 8**). Top-tier stewardship categories require the greatest commitment level, but receive the greatest support from conservation authorities and greater financial incentives.

Table 1 - Biodiversity stewardship categories

	TYPE OF AGREEMENT	LEGAL MECHANISM	DESCRIPTION
Increasing biodiversity importance Increasing support from conservation authority Increasing commitment to conservation	BIODIVERSITY STEWARDSHIP CATEGORY 1: PROTECTED AREAS		
	Nature Reserve or National Park	National Environmental Management: Protected Areas Act (Act 57 of 2003)	• Suitable for sites with highest biodiversity importance • Binding on property: declaration of Nature Reserve, and a title deed restriction • Binding on landowner: contract with landowner usually for 99 years/in perpetuity** • Considered to be part of South Africa's protected area estate, and contributes to meeting protected area targets
	Protected Environment	National Environmental Management: Protected Areas Act (Act 57 of 2003)	• Suitable for declaration over multiple properties • Less restrictive land use than Nature Reserve or National Park • Binding on property: declaration of Protected Environment. Optional title deed restriction. • Binding on landowner • Considered to be part of South Africa's protected area estate, and contributes to meeting protected area targets
	BIODIVERSITY STEWARDSHIP CATEGORY 2: CONSERVATION AREAS		
	Biodiversity Management Agreement	National Environmental Management: Biodiversity Act (Act 10 of 2004)	• Less restrictive than protected area declaration • Must have a Biodiversity Management Plan (in terms of Biodiversity Act) on all/part of the property • Binding on landowner: contract with landowner for a minimum of 5 years, or longer in 5 year increments
	Biodiversity Agreement	Contract law	• Less restrictive than protected area declaration • Binding on landowner: contract with landowner for a minimum of 5 years or longer
	Conservation Servitude	Property	• Less restrictive than protected area declaration • Binding on landowner: notarial deed registered at the Deeds Registry for a minimum of 99 years or in perpetuity • Binding on successor in title • Provides management conditions particular to the area in question
	Business, Industry and Biodiversity initiatives		Examples: • Conservation Champions Programme • Water Stewards • Sustainable Farming
	Conservation agreements		• Offers direct incentives for conservation through a negotiated benefit package in return for conservation actions by communities. • Signed for a 3-year duration (with the option for renewal)
	BIODIVERSITY STEWARDSHIP CATEGORY 3: PARTNERSHIP AREAS		
	This is an informal category of biodiversity stewardship which involves a registration of a site within this category by the provincial conservation authority or conservation NGO. • No legal certainty, duration and intent • Involves collective action by landowners or communities • Biodiversity conservation management benefits without formal agreements or accountability • Registration of mechanisms is advised		Examples of such include (but are not limited to): • Conservancies • Buffer Zones and Transition Zones of Biosphere Reserves • Sites of Conservation Significance • Community conservation areas
	** Eligibility for tax incentives requires a minimum of a 99 year or in perpetuity title deed restrictions		

Fig. 8. Biodiversity stewardship categories, as extracted from pg.3 SANBI 2018 Stewardship Guideline³.

³SANBI. 2018. Biodiversity Stewardship Guideline. A guideline produced for the Department of Environment, Forestry and Fisheries. Developed by Wilson, N., Kershaw, P., Marnewick, D. and Purnell, A.

Unfortunately, the sub-divisions of Westford 191 Portion 44 do not fall within SANParks Land Inclusion Plan (LIP) for the period 2026/27 – 2028/29 for the GRNP and do not qualify as a formal top-tier Contract National Park (CNP) stewardship category.

Discussions may however be held with CapeNature to investigate whether sub-divisions could qualify as formal CapeNature Nature Reserves, due to catchment linkage to the Goukamma River, Estuary, and the CapeNature Goukamma Reserve downstream, as well as the high biodiversity and water resource value.

Stewardship alternatives for sub-divisions of Westford 191 Portion 44 may further include:

1. To formalise a Protected Environment (PE) across sub-divisions.
2. To apply for Biodiversity Agreements with a legally binding Conservation Management Plan for the management of each sub-division.
3. To register a Conservation Servitude against the undeveloped portions of land across sub-divisions in favor of SANParks, CapeNature or another conservation organization.

These mechanisms would ensure that the conservation status of sub-divisions is transferred to any new landowner/s on the sale of a property.

Cumulatively, sub-division properties are critical for biodiversity and hydrological protection and resilience, particularly in an era of climate change.

Zoning could remain as Agriculture Zone I or landowners could apply to the Knysna Local Municipality to request if undeveloped parts of a sub-division property could be spot zoned to Open Space III or IV.

SANParks is willing to partake in discussions with landowners, CapeNature, and the Knysna Local Municipality towards achieving a suitable formal or informal conservation stewardship mechanism.

Summary and Way Forward

SANParks supports the proposed subdivision application, as per the Motivating Memorandum report as prepared by Smit & Fisher Planning (Pty) Ltd., dated April 2025.

Subdivision landowners should be encouraged to commit their properties into formal or informal biodiversity stewardship mechanisms.

The following is recommended should the activity be authorised:

1. Informal or formal biodiversity stewardship mechanisms should be encouraged.
2. River corridors should be maintained, kept free of alien vegetation, and water quality and quantity should be safe-guarded. Protective 'no-go' development buffers should be applied to river corridors.
3. The landowner's attention is drawn to the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) Alien and Invasive Species Regulations, 25 September 2020, where a landowner is legally responsible for the removal of alien vegetation on their property. The owner should formalise an Invasive Alien Vegetation Control Plan as required by the NEM:BA.
4. Compliance with the National Veld and Forest Fire Act (Act 101 of 1998) is required. The owner should join the local Fire Protection Association, if not already a member.

5. Fencing is not encouraged, should fencing become a future necessity, SANParks and CapeNature should be consulted to ensure that fencing does not inhibit wildlife movement in corridors, or pose a risk to wildlife.

SANParks' comments are based on the information pack, emailed by Knysna Municipality, 5 March 2026.

SANParks wishes to comment on any future Environmental Impact Assessment processes or Land Use Applications, when these are circulated for public comment.

SANParks reserves the right to revise comments if additional information becomes available.

Yours sincerely



DR VANESSA WEYER
PRINCIPAL PLANNER
GARDEN ROUTE NATIONAL PARK

DATE: 8 May 2026

CC:	Victor Mokoena	SANParks
	Lwazi Khuzwayo	SANParks
	Elmonique Petersen	SANParks
	Jessica Hayes	SANParks
	Arnelle Collison	SANParks
	Marthan Theart	SANParks
	Megan Simons	CapeNature
	Mashudu Mudau	DFFE
	Nyiko Nkosi	DFFE
	Danie Swanepoel	DEA&DP
	Phillip Hendricks	Knysna Municipality
	Mulalo Musekene	Knysna Municipality
	Hennie Smit	Knysna Municipality
	Shaun Madumbo	Knysna Municipality
	Johan Labuschagne	WHGC



Ref: DOI/CFS/RN/LU/REZ/SUB-14/102 (Application No: 2025-11-0013)

Cclab No.:

The Municipal Manager
Knysna Municipality
PO Box 21
KNYSNA
6570

File No.: 15/2/15/13

Attention: Mr S Sitinga

Dear Sir

SUBDIVISION: PORTION 44 OF FARM WESTFORD 191 (FARM 191/44), KNYSNA

1. Knysna Municipality's e-mail on 3 October 2025 to both Ms C Muller and Ms V Stoffels at this Branch refers.
2. The following roads, for which this Branch is the Road Authority, are affected by this application:
 - 2.1 Main Road 355 (MR00355; Rheenendal Road) is functionally classified a class 3 road traversing through a rural roadside development area, an 80km/h speed limit applies, traffic volumes are low and the terrain is rolling.
 - 2.2 Divisional Road 1616 (DR01616; Highway West Road) is functionally classified a class 4 road traversing through a rural roadside development area, a 40km/h speed limit applies, traffic volumes are very low and the gravel surfacing is in a poor state.
3. This Branch offers no objection to this proposed subdivision, provided that the following are adhered to:
 - 3.1 The existing access (accepted to be "ACCESS POINT B") off MR00355 at ±km64.23 RHS (Right Hand Side) may be retained as an approved access to proposed Portion PTN. 2/PTN. 44.
 - 3.2 A servitude right of way (to ensure permanent, legal and unfettered access) off MR00355 (via the approved access in paragraph 3.1) in favour of proposed Portion PTN. 2/PTN. 44 must be registered and brought into place.

- 3.3 The existing informal access (accepted to be "ACCESS POINT C") off MR00355 at $\pm$ km66.64 RHS may be retained as an approved access to proposed Portion PTN. 3/PTN. 44. This access must be upgraded to this Branch's standards for a main farm access.
- 3.4 The existing informal access off MR00355 at $\pm$ km66.91 RHS must, due to not enough safe shoulder sight distances to the south, permanently be closed with material like the existing road reserve fence in that location.
- 3.5 The existing informal access (accepted to be "ACCESS POINT D") off MR00355 at $\pm$ km67.41 RHS must, due to not enough safe shoulder sight distances, permanently be closed with material like the existing road reserve fence in that location.
- 3.6 Provided that the terrain on proposed Portion RE. /PTN. 44 is of such a nature that a vehicular access off MR00355 at $\pm$ km67.78 RHS can be constructed, then may that location be accepted as an approved access to proposed Portion RE. /PTN. 44. This access must be upgraded to this Branch's standards for a main farm access.
- 3.7 If the approved access off MR00355 (paragraph 3.6) to proposed Portion RE. /PTN. 44 cannot be used for vehicular purposes, then must the developer source an alternative access off the public road network, via an approved access location, and clear that (as safe and acceptable) with this Branch for records purposes.
- 3.8 The existing access (accepted to be "ACCESS POINT A") off DR01616 at $\pm$ km2.69 LHS (Left Hand Side) may be retained as an approved access to proposed Portion PTN. 1/PTN. 44.
- 3.9 A servitude right of way (to ensure permanent, legal and unfettered access) off DR01616 (via the approved access in paragraph 3.8) in favour of proposed Portion PTN. 1/PTN. 44 must be registered and brought into place.
- 3.10 All the abovementioned approved main farm accesses' designs must be submitted to and approved by the District Roads Engineer's offices (e-mail: DREtechnical.Oudtshoorn@westerncape.gov.za). Only once such approvals have been issued may construction thereof commence.
- 3.11 All the sight lines within the affected sections of the proclaimed provincial road reserves must be cleared, in conjunction with the offices of the District Roads Engineer, from all vegetation obstructing such minimum required safe distances. With "in conjunction" it is meant that the offices of the District Roads Engineer will only hand over the affected road sections to the developer and ensure that the required minimum temporary traffic accommodations are approved and in place. The physical clearing operations will be the developer's responsibility and costs. If any environmental approval will be required to complete such a task, then it will be the developer's responsibility to ensure such an approval is obtained.

- 3.12 Any advertisement in favour of any of these proposed Portions that will be visible off the provincial road network must carry the approval of Knysna Municipality in terms of the Municipality's approved Advertising By-Law.
- 3.13 The developer must accept that this Branch will not make any contribution, in any fashion, towards this proposed application.
4. This Branch, the Controlling Authority in terms of Act 21 of 1940, approves the proposed subdivision.

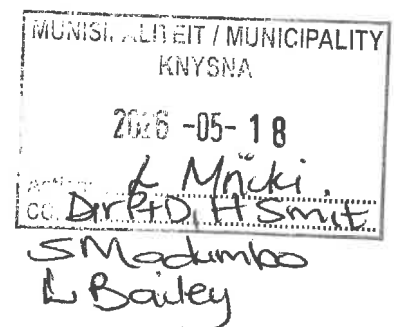
Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 26 MARCH 2026



physical 4th Floor, York Park Building,
York Street, George, 6530

website www.capenature.co.za

enquiries Megan Simons

telephone 087 087 3060

email msimons@capenature.co.za

Reference LE14/2/6/1/6/4/191-44/LUPA-Agriculture_
Westford

date 16 April 2026

Knysna Municipality,
P.O. Box 21,
Knysna,
6570

Attention: Land Use Management
By email: planning@knysna.gov.za

THE APPLICATION FOR SUBDIVISION IN TERMS OF SECTION 15(2)(D) OF THE KNYSNA MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2021 FOR PORTION 44 OF THE FARM WESTFORD NO. 191, KNYSNA LOCAL MUNICIPALITY, WESTERN CAPE.

CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:

According to the Western Cape Biodiversity Spatial Plan (CapeNature 2024)¹ the entire property is mapped as Critical Biodiversity Areas (CBA 1&2: Terrestrial) with pockets of Ecological Support Areas (ESA 1: Wetland). The fine-scale vegetation map describes the vegetation as Groot Brak River Floodplain, Groenvlei Coastal Forest, Rondevlei Sandplain Fynbos and Wolwe River Fynbos Forest (Vlok *et al.*, 2008)². According to the updated South African Vegetation Map (Beta VegMap, 2024)³, the vegetation units are Knysna Sand Fynbos and Garden Route Shale Fynbos which are **Critically Endangered** and **Endangered**, respectively (NEM:BA, 2022)⁴. The property also has Southern Afrotemperate Forest and South Outeniqua Sandstone Fynbos which are both listed as Least Concerned (SANBI 2022)⁵.

The property has numerous non-perennial rivers associated with the valleys. Furthermore, the property falls within the National Strategic Water Source Area surface water for the Outeniqua region and serves as a watercourse protection for the South Eastern Coastal Belt. CapeNature has reviewed the application for subdivision and has the following comments from a biodiversity perspective:

¹ CapeNature. 2024. 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Unpublished Report

² Vlok JHJ, Euston-Brown DIW, Wolf T. 2008. A vegetation map for the Garden Route Initiative. Unpublished 1: 50 000 maps and report for C.A.P.E. FSP Task Team, Oudtshoorn.

³ South African National Biodiversity Institute (2006-2024). The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina, L., Rutherford, M.C. and Powrie, L.W. (Editors), Online, <https://bgis.sanbi.org/Projects/Detail/2258>, Version 2024.

⁴ National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). The Revised National List of Ecosystems that are Threatened and in need of protection. 2022. Government Gazette No. 47526

⁵ Government of South Africa (2022) South African Red List of Terrestrial Ecosystems: assessment details and ecosystem descriptions. Technical Report #7664, SANBI Pretoria, South Africa.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

1. The property directly abuts the Knysna Lakes Protected Environment⁶ to the east. The maintenance of ecological buffers and compatible land uses adjacent to protected areas is important to limit edge effects and external pressures on these systems. Accordingly, comments must be obtained from SANParks.
2. The property comprised mosaics of forest and fynbos ecosystems, which contribute to ecological resilience and landscape-level connectivity.
 - 2.1. The Knysna Sand Fynbos is a narrowly distributed vegetation with high rates of habitat loss of which plantations were the primary pressure on this ecosystem together with cropping and alien invasions (SANBI 2022)⁷. Only 21% of the natural extent remains and this is a poorly protected ecosystem. The high rates of habitat loss over the past 28 years (and still ongoing) places this ecosystem at risk of collapsing which makes it crucial to conserve and manage the remaining areas that are still natural.
 - 2.2. Although classified as Least Concern, **Southern Afrotemperate Forests are widely recognised as highly sensitive and of high conservation value**, and are generally not considered suitable for transformation.
3. The application states that the proposed subdivided portions will be utilised for agricultural and rural residential purposes. However, no supporting information has been provided regarding the nature, scale, layout, or intensity of the proposed activities (e.g. infrastructure, access roads, clearing, or potential agricultural practices). Thus, the impact of the proposed development/activity cannot be meaningfully assessed.
4. The property is entirely mapped as Critical Biodiversity Areas (CBA) and the subdivision should be in line with the management objectives of CBA as set in the Western Cape Biodiversity Spatial Plan handbook. Moreover, CBAs must be maintained in a natural or near-natural state, with no further loss of natural habitat as they maintain ecological processes. Degraded CBA should be restored to natural functioning ecosystems, where possible. Thus, this application, if approved, will result in the fragmentation of the CBA corridor and compromise the ecological functioning and integrity of the CBAs.
5. The Strategic Water Source Area (SWSA) is of national importance, and their ecological functioning must be protected and maintained (Le Maitre *et al.* 2018)⁸. Furthermore, the SWSA is a key component of Ecological Infrastructure providing critical services such as maintaining biodiversity conservation (corridor movement of both fauna and flora) and climate management (resilience to climate change). The SWSA and watercourses area important for sustaining downstream water resources. Intensification of land use may pose risks to water quality and hydrological functioning if not appropriately managed.
6. The property has moderate to very high soil erodibility thus any disturbance of natural vegetation and inappropriate land management practices may increase the risk of erosion and associated downstream impacts.
7. The subdivision application, if approved, will transform the biodiversity of the property overtime. This may result in cumulative environmental impacts not accounted for in the current application.

⁶ National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003). Regulations for the proper administration of the Knysna Protected Environment. 2009. Government Gazette No. 32797

⁷ Government of South Africa (2022) South African Red List of Terrestrial Ecosystems: assessment details and ecosystem descriptions. Technical Report #7664, SANBI Pretoria, South Africa.

⁸ Le Maitre, DC., Walsdorff, A., Cape, L., SeyAler, H., Audouin, M, Smith-Adao, L., Nel, J.A., Holland, M. and Witthüser. K. 2018. Strategic Water Source Areas: Management Framework and Implementation Guidelines for Planners and Managers. WRC Report No. TT 754/2/18. Pretoria: Water Research Commission.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

8. CapeNature reminds the applicant of Section 28 of National Environmental Management Act (NEMA) (Act 104 of 1998 as amended) (Duty of Care) that states the following:

“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”

Any action that causes wilful degradation of the environment may therefore constitute a breach of this Duty of Care and the penal provisions of NEMA will apply.

In conclusion, given the high biodiversity sensitivity of the site, as outlined above, the proposed subdivision application is not supported from a biodiversity perspective.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Megan Simons', with a large, stylized flourish at the end.

Megan Simons
For: Manager (Conservation Intelligence)

Tutuzelwa Tsese

From: Hennie Smit
Sent: Monday, 16 March 2026 15:44
To: Knysna Municipality
Cc: Shaun Madumbo; Liesl Bailey
Subject: FW: Farm No. 191/44 - Knysna
Attachments: Portion 44 of the Farm No. 191, Knysna.pdf

File No.: 15/215/3

Incoming mail

Hennie Smit Manager: Land Use Management

P O Box 21. Knysna. 6570. Western Cape. South Africa

Tel +27 (0)44 302 6319 (switchboard) or +27 (0)60 998 7124 (Mobile)

e-mail hsmit@knysna.gov.za

From: Brandon Layman <Brandon.Layman@westerncape.gov.za>
Sent: Monday, 16 March 2026 15:42
To: admin@sfplan.co.za
Cc: 'LUAHelpdesk' <LUAHelpdesk@Dalrrd.gov.za>; 'Serah Muobeleni' <SerahMu@Dalrrd.gov.za>; Hennie Smit <hsmit@knysna.gov.za>
Subject: Farm No. 191/44 - Knysna

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ferdi Schoeman

Please find attach comments from the WCDoA: LUM.

With many thanks and kind regards

Brandon Layman

Administrative Assistant to:

Cor Van der Walt : LandUse Manager

Department of Agriculture

Provincial Government of the Western Cape

Private Bag X1

ELSENBURG

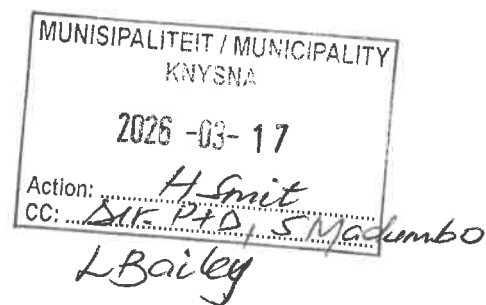
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GPS koordinate Elsenburg kantoor: 33.845259 S 18.834722 E.

2nd Floor, Main Building, Muldersvlei Road

Telephone: +27 21 808 5093

Fax: +27 865448977

E-mail: Brandon.layman@westerncape.gov.zaDepartmental Website: www.elsenburg.comProvincial Website: www.capegateway.gov.za

**Western Cape
Government**

FOR YOU

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If you are not the intended recipient you may not copy or deliver this message to anyone."



**Western Cape
Government**

Cor Van Der Walt
LandUse Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/6/725
YOUR REFERENCE : F4358_Ptn. 44 Westford No. 191-Knysna Rd
ENQUIRIES : Cor van der Walt

SFP

Email: admin@sfplan.co.za

Att: Ferdi Schoeman

PROPOSED SUBDIVISION: KNYSNA
PORTION 44 OF THE FARM WESTFORD NO 191

Your application of 17 October 2025 has reference.

Your proposal was reconsidered, however the Western Cape Department of Agriculture does not support the proposed development as it is not sustainable from an agricultural perspective.

Please note:

- That this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2026-03-13

Copies:

Department of Agriculture, Land Reform and Rural Development
National Department of Agriculture
Private Bag X 120
PRETORIA
0001

Knysna Municipality
PO Box 21
KNYSNA
6570

04 May 2026

The Town Planner
 Knysna Local Municipality
 P.O. Box 21
 Knysna
 6570

Attention: Mr S Sitinga
 Mr S Madumbo
 e-mail: ssitinga@knysna.gov.za
smadumbo@knysna.gov.za

Your Ref.: Application no 3558-Portion 44 of the Farm 1919 -(234 1929)
 Our Ref.: F4358/FS

Dear Sir,

PROPOSED SUBDIVISION OF PORTION 44 OF THE FARM WESTFORD NO.191-KNYSNA RD

This office refers to previous correspondence.

As requested this office will address the various comments received from internal and external Departments.

A. INTERNAL COUNCIL COMMENTS:

Department	Comment
Electrical Department	No objection
Water and Sanitation	No services available in the area/ No objection
Public Works	No objection
Director Infrastructure	Application to engage the various Departments
Roads and Stormwater	No objection
Environmental Services	Recommends comments from Department of Agriculture to be obtained and that as Basic Assessment must be considered if any future development is planned

Response to comments:

The Electrical Department has no objection, as well as the Water and Sanitation Department. The Roads and Stormwater Department also has no objection.

The Director Infrastructure has requested that the applicant engage each Department to determine the minimum standards for required services provision. There is no municipal services to be rendered. The same level of services will apply that is currently being provided to the 30 adjacent subdivided portions that varies from 3 ha to 10 ha in size.

The property owner is well aware that there are no formal municipal services available in the area. Each of the future prospective buyers will be made aware of this fact that water will be supplied by means of a borehole and that sewer treatment will be either a septic tank/ conservancy tank.

The fact that all of the applicable services departments have provided "no objection" comments, it would seem that the above-mentioned level of services provision is acceptable to the municipality.

The Environmental Services Section has requested the National Department of Agriculture comments. The subdivision application was approved by the National Department of Agriculture which therefore complies with this Department's request and due to the fact that the National Department of Agriculture has approved the subdivision application has by implication provided positive comments by the Environmental Services Section. It should be noted that the current pending application is just for the subdivision of the property into:

Proposed Portion No.	Proposed Total Size
Proposed Portion 1	113.18ha
Proposed Portion 2	103.29ha
Proposed Portion 3	117.53ha
Proposed Portion 4	293.49ha
Total	627.49ha

and is not to apply for any land use rights or change of land use. The status quo on site will remain as is due to the natural topography and gradient of the property. In the last 200 years, only 8% of the property was used as natural grazing as this is the only flat areas and usable areas available on site that can be effectively utilised. The status quo cannot change due to the natural topography and the ravine that bisects the property. The natural forest, fynbos located on 92% of the property will remain as is.

From the comments received it is clear to see that the proposed subdivision is supported by all of the internal services departments as the subdivision will have no impact on Council services or require Council services.

B. EXTERNAL DEPARTMENTS:

- Cape Nature
- National Department of Agriculture
- Western Cape Department of Roads
- Western Cape Department of Land Use Management

C. INTERESTED AND AFFECTED PARTIES:

- Heather Morgan
- Nina De Beer

D. COMMENTS:

1. Cape Nature:

The following response can be provided to the comments of Cape Nature being:

It should be noted that the application is for the subdivision of Portion 44 of the Farm Westford No. 191- Knysna RD into 4 portions of:

Proposed Portion No.	Proposed Size	Total	Existing Usable Area in Hectares	Remaining Area in Hectares
Proposed Portion 1	113.18ha		17ha	96.18ha
Proposed Portion 2	103.29ha		15ha	88.29ha
Proposed Portion 3	117.53ha		20ha	97.53ha
Proposed Portion 4	293.49ha		53ha	240.49ha
Total	627.49ha		105ha	522.49

It should be noted that the existing areas that have been used for pastures will remain as is, and no new areas will be cleared for agricultural purposes due to the severe topography of the property and the property being bisected by a natural ravine.

Thus, only 52ha of the 627ha have been disturbed over the years, (see **Annexure A**) showing the 3 areas in green that have been cleared over the years.

In our motivation memorandum, this office mentioned that the portions will be used for rural residential purposes and agriculture.

This is an existing dwelling house located on proposed Portion 3 and the possibility exists that a dwelling house may be developed on 2 of the other portions, but cannot be confirmed at this stage. A dwelling house may be built on a farm portion as a primary land use right.

However, the portions will largely stay in its natural state. Only 8% of the total property has been disturbed over the years, while 92% of the property will remain in its natural state due to the natural topography and the natural ravine that bisects the property.

Thus, all of the concerns of biodiversity, fynbos will not be impacted on. Furthermore, in terms of Agricultural Research Council's, South Africa Land Capability Classification the property is classified as **Class VI**.

Class VI is classified as:

"Land in Class VI has severe limitations that made it generally unsuited to cultivation and limit its use large to pasture and range, woodland or wildlife food and cover, continuing limitations that cannot be corrected including steep slope, severe erosion hazard, effects of past erosion, stoniness, shallow rooting zone, excessive wetness or flooding, low water holding capacity, salinity or sodicity and severe climate"

This classification exactly describes what is actually found on the property, and that is why only 53 hectares of the total property has been used for grazing or pastures over the last 200 years and which is actually the only flat areas that has been utilised for grazing over the past 200 years.

The natural environment and topography, therefore, aligns with the aspects that Cape Nature wants to protect. The natural features also prohibit any other land use to be accommodated on site.

It should be noted that the National Department of Agriculture has approved the subdivision and that the Knysna Municipal Spatial Development Framework, 2020, also aligns with what is located on site and what can naturally be developed on site.

The reason is to create 4 smaller portions that are easier to sell on the open market. The largest portion will be retained by the current owner.

In light of the aforementioned, the intention is not to clear any more of the natural areas, as it is just not possible due to the property's natural topography. If it were in any way possible, this property would have been developed more extensively for agricultural purposes years ago.

2. National Department of Agriculture

The application for subdivision was approved by the National Department of Agriculture on 10 October 2025 under Consent No. 58537

It should be noted that the same information was provided to the Knysna Municipality and the Western Cape Government: Land Use Management and the National Department of Agriculture.

The National Department of Agriculture has taken cognisance of all the information provided and has approved the subdivision application on the merits of the information provided. Surely this must prove that the subdivision complies with the principles that the National Department of Agriculture uses to evaluate subdivision applications.

The fact that the National Department of Agriculture has approved the subdivision application should provide a level of certainty that the subdivision application as submitted can be considered favourably by the Knysna Local Municipality

3. Western Cape Government: Department of Infrastructure:

Attached as **Annexure B**, please find the current access plan as provided to the said Department.

All the 4 access provided as per this plan are acceptable to the Department.

4. Western Cape Government: Land Use Management:

This office received comments from the said Department on 11 August 2025 in which the Department provided negative comments. The reason given was that the subdivision was not motivated from a bona fide agricultural perspective.

However, it is clear to see that due to 92% of the property being in its natural state clearly proving that the natural topography does not support bona fide agricultural activities. It is clear to see that the property is not conducive to bona fide agricultural activities.

This office provide additional information to the said Department on 18 August 2025 to which this office received no reply (see **Annexure C**).

This office then submitted a comprehensive motivation on 17 October 2025 (see **Annexure D**) to the said Department with information specifically focusing on the Agricultural Research Council: South Africa Land Capability Classification which classifies site as Class VI. The definition of Class VI is hereby provided:

"Land in Class VI has severe limitations that made it generally unsuited to cultivation and limit its use large to pasture and range, woodland or wildlife food and cover, continuing limitations that cannot be corrected including steep slope, severe erosion hazard, effects of past erosion, stoniness, shallow rooting zone, excessive wetness or flooding, low water holding capacity, salinity or sodicity and severe climate"

This office refers to the Zoom Meeting which was held on 2 October 2025 with the representatives of the Department. During the meeting, certain information and suggestions were shared and discussed.

The following additional information was provided to the said Department:

a) Coordinates:

The following coordinates can be provided.

[-34.001323, 22.968531](#)

b) Size of the total property:

Portion 44 of the Farm Westford No. 191-Knysna RD measures 627,51Ha in extent.

c) Proposed subdivision (see Annexure A):

The proposed subdivision application as submitted is intended to subdivide the property into 4 full title portions.

PROPOSED PORTION NUMBER	PROPOSED TOTAL SIZE	USABLE AGRICULTURAL AREA IN HECTARES (Ha)
Proposed Portion 1	113,18 Ha	17Ha
Proposed Portion 2	103,29 Ha	15Ha
Proposed Portion 3	117,53 Ha	20Ha
Proposed Portion 4	293,49 Ha	-

Total	627,51 Ha	
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The proposed subdivision plan of the property has been affected by the following site-specific factors being:

- Specific Access points.
- Agricultural Potential.
- Topography.
- Existing surrounding urban fabric.
- Knysna Municipal Spatial Development Framework

i. Specific Access Points (see Annexure A):

- Proposed Portion 1 will obtain access via a right of way to be registered over the Remainder of Portion 4 of the Farm Wesford.
- Proposed Portion 2 via an existing registered right-of-way servitude over Portion 50 of the Farm Westford No. 191-Knysna RD. Thus the size and shape of the 4 proposed Portions was pre-determined by access requirements.
- Access to each new Portion was determined by either an existing road access to proposed Portions 3 and 4 being available from Rheenendal Road.
- The access requirements coupled with the usable/agricultural potential of the site has determined the proposed portions to be created.

ii. Agricultural Potential:

It should be noted that in terms of the Agricultural Research Council: South African Land Capability Classification classifies the site as a class VI. A Class VI is classified as:

“Land in Class VI has severe limitations that make it generally unsuited to cultivation and limit its use largely to pasture and range, woodland or wildlife food and cover, continuing limitations that cannot be corrected include steep slope, severe erosion hazard, effects of past erosion, stoniness, shallow rooting zone, excessive wetness or flooding, low water holding capacity, salinity or sodicity and severe climate”.

This classification is exactly what is found on the application property. That is why the Land Capability Assessment highlights the exact situation evident on the application property.

In terms of the classification, it concurs with the property that is conducive to cultivation and limits its use for pasture and range.

This is exactly what is evident on Proposed Portions 1, 2 and 3.

PROPOSED PORTION NUMBER	USABLE AGRICULTURAL AREA
Proposed Portion 1	17 Ha
Proposed Portion 2	15 Ha
Proposed Portion 3	20 Ha

This office has overlain the proposed subdivision plan over the contours of the Western Cape Provincial Government (see **Annexure B**) and the pasture and range areas developed over years on Portion 44 on the Farm Westford No. 191-Knysna RD correlates with the usable areas as per the contour plan.

Portion 4 is 293,49 Ha in extent and is woodland and wildlife food and cover.

the steep slopes and contours, see attached contour plan which correlates with the Land Capability Classification of Class VI.

Thus the subdivision must be considered in term of Class VI which confirms that the property cannot be considered as viable agricultural land. That is also why this property has been

developed over the past 200 years exactly as per the existing pasture areas that can be functionally used for pasture and range uses.

It should be noted that both the potential purchasers of proposed Portion 1 and Portion 2 unfortunately not adjacent property owners and the new portions to be created cannot be consolidated with adjacent farm portions.

iii. Topography:

During the meeting held on 2 October 2025, Mr. van der Walt requested that the subdivision plan be overlain onto the contour plan of the Western Cape Provincial Government (see **Annexure E**).

As can be seen from the attached contour plan, 90% of the site is affected by natural valleys and steep slopes which does not make the property conducive to be considered as a viable agricultural property.

The purpose of the subdivision is to create smaller portions that can be easily sold in the open market.

Proposed Portion 1 will be sold to a nearby dairy for pasture and grazing and Proposed Portion 2 will be sold to a nearby riding school and horse stables.

Portion 3 and 4 will remain in the ownership of the current owner.

During our meeting Mr. van der Walt suggested that perhaps proposed Portions 3 and 4 should be retained as one large portion.

If this suggestion will allow for the subdivision into 3 portions to be supported, then our client is willing to amend the subdivision application to only 3 portions.

iv. Existing surrounding urban fabric.

It should be noted that the north, north eastern and north western sections of the adjacent farm portions have been subdivided into 30 small farm portions ranging from 3 hectares to 10 hectares. The southeastern and south portion is affected by the existing Rheenendal Road.

Thus, the existing surrounding urban fabric concurs with the Land Capability Class VI due to the fact that the area is not conducive to large-scale agricultural potential and the existing development trend established in the area is small farm portions which is non-arable due to topography, and mainly used for rural residential purposes.

d) Knysna Municipal Spatial Development Framework, 2020:

The application property is located in Core 2 Biodiversity area. The idea is to keep the pasture and range areas as is and especially proposed Portions 3 and 4 as Natural Forest.

The Knysna Municipality is one of seven municipalities that form the Garden Route District of the Western Cape Province in South Africa. It is located approximately 500km from Cape Town, on the Southern Cape coastline at the heart of the Garden Route, bounded by Bitou Municipality (Plettenberg Bay) to its east and George Municipality to its north and west. The town of Knysna is the primary regional service centre and a prominent national tourist destination. However, in the context of the Garden Route and sub-region, Mossel Bay and George are likely to remain the most important economic centres.

The KMA further includes the specialised (primarily tourist, recreational and retirement-oriented) coastal centres of Sedgefield, Buffalo Bay and Brenton on Sea; as well as the agricultural / forestry villages of Karatara, Rheenendal, and numerous smaller hamlets embedded within forestry areas.

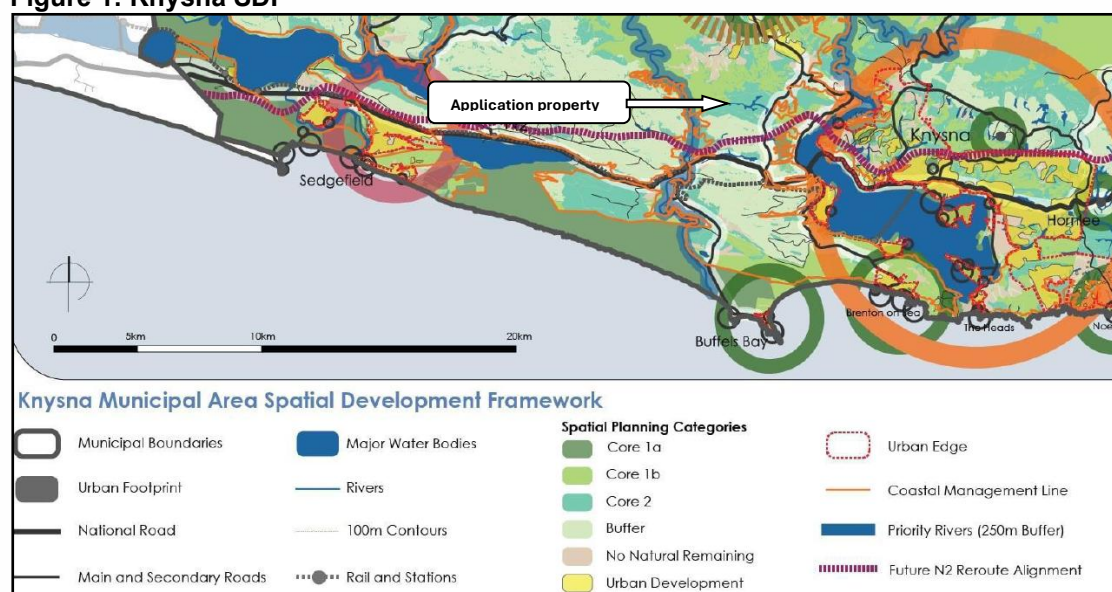
The Knysna town area makes up 75% of the population of the KMA. Sedgefield is the second largest settlement in the KMA with 12,9% of the population (Stats SA/ Western Cape Government, 2018). The KMA population is very much urbanised. 80% of future households living in Knysna will need to be accommodated in Knysna town and 10% in Sedgefield.

Knysna is no different from most South African municipalities in the disparities between rich and poor it is faced with. It has a responsibility to address backlogs in service delivery (including housing provision), maintain service delivery to its existing serviced population while meeting the needs of new in-migrants and stimulate economic growth to create jobs for its residents.

Knysna's economy is predominantly a service economy - driven by tourism and the services needed by those attracted to living in Knysna. Both the tourists and residents live in Knysna because of the quality of life it offers thanks to its unique environment. Looking forward, **agriculture**, manufacturing and tourism are the economic sectors with the greatest comparative advantage in Knysna. The development of these sectors and the overall performance of the economy will stimulate growth in the performance of other derived demand sectors such as finance and business services. The improvement of transport linkages and communication systems and technology are identified as playing an important enabling role in the economy.

The application property is located within Core 2 Biodiversity Area. Coastal sensitivities must be integrated into all applicable planning decisions within the coastal region, in order to protect existing property, infrastructure and ecology and ensure that only responsible and sustainable development takes place in areas with a high risk of inundation, coastal erosion and destructive storm surges.

Figure 1: Knysna SDF



Scenic routes provide public access to the enjoyment of these landscapes. The routes and the land use alongside these routes should be managed in such a way as to not compromise the views offered but to mark and celebrate the landscapes and the origins or nature of their significance. Significant scenic routes in the Knysna Municipal Area are as follows:

- The N2
- The Seven Passes between Knysna and George
- Prince Alfred Mountain Pass between Knysna and Avontuur
- Garden of Eden Pass / Uniondale Road between Knysna and Uniondale
- Homtini Pass between Rheenendal and Barrington/ Karatara **Phantom Pass between Knysna and Rheenendal**

Guidelines for the subdivision of agricultural land:

- Support efforts to strengthen and rejuvenate the agricultural and forestry economy and open up new livelihood and business opportunities based on the assets and resources of the region. Some of these resources include the forest, hops, fruit, livestock, flowers, honey bush and sustainable fynbos harvesting.
- The subdivision of rural land should generally not be supported unless this is required to enable more equitable and affordable access to land for farmers that would otherwise not be able to afford to acquire land for farming.
- All properties **greater than 3 hectares** outside of existing smallholding areas are deemed as agricultural properties whose subdivision is subject to the Department of Agriculture's regulations, the Western Cape Government's Rural Development Guidelines, this Spatial Development Framework and desirability in terms of rural context and character.

Part of this property is used for fynbos forestry and natural protea flowers. The idea is to split the natural areas and areas that has already been changed into grazing areas.

With the smallest portion being 103 hectares, these portions complies with the Knysna Municipal Spatial Development Framework, 2020.

e) **Western Cape Land Use Planning Guidelines Rural Areas, 2019**

In respect of the Rural Areas Guideline the term, 'rural areas', from a development management point of view, refers to all areas outside of the physical outer edge of existing built-up areas and settlements, no matter how small. Therefore 'urban areas' means the footprint of any settlement being it a city, town or village. The distinction is thus made between all settlements (urban areas) on the one hand and all non-urban areas outside of settlements (rural areas) on the other.

The Western Cape economy is founded on the Province's unique asset base. These include farming resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g. agri-processing) underpin the Province's industrial sector; and its natural capital (i.e. biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. The Western Cape seeks to ensure: 1) sustainable development of its rural areas; 2) conservation of their biological diversity; 3) functionality of ecosystems; 4) protection of agricultural productive land; and 5) safeguarding of rural heritage and culture.

As already mentioned, the property is located within Core 2. Core 2 **comprised areas in a degraded condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. These areas should be rehabilitated and only low-impact, biodiversity-sensitive land-uses are appropriate.** Core 2 also includes Ecological Support Areas (ESA), that are not essential for meeting biodiversity targets but play an important role in supporting the ecological functioning of CBAs, and deliver important ecosystem services. They facilitate landscape connectivity, promote resilience to climate change, and buffer elements of the landscape including Protected Areas and sites that are important for the survival of individual species.

These also include the following features and areas that may also occur within the Core 1 SPC: climate change adaptation corridors, foredunes, forests, corridors, coastal resource protection areas, endangered ecosystems, rivers, estuaries, wetlands and protection of watercourse, water source and water recharge areas.

Two components of the rural landscape, as mapped by the Western Cape Biodiversity Spatial Plan make up Core 2 Areas, with the following management objectives:

- Critical Biodiversity Area 2 (Degraded): Maintain in a natural or near-natural state with no further loss of natural habitat. These areas should be rehabilitated.
- Ecological Support Area 1: The desired management objective for all ESAs, is to maintain the land in a near-natural and ecologically functional state, even if some loss of ecosystem composition or structure takes place.

This subdivision will not affect the areas already used for grazing and pasture and will the uses of the property remain as is.

This complies with the two components highlighted in the Western Cape Biodiversity Spatial Plan (see **Annexure G**).

f) Conclusion:

From the abovementioned it is clear to see that the properties associated with the Class VI: Land Capability Classification, the focus of this classification is on the following uses being:

- Non-arable
- Grazing and pasture
- Woodland or wildlife

This is exactly what is evident on the property. The idea is not to change any usable areas but to sell proposed Portions 1 and 2 for the grazing and pasture characteristics and keep proposed portion 3 and 4 as woodland or wildlife.

If need be the subdivision application can be amended to allow for only 3 portions being:

PROPOSED PORTION NUMBER	PROPOSED TOTAL SIZE
Proposed Portion 1	113, 18 Ha
Proposed Portion 2	103,2971 Ha
Proposed Portion 3	410 Ha
Total	627,51 Ha

It is clear to see that topography, natural valleys and woodland make the property not suitable for commercial farming activities and that the proposed subdivision aligns with the Class VI Land Capability Classification of non-arable, grazing, woodland or wildlife.

This office is of the opinion that proposed Portions 1 and 2 can be used as viable grazing and pasture portions and that Portions 3 and 4 remain natural woodland.

In this light thereof, this office requests the Western Cape Provincial Government to reconsider and take cognizance of the additional information provided and to provide amended comments taking cognizance of the photos, contour plan and google overlays provided, confirming the Class VI Land Capability Classification supporting such land uses like grazing/pastures and natural woodland.

It should be noted that National Department of Agriculture extensively uses the South Africa Land Capability Classification when they adjudicate subdivision applications.

Due to the Class VI clearly stating that the property is classified as Class VI and has severe limitations that makes the property generally unsuited to cultivation and limit its use largely to pasture and range. Due to this classification the National Department of Agriculture approved the subdivision application because what is actually found on the property coincides with the classification of Class VI and which corresponds therewith.

However with this classification and the status quo on the property exactly corresponding, the Western Cape Government: Land Use Management on 13 March 2026 again provided negative comments still citing that the proposed development is not sustainable from an agricultural perspective.

It cannot be understood how this Department ignores the Agricultural Research Council: South Africa Land Capability Classification which clearly confirms that the property cannot be used for sustainable agricultural cultivation as well as the National Department of Agriculture

concurring with the classification of Class VI confirming that the property has severe limitations with regards to agricultural viability.

If the property had any commercial agricultural viability it would have been developed over the past 200 years for that purpose. That is why only 8% of the property has been used for grazing and pastures as this is the only flat areas available to be utilised for any form of agricultural activities.

It is clear to see that the Western Cape: Land Use Management did not apply their mind or did not take cognisance of the situation evident on site on the information provided by the Agricultural Research Council.

It is abundantly clear to see that the property and surrounding areas has no viable agricultural potential.

Furthermore, the said Department did not take cognisance of the Knysna Municipality Spatial Development Framework, 2020 which supports the subdivision of properties located in Core 2 Biodiversity area which must be larger than 3 hectares. This subdivision application complies therewith.

Furthermore, due to the fact that 92% of the property will remain in its natural state as is currently the case, also proves that there is no agricultural viability to be proven or complied with.

This office did request the Department to provide detailed reasons why the said department of the opinion that the property has agricultural potential, but to date this office has received no reply to this office request. Sufficient and detailed information was provided providing that the property has no agricultural potential, and this office is at the option that the reasons given by the said department is unfortunately not applicable on this site.

5. Interested and affected parties:

Two submissions was received from:

- Heather Morgan
- Nina Malan (De Beer)

This office will address each of the applications separately:

▪ Heather Morgan:

This interested and affected party clearly state that she has no objection to the subdivision application. Most of her submission handles with regards to the application not being available on the Municipal web site.

This office forwarded to Heather Morgan the complete application and all relevant plans on 22 October 2025 and received a response on 3 November 2025 that all was acceptable (see Annexure F)

It is this office submission that the input of Mrs Heather Morgan is not an objection but merely general comments.

▪ Nina Malan

Me Nina Malan's submission focuses on the natural fynbos, animal migration routes etc. Due to the fact that application is being made for the subdivision of the property only and for no actual land use change, the comments/suggestion can be accommodated, and the concerns / suggestions will not be affected by the proposed subdivision.

As 92% of the property will remain its natural state due to the topography and ravine bisecting the property, that all of the concerns of Me Malan will automatically be address as no fencing or actual development of the property is possible.

Due to the fact that Me Malan did not submit an actual objection and due to the natural state, vegetation, topography etc of the property even after subdivision will remain as

is. The actual impact made on site a will be exactly as per the suggestion/input of Me Malan's submission, and her comments/ suggestion will be complied with.

What is also interesting to note and which was not taken into consideration by Me Nina Malan is the 30 smaller subdivided portions ranging from 30 hectares to 10 hectares directly adjacent to the application. Thus, issues highlighted in the subdivision i.e. Southern Wildlife Corridor and Buffer Zone has already been negatively affected by these 30 existing subdivisions. Most of the issues highlighted in Me Malan's submissions refers to environmental issues which the subdivision application to be considered by the Municipality will have no impact on.

These issues highlighted will be pertinent when a land use application is submitted.

E. CONCLUSION

It is clear to see that the purpose of the application is to provide 4 small farm portions but with the overall use of the property remaining as is.

Due to the steep topography, natural forest, fynbos and deep ravine transversing the property that 92% of the property can only remain in its current natural state. The impact of the subdivision on the natural vegetation, fynbos is therefor minimal.

The fact that all of the services departments of the Knysna Municipality has no objection and the fact that no formal municipal services are required, the proposed subdivision application will have no impact on any municipal services.

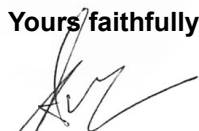
Furthermore, the application complies with the Knysna Municipal Spatial Development Framework, 2020, and the Agricultural Research Council: South Africa Land Capability Classification of Class VI and the fact that the National Department of Agriculture has approved the subdivision application, this office is of the opinion that the subdivision application can be approved as submitted due to the limited impact thereof on the natural environment.

The fact that the 4 properties will remain in its natural state as per the last 200 years, further proves that the proposed subdivision will have no negative environmental impact.

The fact that there are 30 adjacent farm portions ranging is size from 3ha to 10ha proves that the area has limited agricultural viability and that the area is conducive to a rural residential character at this locality These smaller subdivisions have also created a precedent in the area and further confirms that the subdivision application complies with the Knysna Municipal Spatial Development Framework 2020.

This office therefor submit to the Knysna Municipality that all information as provided proves beyond doubt that the subdivision application can be approved as submitted due to the limited impact that the subdivision will have on the natural environment and humbly request the Municipality to approve the application as submitted.

Yours/faithfully,



FERDI SCHOEMAN Pr. Pln. A/814/1995
SFP TOWNPLANNING (PTY) LTD

21 May 2026

The Town Planner
Knysna Local Municipality
P.O. Box 21
Knysna
6570

Attention: Ms S Sitinga
Mr S Madumbo
e-mail: ssitinga@knysna.gov.za
smadumbo@knysna.gov.za

Your Ref.: Application no 3558-Portion 44 of the Farm 1919 -(234 1929)
Our Ref.: F4358/FS

Dear Sir/ Madam,

PROPOSED SUBDIVISION OF PORTION 44 OF THE FARM WESTFORD NO.191-KNYSNA RD

This office refers to previous correspondence.

This office received comments from SANParks dated 8 May 2026.

It must be highlighted that the SANParks comments are quite comprehensive and complete.

It should be noted that the proposed subdivision is supported by SANParks.

As can be seen the contents of the comments from SANParks and the comments from Cape Nature highlighted the following aspects:

- Buffer Zone of the Garden Route National Park
- Several non perennial rivers
- Critical Biodiversity relating to Kysna Sand Fynbos and Garden Route Shale Fynbos
- Steep Topography

Due to the fact that 92% of the property will remain in its natural state as highlighted through all submissions, feedback and comments, the property can comply with the protection of Knysna Sand Fynbos and Gadern Route Shale Fynbos as per the request of SANParks and Cape Nature

The zoning of the property will remain Agricultural Zone 1.

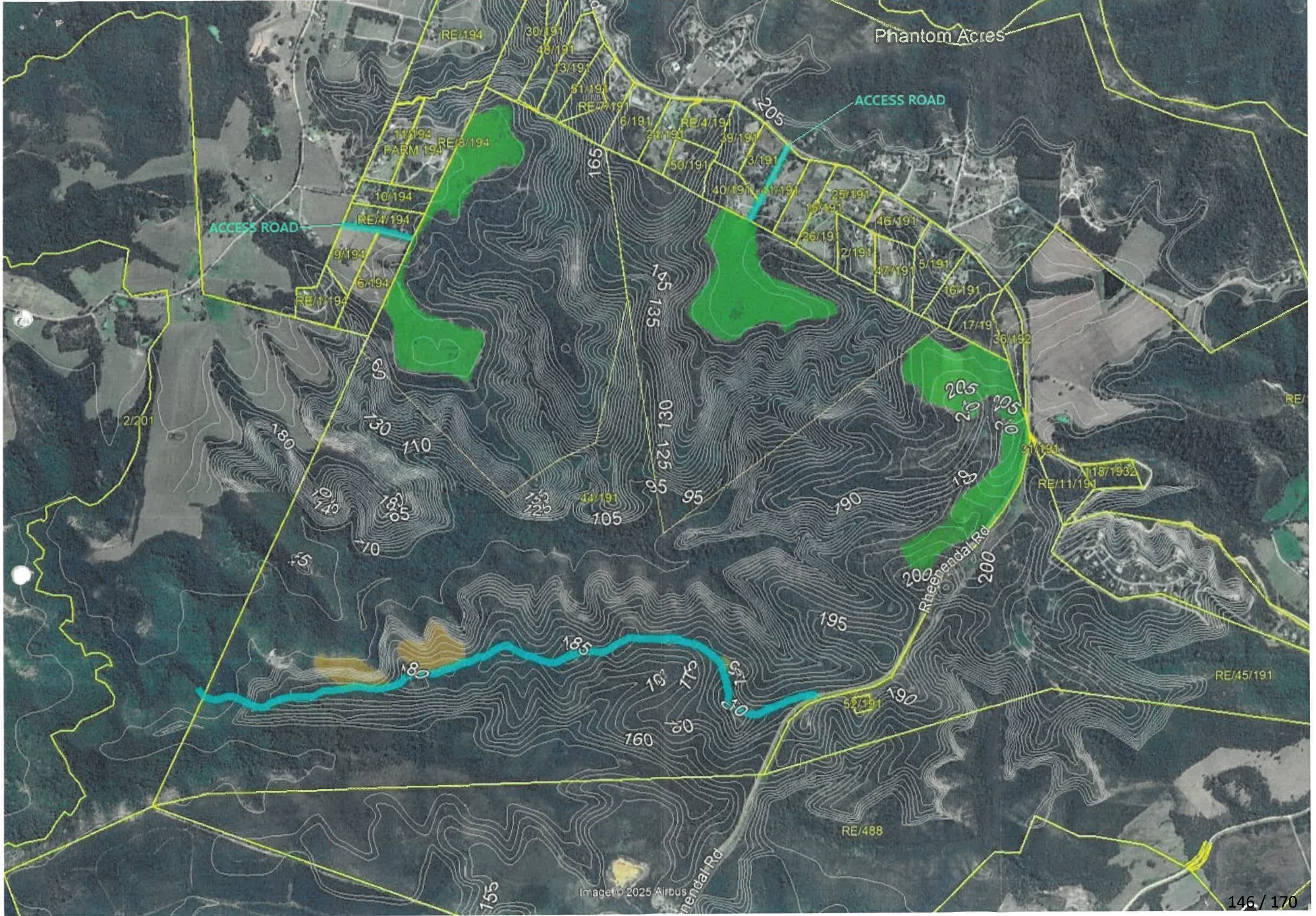
Due to the steep topography as also highlighted by SANParks which has also been highlighted by this office in our motivation memorandum and subsequent submissions, only the existing open areas will remain as is. The comments highlighted by SANParks again re-iterates the fact that the property has limited agricultural potential and farming potential.

This office is in agreeance with the comments from SANParks as the comments are exactly what is actually found on site and what the future usage of the property will entail.

Yours faithfully,



FERDI SCHOEMAN Pr. Pr Plan A/814/1995
SFP TOWNPLANNING (PTY) LTD



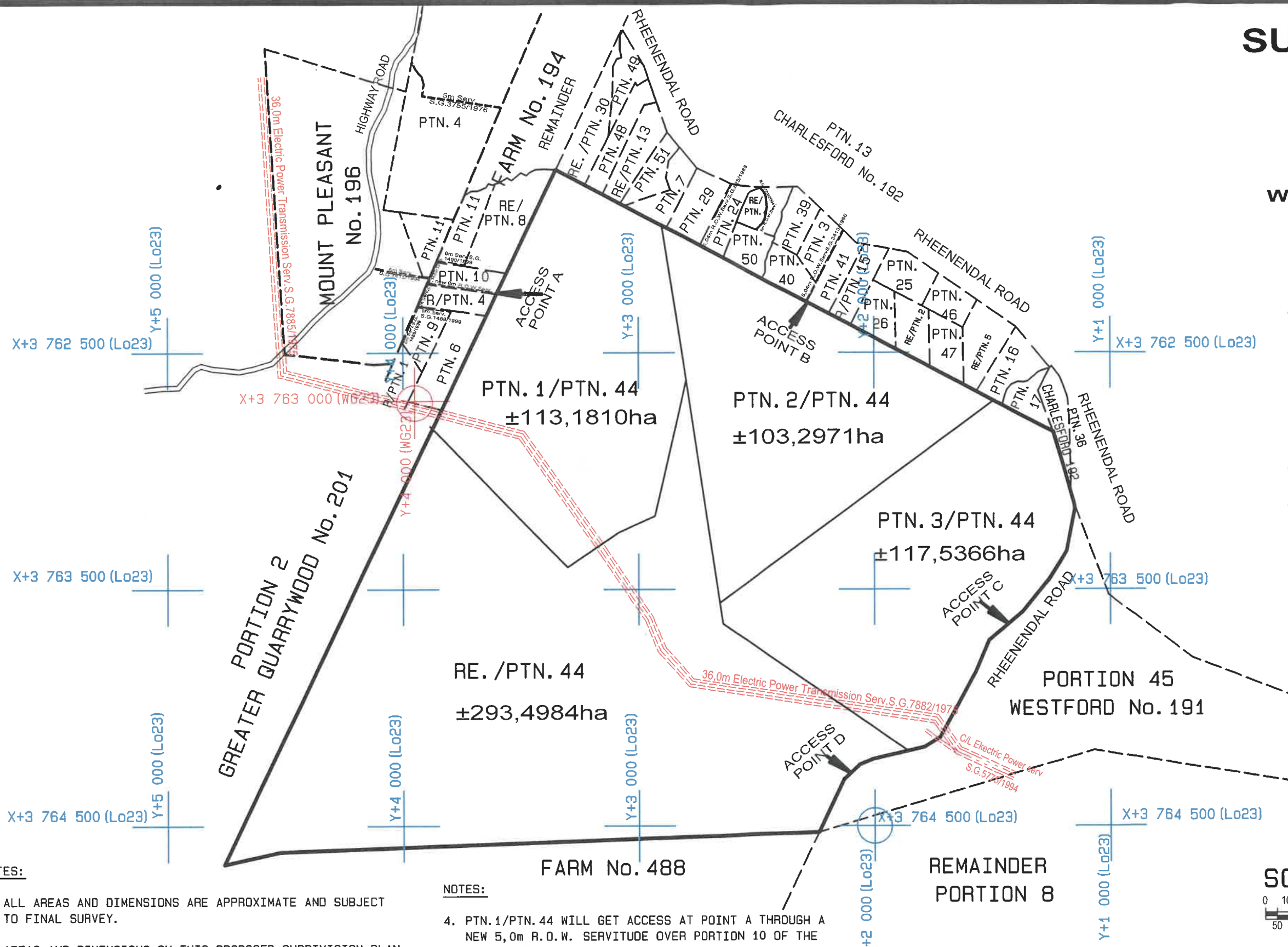
SUBDIVISION PLAN

**PORTION 44,
OF THE FARM
WESTFORD No.191**

627,5131ha

SUBDIVISION:

PTN. 1/PTN. 44	= 113,1810ha
PTN. 2/PTN. 44	= 103,2971ha
PTN. 3/PTN. 44	= 117,5366ha
RE. /PTN. 44	= 293,4984ha
TOTAL PTN. 44	= 627,5131ha



NOTES:

1. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
2. AREAS AND DIMENSIONS ON THIS PROPOSED SUBDIVISION PLAN IS APPROXIMATE AND IS ONLY INDICATORY AND MAY DIFFER FROM ANY BUILDING PLANS AND SITE DEVELOPMENT PLANS.
3. A 36,0m ELECTRIC POWER TRANSMISSION SERVITUDE VIDE S.G. 7882/1975 DIAGRAM IS APPLICABLE AND AFFECTS PROPOSED PTN. 1 OF PTN. 44, PTN. 3 OF PTN. 44 AND REMAINDER OF PTN. 44 OF THE FARM WESTFORD No. 191 AS SHOWN ON THE SUBDIVISION PLAN.

NOTES:

4. PTN. 1/PTN. 44 WILL GET ACCESS AT POINT A THROUGH A NEW 5,0m R.O.W. SERVITUDE OVER PORTION 10 OF THE FARM No. 194.
5. PTN. 2/PTN. 44 WILL GET ACCESS AT POINT B THROUGH A 5,04m R.O.W. SERVITUDE S.G. 3413/1996.
6. PTN. 3/PTN. 44 WILL GET ACCESS AT POINT C ALONG RHEENENDAL ROAD.
7. RE. /PTN. 44 WILL GET ACCESS AT POINT D ALONG RHEENENDAL ROAD.

APPLICANT:
F. SCHOEMAN Pr. Pln. A/814/1995



SCALE 1:12 000
0 100 200 500 1000 metre
50 150

PLAN No. F4358/1



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371 Melk Street, Pretoria
0181

F4358 Westford ptn 44 ond 2 A2 SHEET
ACCESS POINTS
AMENDED: 11 MARCH 2025
SYSTEM: Lo23 AND W623

ITEM TO:

Municipal Planning Tribunal



APPLICATION NO.	3784
REPORT AUTHOR	Shaun Madumbo
JOB TITLE	Senior Town Planner
SACPLAN REG. NO.	A/1510/2012
TELEPHONE NO.	044 302 6268
APPLICATION DATE	28 July 2026

LAND USE PLANNING REPORT
ADMINISTRATIVE PENALTY: ERF 3945 KNYSNA

PART A: APPLICANT DETAILS

Name & Surname	<i>Delarey Ferreira</i>
Company name	<i>Not applicable</i>
SACPLAN registration number	<i>Not applicable</i>
Registered owner(s)	<i>Jacques en Claudia Bloemhof Familie Trust</i>

PART B: PROPERTY DETAILS

Property description	<i>Erf 3945, Knysna in the Municipality and Division of Knysna, Province of the Western Cape</i>
Property Extent (m ²)	<i>646</i>
Physical address	<i>15 Syringa Street, Heuwelkruin</i>
Area/Town	<i>Knysna</i>
Current zoning	<i>Single Residential Zone I</i>
Applicable zoning scheme	<i>Knysna Zoning Scheme By-law (2020)</i>
Current land use	<i>Dwelling house</i>
Are there existing buildings on the property?	<i>Yes, dwelling house</i>
Title Deed number & date	<i>T35356/2021</i>
Any restrictive title conditions applicable?	<i>Yes</i>
Any third party conditions applicable?	<i>None</i>
Any unauthorised land use/building work	<i>Yes</i>
Bondholder's Consent	<i>Yes</i>

PART C: CONTRAVENTION INFORMATION	Yes	No	Not Applicable
Has the landowner applied for the determination of an administrative penalty?	☒	☐	☐
Has the Municipality applied to the Municipal Planning Tribunal for an order that a person who is contravening the Zoning Scheme By-law must pay a contravention penalty?	☐	☒	☐
Has the Municipality served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of a contravention penalty?	☐	☒	☐

1. APPLICATION DESCRIPTION

The application is for the determination of an administrative penalty in terms of Section 15(2)(r) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021) read with Section 93(1), for the unauthorised building work that encroaches the 4.5m street building line as prescribed under "dwelling house" of the Knysna Zoning Scheme By-law (2020), in respect of Erf 3945, Knysna.

2. BACKGROUND

2.1. The subject erf is located at 15 Syringa Street, Heuvelkruijn, and is zoned for single residential purposes (i.e. Single Residential Zone I) in terms of the Knysna Zoning Scheme By-law (2020) with "dwelling house" as primary use. This land use imposes a street building line of 4.5m and lateral and rear building lines of 2.0m

2.2. The subject property has an as-built carport and roofed deck that encroaches the prescribed 4.5m building line on the street side. In terms of the title deed to the property, the landowner took transfer of the subject property in August 2021 and alleges that at this time the carport and covered deck were already existing. The applicant/landowner wishes to regularise the unlawful building work that contravenes the zoning scheme and, therefore, in accordance with Section 93(1) of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an application for the determination of an administrative penalty applies.

3. ASSESSMENT OF APPLICATION

3.1. Administrative Penalty Calculation

	Rand value (R)
1. Unauthorised Building Work	<i>as per Council tariff</i>
(a) Uncontested: departure from the development parameters as specified in the Zoning Scheme/ failure to comply with Planning By-law/ requires a permission in terms of zoning	R5,000.00
(b) Unauthorised building work contravening the Zoning Scheme (up to and not more than 100% of the value of the building work unlawfully carried out)	Not specified
2. Unauthorised Land Use	
(a) Uncontested: Unauthorised Residential Use	Not applicable
(b) Up to and not more than 100% of the municipal valuation of the area that is used unlawfully	Not applicable

3.2. Considerations in terms of Section 93(9) of the Planning By-law

- 3.2.1. The applicant states the current landowner acquired the subject erf in August 2021 and alleges that the offending carport and deck already existed at that time. Historic aerial imagery suggests that this may be true and that the carport and deck may have existed at least by 2019.
- 3.2.2. The landowner, however, accepts their responsibility in terms of their ownership in the context of compliance to the zoning scheme and accepts the maximum penalty as specified in the Council's approved tariff list for an uncontested offence.
- 3.2.3. When considering the gravity of the offence (i.e. carport encroaching the prescribed street building line), the imposition of the penalty for an uncontested offence by way of a building line encroachment, is considered reasonable and proportionate to the offence, and is thus supported.

4. RECOMMENDATION

It is recommended that, in terms of Section 60 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021), an administrative penalty in the amount of R 5,000.00 be determined in accordance with Section 93(2,) for the unlawful building work encroaching the 4.5m street building line as prescribed under "dwelling house" in the Knysna Zoning Scheme By-law (2020), in respect of Erf 3945, Knysna.

5. CONDITIONS IMPOSED IN TERMS OF THE PLANNING BY-LAW

The above recommendation is subject to the following conditions imposed in terms of Section 66 of the Knysna Municipality By-law on Spatial Planning and Land Use Management (2021):

- 5.1. The landowner/applicant shall pay the administrative penalty within 30 days reckoned from the date of the notice of decision.
- 5.2. The decision and imposition of an administrative penalty shall not be construed as support for future applications lodged in accordance with Section 15(2) of the Planning By-law on the subject erf.

6. REASONS FOR RECOMMENDATION

The reason(s) for the above recommendation is as follows:

The applicant has conceded to the transgression and based on the gravity and duration of the transgression the imposition of an administrative penalty is considered reasonable and is an appropriate response to encourage compliance with the zoning scheme. The unauthorised building work appears to have existed for a considerable period of time and has not shown to cause an adverse impact in terms of the general welfare of the local surroundings.

7. SUPPORTING APPLICATION DOCUMENTS

ANNEXURE A: *Applicant's motivating memorandum & correspondence*

ANNEXURE B: *Power of attorney & trust resolution*

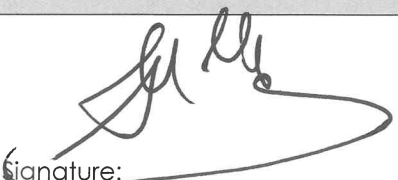
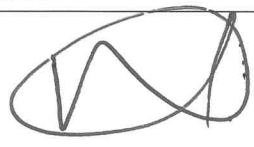
ANNEXURE C: Copy of title deed

ANNEXURE D: Bondholders Consent

ANNEXURE E: Locality, zoning & land use map

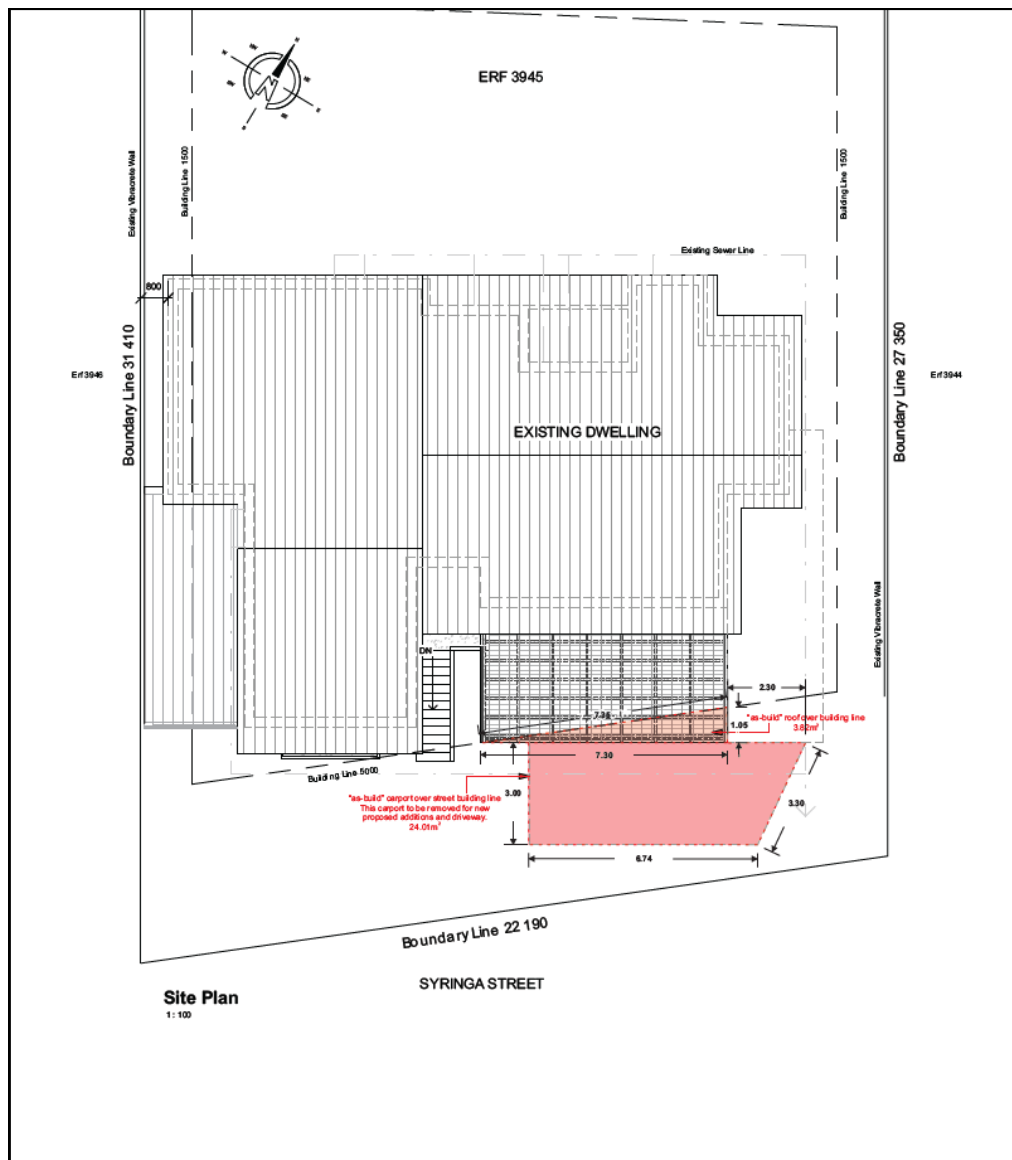
ANNEXURE F: Copies of approved building plan(s)

ANNEXURE G: Proposed site plan(s)

Administrative Penalty: Erf 3945, Knysna			
Application No.: 3784			
Author Name: Shaun Madumbo Date: 17/09/2026		Author Signature: 	
Registered planner name: Sinovuyo Sitinga SACPLAN registration number: AP695/2018 Date: 17/09/2026		Registered Planner Signature: 	
Decision maker: Municipal Planning Tribunal			
APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

ERF 3945, Heuvelkruin, Knysna.

Application: Determination of Administrative Penalty in terms of Section 93 and 15(2)(r) of SPLUMA Bylaw 2021, for Erf 3945, Knysna.



Application prepared and submitted by: DelaRey Ferreira (B.Art.et.Scién)

Delareyferreira@gmail.com/0794052926

Date: July 2026

Determination of Administrative Penalty in terms of Section 93 and 15(2)(r) of SPLUMA Bylaw 2021, for Erf 3945, Knysna: July 2026

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3.1. Current Status Quo July 2026	4
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5. Annexures:	
3.1. Annexure A: 1. As-Built Plan indicating non-compliant areas with Zoning Scheme & 2. Proposed Building plan submitted with Departure and Administrators Consent Application June 2026	
3.2. Annexure B: Trust Resolution	
3.3. Annexure C: Power of Attorney (POA)	
3.4. Annexure D: Title Deed(s) and Conveyance Certificate	
3.5. Annexure E: Bondholders Consent	
3.6. Annexure F: SG Diagram/General Plan	
3.7. Annexure G: Locality Plan for Erf 3945	
3.8. Annexure H: Historical and Approved Building plans for Erf 3945	
3.9. Annexure I: POP application fee	
3.10. Annexure J: Motivation report LUA	
3.11. Annexure K: KMLUM Application form	
3.12. Annexure L: KM feedback regarding submission of Departure Application June 2026	

1. Introduction/Application Details and Background:

1.1. Introduction and Application Details:

DelaRey Ferreira has been appointed by Jacques en Claudia Bloemhof Familie Trust, the owners of Erf 3945 Knysna (Annexure B and C), to prepare and submit the following applications in terms of:

- Determination of Administrative Penalty in terms of Section 93 and 15(2)(r) of SPLUMA Bylaw 2021, for Erf 3945, Knysna.

The application represents a Rectification of a Contravention Levy, Uncontested application ii). Building Work: Departures from the development parameters as specified in the Zoning Scheme for single residential properties.

1.2 Background:

The subject property is zoned for “Single Residential Zone 1” and is utilised as a 3 bedroom single family dwelling home. The property consists of the main dwelling, with an ancillary south facing roofed decked area, as well as an adjacent carport. The carport and roof over the decked area does NOT benefit from prior Municipal approval and is therefore not lawful. In terms of the Zoning Scheme Bylaw 2020, Section 21, an inspection revealed that a portion of the roof over deck, as well as the carport, had been constructed encroaching the street building line, please see Annexure A for details.

The current owners took occupation of the property in 2021, with the carport and roofed deck already built. After occupation the owners were planning alterations to the property and were advised at that stage that the roof over deck, as well as the carport were non-compliant as no building approval had been obtained for these structures. The approved plan (Annexure H) indicates the removal of these structures but regrettably due to Covid 19 financial ramifications, as well as escalating building costs post Covid 19, the owners had to delay the holistic alterations they had planned for the property.

Renovations had been planned for this property, which includes the removal of all non-complaint structures, which is now formalised on the proposed building plans, which formed part of an application submitted to the Knysna Municipality Town Planning Department in June 2026, which includes the following Land Use Applications:

1. Section 39(4) of the Land Use Planning Act, 2014 for the Administrator’s Consent from Condition 6(b) in the title deed (T38356 2021, Annexure D), to allow for proposed structure within current street building line, as depicted on proposed building plans Annexure A.
2. Section 15 (2) (b): Application for a Permanent Departure from the provisions of the Knysna Spatial Planning and Land Use Management Bylaw 2021 for a building line relaxation on the street boundary from 4.5m to 1.5m in order to allow the proposed alteration as depicted on the proposed building plans, Annexure A.

In response to the above submitted applications the KM responded as per Annexure L and thereby requested the formal submission of the current application as requested in 1.1., as per above.

Determination of Administrative Penalty in terms of Section 93 and 15(2)(r) of SPLUMA Bylaw 2021, for Erf 3945, Knysna: July 2026

2. Property Information:

2.1.1 Locality:

The property is situated in the Heuvelkruin suburban precinct of the greater Knysna Municipality district located at 15 Syringa Street, as identified on Figure 1 below:

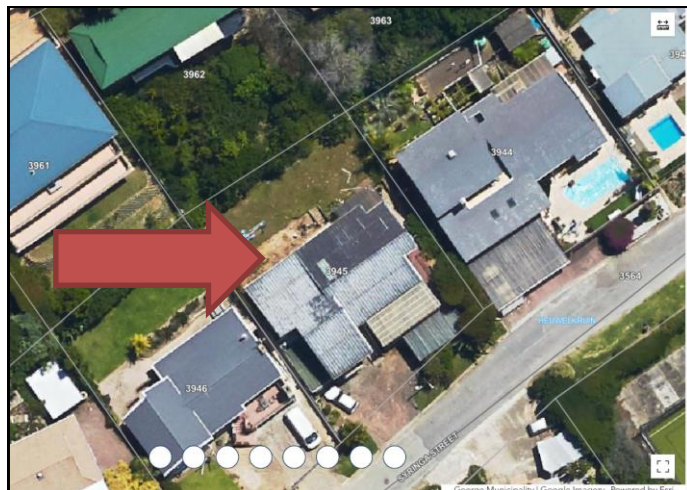


Figure 1: Application site Erf 3945, Knysna.

2.1.2 Property Detail and Description

Table 1 below summarizes the property information:

Title Deed Description	Erf 3945, in the Municipality and Division of Knysna, Province Western Cape.
Title Deed Number(s): Restrictive on proposal	T38356 2021: Condition 6(b) of respective title deed. Please refer to Annexure D for referenced title deeds and associated Conveyance Certificate
SG/GP Diagram No:	General Plan no: 8265
Registered Owner	Jacques en Claudia Bloemhof Familie Trust
Property size/extent	650m ²
Applicable Zoning Scheme	Knysna Spatial Planning and Land Use Management Bylaw 2021
Current Land Use	Single residential family home
Current Zoning	Single Residential Zone 1
Property Bond, if applicable	Yes, see Annexure E: Bondholders consent

Table 1: Property Information and summary

3. Areas of Non-Compliance:

3.1. Current Status Quo July 2026:

The current application is an uncontested application in terms of application type 8(2): Building work: Departures from the development parameters as specified in the Zoning Scheme, of the Knysna Municipality Bylaw on Spatial Planning and Land Use Management 2021.



Fig 2: As-built carport and roof section over street building line.

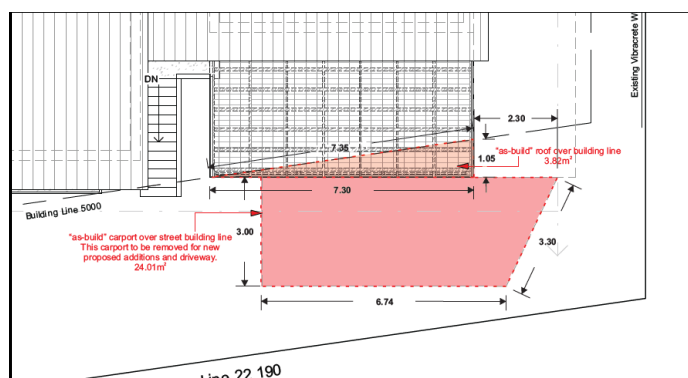


Fig 3: As-built carport and roof section over street building line.

Annexure A1 As-Built Contravention Plan July 2026 confirms the portions of the non-compliant structures encroaching the street building line:

- 3.82m² section of 1st floor veranda roof
- 24.01m² of open ground floor carport

These identified areas form the basis of this Rectification of Contravention Levy application.

4. Conclusion:

As per information provided within this report it is hereby concluded that the writer trusts that all required aspects have been addressed and provided and that the application can be duly processed and concluded in order for Departure and Administrators Consent Application dated June 2026, to commence.

4 May 2026

Mr H Smit

Manager: Land Use Management

Knysna Municipality

Power of Attorney

I, Jacques Bloemhof (ID: [REDACTED]), begin the authorized Trustee of Jacques and Claudia Bloemhof Familie Trust IT001441/2020 owner of 15 Syringa Street, Heuwelkruin, Knysna, 6570. Do hereby give Mr DelaRey Enrico Ferreira

ID: [REDACTED] power of attorney o act on our behalf to apply to Knysna Municipality for a Land Use Application, for the above listed erf.


J Bloemhof

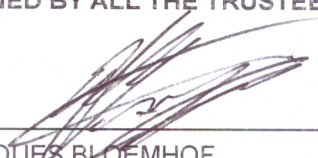
RESOLUTION BY THE TRUSTEES FOR THE TIME BEING OF
THE JACQUES & CLAUDIA BLOEMHOF FAMILIE TRUST
Registration Number: IT1441/2020(G)
("the Trust")

4 June 2026

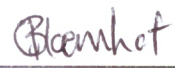
1. IT IS RESOLVED THAT:

- 1.1 **JACQUES BLOEMHOF**, in his capacity as trustee of the Trust, be and is hereby authorised and empowered to do all such things, sign all such documents as may be necessary or incidental to give effect to the matters contemplated in the above resolution. Insofar as any such actions have been taken or any such documents have been signed before the date of this resolution, to the extent permissible by law, such actions and/or signatures be and are hereby retrospectively approved and ratified in their entirety.

SIGNED BY ALL THE TRUSTEES



JACQUES BLOEMHOF



CLAUDIA BLOEMHOF



HESTIA SMIT

5 June 2026
DATE

5 June 2026
DATE

5 June 2026
DATE

1382

Logan - Martin Inc
P O Box 6
Knysna
6570

Prepared by me

CONVEYANCER
FLORIS ALBERTUS HANEKOM
LPCM 90928

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 1 600 000.00	R. 1283.00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg Act/Proc

VERBOD MONTGAGED

VR
FOR R. 1 800 000.00

0000021693, 2021

13 AUG 2021

DATA / CAPTURE

24-08-2021

LINDA NCAPAI

T 000038356 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

FLORIS ALBERTUS HANEKOM -LPCM 90928

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

KATHRYN RACHEL RABKIN

Identity Number [REDACTED]

Unmarried

which said Power of Attorney was signed at JOHANNESBURG on 14 June 2021

DATA / VERIFY

25-08-2021

JENNY VAN VYK

Lexis® Convey 18.0.5.9

And the appearer declared that his/her said principal had, on 31 May 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

JACQUES EN CLAUDIA BLOEMHOF FAMILIE TRUST
Registration Number IT001441/2020(G)

its Successors in Office or assigns, in full and free property

ERF 3945 KNYSNA
IN THE MUNICIPALITY AND DIVISION OF KNYSNA
PROVINCE OF THE WESTERN CAPE

IN EXTENT 646 (SIX HUNDRED AND FORTY SIX) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T17955/1975 with General Plan Number TP 8265 relating thereto and held by Deed of Transfer Number T55206/2016

A. **SUBJECT** to the conditions referred to in Deeds of Transfer No. T17955/1975.

B. **SUBJECT FURTHER** as is mentioned in the Deed of Grant Knysna Freeholds Volume 2 No. 10 dated 27th October 1894-

"to all such duties and regulations as are either already or shall in future be established with regards to such lands.

C. **SUBJECT FURTHER** to the following conditions mentioned in Deed of Transfer No. T17955/1975 -

I. Imposed by the Administrator in terms of Section 18 of Ordinance 33 of 1934 when approving the establishment of Knysna Township Extension No 9. namely -

1. Any word and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No. 623 dated 14th August 1970.

2. In the event of a Town Planning Scheme or any portion thereto applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be

construed as overriding the provisions section 146 of Ordinance No. 15 of 1952, as amended.

3. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewerage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
4. The owner of this erf shall be obliged without compensation to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
5. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
- 6(a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may from time to time after reference to the Township Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme;
- (b) No buildings or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 m to the street line which forms a boundary of this erf, nor within 3 m of the rear or 1,5 m of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority -

- (i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the buildings to the wallplate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf, the distance of 12 metres shall be measured from the point furthest from the streets abutting on the erf;
- (ii) An outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth these conditions shall apply to the consolidated holding as if it was one erf.
- (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

II. Imposed by and in favour of the Municipality of Knysna namely –

“This erf shall not be consolidated with more than one adjoining erf provided that such adjoining erf is not a consolidated erf.”

WHEREFORE the said Appearer, renouncing all rights and title which the said

KATHRYN RACHEL RABKIN, Unmarried

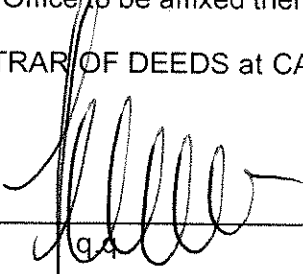
heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

JACQUES EN CLAUDIA BLOEMHOF FAMILIE TRUST
Registration Number IT001441/2020(G)

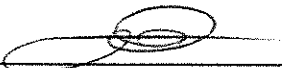
its Successors in Office or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 400 000,00 (ONE MILLION FOUR HUNDRED THOUSAND RAND) .

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 13 AUG 2021



In my presence



REGISTRAR OF DEEDS

To: The Municipal Manager / Authorised Official
Knysna Municipality

Date: 9 June 2026

Dear Sir / Madam,

RE: CONSENT BY REGISTERED MORTGAGEE (BOND HOLDER) FOR BUILDING ALTERATIONS AND THE RELAXATION OF THE BUILDING LINE BETWEEN THE STREET AND THE CURRENT BUILDING.

PROPERTY DESCRIPTION

Free standing residential property.

PROPERTY DETAILS

- **Erven:** 3945
- **Township:** Knysna Township Extension 9
- **Physical Address:** 15 Syringa Street, Heuwelkruin, Knysna
- **Title Deed Numbers:** T000038356/2021

BOND HOLDER

iMasFinance Co-operative Limited (Registration No. 1996/000001/24).

We, the undersigned, acting for and on behalf of iMasFinance Co-operative Limited, hereby confirm that iMasFinance Co-operative Limited is the registered mortgagee / bond holder in respect of the above-mentioned property, duly secured by way of the relevant mortgage bond(s) registered against the aforesaid title deeds.

We further confirm that we have been advised that the owner of the said property plan building alterations need to apply for relaxation of the building line between the street and current building in terms of applicable municipal planning legislation and the relevant land use management framework applicable within the jurisdiction of the Knysna Municipality.

CONSENT

Accordingly, iMasFinance Co-operative Limited hereby grants its written consent to the registered owner(s) of the above property to proceed with the proposed alterations, including (without limitation):

1. the erection of new structures.
2. Other building alterations and/or additions; and
3. any building works reflected in and undertaken in accordance with building plans approved by the Knysna Municipality, together with any conditions imposed by the Municipality and/or any competent authority.

RESERVATION OF RIGHTS

This consent is granted expressly on the basis that:

- the rights, title, and interests of iMasFinance Co-operative Limited as registered mortgagee, as recorded in terms of the mortgage bond, shall remain of full force and effect; and
- nothing contained herein, nor any development, building works, land use application, endorsement, condition, or municipal approval, shall be construed as a waiver, limitation, or prejudice of any rights held by iMasFinance Co-operative Limited under the mortgage bond and/or at law.

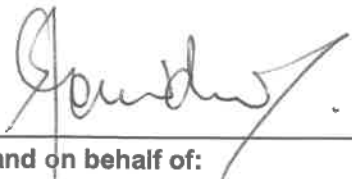
NO OBJECTION TO MUNICIPAL ENDORSEMENTS / CONDITIONS

We furthermore confirm that iMasFinance Co-operative Limited has no objection to:

- the Municipality imposing conditions of approval; and/or
- the registration, endorsement, noting, or recording (where applicable) of any approvals, conditions, or restrictions in municipal records and/or any other relevant approval mechanism required to give effect to such development and/or approved building plan(s),

provided that such endorsements or conditions do not result in the cancellation, substitution, or subordination of iMasFinance Co-operative Limited's mortgage bond rights, unless agreed to in writing by iMasFinance Co-operative Limited.

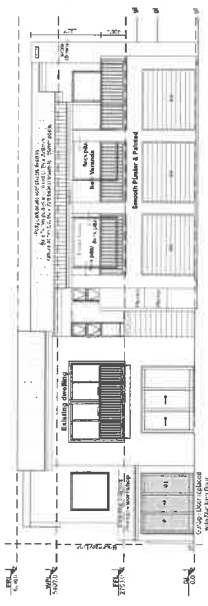
Yours faithfully,



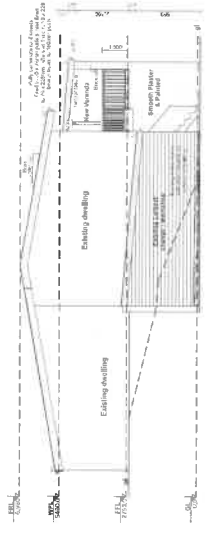
For and on behalf of:
iMasFinance Co-operative Limited
(Registration No. 1996/000001/24)
Name: Joey Govindasami
Capacity: Managing Executive: iLend
E: J. [REDACTED]
[REDACTED]

Notes

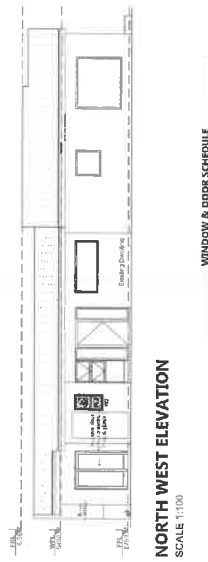
1. All work to be in accordance with the latest edition of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).
2. All materials to be of good quality and in accordance with the specifications.
3. All work to be completed in a timely manner and in accordance with the program of construction.
4. All work to be completed in a safe manner and in accordance with the safety plan.
5. All work to be completed in a clean manner and in accordance with the site plan.
6. All work to be completed in a professional manner and in accordance with the standards of the profession.
7. All work to be completed in a responsible manner and in accordance with the principles of sustainable design.
8. All work to be completed in a transparent manner and in accordance with the principles of open government.
9. All work to be completed in a collaborative manner and in accordance with the principles of partnership.
10. All work to be completed in a respectful manner and in accordance with the principles of respect for diversity.



SOUTH EAST ELEVATION
SCALE 1:100



SOUTH WEST ELEVATION
SCALE 1:100

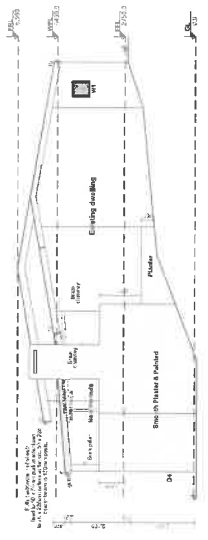


NORTH WEST ELEVATION
SCALE 1:100

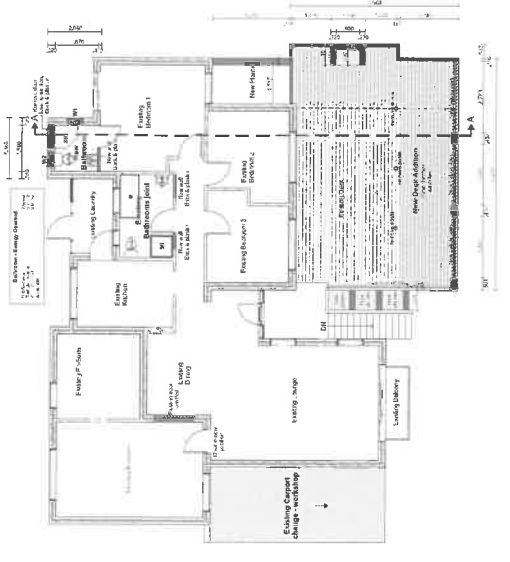
WINDOW & DOOR SCHEDULE

NO.	DESCRIPTION	SIZE	TYPE	FINISH
1	Window	1200 x 1500	Double Hung	White
2	Window	1200 x 1500	Double Hung	White
3	Window	1200 x 1500	Double Hung	White
4	Window	1200 x 1500	Double Hung	White
5	Window	1200 x 1500	Double Hung	White
6	Window	1200 x 1500	Double Hung	White
7	Window	1200 x 1500	Double Hung	White
8	Window	1200 x 1500	Double Hung	White
9	Window	1200 x 1500	Double Hung	White
10	Window	1200 x 1500	Double Hung	White
11	Window	1200 x 1500	Double Hung	White
12	Window	1200 x 1500	Double Hung	White
13	Window	1200 x 1500	Double Hung	White
14	Window	1200 x 1500	Double Hung	White
15	Window	1200 x 1500	Double Hung	White
16	Window	1200 x 1500	Double Hung	White
17	Window	1200 x 1500	Double Hung	White
18	Window	1200 x 1500	Double Hung	White
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43	Window	1200 x 1500	Double Hung	White
44	Window	1200 x 1500	Double Hung	White
45	Window	1200 x 1500	Double Hung	White
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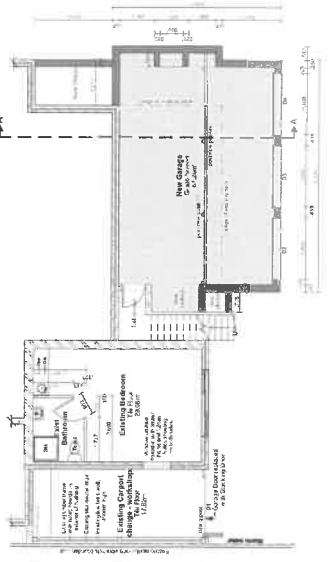
TIMBER BALUSTRADE
SCALE 1:100



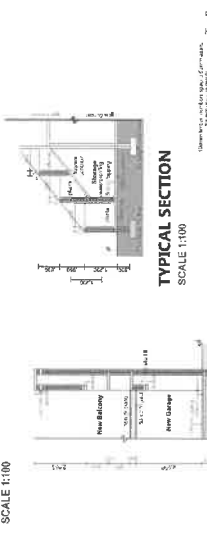
NORTH EAST ELEVATION
SCALE 1:100



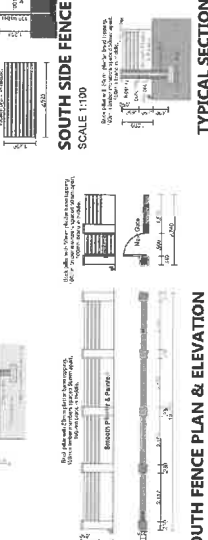
FIRST FLOOR PLAN
SCALE 1:100



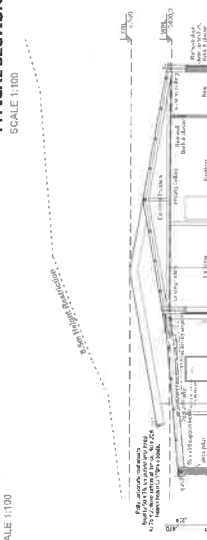
GROUND FLOOR PLAN
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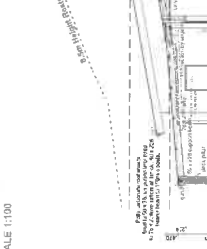
TYPICAL SECTION
SCALE 1:100



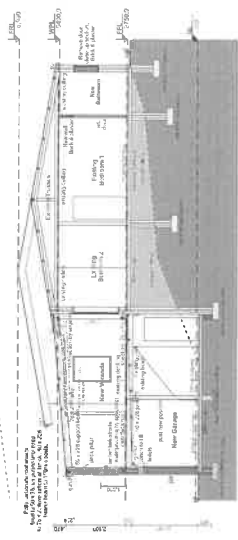
SOUTH SIDE FENCE
SCALE 1:100



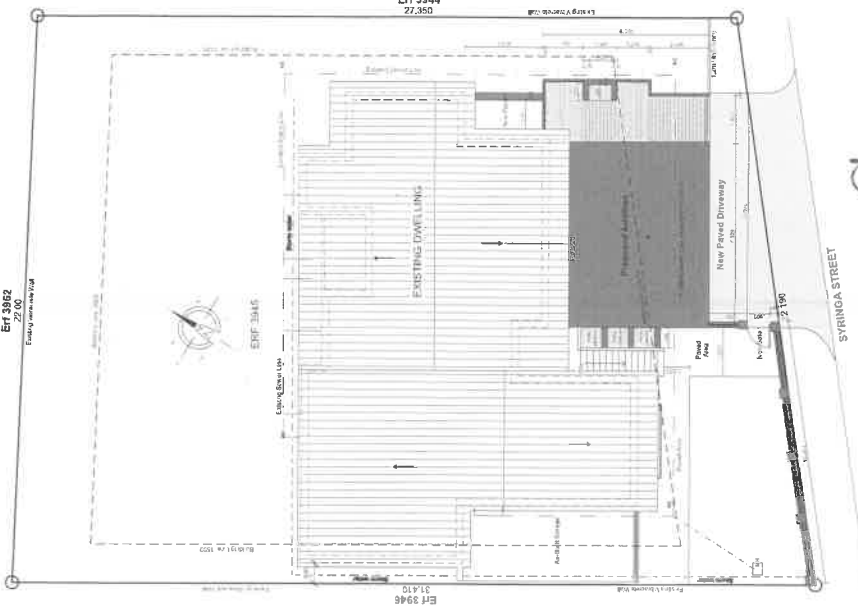
TYPICAL SECTION
SCALE 1:100



SOUTH FENCE PLAN & ELEVATION
SCALE 1:100



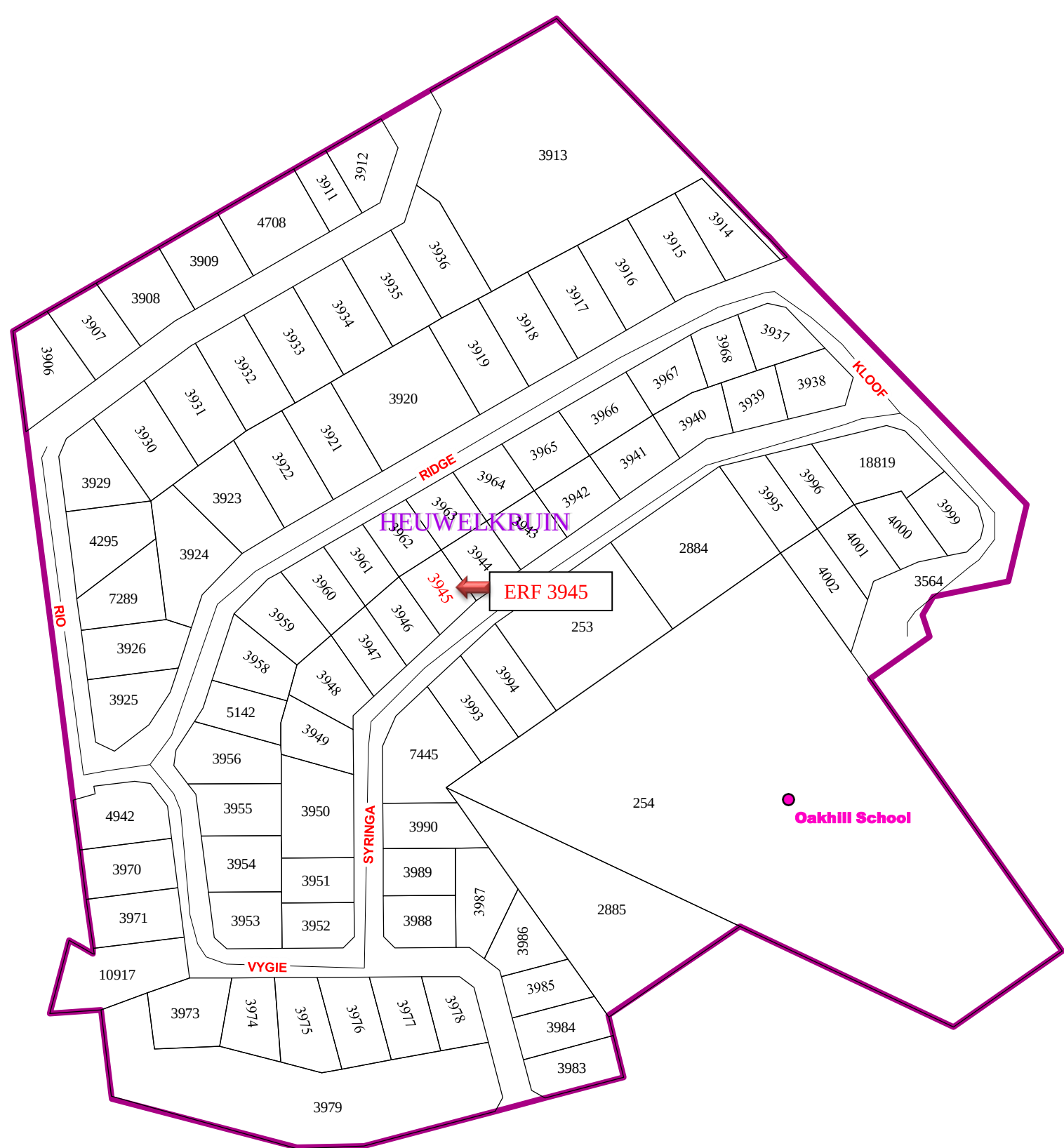
SECTION AA
SCALE 1:100

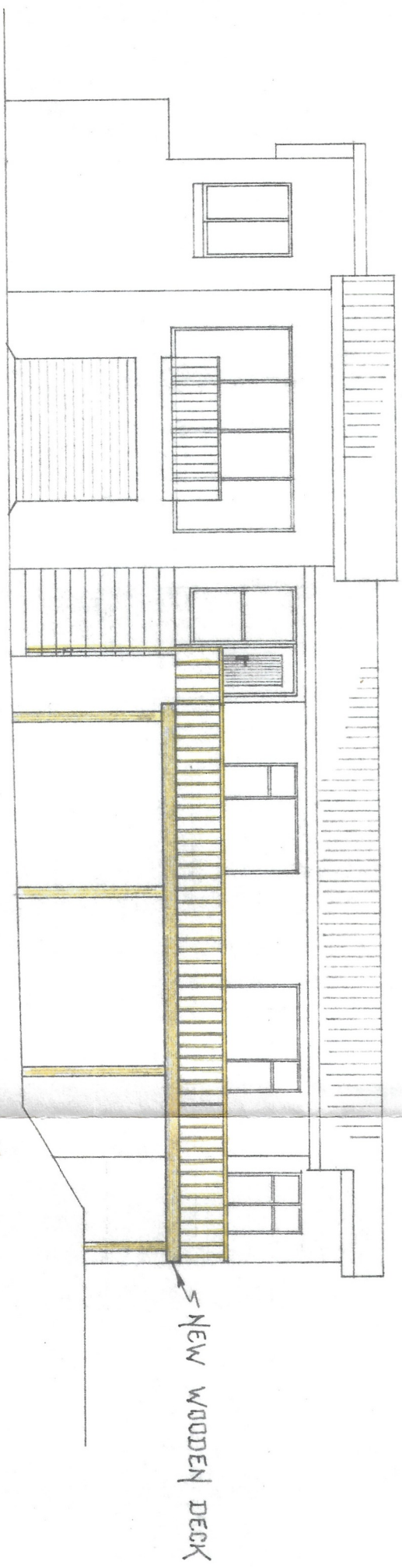


SITE PLAN
SCALE 1:100

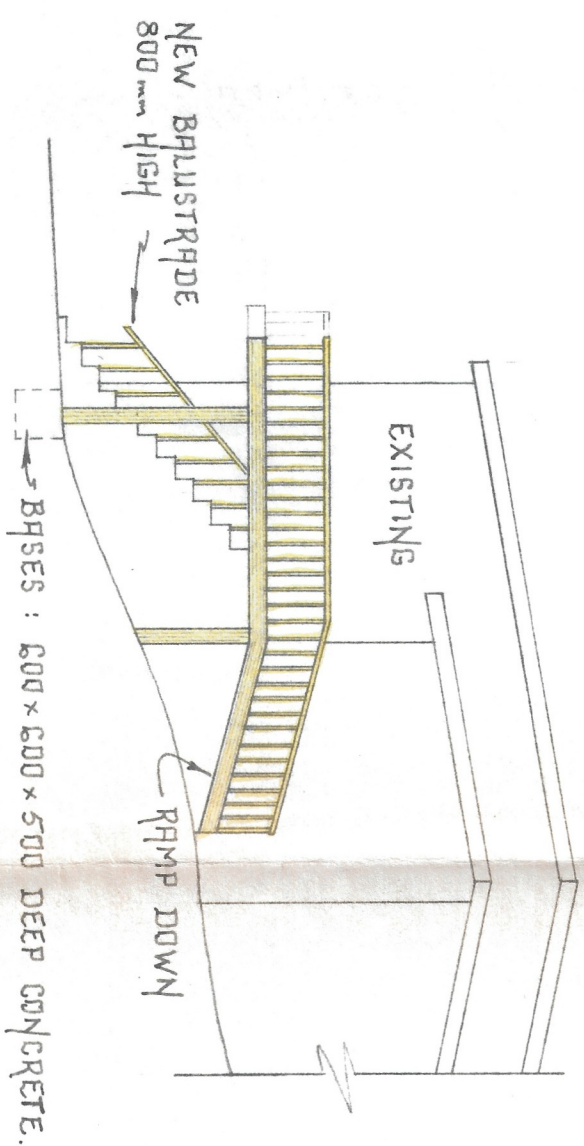
9 June 2026

Locality Plan: Erf 3945 Knysna.

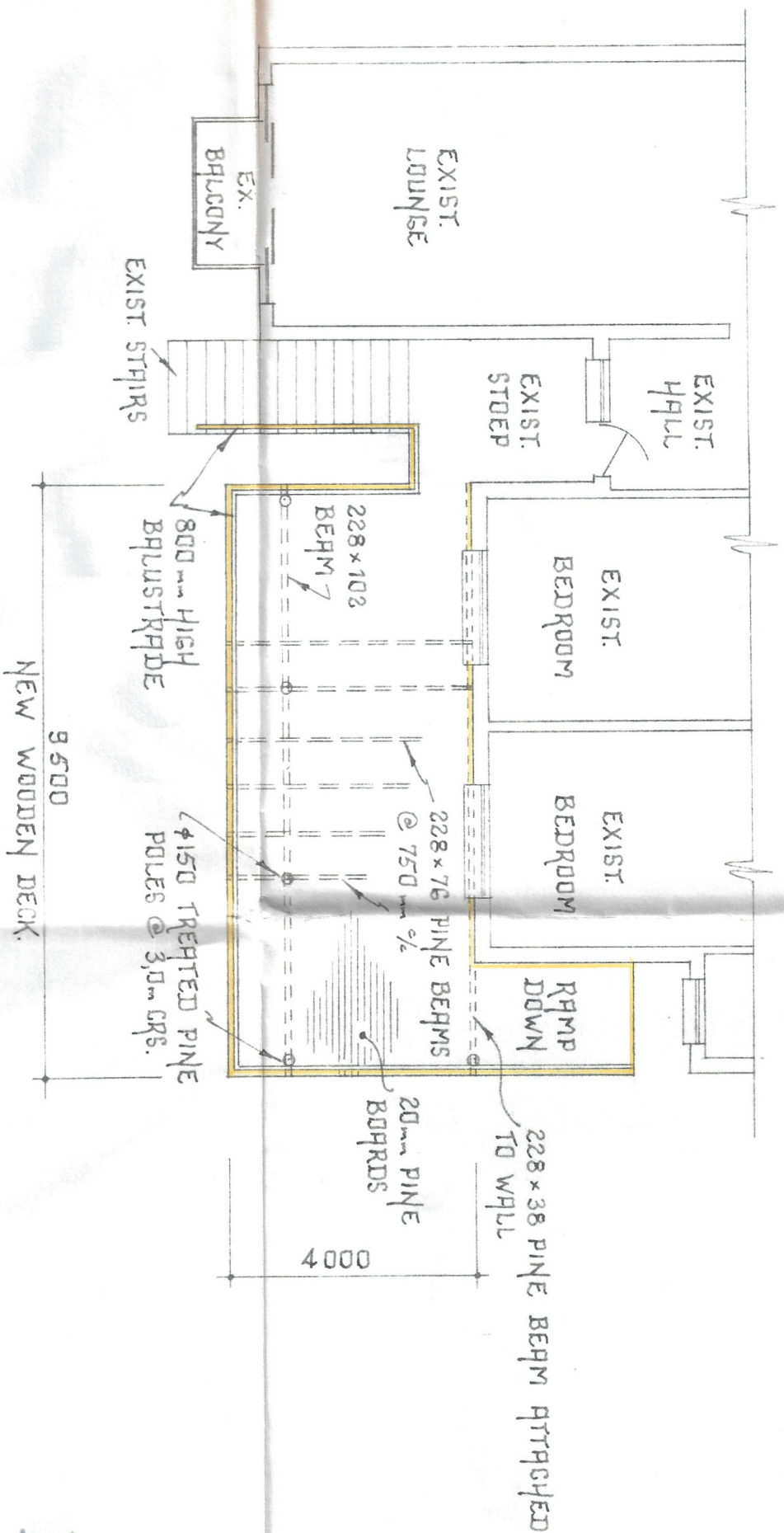




SOUTH ELEV.

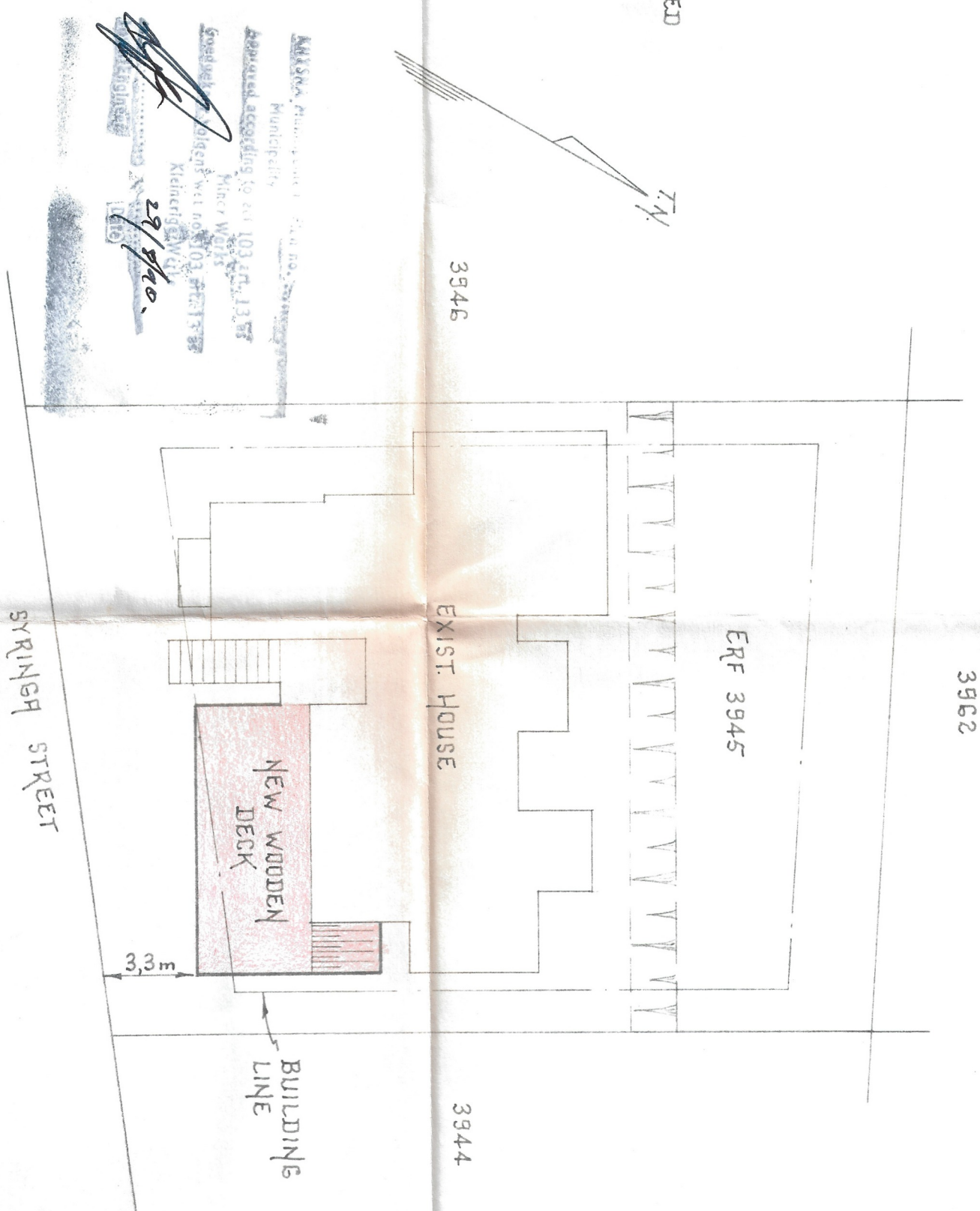


EAST ELEV.



PLAN

1 : 100



SITE PLAN

1 : 200

NOTE:

ALL NEW WORK MUST COMPLY WITH THE NATIONAL BUILDING REGULATIONS.

PREPS:

EXIST. HOUSE =	170 m ²
NEW DECK =	42.5 m ²
TOTAL =	212.5 m ²
ERF =	650 m ²
COVERAGE =	33%

MR. G. VAN ZYL
PROP. WOODEN
DECK AT EXIST.
HOUSE, ERF 3945,
HEUWELKRUIJN.

DRAWN : GERRIT M. MERWE
4 FOUNDERS WAY
LEISURE ISLE.
PH. : (0445) 826-615

24/5/90



Notes

All measurements to be checked on site before work can commence and the draughtsperson notified. The draughtsperson does not take responsibility for wrong measurements given not taken on site for any amount of time. Any structure newly built not existing structures plotted by a registered land surveyor. Construction must comply with all regulations set by SANS10400:10000, HBK, eng. emp. & town bylaws.

Dwelling must be constructed by a NABERS registered contractor. All materials used must be installed according to manufacturers specifications.

Waterproofing to be installed by a specialist installer and certified.

All plumbing to be installed by a registered installer and certified. All electrical to be installed by a registered installer and certified. Gutters and down pipes to be installed by a registered installer and certified.

GENERAL NOTES as per SANS 10400

A - General To comply with SANS 10400 Part A.

B - Structural design Structural design and construction to comply with SANS 10400 B.

C - Dimensions To comply with SANS 10400 Part C.

D - Public safety To comply with SANS 10400 Part D.

E - Electrical To comply with SANS 10400 Part E.

F - Fire protection To comply with SANS 10400 Part F.

G - Excavations To comply with SANS 10400 Part G.

H - Foundations To comply with SANS 10400 Part H.

I - Roofs To comply with SANS 10400 Part I.

J - Windows To comply with SANS 10400 Part J.

K - Walls To comply with SANS 10400 Part K.

L - Roads To comply with SANS 10400 Part L.

M - Drainage To comply with SANS 10400 Part M.

N - Glazing To comply with SANS 10400 Part N.

O - Lighting and ventilation To comply with SANS 10400 Part O.

P - Drainage To comply with SANS 10400 Part P.

Q - Non-water-borne means of sanitary disposal To comply with SANS 10400 Part Q.

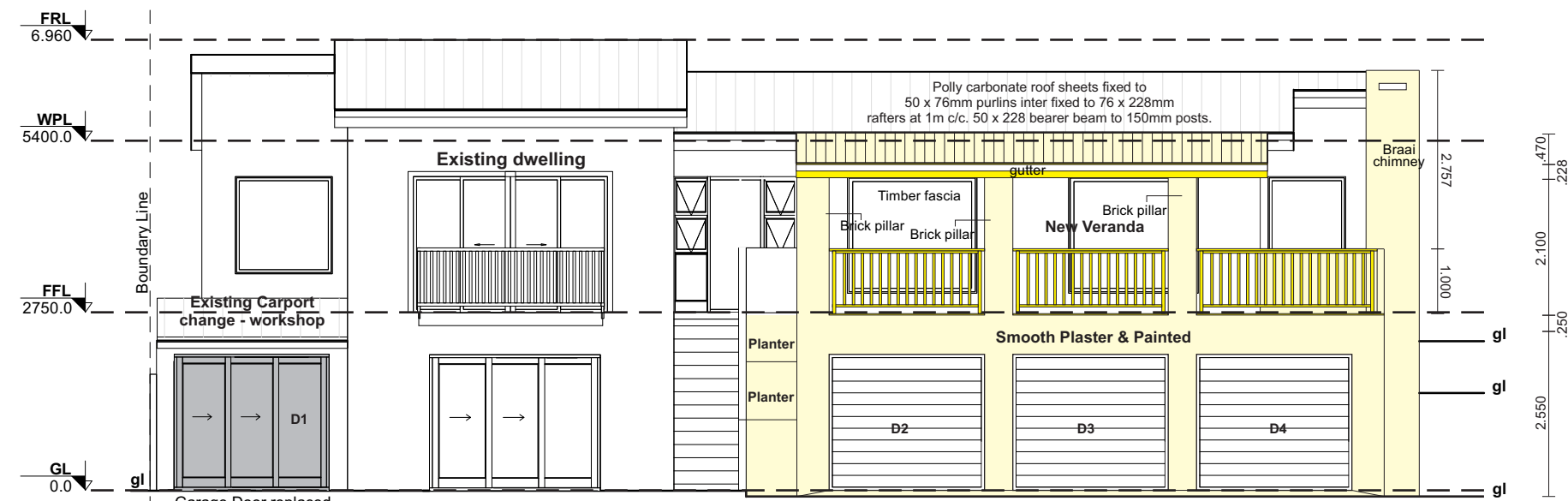
R - Fire protection To comply with SANS 10400 Part R.

S - Space heating To comply with SANS 10400 Part S.

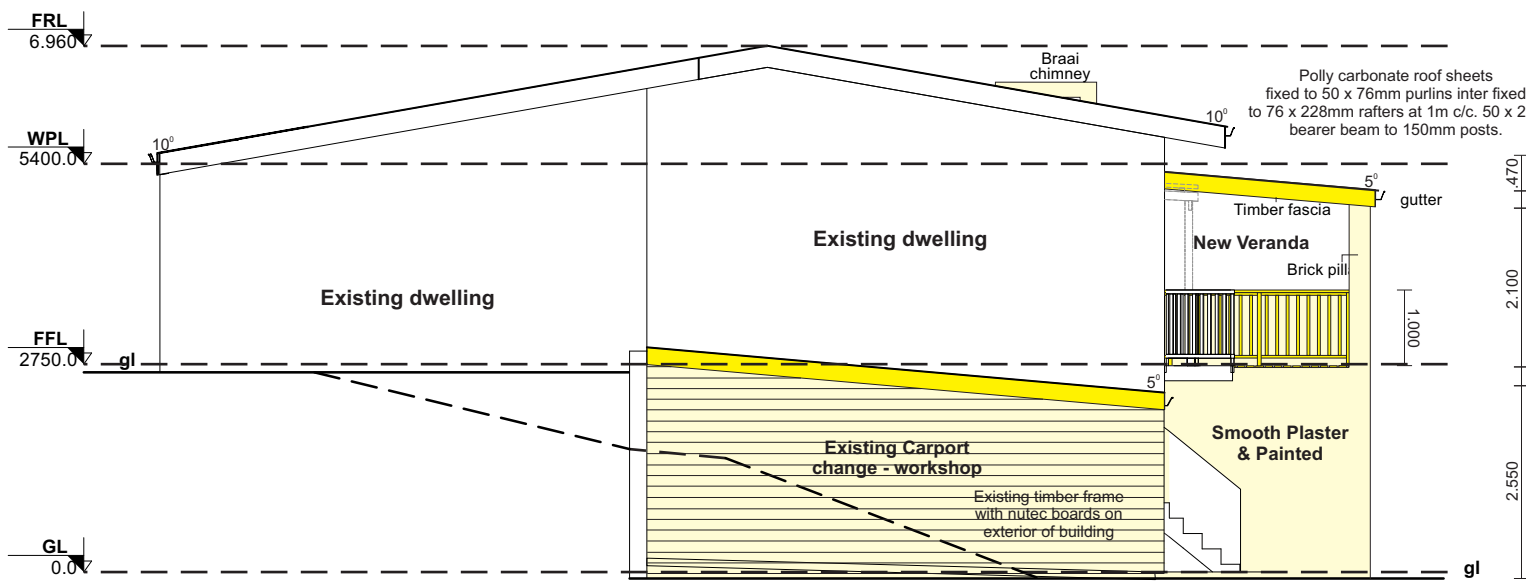
T - Fire protection To comply with SANS 10400 Part T.

U - Energy efficiency in buildings To comply with SANS 10400 Part U.

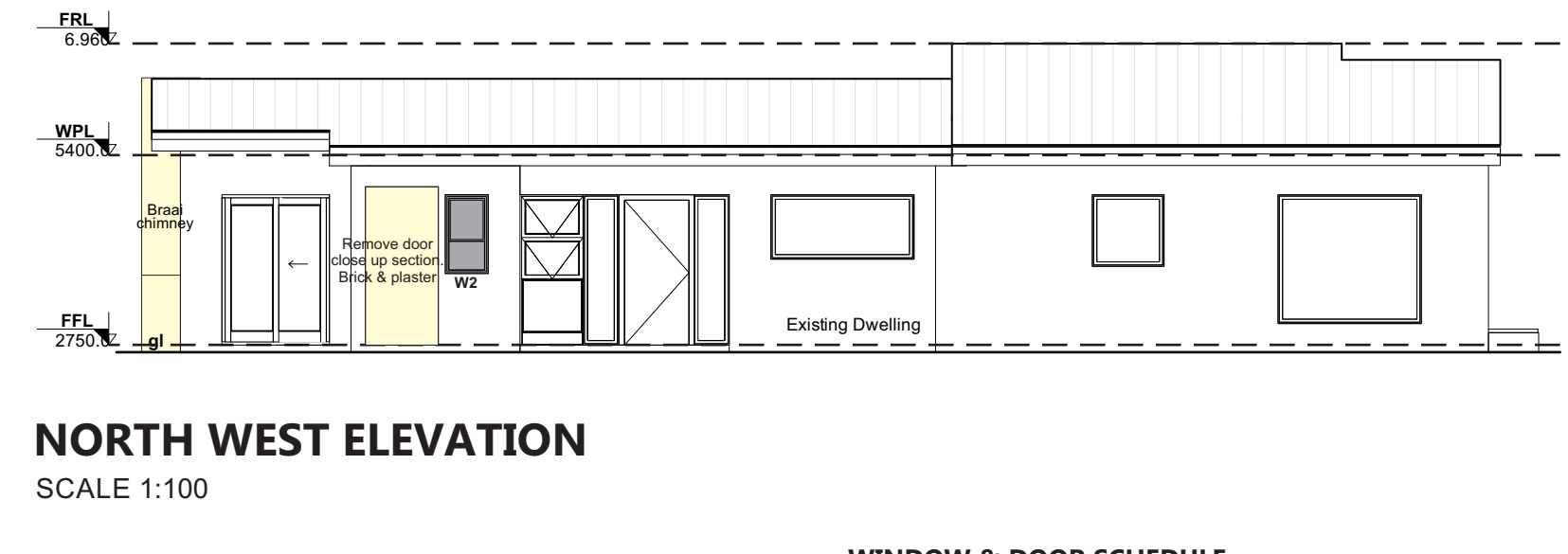
All standards to be in accordance with SANS 10400 & SANS 10400 and shall be verified accordingly.



SOUTH EAST ELEVATION
SCALE 1:100



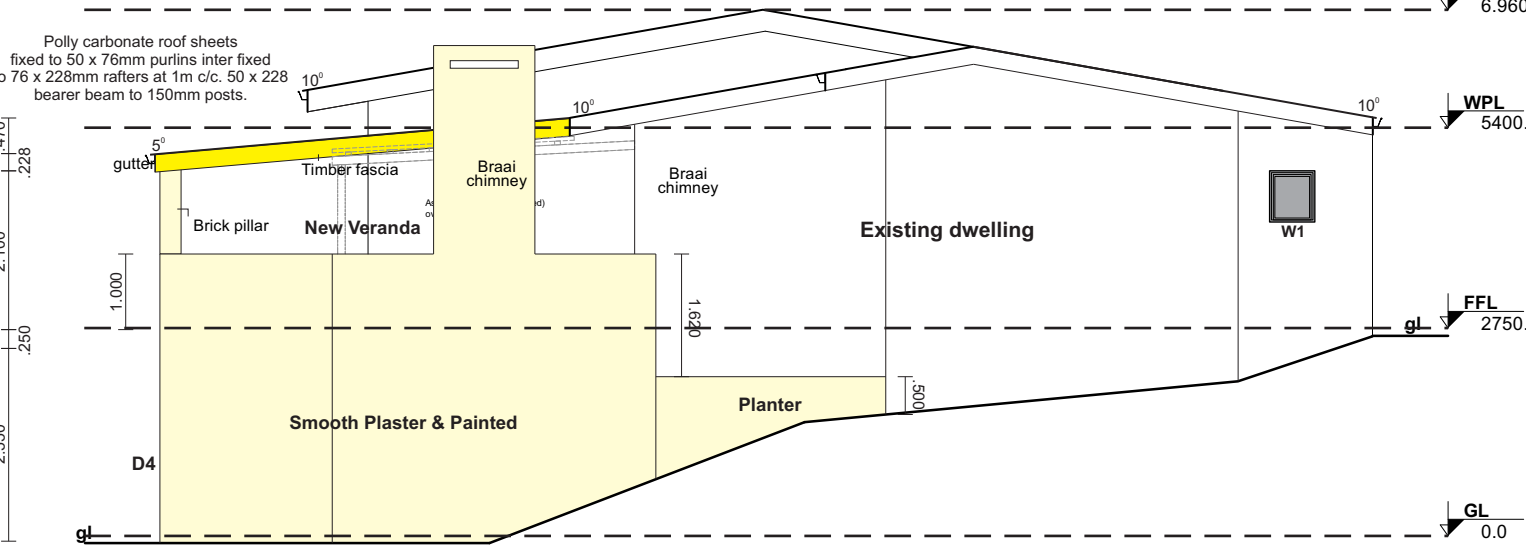
SOUTH WEST ELEVATION
SCALE 1:100



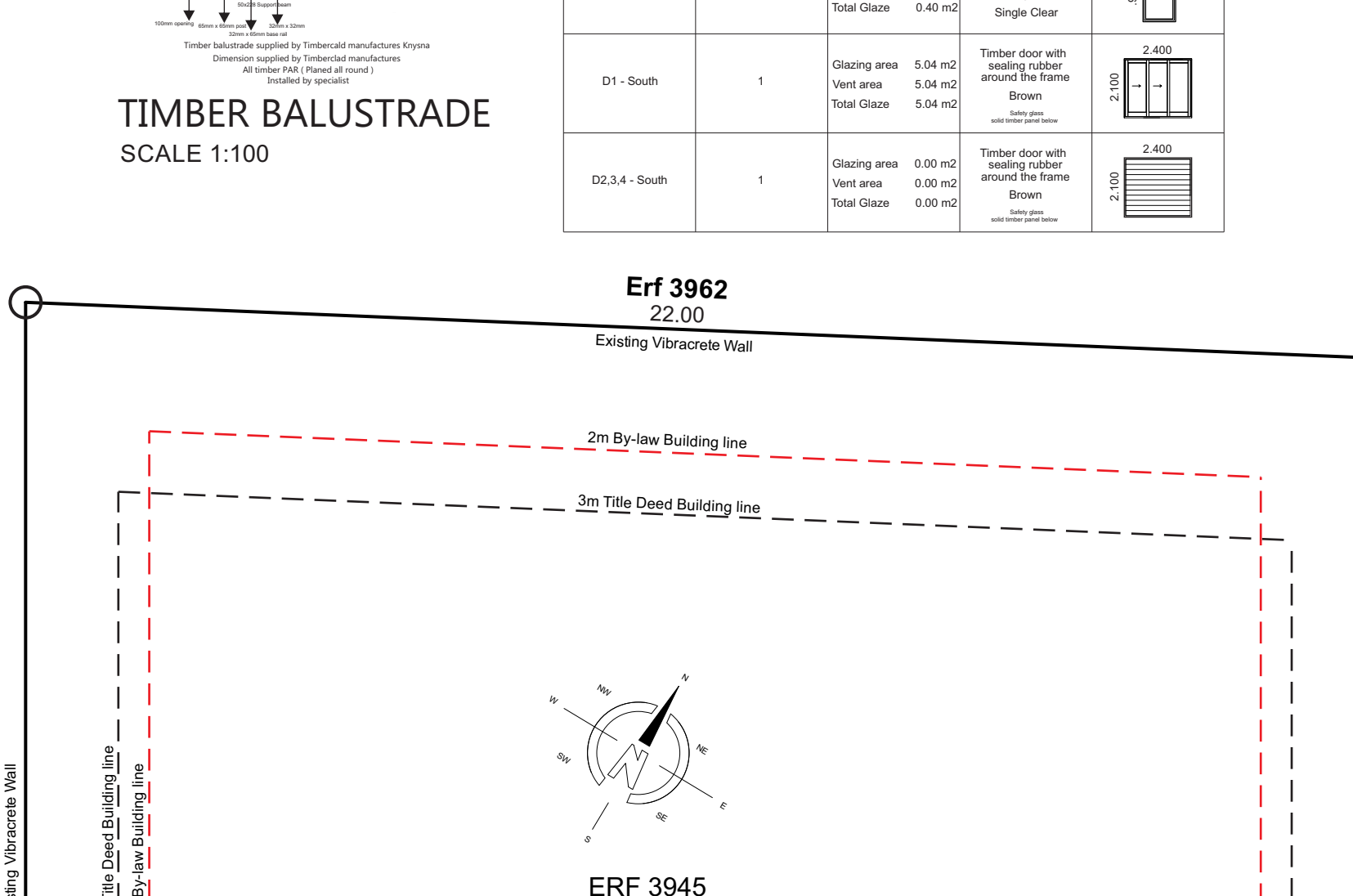
NORTH WEST ELEVATION
SCALE 1:100



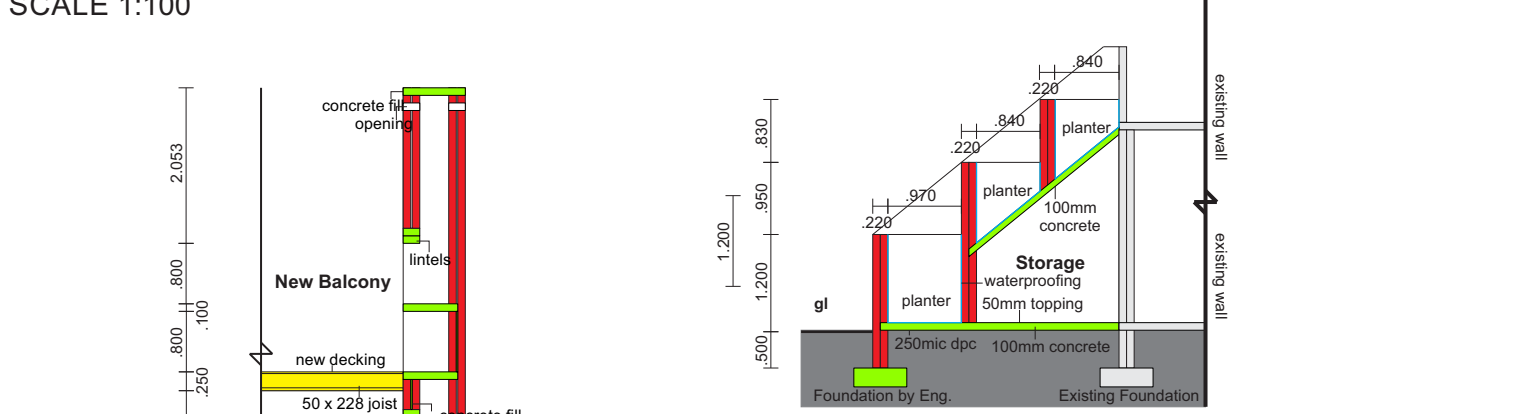
FIRST FLOOR PLAN
SCALE 1:100



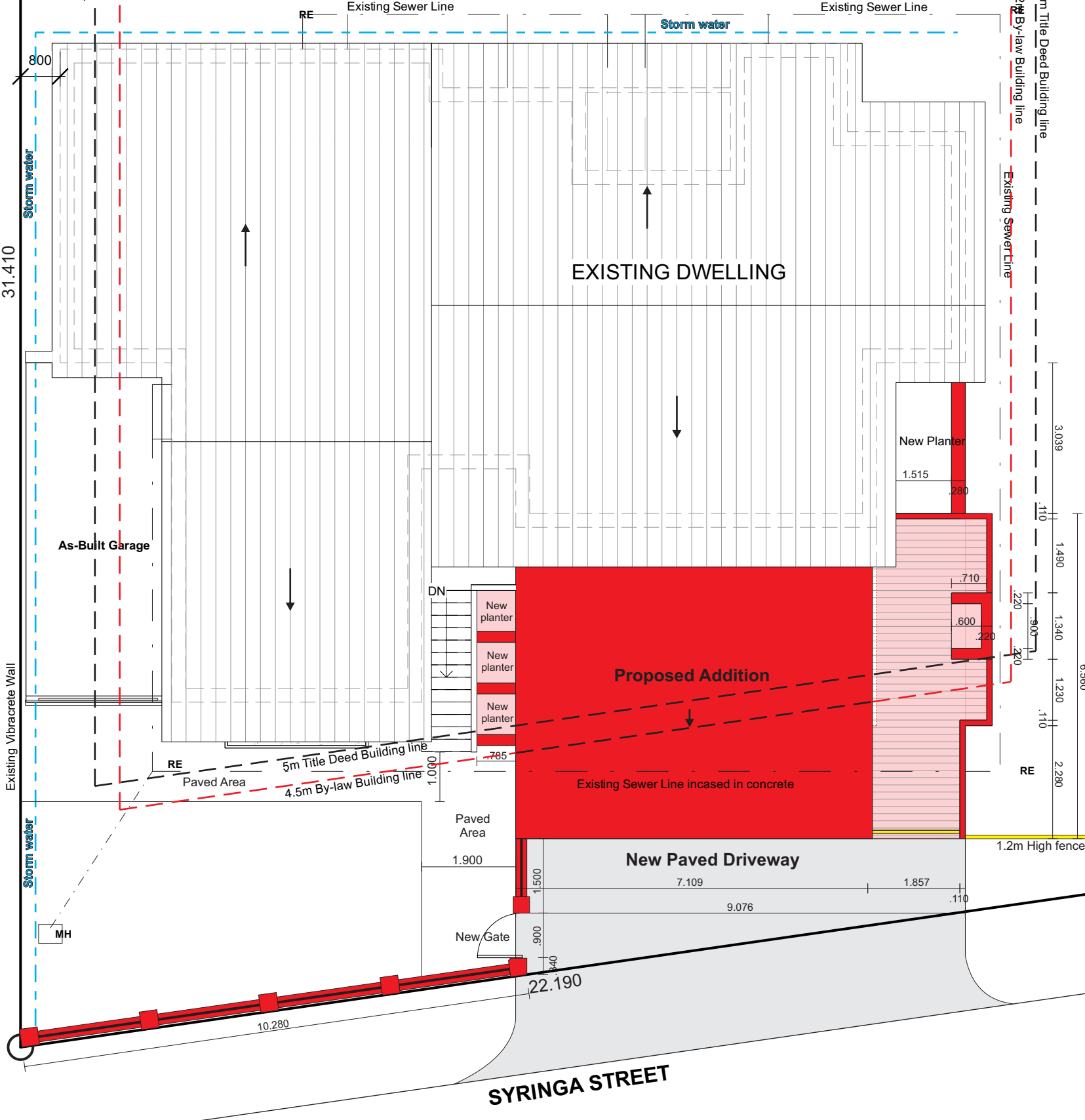
NORTH EAST ELEVATION
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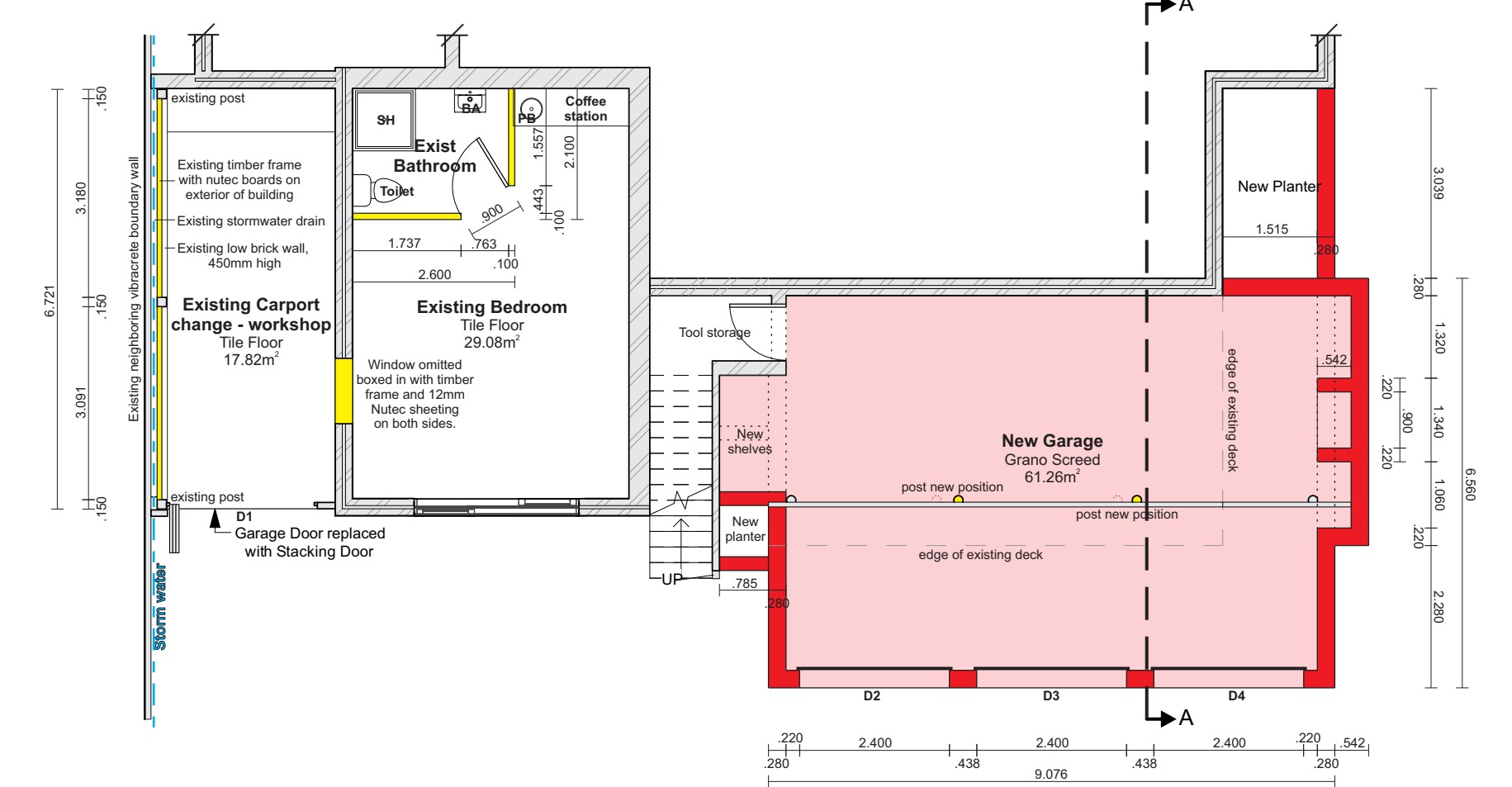
TIMBER BALUSTRADE
SCALE 1:100



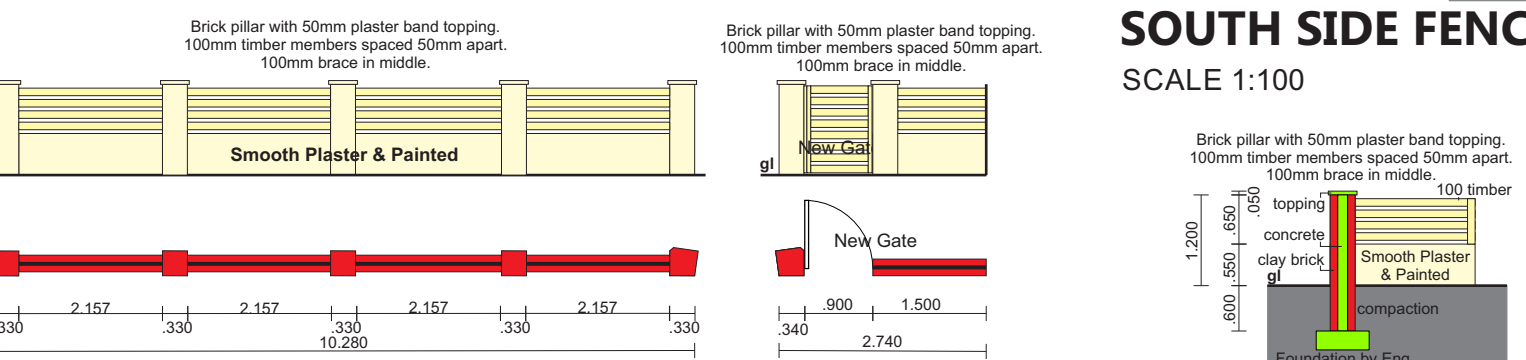
TYPICAL SECTION
SCALE 1:100



SITE PLAN
SCALE 1:100



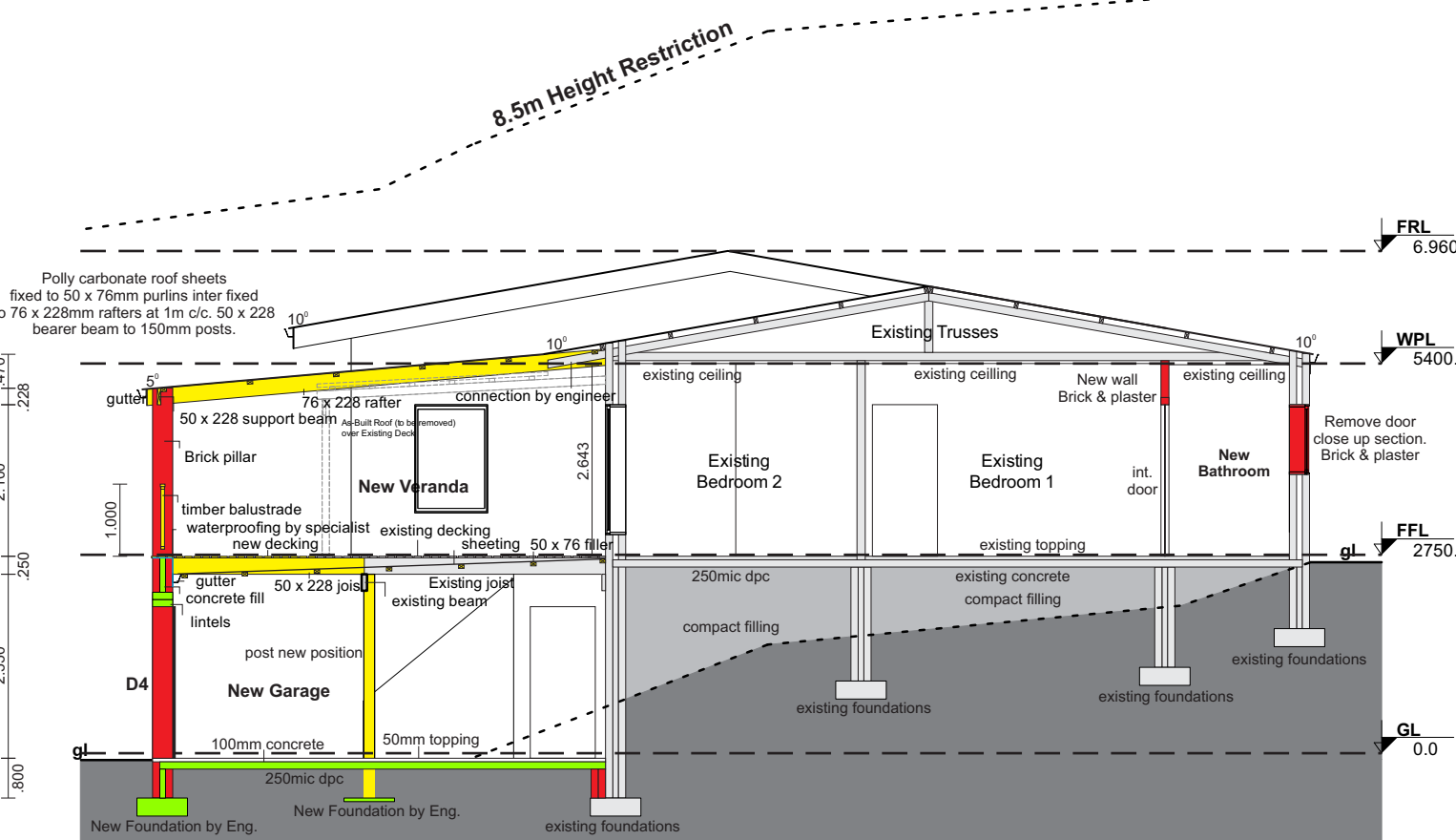
GROUND FLOOR PLAN
SCALE 1:100



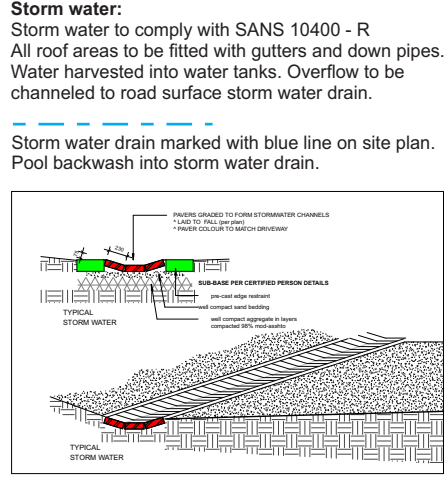
SOUTH SIDE FENCE
SCALE 1:100



TYPICAL SECTION
SCALE 1:100



SECTION AA
SCALE 1:100



LOCATION PLAN
SCALE 1:100

AREAS

EXISTING DWELLING	228.40 m ²
PROPOSED GARAGE	61.25 m ²
PROPOSED VERANDA	45.68 m ²
TOTAL COVERED AREAS	335.33 m ²
ERF SIZE	650.00 m ²
COVERAGE 50%	325.00 m ²
COVERAGE USED SQM	252.60 m ²
COVERAGE USED %	38.86 %

A Louw Designs
Professional Architectural Draughtsperson

Address: 14 Fernwood Close, Fernwood Estate, Knysna
Registration & Contact: SACAP - PAD 1811, Cell: +27 813707044, email: crah@lvd.co.za

Project: PROPOSED ADDITIONS & ALTERATIONS ON ERF 3945

Client: HOUSE BLOEMHOF

Date: 2026/04/10 Sheet: A0 - 1/1

Drawing Number: BLOEMHOF 001

Draughtsperson Signature: [Signature]

Client Signature: [Signature]