

Portion 79 of  
Farm Ruygte Valley No. 205  
Sedgefield

# TOWN PLANNING REPORT

(Prepared as part of the Draft Basic Assessment Report)



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# 1. Introduction

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Planning Space Garden Route Pty Ltd has been appointed by Eco Route Environmental Consultants to prepare a Town Planning Report to inform the Basic Assessment Report (BAR) to be submitted for Environmental Authorisation in terms of the National Environmental Management Act, 1998 (NEMA) in respect of listed activities that have been triggered by the planned development on Portions 79 of the Farm Ruygte Vally No. 205, Sedgefield.

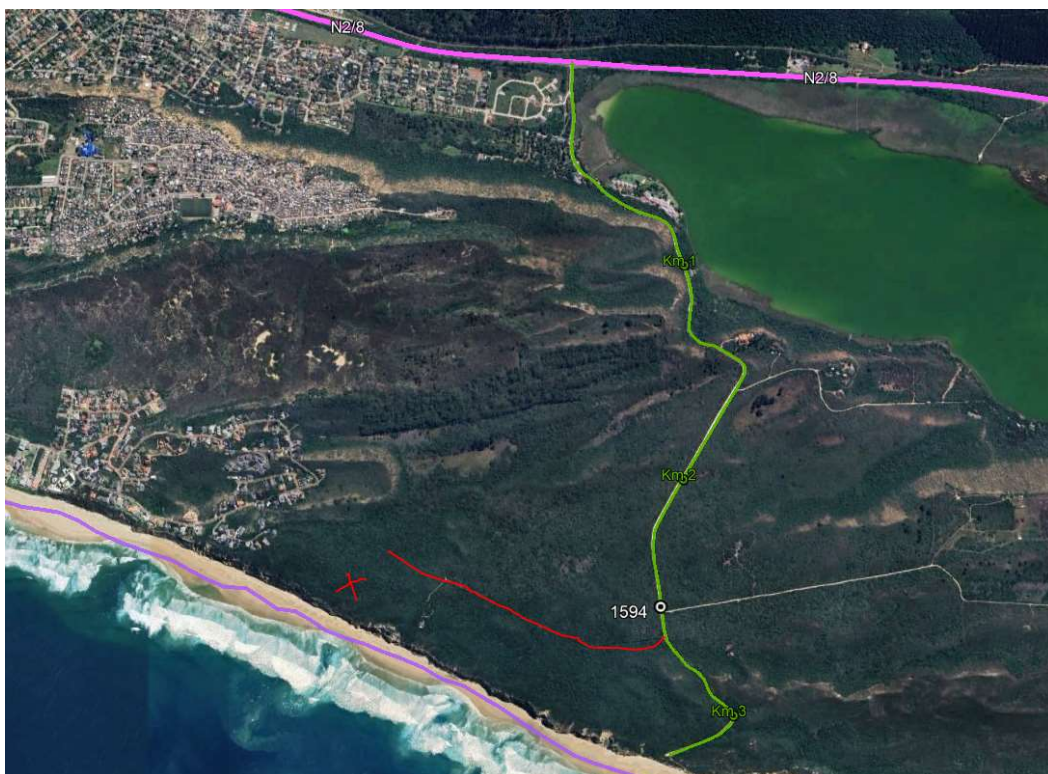
The purpose of this document is to report on the existing land use rights, opportunities and constraints on the property, and to assess the need and desirability of the project in terms of the planning policies and principles contained in National, Provincial, and Municipal Spatial Development Frameworks applicable to the area.

## 2. Property Information

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### 2.1 LOCALITY

The property is in the Groenvlei area in the Knysna Municipal Area to the east of Sedgefield. (See Diagram 1: Locality Plan). The property can be accessed from a Public Servitude Road that runs along the northern boundary of the property (described as Bushy Way on the SG Diagram 6532/61), which connects to the N2 via the Groenvlei Divisional Road( DR 1594). Although earlier aerial imagery indicates that this road has been cleared in the past. It is completely overgrown and is only accessible by motor vehicle up to the access to neighbours' property (Portion 78).



**Figure 1: Locality Plan**

## 2.2 PROPERTY DESCRIPTION

Title Deed Description:	Portion 79 of Farm Ruygte Vally No. 205 in the Municipality Division of Knysna, Western Cape
21 Digit code	C03900000000020500079
Title Deed Number:	47871/2023
S.G. Diagram Nr:	S.G 6532/1961
Title Deed Restrictions:	There are several restrictive conditions registered against the property, it is recommended that a Conveyancer Certificate be obtained to confirm which conditions need to be removed.
Servitudes:	The property is entitled to a Public Right of way servitude as described in Condition H of the Title deed. The conveyancer Certificate will include the mentioned NOTARIAL DEED 20/52 dd 5-9-1951
Property Size:	5.1576 ha
Property Owner:	Daniel Francois Sevenster
Bonds:	Yes, BOND Holders' Consent must be obtained
Zoning:	Agriculture 1 in terms of the Knysna Zoning Scheme By-law

Land Use	Vacant
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## 2.3. BACKGROUND

The property forms part of a small holding area that was created when Portion 70 of Farm Ruygte Valley was subdivided in 1961. The original farm portion was known as Portion 38, called Lake Pleasant Estate. The property is undeveloped.

The Lake Pleasant Estate Pty Ltd was the original owner of Portion 70 and when the subdivision was approved, laid down several conditions that have been taken up in the title deeds of the subdivided properties. It will be necessary to obtain the consent from The Lake Pleasant Estate Pty Ltd. A Company search revealed that the company still exist.

**I. SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T754/1965 imposed by LAKE PLEASANT ESTATES (PROPRIETARY) LIMITED for its benefit and for the benefit of its successors-in-title as owners of :

"The redeemed quitrent land, situate in the Division of Knysna, being the remaining extent of Portion 70 of the farm RUYGTE VALLY, held by the said Certificate of Registered Title No. 297/1952" namely :

- (b) No hotel, bottle store or place for the sale of liquor and no store of place of business whatsoever other than for the sale of farm products or produce, shall be opened or conducted on the said land.
- (c) No slaughter poles, soapworks, bone or hide repository or tannery shall be allowed, conducted or carried on the land or any portion thereof.
- (d) Plans of buildings to be erected on the land shall be approved by the Local Authority and the Seller.
- (e) Only one residence with the relative outbuildings and farm buildings may be erected on the land without the written consent of the Seller, its successors-in- title or assigns.

**Figure 2: Extract from Title Deed T 47871/2023**

# 3. Proposal

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## 3.1 DEVELOPMENT CONCEPT

The owners of the land would like to reside on their property and would therefore want to construct a small dwelling house of  $\pm 200\text{m}^2$  on the site. The construction of a dwelling house is a primary right. To supplement their income, it is their dream to also construct three small self-catering tourist accommodation units measuring about  $65\text{m}^2$  each. Ancillary buildings include Staff housing of  $\pm 50\text{m}^2$  and as well as a shed of  $80\text{m}^2$  to store farm implements required for the maintenance of the land. A gravel access road of less than 3m wide is planned along the eastern boundary that will culminate in a parking area. From there, the house and units will be accessed via a boardwalk.

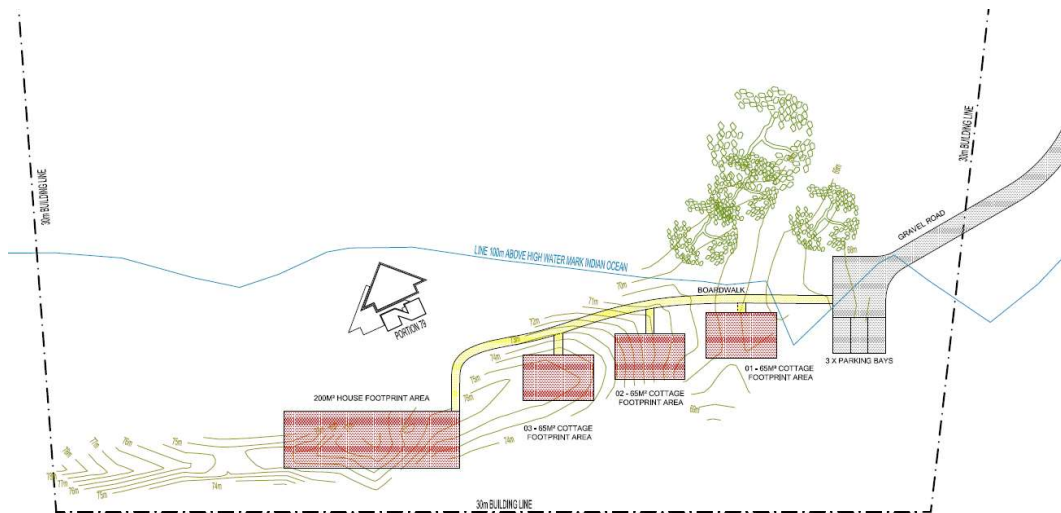
The house and units are clusters together in the southern side of the property on the high lying area above the cliff, to maximise views over the ocean.

Although the property is zoned for "Agriculture 1" purposes, it is not the intention of the owners to use the land for Agricultural purposes. The value of the property lies in its natural beauty and the intention is to use the rest of the property for conservation purposes.

The development concept is to create a quiet private hideaway within a natural environment. The architecture will be light and environmentally sensitive. Building materials will be steel & timber and glass & natural stone as opposed to brick and concrete.

The building footprint will measure  $525\text{m}^2$  in total, and the planned access road will be about 200m long and 3m wide ending in a parking area calculates to about  $660\text{m}^2$ . The total development area will calculate to about  $1\,175\text{m}^2$  which accounts to less than 0.02% of the site, leaving 99.98% of the site in a natural state.





**Figure 3: Extract from SDP3**

## 3.2 REZONING

The property is currently zoned “Agricultural I” in terms of the Bitou Zoning Scheme By-Law applicable to the area. This zoning permits agricultural activities as well as a dwelling house (of unlimited size) as a primary right.

To facilitate the protection of the natural land scape as recommended in the Terrestrial Biodiversity Specialist Assessment, it is proposed that the entire property be rezoned “Open Space III” (Nature conservation area).

The objective of this zone is to provide for the conservation of natural resources in areas that have not been proclaimed as nature areas (non-statutory conservation), in order to sustain flora and fauna and protect areas of undeveloped landscape, including woodlands, ridges, wetlands and the coastline. According to the Terrestrial Biodiversity Specialist Assessment, the site is within CBA1 and CBA2 areas, which are ideal areas to include in future conservation areas due to already being identified as being high-value biodiversity areas. The site is also within the buffer of the Wilderness National Lake Area and the Lake Pleasant Private Nature Reserve, and also includes areas highlighted for future protection in the National Protected Area Expansion Strategy (NPAES). The planned rezoning out of Agriculture to Open Space III would be in line with these conservation efforts.



## Development parameters:

The following development parameters apply to the Open Space III zone:

- (a) The Municipality may require an environmental management plan to be submitted for its approval;
- (b) The Municipality must determine the land use restrictions and the development parameters for the property based on the objectives of this zoning, the particular circumstances of the property and, where applicable, in accordance with an approved environmental management plan;
- (c) **One dwelling house is allowed** if no dwelling house exists on another portion of the land unit zoned for agriculture purposes or if the full extent of the land unit is zoned Open Space III;
- (d) When a consent use to provide tourist facilities or tourist accommodation in a “nature conservation area” is approved, it is subject to conditions imposed by the Municipality with regard to layout, landscaping and building design.
- (e) A site development plan must be submitted to the Municipality for its approval, clearly indicating the position of all structures, services and internal roads.

The proposal must comply with the above-mentioned development parameters.

## 3.3 PROPOSED CONSENT USE

A range of consent uses is provided to supplement and support the main objective of this conservation zone. “Tourist Accommodation” is one of the consent uses permitted within the “Open Space III” zone.

The three proposed chalets can be accommodated as a consent use and comply with the land use description of “Tourist Accommodation”.

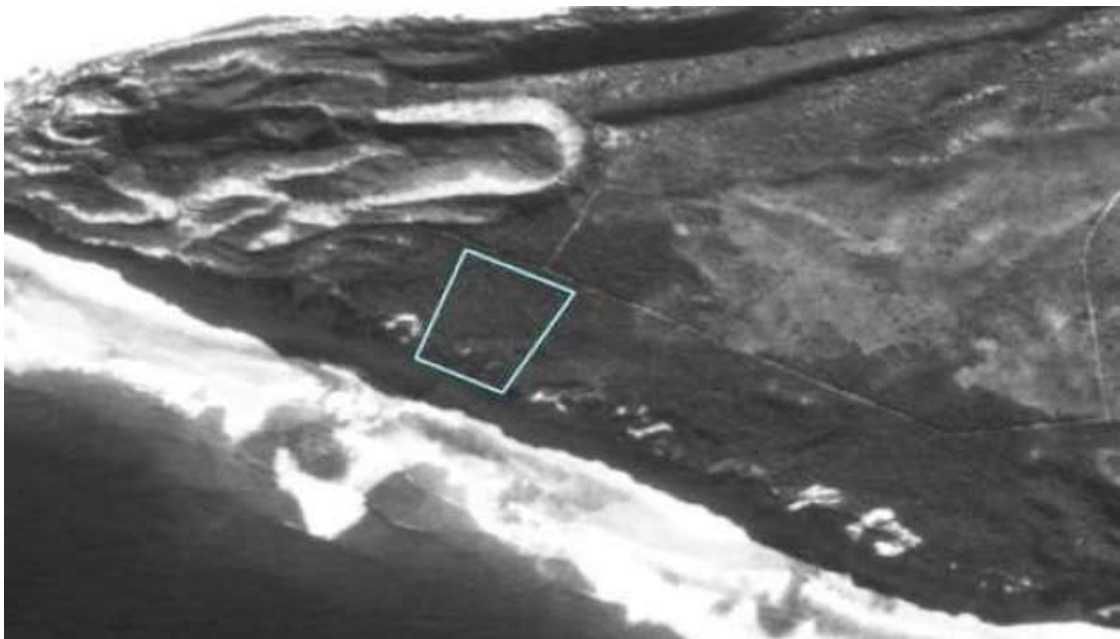
“Tourist accommodation” is described in the Zoning Scheme By-law as a harmoniously designed and built holiday development, used for holiday or recreational purposes, whether in private or public ownership, that:

- (a) consists of a single enterprise that provides overnight accommodation by means of short-term rental or time sharing only;
- (b) may include the provision of a camping site, caravan park, chalets or mobile home park, resort shop, private or public roads; and

(c) does not include a hotel, guest lodge or wellness centre.

### 3.4. ACCESS

The property can be accessed from a Public Servitude Road that runs along the northern boundary of the property (described as Bushy Way on the SG Diagram 6532/61), which connects to the N2 via the Groenvlei Divisional Road( DR 1594). Although earlier aerial imagery indicates that this road has been cleared in the past. It is completely overgrown and is presently only accessible by motor vehicle up to the access to neighbour's property (Portion 78).



**Figure 4: 1973 aerial photo**

The original pathway/roadway is clearly visible on the 1973 aerial photograph.

The NOTARIAL DEED 20/52 dd 5-9-1951 as referenced in the Title deed of the property, will need to be ordered to understand who is responsible for the maintenance of this public servitude.

## 3.5 ENGINEERING SERVICES

### 3.5.1 WATER:

The property is not connected to any municipal infrastructure and there is no water reticulation networks in the area. The units, as well as the main house, will be equipped with rainwater tanks.

### 3.5.2 SEWER RETICULATION

The house and unit will be equipped with Conservancy tanks.

### 3.5.3 ELECTRICITY

The house and units will be off the grid and will rely on solar electricity and gas.

### 3.5.4 SOLID WASTE REMOVAL

There will be any municipal waste removal in the area, and the owners will need to take their waste to the nearest pickup point, which needs to be determined.

## 4. Need & Desirability

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In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA") all administrative action must be based on the "relevant considerations". NEMA and the EIA Regulations highlight specific considerations which include specifically having to consider "**the need for and desirability of the activity**"

### 4.1 NEED

The proposed rezoning to Open Space III (Nature Conservation) with a limited eco-tourism component responds to the increasing demand for sustainable tourism in the Sedgefield area, which forms part of the Garden Route Biosphere Reserve. With the region's strong focus on eco-tourism, nature-based experiences, and conservation, there is a clear need for low-impact tourist accommodation that allows visitors to engage with the natural environment while ensuring minimal ecological disturbance.

Additionally, the land is currently vacant and undeveloped, meaning its economic potential remains unrealised.

Traditional agriculture is not viable due to the property's size, environmental constraints, and conservation value, making a nature-based tourism model the most appropriate alternative. Furthermore, conservation carries significant financial costs, including alien vegetation clearing, erosion control, wildlife protection, and general land management. Without a sustainable income stream, maintaining the natural integrity of the property may become financially unfeasible over time. The ability to generate moderate rental income from three small chalets will provide the necessary financial resources to fund ongoing conservation efforts, ensuring that the property remains environmentally intact and properly managed. This approach aligns with Knysna's Spatial Development Framework (SDF) and the Western Cape's rural development policies, which support conservation-led tourism as a means of balancing environmental preservation with economic sustainability.

By introducing a low-impact eco-tourism component, the project supports inclusive economic opportunities in the Sedgefield area, particularly by creating employment in maintenance, cleaning, hospitality, and conservation management.

## 4.2 DESIRABILITY OF THE SITE TO ACCOMMODATE THIS DEVELOPMENT

Desirability factors relate to place. Is the land physically suitable to accommodate the proposed development? Does the proposed development fit in with the surrounding land uses? Is the proposal compatible with credible spatial plans? Is there perhaps a better land-use alternative for the land parcel?

## 4.2.1 PHYSICAL SITE CONSTRAINTS AND OPPORTUNITIES

### 4.2.1.1 TOPOGRAPHY

The property has an even gradient sloping to the east with an average elevation of about 70m above msl. The southern portion of the site slopes steeply to the south to form a steep coastal cliff. Development on steep slopes (more than 25% is generally discouraged due to environmental sensitivity, erosion risk, and visual impact.

A detailed contour plan of the southern section was prepared by Eden Geomatics and is attached as Diagram 6. The plan indicates a broad ridgeline to the north of the coastal cliff. The proposed buildings are planned on this ridgeline. In terms of slope, the gradient of the planned development appears to be suitable. Ridgeline development is, in general, not encouraged, and the planned development on this ridgeline will require a careful visual impact assessment with mitigation measures to reduce any impact.



**Figure 5: 5m Aerial Contours from Cape Farm Mapper**



Figure 6: 3D KML projection



Figure 7: Surveyed Contour map



#### **4.2.1.2 SOIL STABILITY**

The area is situated on a coastal sand dune with an underlying fossilized dune system. The southern coastal boundary of the property features a fossilized dune formation that has been subject to erosion caused by wave action, wind, and rainfall.

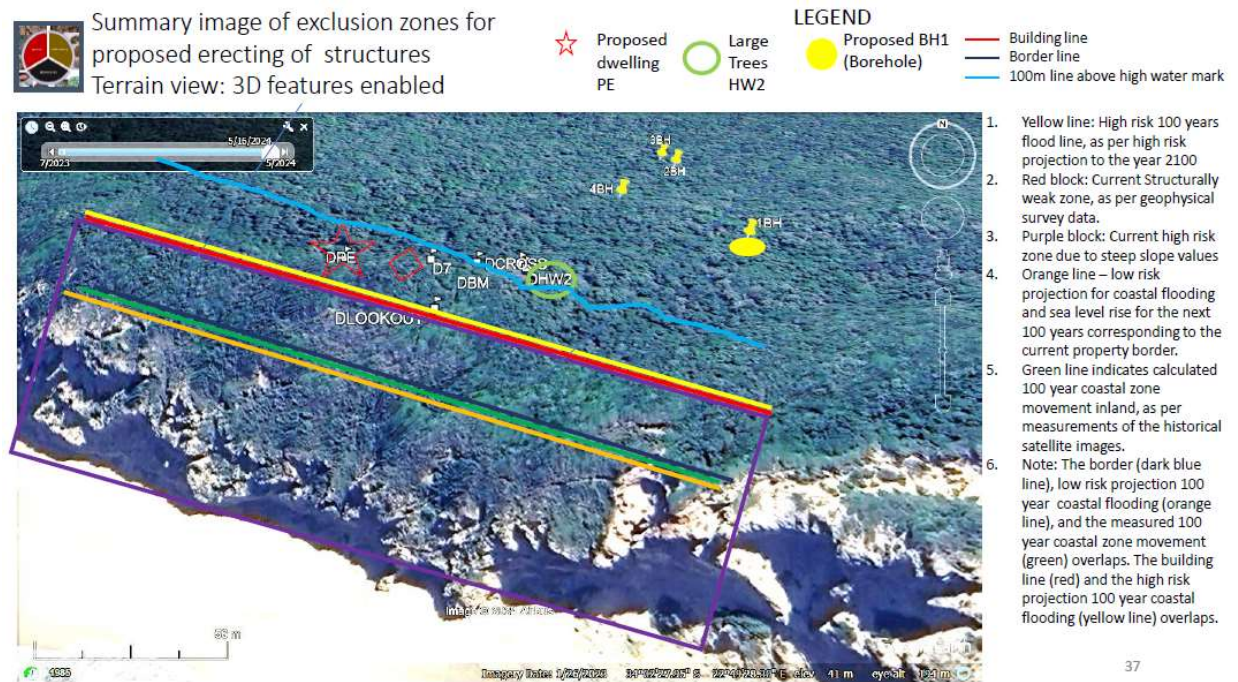


**Figure 8: Steep Fossil Dunes along the southern edge of the property**

To assess the stability and long-term morphology of the dune, Rock Hounds (Pty) Ltd, a geotechnical specialist firm, was appointed to conduct a preliminary geomatic study of the proposed building locations. The findings, detailed in Annexure X, include the determination of a development setback line based on a calculated 100-year high-risk coastal flooding projection. This setback aligns with the



30-meter building line prescribed in the zoning scheme, beyond which development should not occur.



**Figure 9: Proposed Setback line from Geotechnical Investigation**

The report concludes that while the chosen site is suitable for development, mitigation strategies such as soil stabilization, slope reinforcement, and proper stormwater management are essential to ensure long-term stability.

#### 4.2.1.3 VEGETATION

Although the site is mapped within one regional vegetation type, Goukamma Dune Thicket, which is not a listed endangered ecosystem, the entire site is in a natural state with the majority of the site identified as an indigenous natural forest. All parts of the site therefore have a VERY HIGH sensitivity with respect to the Terrestrial Biodiversity.

According to CapeNature (2024) 2023 Western Cape Biodiversity Spatial Plan and Guidelines the northern portion of the site is identified as a Critical Biodiversity area while the southern section is identified as a degraded Critical Biodiversity Area. The buildings are proposed in the degraded southern section of the site. The requirement for CBA2 areas is that the site should be maintain in a natural or near-natural state, with no further loss of habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land-uses are appropriate.

A qualified Botanist, Dr David Hoare was appointed to conduct a Plants, Animals & Terrestrial Biodiversity Assessment to determine whether vegetation of the listed ecosystem occurs on-site or not. The Study is attached as Annexure D.

The placement of the units aligns with the findings of the Terrestrial Biodiversity Assessment. The study confirmed that the area where the development footprint is planned is heavily invaded by Rooikrans (*Acacia cyclops*) and is therefore somewhat degraded from a biodiversity perspective, confirming the CBA 2 status. This footprint is also preferable in the sense that it has a smaller footprint area within the forest, which is the most sensitive vegetation on site.



Figure 10: Vegetation on site

## 4.2.2 POTENTIAL IMPACT ON THE SURROUNDING AREA

### 4.2.2.1 CHARACTER OF THE SURROUNDING AREA

The property is situated in the Groenvlei Rural area. The properties in the area are all about 5ha in size and have an “Agriculture 1” Or “Open Space IV” zoning (See Zoning Map attached). None of the properties is, however actively used for agricultural production, and most of the properties are in a natural state with no buildings on. It can be assumed that over time some of the properties will be developed to with at least one dwelling each, which is within their primary right to do. Some of the properties as can be seen from fig ... below, form part of the Lake Pleasant Private Nature Reserve Section No.2.

The nearest residence is approximately 250m to the east. The resident is a neighbour who has similar interests and circumstances. Cola Beach, a suburb in Sedgfield, is 700m to the west. Due to the



topography changes and dense vegetation and the proposed design of the development, the development is not expected to have a visual impact on residents of Cola Beach or the neighbouring property. The open Space III zoning will fit in with the land use of the formally protected areas in the area. The small scale of the planned tourist accommodation is such that it will not have a notable impact on the surrounding properties or road network.



**Figure 11: Protected areas indicated as Green**

#### **4.2.2.2 VISUAL IMPACT**

The proposed development will have a low visual sensitivity according to the Visual Impact statements prepared by both Paul Buchholz and Outline Landscape Architects. From the site visit conducted by both specialists, it was established that the site is not visible from the scenic routes such as the N2 and Groenvlei Road or any tourist attractions and developments such as Lake Pleasant Resort and Cola beach. Very few people will be able to see (low visibility) the proposed development reducing the visual sensitivity.

Although the main house and the 3 chalets are positioned in a relatively high lying area within the site, the proposed development will have a low exposure due to the screening effect of the surrounding vegetation and topography.

The development will also not be visible to viewers on the beach due to the highly elevated and eroded cliffs. The beach is approximately 70m below the site and proposed development. The cliffs are highly eroded and form overhangs. Views from the beach upwards towards the proposed development are limited due to the cliff overhangs and a direct visual impact is not anticipated.

The proposed developments will create a low level of visual modification where there is minimal visual contrast and a high level of integration of form, line, shape, pattern, colour or texture values between the development and the landscape. In this situation, the development may be noticeable but does not markedly contrast with the landscape. The implementation of mitigation measures will reduce the level of visual modification.



**Figure 12: Example of building material and structure**

The potential visual impacts, while inherently minimal due to the project's environmentally sensitive approach, can be effectively mitigated through careful placement among the existing trees and green design that will ensure that the structures blend in with the natural surroundings. The architecture will include natural elements of wood, stone and glass, and will be supported by a light steel structure that will avoid the need to cut and fill, which could potentially scar the landscape and lead to erosion.

### 4.2.3 COMPATIBILITY WITH APPLICABLE FORWARD PLANNING DOCUMENTS

Another test of the desirability of a project is by considering the broader communities' needs and interests as reflected in credible Spatial Development Frameworks on Local, Municipal, District, Regional, Provincial and National levels.

#### 4.2.3.1 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK 2014

The PSDF 2014 has been approved by the Executive Authority, Minister Anton Bredell, Minister of Local Government, Environmental Affairs and Development Planning, and endorsed by the Provincial Cabinet. The Western Cape PSDF sets out to put in place a coherent framework for the Province's urban and rural areas.

The Provincial SDF indicates George as the regional center for the eastern part of the province, with Knysna and Plettenberg Bay being smaller centres along the Regional Connector Route (N2). It earmarks the area along the Garden Route as a tourism route with leisure activities of provincial significance.

The sustainable use of provincial assets is one of the main aims of the policy. The protection of the non-renewable natural and agricultural resources is achieved through clear settlement edges for towns by defining limits to settlements and through establishing buffers/transitions between urban and rural areas. The urban fringe must ensure that urban expansion is structured and directed away from environmentally sensitive land and farming land; agricultural resources are reserved; environmental resources are protected; appropriate levels of services are feasible to support urban fringe land uses, and land use allocations within the urban fringe are compatible and sustainable.

#### 4.2.3.2 KNYSNA SPATIAL DEVELOPMENT FRAMEWORK 2020 /IDP

The property is situated to the east of the Urban edge of Sedgefield and is earmarked for conservation purposes. The proposal to rezone this property from "Agriculture 1" to "Open space III" (Nature Conservation) aligns with the spatial vision of the Knysna SDF 2020).

The Knysna Spatial Development Framework (SDF) of 2020 confirms the importance of tourism as a key driver for the town's economic growth and development. It advocates for the diversification of tourism offerings to include eco-tourism, cultural tourism, and adventure tourism, aiming to attract a broader range of visitors and reduce the town's reliance on seasonal tourism. The SDF also highlights the need for sustainable tourism practices that preserve Knysna's natural and cultural heritage. This includes promoting responsible tourism activities, enhancing public access to natural areas, and ensuring that tourism development aligns with environmental conservation efforts. The proposal to conserve 99.8 % of the land and to create a small but authentic tourism component aligns with this vision of the SDF.



**Figure 13: Extract from the KSDf2020**

#### **4.2.3.3 RURAL AREAS GUIDELINES 2019**

The Rural Areas Guidelines for the Western Cape were published in 2019 by the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP). It provides a framework for sustainable rural development, guiding land use planning while balancing conservation, agriculture, and rural livelihoods.

The Rural Areas Guideline permits and even encourages tourism accommodation within the rural areas and nature reserves, to offer more people access to unique tourism and recreational resources in sought-after natural areas, where it would not otherwise have been possible.

The document provides specific guidance regarding tourist accommodation in degraded Critical Biodiversity Areas (CBA 2). In summary SPC Core 2 comprises areas in a degraded condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes. These areas should be rehabilitated and only low-impact, biodiversity-sensitive land-uses are appropriate.

Non-consumptive low-impact eco-tourism activities such as recreation and tourism (e.g. Hiking trails, bird and game watching, and **visitor overnight accommodation are permitted**. Linear infrastructure installations such as roads are also permitted. Intensive land uses, including mining, large-scale agriculture, urban or industrial development, are, however not supported. The proposal aligns with the envisaged land uses for the area.

Preferably, existing disturbed footprints should be used for new development. In this case there are no disturbed footprints, but the area where the most alien invasion occur has been chosen as the site with the lowest impact on biodiversity. The units are also not dispersed throughout the site, but clustered together to minimize ecological disturbance.

The guidelines require that environmentally sensitive and sustainable construction principles should be applied to ensure that development is in harmony with the character of the surrounding landscape and to ensure the maintenance of its natural qualities. The guidelines do not propose specification of scale or density of tourist accommodation but advise that the aesthetic qualities of the receiving environment must be the factor determining the appropriate scale and form of the proposed development. Two visual Impact Statements were conducted to ensure that the proposal will not have any visual impact and that the mitigation measures described in this report will be adhered to.

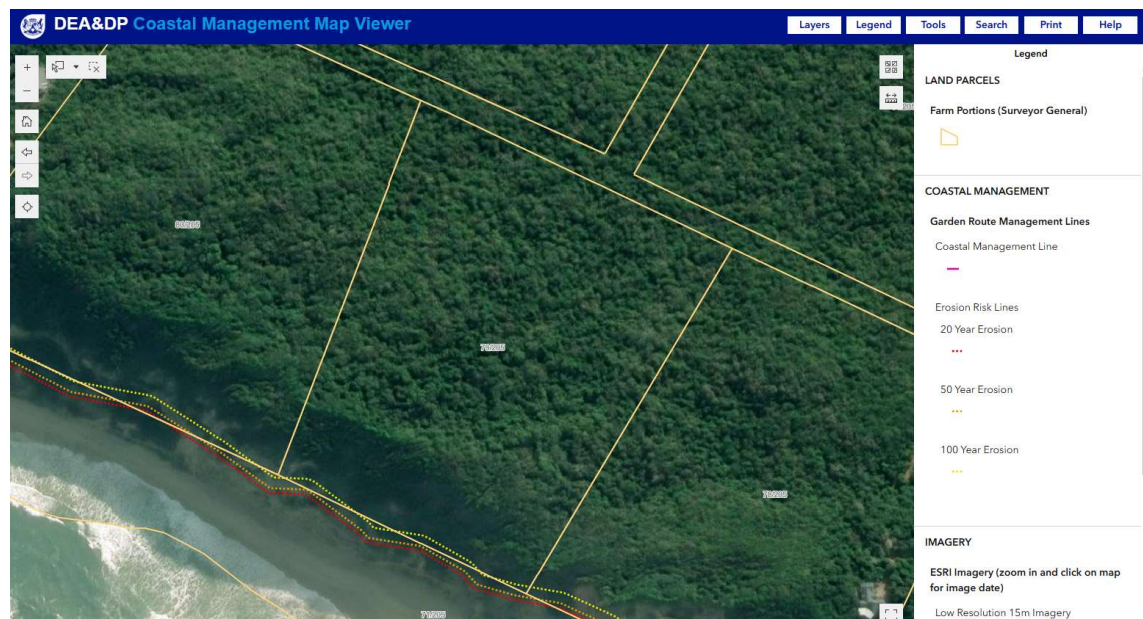
In this instance, the architecture will have light footprint with lightweight steel frames, wood and glass rather than bricks and mortar. The design ethos will be to completely blend in with nature.

The document also states that Land development proposals must avoid negative impacts on coastal resources and be responsive towards coastal risk zones. Due consideration must be given of any



coastal management/setback line and zone risks. The property being situated on the coast is effected potentially affected by Coastal Management line as depicted in the the Natial and provincial

Although the buildings are within 100m of the high water mark of the sea, the buildings have been placed outside the 20 year, 50year and 100year erosion risk lines a depicted on the DEA&DP Coastal Management Map.



**Figure 14: Extract from DEADP Coastal Management lines**

In this regard a Geomatic and Geotechnical investigation was done to understand the dune stability and the coastal morphology over time. The study resulted in technically determined and site-specific development setback line to protect the coastal area and the planned investment. The line is approximately 30m from the boundary of the property. The planned footprints of the building are inland of this line.

#### 4.2.4 SPLUMA DEVELOPMENT PRINCIPLES

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

Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application. These principles include the following:

#### **4.2.4.1 SPATIAL JUSTICE:**

Spatial justice principles seek to eliminate spatial injustices that result from discrimination and marginalisation. Inequitable access to housing, educational and economic opportunities, and health facilities are consequences of spatial injustice. The instruments used to promote spatial justice are varied and include Spatial Development Frameworks, Precinct Plans, and Urban Regeneration Plans and Policies. The principle of spatial justice requires that past spatial and other development imbalances must be redressed through improved access to and use of land, and this is mainly done through government intervention. SPLUMA emphasises the importance of equitable access to resources. The project will allow tourists to access and experience this magnificent private property that would otherwise be exclusively for the enjoyment of the owners.

#### **4.2.4.2 SPATIAL SUSTAINABILITY:**

The rezoning promotes spatial sustainability by shifting from a zoning category (Agriculture) that is unsuitable for this land to one that protects biodiversity while allowing a sustainable income stream for conservation. The proposed eco-tourism model is a low-impact, resource-sensitive land use that supports the long-term ecological health of the property, reducing the risk of neglect and degradation over time. Furthermore, rezoning to “Open Space III” acts as a protective measure against future development pressures, ensuring that the land remains intact as a natural buffer rather than becoming vulnerable to future urban expansion as Sedgefield grows.

#### **4.2.4.3 SPATIAL EFFICIENCY**

The proposal makes efficient use of land and resources by ensuring that only a small portion of the 5ha property is developed, leaving the majority of the land in its natural state. The proposed small-scale chalets ( $\pm 65\text{m}^2$  each) and single dwelling are designed to be minimally intrusive, following principles of green building, low-density development, and careful site placement.

#### **4.2.4.4 SPATIAL RESILIENCE AND GOOD ADMINISTRATION**

This approach integrates thoughtful design and planning with awareness of environmental risks and climate change. The placement of buildings was guided by a comprehensive geotechnical investigation, which considered not only the current geological conditions but also long-term

projections, including sea level rise and climate-related impacts. By proactively incorporating these factors, the development enhances its long-term resilience, ensuring sustainability and adaptability in the face of environmental changes.

## 5. Summary

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The proposed development on Portion 79/205 consists of a 200m<sup>2</sup> dwelling house and three self-catering eco-accommodation units (65m<sup>2</sup> each), accompanied by ancillary structures for staff accommodation (50m<sup>2</sup>) and equipment storage (80m<sup>2</sup>). The total development footprint is exceptionally low—only 0.02% of the site—leaving 99.98% in its natural state.

In terms of current land use rights, the property owner has the primary right to construct a dwelling house of unlimited size on the land as well as one additional dwelling of 60m<sup>2</sup>, under its current zoning. In contrast, this proposal with its small development footprint is highly conservation-oriented, with a minimal built footprint and a clear emphasis on protecting the site's natural character.

The placement of buildings has been carefully considered in consultation with environmental specialists:

- A terrestrial biodiversity study confirmed that the proposed location is the least ecologically sensitive, as it is already affected by alien vegetation, making it preferable to other areas on the site.
- Given the site's proximity (within 100m) to the high-water mark of the ocean and the dynamic coastal processes, a geotechnical survey was conducted to ensure that the selected area is stable and suitable for development.
- A visual impact assessment confirmed that the proposal will have a low visual impact, thanks to existing vegetation, natural topography, and eco-sensitive architectural design.

The proposal includes the full protection of the property through a rezoning from "Agriculture 1" to "Open Space III" (Nature Conservation), with consent to allow the three self-catering units.

The agricultural potential of the land is low, and any farming activities would result in significant environmental degradation, including loss of biodiversity, habitat destruction, and increased erosion.

The three self-catering eco-units provide an alternative, sustainable revenue stream that supports conservation efforts without compromising the site's ecological integrity.

The proposed land-use change, and development are fully aligned with The Knysna Spatial Development Framework, which encourages environmentally responsible land-use practices and National and Provincial conservation priorities.

In conclusion, this proposed land-use change and development is a forward-thinking, environmentally responsible initiative that protects natural ecosystems, fosters sustainable tourism, and aligns with current conservation and planning policies. Agricultural use is neither feasible nor appropriate for this site, and conservation-focused development presents a far more beneficial, sustainable alternative. Approval of this application will allow the owners to reside on their property and secure the long-term ecological health of the site while contributing positively to the regional economy.



## SPECIAL POWER OF ATTORNEY

I, the undersigned DANIEL FRANCOIS SEUELYSTER  
duly authorized, do hereby nominate, constitute and appoint Lizemarie Botha/  
Lundikazi Khuphiso of the firm **PLANNING SPACE**, with power of substitution to  
be my lawful agent, in my name, place and stead to make application, as  
described below, to the relevant Authorities and to sign all application forms,  
documents and other papers as may be required in such application.

### DESCRIPTION OF PROPERTY

*Portion 79 of Farm Ruygte Vally No. 205, Sedgefield*

### NATURE OF APPLICATION

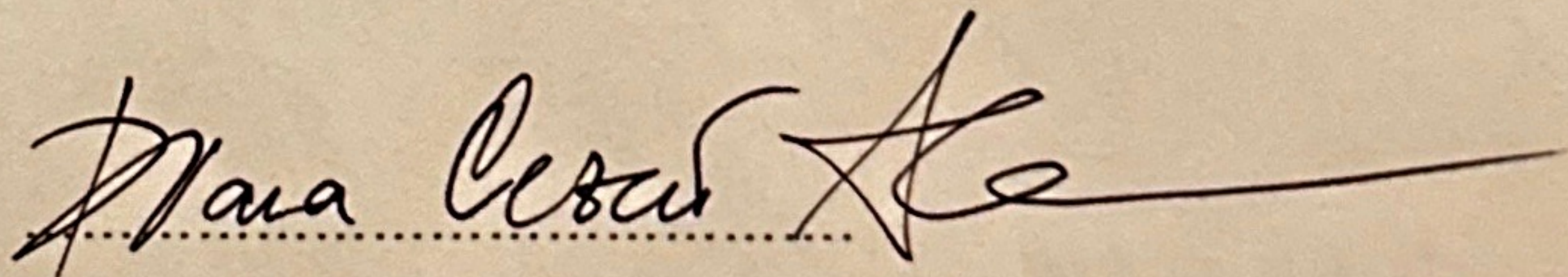
*Rezoning, Consent Use and Related Applications*

SIGNED AT Cape Town THIS 3 DAY OF June 2024

  
OWNER/ AUTHORISED AGENT

### WITNESSES

1.



2.

.....



11

STBB  
2nd Floor  
Buchanan's Chambers  
Cnr Warwick Street & Pearce Road  
Claremont  
7708  
Docex 9

Prepared by me,

CONVEYANCER  
Tashreeq Jaffar  
LPCM Number 96092

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3 250 000, 00	R. 2014, 00
All other		
Reason for exemption	Category Exemption.....	Exemption I to. Sec/Reg..... Act/Proc.....

**VERBIND MORTGAGED**

VIA FOR R. 1 950 000. 00

B 000024394 / 2023  
09 NOV 2023

REGISTRATEUR/REGISTRAR

T 000047871 / 2023

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT INGE JOHNSON  
LPCM Number 96036

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

MILKWOOD ON SEA CC  
Registration Number 1997/034004/23



dated 10 October 2023 and signed at CLAREMONT

STBB

LegalSuite (Version 4.5609)  
DeedOfTransferConventional.doc

Form E

**AND** the said Appearer declared that his/her principal had on **25 July 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:

**DANIEL FRANCOIS SEVENSTER**  
**Identity Number 660401 5164 08 3**  
**Unmarried**

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

**PORTION 79 (a portion of portion 70)**  
**OF THE FARM RUYGTE VALLY NO 205**  
MUNICIPALITY OF KNYSNA  
DIVISION KNYSNA  
WESTERN CAPE PROVINCE

**IN EXTENT: 5.1576 (FIVE COMMA ONE FIVE SEVEN SIX) HECTARES**

**FIRST TRANSFERRED** by Deed of Transfer No. T.754/1965 with Diagram No. 6532/51 relating thereto and **HELD BY** Deed of Transfer No. T17637/1998.

**A. SUBJECT** to the conditions referred to in Certificate of Registered Title No. T.297/1952.

**B. SUBJECT FURTHER** to the following condition contained in Certificate of Amended Title dated 16<sup>th</sup> May 1913, (Knysna Quitrents Volume 11 No. 12) :

“Subject to all such duties and regulations as are already or shall in future be established respecting lands held on similar tenure.”

**C. ....**

**D. ENTITLED** to benefits under the terms of the servitude referred to in the endorsement dated 26<sup>th</sup> April 1949 on Deed of Transfer No. T15875/1944, which endorsement reads as follows:-

“By Notarial Deed No. 128/49 dated the 3<sup>rd</sup> March, 1949, the property held under Deed of Transfer No. 287 dated the 14<sup>th</sup> January, 1949 has been made subject to certain restrictive conditions which operate in favour of the owner of the remainder of the property held by para. 2 hereunder, all of which will more fully appear on reference to said Notarial Deed a copy of which is hereunto annexed.”



- E. ENTITLED** to the benefits in terms of the servitude referred to in the endorsement dated 26<sup>th</sup> April 1949 on the said Deed of Transfer No. 15875/1944, which endorsement reads as follows:

"By Notarial Deed No. 129/49 dated the 30<sup>th</sup> March 1949, the property held under Deed of Transfer No. 288/49 dated the 14<sup>th</sup> January 1949 has been made subject to certain restrictive conditions which operate in favour of the property held by para. 2 hereunder, all of which will more fully appear on reference to said Notarial Deed, a copy of which is hereunto annexed."

- F. ENTITLED** to the benefits under the terms of the servitude referred to in the endorsement dated 29<sup>th</sup> July 1949 on the said Deed of Transfer No. 15875/1944, which endorsement reads as follows :

"By Transfer dated 29.7.1949 the ppty thereby conveyed is made subject to the following conditions in favour of the remainder of para. 2 held hereunder :

1. ....
2. prohibition against hotel, bottle store, store or place of business.
3. prohibition against slaughter poles, soapworks, bone or hide repository or tannery."

- G. ENTITLED** to certain conditions created by Notarial Deeds Nos. 201/1949 and 202/1949 relating to:

1. ....
2. prohibition against hotel, bottle store, store or place of business.
3. prohibition against slaughter poles, soapworks, bone or hide repository or tannery."

- H. SUBJECT FURTHER** to the terms of the servitude referred to in the endorsement dated 17<sup>th</sup> January 1952 on the said Certificate of Registered Title No. T297/1952 which, endorsement reads as follows :

"By Notarial Deed No. 20/52 dd 5-9-1951, the property Ptn 38 (called Lake Pleasant Estate) hereby conveyed is subject to servitudes of rights of way, as indicated (1) by the letters B.C.D.E.F and (II) A.B.F.G.H.J.K.L. on Diagram 9771/1949 annexed hereto, in favour of the general public.  
As will more fully appear on reference to the said notarial deed, a copy whereof is hereunto annexed."

I. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T754/1965 imposed by LAKE PLEASANT ESTATES (PROPRIETARY) LIMITED for its benefit and for the benefit of its successors-in-title as owners of :

“The redeemed quitrent land, situate in the Division of Knysna, being the remaining extent of Portion 70 of the farm RUYGTE VALLY, held by the said Certificate of Registered Title No. 297/1952” namely :

- (b) No hotel, bottle store or place for the sale of liquor and no store of place of business whatsoever other than for the sale of farm products or produce, shall be opened or conducted on the said land.
- (c) No slaughter poles, soapworks, bone or hide repository or tannery shall be allowed, conducted or carried on the land or any portion thereof.
- (d) Plans of buildings to be erected on the land shall be approved by the Local Authority and the Seller.
- (e) Only one residence with the relative outbuildings and farm buildings may be erected on the land without the written consent of the Seller, its successors-in- title or assigns.

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

**MILKWOOD ON SEA CC**

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

**DANIEL FRANCOIS SEVENSTER, Unmarried,**

his heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto, conformably to local customs, the State, however, reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of **R3 250 000,00 (THREE MILLION TWO 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 09 NOV 2023

  
q.q. Signature of Appearer

In my presence:



Registrar of Deeds

STBB

Form E

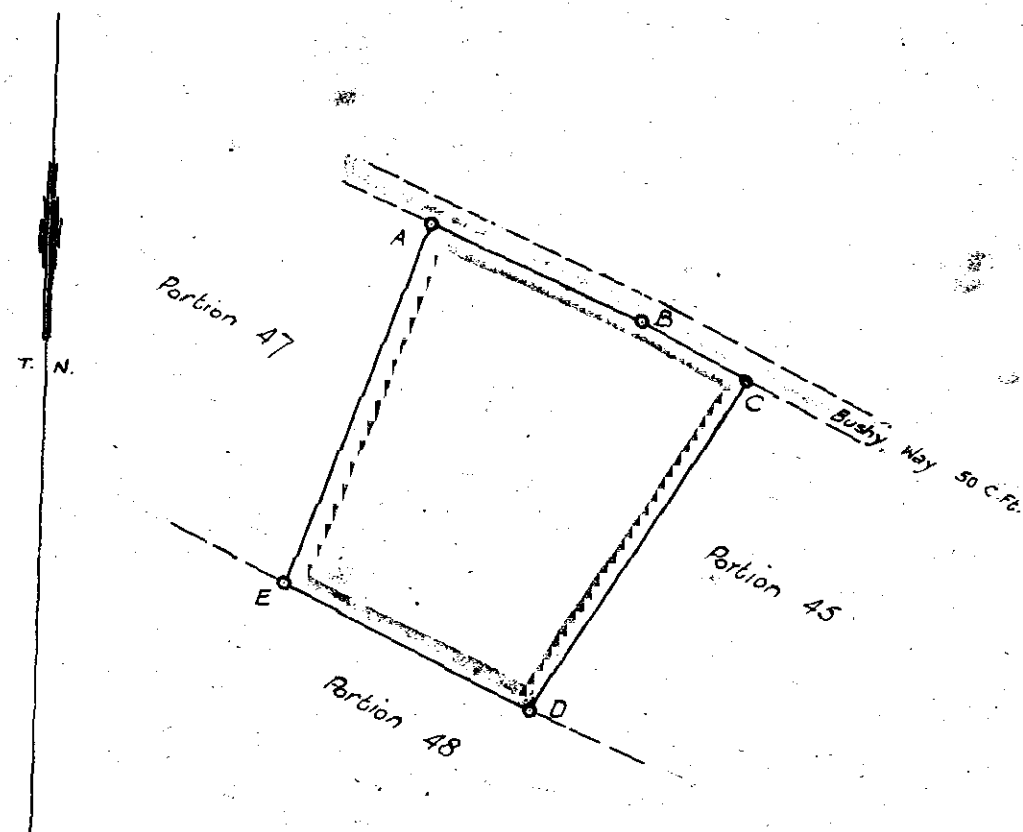
Deducted from Plan 804<sup>LD</sup>

SIDES	Cape Feet	ANGLES OF DIRECTION	SYSTEM L <sup>o</sup> 25 <sup>o</sup> CO-ORDINATES	
			y	x
		Constants	+ 50000.0	+ 11366000.0
AB	475.0	233.0.30	A + 1409.9	+ 287.7
BC	245.8	296.4.30	B + 972.7	+ 173.4
CD	811.6	31.9.50	C + 751.9	+ 581.4
DE	567.8	114.35.30	D + 1171.9	+ 1275.9
EA	801.8	200.18.40	E + 1688.2	+ 10.7.6

No. 6532/51

Approved

*E. S. M. J. S.*  
Surveyor-General.  
4 OCT 1951



Beacons :-

A, B, C, D & E, concrete beacons 3 ft. long & 7" x 6".

Gedeelte 79 (a portion of the farm Ruygte Vally)

(in g d e l t e van Gedeelte 70) van die plaas

Ruygte Vally Nr. 205  
KNYSNA

\*  
Now known as Ptn. 79 (a ptn. of ptn. 70) of the farm Ruygte Vally

Scale 1 : 5000

The figure A B C D E

represents 6.0215 Morgen of land being

Portion 46 (a portion of Portion 38) of the farm Milkwood Downs

situate in the Division of Kynsna

Province of Cape of Good Hope.

Surveyed in Oct-Nov. 1949 by me

*J. S. M. J. S.*

Land Surveyor.

This diagram is annexed to  
D/T. N<sup>o</sup> 754/1965

The original diagram is  
No. annexed to  
Certificate of Registered Title

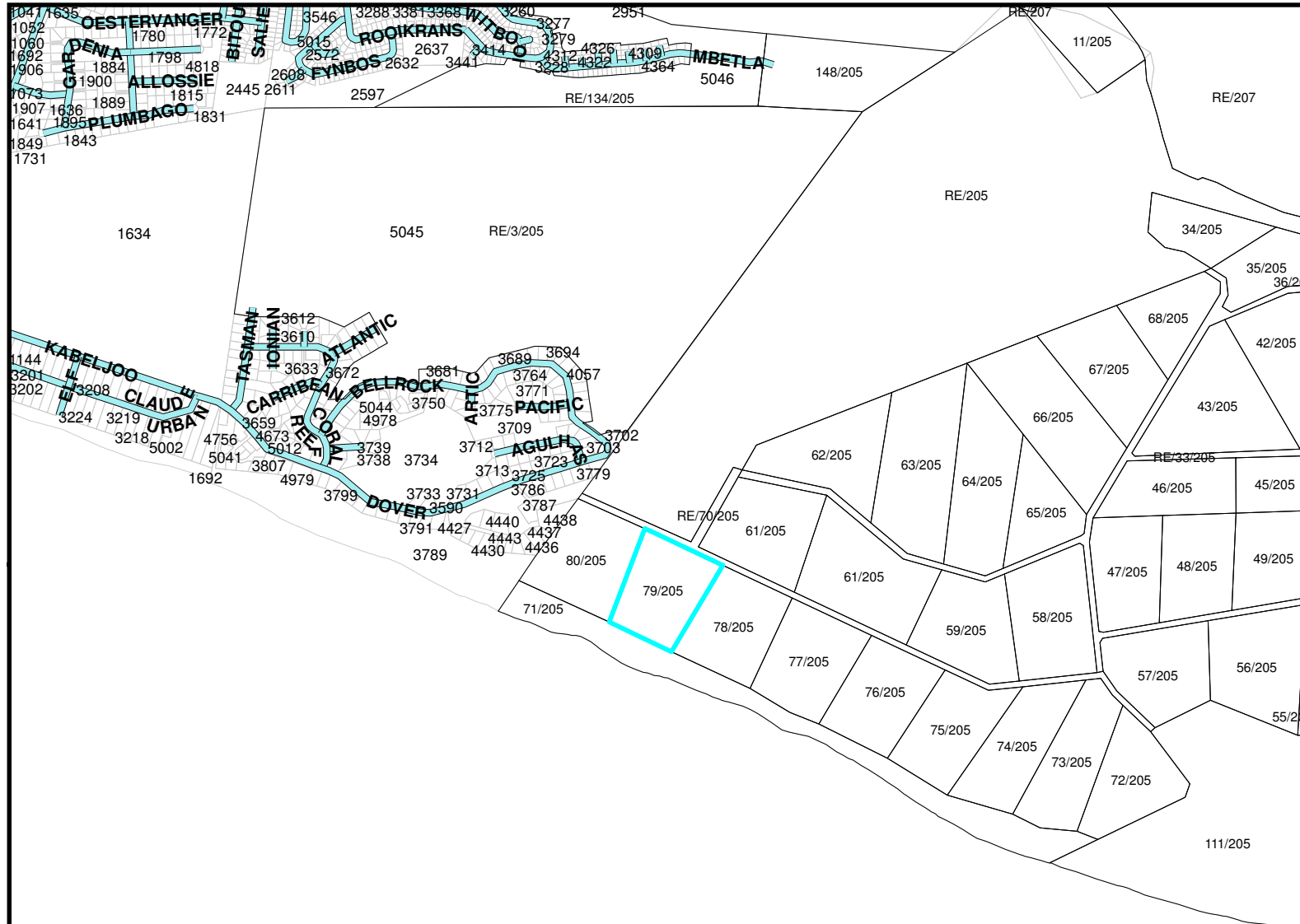
File No. 6853/3  
S.R. No. E. 2824/49.  
General Plan 804<sup>LD</sup>

Registrar of Deeds.

AL-2B14.

## DIAGRAM 1 : LOCALITY MAP

# PORTION 79 OF FARM RUYGTE VALLY NO. 205



0 105 210 420 630 840 Meters



## DIAGRAM 2: AERIAL PHOTO



© OpenStreetMap (and) contributors, CC-BY-SA  
Surveyor General WC, Department of Rural Development and Land Affairs,  
Department of Rural Development & Land Reform, Chief Directorate: Cadastral Spatial Information, Branch: Cadastral  
Surveys Management

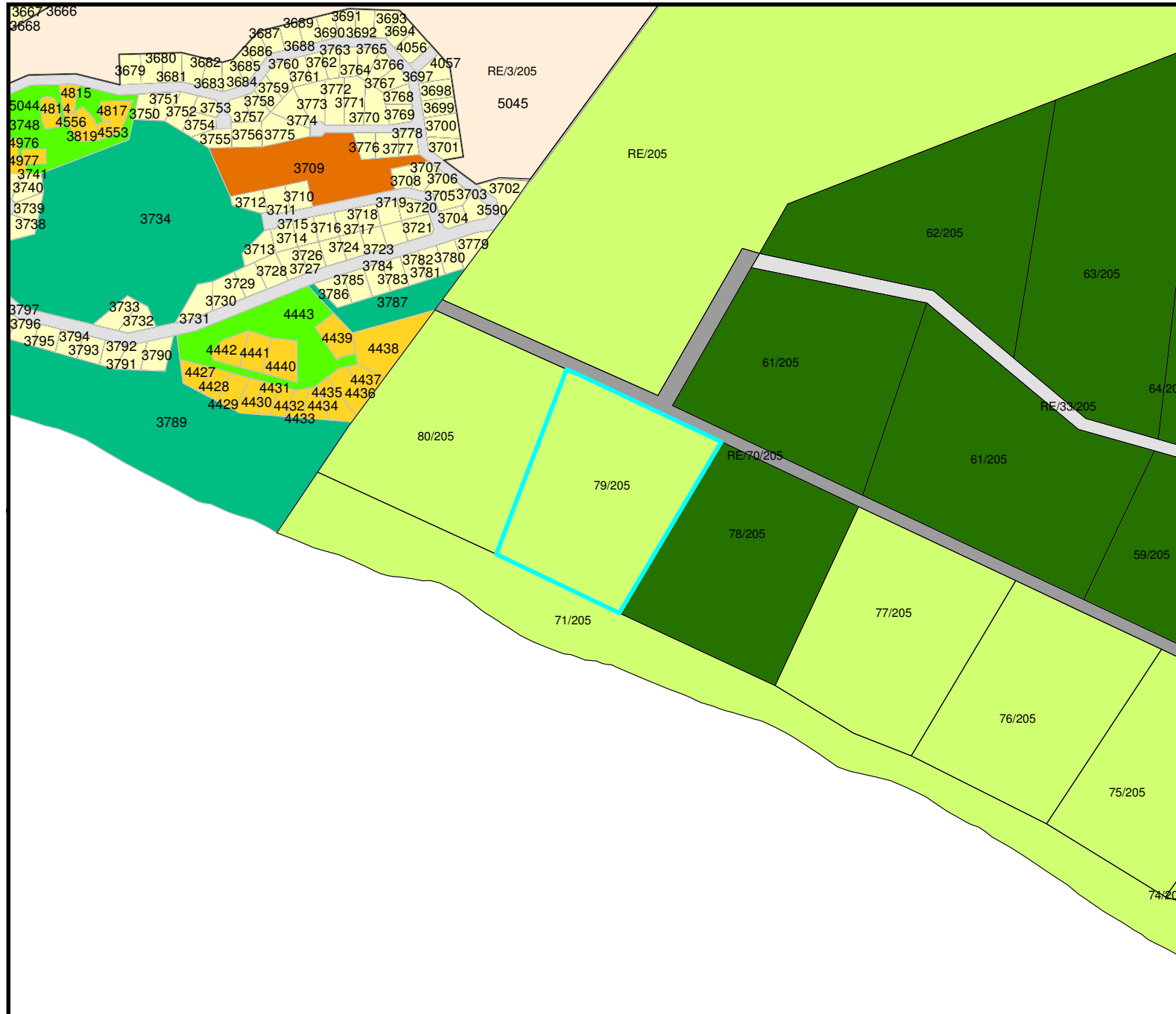
Date created: 2024/05/31

0 0.02 0.04 0.06 0.08 0.1 km



# DIAGRAM 3 : ZONING MAP

# PORTION 79 OF FARM RUYGTE VALLY NO. 205



## Legend

- Agricultural Zone I
- General Residential Zone I
- General Residential Zone III
- Open Space Zone I
- Open Space Zone II
- Open Space Zone IV
- Single Residential Zone I
- Transport Zone II
- Transport Zone III
- Undetermined Use Zone

N



0 45 90 180 270 360 Meters



# PORTION 79 OF FARM RUYGTE VALLY NO. 205





## Legend

- 100\_year\_erosion
- 50\_year\_erosion
- 20\_year\_erosion
- HWM 100m Buffer Final



0 20 40 80 120 160 Meters

T N  
SCALE 1:500



NOTES:	
1. Heights are based on Approximate Mean Sea Level. 2. Spot heights are based on a 1:500 scale. 3. Contour interval is 1m. 4. Tree sizes are approximate.	
SCALE:	A0 / 1:500
DATE OF SURVEY:	FEBRUARY 2024
CLIENT:	OLIVIER ARCHITECTS
JOB DESCRIPTION:	CONTOUR/DETAIL PLAN
PROPERTY:	PORTION 79 OF THE FARM RUYGTE VALLY NO.205
DRAWING NO:	F205P79CP
EDEN GEOMATICS Topographical & Engineering Surveyors P.O. Box 346 Knyana 6570 Andre Gernade 072 980 8465 andre@edengeomatics.co.za Nick Foster 071 621 2400 nick@edengeomatics.co.za	