



Mr. Mbulelo Memani
Municipal Manager
 Tel – 044 501 3000
 Bitou Local Municipality
 Private Bag X1002
 PLETTENBERG BAY, 6600
Municipal Notice No: 144/2025

**NOTICE OF LAND USE APPLICATIONS/
 GRONDGEBRUIKAANSOEK KENNISGEWING/
 ISAZISO NGESICELO SOKUSETYENZISWA KOMHLABA**

**BITOU MUNICIPALITY (WC047)
 NOTICE NUMBER: 144/2025**

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Erf 126, Natures Valley	<ul style="list-style-type: none"> Application is being made in terms of Section 15(2)(f) of the Bitou Municipality Land Use Planning By-Law for the suspension of the restrictive title deed conditions F.4.(c) and (e) that prescribe <ul style="list-style-type: none"> ✓ only one building to be erected on the property and ✓ 6,30m street and 3,15m rear building lines The application for suspension of the title deed restrictions in 1.2 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain. Application is being made in terms of Section 15(2)(b) of the Bitou Municipality Land Use Planning By-Law for the following departure from the provisions of the Zoning Scheme: <ul style="list-style-type: none"> ✓ Departure from the South-western (Lateral) building line from 2,00m to 1,94m for the existing outbuilding. The application for departure from the provisions in the Zoning Scheme in 3.1 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain. Application is being made in terms of Section 15(2)(o) of the Bitou Municipality Land Use Planning By-Law for consent to allow an additional dwelling unit, being the two existing bedrooms, store, drying room & shower (without kitchen) which are contained in the outbuilding and are not contained in the main dwelling
Erf 126, Natures Valley	<ul style="list-style-type: none"> Aansoek word ingevolge Artikel 15(2)(f) van die Bitou Munisipaliteit Grondgebruikbeplanningsverordening gedoen vir die opskorting van die beperkende titelaktevoorwaardes F.4. (c) en (e) wat voorskryf <ul style="list-style-type: none"> ✓ slegs een gebou wat op die eiendom opgerig moet word en ✓ 6,30m straat en 3,15m agterste boulyne Die aansoek om opskorting van die titelaktebeperkings in 1.2 hierbo word gedoen om die bestaande ontwikkelings soos aangedui op die terreinontwikkelingsplan (Bylae E) toe te laat bly. Aansoek word ingevolge artikel 15(2)(b) van die Bitou Munisipaliteit se Grondgebruikbeplanningsverordening gedoen vir die volgende afwyking van die bepalings van die Soneringskema: <ul style="list-style-type: none"> ✓ Afwyking vanaf die Suidwestelike (Laterale) boulyn van 2,00m tot 1,94m vir die bestaande buitegebou. Die aansoek om afwyking van die bepalings in die Soneringskema in 3.1 hierbo word gedoen om die bestaande ontwikkelings soos aangedui op die terreinontwikkelingsplan (Bylae E) toe te laat bly. Aansoek word ingevolge artikel 15(2)(o) van die Bitou Munisipaliteit se Grondgebruikbeplanningsverordening gedoen vir toestemming om 'n addisionele wooneenheid toe te laat, naamlik die twee bestaande slaapkamers, stoor, droogkamer en stort (sonder kombuis) wat in die buitegebou vervat is en nie in die hoofwoning vervat is nie

Application is available for viewing at Municipal office, 50 Melville's Corner, during office hours/ Aansoek kan bestudeer word by Kantoor 50, Melville's Corner gedurende kantoorure/ Ikopi yesicelo iyafumaneka ukuze ijongwe kwi-ofisi kaMasipala kwiyunithi engu-50 Melville's Corner, ngamaxesha omsebenzi aqhelekileyo.

Enquiries may be directed to/ Navrae kan gerig word na/ Imibuzo inokubhekiswa kuyo Town planning at 044 501 3303/ townplanning@plett.gov.za

Comments/objections with reasons must be delivered or e-mailed to townplanning@plett.gov.za within 30 days from the date of publication of this notice, and must include the name & contact details of the person concerned. Kommentare/ besware kan na townplanning@plett.gov.za gerig word binne 30 van publikasie van hierdie kennisgewing en moet 'n naam en kontakbesonderhede insluit./ Naziphi na izimvo/izichaso ezinezizathu mazisiwe okanye zithunyelwe nge-imeyile apha townplanning@plett.gov.za zingadlulanga iintsuku ezingama-30 ukususela kumhla wokupapashwa kwesi saziyo, kwaye mazibandakanye igama neenkukacha zqhagamshelwano zaloo mntu uchaphazelekayo.

Mr. Mbulelo Memani
MUNICIPAL MANAGER
 Bitou Local Municipality

Customer Care: 0800 212 797 (Toll-Free)
Emergency Services: 044 533 5000
www.bitou.gov.za - communications@plett.gov.za



Enquiries
Olwethu Yonke

Contact details
044 501 3317

E-mail
townplanning@plett.gov.za

Our ref: 18/126/NV

08 April 2025

Sir/Madam

PROPOSED SUSPENSION OF THE RESTRICTIVE TITLE DEED, CONSENT USE AND PERMANENT DEPARTURE FOR ERF 126, NATURES VALLEY

Applicant: Beacon Survey

Notice is hereby given that Bitou Municipality has received an application for in terms of section 15(2) of the Bitou By-law on Municipal Land Use Planning 2015; the application details are as follows:

1. Application is being made in terms of Section 15(2)(f) of the Bitou Municipality Land Use Planning By-Law for the suspension of the restrictive title deed conditions F.4.(c) and (e) that prescribe
 - 1.1. only one building to be erected on the property and
 - 1.2. 6,30m street and 3,15m rear building lines
2. The application for suspension of the title deed restrictions in 1.2 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain.
3. Application is being made in terms of Section 15(2)(b) of the Bitou Municipality Land Use Planning By-Law for the following departure from the provisions of the Zoning Scheme:
 - 3.1. Departure from the South-western (Lateral) building line from 2,00m to 1,94m for the existing outbuilding.
4. The application for departure from the provisions in the Zoning Scheme in 3.1 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain.
5. Application is being made in terms of Section 15(2)(o) of the Bitou Municipality Land Use Planning By-Law for consent to allow an additional dwelling unit, being the two existing bedrooms, store, drying room & shower (without kitchen) which are contained in the outbuilding and are not contained in the main dwelling

A copy of the application and full supporting documentation is available for viewing on the Municipal website. Enquiries regarding the application may also be directed to the Municipal Land Use Management official Olwethu Yonke at 044 501 3317/ townplanning@plett.gov.za.

Any comments or objections to the application, with reasons therefore, must be lodged in writing to the abovementioned official by means of email (townplanning@plett.gov.za) or hand-delivery within 30 days of the date of registration of this notice, and must include the name and contact details of the person concerned. Comments/ objections received after 30 days may be disregarded. A person who cannot write may visit the Land Use Management office, where a staff member will assist to transcribe their comments.

The personal information of anyone who submits comment / objection might be made available as part of processing the application and might be used during formal application processing.

Regards
Chris Schliemann

DRAFT

MOTIVATION REPORT

ERF 126 NATURES VALLEY NATURES VALLEY TOWNSHIP BITOU MUNICIPALITY

PROPOSED : 1) SUSPENSION OF TITLE DEED RESTRICTIONS (BUILDING LINES) TO ALLOW THE EXISTING DEVELOPMENTS ONLY,
2) SUSPENSION OF TITLE DEED RESTRICTIONS (ERECTION OF MORE THAN ONE BUILDING) TO ALLOW THE ADDITIONAL DWELLING AND STAFF QUARTERS ONLY,
3) DEPARTURE FROM ZONING SCHEME CONDITIONS (BUILDING LINES) TO ALLOW THE EXISTING DEVELOPMENTS ONLY AND
4) CONSENT USE FOR ADDITIONAL DWELLING TO ALLOW THE TWO EXISTING SEPARATED BEDROOMS ONLY.

FEBRUARY 2025

TABLE OF CONTENTS

1. INTRODUCTION
2. THE APPLICATION
3. THE DECISION-MAKING CRITERIA
4. TITLE DEED
5. BACKGROUND AND THE PROPOSAL
6. MOTIVATION : MUNICIPAL BUILDING LINES
7. MOTIVATION : SUSPENSION OF TITLE DEED RESTRICTIONS
(BUILDING LINES)
8. MOTIVATION : SUSPENSION OF TITLE DEED RESTRICTIONS
(ERECTION OF MORE THAN ONE BUILDING)
9. MOTIVATION : CONSENT USE FOR ADDITIONAL DWELLING
10. CHARACTER OF THE AREA AND IMPACT ON NEIGHBOURS
11. IMPACT ON SERVICES AND TRAFFIC
12. BIOPHYSICAL CONSTRAINTS
13. CONTEXT OF THE SURROUNDING URBAN ENVIRONMENT
14. SPATIAL DEVELOPMENT FRAMEWORK AND INTEGRATED
DEVELOPMENT PLAN
15. APPLICATION OF PRINCIPLES

LIST OF ANNEXURES

ANNEXURE A : TITLE DEED

ANNEXURE B : EMPOWERING DOCUMENTS

ANNEXURE C : LOCALITY PLAN

ANNEXURE D : EXTRACT OF THE GENERAL PLAN

ANNEXURE E : PROPOSED SITE DEVELOPMENT PLAN

ANNEXURE F : PRE-APP INSTRUCTIONS (EMAIL)

ANNEXURE G : ARCHITECT'S PLANS

ANNEXURE H : PHOTO'S OF THE PROPERTY

1. INTRODUCTION

- 1.1 Erf 126 Natures Valley is situated on St Michaels Avenue in the south-western part of Natures Valley as shown on Annexure C.
- 1.2 The property is 1006 square metres in extent.
- 1.3 The zoning of the property is Single Residential Zone I (SRZI) in terms of the Bitou Municipality Zoning Scheme By-Law.
- 1.4 The property accommodates a dwelling house as well as an outbuilding as shown on Annexure E.
- 1.5 Building plans for the dwelling house have been approved by the Municipality (see Annexure F).
- 1.6 The purpose of this application is to allow for the approval of the building plans of the outbuilding.
- 1.7 Erf 126 is included in Natures Valley Township (Annexure D).

2. APPLICATION

2.1 Application is being made in terms of Section 15(2)(f) of the Bitou Municipality Land Use Planning By-Law for the suspension of the restrictive title deed conditions F.4.(c) and (e) that prescribe :

2.1.1 only one building to be erected on the property and

2.1.2 6,30m street and 3,15m rear building lines.

2.2 The application for suspension of the title deed restrictions in 2.1.2 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain.

2.3 Application is being made in terms of Section 15(2)(b) of the Bitou Municipality Land Use Planning By-Law for the following departure from the provisions of the Zoning Scheme:

2.3.1 Departure from the South-western (Lateral) building line from 2,00m to 1,94m for the existing outbuilding.

2.4 The application for departure from the provisions in the Zoning Scheme in 2.3.1 above is being made to allow the existing developments as shown on the site development plan (Annexure E) to remain.

2.5 Application is being made in terms of Section 15(2)(o) of the Bitou Municipality Land Use Planning By-Law for consent to allow an additional dwelling unit, being the two existing bedrooms, store, drying room & shower (without kitchen) which are contained in the outbuilding and are not contained in the main dwelling.

3. THE DECISION-MAKING CRITERIA

3.1 Certain decision-making criteria prescribed in terms of the Land Use Planning and Land Use Management Act, 2013 (Act 16 of 2013) ('SPLUMA') and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) ('LUPA') have to be applied by the Municipality during consideration of any application for land development. These will be applied, where applicable, to this application.

3.2 In addition to the above, the 'Planning By-Law' stipulates that when the Municipality considers the removal, suspension or amendment of a restrictive title deed condition the following aspects must be considered :

3.2.1 the financial or other value of the rights in terms of the restrictive condition enjoyed by a person as the owner of a dominant tenement;

3.2.2 the personal benefits which accrue to the holder of rights in terms of the restrictive condition;

3.2.3 the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;

3.2.4 the social benefit of the restrictive condition remaining in place in its existing form;

3.2.5 the social benefit of the removal, suspension or amendment of the restrictive condition; and

3.2.6 whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

4. TITLE DEED

4.1 The title deed is attached as Annexure A.

4.2 The restrictive conditions of title relevant to the current application are as follows :

4.2.1 F.4.(c) *'not more than one building excluding maisonettes and semi-detached houses, together with such outbuildings as are ordinarily required to be used therewith shall be erected thereon;'*

4.2.2 F.4.(e) *'no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 6,30 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf.'*

4.3 The above conditions were imposed by the Administrator when approving the Natures Valley Township and are thus part of the conditions of establishment.

4.4 The application is for suspension of the operation of the conditions for the time of the existence of the developments on site.

4.5 The reason for the application for suspension of the restrictive conditions of title is to formalize the building plan approval of the existing structures.

4.6 Should the owner intend to demolish or extend the structures on site then the suspension of the title deed restrictions will cease.

5. BACKGROUND AND THE PROPOSAL

5.1 The zoning scheme building lines are shown on Annexure E and are as follows :

5.1.1 Lateral and rear building line 2.00m

5.1.2 Street building line 4.00m

5.2 The title deed building lines are shown on Annexure E and are as follows :

5.2.1 Lateral and rear building line 3.15m

5.2.2 Street building line 6.30m

5.3 Building plans for the dwelling house on the property have been approved.

5.4 The as-built position of the dwelling house shows an encroachment of 0.42m of the title deed lateral building line.

5.5 Building plans for the staff quarters, additional dwelling (without kitchen) and garage have not been approved.

5.6 The staff quarters encroach the rear title deed building line by 0.15m and the lateral title deed building line by 1.15m.

5.7 The additional dwelling (without kitchen) and the garage encroach the title deed lateral building line by 1.21m and the municipal lateral building line by 0.06m.

5.8 The purpose of the application is to regularise the existing developments on site without permanently affecting (improving) the rights of the property. If the application is approved the existing developments cannot be extended or replaced without a further application.

6. MOTIVATION : MUNICIPAL BUILDING LINES

6.1 For the south-eastern lateral building line (2.00m) application is being made for an effective relaxation of 0.06m for the existing additional dwelling.

6.2 The existing additional dwelling is at ground level and will therefore not significantly affect the amenity or views of the neighbouring properties.

6.3 This application, if successful, will result in the regularisation of the existing structures.

6.4 The approval of the building plans for the existing structures will then be possible.

7. MOTIVATION : SUSPENSION OF TITLE DEED RESTRICTIONS (BUILDING LINES)

7.1 The existing structures have been surveyed and are shown on (Annexure E).

7.2 The title deed building lines have been annotated on Annexure E.

7.3 This application is for the suspension of the title deed restriction only for the life of the existing structures.

7.4 If the existing structures which encroach the title deed building lines are demolished then the original title deed restriction will remain in force for new developments.

7.5 If there is a proposal in the future to extend the existing structures which encroach the title deed building lines then a further application will be required to suspend the operation of the title deed building line restrictions for the new proposed extensions.

7.6 The existing structures will still comply with the municipal building line restrictions barring a small encroachment of 0.06m.

7.7 The encroaching portions are all situated at ground floor level and have no conceivable negative effect on the amenity of the neighbouring properties.

7.8 Section 33(5) of the Planning By-Law states that when the Municipality considers the suspension of a restrictive title deed condition, the Municipality must have regard to the following :

7.9.1 The financial or other value of the rights;

7.9.1.1 The restrictive building line condition of title does not grant any direct financial benefit to any person.

7.9.1.2 The personal benefits of the above-mentioned restrictive conditions pertaining to building lines could include that of privacy, maintaining the character of the area and sense of place etc.

7.9.1.3 However, these factors are currently preserved through the zoning scheme and any relaxation of building

lines will take these factors into consideration. Hence the current application for relaxation of building lines addresses these aspects.

7.9.1.4 The encroachment of the garage, which is only single storey, has minimal to negligible impact on neighbouring properties.

7.9.2 The personal benefits which will accrue to the person seeking the removal;

7.9.2.1 The personal benefit that will accrue to the owners of Erf 126 if the condition is suspended is that they would be able to formalize the building plan approval of the as-built positions of the structures.

7.9.3 The social benefit of the restrictive condition remaining in place;

7.9.3.1 The retention of the restrictive building lines generally offers a potential social benefit by preserving the character of the area, particularly through the maintenance of a consistent streetscape.

7.9.3.2 The encroachment of the garage will not have any impact on the character of the area or its sense of place.

7.9.3.3 The removal of the restrictive building line condition of title is desirable due to the following considerations:

7.9.3.3.1 The removal of the restrictive building line condition of title will allow the existing garage to be formalized.

7.9.3.3.2 The practice of imposing building line restrictive conditions predates the introduction of the zoning scheme. It is important to recognise that development planning is a dynamic process. Virtually all townships have incurred deviations from what was originally envisaged at the township establishment stage. Furthermore, certain restrictive conditions of title can be considered to be archaic due to the

evolution of development planning norms and principles. Lastly, the zoning scheme represents a more contemporary approach and reflects the current town planning dispensation and it aligns with the current trends and objectives of the Municipality.

7.9.3.3.3 Lastly it is impetrative to note that the removal of the title deed restrictive building lines will not result in the complete removal of building lines as building lines will continue to be regulated in accordance with the applicable zoning scheme.

7.9.3.3.4 Therefore a preservation of privacy, views, access to undeveloped areas of the property, sense of place, character of the area, site distances and other related factors will still be upheld through the zoning scheme. Any relaxation of building lines will adhere to the process as stipulated in the Zoning Scheme Regulations and the Planning By-Law.

7.9.4 *Whether the removal will completely remove all rights enjoyed by the beneficiary or only some of those rights;*

7.9.4.1 This application solely pertains to the suspension of the title deed building line condition while all other conditions of title will remain unaffected.

8. MOTIVATION : SUSPENSION OF TITLE DEED RESTRICTIONS (ERECTION OF MORE THAN ONE BUILDING)

8.1 The restrictive condition of title relevant to this part of the application is as follows :

8.1.1 F.4.(c) *'not more than one building excluding maisonettes and semi-detached houses, together with such outbuildings as are ordinarily required to be used therewith shall be erected thereon;'*

8.2 Application is being made to suspend the operation of the above condition to allow the existing buildings.

8.3 If the application is approved then the building plans for the existing buildings can be approved if they comply with the National Building Regulations.

8.4 The clause *'excluding maisonettes and semi-detached houses'* allows the erection of a small dwelling additional to the main dwelling either separate from the main dwelling or attached to the main dwelling.

8.5 The clause *'together with such outbuildings as are ordinarily required to be used therewith'* allows the erection of the staff quarters and garage which both fall within the definition of an outbuilding.

8.6 The reason for the application for suspension of the condition is to allow for the contrived view that the maisonette may not be connected to the outbuildings (garage and staff quarters).

8.7 The additional dwelling which is attached to the staff quarters does not contain a kitchen and is only considered an additional dwelling because of its separation from the main dwelling.

9. MOTIVATION : CONSENT USE FOR ADDITIONAL DWELLING

9.1 The proposed additional dwelling without a kitchen is being applied for because the structure is not attached and a part of the main dwelling.

9.2 The two additional bedrooms are used by the same family as the main dwelling when the family is on holiday and actually form part of the main dwelling in the *de facto* use thereof.

9.3 The reason for the application is thus technical and not to create a second dwelling on the property.

9.4 The requirement to be satisfied is the opportunity to submit building plans for the structures which were erected by previous generations of the same family.

9.5 Application is being made in such a manner that only the existing structures will be capable of approval and a further application will be required should the owners wish to extend vertically or horizontally (further encroaching the building lines which have been suspended only for the existing structures).

9.6 Even though the above is the case, there is no policy imperative to disallow an additional dwelling.

10. CHARACTER OF THE AREA AND IMPACT ON NEIGHBOURS

10.1 The surrounding area comprises mostly single residential erven.

10.2 Any potential impact on the character of the area and the impact on neighbours as a result of the regularisation of the existing structures on the property.

11. IMPACT ON SERVICES AND TRAFFIC

11.1 The proposal relating to building lines does not have any impact on services.

11.2 The proposed additional dwelling (without a kitchen) will not have any additional effect on services and traffic as the structures already exist. Additionally, the only reason for the application is that the additional dwelling is not part of the main dwelling. The existing structures cannot be extended vertically or horizontally without an additional application because the application is for suspension of the title deed restrictions for the existing structures only.

12. SITE SPECIFIC CONSIDERATIONS

12.1 The property is not situated in an ecological corridor or an area with high biodiversity importance. The immediate surrounding urban environment does not have any features of cultural or heritage significance. The property is not subject to slippages, geological instability, rock falls and the like.

13. CONTEXT OF THE SURROUNDING URBAN ENVIRONMENT

13.1 The property is situated inside the Natures Valley town.

13.2 Natures Valley is exclusively residential with only the oldest established commercial / entertainment uses.

13.3 The proposal of regularising the existing residential uses on the property is not on conflict with the surrounding urban environment.

14. SPATIAL DEVELOPMENT FRAMEWORK AND INTEGRATED DEVELOPMENT PLAN

14.1 The property is already developed and located within the urban edge. The proposal is therefore consistent with the overall intentions and objectives of the SDF and IDP in relation to development within the urban edge to prevent urban sprawl and to use resources and the available municipal infrastructure in an efficient manner. The proposal which relates to building lines will not have any impact on the provision of services, impact on traffic, impact on roads, access etc.

14.2 The proposed suspension of restrictive building lines and relaxation of zoning scheme building lines has minimal implications on specific policies and strategies with the SDF beyond what has already been addressed. This is particularly the case as the Local SDF does not oppose the suspension of restrictive conditions of title in particular. The proposal therefore complies with and is in line with the SDF insofar as it relates to making application for a suspension of restrictive building lines.

14.3 There are also no policies in the district, provincial or national government forward planning documents that are contrary to the proposal.

14.4 Similarly there exists no policy countermanding the need for densification within the existing urban fabric.

15. APPLICATION OF PRINCIPLES

15.1 Notwithstanding the categorisation of land use principles, all of them apply to all aspects of spatial planning, land development and land use management. Decisions concerning land use development have to be explicitly related to the extent to which the proposal meets the objectives set out in these principles.

15.2 However, it is necessary for the principles to be considered holistically and at the appropriate planning level and geographic scale. This is so because the interpretation and application of the principles are context specific as the conditions upon which the principles have to be applied are not uniform throughout the municipal area.

15.3 In addition (and in particular) a mechanical approach whereby the land use principles are applied on a one-by-one basis without regard for their overall intention and spirit should be avoided. Such a 'one-by-one' methodology is contrary to the very purpose of a normative approach to planning (namely to move away from a controlling to an interpretive approach).

15.4 The reality is that no single development project/proposal can on its own achieve the overall objective envisaged by the introduction of the land use principles. Different development projects/proposals will have/achieved different objectives (compare for example a new school with a new shopping centre), while not all the (components of the) various land use principles will necessarily apply in all instances. It is the responsibility of the Municipality as the 'planning authority' to ensure that the planning for and the actual use of land in the municipal area as a whole would comply with and achieve the desirable envisaged by the introduction of the land use principles.

15.5 In view of the above the land use principles do not prescribe 'yes-or-no' outcomes. In essence, a land development application has to be assessed in terms of its potential to further the holistic goals underpinning the principles.

15.6 Having said the above, the only principles that find direct application in the current matter are :

15.6.1 The principle of spatial sustainability insofar as it relates to :

15.6.1.1 *"Promoting land development that is within the fiscal, institutional and administrative means of the Republic";*

15.6.1.2 *"uphold consistency of land use measures in accordance with environmental management instruments";*

15.6.1.3 *"considering all current and future costs to all parties for the provision of infrastructure and social services in land developments";*

15.6.1.4 *"promoting land development in locations that are sustainable and limit urban sprawl" and*

15.6.1.5 *"(which will) result in communities that are viable".*

15.6.1.6 The proposal aligns with and complies with the principle of spatial sustainability insofar as it relates to the property's location within the urban edge.

15.6.2 The principle of efficiency insofar as it relates to :

15.6.2.1 *"Land development (that) optimizes the use of existing resources and infrastructure".*

15.6.2.2 The property is already developed, situated within the urban edge and will require no additional resources or infrastructure.

15.6.2.3 The proposal aims to maximize the utilization of the existing structures without demolition and simply to obtain building plan approval of the existing structures.

15.6.3 The principle of spatial resilience as the property is not subject to flooding risk, nor erosion, steep slopes etc. and therefore complies with this principle.

15.6.4 The proposed (existing) additional dwelling (without a kitchen) upholds the imperative for diversification that is a concomitant of all forward planning documents.

1220

164 RUSHTON, DU TOIT, KRAUS-
& VAN DEN HEEVER
TEL 46-5820

ENDOSSEMENT KRAGTENS ART. 40 VAN WET 66 VAN 1965	ENDORSEMENT BY VIRTUE OF SECT. 40 OF ACT 66 OF 1965
DIE TRUSTEES HET DIE REG OM MET DIE BINNEGEMELDE EIENDOM TE HAN- DEL ONDERHEWIG AAN DIE BEPALINGS VAN DIE TESTAMENT.	THE WITHINMENTIONED PROPERTY IS TO BE ADMINISTERED BY THE TRUSTEES SUBJECT TO THE TERMS OF THE WILL.
T 82702199	
13-10-99	
	REGISTERED IN THE DEEDS REGISTER

See Pg 11

T 9223:89

DEED OF TRANSFER

Prepared by me,



Conveyancer.
RUSHTON F C

We it hereby made known

THAT FRANCIS CYRIL RUSHTON appeared before me, REGISTRAR OF DEEDS,
at CAPE TOWN, he, the said Appearer, being duly authorised thereto by a Power of Attorney
dated the 18th day of AUGUST 1988 and signed
at BLOEMFONTEIN granted to him by

The EXECUTRIX in the ESTATE of the late
GRAEME EDWARD WILMOT

WHEREAS /

Attorneys, Notaries and Conveyancers,
Cape Town.

4 2 AM

WHEREAS in terms of the Joint Will dated 28th September 1987
X of the late GRAEME EDWARD WILMOT who died on 21st January
1988, and surviving spouse BERTHA MABEL WILMOT, who were
married out of community of property, the hereinaftermentioned
Transferee is entitled to the undermentioned property; and

WHEREAS the transfer is SUBJECT

- (i) to a lifelong usufruct in favour of the surviving spouse,
(ii) the payment of a bequest price of R40 000,00 which has
been duly secured or paid, _____

NOW THEREFORE the said Appearer in his capacity as aforesaid, did, by these presents cede and transfer in full and free property, to and on behalf of :

ELAINE MABEL CREIGHTON

Identity Number 380529 2023 00 0

Married out of community of property

WHITE GROUP

Her Heirs, Executors, Administrators or assigns :

ERF 126 NATURES VALLEY in the Local Area of
NATURES VALLEY, Division of KNYSNA ;

MEASURING : 1 006 (One Thousand And Six)
Square Metres;

ORIGINALLY transferred and STILL HELD by Deed of Transfer
No T 6629/1955 and Diagram No 2868/55 relating thereto;

A. SUBJECT to the conditions referred to in Deed of Transfer No T 6629/1955;

B. ENTITLED /

WHITE GROUP
BLANK GROUP

4 AM

B. ENTITLED to the extent herein set forth to the benefit of the servitude referred to in the endorsement dated the 25th March, 1942 on Deed of Transfer No T 6666 dated the 23rd November, 1894, which reads as follows :

"The owner and his successors in title of the remainder held hereunder has been given

- (a) Certain right of way over the property thereby conveyed.
- (b) The right to use certain portion of the property thereby conveyed for grazing purposes during his lifetime and five years thereafter."

C. SUBJECT FURTHER to the reservation in favour of the State of all rights to ores, metals, minerals and precious stones contained in the said Certificate of Uniform Title No T 8072/1953, in respect of which a Certificate of Mineral rights was issued on the 4th June, 1950, No 90.

D. ENTITLED only to the benefit of the servitudes of causeway, right of way, and seven footpaths referred to in the endorsement dated the 4th June, 1953 on the said Certificate of Uniform Title No T 8072/1953 which reads as follows :

"By Notarial Deed No 318/53 dd 9/12/52 the property held hereunder has been granted a servitude of abutment, a servitude to erect a pumphouse and pipelines over the farm Blaawkrantz held under Certificate of Crown Title No 34/52 and also a servitude of reservoir and pipelines, a servitude of cause-way and a servitude right of way 9,45 metres wide, all depicted on servitude diagram No 4148/51, as well as a servitude of seven foot paths depicted on annexed diagram over the farm Saltrifor held under Cert. of Crown Title No 169/51 and with other ancillary rights and obligations. As will more fully appear on reference to the said Notarial Deed."

E. NOT ENTITLED /

L. E.M.

21

E. NOT ENTITLED to the other rights referred to in the above quoted endorsement by reason of being subject to the conditions referred to in a further endorsement dated the 7th July, 1954 on the said Certificate of Uniform Title No T 8072/53, which reads as follows :

"By Notarial Deed No 417/1954 dated 9/3/54 the within mentioned Owner has ceded to the trustees for such Local Authority as may be constituted for Natures Valley Township

- (a) Certain supply of water to be made available for each erf.
- (b) Certain supply of water to be made available for Local authority purposes.
- (c) Certain rights held under Notarial Deed No 318/1953. Subject to conditions as will more fully appear on reference to the said Notarial Deed a copy of which is annexed hereto."

F. SUBJECT FURTHER to the following conditions imposed by the Administrator when giving his approval to the establishment of the said NATURE'S VALLEY TOWNSHIP, contained in Deed of Transfer No T 6629/1955 :

- 1. Any words 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 Administration Notice No 401 dated 17th October 1935, and in the memorandum which accompanied the said regulations.
- 2. The owner of this erf shall be obliged, without compensation, to receive the material or permit excavation on the erf, as may be required to allow the 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 /

4

9/11

21

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.

3. The owner of this erf shall without compensation be obliged to allow the sewage and drainage including stormwater of any other erf or erven 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 in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit or other works pertaining thereto.

4. This erf shall be subject to the following further conditions, provided especially that where, in the opinion of the Administrator after consultation with the Townships Board and the local authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose :

(a) it shall not be subdivided;

(b) it shall be used for residential purposes only;

(c) not more than one building excluding maisonettes and semi-detached houses, together with such outbuildings as are ordinarily required to be used therewith shall be erected thereon;

(d) not more than half the area thereof shall be built upon;

(e) no /

n3

4

8

oh

- (e) no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 6,30 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or lateral boundary common to any adjoining erf, provided that with the consent of the local authority, an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation, may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf.

G. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T 6629/1955 imposed for the benefit of NATURE'S VALLEY DEVELOPMENT CORPORATION (PROPRIETARY) LIMITED (hereinafter called "th Company") :

5. No building of a greater height than 12,19 metres shall be erected upon the property without the prior consent of the Company. Not more than 50 per cent of the property may be built upon, and each building must be set back 6,30 metres from the front boundary on the nearest side and 3,15 metres from lateral boundaries, except in the case of garages, and except when the conditions of this clause are relaxed by the Company. This clause is subject to any conditions imposed by the Administrator with regard to building line.
6. Plans of all dwelling houses and outbuildings or other constructions to be erected on the property and of alterations to any buildings already erected, including separate drainage and sewerage plans, must be submitted to the Company and the Local Authority and written approval obtained before any such buildings or erections or structures are commenced by the transferee. No temporary structures may be erected, nor may caravans or tents be brought upon the property, nor may the transferee camp thereon or permit others so to do.

7. The / *TH*

7. The amount of the final cost for the erection of any dwelling house and outbuildings or other constructions on the property, shall be not less than R2 000,00 unless the written consent of the Company has been obtained for the erection of such house and outbuildings at a lesser cost.
8. No system of drainage or sewerage shall be constructed on the property unless and until the plans for same have been duly approved in writing by the Company. The approval of the Company may be made subject to such conditions as may seem expedient.
9. No sand, soil, gravel or other similar material shall be removed from the property without the written consent of the Company.
10. No electric generating plant, windmill or wind-operated machinery shall be established on the property without the written consent of the Company.
11. No galvanised iron or asbestos sheet shall be used to enclose or fence the property, nor shall it be used for the construction of the roof or any portion of a building erected on the property unless specially authorised by the Company.
12. No trees known as Port Jackson, Wattle trees or any plant, tree or shrub deemed by the Company to be noxious or objectionable, shall be planted, cultivated or allowed to flower on this erf, without the written consent of the Company first had and obtained.

H. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T 6629/1955 imposed for the benefit of any present or future owner of land in NATURE'S VALLEY TOWNSHIP :

13. That /

4 8/1

7/1

13. That the property (unless falling within the exception herein set out) be used for residential purposes only. No shop or hotel and no commercial or industrial business or advertising of any kind, trade or profession - except the medical profession - shall be carried on thereon, except in the case of erven specifically denominated by the Administrator as business or semi-business sites.
14. That no building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 6,30 metres to any street line which forms a boundary of the property. No such building or structure shall be situated within 3,15 metres of any boundary common to an adjoining erf. Provided that if the slope of the land necessitates it and subject to the conditions imposed by the Administrator, a garage may be erected on the property nearer to the street line boundary, on condition that the roof of such garage does not project more than 0,94 metres above the natural level of the surrounding ground and the building is not erected nearer than 1,41 metres to the street line boundary of the property. Provided further that should two or more contiguous erven be registered in the name of the same owner, such erven may be consolidated, whereupon the consolidated holding shall become one erf in the township and all the conditions shall apply to it as being one erf.
15. No night soil, refuse, rubbish, slopwater, or other waste or offensive matter, shall be allowed to accumulate on any portion of the property.

I. NOT ENTITLED to any riparian water rights to which the transferor may be entitled as owner of the land held by the said Certificate of Uniform Title No T 8072/1953, the property hereby transferred having been sold without such water rights.

J. SUBJECT /

5

27

Ad

J. SUBJECT FURTHER to a lifelong usufruct in favour of the said BERTHA MABEL WILMOT, Identity Number 100325 0003 00 4, Widow in terms of a special condition created in the said Joint Will dated 28th September 1987, of the said late GRAEME EDWARD WILMOT and his surviving spouse, BERTHA MABEL WILMOT, who were married out of community of property, which usufruct is being registered this day as No K 184 '89

*see page 11
for cancellation*

WHEREFORE /

L *27*

M

WHEREFORE the Appearer, renouncing all the Right and Title the said

ESTATE

heretofore had to the Premises did, in consequence also acknowledge the said

ESTATE

to be entirely dispossessed of, and disentitled to the same; and that by virtue of these Presents
the said TRANSFEREE

Her heirs, executors, Administra^{tors} of assigns now is and henceforth
shall be entitled thereto conformably to local custom, State, however, reserving its rights, and
finally acknowledging that this transaction was exempted from
transfer duty by virtue of Section 9(1)(e) of Act 40/1949.

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 this 16th day of the month of February
in the Year of our Lord One Thousand Nine Hundred and EIGHTY NINE (1989).

In my presence,

g.g.

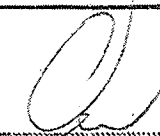
Registrar of Deeds,

Registered in the Register of

Book.....

Folio.....

Clerk in Charge.

ENDORSEMENT Kragtens ART. 68 (1) VAN WET 47 VAN 1937	ENDORSEMENT BY VIRTUE OF SECT. 68 (1) OF ACT 47 OF 1937
PERSONAL SERVICE IN VOOR- WAARDE OF BLADSY 9 ENDORSEMENT GEDATEER NET VERVAL	THE PERSONAL SERVICE IN CON- DITION ON PAGE ENDORSEMENT DATED HAS Lapsed.
BC 031353 / 2002	 REGISTRATEUR/REGISTRAR

2102-05-23

Sunbirds Trust

(Name of Company, Partnership, Trust or Close Corporation)

RESOLUTION

Resolution passed at the meeting of the Shareholders / Partners / Trustees / Members held in Bloemfontein and virtually on the 11th day of December 2023.

Resolved that Philip George Tegg in his / her capacity as Beacon Survey Land Surveyors be and is hereby authorised to do whatever may be necessary to give effect to this resolution and to enter into and sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company / Partnership / Trust / Close Corporation with such modification as he/she sole discretion as he / she in his sole discretion shall deem fit, his / her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

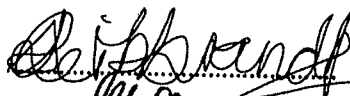

DESCRIPTION OF PROPERTY:

ERF 126 NATURES VALLEY

NATURE OF APPLICATION:

- 1) PROPOSED SUSPENSION OF TITLE DEED RESTRICTIONS.
- 2) DEPARTURE FROM ZONING SCHEME CONDITIONS FOR THE EXISTING STRUCTURES ONLY.
- 3) CONSENT USE FOR AN "ADDITIONAL DWELLING" TO REGULARISE THE 2 EXISTING BEDROOMS IN THE GARDEN WHICH ARE NOT INTERLEADING WITH THE DWELLING HOUSE (N.B. NO KITCHEN TO BE ALLOWED).

SIGNATURE OF SHAREHOLDERS / PARTNERS / TRUSTEES / MEMBERS (NAME)

 Shirley Anne Leibbrandt)
 (Colleen Lynne du Plessis)
..... ()

SPECIAL POWER OF ATTORNEY

I, the undersigned,

Colleen Lynne du Plessis

duly authorised, do hereby nominate, constitute and appoint **PHILIP GEORGE TEGGIN** of the firm **BEACON SURVEY**, Land surveyors, 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:

ERF 126 NATURES VALLEY

NATURE OF APPLICATION:

- 1) PROPOSED SUSPENSION OF TITLE DEED RESTRICTIONS.
- 2) DEPARTURE FROM ZONING SCHEME CONDITIONS FOR THE EXISTING STRUCTURES ONLY.
- 3) CONSENT USE FOR AN "ADDITIONAL DWELLING" TO REGULARISE THE 2 EXISTING BEDROOMS IN THE GARDEN WHICH ARE NOT INTERLEADING WITH THE DWELLING HOUSE (N.B. NO KITCHEN TO BE ALLOWED).

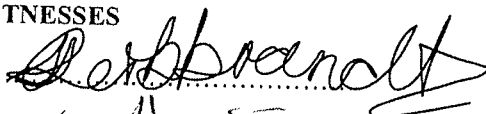
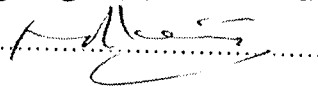
SIGNED AT Bloemfontein

THIS 11th DAY OF December 2023.



OWNER/AUTHORISED AGENT

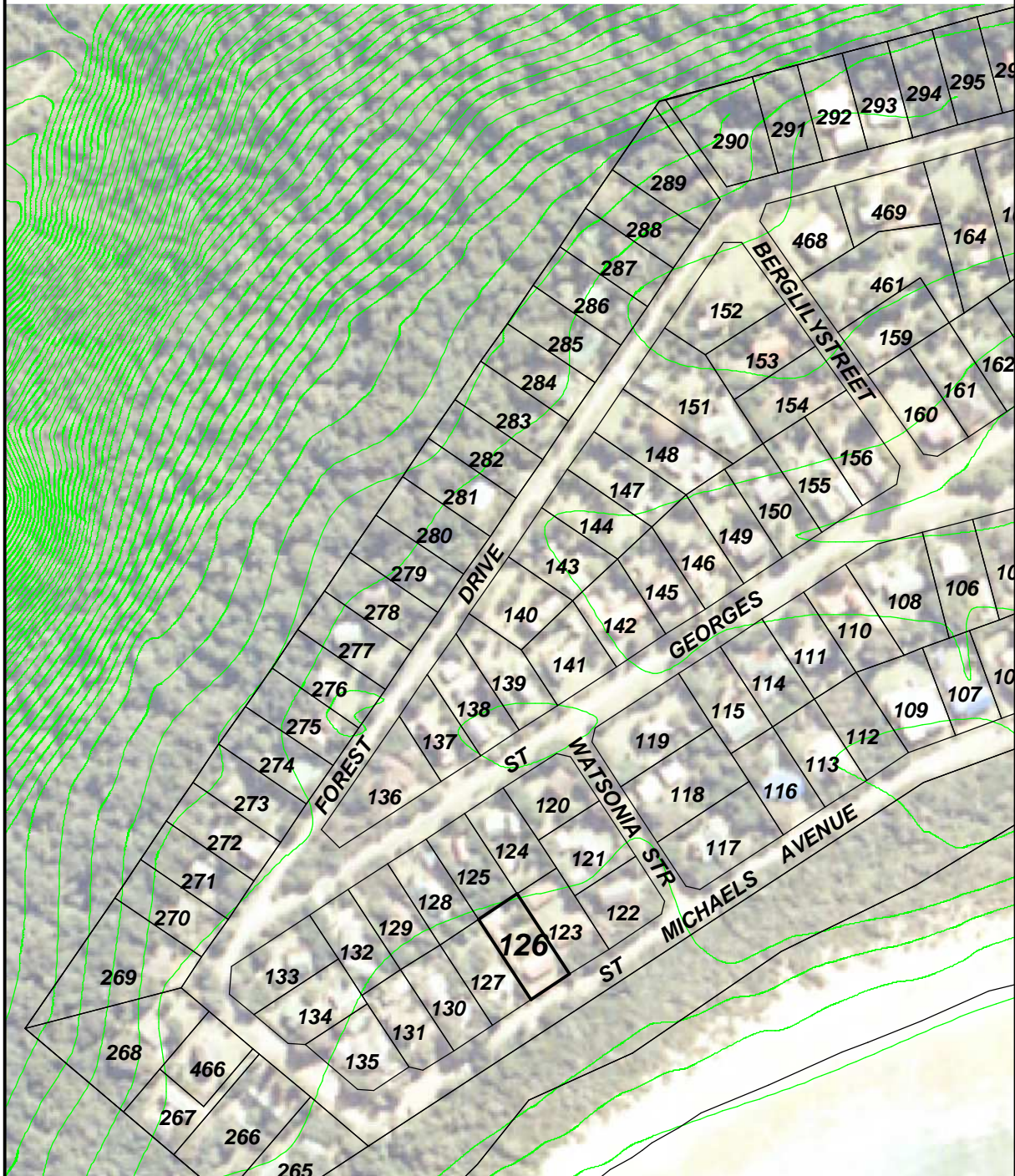
WITNESSES

1. 
2. 

AERIAL PHOTOGRAPHY CONTOUR PLAN
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape



SCALE 1:3000



Notes:

- 1. Cadastral information from Surveyor-General's GIS.**
- 2. Contour intervals = 2m intervals.**

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

103 Longships Drive P.O.Box 350 Plettenberg Bay

Tel: (044) 533 2230 Fax: (044) 533 0264

e-mail: beaconsurvey@mwweb.co.za

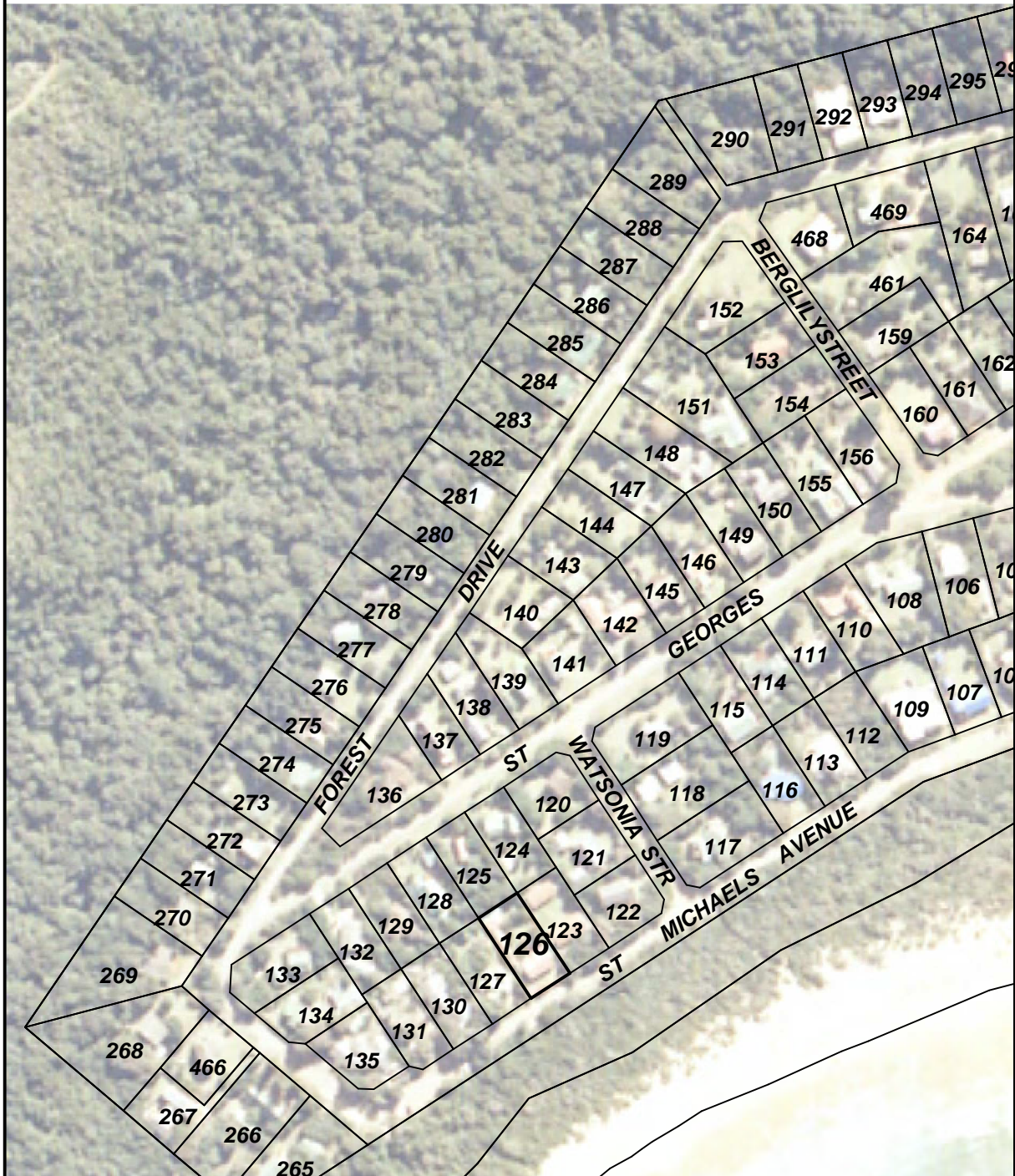
Date: January 2024

PLAN NO. NV126LOCIMCP

AERIAL PHOTOGRAPHY PLAN
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape



SCALE 1:3000



Notes:

1. Cadastral information from Surveyor-General's GIS.

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

103 Longships Drive P.O.Box 350 Plettenberg Bay

Tel: (044) 533 2230 Fax: (044) 533 0264

e-mail: beaconsurvey@mweb.co.za

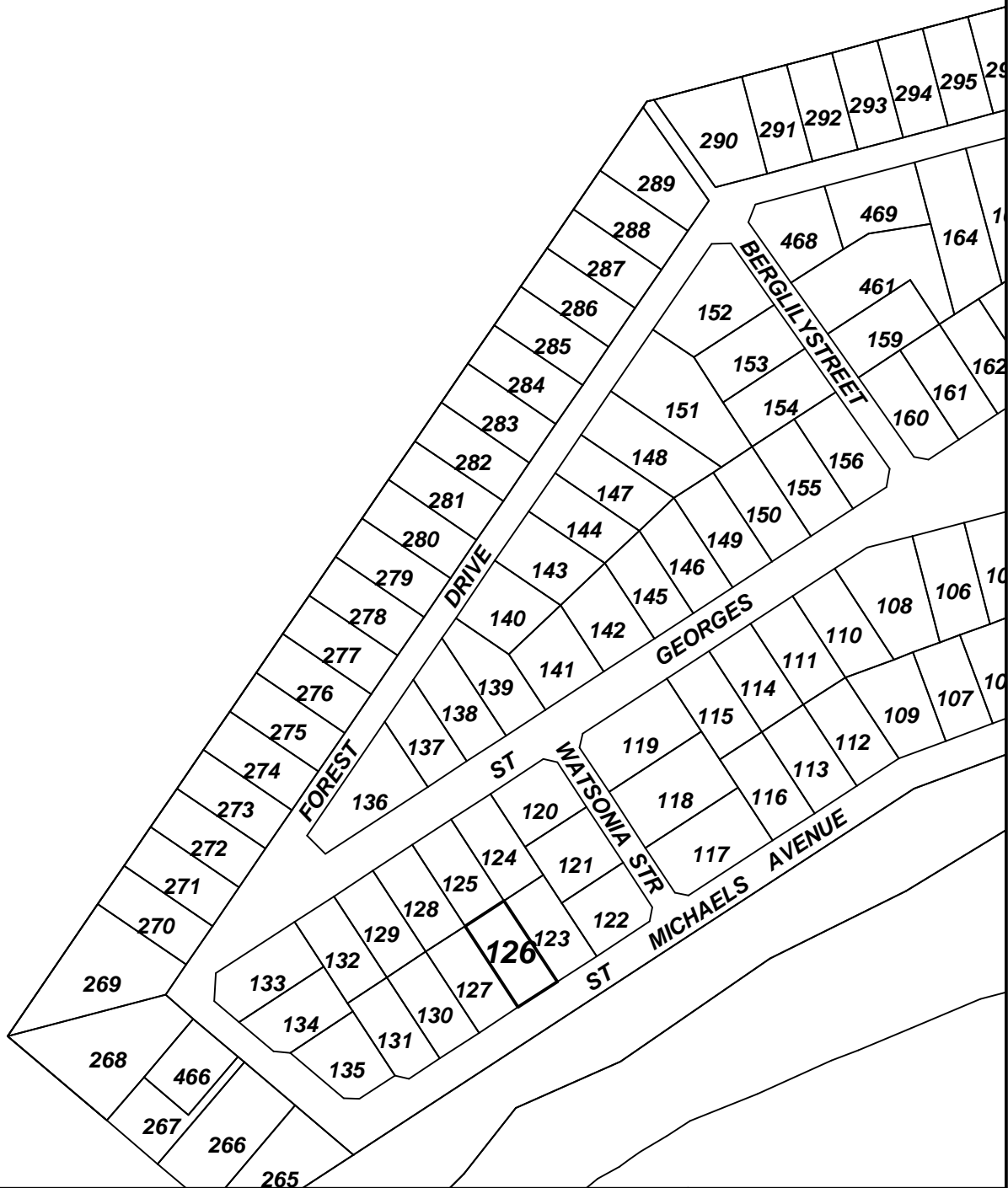
Date: January 2024

PLAN NO. NV126LOCIM

LOCALITY PLAN
situate in BITOU MUNICIPALITY
Administrative District of Knysna
Province of the Western Cape



SCALE 1:3000



Notes:

1. Cadastral information from Surveyor-General's GIS.

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

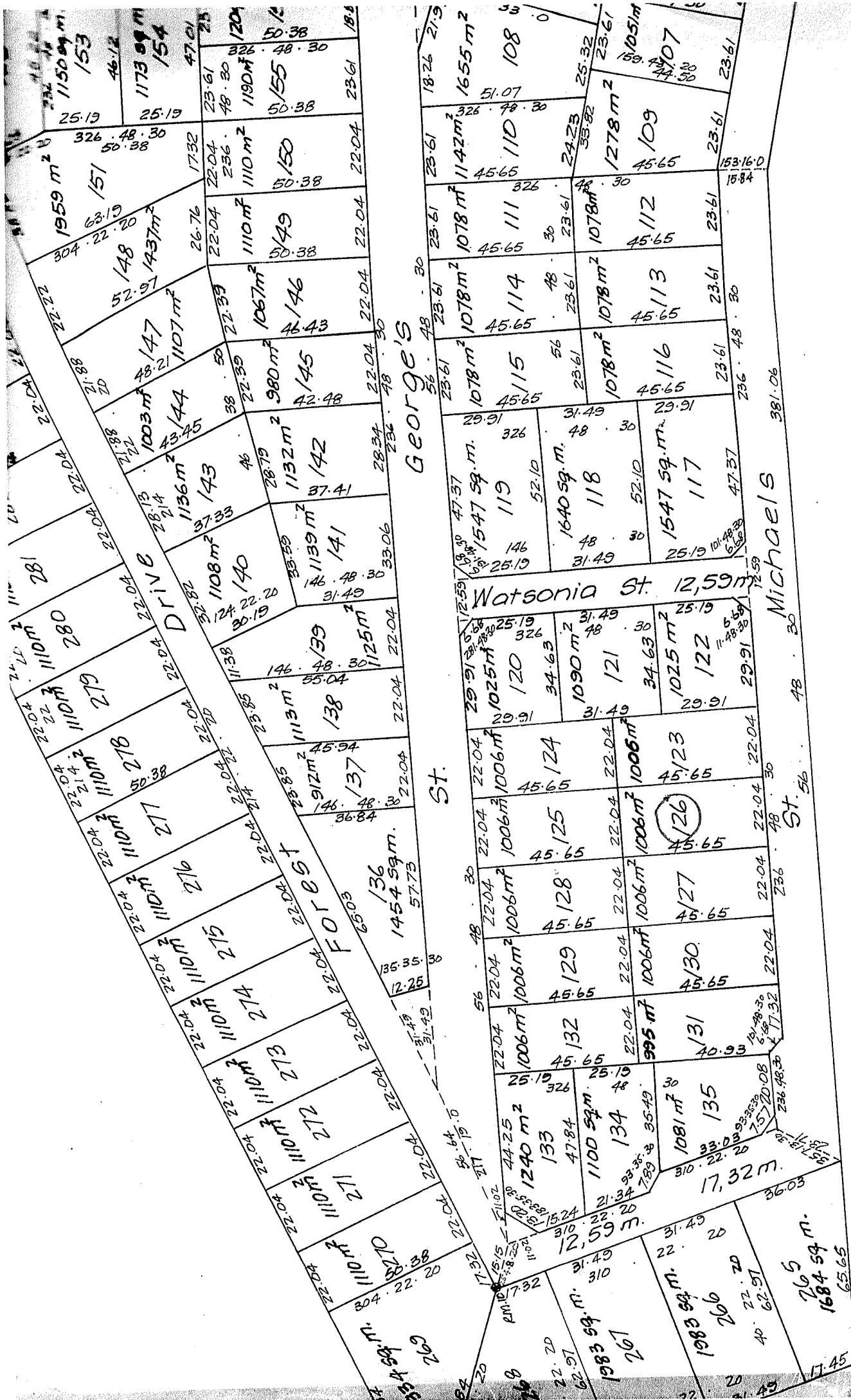
103 Longships Drive P.O.Box 350 Plettenberg Bay

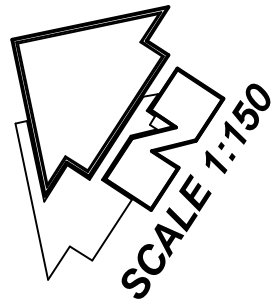
Tel: (044) 533 2230 Fax: (044) 533 0264

e-mail: beaconsurvey@mweb.co.za

Date: January 2024

PLAN NO. NV126LOC





C					
B					
A					
NO	DATE	DESCRIPTION			
REVISIONS					
DATE: February 2025		SCALE: 1:150			
SURVEYED: P. G. Tregan		APPROVED:			
THIS DRAWING STORED IN FILE D:\P\LETTRIK\NATURES VALLEY\NV124SDP.DWG					

Beacon Survey
Professional Land Surveyors
and Sectional Title Practitioners
103 Longships Drive P.O.Box 350 Plettenberg Bay
Tel: (044) 533 2230 Fax: (044) 533 0264
e-mail: beaconsurvey@mvweb.co.za

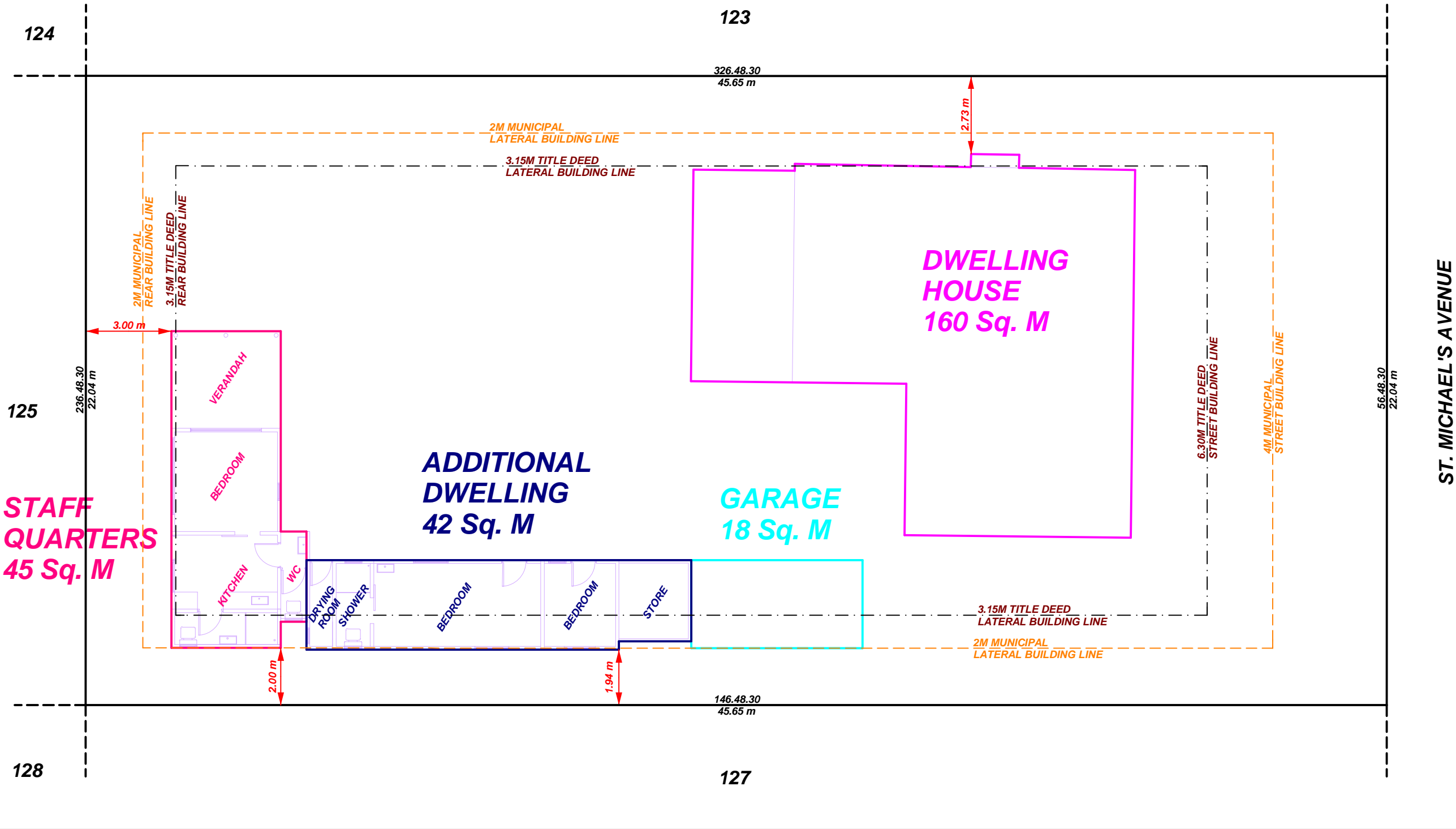
Sunbirds Trust

PROJECT
ERF 126
NATURES VALLEY

TITLE
SITE
DEVELOPMENT PLAN

DWG NO
NV124SDP-1

REF



F

Beacon Survey

From: Beacon Survey [beaconsurvey@mweb.co.za]
Sent: Sunday, February 02, 2025 1:03 PM
To: 'Beacon Survey'
Subject: FW: Meeting to discuss building extensions at Nature's Valley

On Tue, 18 Jul 2023 at 10:33, Marius Buskes <mbuskes@plett.gov.za> wrote:

Good morning Colleen,

Town Planning has evaluated the building plan submission for Erf 126 NV. Herewith the following comments on the building plans:

There are no issues with the main dwelling house. The main dwelling house has approved building plans by the then Regional service Council during 1992.

The issues of concern are related to the Structures located on the North West/ Western portion of the site.

Building Lines

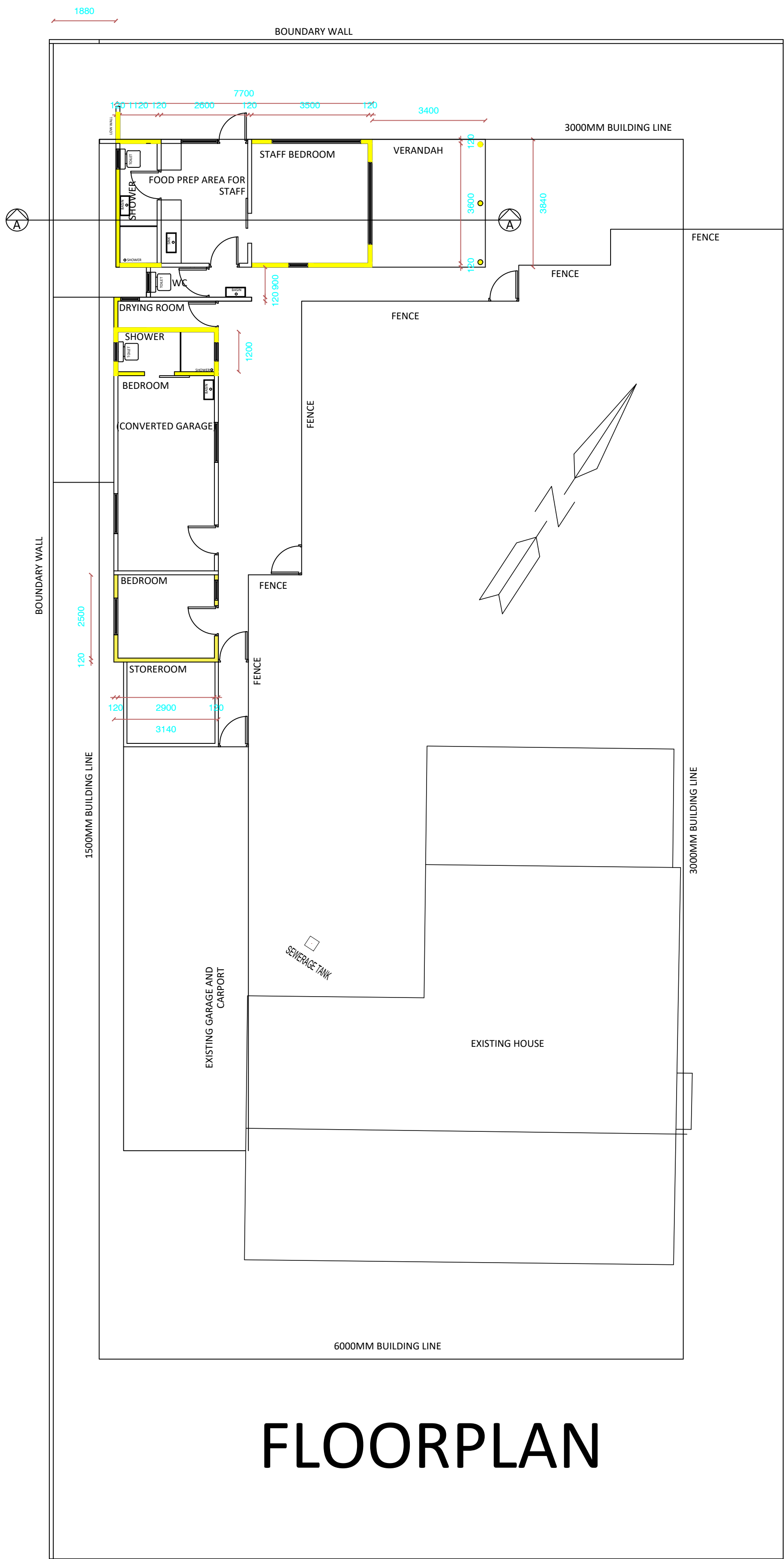
- The site plan of the draftsman and the land surveyor does not correlate with each other.
- The draftsman's plan indicate an existing carport not indicated on the surveyed plan.
- The Surveyors plan shows the structures are on the southern boundary of Erf 125 and eastern boundary of Erf 127. The draftsman's plan shows it is 3m from the rear and 2m from the rear. The Draftsman needs to explain how is this possible?
- The building lines are wrongly indicated. The Section 8 Zoning Scheme Regs, prescribes a 2m lateral and rear building line and a 4 m street building line. The title deed building lines are a separate real right of which the building lines should also be indicated on the plan.

Use of Outbuildings and Additional Dwelling House.

- The structure located north west on the site is regarded as an additional dwelling unit which is not permitted without the necessary consent from Council.
- It is of further concern that there appears to be a kitchen located in the converted garage and staff room.
- The unit at the back does not appear to be an functional interleading dwelling unit consistent with the definition of a dwelling house.
- The structures does not comply with the restrictive title deed building lines (i.e. 1.57m Lateral and 3.15m to the rear).
- The use (i.e. more than one dwelling house) does not comply with the restrictive title deed condition. (i.e. limited to one dwelling house).
- Are the outbuildings at the back leased for accommodation purposes?

Kind Regards,
 Marius Buskes
 Pr.Pl n A/2531/2017
TOWN PLANNER
 Bitou Municipality

2/2/2025



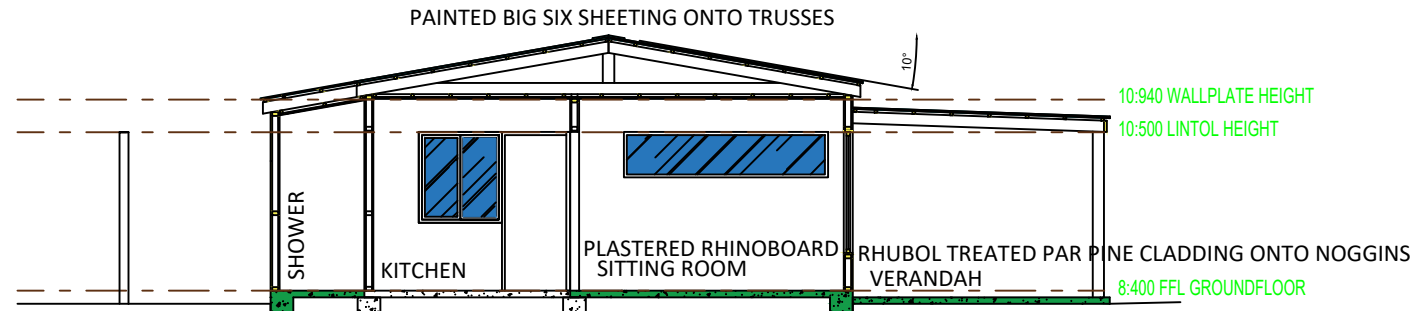
*Dimensions of S.A.Pine structural timber : SANS 10082 / 42.1 & 42.2
*Preservative treatment of timber : SANS 10082 / 4.7 & SANS 10006
*Foundation & Timber stumps SANS 10082 / 6.2.4 & SANS 457-2 + 457-3.
*Suspended timber floor : SANS 10082 / 6.3.5
*Timber beam structure : SANS 10082 / 6.3.6
*Sole plates : SANS 10082 / 6.3.7
*Joists : SANS 10082 / 6.3.8
*Timber flooring : SANS 10082 / 6.3.9 & SANS 10043
*Wall construction : SANS 10082 / 6.4.1
*Platform construction : SANS 10082 / 6A.2
*Lintels : SANS 10082 / 6.4.5
*Wall intersections : SANS 6.4.6
*Noggings : SANS 10082 / 6.4.7
*Bracing : SANS 10082 / 6.4.11
*Sheathing : SANS 10082 / 6.4.12
*External Finishes : SANS 6.4.13
*Fibre cement cladding : SANS 9933 or SANS 803
*Joint sealant (cladding) : SANS 1077
*Blanket (wall) insulation : SANS 10082 / 6.4.14
*Interior walls : SANS 10082 / 6A.15

*Dimensions of S.A.Pine structural timber : SANS 10082 / 42.1 & 42.2
*Preservative treatment of timber : SANS 10082 / 4.7 & SANS 10006
*Foundation & Timber stumps SANS 10082 / 6.2.4 & SANS 457-2 + 457-3.
*Suspended timber floor : SANS 10082 / 6.3.5
*Timber beam structure : SANS 10082 / 6.3.6
*Sole plates : SANS 10082 / 6.3.7
*Joists : SANS 10082 / 6.3.8
*Timber flooring : SANS 10082 / 6.3.9 & SANS 10043
*Wall construction : SANS 10082 / 6.4.1
*Platform construction : SANS 10082 / 6A.2
*Lintels : SANS 10082 / 6.4.5
*Wall intersections : SANS 6.4.6
*Noggings : SANS 10082 / 6.4.7
*Bracing : SANS 10082 / 6.4.11
*Sheathing : SANS 10082 / 6.4.12
*External Finishes : SANS 6.4.13

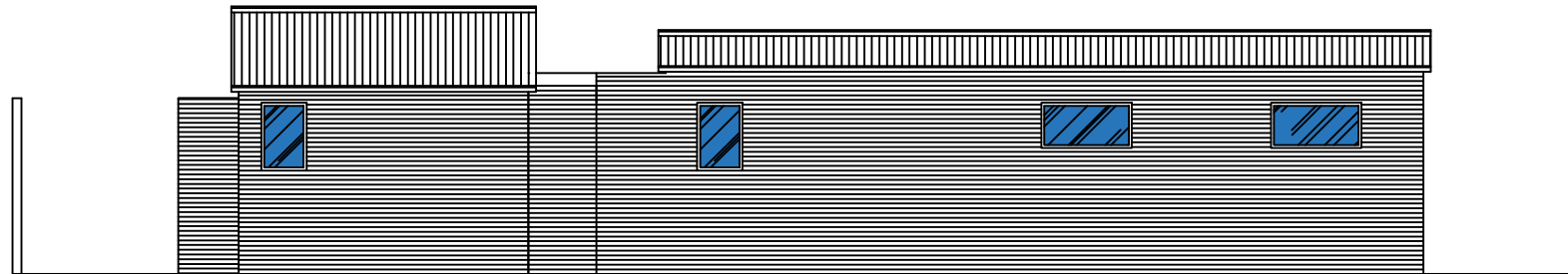
FINISHES:
ROOF: PAINTED BIG SIX SHEETING ONTO TRUSSES
EXTERIOR WALLS:RHUBOL TREATED PAR PINE CLADDING
INTERIOR WALLS: PLASTERED RHINOBOARD
WINDOWS AND DOORS: TREATED WOOD

AREAS:
NEW VERANDAH: 13M2
NEW : 26M2
CHANGE OF DESIGNATION OF OCCUPANCY FROM GARAGE TO BEDROOM AND SHWR:22M2
STOREROOM:6M2

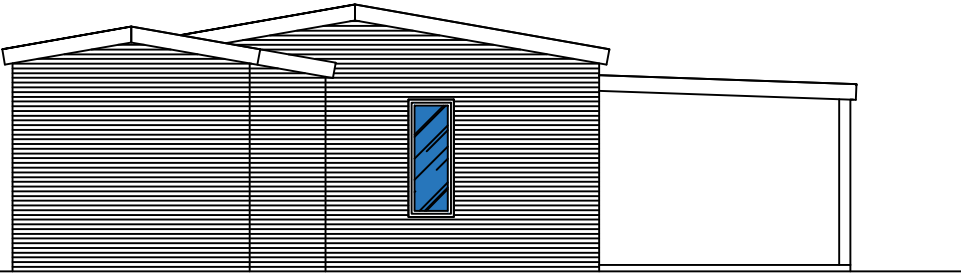
ERF SIZE: 1000M2



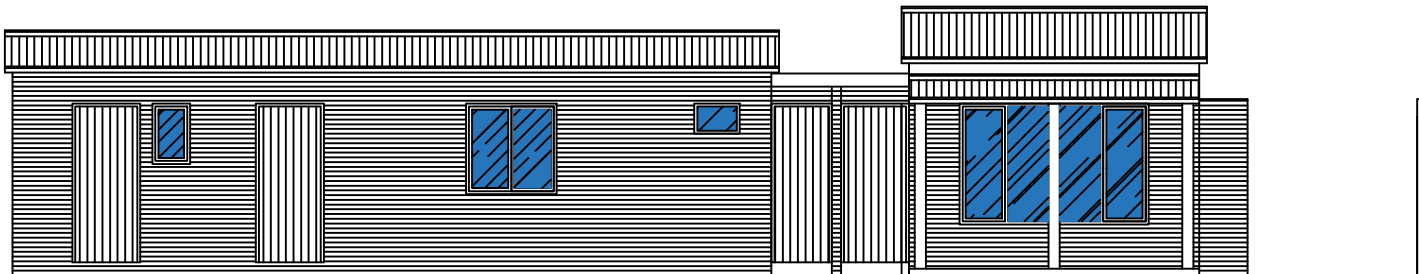
SECTION A-A



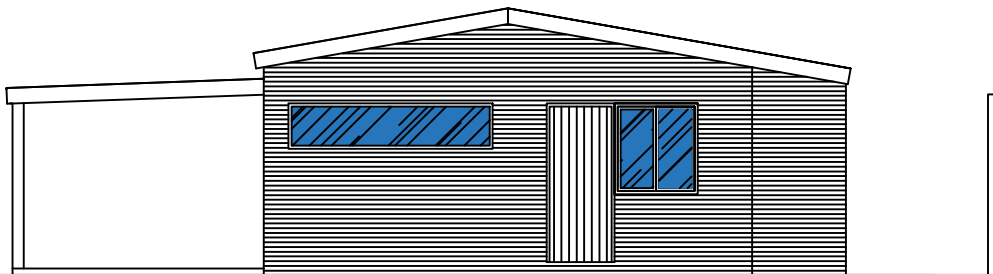
SOUTH-WEST ELEVATION



SOUTH-EAST ELEVATION



NORTH-EAST ELEVATION



NORTH-WEST ELEVATION

- GENERAL:**
- 1) This drawing is not to be scaled, use dimensions provided only. All dimensions and heights to be checked and verified before any work commences on site. Any discrepancies shall be reported to draughtsman immediately. All levels, height of plinths, depths of excavations and number of steps to be finally checked by the contractor on site.
 - 2) The site to be treated in accordance with SABS code of practice No. 0124-1977 with "Sheldrite" termite prufe soil poisoner.
 - 3) Top of foundations to be a minimum of 600mm below NGL.
 - 4) Backfill to all foundations.
 - 5) Top of 80 mm concrete surface bed to be a minimum of 150mm above finished ground level.
 - 6) 80mm thick concrete surface bed to be on "Gunplas" usb damp proof membrane on sand binding on well compacted fill.
 - 7) All fill to be compacted in 150mm layers and subject to compaction tests.
 - 8) "Gundie" brickrip SABS embossed DPC 375 micron under all walls, window cills and at changes in floor level.
 - 9) Stormwater shall be removed from dwelling, yards and site.
 - 10) Electrical installation shall be Heineman earth leakage in DB.
 - 11) All building work to be carried out in accordance with NBR, local authority by-laws and regulations.
 - 12) Contractor to be responsible for all health and safety regulations on site.
 - 13) Contractor to have applicable Insurance.
 - 14) Contractor to ensure all NHBRC payments have been made prior to commencement of work.
 - 15) Contractor to build in DPC's , whether or not shown on drawing, to all external walls at each floor, beam or parapet level and to all windows, door grilles or other openings in external walls. DPC's to be a min. 150mm above finished external levels. Stepped levels and cavity walls to have stepped DPC's respectively.

FOUNDATIONS:

- 1) All foundations, foundation walls, structural concrete work and sub-soil stormwater drainage to be to Engineers specification.
- 2) All soil compaction to Engineers specification and subject to compaction tests.

SCREEDS:

- 1) 25 mm screeds to all floors unless specified.

Walls:

- 1) All exterior walls to be of cavity construction unless specified.
- 2) Brickforce every fourth course and every course for four courses above openings.
- 3) All foundation brickwork to be Kurlandbrick NFX 15mpa. All brickwork above surfaced to be Kurlandbrick NFP 15mpa.

PLASTERWORK:

- 1) All interior and exterior plaster to be smooth-plastered unless specified.

ROOF:

- 1) All roof specifications as per specialist design.
- 2) Roof pitch as per section.
- 3) Roof covering as per section.
- 4) Isotherm 130mm to entire roof.

WINDOWS AND DOORS:

- 1) All windows and doors as per schedule.
- 2) Any pane of glass that is installed without a support frame shall be in accordance with SABS 0137.
- 2) Thickness of panes in relation to their area shall be in accordance with SABS 0137.
- 3) Glazing is to comply with SANS10400b and SANS 10400n.

DRAINAGE:

- 1) 110dia UPVC sewer pipe drain with a min fall of 1:40 to connect to sewer system.
- 2) 110dia OVP at head of drain pipe.
- 3) Rodding eyes at head of drain and at all changes of direction and at a max of 25000mm.
- 4) Inspection eyes at all junctions of drain and to have marked covers @ ground level and to be easily accessible.
- 5) Any pipes under building to be protected from load and to be concrete encased, or sleeved.
- 6) All waste pipes to have 65mm re-seal traps, all waste pipes to be accessible over entire length for cleaning and repairs.
- 7) All soil fittings with vertical discharge a min of 2440mm from any open gully.
- 8) Where possible rainwater downpipes to fall to tanks.
- 9) Please note that drainage drawings are schematic and a Registered Plumber is to design and install.
- 10) All drainage to comply with SANS 10400p.

ELECTRICAL:

- 1) All lighting to be low wattage or CFL globes.

SWIMMING POOL:

- 1) Swimming pool shall have a self, latching and closing gate of 1200mm high if applicable.
- 2) Pool to comply with SARS 1390.
- 3) If there is a pool net it shall comply with 10134.

contractor to keep a full set of drawings on site * contractor is responsible for the correct setting out of the building on site with particular reference to boundaries and building lines * contractor to verify all levels and dimensions on site and check same against draughtsmans drawings before commencing work * figured dimensions to be used in preference to scaled dimensions * large scale details to be used where available * errors, discrepancies or omissions are to be reported to the draughtsman immediately for clarification before work is undertaken

CLIENT: SUNBIRDS TRUST

DESCRIPTION OF WORKS:
DRAWINGS OF EXISTING ALTS AND ADDS,
ON ERF 126, NATURES VALLEY, BITOU MUNICIPALITY.

CLIENT SIGNATURE:

PRACTITIONERS SIGNATURE:

DRAUGHTED BY:
ANDREW MITCHELL(DO642)
NUMBER 20 THE PRONGS
PLETTENBERG BAY
6600
CELL NO: 082-8275554
E-MAIL: nrandrewmitchell@vodamail.co.za

SURVEYORS PLAN



- 1) This drawing is not to be scaled, use dimensions provided only. All dimensions and heights to be checked and verified before any work commences. The contractor shall ensure that all work is reported to the client immediately. All levels, height of plinths, depths of excavations and number of steps to be finally checked by the contractor on site.
- 2) All buildings work to be installed in accordance with SABS code of practice 1024-1977 with "Sheddings" permit prior to construction.
- 3) Top of foundations to be a minimum of 600mm below NGL.
- 4) Backfill to all foundations.
- 5) On concrete surface bed to be a minimum of 150mm above finished ground level.
- 6) 80mm thick concrete surface bed to be on "Gunitas" sub damp proof course.
- 7) All walls to be constructed with wet compacted fill.
- 8) All fill to be compacted in 150mm layers and subject to compaction tests.
- 9) All window and door frames to be set back from external wall face.
- 10) All window sill & changes in floor level.
- 11) Stormwater shall be removed from dwelling, yards and site.
- 12) Electrical installation shall be Heinemann earth leakage in DB.
- 13) All building work to be carried out in accordance with NBR, local authority by-laws and regulations.
- 12) Contractor to be responsible for all health and safety regulations on site.
- 13) Contractor to have applicable Insurance
- 14) Contractor to ensure all NHBC payments have been made prior to commencement of work.
- 15) All drawings are to be taken as DPC's, whether or not shown on drawing, to all external walls at each floor, beam or parapet level and to all windows, door gills or other openings in external walls. DPC's to be a min 150mm wide and overlap. Stopped levels and cavity walls to have stepped DPC's respectively.

- 1) All foundations, foundation walls, structural concrete work and sub-soil stormwater drainage to be to Engineers specification.
- 2) All soil compaction to Engineers specification and subject to compaction tests.

SCREEDS:
1) 25 mm screeds to all floors unless specified

- 1) All exterior walls to be of cavity construction unless specified.
- 2) Brickforce every fourth course and every course for four courses above openings.
- 3) All foundation brickwork to be Kurlandbrick NFX 15mpa. All brickwork above surfaced to be Kurlandbrick NFP 15mpa.

1) All interior and exterior plaster to be smooth-plastered unless specified.

ROOF:
1) All roof specifications as per specialist design

- 3) Roofs covering 100 sq. m per section.
- 4) Isotherm 130mm to entire roof.

WINDOWS AND DOORS:

- 1) All windows and doors as per schedule.
- 2) Any pane of glass that is installed without a support frame shall be in accordance with SABS 0137.
- 2) Thickness of panes in relation to their area shall be in accordance with SABS 0137.
- 3) Glazing is to comply with SANS10400b and SANS 10400n.

- 1) 110dia UPVC sewer pipe drain with a min fall of 1:40 to connect to sewer system.
- 2) 110dia OVP at head of drain pipe.
- 3) Rodding eyes at head of drain and at all changes of direction and at a max of 2400mm.
- 4) Inspection eyes at all junctions of drain and to have marked covers @ ground level and to be easily accessible.
- 5) Any pipes under building to be protected from load and to be concrete encased, or sleeved.
- 6) All waste pipes to have 65mm re-seal trap, all waste pipes to be accessible over entire length for cleaning and repairs.
- 7) All soil fittings with vertical discharge a min of 2440mm from any open gully.
- 8) Where possible rainwater downpipes to fall to tanks.
- 9) Please note that drainage drawings are schematic and a Registered Plumber is to design and install.
- 10) All drainage to comply with SANS 1040dp.

1) All lighting to be low wattage or CFL globes

- 1) Swimming pool shall have a self, latching and closing gate of 1200mm high if applicable.
- 2) Pool to comply with SARS 1390.
- 3) If there is a pool net it shall comply with 10134.

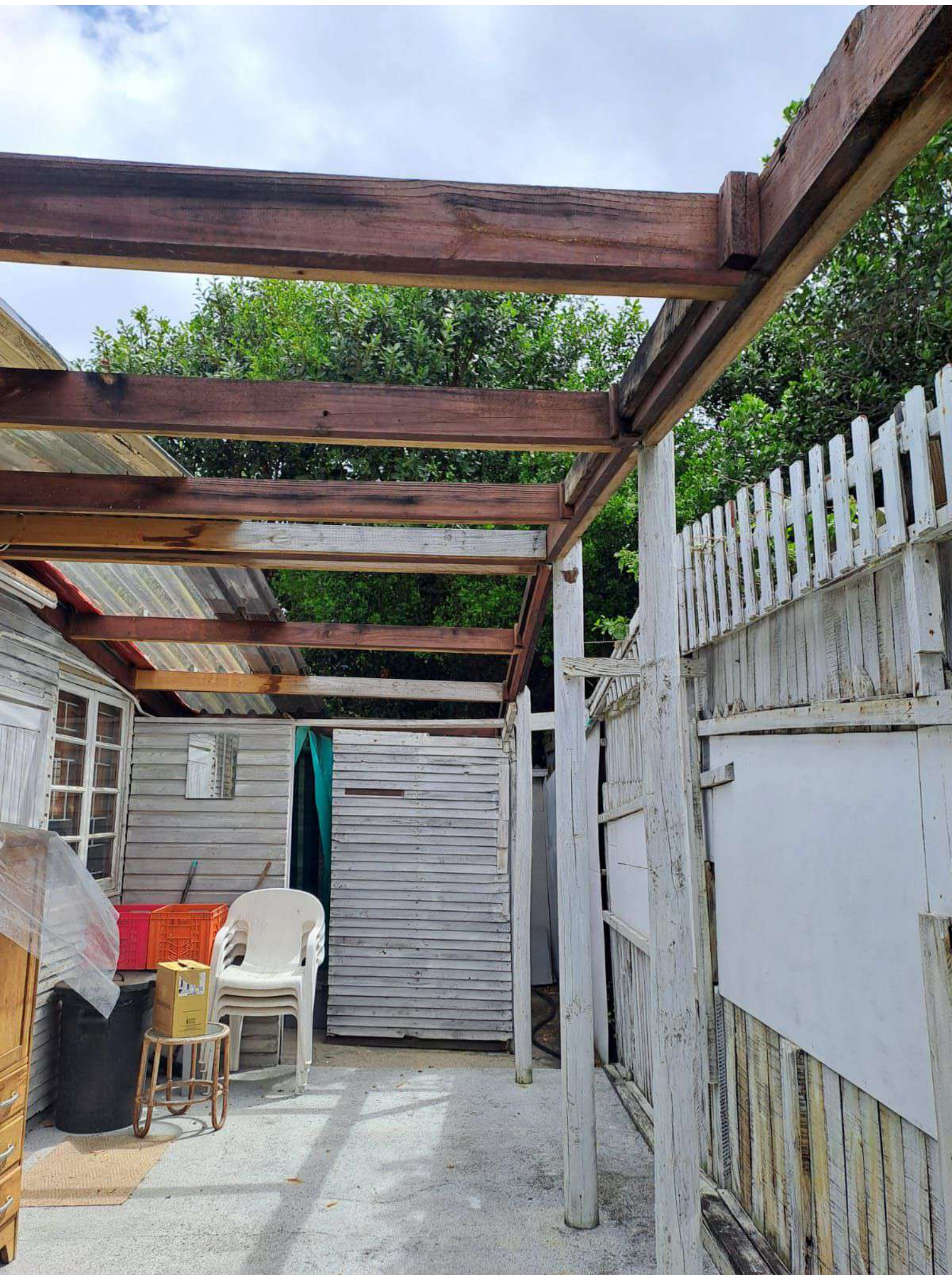
DESCRIPTION OF WORKS:
DRAWINGS OF EXISTING ALTS AND ADDS,
ON ERF 126, NATURES VALLEY, BITOU MUNICIPALITY.

PRACTITIONERS SIGNATURE _____

DRAUGHTED BY:
ANDREW MITCHELL(DO642)
NUMBER 20 THE PRONGS
PLETTENBERG BAY
6600
CELL NO: 082-8275554
E-MAIL: mrandrewmitche11@vodamail.co.za



contractor to keep a full set of drawings on site * contractor is responsible for the correct setting out of the building on site with particular reference to boundaries and building lines * contractor to verify all levels and dimensions on site and check same against draughtsman drawings before commencing work * figured dimensions to be used in preference to scaled dimensions * large scale details to be used where available * errors, discrepancies or omissions are to be reported to the draughtsman immediately for clarification before work is undertaken









to be the best together

Private Bag X1002 Plettenberg Bay 6600
Tel +27 (0)44 501 3000 Fax +27(0)44 533 3485

LAND USE PLANNING APPLICATION FORM

BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW

KINDLY NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	PHILIP GEORGE		
Surname	TEGGIN		
South African Council for Planners (SACPLAN) registration number (if applicable)			
Company name (if applicable)	BEACON SURVEY		
Postal Address	PO Box 350		
	PLETTENBERG BAY	Postal Code	6600
E-mail	beacon.survey@mweb.co.za		
Tel		Cell 072 767 6974	044-5332230

PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)

Name of registered owner(s)	SUNBIRDS TRUST (DECEASED EKAINE MABEL CREIGHTON)		
E-mail	C/o Colleen Lynne du Plessis duplessiscolleen@gmail.com		
Tel		Cell 0722957376	

PART C: PROPERTY DETAILS (in accordance with title deed)

Property Description (Erf No / Farm No):	126, NATURES VALLEY		
Physical/ Street Address (if available)	St. Michaels Avenue.		
Town	Natures Valley		
Current Zoning	Single Residential Zone	Land Use	Residential

Extent	1006 m ² / ha		
Applicable Zoning Scheme	Plettenberg Bay Zoning Scheme Section 7		
	IUPD Scheme Regulations : Section 8		
Are there existing buildings?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
Title Deed number and date	T 9223/1989		

Are there any restrictive conditions in the title deed that prohibit the proposed use/ development?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, list such condition(s)	F.4.(c) and (e)		

Are the restrictive conditions in favour of a third party(ies)?		Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
If Yes, list the party(ies)			

Is the property bonded?		Y <input type="checkbox"/>	N <input type="checkbox"/>
If yes, (attach proof) If no proof is d provided upon submission a copy of Bondholders Consent must be provided prior to decision being taken.			

Are there any existing unauthorized buildings and/or land use/s on the subject property(ies)?	<input checked="" type="checkbox"/>	If yes, is this application to legalize the building / land use?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PART D: PRE-APPLICATION CONSULTATION			
Was a pre-application consultation held with the Municipality?	<input checked="" type="checkbox"/>	If Yes, complete the information below and attach the minutes of the pre-application consultation.	
Official's name	Mr. M. Buses.	Date of consultation	18/07/2023.

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 (2) OF THE BITOU MUNICIPALITY : LAND USE PLANNING BY-LAW (tick applicable application/s)		
Tick	Section	Type of application
<input type="checkbox"/>	2(a)	a rezoning of land;
<input checked="" type="checkbox"/>	2(b)	a permanent departure from the development parameters of the zoning scheme;
<input type="checkbox"/>	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;
<input type="checkbox"/>	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
<input type="checkbox"/>	2(e)	a consolidation of land that is not exempted in terms of section 24;
<input checked="" type="checkbox"/>	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;

	2(j)	a permission required in terms of the zoning scheme;
	2(i)	an amendment, deletion or imposition of conditions in respect of an existing approval;
	2(i)	an extension of the validity period of an approval;
	2(i)	an approval of an overlay zone as contemplated in the zoning scheme;
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;
	2(l)	a permission required in terms of a condition of approval;
	2(m)	a determination of a zoning;
	2(n)	a closure of a public place or part thereof;
X	2(o)	a consent use contemplated in the zoning scheme;
	2(p)	an occasional use of land;
	2(q)	to disestablish a home owner's association;
	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;
	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.

APPLICATION AND NOTICE FEES (please note the following)

1. Application fees are determined by Council annually in terms of the approved Municipal tariffs. An invoice will be sent to the applicant after an application is confirmed to be complete.
2. Application fees that are paid to the Municipality are non-refundable. Applications will only be processed after the application fees are paid in full and proof of payment is submitted to the Municipality.
3. The applicant is liable for the cost of publishing and serving notice of an application by.
4. The Municipality may request the applicant to undertake the publication and serving of notices
5. The Municipality will be responsible to serve notices to External Commenting Authorities, if necessary.

PART F: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Bitou Municipality Land Use Planning By-Law]

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete. It will not be considered complete until all required information and documentation has been submitted.

Primary Documentation

X	N	Power of Attorney
X	N	Company Resolution
X	N	Motivation (based on the criteria in section 65 of the Bitou Planning By-law)
	N X	Executive Summary of the Motivation
X	N	Locality plan
X	N	Site development plan or conceptual layout plan
X	N	Full copy of Title Deed
X	N	S.G. diagram / General plan extract
	N	Bondholders Consent

Supporting Information & Documentation (if applicable)

	N X	Land use plan / Zoning plan
	N X	Consolidation plan
	N X	Proposed subdivision plan
	N X	Proof of agreement or permission for required servitude
	N X	Copy of any previous land development approvals (i.e. Rezoning , consent use departures)

	<input checked="" type="checkbox"/>	Abutting owner's consent
	<input checked="" type="checkbox"/>	Services Report or indication of all municipal services / registered servitudes
	<input checked="" type="checkbox"/>	Conveyancer's certificate
	<input checked="" type="checkbox"/>	Street name and numbering plan (Applicable to Subdivision Only)
	<input checked="" type="checkbox"/>	1 : 50 / 1:100 Flood line determination (plan / report)
	<input checked="" type="checkbox"/>	Landscaping Plan(if applicable)
	<input checked="" type="checkbox"/>	Home Owners' Association consent
	<input checked="" type="checkbox"/>	Proof of failure of Home owner's association
	<input type="checkbox"/>	Other (Specify)

PART G: AUTHORISATION(S) OBTAINED IN TERMS OF OTHER LEGISLATION

	<input checked="" type="checkbox"/>	National Environmental Management Act, 1998 (Act 107 of 1998)
	<input checked="" type="checkbox"/>	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998)
	<input checked="" type="checkbox"/>	National Heritage Resources Act, 1999 (Act 25 of 1999)
	<input checked="" type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
	<input checked="" type="checkbox"/>	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)
	<input checked="" type="checkbox"/>	If required, has application for EIA / HIA / TIA / TIS / approval been made? If yes, attach documents / plans / proof of submission etc.
	<input checked="" type="checkbox"/>	If required, do you want to follow an integrated application procedure in terms of section 44(1) of Bitou Municipality Land Use Planning By-Law ? If yes, please attach motivation.
	<input checked="" type="checkbox"/>	Other (specify)

PART H: SUBMISSION OF APPLICATION

The application together with supporting information and documentation should be electronically lodged on the AFLA PORTAL system. This AFLA PORTAL has been designed and developed by Esri South Africa to assist Bitou Municipality to diminish queues and promote faster turnaround times on land development applications.

The AFLA system is accessible to members of the public, enabling online submission of town planning applications at Bitou Municipality using GIS.

A profile by either the owner of agent needs to be created before an application can be lodged on the Portal. Below is a link to the AFLA Portal.

<https://maps.bitou.gov.za/aflaportal/>

Hard copies will not be accepted by the Municipality unless supporting documentation and information may only be provided upon request by the Municipality.

SECTION I: DECLARATION

I hereby confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 34(1) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required, by Bitou Municipality: Land Use Planning By-Law to enable the development proposed in terms of the Bitou Municipality: Land Use Planning Bylaw (2015) as amended.
6. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services may be payable by the owner as a result of the proposed development.
7. I am aware that by lodging an application, the information in the application and obtained during the process, may be made available to the public.

SUBMISSION REQUIREMENTS

<input checked="checked" type="checkbox"/>	Soft copy of the application submitted on the AFLA PORTAL (see Part H)
--	--

Applicant's signature:

Date:

24/02/2025

Full name:

PHILIP GEORGE TEGGW

Professional capacity:

LAND SURVEYOR

PLS 1118

Beacon Survey

Professional Land Surveyors
and Sectional Title Practitioners

103 Longships Drive P.O. Box 350 Plettenberg Bay
Tel: (044) 533 2230 Fax: (044) 533 0264

e-mail: beaconsurvey@mweb.co.za

24 February 2025

Ref: NV126BM-1

The Municipal Manager
Bitou Municipality

Att: Mr M. Buskes

By AFLA Portal

**PROPOSED SUSPENSION OF TITLE DEED RESTRICTIONS (BUILDING LINES)
TO ALLOW THE EXISTING DEVELOPMENT ONLY, SUSPENSION OF TITLE
DEED RESTRICTIONS (ERECTION OF MORE THAN ONE BUILDING) TO
ALLOW THE ADDITIONAL DWELLING AND STAFF QUARTERS ONLY,
DEPARTURE FROM ZONING SCHEME CONDITIONS (BUILDING LINES) TO
ALLOW THE EXISTING DEVELOPMENTS ONLY AND CONSENT USE FOR
ADDITIONAL DWELLING TO ALLOW THE TWO EXISTING SEPARATED
BEDROOMS ONLY**

Herewith please find the following documents relating to the above application:

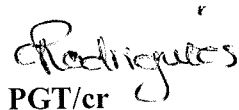
- 1) Motivation Report with Annexures A - H.
- 2) Application form in terms of the Planning By-Law.

We hereby apply for the above as motivated in terms of the Planning By-Law.

Yours faithfully

Beacon Survey

Per:


PGT/cr