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Municipal Notice No: 221/2025

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

**BITOU MUNICIPALITY (WC047)
NOTICE NUMBER: 221/2025**

Property description/ Grondbeskrywing/ Inkcazo yepropati	Type of Application/Aansoek/ Uhlobo lweSicelo
Portion 6 of the Farm 232	<ul style="list-style-type: none">Application is made for a permanent departure from the development parameters of the zoning scheme in terms of Section 15(2)(b) of the Bitou Municipality: Land Use Planning By-Law (the 'Planning By-Law') for the relaxation of the following building lines in accordance with the Site Development Plan No. F232P6SDP-1:<ul style="list-style-type: none">Relaxation of the eastern agricultural building line from 30m to 9.05m to regularise the manager's cottage and dwelling house; andRelaxation of the southern agricultural building line from 30m to 14.10m to regularise the manager's cottage and store.Application is further made in terms of Section 15(2)(o) of the 'Planning By-Law' for consent to allow an additional dwelling unit.
Portion 6 of the Farm 232	<ul style="list-style-type: none">Aansoek word gedoen vir 'n permanente afwyking van die ontwikkelingsparameters van die soneringskema ingevolge Artikel 15(2)(b) van die Bitou Munisipaliteit: Grondgebruikbeplanningsverordening (die 'Beplanningsverordening') vir die verslapping van die volgende boulyne in ooreenstemming met die Terreinontwikkelingsplan No. F232P6SDP-1:<ul style="list-style-type: none">Verslapping van die oostelike landbouboelyn van 30m tot 9.05m om die bestuurder se kothuis en woonhuis te reguleer; EnVerslapping van die suidelike landbouboelyn van 30m tot 14.10m om die bestuurder se kothuis en winkel te reguleer.Aansoek word verder ingevolge Artikel 15(2)(o) van die 'Beplanningsverordening' gedoen vir toestemming om 'n addisionele wooneenheid toe te laat.
Portion 6 of the Farm 232	<ul style="list-style-type: none">Isicelo senziwa sokuphambuka ngokusisigxina kwimigaqo yophuhliso lwesikimu sokwahlula ngokweCandelo 15(2)(b) likaMasipala waseBitou: uMthetho kaMasipala woCwangciso loMhlaba ('uMthetho kaMasipala woCwangciso') wokuphumla kwale migca yokwakha ilandelayo ngokungqinelana nesiCwangciso soPhuhliso lweNdawo No. F232P6SDP-1:<ul style="list-style-type: none">Ukuphumla komgca wesakhiwo sezolimo esisempuma ukusuka kwi-30m ukuya kwi-9.05m ukulungelelanisa indlu yomphathi kunye nendlu yokuhlala; kwayeUkuphumla komgca wesakhiwo sezolimo esisemazantsi ukusuka kwi-30m ukuya kwi-14.10m ukulungelelanisa i-cottage yomphathi kunye nevenkile.Isicelo senziwa kwakhona ngokweCandelo 15(2)(o) 'loMthetho kaMasipala woCwangciso' semvume yokuvumela indawo yokuhlala eyongezelelweyo.

Application is available for viewing at Municipal office, 50 Melville's Corner, during office hours/ Aansoek kan bestudeer word by Kantoer 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 zoqhagamshelwano zaloo mntu uchaphazelekayo.

Mr. Mbulelo Memani
MUNICIPAL MANAGER
Bitou Local Municipality

LAND USE APPLICATION

MOTIVATION REPORT

PORTION 6 OF FARM NO. 232: BITOU MUNICIPAL AREA

CONSENT FOR AN ADDITIONAL DWELLING UNIT AND BUILDING LINE DEPARTURES

APRIL 2025

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APPENDIX: THE DECISION-MAKING CRITERIA

ANNEXURE A: LOCALITY PLAN

ANNEXURE B: SURVEYOR-GENERAL DIAGRAM

ANNEXURE C: TITLE DEED

ANNEXURE D: SITE DEVELOPMENT PLAN NO. F232P6SDP-1

1. INTRODUCTION

Title deed number	T35963/1980
Property description	Portion 6 of the Farm Redford No 232, in the Bitou Municipality, Division of Knysna, Western Cape Province
Size	21,9486 ha
Zoning	Agriculture Zone I
Building lines	30m building lines

- 1.1. Portion 6 of the Farm Redford No 232 (Portion 6/232) is located in the Redford area, as depicted in Figures 1 and 2 below. A detailed locality plan is attached as Annexure 'A'.

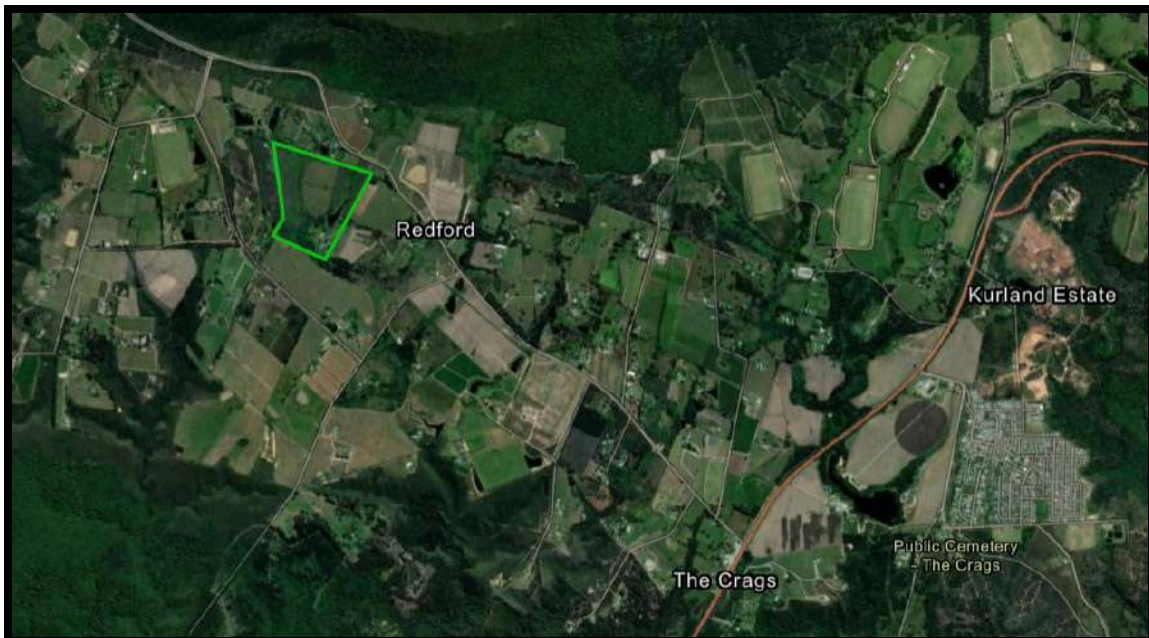


FIGURE 1: LOCALITY PLAN

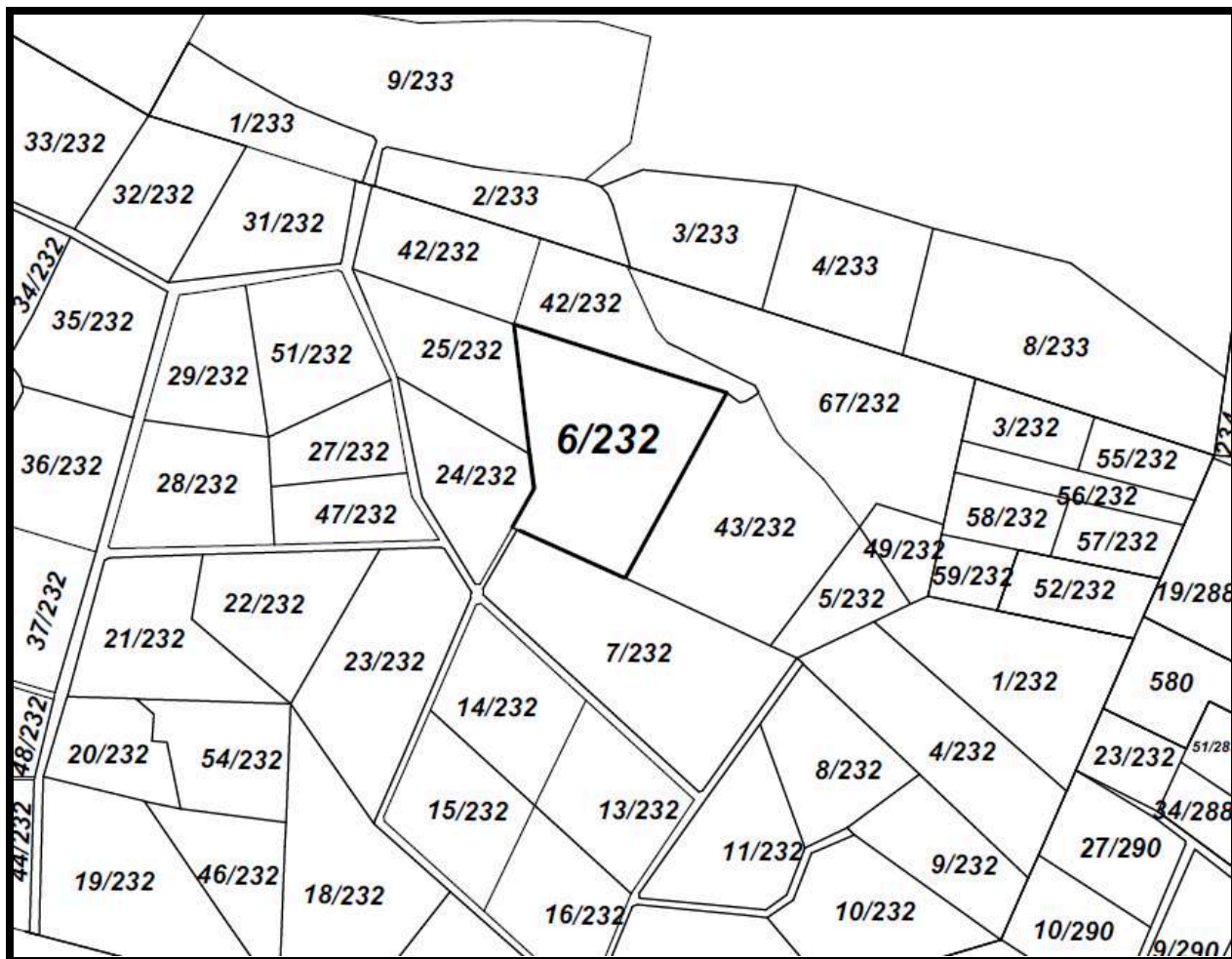


FIGURE 2: LOCALITY PLAN ILLUSTRATING CADASTRAL BOUNDARIES

- 1.2. Portion 6/232 is 21,95ha in extent and zoned 'Agricultural Zone I' in terms of the Zoning Scheme Regulations, 2023.
- 1.3. Figure 3 is an extract of the S-G Diagram. A copy of the complete S-G Diagram is attached as Annexure 'B'.

PORTION 6 OF FARM NO. 232: BITOU MUNICIPAL AREA: CONSENT FOR AN ADDITIONAL DWELLING UNIT AND BUILDING LINE DEPARTURES

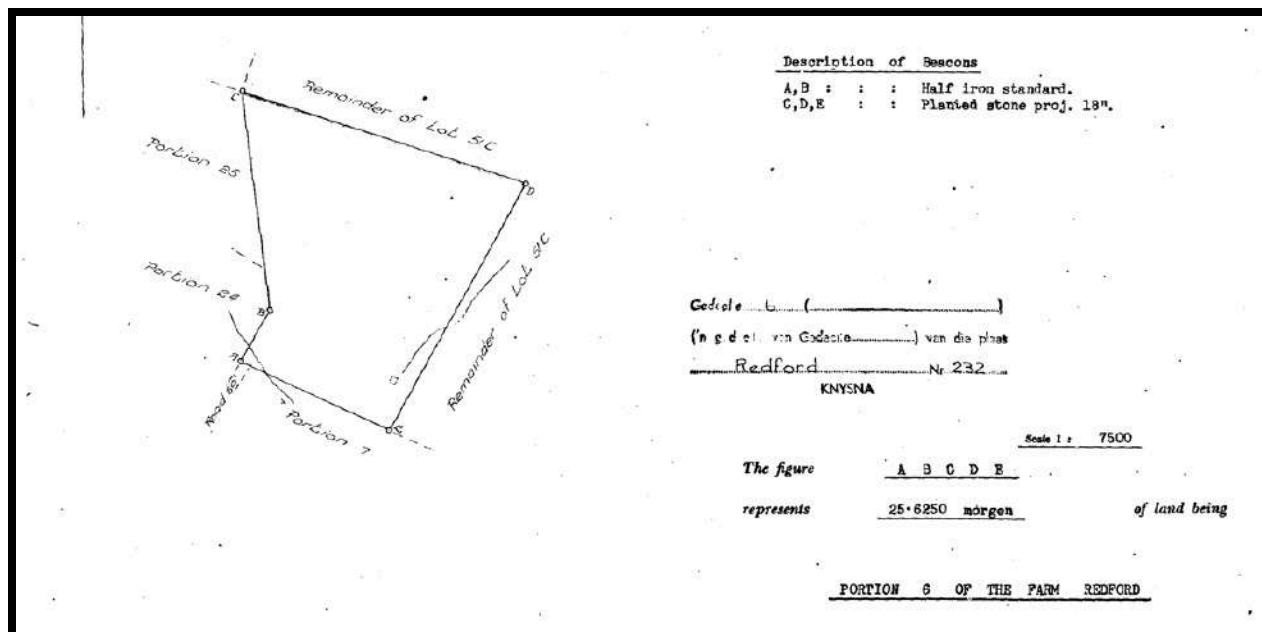


FIGURE 3: EXTRACT OF S-G DIAGRAM

- 1.4. Portions of a dwelling house, a manager's cottage and a store have been constructed over the 30m agricultural building lines. In order to regularise these structures, application is made for a relaxation of the 30m agricultural building lines.
- 1.5. An additional dwelling unit has been constructed on the property. The owners are making application for consent to regularise the additional dwelling unit.

2. THE APPLICATION

2.1. Application is made for a permanent departure from the development parameters of the zoning scheme in terms of Section 15(2)(b) of the Bitou Municipality: Land Use Planning By-Law (the 'Planning By-Law') for the relaxation of the following building lines in accordance with the Site Development Plan No. F232P6SDP-1:

2.1.1. Relaxation of the eastern agricultural building line from 30m to 9.05m to regularise the manager's cottage and dwelling house; and

2.1.2. Relaxation of the southern agricultural building line from 30m to 14.10m to regularise the manager's cottage and store.

2.2. Application is further made in terms of Section 15(2)(o) of the 'Planning By-Law' for consent to allow an additional dwelling unit.

3. THE DECISION-MAKING CRITERIA

3.1. Certain decision-making criteria prescribed in terms of the Spatial 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. For the sake of completeness these criteria are briefly explained in the Appendix to this Report.

4. TITLE DEED CONDITIONS

4.1. The title deed is attached as Annexure 'C'. There are no restrictive conditions of title relevant to the current application.

5. THE PROPOSAL

5.1. The Site Development Plan No. F232P6SDP-1 is attached as Annexure 'D'. An extract of the SDP is shown in Figure 4 below.

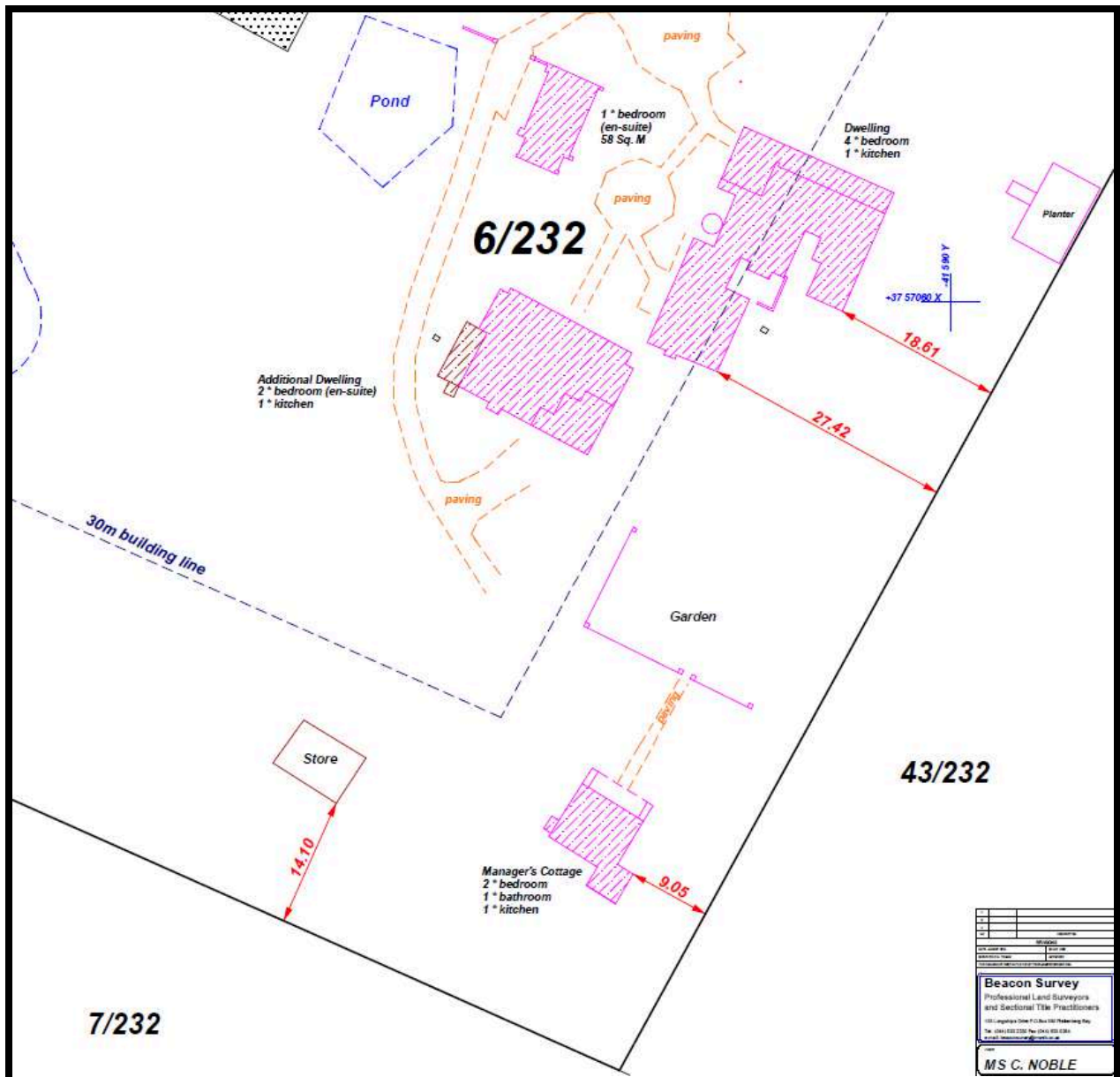


FIGURE 4: EXTRACT OF SDP

5.2. BUILDING LINES

5.3. SOUTHERN BUILDING LINE

5.3.1. As seen in Figure 5 below, the manager's cottage and store are located over the 30m building line, with the store located closest to the boundary at 14.10m.

5.3.2. An aerial image of the structures is shown in Figure 6 below.

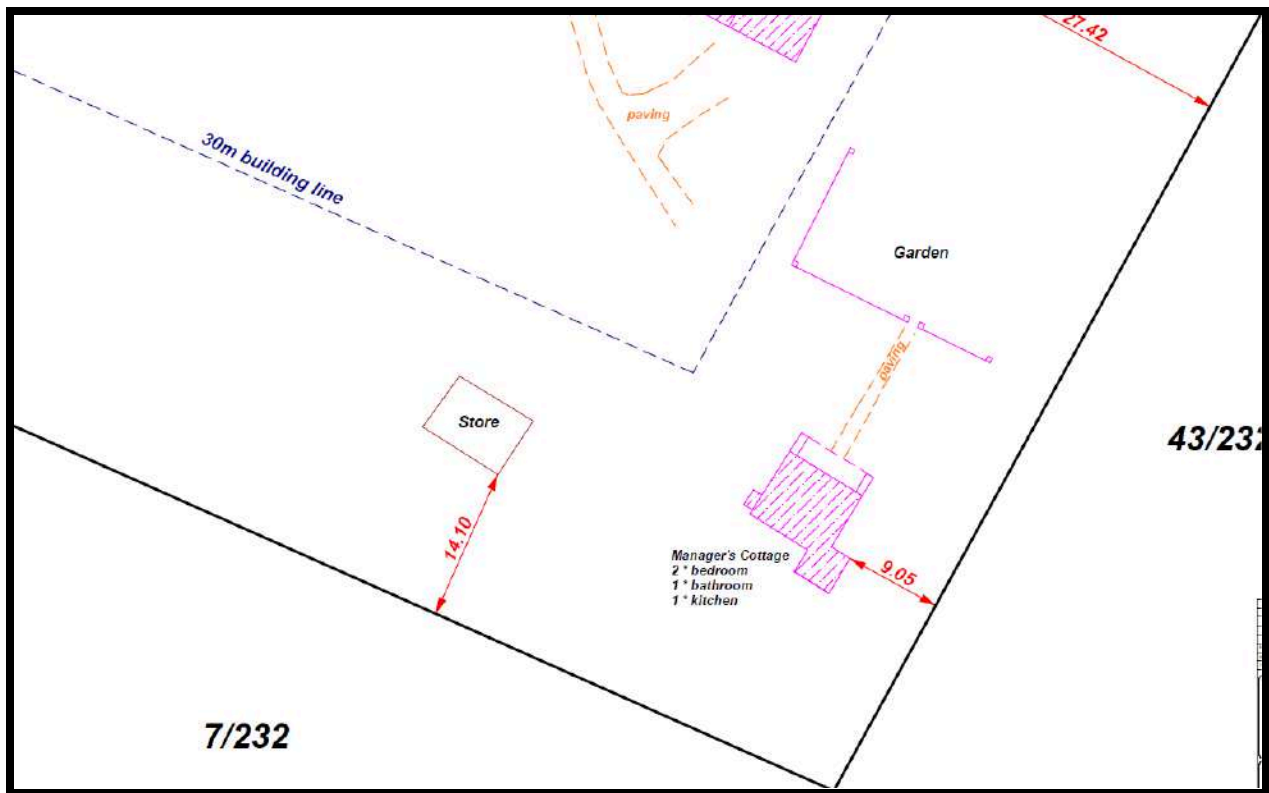


FIGURE 5: EXTRACT OF SDP



FIGURE 6: AERIAL IMAGE OF A PORTION OF THE PROPERTY

5.3.3. MOTIVATION

- 5.3.3.1. Maintaining a 14.10m setback ensures that the buildings will not significantly impact the neighboring Portion 7/232 in terms of noise, visual impact, or privacy. In addition, the existing vegetation between the two properties serves as a physical buffer. It is also noted from the aerial photograph that the portion of Portion 7/232 adjacent to the subject property appears to be used for cultivation. As a result, the proposed building line relaxation will have minimal effect on Portion 7/232, as it will not interfere with the current use of the land near the subject property, and any potential impacts related to noise, visual impact, or privacy will be negligible. The closest building on the neighbouring property is

approximately 330m from the subject store and manager's cottage. The proposed relaxation of the building line will have no impact on the character of the area or its sense of place.

5.4. EASTERN BUILDING LINE

- 5.4.1. As seen in Figure 7 below, the dwelling house and manager's cottage is located at 18.61m and 9.05m from the eastern boundary, respectively.

PORTION 6 OF FARM NO. 232: BITOU MUNICIPAL AREA: CONSENT FOR AN ADDITIONAL DWELLING UNIT AND BUILDING LINE DEPARTURES

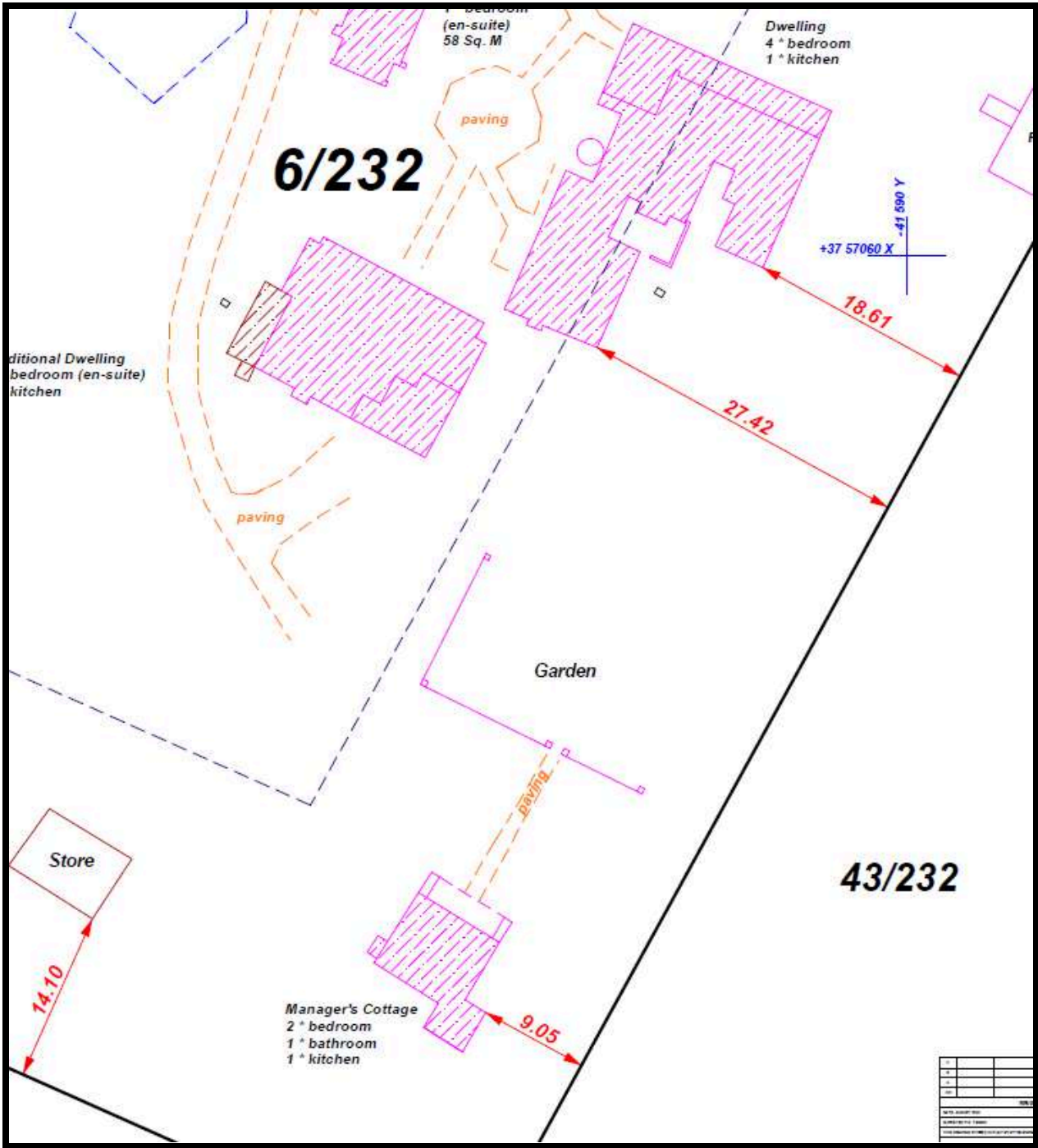


FIGURE 7: EXTRACT OF SDP

5.4.2.

5.4.3. MOTIVATION

5.4.4. The only neighboring property that could potentially be affected by the proposed relaxation is Re/43/232. Similar to the southern boundary described above, the portion of Re/43/232 adjoining the eastern boundary appears to be used for cultivation. Given the agricultural use of this land, the maintenance of a 9.05m setback, and the fact that the closest building is approximately 200 meters from the manager's cottage, the impact in terms of visual impact, noise, and privacy will be minimal to negligible. Furthermore, the building line relaxation is confined to the approved site development plan. The proposed relaxation will not affect the character of the area or its overall sense of place.

5.5. The proposed building line relaxations have minimal implications on specific policies and strategies within the SDF. In a similar vein, there are no specific regulations or policies at the district, national or provincial government level that govern the relaxation of prescribed zoning scheme building lines. It will therefore serve little purpose for aspects such as compliance with district, provincial and national SDF's to be discussed in further detail.

5.6. ADDITIONAL DWELLING UNIT

5.6.1. As previously stated, to formalise the additional dwelling house as illustrated on the SDP, application is submitted for consent to allow an additional dwelling unit.

6. MOTIVATION: ADDITIONAL DWELLING UNIT

- 6.1. The Bitou Spatial Development Framework states that *“development in the rural and agricultural landscapes of the Bitou LM should be managed in line with the guidelines provided in the Western Cape Province Land Use Planning Guidelines: Rural Areas 2019”*.
- 6.2. The Rural Areas Guidelines Additional Dwelling Density Model allows for additional dwelling units of a density of 1 unit per 10 ha, with a maximum of 5 units, *“with the exception of one additional unit that can be allowed in all cases irrespective of the size of the agricultural land unit”*.
- 6.3. This implies that the proposed additional dwelling unit complies with the Rural Area Guidelines, and is therefore consistent with the Bitou SDF.
- 6.4. Additional dwelling units are seen as a diversification strategy for agricultural properties in the Rural Area Guidelines as they provide the opportunity to diversify farm income through the introduction of non-agricultural land uses. Irrespective of whether the owner wishes to make use of the additional dwelling unit in such a manner as to generate additional income, the introduction of non-agricultural land uses, and hence diversification of land uses is seen as desirable on all levels of strategic planning inclusive of all Spatial Development Frameworks. The proposed additional dwelling unit is therefore consistent with the Bitou SDF.
- 6.5. Furthermore, the proposed additional dwelling unit is in line with the applicable zoning scheme which allows an additional dwelling unit as a consent use for properties zoned ‘Agriculture I’ in all cases.

7. IMPACT ON TRAFFIC

- 7.1. The proposed relaxation of building lines has no impact on trip generation.
- 7.2. Furthermore, the trip generation resulting from the proposed consent use for one additional dwelling unit will have a minimal to negligible impact on traffic.

8. IMPACT ON SERVICES

- 8.1. The relaxation of building lines will have no impact on the provision of services.
- 8.2. The additional dwelling house will have a minimal to negligible impact on services. It is generally accepted, and expected, that agricultural properties will make use of their one additional dwelling unit consent use which applies to all agricultural properties.

9. BIODIVERSITY AND CULTURAL SIGNIFICANCE

- 9.1. The application relates to buildings that have already been constructed in areas that have been transformed. There is no impact on cultural or heritage resources, and the terrain is not characterised by steep slopes.
- 9.2. As such, specific considerations such as biodiversity¹, cultural significance² / heritage importance³ and geological constraints^{4,5} requires no further elaboration.

¹ Natural habitat, ecological corridors and areas with high biodiversity importance 'LUPA' s.59(2)(b)(i)

² Natural habitat, ecological corridors and areas with high biodiversity importance 'LUPA' s.59(2)(b)(i)

³ Heritage Resources 'LUPA' s.59(2)(b)(ii)

⁴ Areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table 'LUPA' S59(2)(b)(iii)

⁵ Factors such as sea-level rise, storm surges, flooding, fire hazards and geological formations 'LUPA' s.59(2)(e)

10. CHARACTER OF THE SURROUNDING AREA

10.1. Figures 8 and 9 below are extracts from the municipal composite map, and the agriculture and forestry map in the MSDF, which illustrates that the Redford area primarily consists of agricultural properties and is situated within an agri-focus area. The proposed relaxation of building lines and additional dwelling unit will have no impact on the rural character of the area.

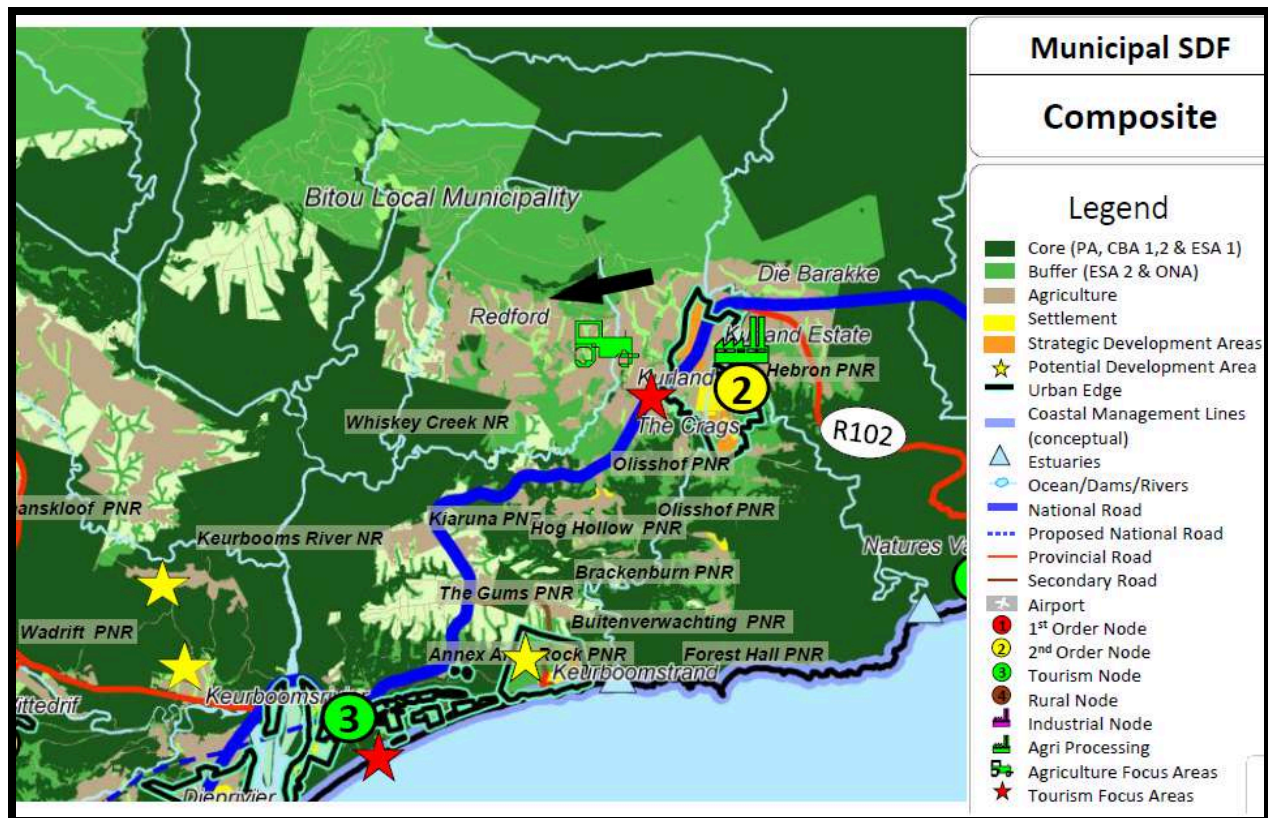


FIGURE 8: EXTRACT OF MUNICIPAL COMPOSITE MAP FROM SDF

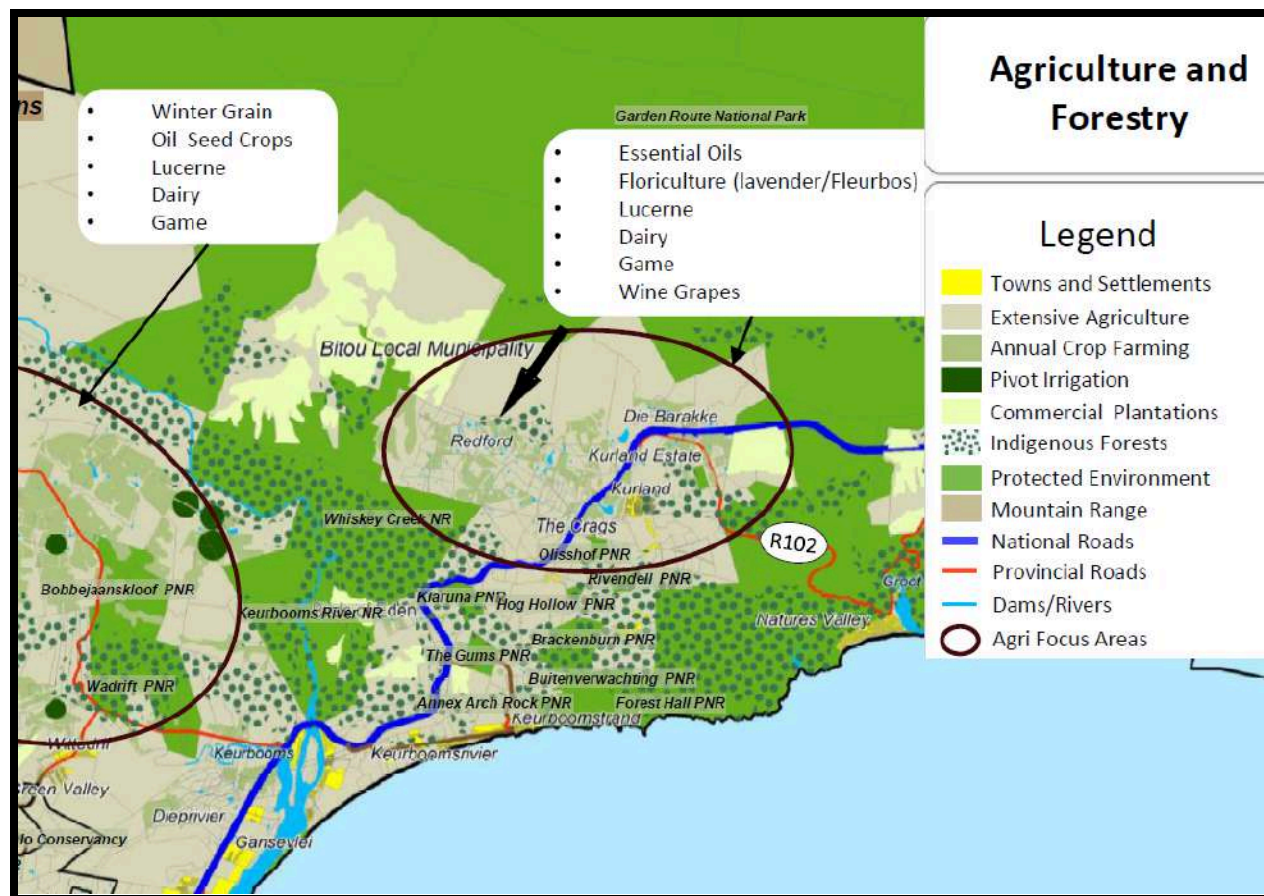


FIGURE 9: EXTRACT OF AGRICULTURE AND FORESTRY MAP FROM MSDF

11. AGRICULTURE

11.1. The application pertains to buildings that have already been constructed, and the proposed application will not have an impact on the potential of the remainder of the property to be used for agricultural purposes.⁶

12. DEVELOPMENT PRINCIPLES

12.1. Notwithstanding the categorisation of land use principles as explained in the Appendix to this report all of them apply to all aspects of spatial

⁶ SPLUMA S7(b)(ii) Ensure that special consideration is given to the protection of prime and unique agricultural land

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.

- 12.2. 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.
- 12.3. 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).
- 12.4. 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 center), 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 outcomes envisaged by the introduction of the land use principles.

- 12.5. 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.
- 12.6. Having said the above, the only principles that finds direct application in the current matter is:
- 12.7. The principle of spatial sustainability insofar as it relates to:
 - 12.7.1. Promote land development that is within the fiscal, institutional and administrative means of the Republic;
 - 12.7.1.1. The proposed (built) additional dwelling unit requires no significant new municipal services or infrastructure, places no financial burden on the municipality, and falls within Bitou Municipality's capacity to manage.
 - 12.7.2. Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;
 - 12.7.2.1. The development requires no significant new infrastructure or social services, and does not place a financial burden on the municipality or other service providers.
 - 12.7.3. Promote land development in locations that are sustainable and limit urban sprawl;
 - 12.7.3.1. Although located outside the urban edge, the development is in a functional agricultural area. An additional dwelling unit is a permissible consent use, supporting sustainable rural land use without contributing to urban sprawl.
 - 12.7.4. Result in communities that are viable;

- 12.7.4.1. The development contributes to a viable rural community by allowing appropriate residential accommodation in a rural area, without undermining the rural character or agricultural productivity of the area.
- 12.7.5. Ensuring that special consideration is given to the protection of prime and unique agricultural land;
 - 12.7.5.1. The additional unit and relaxation of building lines will not detract from the agricultural potential of the property.
- 12.7.6. Uphold consistency of land use measures in accordance with environment management instruments;
 - 12.7.6.1. The area has already been transformed and built upon, and no biophysical elements such as topography, biodiversity, or water resources are impacted or relevant to the application.
- 12.8. The principle of efficiency insofar as it relates to:
 - 12.8.1. Land development optimises the use of existing resources and infrastructure
 - 12.8.1.1. The additional dwelling unit is an efficient use of existing infrastructure, services and land resources.
 - 12.8.2. Decision making procedures are designed to minimise negative financial, social, economic or environmental impacts;
 - 12.8.2.1. The decision to relax the building lines and regularise the additional dwelling will have no adverse financial implications for the municipality, does not affect surrounding land uses or community well-being, and has no negative environmental impact.

- 12.9. Lastly, the proposed additional unit as a consent use upholds the imperative for diversification that is reiterated throughout Spatial Planning strategic documents, policies and guidelines.

APRIL 2025

[illegible]

PLAN NO. F232P6/LOCIM

PLAN NO. F232P6/LOC

3. Acquired from Plan 876

Sides Cape Feet	Angles of Direction	SYSTEM 19 230 CO-ORDINATES	
		x	y
AB	368.9	210 17 40	A - 21199.8 + 21562.1
BC	1367.4	172 39 50	B - 21335.9 + 21243.6
CD	1851.0	287 49 20	C - 21211.3 + 19887.4
DE	1751.5	28 57 40	D - 22973.5 + 20453.9
EA	1078.2	114 37 50	E - 22125.4 + 21986.4
			110000.0 - 11910000.0

No. 2479/52

Approved

Canadish
Surveyor-General
13 MAY 1952

Description of Beacons

A, B : : Half iron standard.
C, D, E : : Planted stone proj. 18".

Geodesic b ()
(in s.d. of van Godesche) van die plaats
Redford Nr. 232
KNYSNA

Scale 1 : 7500

The figure represents 25-6250 morgen of land being

21.4133
5353

21.9486 ha

PORTION 6 OF THE FARM REDFORD

situate in the Division of KNYNSA Province of Cape of Good Hope.

Surveyed in July 1950 by me

Phuana
Land Surveyor.

This diagram is annexed to
DIT No. 20267/1966

The original diagram is
No. 9297/50 annexed to
D/G. Geo. P. 11.79

File No. S. 1144/53
S.R. No. B. 2350/50

BM-70

57661 P.M. 87610

Register of Deeds.

Beacon Survey


SIDES metres		ANGLES OF DIRECTION	CO-ORDINATES	
			y	x
			Constants -40 000,00	+3750 000,00
A B	951,26	287.49.50	A - 1 560,10	+ 6 335,05
B C	388,67	12.18.20	B - 2 465,66	+ 6 626,32
C D	180,78	107.56.10	C - 2 382,83	+ 7 006,07
D E	75,80	36.49.00	D - 2 210,84	+ 6 950,39
E F	154,02	143.14.50	E - 2 165,42	+ 7 011,08
F G	145,78	134.23.20	F - 2 073,26	+ 6 887,66
G H	31,67	144.09.30	G - 1 969,08	+ 6 785,68
H J	110,06	153.52.10	H - 1 950,54	+ 6 760,01
J K	19,54	150.44.40	J - 1 902,07	+ 6 661,20
K L	253,00	116.12.40	K - 1 892,52	+ 6 644,15
L M	42,96	135.44.40	L - 1 665,54	+ 6 532,41
M A	182,88	155.37.50	M - 1 635,56	+ 6 501,64
		(154) HUM 13	△	+ 4 172,43
		(157) HUM 16	△	+ 5 065,76

Portion 3 of
Farm No. 233

Portion 4 of
Farm No. 233

S-G No. 2140/2023

Approved



for

SURVEYOR-GENERAL

20/10/2023

* curvilinear

SERVITUDE NOTES:

- 1) The line abc represent the centre line of a servitude road 4,00 metres wide over the Remainder in favour of Portion 6 of the farm Redford No. 232.
- 2) The line abd represent the centre line of a servitude road 4,00 metres wide over the Remainder in favour of Portion 42 of the farm Redford No. 232.

Portion 3 of
Farm No. 233Portion 5 of
Farm No. 233Portion 42 L
of the farm
Redford No. 232Portion 6
of the farm
Redford No. 232Divisional Road
The CraigsPortion 60
of the farm
Redford No. 232Portion 62
of the farm
Redford No. 232Remainder
Portion 3
of the farm
Redford No. 232Portion 49
of the farm
Redford
No. 232Remainder
Portion 5
of the farm
Redford No. 232

The figure A B C D E F G H J K L M
represents 25,5368 hectares of land being
PORTION 67 (a portion of Portion 43)
OF THE FARM REDFORD No. 232

Situate in the Bitou Municipality,
Administrative District of Knysna, Province of the Western Cape
Surveyed in September 2023

Description of Beacons:

- A, J, K, L, M ... 20mm iron peg
B Planted stone
D Iron standard
E 25mm iron peg
C, F, G, H 12mm iron peg

TIN

SCALE 1:5000

by me Professional Land Surveyor (P.G. TEGGIN - PLS 1118)

This diagram is annexed to

No. 18927/2024
d.d.
i.f.o.

The original diagram is

S-G Dgm. No. 4609/1992
Transfer
No. T63181/1992

File Knysna232

S.R. No. 1360/2023
Comp. BM-7DDB (4183)
BM-7D (4181)
LPI C0390000

Registrar of deeds

Farm 232/67 Knysna

THIS PORTION IS SUBJECT TO ACT 21/1940

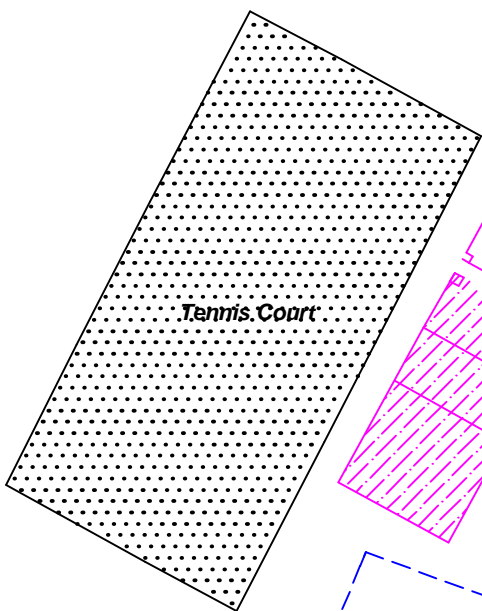
Approved i.t.o. Section 60
Of Municipal Land Use Planning Bylaw
Ref. 18/43/232
Date: 04 September 2023

APPROVED IN TERMS OF SECT. 4
OF ACT 70/1970
REF 57199
DATE 16/02/2023

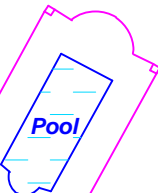


SCALE 1:500
Lo.23

+37 57010 X
-41 490 Y



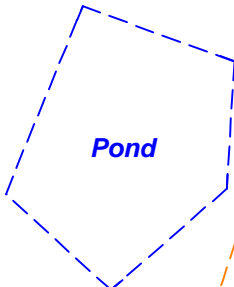
Tennis Court



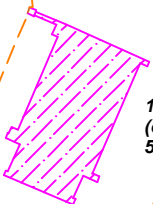
Pool

Private Braai & Entertainment Area

Private Art Studio



Pond

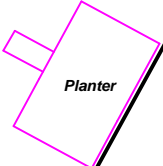


1 * bedroom
(en-suite)
58 Sq. M

paving

paving

Dwelling
4 * bedroom
1 * kitchen



Planter

+37 57010 X
-41 590 Y

30m building line

paving

6/232

+37 57060 X
-41 590 Y

18.61

27.42

Additional Dwelling
2 * bedroom (en-suite)
1 * kitchen

paving

30m building line

Garden

paving



Store

14.10

Manager's Cottage
2 * bedroom
1 * bathroom
1 * kitchen

9.05

43/232

7/232

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR TENDERS
2	REVISED TO REFLECT CHANGES
3	REVISED TO REFLECT CHANGES
4	REVISED TO REFLECT CHANGES
5	REVISED TO REFLECT CHANGES
6	REVISED TO REFLECT CHANGES
7	REVISED TO REFLECT CHANGES
8	REVISED TO REFLECT CHANGES
9	REVISED TO REFLECT CHANGES
10	REVISED TO REFLECT CHANGES
Beacon Survey Professional Land Surveyors and Sectional Title Practitioners 103 Longships Drive P.O.Box 350 Platenberg Bay Tel: (044) 533 2230 Fax: (044) 533 0264 e-mail: beaconsurvey@mweb.co.za	
MS C. NOBLE	
PORTION 6 REDFORD No. 232	
SDP	
F232P6SDP-1	

APPENDIX

LAND USE PLANNING PRINCIPLES

THE DECISION-MAKING CRITERIA

The Land Use Planning and Land Use Management Act, 2013 (Act 16 of 2013) ('SPLUMA') came into operation on 1 July 2015 and has been implemented by the Bitou Municipality since 1 December 2015.

With the introduction of 'SPLUMA' legislation in the planning sphere became normatively-based. This implies that the law introduced five substantive principles¹ that must guide all aspects of land development, including spatial planning and decision-making². These land use principles are schematically depicted in Figure 1.

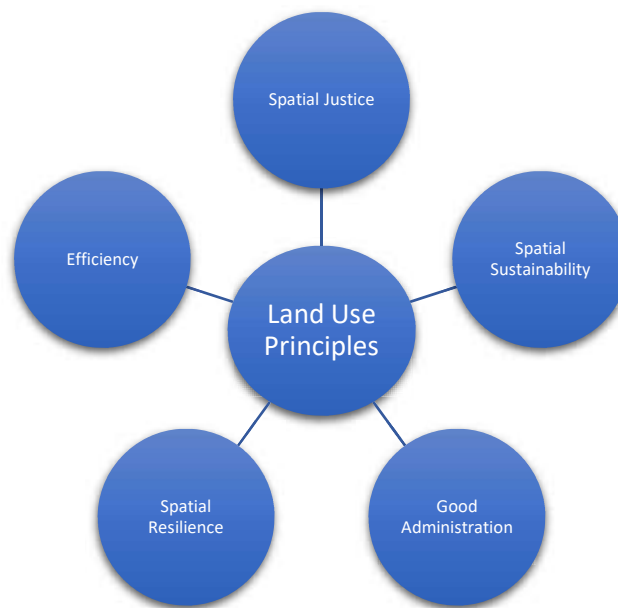


FIGURE 1

Normative legislation calls for a planning system which places the emphasis on considered judgements and the discretion of decision makers, as opposed to the application of standardised rules and regulations³.

The various land use principles been 'unpacked' in 'SPLUMA' to provide some clarity of what is required⁴.

¹ Section 7 of 'SPLUMA'.

² Section 6 (1) of 'SPLUMA'.

³ Paragraph 2.1.3.1 of the Green Paper on Development and Planning (1999).

⁴ Section 7 (a) – (e) of 'SPLUMA'.

The Provincial Government also promulgated its own Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)('LUPA'), which further entrenched⁵ and expanded⁶ upon these principles.

The overall objective of the principles is to directly influence planning decisions and to achieve planning outcomes that⁷:

- (a) Restructure spatially inefficient settlements;
- (b) Promote the sustainable use of land resources;
- (c) Channel resources to areas of greatest need and development potential, thereby redressing the inequitable historical treatment of marginalized areas;
- (d) Take into account the fiscal, institutional and administrative capacities of role players, the needs of the communities and the environment;
- (e) Support an equitable protection of rights to and in land.

In addition to the land use principles, both 'SPLUMA'⁸ and 'LUPA'⁹ prescribe certain other factors that equally are to be taken into account by the Municipality when applications for land development are considered. Lastly, the Planning By-Law itself also introduced certain additional criteria that have to be considered¹⁰.

Figure 2 illustrates schematically how the various criteria and factors interact with each other and impact on an application for land development.

Notwithstanding the categorisation of the land use principles, they all apply to all aspects of spatial planning, land development and land use management¹¹. Decisions concerning land use and development have to be explicitly related to the extent to which the proposals meet the objectives set out in the principles¹². It is of particular importance to ensure that the land use principles are not applied on a one-by-one basis without regard for their overall intention and spirit¹³.

⁵ Section 58 of 'LUPA'.

⁶ Section 59 (1) – 59 (5) of 'LUPA'.

⁷ Paragraph 2.1 of the White Paper on Spatial Planning and Land Use Management (July 2001).

⁸ Section 42 (1) – 42 (2) of 'SPLUMA'.

⁹ Section 49 of 'LUPA'.

¹⁰ Section 65 (1) of the Planning By-Law.

¹¹ Section 6(2) of 'SPLUMA'.

¹² Paragraph 2.2 of the White Paper on Spatial Planning and Land Use Management (July 2001).

¹³ Paragraph 2.2.2 of the Green Paper on Development and Planning (1999).

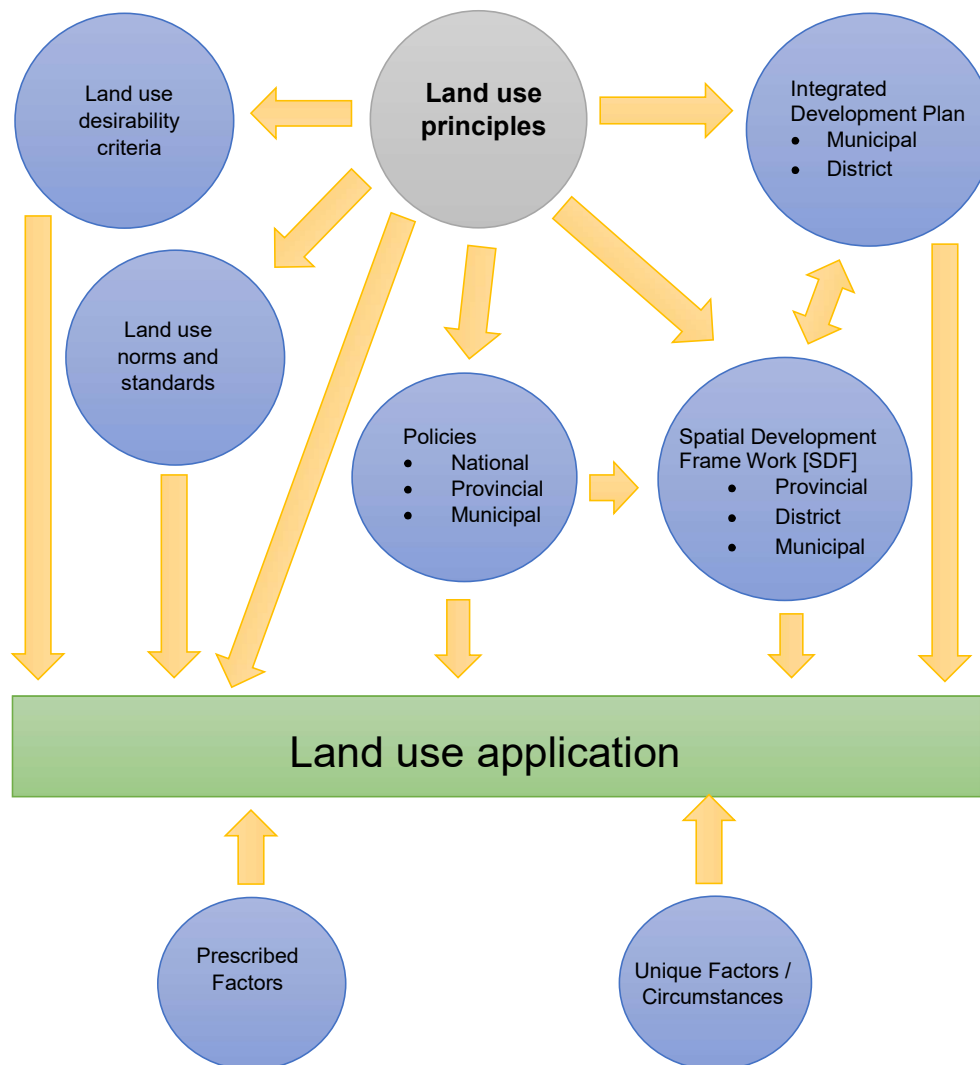


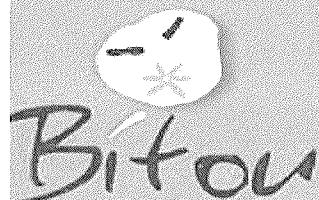
FIGURE 2

The principles do not prescribe ‘yes-or-no’ outcomes, and the interpretation and application thereof is context specific as the conditions upon which the principles have to be applied are not uniform throughout the municipal area¹⁴.

Lastly, if there is a potential conflict between more than one principle it is up to the decision-maker which one to favour. That decision however has to be clearly argued and reasoned, identifying why it is in that the particular context requires the favouring of one principle over the other¹⁵.

¹⁴ Paragraph 2.2 of the White Paper on Spatial Planning and Land Use Management (July 2001).

¹⁵ Paragraph 2.2 of the White Paper on Spatial Planning and Land Use Management (July 2001).



municipaliteit umasiqala municipality

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 TEGGIN		
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	beaconsurvey@mweb.co.za		
Tel		Cell 012 7676974	044 - 5332230

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

Name of registered owner(s)	CLIVE ALLISTER NOBLE		
E-mail	redfordhouse.plett@gmail.com		
Tel		Cell 0769071019	

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

Property Description (Erf No / Farm No):	PORTION 6 OF THE FARM REDFORD NO. 232		
Physical/ Street Address (if available)	REDFORD AREA		
Town	PLETTENBERG BAY		
Current Zoning	AGRICULTURE ZONE 1	Land Use	

Extent	21,9486 m ² /ha		
Applicable Zoning Scheme	Plettenberg Bay Zoning Scheme Section 7		
	LUPO Scheme Regulations : Section 8		
Are there existing buildings?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
Title Deed number and date	T 35963/1980		

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

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 checked="" 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)?	Y <input type="checkbox"/>	N <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)?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>

PART D: PRE-APPLICATION CONSULTATION

Was a pre-application consultation held with the Municipality?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name	MR M. BUSKES	Date of consultation	

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 checked="" 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 checked="" 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 checked="" 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 checked="" 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(g)	a permission required in terms of the zoning scheme;
✓	2(h)	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(j)	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;
✓	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

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

Supporting Information & Documentation (if applicable)

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

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

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

Y	N	<input checked="" type="checkbox"/>	National Environmental Management Act, 1998 (Act 107 of 1998)
Y	N	<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)
Y	N	<input checked="" type="checkbox"/>	National Heritage Resources Act, 1999 (Act 25 of 1999)
Y	N	<input checked="" type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
Y	N	<input checked="" type="checkbox"/>	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)
Y	N	<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.
Y	N	<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.
Y	N	<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 86(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

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

Applicant's signature: _____

Date: _____

Full name: _____

Professional capacity: _____

[Signature] *6/5/25*

PHILIP GEORGE TEGGIN

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

6 May 2025

Ref: F232P6BM-1

The Municipal Manager
Bitou Municipality

Att : Mr M. Buskes

By AFLA

**PORTION 6 OF THE FARM REDFORD No. 232, ADMINISTRATIVE DISTRICT OF
KNYSNA - CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND DEPARTURE
FROM ZONING SCHEME CONDITIONS (BUILDING LINES).**

Herewith please find the following documents relating to the above:

- 1) Motivation Report & Annexures A - D and Appendix.
- 2) Application Form.
- 3) Empowering documents.
- 4) Copies of letters to the Department of Agriculture for comment and the Department of Transport and Public Works i.t.o. Act 21 of 1940.

We hereby make application in terms of the Planning By-Law for the consent use for an additional dwelling unit and departure from zoning scheme conditions (building lines) as motivated.

Yours faithfully

Beacon Survey



PGT/cr

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

6 May 2025

Ref: F232P6PA-1

Provincial Department of Agriculture
Private Bag X1
ELSENBURG
7607

Att: Mr C. van der Walt

By post & email: Cor.VanderWalt@westerncape.gov.za
Brandon.Layman@westerncape.gov.za

**PORTION 6 OF THE FARM REDFORD No. 232, ADMINISTRATIVE DISTRICT OF
KNYSNA - CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND
DEPARTURE FROM ZONING SCHEME CONDITIONS (BUILDING LINES).**

Herewith please find the Motivation Report, Annexures A - D and Appendix.

Please provide your comment on the proposal as motivated.

Yours faithfully

Beacon Survey

Per:



PGT/cr

C.C. National Department of Agriculture
By email: LUAHelpdesk@dalrrd.gov.za
TinguvaM@Dalrrd.gov.za

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

6 May 2025

Ref : F232P6PR-1

The Department of Transport & Public Works

Att: Mr E. Burger

By email: Evan.Burger@westerncape.gov.za
Vanessa.Stoffels@westerncape.gov.za

**PORTION 6 OF THE FARM REDFORD No. 232, ADMINISTRATIVE DISTRICT OF
KNYSNA - CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND DEPARTURE
FROM ZONING SCHEME CONDITIONS (BUILDING LINES).**

Herewith please find the Motivation Report, Annexures A - D and Appendix.

We hereby make application in terms of Act 21 of 1940 for the departure from zoning scheme conditions (building lines) and consent use for an additional dwelling unit as motivated.

Yours faithfully

Beacon Survey

Per:



PGT/cr

SPECIAL POWER OF ATTORNEY

I/We the undersigned,

Colleen Patricia Noble

in my capacity as Executor in the estate of the late Clive Alister Noble
acting by virtue of Letters of Executorship number 54371202 issued by the Master of the
Western Cape High Court

do hereby nominate, constitute and appoint

PAUL JORDAAN

As representative / attorney of the firm of Jordaan & Smith Attorneys, with power of Substitution
to be my/our lawful Attorney in my/our name, place and stead.

1. To sign and execute all documents necessary, including Death Notice, Inventory, Estate Duty Returns and Liquidations and Distributions Accounts;
2. To enter into a Bond of Security for the administration of the estate on my/our behalf;
3. To deal with the assets of the estate in the Republic of South Africa and for this purpose to pass transfer, vote or assign any assets of the estate, to sell by Public Auction, Tender or Private Treaty any assets of the estate whether moveable or immovable and to grant acquittance or receipts for all payments received;
4. To attach shares or marketable securities or to transfer to the duly appointed heirs in terms of the Will of the deceased to the best of our discretion bearing in mind the will and/or wishes of the heirs any shares or marketable securities held by the deceased;
5. To open and conduct a Banking account in the name of the deceased and to operate thereon by the signing and endorsement of all instruments requisite and necessary in the premises;

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

SIGNED at Pretoria on 27 of May 2012 in the presence of the undersigned witnesses.

AS WITNESSES:

1. [Signature]

2. [Signature] Paul Jordaan

SPECIAL POWER OF ATTORNEY

I, the undersigned,

Philip George Tegg

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:

PORTION 6 OF THE FARM REDFORD No. 232

NATURE OF APPLICATION:

- 1) CONSENT USE TO REGULARISE THE EXISTING STRUCTURES.
- 2) DEPARTURE FROM ZONING SCHEME CONDITIONS. *(Building lines)*
3. *consent use for ADULTHOUSING*

SIGNED AT *Wickhampton* *13.01*

THIS *13* DAY OF *January* 2024.

OWNER/AUTHORISED AGENT

WITNESSES

1. *[Signature]*

2. *[Signature]*